

FORT LEE BOARD OF ADJUSTMENT
January 10, 2023

Present: H. Liapes, J. Nitti, D. Conway, H. Joh, S. Tropea, L. Pacheco, E. Hong, D. Sugarman

Absent: J. Luppino

Also Present: J. Mariniello, Jr., Esq., D. Juzmeski, Neglia Eng.

Chairman Sugarman called the meeting to order at 7:40 p.m.

NOTICE OF MEETING: The Chairman states: On November 29, 2022 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2023. The time, date, and location of said schedule was posted on the Bulletin Board at 309 Main Street. A copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk. A written notice of the time, place and proposed Agenda was posted on the Bulletin Board at 309 Main Street and mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk. Copies have been mailed to all persons who have prepaid the \$35.00 fee fixed for the year 2023 to cover the cost of mailing.

Mr. Sugarman, Mr. Pacheco, Mr. Liapes and Ms. Hong were sworn in by Mr. Mariniello.

Chairman Sugarman turned the meeting over to Mr. Mariniello.

Election of the following Officers of the Board:

- Chairman
- Vice-Chairman
- Secretary of the Board

A motion was made by Mr. Liapes to appoint Doug Sugarman as Chairman for the year 2023. The motion was seconded by Mr. Conway and passed on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman.

Mr. Mariniello turned the meeting back to Chairman Sugarman.

A motion was made by Chairman Sugarman, seconded by Mr. Pacheco and passed on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to elect Mr. Liapes as Vice-Chairman of the Board.

A motion was made by Chairman Sugarman, seconded by Mr. Liapes and passed on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to elect Mr. Nitti as Secretary to the Board.

Resolution for Professional Appointments 2023

- Board Attorney Joseph Mariniello, Esq./Mariniello & Mariniello, P.C.
- Conflict Board Attorney Diane Testa, Esq./Testa & DeCarlo
- Board Planner Neglia Engineering Associates
- Board Engineer (Site) Neglia Engineering Associates
- Board Engineer (Traffic) Neglia Engineering Associates

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All members present voted to approve the resolution for the Board of Adjustment professional services and award contracts to:

Joseph Mariniello, Esq., Mariniello & Mariniello PC, Board Attorney; Diane Testa, Esq., Testa & DeCarlo, Conflict Board Attorney; Neglia Engineering Associates, Board Planner; Neglia Engineering Associates, Site Engineer; Neglia Engineering Associates, Board Traffic Engineer.

A motion was made by Mr. Joh, seconded by Mr. Conway and passed on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to appoint the Board of Adjustment professionals.

Appointments to the Zoning Board

- Recording Secretaries
- Court Reporter

It was moved by Mr. Joh, seconded by Mr. Conway and passed on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to appoint Linda Garofalo, Christen Trentacosti and Barbara Klein as Recording Secretaries for the year 2023.

It was moved by Mr. Joh, seconded by Mr. Conway and passed on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to appoint Beth Calderone, Calderone & Assoc. as Court Reporter for the year 2023.

Official Publications of the Zoning Board of Adjustment – The Record, The Jersey Journal, Star Ledger and Spectrum.

All members voted in favor to designate The Record, The Jersey Journal, The Star Ledger and Spectrum as the Official Publications of the Zoning Board of Adjustment.

Approval of Minutes

It was moved by Mr. Liapes, seconded by Ms. Hong and passed on a vote of 5-0 by members Liapes, Nitti, Conway, Pacheco and Sugarman to approve the minutes of the meeting of December 27, 2022.

Arrangement of member's seating for voting process and voting order.

Following review by the Board the seating will be the same as 2022. All members were in favor.

Rules of the Board of Adjustment including Remote Public Meetings. Motion to adopt.

It was moved by Mr. Pacheco, seconded by Mr. Liapes and affirmed by an all-in-favor vote to adopt the Rules of the Board of Adjustment for the year 2023.

2022 Annual Report of the Zoning Board of Adjustment – Review and Adoption

It was moved by Mr. Tropea, seconded by Mr. Liapes and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to adopt the 2022 Annual Report of the Zoning Board of Adjustment.

Memorializations

Docket #4-21, Edwin Glenn O'Connor, 1580 John Street, Block 3754, Lot 6, Amendment to Two Unit Dwelling

It was moved by Mr. Conway, seconded by Mr. Nitti and approved on a vote of 5-0 by members Liapes, Niti, Conway, Tropea and Sugarman to grant the applicant approval to Amend the Two Unit Dwelling.

Docket #35-22, Tom Hunter Developers, LLC, 1533 Center Avenue, Block 3855, Lot 9, Minor Subdivision & Two (2) Two Unit Dwellings

It was moved by Mr. Nitti, seconded by Mr. Pacheco and approved on a vote of 6-0 by members Liapes, Nitti, Conway, Pacheco, Hong and Sugarman to grant the applicant Minor Subdivision approval and Two (2) Two Unit Dwellings.

Docket #39-22, 1028 Abbott, LLC, 1028 Abbott, LLC, 1028 Abbott Boulevard, Block 454, Lot 6, Two Unit Dwelling

It was moved by Mr. Nitti, seconded by Mr. Liapes and approved on a vote of 6-0 by members Liapes, Nitti, Conway, Pacheco, Hong and Sugarman to grant the applicant approval to construct a Two Unit Dwelling.

Extension of Time/Site Plan Approval

Docket #9-20, 514 Main Street, LLC, 514 Main Street, Block 3655, Lot 3, Extension of Time-Preliminary & Final Major Site Plan – Five (5) Story, Self-Storage Facility

Mr. Cereste stated the application was approved in September 2020 and has been extended to March 26, 2023. The plans are being prepared and we are seeking an extension until March 26, 2024.

It was moved by Mr. Conway, seconded by Mr. Liapes and approved on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to approve Extension of Time/Preliminary & Final Major Site Plan Approval.

Public Hearings

Docket #12-09, Fort Lee A.C. Condominium Association, Inc., 2029 Lemoine Avenue, Block 14751, Lot 11, Amendment to Resolution – Preliminary & Final Major Site Plan – Office/Retail/Club Development

Chairman Sugarman stated this application is carried to the meeting of February 28, 2023, no further notice is necessary. Time is waived for the Board to act.

Docket #18-21, 2130 Center Avenue, LLC, 2130 Center Avenue, Block 5952, Lot 1, Preliminary & Final Major Site Plan – 24 Unit Residential Building Over Parking (continued from the public hearing of October 11, 2022).

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Chairman Sugarman stated this application is carried to the meeting of January 17, 2023, no further notice is necessary. Time is waived for the Board to act.

Docket # 32-22, HLC Development, LLC, 411 Jane Street, Block 4057, Lot 10, Two Unit Dwelling

Mr. Cereste stated this application is for a duplex, two family dwelling. It is next to a four story apartment building. The property is in the R2 zone. FAR and eight variances are required. The area is all multi-family dwellings. The property is 5,000 square feet.

Steven Collazuol, Engineer, 1610 Center Avenue, Fort Lee was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A1-to the north is a parking lot, to the right is a two family dwelling. There is a concrete patio towards the rear. The applicant plans to remove the existing building, site structures, one car garage and a 14 foot driveway. The lot is 4,997 square feet. The water will be captured in the rear of the building and go to two dry wells under the driveways. There will be a one car garage for each unit and one parking space out front. The lot coverage proposed is 67.4%, 60% is permitted.

On the right side there is a retaining wall that will be replaced.

Landscaping – page A4-two trees, one front left and one front right, planting will be done between the driveways, arborvitae at the rear and side lines, boxwoods on the left and right of each driveway.

David Juzmeski's, Neglia report will be complied with.

Chairman Sugarman asked for questions from the Board.

Mr. Nitti asked about the irrigation system suggested in Mr. Juzmeski's report.

Mr. Collazuol stated yes, this will be installed.

Mr. Juzmeski stated the lot coverage percentage should be revised on the plan, this is a variance.

Chairman Sugarman asked for questions from the public.

Joe Donato, Architect, 14 Rt. 4 West, River Edge was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A2 - 4 sheets

A1 shows the front and right elevations

A2 elevations

A3 & A4 – floor plans

A non-conforming structure will be removed and a 3 ½ story side by side two family home is proposed.

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The basement level is for parking.

The first floor has stairs, a living room, dining room, ½ bath, kitchen, family room and deck.

The second floor has three bedrooms, two bathrooms and a laundry area.

The third floor has a half bath and roof deck.

The front elevations are 3.1, the setback overhang is over the landing. The outside finishes are stucco and will be a contemporary style. The HVAC units are in the rear, between the decks. Lighting on the building will be located at the doors, there will be no site lighting.

Chairman Sugarman asked about the lighting.

Mr. Donato stated lights will be at the basement, roof deck at the door and over the garage.

Mr. Juzmeski stated this technically is not a 3 ½ story building.

Mr. Donato stated the roof deck is not over the full footprint. It could be considered a four story.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

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

Exhibit A3-Site Board of Site and Surrounding Area

Top left-subject property

Top right-to the right

Bottom left-to the left

Bottom right-across the street

The lot is three square feet shorter than what is required. There are two family homes surrounding the property. The FAR can be supported on this property. Drainage improvements are being made on site. The height is consistent with the neighborhood. Across the street there is a three story home. The building exceeds the front yard setback. There is a parking lot behind us. There is a conforming amount of parking on the property.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

Chairman Sugarman asked if any member of the public would like to come up, be sworn, and testify on the application.

It was moved by Mr. Liapes, seconded by Mr. Conway and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to grant the applicant approval to construct a Two Unit Dwelling.

Docket #33-22, Strategic Group, LLC, 2445 & 2449 Camner Street, Block 6955, Lots 5 & 6, Minor Subdivision & Two (2) Two Unit Dwelling

Mr. Cereste stated this is a re-division of two properties. The properties are in the R3 zone. A FAR variance is required.

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

Lots 5 and 6 are on the westerly side of Camner Street. There are single dwellings on the properties and one of them has a pool. We plan to re-divide the lots. The lots will both be equal in size. They are in the R3A zone.

Exhibit A9-colorized plan

Two new two-family structures to be constructed with two 2 car garages on each unit. There is a small wall in the rear. All proposed roof drains will go to underground systems under the driveway. There will be no impact to the neighbors. The utilities will run out to Camner Street.

Landscaping-17 trees to be removed, two trees to be planted. Junipers and azaleas to be planted along with Myers yews and arborvitae.

The Neglia report will be complied with.

Chairman Sugarman asked for questions from the Board.

Mr. Nitti stated you are replacing 4 of the 17 trees, can this be increased?

Mr. Martins stated we will make a contribution to the Borough Tree Fund. We can add two trees in the rear yards and the front. There will be a total of six trees planted.

Chairman Sugarman asked for questions from the public

Ms. Tovtovmasian, 15 Hillcrest Avenue stated I live on the side of this house. Where is the retaining wall?

Mr. Martins stated we are putting one on the side at the driveway. The properties will both be level.

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

Exhibits A2 & A3 – Lot 6.01 – 6445 Camner Street which is the west lot. This is a side by side configuration. It will be all brick with stucco and accent materials on the exterior. Exterior lighting will be residential style type fixtures.

Sheet A2 – basement consists of a garage, two car driveway, utility room and two A/C units in the rear.

The first floor has a living room, dining room, powder room, closet, kitchen, family room and a door to the deck.

The second floor includes four bedrooms – a master bedroom with a bathroom, three bedrooms with a bathroom and one with an ensuite bathroom, laundry area and closet.

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Only the staircases are different in each unit, and the color of the brick.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated the zoning table should show the current code. Th driveways are 19.81. Can the planting strip size be increased?

Mr. Cocoros stated eight inches can be added on each side to the planting strip.

Chairman Sugarman asked for questions from the public

Mr. Juzmeski stated three stories are permitted, this is a correction in my report.

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

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

Exhibit A4-Site Board of Site and Surrounding Area

Top left-subject property
Top right-subject property
Bottom left-to the north
Bottom right-across the street

The R3A zone permits two family dwellings. Side yard, rear yard and lot coverage variances are required. The FAR can be handled on the lot. The lots are conforming. Drainage improvements are being made on the property. The width of the street cannot be changed and there is no alternative to widen the street. We are permitted in the zone. A conforming amount of parking is being provided on the property.

Chairman Sugarman asked for questions from the Board.
Chairman Sugarman asked for questions from the public.
Chairman Sugarman asked if any member of the public would like to come up, be sworn, and testify on the application.

It was moved by Mr. Conway, seconded by Mr. Liapes, and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to grant the applicant Minor Subdivision and approval to construct Two (2) Two Unit Dwellings.

Docket # 42-22, Sean Rivers & Jacqueline Cetrulo, 1061 Glen Road, Block 260, Lot 16, Addition to Single Family Dwelling

Zare Khorozian stated the applicant proposes an addition to a single family home.

Sal Sorace, Architect, 7 Oak Street, East Rutherford was sworn in and his credentials accepted by Chairman Sugarman.

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Mr. Sorace prepared the plan and reviewed the Neglia report. The applicant will comply. The sheet on the Board shows the 200 foot list.

Sheet E2 shows the aerial view and several existing buildings with similar styles.
Sheet E1 shows the aerial view of 1061 Glen Road.

A front addition is proposed. The rear has a ten foot sewer easement. The basement plans shows the enlarged lower level garage. The basement has storage and entertainment space.

The first floor plan shows a living room at the front.
The second floor has three bedrooms, two baths, and a washer and dryer room. Stucco, brick and metal paneling will be used on the exterior.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if they will be excavating the garage level?

Mr. Sorace stated yes, 3 ½ feet.

Mr. Juzmeski asked if this can be pitched towards the road.

Mr. Sorace stated a trench drain can be installed.

Mr. Juzmeski stated a detention system needs to be installed also.

Chairman Sugarman asked Mr. Juzmeski what do you need?

Mr. Juzmeski stated their Engineer would have to submit calculations and sump pump back-up plans.

Chairman Sugarman stated if approved, these items would need to be submitted.

Mr. Sorace stated the additional trench drain would tie into the existing system.

Chairman Sugarman asked for questions from the public.

Mike Maloney, 1065 Glen Road, Fort Lee stated this is not a good plan, my basement floods often.

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

Exhibit A1-Site Board of Site and Surrounding Area

Top left-subject property

Top right-to the right

Bottom left-to the left

Bottom right-across the street

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We are in the R2 zone. FAR and front yard setback variances are required. The FAR can be handled on the property. There will be drainage improvements made. We meet the side and rear yard setbacks. We are conforming in terms of height.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated the zoning table requirement is 28 feet in height, 32 feet is permitted.

Chairman Sugarman asked is there any existing drainage system on the property now?

Mr. Sorace stated yes, it is on site and going to the sewer.

Mr. Conway asked is it possible to have the applicant's engineer testify here?

Chairman Sugarman stated I agree with you. I think before we continue, engineering testimony is a good idea.

Mr. Khorozian asked if a detailed report would suffice?

Chairman Sugarman stated the Board would like to hear testimony on the existing drainage and proposed drainage.

Mr. Juzmeski stated there's a lot of rock and bedrock in Fort Lee. You might want to consider this.

Mr. Khorozian stated we would like to return on February 14, 2023.

Chairman Sugarman stated this application is carried to the meeting of February 14, 2023. New notices will be sent including zoom information for a zoom meeting.

Chairman Sugarman stated I will be away in February and March along with several other Board members.

Christen Trentacosti stated partial zoom meetings are difficult for the Board and public. We would like to hold the February and March meetings as full zoom meetings with access information provided.

ADJOURNMENT

It was moved by Mr. Joh, seconded by Mr. Liapes to adjourn the meeting at 9:41 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary