

FORT LEE BOARD OF ADJUSTMENT

January 11, 2022

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

Absent: D. Conway

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

Chairman Sugarman called the meeting to order at 7:32 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 2022.

Mr. Joh, Mr. Pacheco, Mr. Tropea and Mr. Luppino 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 2022. The motion was seconded by Mr. Joh and passed on a vote of 8-0 by members Liapes, Nitti, Joh, Tropea, Pacheco, Luppino, 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, Joh, Tropea, Pacheco, Luppino, Hong and Sugarman to elect Mr. Liapes as Vice-Chairman of the Board.

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

Page 2-ZBA Minutes-January 11, 2022

Resolution for Professional Appointments 2022

- 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

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. Pacheco, seconded by Mr. Liapes and passed on a vote of 7-0 by members Liapes, Nitti, Joh, Tropea, Pacheco, Luppino and Sugarman to appoint the Board of Adjustment professionals.

Mr. Mariniello thanked the Board for appointing him again. He stated Neglia Engineering and I are happy to be back.

Appointments to the Zoning Board

- Recording Secretaries
- Court Reporter

It was moved by Mr. Tropea, seconded by Mr. Nitti and passed on a vote of 7-0 by members Liapes, Nitti, Joh, Tropea, Pacheco, Luppino, and Sugarman to appoint Linda Garofalo, Christen Trentacosti and Barbara Klein as Recording Secretaries for the year 2022.

It was moved by Mr. Tropea, seconded by Mr. Nitti and passed on a vote of 7-0 by members Liapes, Nitti, Joh, Tropea, Pacheco, Luppino and Sugarman to appoint Beth Calderone, Calderone & Assoc. as Court Reporter for the year 2022.

Liason Representative to the Planning Board

Chairman Sugarman and Mr. Liapes will act as the liaisons to the Planning Board for the year 2022. All members were in favor.

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 Mr. Pacheco and passed on a vote of 6-0 by members Liapes, Joh, Tropea, Pacheco, Hong and Sugarman to approve the minutes of the meeting of December 14, 2021.

Page 3-ZBA Minutes-January 11, 2022

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

Following review by the Board the seating will be the following: Mr. Liapes, Mr. Nitti, Mr. Conway, Mr. Joh, Mr. Tropea, Mr. Pacheco, Mr. Luppino, Ms. Hong and Chairman Sugarman. All members were in favor.

Rules of the Board of Adjustment. Motion to adopt.

It was moved by Mr. Tropea, seconded by Mr. Liapes and affirmed by an all-in-favor vote to adopt the Rules of the Board of Adjustment for the year 2022.

2021 Annual Report of the Zoning Board of Adjustment – Review and Adoption

It was moved by Mr. Liapes, seconded by Mr. Nitti and passed on a vote of 7-0 by members Liapes, Nitti, Joh, Tropea, Pacheco, Luppino and Sugarman to adopt the 2021 Annual Report of the Zoning Board of Adjustment.

Docket #18-21, 2130 Center Avenue, LLC, 2130 Center Avenue, Block 5952, Lot 1, Preliminary & Final Major Site Plan – 31 Unit Residential Building Over Parking (continued from the public hearing of September 14, 2021)

Chairman Sugarman stated at the request of the applicant, this application is carried to the meeting of April 12, 2022. Time is waived. New notice is necessary.

Docket #30-21, Dervo Developers II, LLC, 2185 Jones Road, Block 5451, Lot 4, Minor Subdivision – Two Unit Dwelling & Single Family Dwelling

Mr. Macri stated this application is for a Subdivision and to construct a two-family and single-family residence.

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

Mr. Martins stated on the Board is the Subdivision plan that was submitted to the Board. There is currently a two-story brick and frame dwelling and an attached garage. All improvements will be removed. This is an oversized lot for the area. A one family home is proposed to the right and a two family to the left. The property is in the R3 one zone.

Grading and drainage plan – this shows the locations of the dwellings. The driveways are pitched towards the street. There will be culvert systems under the driveways.

Landscaping plan – Sheet 3 – three existing trees to be removed and we will be replacing with five trees. In the front yard the applicant is proposing four azalea plants in the left planting area and eight juniper plants and one zelkova tree in the right planting area. In the side yards, 13 yew plants are proposed along the right side lot, and no plantings are proposed along the left side lot line. In the rear yard, 12 arbovitae plants are proposed along the right side and rear lot lines, and a zelkova tree is proposed at the left rear corner of the property.

Page 4-ZBA Minutes-January 11, 2022

The January 4, 2022 Neglia report was reviewed and the applicant will comply with all the requests.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if the fence will be removed.

Mr. Macri stated yes, we are removing the fence.

Mr. Juzmeski asked is the sewer in Leonia or Fort Lee?

Mr. Martins stated we haven't determined that yet.

Mr. Juzmeski stated the driveways are 19 feet wide, can we reduce them?

Mr. Martins stated the Architect will answer this.

Chairman Sugarman asked for questions from the public.

Ms. Sarah Noll, 455 Ridgeland Terrace, Leonia stated I don't know that there is proper drainage proposed. Can you explain the run off for the back of the property?

Mr. Martins stated now the majority of the property is front to back. We are proposing to provide a storm water management system by pitching the driveways to the street, Jones Road. The roof run off will be piped underground towards the front. There will be less run off.

Ms. Noll stated there was testimony that there are trees to be removed. These have already been removed.

Mr. Macri stated a permit was taken out prior to the tree removal.

Mr. Martins stated we will be planting five new trees and adding landscaping.

Ms. Kila Schulman, 463 Ridgeland Terrace, Leonia stated there is a five foot drop off to the back. Is that OK for run off? What will stop the water from entering the rear property?

Mr. Martins stated the drainage now goes to the rear of the property. There will be drainage chambers installed. We are not changing the grade of the rear yard. We are making improvements that are not there now.

Ms. Schulman stated the replacement tree plantings are much smaller than what was existing.

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

Mr. Cocoros stated the single-family dwelling is to be located on Lot 4.01. There will be a two

Page 5-ZBA Minutes-January 11, 2022

car garage.

The rear of the basement is proposed to include a home office, recreation room, full bathroom, walk-in closet and a utility room.

The first floor will consist of a living room and entryway at the front of the dwelling, a dining room and powder room at the center of the dwelling, and an open plan kitchen/family room at the rear of the dwelling.

The front of the second floor is proposed to consist of a master bedroom with an ensuite master bathroom and two walk-in closets, laundry room and a linen closet. The rear of the second floor is proposed to consist of two bedrooms, each with an ensuite bathroom, and a walk-in closet for one bedroom.

The attic is proposed to be finished with a kitchenette, powder room and two closets at the center of the dwelling.

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

Lot 4.02 is on the south portion of the proposed development. The driveway can be reduced to 18.8" wide. The applicant is proposing to construct a new four story, two-family dwelling.

The floor plans of the two units are mirror images of each other. The rear of each basement will have a home office, recreation room, full bathroom, three closets and a utility room.

The first floor will consist of a living room at the front of the dwelling, a dining room at the center of the dwelling and an open plan kitchen/family room and powder room at the rear of the dwelling.

The second floor will consist of a master bedroom with an ensuite full bathroom, two walk-in closets, and two linen closets at the front of the dwelling. At the rear of the second floor the proposal is two bedrooms with ensuite full bathrooms, a walk-in closet for one bedroom and a laundry room.

Each attic will be finished with a kitchenette, powder room and two closets at the center of the dwelling.

Chairman Sugarman asked for questions from the Board.

Mr. Joh asked how many bathrooms will there be?

Mr. Cocoros stated four full and two half baths in each unit.

Mr. Juzmeski stated we are going from a 19 foot driveway to 18.8" in the two-family. The single-family driveway will be 21.6".

Page 6-ZBA Minutes-January 11, 2022

Mr. Cocoros stated the 21.6 foot driveway for the single family can be reduced to 20 feet.

Chairman Sugarman stated this is a condition of approval.

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 A1-Photo Board of Site and Surrounding Area

Top left-shows the subject property

Top right-looking to the right

Bottom left-looking to the left

Bottom right-across the street

Mr. Spatz stated we are in the R3 one zone. FAR, height and C variances are required. Variances are also required for side yard and lot coverage. I think the site can handle the increase in FAR. Both homes require the same variances but in different quantities. We have a conforming amount of parking. The two-family home is similar in height with the neighborhood. The current dwelling is in fair shape. The buildings exceed the lot coverage however, there are drainage improvements proposed. I don't believe there is anything substantially negative. There are two-family homes in the area. There is parking being provided on site. The positive criteria is met.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated the applicant will provide 2 ½ inch caliper trees.

Chairman Sugarman asked for questions from the public.

Ms. Noll stated the character of the area is being changed.

Mr. Spatz stated this area is a mixture of one and two-family homes.

Ms. Noll asked why squeeze in two homes?

Mr. Spatz stated this is an oversized lot. These are permitted in the zone.

Ms. Noll stated this will block all of our light.

Mr. Spatz stated I don't believe this will happen. This breaks things up a little bit. There will be 12 feet between the two buildings. Only the staircases project into the side yards.

Ms. Kila Schulman asked do you typically subdivide oversized lots? We don't do this in Leonia. This is a lot of variances.

Page 7-ZBA Minutes-January 11, 2022

Mr. Spatz stated yes, they do this in Leonia. I am working on an application there. This is what the applicant desires.

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

Mr. Abraham Wu, 2181 Jones Road, Fort Lee stated there is a lot of traffic on Jones Road.

Ms. Sarah Noll, 455 Ridgeland Terrace, Leonia stated we have concerns with the building, drainage and light. I hope you reconsider these plans and not cram in two units on one lot. This property is my largest asset. I didn't think I'd have to become an activist when I am in my 80's.

Ms. Kila Schulman, 463 Ridgeland Terrace, Leonia stated I have a home behind me that is like a large apartment building. These homes will be very high. I hope you will reconsider putting two buildings on one lot.

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

Chairman Sugarman stated out next meeting is next Tuesday, January 18, 2022 @ 7:30. The February and March 2022 ZBA Meetings will be Zoom meetings.

ADJOURNMENT

It was moved by Mr. Joh, seconded by Mr. Liapes to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary