

FORT LEE BOARD OF ADJUSTMENT

July 26, 2016

Present: J. Nitti, H. Joh, G. Makroulakis, D. Porrino, H. Liapes, P. Yoon, D. Sugarman

Absent: J. Silver, D. Starace

Present: J. Mariniello, Esq., Elizabeth Leheny, Phillips, Preiss, Grygiel

Chairman Sugarman called the meeting to order at 7:35 p.m.

NOTICE OF MEETING: The Chairman states: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: All members of this Body have been advised in writing at least 48 hours prior to this meeting of the time, place, and proposed Agenda of this meeting. A written notice of the time, place, and proposed Agenda was posted on the bulletin board of Municipal Building, 309 Main Street, Fort Lee, New Jersey. On the same date, a copy of said written notice was mailed to the Record, Jersey Journal, Time Warner Cable and Fort Lee Online. A copy was filed with the Borough Clerk and, on the same date, copies were mailed to all persons who have requested copies of such notices and have prepaid the fee fixed for the year 2016.

Chairman Sugarman stated that tonight is Barbara Klein's last meeting with us. There was a party last week, the Council took notice as did the Planning Board. She has been with us 16 years, 11 of which I've been on the Board. Chairman Sugarman presented Barbara with a bouquet of flowers and told her she didn't have to stay for the entire meeting.

Approval of Minutes

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 6-0 by members Nitti, Joh, Makroulakis, Porrino, Liapes and Sugarman to approve the minutes of the meeting of July 12, 2016. Mr. Yoon abstained from the vote.

Memorializations

Docket #30-15 1550 Lemoine Avenue, LLC, 1550 Lemoine Avenue, Block 3957, Lot 4, Preliminary/Final Major Site Plan – Interior Alteration & Proposed Massage Therapy Use
Chairman Sugarman stated that the memorialization is being continued to the meeting of August 9, 2016.

Docket #8-16 ZAKA, LLC, 1350 15th Street, Block 2252, Lot 1, Preliminary/Final Major Site Plan to re-configure four existing units on the 15th Floor into Six Penthouse Units – Redesign of Existing Penthouse Units, Signage

Chairman Sugarman stated that the signage portion of this application has been withdrawn without prejudice. The memorialization is being continued to the meeting of August 9, 2016.

Acceptance/Completeness

Docket #31-16 Lighthouse Associates, LLC, 1541 Anderson Avenue, Block 3853, Lot 2, Two-Family Dwelling

Saverio Cereste, Esq. is representing the applicant. It was moved by Mr. Joh, seconded by Mr. Nitti and passed on a vote of 7-0 by members Nitti, Joh, Makroulakis, Porrino, Liapes, Yoon and Sugarman to deem the application complete. The applicant will contact the Board Secretary for a hearing date.

Public Hearings

Docket #14-16 Sunny Investments Enterprise, LLC, 235-239 Main Street, Block 4751, Lots 25 & 26, Preliminary/Final Major Site Plan – Building Extension and Alteration

Saverio Cereste, Esq. Esq. is representing the applicant. Chairman Sugarman announced this application has been withdrawn without prejudice.

Docket #30-16 1054 Morningside Lane, LLC, 1054 Morningside Lane, Block 162, Lot 5, Two-Family Dwelling

Saverio Cereste, Esq. is representing the applicant and marked into evidence:

A1-Site Plan prepared by Azzolina & Feury

A2-Architectural Plan prepared by Vassilios Cocoros

A3-Four photos of Site and Surrounding Area

A4-Drainage calculations

A5-Photos

A6-Six Photographs of Site and Surrounding Area

Mr. Cereste stated this is a two-family dwelling, the bulk of property is in Fort Lee and a portion is in Palisades Park. Three D variances are required.

Perry Frenzel, Azzolina & Feury Engineers, 30 Madison Avenue, Paramus, NJ. Mr. Frenzel was sworn in and his credentials accepted by Chairman Sugarman. Mr. Frenzel stated a two story, two-family dwelling exists on the property now. The property is in the R2 zone. Drainage basins are proposed to collect water from roof areas and rear of dwelling. No overflow is anticipated. Applicant will comply with Mr. Mignone's report. A step up wall across the rear of the property is proposed to accommodate the different elevations.

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Mr. Nitti asked if Palisades Park approved the application.

Chairman Sugarman stated this is a condition of approval if this application is approved.

Chairman Sugarman asked for questions from the Board, the public.

Peter Ingilizian stated he would like to see the photos. He asked of this property is in the R2 zone, why is there a two-family on the property?

Chairman Sugarman responded the applicant is here tonight for a variance. He stated you will have an opportunity for comments and statements later on in the meeting.

Mr. Chen, 138 Morningside Lane, Fort Lee, stated that he lives next to this property. He wanted to make sure the sun will not be blocked by this home, for his solar panels.

Mr. Cereste stated he does not think this will happen because they are maintaining the side yard setbacks.

Chairman Sugarman stated the Architect will answer this question.

Mr. Porrino stated he asked a while ago for the Engineer to list the distance to the buildings on either side and the distance to the rear.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A2-Architectural Plan dated May 1, 2016

Mr. Cocoros stated the proposal is to demolish the existing two-family dwelling. Residential lighting proposed over garage, front door and deck doors.

Chairman Sugarman asked if there is access from the deck to the backyard.

Mr. Cocoros responded no.

Mr. Cocoros stated the first floor will include a living room, open-plan kitchen, family area, eating area and a powder room. The second floor will include a master bedroom with ensuite bathroom, two additional bedrooms which share a bathroom and laundry room.

Chairman Sugarman asked him to respond to Mr. Chen's concerns about the solar.

Mr. Cocoros stated he cannot make an accurate determination.

Mr. Porrino stated the FAR is 95 but the plan shows 89.

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Mr. Cocoros stated he is accepting the Planner's calculation of 95.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Lisa Phillips, Planner, 19 Blackfoot Trail Oakland, NJ. Ms. Phillips was sworn in and her credentials accepted by Chairman Sugarman.

Exhibit A7-Aerial Photograph dated July 19, 2016

Exhibit A3 – Four Photographs

Top left - Subject Property

Top right - Neighbors to north along Morningside Lane

Bottom left - Neighbor to south at 1050 Morningside Lane

Bottom right - Neighbors to west across Morningside Lane

Ms. Phillips stated this is a one way street. There were two-family homes approved in this area, in the last 18 months by the Board. Ms. Phillips discussed the variances. She stated she did an analysis of the 200 ft. properties including Palisades Park. She found 14 single-family homes and 16 two-family homes. There are three D variances required.

D1 variance ó Two blocks away from Rt. 5 and Bergen Boulevard. Ms. Phillips reviewed the 2011 Master Plan ó preserving residential neighborhood, there is no negative impact.

D4 variance ó over the FAR because of the recreation room beyond the garage level. This is not an accessory building.

D variance for height. There is a duplex to the north, raised grade, not detrimental to the neighborhood, maintaining side yard setbacks.

C variances ó 2,600 square feet per unit. Rear yard setback relates to deck. More parking proposed on site. Lot coverage is 55 over, no run-off.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Peter Ingilizian, 1302 Anderson Avenue, Fort Lee, NJ stated why is there a two-family home in a R2 zone?

Chairman Sugarman responded this could have predated the current zoning ordinance. This is why we are here. We would like to bring the zoning ordinance up to date.

Mr. Ingilizian asked how will the extra students be handled.

Chairman Sugarman stated we've been expanding the schools.

Mr. Ingilizian stated these homes will never be turned back into one-family homes.

Mr. Makroulakis stated we hear what you're saying, we look at every piece of property for every

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application that comes before this Board. Abbott Boulevard will not be changed. Next door and down the street there are two-families. We have denied many two, four, six and eight family home applications.

Mr. Yoon stated you mentioned this must be an illegal two-family zone. We don't know this. We all consider the traffic and schools. For every person I hear complain, I hear people comment that they love the modernization. Some neighbors would welcome this new home.

Mr. Cereste stated they are taking down an older two-family home in a predominantly multi-family area. This home is consistent with the area and will be an asset to the area.

Mr. Yoon stated he doesn't feel this house will impact Mr. Chen's property and the solar system.

It was moved by Mr. Makroulakis, seconded by Mr. Joh and passed on a vote of 7-0 by members Nitti, Joh, Makroulakis, Porrino, Liapes, Yoon and Sugarman to grant the applicant approval to build a new Two-Family Dwelling.

Docket #20-16 Il Chung Ha, 214 Main Street, Block 4253, Lot 6, Signage (Continued public hearing from July 12, 2016)

Saverio Cereste, Esq. representing the applicant stated the Sign Committee met on July 14, 2016. They will return to the Board for approval if they get a tenant upstairs. Apple Sign Co. is here tonight.

A1-Configuration approved by the Sign Committee

A2-Sign Committee letter

Mr. Joh stated the Sign Committee recommended as submitted.

Mr. Porrino asked why are they here if they are in compliance and there are no variances.

No vote was required.

Docket #22-16 S&G Development, LLC, 2175 Linwood Avenue, Block 5852, Lot 14, Two-Family Dwelling

Saverio Cereste, Esq. is representing the applicant. He marked into evidence:

Exhibit A1-Site Plan prepared by Collazuol dated March 2, 2016

Exhibit A2-Architectural plans dated January 1, 2016 prepared by Vassilios Cocoros

Exhibit A3-Photo Board-Four photographs of Site and Surrounding area by David Spatz

Exhibit A4-Drainage Calculations dated June 6, 2016

Exhibit A5-Survey prepared by Wells Associates dated December 13, 2011

A6-Photographs of the site

A7-Colorized Landscaping Plan

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Steven Collazuol, Engineer, 1610 Center Avenue, Fort Lee, NJ. Mr. Collazuol was sworn in and his credentials accepted by Chairman Sugarman. Mr. Collazuol stated the lot is 50 x 100 with a detached garage on the northern side. The applicant plans to remove the only tree on the property. Two maple trees are proposed at each corner of the rear yard. Also, a line of rhododendron is proposed within the rear yard line, eight boxwoods on each side yard and a viburnum shrub in front of the walkways. Six azalea shrubs are proposed in the planting strip between the driveways. The applicant will comply with Mr. Mignone's report.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Elizabeth Leheny asked if the seepage pits will be connected to the roof drains.

Mr. Collazuol responded yes.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Cocoros stated they plan to construct an all brick new two-family side by side duplex. There is a recreation room, powder room, utility room, garage and interior stairs to the upper floors in the basement. The first floor will consist of a living room, dining room, kitchen with eating area, and a powder room. The second floor is proposed to have a master bedroom with ensuite bathroom, two additional bedrooms that share a bathroom, and a laundry room. There will also be a covered entry porch on each side.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

David Spatz, Planner, 60 Friend Terrace, Harrington Park, NJ. Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A3 – Four Photographs of Site and Surrounding Area

Top left - subject property

Top right ó home to the right

Bottom left ó home to the left

Bottom right ó two-family across the street

Mr. Spatz stated one D variance is needed for 99% FAR and 12 additional variances for excess bulk of the structure.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Mr. Cereste gave his summation to the Board.

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It was moved by Mr. Joh, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Joh, Makroulakis, Porrino, Liapes, Yoon and Sugarman to grant the applicant approval to build a new Two-Family Dwelling.

Chairman Sugarman called for a ten minute recess at 9:15 P.M. The meeting resumed at 9:25 P.M.

Docket #23-16 Matkal Realty, LLC, 338 Riverdale Drive, Block 3054, Lot 4, Single-Family Dwelling

Saverio Cereste, Esq. is representing the applicant. Mark Martins, Engineer, 55 Walnut Street, Norwood, NJ. Mr. Martins was sworn in and his credentials accepted by Chairman Sugarman. Mr. Martins stated the proposal is to construct a new 2 1/2 story, one-family dwelling. On the westerly side, to the right, is a new 2 ½ story structure. The property is in the R2 zone.

Landscape Plan-Sheet 2 ó One tree in the rear to remain, one tree at proposed driveway and a new dogwood tree is proposed at the right front corner of the property. Standard residential type fixtures proposed. Wall will be retained; front wall will be removed.

Mr. Porrino asked what the FAR is for?

Mr. Martins responded, this is a large luxury home.

Mr. Porrino stated this is a huge home for this property.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Bob Zampolin, Architect, 187 Fairview Avenue, Westwood, NJ. Mr. Zampolin was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Zampolin stated the proposed building will be 52 ft. x 34.8ö. The basement will include a maidø room, full bath, walk-out basement, media room, mechanical room and a hallway area. The first floor has a double height foyer, a hallway, living room, dining room, family room, a library, kitchen with eating area, and powder room. The second floor is proposed to include four bedrooms. Three of the bedrooms are childrenø bedrooms. The master bedroom will have two large walk-in closets, an ensuite bathroom and separate toilet room. The dwelling will also include a covered entry porch. This is an all brick structure. The HVAC units will be under the deck.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

David Spatz, Planner, 60 Friend Terrace, Harrington Park, NJ. Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A3-Four photographs of Site and Surrounding Area

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Top left - Property under construction next door
Top right - Remainder of home under construction
Bottom left -Subject property
Bottom right - Across the street

Mr. Porrino asked to the height to mid point of roof. What is the total height of the roof?

Mr. Zampolin responded 34 feet.

Mr. Mariniello asked if this application requires a C2 variance?

Mr. Spatz responded yes, this is consistent with the neighborhood.

Chairman Sugarman asked if anyone would like to be sworn in and comment on the application.

Gene Kreis, 1501 Center Avenue, Fort Lee stated his side lot abuts these two houses. A retaining wall was put up. Mr. Kreis gave photographs to Chairman Sugarman and Mr. Cereste. The wall runs to Center Avenue, he can't see when he backs up. He's trying to make a point about oversized homes in the area. He was impacted by development across the street, it killed his oak tree and cost him \$2,000 to take the tree down.

Mr. Cereste gave his summation to the Board.

It was moved by Mr. Liapes, seconded by Mr. Joh and passed on a vote of 5-2 by members Nitti, Joh, Liapes, Yoon and Sugarman to grant the applicant approval to build a new One-Family Dwelling. Mr. Makroulakis and Mr. Porrino voted to deny the application.

Docket #28-16 Vincent & Maria Sciglitano, 1613 Maple Street, Block 3551, Lot 3, Two-Family Dwelling

Marc D. Macri, Esq., is representing the applicant.

Mr. Mariniello recused himself from this application.

Mark Martins, Engineer, 55 Walnut Street, Norwood, NJ. Mr. Martins was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Martins stated currently existing is a 1½ story frame dwelling with detached garage and two driveways. The proposal is to construct a new three-story two-family side by side duplex dwelling. The applicant proposes to remove the existing tree and replace with one redbud tree. A line of 22 arborvitae are proposed in the rear yard along the side rear lot lines. A line of 18 yew plantings is proposed in each side yard. Eight azalea plants are proposed along the left and front lot lines in the front and six azalea plants along the right lot line in the front yard. In the planting strip between the driveways, a line of 10 boxwood plants is proposed. Typical residential lighting is proposed. The applicant will comply with Ed Mignone's report.

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Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Cocoros stated the first floor will consist of a living room, dining room, kitchen with eating area and a powder room. The second floor is proposed to include a master bedroom with ensuite bathroom and two additional bedrooms that share a bathroom. Each unit will have a covered entry porch. Standard residential lighting is proposed.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

David Spatz, 60 Friend Terrace, Harrington Park, NJ. Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman. Mr. Spatz stated the proposed structure is similar to the surrounding area. The building slightly exceeds what is permitted and is consistent with the neighborhood.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Elizabeth Leheny asked if Mr. Spatz could speak to Page 5, #5 of Mr. Jovishoff's report regarding the adjacent commercial property.

Mr. Spatz stated the owner owned both properties and abandoned the previous proposal.

Mr. Macri gave his summation to the Board.

It was moved by Mr. Porrino, seconded by Mr. Nitti and passed on a vote of 7-0 by members Nitti, Joh, Makroulakis, Porrino, Liapes, Yoon and Sugarman to grant the applicant approval to build a new Two-Family Dwelling.

Docket #24-16 256 Myrtle Avenue, LLC, 2453 Camner Street, Block 6955, Lot 4, Two-Family Dwelling

Marc D. Macri, Esq., is representing the applicant.

Mark Martins, Engineer, 55 Walnut Street, Norwood, NJ. Mr. Martins was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Martins marked into evidence:

A1-Colorized plan

Currently on the property is a two-story split-level one-family brick dwelling. The applicant proposes a new three-story two-family side by side duplex dwelling. The property is in the R3 zone. Three existing trees in the front yard will be removed and one tree in the rear will be removed. The applicant proposes replacement with two dogwood trees in the corners of the property in the front yard, and two dogwood trees in the rear yard. 22 yew plants are proposed

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along the the right side lot line and 22 yew plants are proposed along the left lot line also in the side and rear yards. Five azalea plants are proposed on each side of the of the front yard between the side lot lines and entry stairs and walkways. Between the driveways in the planting strip eight boxwood plants are proposed.

The applicant will comply with Ed Mignone's report dated June 10, 2016.

Overhead service connection is proposed.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Cocoros stated a side by side two-family, all brick structure, is proposed. Sheet O2-The basement is proposed to include a recreation room, powder room, utility room and a garage. The first floor in each unit will have a living room, dining room, kitchen with eating area, and a powder room. There is no access from the decks to the rear yard. The second floor is proposed to include a master bedroom with ensuite full bathroom, two additional bedrooms which share a bathroom and a laundry room. HVAC will be located in the center rear.

The planting strip is set back so it's easier when pulling out to the street. Typical residential lighting is proposed.

Mr. Porrino asked why 14% over coverage? Why is the planting strip cut back?

Mr. Cocoros responded this is in line with the other homes in the area.

Mr. Macri stated the applicant will increase the planting strip to the front line as a condition of approval.

David Spatz, 60 Friend Terrace, Harrington Park, NJ. Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman. Mr. Spatz marked into evidence:

Exhibit A2-Photo Board, Four Photographs of Site and Surrounding Area

Top left-shows the subject property
Top right-the property to the right
Bottom left-building to the left
Bottom right-two-family across the street

Mr. Spatz stated a two-family in this area was recently approved by this Board. The property can accommodate the increased FAR and is consistent with the neighborhood development.

Chairman Sugarman asked for questions from the Board, the public. No one appeared.

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Mr. Macri gave his summation to the Board.

Mr. Porrino stated he is voting to approve the application to include the condition of approval that the planting strip will be increased to the front line.

It was moved by Mr. Porrino, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Joh, Makroulakis, Porrino, Liapes, Yoon and Sugarman to grant the applicant approval to build a new Two-Family Dwelling.

Docket #27-16 1298 Anderson Avenue, LLC, 1298 Anderson Avenue, Block 1951, Lot 11, Two-Family Dwelling

Paul Kaufman is representing the applicant.

Chairman Sugarman stated that this matter will be carried to the meeting of August 23, 2016 with no further notice on the part of the applicant. The applicant has waived the time for the Board to act.

ADJOURNMENT

It was moved by Mr. Yoon, seconded by Mr. Nitti to adjourn the meeting at 10:30 p.m.

Respectfully submitted,

Linda Garofalo
Recording Secretary