

FORT LEE BOARD OF ADJUSTMENT

January 18, 2022

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

Absent: J. Nitti, D. Conway, H. Joh

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

Chairman Sugarman called the meeting to order at 7:30 p.m.

NOTICE OF MEETING:

Chairman Sugarman stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: On November 23, 2021 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2022. 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's Website and was 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's Website and was filed with the Borough Clerk. On April 19, 2021, an updated notice with the Zoom Information was posted 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 2022 to cover the cost of mailing.

Approval of Minutes

It was moved by Mr. Liapes, seconded by Mr. Tropea and passed on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to approve the minutes of the meeting of January 11, 2022.

Memorializations

Docket #30-21, Dervo Developers II, LLC, 2185 Jones Road, Block 5451, Lot 4, Minor Subdivision approval

It was moved by Mr. Liapes, seconded by Mr. Tropea and approved on a vote of 5-0 by members Liapes, Tropea, Pacheco, Luppino and Sugarman to grant the applicant Minor Subdivision approval.

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

It was moved by Mr. Tropea, seconded by Mr. Pacheco and approved on a vote of 5-0 by members Liapes, Tropea, Pacheco, Luppino and Sugarman to grant the applicant Development approval – Two Unit & Single-Family Dwellings.

Acceptance/Completeness

Docket #1-22, Oak Tree Fort Lee, LLC, 2024 Center Avenue, Block 4751, Lot 30, Minor Site Plan - Signage

It was moved by Mr. Liapes, seconded by Mr. Tropea and approved on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to deem the application complete. Mr. Macri will call the Board Secretary for a hearing date.

Docket #2-22 Bishoy Doss, 2181 Linwood Avenue, Block 5852, Lot 13, Two-Unit Dwelling

It was moved by Mr. Pacheco, seconded by Mr. Luppino and approved on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to deem the application complete. Mr. Macri will call the Board Secretary for a hearing date.

Docket #3-22, 2045 Lemoine Avenue, LLC, 2045 Lemoine Avenue, Block 4751, Lots 8 & 9, Preliminary & Final Major Site Plan & Signage – Three (3) Story Office & Commercial Business Building (no signage)

It was moved by Mr. Liapes, seconded by Mr. Hong and approved on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to deem the application complete. Mr. Cereste will call the Board Secretary for a hearing date.

Public Hearing

Docket #31-21, PS Atlantic Coast, LLC, 504 Jane Street, Block 3651, Lot 3, Amended Preliminary & Final Major Site Plan & Signage – Self-Storage Facility

Ms. Federico stated this application will be bifurcated. We will present the amended site plan tonight. The applicant is proposing to reduce the amount of variances previously submitted. There is no longer a basement. The amount of units went from 1,300 to 1,003. What we are proposing is an alternate to what was previously approved.

Matthew Clark, Engineer, MCB Engineering Associates, 11 Furler Street, Totowa was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Clark stated that he prepared the plans that are on the easel dated November 4, 2021. The

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building will be smaller. The second sheet shows the site plan, the shape is the same as the prior approval. The units are all the same sizes. The footprint has been reduced by 579 square feet. The height was for 59.65 feet and the proposal is 52.97 feet. Impervious area is 973 square feet. Parking was 18 parking spaces required, providing 11 spaces. The new application is 14 spaces required, providing 10 spaces. Circulation has been maintained, loading bays and trash location have all been maintained. Fencing is the same – a 6 foot privacy fence is proposed.

The office hours are Monday through Friday from 9:30 am to 6 pm and Saturday and Sunday 9:30 am to 5 pm. The customer hours are 6 am to 9 pm, 7 days a week. There are one to three employees anticipated. There will be an access code required to enter the building. A TV monitor will be throughout the building. All storage is inside the building. Boxes and tape will be sold. Nothing will be rented. No generator is proposed at this time.

Page 3 - Grading and utility plan – the design is similar to the original approval.

Lighting and landscaping – Pole mounted and wall mounted lights are proposed. Security lighting will be provided.

Landscaping - arborvitae will be planted. The applicant agrees to the requests from Neglia.

The County approved the exemption.

The January 14, 2022 Neglia letter will be complied with.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if the applicant will comply with all comments in the letter.

Mr. Clark stated yes, and a retention system will be provided.

Mr. Luppino asked will the units be bigger?

Mr. Clark stated the units are the same size. The basement has been eliminated.

Chairman Sugarman asked for questions from the public.

Mr. Marios Hatzikyriakou, 500 James Street, Fort Lee asked if the hours of operation will be the same. Can they be closed on Sunday, this will be a disturbance to the neighbors.

Mr. Clark stated they will be similar.

Ms. Federico stated these are the proposed hours. The original hours were approved and the same.

Mr. Hatzikyriakou asked if the retaining wall will be the same.

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Mr. Clark stated there will be no impact to your property.

Mr. Justin McCarthy, Representative from Architectural firm, 300 Northfield Street, Dallas, Texas. He is a fact witness.

Mr. McCarthy stated the plans on the easel were submitted to the Board. He prepared the plans. This will be a 5-story self-service storage building, two floor masonry, two colors. The upper three floors are the same as previously approved. We propose 297 less units. We reduced the size of the building and the units. The height has been reduced over 7 feet, the parapet is slightly taller.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if there is a reduction in the basement?

Mr. McCarthy stated no, the basement has been removed.

Mr. Juzmeski asked will the Fire Department requirements be complied with?

Mr. McCarthy stated yes.

Mr. Juzmeski asked will the mechanicals be screened?

Mr. McCarthy stated yes.

Mr. Luppino asked will the building be the same height as the existing building?

Mr. McCarthy stated no, it will be demolished.

Mr. Luppino asked is there any concern with the colors?

Ms. Federico stated these are the national branded colors.

Chairman Sugarman asked for questions from the public.

Mr. Hatzikyriakou asked what is the overall height of the building?

Mr. McCarthy stated the height will be 59 ½ feet and it was 59.7 with the prior application.

Mr. Hatzikyriakou asked if the Board approved a similar building in the color orange? Why aren't the same restrictions as a sign being considered?

Ms. Federico stated the façade went to the Signage Committee, there were no comments. Orange is a permitted color, no variance is required.

Mr. Hatzikyriakou asked has a reduction in colors been considered?

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Mr. McCarthy stated we used the previously approved application – the only difference is the colors are orange and tan.

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

Exhibit A1-Photo Board prepared by Lisa Phillips dated January 31, 2020

Mr. Spatz stated there is a height variance, we have gone from 76 feet to 52.97 feet. The side yard setback is conforming. Bulk variances have been reduced. Lot coverage and impervious coverage have been reduced. Drainage facilities will be provided. The number of required parking spaces are reduced, we are short 4 spaces. The positive criteria exists for the C variance. Parapet height is to help screen the units on the roof. Parking is being provided on site.

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

Mr. Hatzikyriakou asked Mr. Spatz when is the last time you visited the site?

Mr. Spatz stated within the last month.

Mr. Hatzikyriakou stated there is no parking allowed on one end of Jane Street now.

Mr. Spatz stated street parking will not be necessary. Parking is provided on site.

Chairman Sugarman asked if anyone from the public would like to come up, be sworn and testify on the application.

Mr. Hatzikyriakou, 500 Jane Street Fort Lee handed out photographs to the Board for their review.

Mr. Mariniello stated the buildings shown in some on the photos of storage facilities are not located in Fort Lee.

Mr. Hatzikyriakou stated I grew up in Fort Lee in the house I live in. This is a residential area. The building is excessive for this area. Jane Street is a dead-end street. Orange is very vibrant and stands out in a negative way. It negatively impacts my investment. This building does not need to stand out. I request that the color scheme be revised. There is no parking on one side of Jane Street. The DPW trucks need to back up on this street. I ask the Board to keep these comments in mind.

Ms. Federico stated this property is in the I-1 zone. This facility is permitted in this zone. We are not seeking any variances for the façade. Orange is permitted. Parking is being provided and the building is smaller, the parking variance is less, street parking is not being proposed. The basement has been eliminated, the number of storage units reduced, and we are not seeking anything additional. Everything is as approved except for the color.

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Mr. Juzmeski asked if the color of the façade will be a condition of approval?

Chairman Sugarman stated they are trying to work with the neighbors, this is not a condition of approval.

Adam Hatzikyriakou, 500 Jane Street, Fort Lee stated the color scheme was dark blue with the prior application, now it is orange. This is very obvious.

Ms. Federico stated tonight we would like to vote only on the amended site plan. The sign and façade will be presented at a later date.

It was moved by Mr. Liapes seconded by Mr. Tropea and passed on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to grant the applicant Preliminary & Final Major Site Plan – Self-Storage Facility

Docket #33-21, Louis Iovino, 417 Elizabeth Street, Block 4053, Lot 13, Two-Unit Dwelling

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

Mr. Martins stated there is an existing two-story frame dwelling and a detached garage currently on the property. The site is sloped right to left. There is a retaining wall on the right side that is 1 ½ - 3 feet in height. We propose to construct a new two-family dwelling. We will fill in the right side and construct a wall in the front. There is no current drainage on site. We propose a cultec drainage system.

One large tree is to be removed. A Japanese zelkova, azaleas and a planting strip with holly plants and Meyers yews will be planted.

The Neglia report dated January 13, 2022 will be complied with.

Mr. Macri asked for the bond requirements to be waived.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked about the wall on the right side – will the adjacent properties be restored?

Mr. Martins stated yes, we will work with the neighbors on both sides and the properties will be top soiled and seeded.

Chairman Sugarman asked for questions from the public.

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

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Mr. Cocoros stated the proposal is for a side by side two-family duplex. The proposed dwelling will consist of an oversized garage, recreation room and full bathroom in the basement. A living room, dining room, family room, eating area and a powder room are proposed on the first floor. There will be three bedrooms and two full bathrooms on the second floor, with a finished walk-up attic, powder room and exterior roof deck on each side.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked about the paver area between the steps and sidewalk. Could the driveway be reduced to eliminate this area?

Mr. Cocoros stated we can make it 18 feet by reducing the left side one foot.

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-subject property

Top right-to the right

Bottom left-towards the west

Bottom right-across the street, two-family home

Mr. Spatz stated we are in the R2 zone, two-family homes are not permitted. C and D variances are required. The property can support the increased FAR. Parking is being provided on site. The height is consistent with the area. The side yard setbacks are met except for the staircases. We are removing the detached garage. The drainage is being improved on the property. The setbacks are similar to what currently exists on the property.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

Chairman Sugarman asked if anyone from the public would like to come up, be sworn and testify on the application.

It was moved by Ms. Hong seconded by Mr. Tropea and passed on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to grant the applicant approval to Construct a Two-Unit Dwelling.

Docket # 34-21, Hemant & Sangita Prajapati, 502 Brinkerhoff Avenue, Block 1051, Lot 12, Roof Deck with Pergola Addition to Single Family Dwelling

Ms. Hermoso stated we are here seeking approval for a new roof deck. It will consist of a covered lounge, open lounge with a pergola above, dining area, kitchenette and storage area. The dwelling height will increase to 37 feet 6 inches.

Frank Troia, Architect, 267 Pascack Road, Washington Township was sworn in and his

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credentials accepted by Chairman Sugarman.

Mr. Troia stated we are here tonight seeking a height variance. There is currently a roof hatch and we are looking to improve that. We propose enclosed storage, a covered and an open area. There will be lighting that faces down and wall lights. The house is stucco, wood and metal paneling. This area will be finished to match. We tried to hide the addition.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if the parapet wall is 36 feet.

Mr. Troia stated yes.

Mr. Juzmeski asked if the lights will be dimmable.

Mr. Troia stated yes.

Mr. Luppino asked if the addition is livable space.

Mr. Troia stated no, this variance is for height at the bulkhead.

Ms. Hong asked if the neighbors will see the lights.

Mr. Troia stated no, these are standard down facing hi hats and there are also lights on the wall that face down.

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-aerial photo of the subject property

Top right-newer dwellings showing roof decks in the area

Bottom right-subject property

Bottom right-newer dwelling with roof decks

Mr. Spatz stated the roof deck is setback and screened. It will have a limited impact on the surrounding properties. This is not an increase in livable space. We are consistent with the neighborhood. There is only one variance.

Chairman Sugarman asked for questions from the public.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked if anyone from the public would like to come up, be sworn and testify on the application.

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It was moved by Mr. Liapes seconded by Mr. Tropea and passed on a vote of 6-0 by members Liapes, Tropea, Pacheco, Luppino, Hong and Sugarman to grant the applicant approval to Construct a Roof Deck with Pergola Addition to a Single Family Dwelling.

ADJOURNMENT

It was moved by Mr. Liapes, seconded by Mr. Liapes to adjourn the meeting at 9:20 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary