

**FORT LEE BOARD OF ADJUSTMENT**  
**February 28, 2023**

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

**Absent:** S. Tropea, J. Luppino

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

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

The meeting was held remotely, by means of communication equipment. The meeting was conducted using the Zoom operating system.

**NOTICE OF MEETING:** The Chairman states: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

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.

On February 15, 2023, an updated notice with the Zoom Information was published in the Record and Jersey Journal, 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 2023 to cover the cost of mailing.

**Approval of Minutes**

It was moved by Mr. Liapes, seconded by Mr. Joh and passed on a vote of 6-0 by members Liapes, Nitti, Conway, Joh, Hong and Sugarman to approve the minutes of the meeting of February 14, 2023.

**Memorializations**

**Docket #43-22, 243 Slocum Way, LLC, 243 Slocum Way, Block 3956, Lot 35, Two Unit Dwelling**

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

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**Docket #37-22, Alexander Schwartzman, 1217 Abbott Boulevard, Block 1255, Lot 4, Fence for Single Family Dwelling**

It was moved by Mr. Nitti, seconded by Mr. Liapes, and approved on a vote of 6-0 by members Liapes, Nitti, Conway, Joh, Hong and Sugarman to grant the applicant approval to construct a fence for a Single Family Dwelling.

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

It was moved by Mr. Liapes, seconded by Mr. Conway and approved on a vote of 5-0 by members Liapes, Conway, Joh, Hong and Sugarman to grant the applicant approval to construct an addition to a Single Family Dwelling. Mr. Nitti was recused from this application.

**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**

Mr. Asadurian stated the applicant is seeking to modify a condition of the resolution.

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

The application was originally approved and now there is less of a demand for parking. 15 spaces were to be purchased from the Parking Authority. The request is to limit the requirement that 15 spaces be purchased and make a contribution to the Municipal Parking Fund. There is no negative impact, the municipal parking lot will be used.

**Exhibit A** – Resolution from 2009

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked what the amount of the contribution to the Municipal Parking Fund will be?

Neil Marotta, Fort Lee Parking Authority stated we agree with what Mr. Spatz stated. The contribution is to the Parking Authority.

Mr. Mariniello stated the amount of the contribution is not necessary to be in the Resolution.

Mr. Marotta stated the agreement is between the two parties and to take effect after the appeal period ends.

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Mr. Joh asked Mr. Mariniello is the amount of the contribution public record?

Mr. Mariniello stated the settlement would probably be a public record.

Chairman Sugarman asked for comments from the public.

It was moved by Mr. Joh, seconded by Mr. Pacheco and passed on a vote of 7-0 by members Liapes, Nitti, Conway Joh, Pacheco, Hong and Sugarman to grant the applicant Preliminary & Final Major Site Plan approval.

**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)**

Chairman Sugarman stated this application is carried to the meeting of April 11, 2023.

**Docket #40-22, 2200 Mackay Avenue, LLC, 2220 Mackay Avenue, Block 5951, Lot 16, Two Unit Dwelling**

Mr. Macri stated the applicant plans to demolish the existing structure and construct a four story, two family duplex style home.

Mr. Frenzel, Engineer, 30 Madison Avenue, Paramus was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Frenzel stated the property is located at the SE corner of Mackay Avenue and Lincoln Avenue. There is a two story dwelling on the property with the entrance on Lincoln Avenue. The lot is 60 x 100. The building has a footprint of 3,116 square feet. We would incorporate culvert chambers to capture the runoff.

Landscaping and screening are proposed. Arborvitae will be planted for screening from the neighbor.

Page 3 of 5 shows the site plan and sediment control plan.

The Neglia report will be complied with.

Chairman Sugarman asked for questions from the Board.

Dave Juzmeski asked what is the height of the building – 40.63 or 40.92?

Mr. Cocoros stated it is 40.92.

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Mr. Juzmeski stated the site triangle needs to be shown. Additional screening for the AC units is required.

Mr. Juzmeski asked can the width of the driveways and curb cuts be decreased?

Mr. Cocoros stated this is a steep street, we'd like to leave it as is, if possible.

Mr. Juzmeski stated the 21'4" curb cuts should be 20 feet.

Mr. Cocoros stated I am OK with this if the client it.

Mr. Macri stated the client is OK with this.

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.

Mr. Cocoros presented A1, A2, & A3, last revised September 8, 2022 on the screen. A side by side two family dwelling is proposed. The units are stepped. Three levels plus a roof deck to be constructed. Brick face, stucco and panels will be used on the exterior. The lighting is above the garage doors, entrance canopy and at the sliding glass doors. LED type fixtures are to be used.

Sheet A2 shows the main ground floor which includes a parking area, two car garage, driveway, entry hall, stairs to the living space, recreation room, bathroom, utility room and elevator.

Sheet A3 is the first floor that shows a living room, dining room, family room, kitchen, deck, home office, wet bar and powder room.

The second floor has four bedrooms, a laundry room, master suite with ensuite bathroom, three bedrooms, one with an ensuite bathroom and a hall bathroom. Above this is a finished attic area, den, bathroom and closet.

Chairman Sugarman asked for questions from the Board.

Mr. Conway asked the property slopes up, are sprinklers required?

Mr. Cocoros stated yes, sprinklers are required.

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.

Mr. Spatz stated he is familiar with the conditions of the property.

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**Exhibit A1-Photo Board of Site and Surrounding Area**

Top left-subject property from Mackay Avenue

Top right-looking to the South, shows two family homes

Bottom left-looking at the site from Lincoln Avenue

Bottom right-to the East, along Lincoln Avenue, shows two family homes

Mr. Spatz stated the property is already a two family home. We need two D variances for height, FAR and C variances. The zone permits two family homes. We are removing an older structure and replacing it with a new two family home. The property can support the additional FAR. The density is not being increased. We are improving the impact to the surrounding properties with drainage improvements. The height is consistent with the neighborhood. I believe the bulk variances can be supported. Additional landscaping is being provided. We have a conforming amount of parking.

Chairman Sugarman asked for questions from the Board.

Mr. Mariniello asked Mr. Spatz to show the photos.

Chairman Sugarman asked for questions from the public.

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

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

**Docket #41-22, FBE Properties, LLC, 1419 Oleri Terrace, Block 2455, Lot 10, Minor Subdivision & Two (2) Single Family Dwellings**

Mr. Macri stated my client plans to demolish the current dwelling, subdivide the property and construct a one family home on each lot.

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

Mr. Martins stated the property is 10,000 square feet. The applicant plans to subdivide the lot to two lots and construct a one family home on each lot. The subdivision plan was shown on the screen. Each lot would be 50 x 100. The lots would be conforming. The site plan sheet shows the footprints of the homes. The roof drains will run to cultec systems under the driveways. We are removing the existing stone wall and it will be reconstructed. Electric will be run underground.

Landscaping plan – four trees will be removed – two trees in the front will be planted with zelcovas, azaleas, hollies and myers yews. Arborvitae will be planted for screening in the rear.

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The Neglia report dated February 22, 2023 will be complied with.

Mr. Martins stated a contribution will be made to the Borough Tree Fund for the two trees not being replaced. This will be a condition of approval.

Mr. Juzmeski asked the driveway on #1417 shows there are no parking spaces in the driveway, is this correct?

Mr. Martins stated we are outside the site triangle and there are no issues.

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

Joe Lagomarsino stated the trees are automatically cut down when construction is being done. One tree has already been removed.

Mr. Martins stated we are changing the grade. The one tree is one of the four.

Mr. Lagomarsino asked what is the distance to the property line. Is 6 ½ feet to each structure code?

Mr. Martins stated yes.

Mr. Demetrios Kaltsis, Architect, 8005 Kennedy Boulevard, North Bergen was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Kaltsis stated there are five sheets – A1-A5 – dated October 11, 2022.

A1, A2 & A3 are the floor plans and A4 & A5 show the front, side and rear elevations.

The floor plans are the same. The ground floor shows a two car enclosed garage, recreation room, summer kitchen, mechanical room, full bath and mudroom.

Sheet A2 shows the stairs, living room, dining room, wet bar, family room, fireplace, deck, kitchen with island, office, pantry and full bath,

The third floor is the bedrooms and three baths. Each bedroom has it's own bathroom and there is a laundry area.

Sheet A4 shows the modern configuration. It is a traditional and modern mix.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked about the landscaping shown on the left elevation.

Mr. Kaltsis stated that shouldn't be there, it is an error.

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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-subject property from Oleri Terrace

Top right-to the right

Bottom left-from Tremont Avenue

Bottom right-to the opposite side of Tremont Avenue

There are primarily single family homes in the area. One D variance for FAR is required and C variances. The FAR can be supported. All drainage facilities will be accommodated on site. These will be two conforming lots. An older dwelling will be replaced. All drainage will be handled on site. The homes front on Oleri Terrace. The side yard setbacks are met. We are 100 square feet over the building coverage. The dwellings conform to the height. A conforming amount of parking is being provided.

Chairman Sugarman asked for questions from the public.

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

It was moved by Mr. Joh, seconded by Mr. Nitti, and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Pacheco, Hong and Sugarman to grant the applicant Minor Subdivision approval.

It was moved by Mr. Liapes, seconded by Mr. Conway and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Pacheco, Hong and Sugarman to grant the applicant approval to construct two (2) Single Family Dwellings.

**Docket #1-23, Brian Swatek & Alyssa Brignola, 1164 Fifteenth Street, Block 1055, Lot 6, Addition to Single Family Dwelling**

Mr. Swatek stated we propose a second floor addition and a deck to our home.

Edward Easse, Planner & Architect, 44 Lincoln Avenue, Hawthorne was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Easse stated we were contracted by the applicant to design an addition on a 25 x 100 foot lot. We'd like to take the house which has one bedroom and revitalize the house. We propose to add 6 feet in the rear and add a second floor. The house was built prior to ordinances. The house is masonry and we propose a new roof. The first floor will include a living room, dining room, kitchen and powder room. The second floor will have three bedrooms, a laundry room and one bath. This will be maintained as a one family dwelling. A 6 x 20 foot addition is proposed in the rear. We've worked with Neglia Engineering on this modest addition. We will not affect the neighbors. We are here for C1 variances.

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S1 shows the survey with the improvements with the addition and setbacks. We have not changed the front. The lot is narrow. We have the smallest property in the area. We will comply with the Neglia report. This is a simple addition.

Sheets A1 & A2 – two drawings were shown. The front has an existing porch. We are within the maximum height of 32 feet. Different materials are being used on the exterior.

The second sheet shows the basement.

The first floor will include a living room, dining room, kitchen, powder room, new stairs to the basement and to the second floor.

The second floor includes three bedrooms, a bathroom and laundry area.

This is a simple small addition.

Chairman Sugarman asked the existing building is 22.8 feet high and the front of the home will be how high?

Mr. Easse stated it will be 30 feet to the peak.

A C1 variance is required and side yard and front yard setbacks. We are in keeping with the neighborhood.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked will you comply with my report dated January 31, 2023?

Mr. Easse stated yes, we will comply.

Mr. Juzmeski stated the roof drains need to go to a seepage pit. Are there any trees to be removed?

Mr. Easse stated no trees are being removed.

Mr. Juzmeski stated plantings at the foundation are required.

Mr. Easse stated we will comply with the landscaping requirements and buffer landscaping. This can be added to the plan.

Chairman Sugarman asked Mr. Juzmeski are you satisfied with the landscaping and drainage testimony? Mr. Juzmeski stated yes, the plans will be provided by a licensed Engineer.

Mr. Mariniello stated if approval is granted, all Engineer related items have to be approved by Mr. Juzmeski.

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Mr. Easse stated he agrees to this.

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

Anita & Frank Lettera, 1162 Fifteenth Street asked is the new building going to be any closer to our house?

Mr. Easse stated we are going back by 6 feet, not any wider. Our side walls have to be fire rated but we will not be any closer to your home.

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

Mr. Conway stated I'm uncomfortable voting on this without Engineering testimony. Can we wait until Mr. Juzmeski receives the Engineering material he has requested?

Mrs. Lettera asked if we can get notice of the date of the vote?

Mr. Juzmeski stated I am comfortable with this.

Chairman Sugarman stated Mr. Juzmeski's requests are a condition of approval.

Mr. Nitti stated if Mr. Juzmeski is OK with this, I am OK.

It was moved by Mr. Nitti, seconded by Mr. Joh, and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Pacheco, Hong and Sugarman to grant the applicant approval to construct an addition to a Single Family Dwelling.

**ADJOURNMENT**

It was moved by Mr. Liapes, seconded by Mr. Pacheco to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

*Linda Garofalo*

Linda Garofalo  
Recording Secretary