

FORT LEE BOARD OF ADJUSTMENT
March 14, 2023

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

Absent: J. Nitti

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

Chairman Sugarman called the meeting to order at 7:28 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 March 1, 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 Ms. Hong, and passed on a vote of 8-0 by members Liapes, Conway, Joh, Tropea, Pacheco, Luppino, Hong and Sugarman to approve the minutes of the meeting of February 28, 2023.

Memorializations

Docket # 12-09, Fort Lee A.C. Condominium Association, Inc., 2029 Lemoine Avenue, Block 4751, Lot 11, Amendment to Resolution – Preliminary & Final Major Site Plan – Office/Retail/Club Development

It was moved by Mr. Liapes, seconded by Mr. Conway and approved on a vote of 6-0 by members Liapes, Conway, Joh, Pacheco, Hong and Sugarman to grant the applicant approval to Amend a Resolution.

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

It was moved by Mr. Liapes, seconded by Ms. Hong and approved on a vote of 6-0 by members Liapes, 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

It was moved by Mr. Liapes, seconded by Mr. Pacheco and approved on a vote of 6-0 by members Liapes, Conway, Joh, Pacheco, Hong and Sugarman to grant the applicant Minor Subdivision and 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

Chairman Sugarman stated this Memorialization is carried to the meeting of March 28, 2023.

Acceptance/Completeness

Docket #6-23, Dervo Developers II LLC, 2185 Jones Road, Block 5451, Lot 4, Amended Subdivision Approval

It was moved by Mr. Conway, seconded by Mr. Joh and passed on a vote of 7-0 by members Liapes, Conway, Joh, Tropea, Pacheco, Luppino and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

Docket #7-23, 820 Kingsland Associates, LLC, 820 Kingsland Lane, Block 155, Lot 3, Two Unit Dwelling

It was moved by Mr. Liapes, seconded by Mr. Liapes and passed on a vote of 7-0 by members Liapes, Conway, Joh, Tropea, Pacheco, Luppino, and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

Docket #8-23, 1 Casper Lane LLC, 1 Casper Lane, Block 3561, Lot 4, Two Unit Dwelling

It was moved by Mr. Pacheco, seconded by Mr. Tropea and passed on a vote of 7-0 by members Liapes, Conway, Joh, Tropea, Pacheco, Luppino and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

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Public Hearings

Docket #2-23, M&M Bergen Developers III, LLC, 1226 Sixteenth Street, Block 1553, Lot 5, Two Unit Dwelling

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

Sheet 6 of 6 – Lot 5 is in the middle of the block. We are on the easterly side of Sixteenth Street. There's a 1½ story, two family brick and frame dwelling on the property. Three trees are on the site, two on the left side and one in the back. The lot is 50 x 100.

Mr. Juzmeski asked if they could indicate the diameter of the trees to be removed.

Mr. Collazuol stated this will be a typical duplex with side entry. A center strip is proposed for planting. Decks will be in the rear. A U shaped wall will be built in the rear of the property. Drainage systems will be under each driveway and in the rear. There is a tree that is 8-10 inches in diameter in the rear which will remain. Two trees that are 24 – 36 inches in diameter will be removed.

Landscape plan – sheet 3 – two trees in the back will be planted, azaleas on the side rear yard, and the center divider at the driveway will have a planting. This is in response to page 6 of the Neglia report.

The Neglia report will be complied with.

Chairman Sugarman asked for questions from the Board.

Mr. Conway stated there are no trees on the property now. Are trees going to be planted?

Mr. Collazuol stated two trees will be planted.

Mr. Macri stated my client just confirmed, the house and the trees are still there, you may have been looking at the wrong address.

Mr. Juzmeski stated he'd like to request paving in between the trenches.

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 stated there are two sheets, A1 and A2, dated October 20, 2022, last revised November 8, 2022.

Site plan sheet shows the lot is 37 feet side by 57 feet deep. This is a three level configuration

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with a finished attic, brick structure with stucco. There are roof decks in the front.

The lights are LED and will be located at the garage doors, sliding glass doors, entry, and in the attic level above the sliding glass door. There will be no spillage.

Sheet A2 – shows the garage, utility room, staircase, bathroom and recreation room. The first floor includes a living room, fireplace, dining room, kitchen, family room, eating area and powder room. The second floor shows the master bedroom with ensuite bathroom, two secondary bedrooms that share a hall bathroom, linen closet, staircase to the attic. The attic is finished with a wet bar, closet, glass door to the roof deck with a privacy wall and railing. The stairs are on the sides.

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 A1 – Photo Board of Site and Surrounding Area

Top left-subject property

Top right-to the right – two family home and one under construction

Bottom left-to the left, older two family homes

Bottom right-across the street, older and newer two family homes

Mr. Spatz stated we are in the R4 zone. One D variance for FAR and C variances are required. This is related to the narrowness of the property. The site is well suited for the proposal. All drainage is accommodated on site. We have a conforming amount of parking on site. Two family homes are permitted in this zone. We are replacing an older home with a new home. Sixteenth Street has all 50 x 100 lots. We are consistent with the neighborhood. The height of the building exceeds by a story over what is permitted. We are 2.75 feet over. There is no increase in density.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if Mr. Spatz could provide testimony on the height.

Mr. Spatz stated the older homes are smaller but being replaced by newer homes with similar homes in height. We are consistent with the neighborhood.

Chairman Sugarman asked for questions from the public.

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

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

Docket #3-23, 1135 Glen Road LLC, 1135 Glen Road, Block 1156, Lot 12.01, Two Unit Dwelling

Chairman Sugarman stated Mr. Liapes is recused from this application. Ms. Hong will be voting.

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

Mr. Martins stated the property is 59.67 feet wide and 75 feet deep. There is a one story brick dwelling, driveway, walkways and a patio on the property. A new two family dwelling is proposed. Two car garages are proposed along with room for two cars to park in the driveway. A deck and patio are also proposed.

All roof run off will be captured in cultec chambers under the driveways. Electric will be run underground.

Landscaping plan – two trees in the front to be removed and one in the rear. A contribution will be made for the other two trees to the Borough Tree Fund. Junipers, myers yews on the sides and arborvitae to be planted.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if his report dated March 8, 2023 was reviewed. There is an easement required for the sewer connection.

Mr. Martins stated we will comply.

Mr. Juzmeski stated we'd like to see a landscaped island in the driveway.

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.

Sheets A1 and A2 – A side by side two family dwelling is proposed. This is a three level configuration.

Sheet A2 – A one car garage is on the ground level, entry hall, staircase, closet, recreation room, bathroom, AC units and deck.

On the first floor there is a powder room, kitchen, dining room, closet, living room and bay

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windows.

The second floor includes a loft area, laundry, two secondary bedrooms, a bathroom, master bedroom with ensuite bathroom and walk-in closets.

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 A1 – Photo Board of Site and Surrounding Area

Top left-subject property

Top right-to the right, north, single family home shown

Bottom left-to the left, two family home

Bottom right-across the street, shows the #4 school

We are in the R2 zone. A D variance for FAR and C & D variances are needed. The site is well suited for the proposal and fits in with the neighborhood. The FAR can be accommodated. Drainage improvements are being made on the property. A conforming amount of parking is being provided. There are newer two family homes in the area. We are removing an older home and replacing it with a new home. We are 25 feet short on the depth. We are less than one foot taller than what is permitted in the zone.

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

Amy Ko-Tang, 435 Westfield and her father, Ko Lin, 1135 Harvard Place asked how many variances are there?

Mr. Spatz stated there is one for use, FAR, lot depth, rear and side yards, coverage and height.

Ms. Ko-Tang asked what is the positive criteria?

Mr. Spatz stated this is a newer two family home on the left, we are consistent with the neighborhood. We plan to remove an older home and replace it with a new home. Drainage improvements are being made where there are none. There will be better landscaping. We are removing the garage for better light and air.

Chairman Sugarman asked for questions from the public.

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

Ms. Ling Lau, 1134 Harvard Place stated we can see that this building will cause overcrowding to the school system. How does this affect our property?

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Mr. Macri stated I don't know that it would impact your property.

Ms. Lau stated it is directly behind us.

Mr. Cocoros stated your property is not directly behind our applicant's property.

Ms. Lau stated this last year, there is a sewer back-up problem. Will this affect the sewerage line? My neighbor has had back-up problems into their home. There are a lot of variances being requested.

Mr. Martins stated one additional unit is being built. This will not impact you. You have an existing problem.

Ms. Lau stated the tree in the backyard is leaning towards our yard. Is this being removed?

Mr. Martins stated yes, it is being removed.

Amy Ko-Tang, 435 Westfield and Ko Lin, 1135 Harvard Place were both sworn in. Ms. Ko-Tang stated we're long time residents of Fort Lee. We thank the Board for their service. My father is concerned with the population. Two times he has had flooding in the basement. 44 duplex applications were before this Board last year. I am a little bit scared about this.

Chairman Sugarman asked Mr. Martins:

Does the applicant propose additional drainage? Mr. Martins stated yes.

Will that drainage system create any further flooding problem or help the situation?

Mr. Martins stated yes, it will help the situation.

Mr. Joh asked Mr. Martins about the issue with flooding and it being a problem with their property.

Mr. Martins stated this should help the problem and help with the run-off.

Mr. Martins stated the sewers are different than the drainage issues. The roof leaders will go out to the front. The rear will go to the culvert rear system. This should result in a positive impact on your father's property.

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

Docket #4-23, 3 Guys Inc., 576 Hazlitt Avenue, Block 3551, Lot 1, Amended Preliminary & Final Major Site Plan – Addition of Outdoor Storage Area with Fence

Mr. Mariniello is recused from this application. Mr. Luppino is recused from this application. Ms. Diane Testa is sitting in.

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In 2017 this application was approved, there are two minor changes now regarding parking spaces being moved and adding an outdoor storage area with a fence.

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

Sheet 3 of 7 – Amended site plan dated January 19, 2023. This shows the location of the outdoor storage area. We had a trash pad and two parking spaces and plan to move it at a 90 degree angle. There are no other changes proposed.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated there is an easement in the rear. Do you have the language that it permits parking and storage?

Mr. Martins stated parking was approved previously.

Mr. Juzmeski stated there is a fence proposed. If there is any damage, the applicant is responsible.

Mr. Martins stated yes.

Mr. Juzmeki asked for documentation of the before and after.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

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

It was moved by Mr. Joh, seconded by Mr. Conway and passed on a vote of 7-0 by members Liapes, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to grant the applicant Amended Preliminary & Final Major Site Plan approval to construct an Addition of an Outdoor Storage Area with Fence.

ADJOURNMENT

It was moved by Mr. Conway, seconded by Mr. Pacheco to adjourn the meeting at 9:06 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary