

FORT LEE BOARD OF ADJUSTMENT
March 28, 2023

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

Absent: H. Liapes

Also Present: J. Mariniello, Jr., Esq., D. Testa, 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 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.

Chairman Sugarman stated Mr. Luppino will be a voting member tonight.

Approval of Minutes

It was moved by Mr. Pacheco, seconded by Mr. Tropea and passed on a vote of 7-0 by members Conway, Joh, Tropea, Pacheco, Luppino, Hong and Sugarman to approve the minutes of the meeting of March 14, 2023.

Memorializations

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 April 11, 2023.

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

It was moved by Mr. Conway, seconded by Mr. Tropea and approved on a vote of 6-0 by members 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

It was moved by Mr. Pacheco, seconded by Mr. Luppino and approved 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

It was moved by Mr. Conway, seconded by Mr. Tropea and approved on a vote of 6-0 by members Conway, Joh, Tropea, Pacheco, Hong and Sugarman to grant the applicant Amended Preliminary & Final Major Site Plan approval.

Acceptance/Completeness

Docket #9-23, Golflex Fort Lee Inc., 1642 Schlosser Street, Block 4252, Lot 5, Signage

It was moved by Mr. Tropea, seconded by Mr. Conway and passed on a vote of 8-0 by members Nitti, Conway, Joh, Tropea, Pacheco, Luppino, Hong and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

Docket #10-23, 223 Main Fort Lee LLC, 223 Main Street, Block 4751, Lot 23, Preliminary & Final Major Site Plan – Mixed Use Building-Retail Unit & Two Residential Units

It was moved by Mr. Nitti, seconded by Mr. Luppino and passed on a vote of 8-0 by members Nitti, Conway, Joh, Tropea, Pacheco, Luppino, Hong and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

Public Hearings

Docket #5-23, 1531 Eleventh LLC, 1531 Eleventh Street, Block 3752, Lot 13, Two Unit Dwelling

Marc Macri stated Mr. Mariniello is recused from this application. Ms. Diane Testa is sitting in for him.

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

Mr. Cocoros stated the lot is 50 x 100 feet. In the rear, it drops off 26 feet. A side by side two family dwelling is proposed. Two sheets, A1 and A2 were shown on the screen. This is a three story configuration. Floor plans – A2 - shows the basement, garages with lights above, staircase to the first floor, hallway, utility room, bathroom, recreation room, sliding glass door to a deck. The sub-basement has a door, stairs, a den and home gym. The first floor has a living room, dining room, staircase, coat closet, fireplace and then you go up to the living space. On the bedroom level there are three bedrooms, master bedroom with ensuite bathroom, linen closet, laundry area, hallway, closet, shared bathroom and two bedrooms. There is a variance required for height.

Chairman Sugarman asked for questions from the Board.

Mr. Luppino asked behind this lot is there a house?

Mr. Cocoros stated Tenth Street is there which is lower.

Mr. Juzmeski stated the stairway to the south, adjacent to the retaining wall, there is a fence, space and a railing. What's in between the wall and stairway?

Mr. Cocoros stated pavers or gravel.

Mr. Juzmeski stated we need something that's maintenance free. Also, the height of the evergreens in the rear, we'd like to see them at 8-10 feet, installed.

Chairman Sugarman asked for questions from the public.

Halina Gogic, 1535 Eleventh Street stated I am the next door neighbor and would like to know how the building will be built. My foundation is my concern. Four duplexes were built recently. How will I be impacted?

Chairman Sugarman asked who should be answering this question?

Ms. Testa stated the Engineer should answer this.

Diane Martire, 1530 Eleventh Street asked how does the roofline compare with the adjacent buildings? The block is getting taller.

Mr. Cocoros stated it's taller but I don't know by how much. I'd have to go out and measure.

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

Mr. Martins showed the site plan on the screen. The lot is 50 x 100 feet. There is a 1 ½ story

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brick dwelling with an attached garage currently on the property. A new retaining wall is to be constructed. We propose to take the water to under the driveways and the rear where there will be cultec systems. The utilities will go out to the street.

Landscaping plan-we can look into 8-10 foot arborvitae to be planted as suggested by Mr. Juzmeski. There will be a wall built that is about 11 feet high.

Chairman Sugarman asked if this application is approved, will you accept the condition to work with the Board's Engineer on landscaping?

Mr. Martins stated yes.

Mr. Martins stated two zelcovas, street trees, hollies in between the driveways and azaleas are proposed to be planted.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated the plans show a block wall. I would like to see design calculations and aesthetics for this wall.

Mr. Juzmeski asked Mr. Martins if he reviewed his report?

Mr. Martins stated yes.

Chairman Sugarman asked for questions from the public.

Ms. Gogic asked how will this affect the foundation of my house which is next door?

Mr. Martins stated I can't tell you why there are cracks already in your foundation. We are filling in, not blasting. I do not anticipate any significant impact to your house.

Ms. Gogic stated this house will be the tallest house on the block. Do I have any guarantee that nothing will happen to my house?

Mr. Martins stated the contractor is responsible for this and has the necessary insurance.

Mr. Macri stated we will comply with all the guidelines set forth by the Building Department. We will take precautions to not damage the neighbors' properties.

Chairman Sugarman stated I would assume your contractor will maintain insurance and inspect the surrounding houses prior to starting construction.

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

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Exhibit A1-Photo Exhibit of Site & Surrounding Area

Top left-subject property

Top right-to the right

Bottom left-to the left, shows older two family homes and one three family home

Bottom right-across the street, shows some newer two family homes

Mr. Spatz stated we are in the R3 zone which permits two family dwellings. Two D variances are required for FAR and height. C variances are required for rear yard, side yard and coverages. The site has a two family dwelling on it. The property can support the increased building size. We have a conforming amount of parking on site. The property is undersized. We exceed the coverage by 112 square feet. We are a permitted use in the zone.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

Ms. Gogic stated we have parking spaces on the street. With the new dwellings there is no more street parking. Where should we park?

Mr. Spatz stated we lose one street parking space with this house. We have a conforming amount of parking on site.

Mr. Macri asked Ms. Gogic - do you use your garage for parking?

Ms. Gogic stated no, but I use the driveway. We have three cars. Where will my guests park?

Mr. Macri stated I suggest you use your garage also.

Chairman Sugarman stated the elimination of one parking space is not a major impact on the rest of the street.

Ms. Gogic stated the parking situation is getting worse.

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

Diane Martire, 1530 Eleventh Street stated there are two other unfinished projects on Eleventh Street. The block is still busy with construction. On March 16, 2023 there was an unannounced street closure for the day. There may be four ongoing projects on our dead end street.

Ms. Gogic, 1535 Eleventh Street stated I am bringing my concerns about my house and the foundation and loss of street parking.

Chairman Sugarman stated your comments are noted and the contractor will be in touch with you.

Mr. Macri asked Ms. Gogic to contact him tomorrow and set up a meeting.

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

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

Ms. Testa handed the meeting back to Mr. Mariniello.

Mr. Macri stated this application was granted approval under Resolution ZBA 3-21 for a subdivision and construction of a duplex and single family dwelling. Leonia will not grant us permission. The single family home requires an easement.

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

The amended subdivision plat was shown on the screen. Originally the lot line was to go straight to the back. The rear portion is in Leonia. We propose to create Lot 4.01 which will end at the Borough line. The rear portion will be Lot 4.02.

Mr. Mariniello asked if the larger lot will be a flag lot?

Mr. Martins stated the small piece will be Lot 4.02 with an easement.

Mr. Mariniello asked does this create any additional variances?

Mr. Martins stated yes, on the single family lot.

Mr. Martins stated there is no change in grading or drainage.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated you will need an easement for the electrical line that goes on the frontage from Lot 4.02 to Lot 4.01.

Mr. Martins stated yes.

Mr. Juzmeski stated the sewer connection from Lot 4.01 to Lot 4.02 will require an easement also.

Mr. Martins stated we can add verbiage for this.

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.

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Mr. Spatz stated variances are required for the larger lot and the smaller lots. The FAR variances have changed due to size, one variance is added. The minimum lot area has changed. The lot depth on Lot 4.01 is 95 feet deep now and requires a variance. The lot coverage variance is now reduced.

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 be sworn and testify on the application.

It was moved by Mr. Luppino, seconded by Mr. Tropea and approved on a vote of 7-0 by members Nitti, Conway, Joh, Tropea, Pacheco, Luppino and Sugarman to grant the applicant Amended Subdivision approval.

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

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

Mr. Martins stated the property is 50 x 100 feet. Currently there is a 1 ½ story brick and frame dwelling with a garage on the property. The applicant plans to remove the structures and construct a new two family dwelling. There is no change in the grade. Cultec systems will be installed under the driveways.

Landscaping – two zelcovas on either sides of the driveways, junipers, Myers yews and arborvitae will be planted.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if they reviewed the March 23, 2023 report?

Mr. Martins stated they will comply with the report. A replacement tree can be added.

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 this is a three story side by side dwelling, sheets A1 and A2. The dwelling will be 37 x 57 feet. There will be a two car driveway with a planting strip. This is an all brick structure. There will be lights over the doors and garage doors and sliding glass doors. LED type fixtures will be used.

On the ground floor there will be a garage, recreation room and stairs. On the main floor the proposal is for a living room, dining room, galley kitchen, powder room, eating area and

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bathroom. The second floor proposal is for a fireplace in the living room and a closet. The bedroom level will have a master bedroom with ensuite bathroom, two secondary bedrooms and a shared bathroom.

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.

Photo Board of Site & Surrounding Area

Top left-subject property
Top right-to the right, shows two family dwelling
Bottom left-to the left, shows two family dwelling
Bottom right-across the street, shows two family dwelling

Mr. Spatz stated we are adjacent to two family dwellings. The area is mixed with one and two family dwellings. We are in the R3 zone, two family dwellings are permitted. Bulk variances are required, also minimum lot area, side yard and rear yard setbacks variances are needed due to the stairs and decks. The building coverage exceeds by 244 square feet. Building height – we are one half story above what is permitted. We are consistent with the newer homes in the area. We have a conforming amount of parking on site.

Mr. Mariniello asked Mr. Juzmeski about the zoning analysis. It says the applicant has two D variances.

Mr. Juzmeski stated this is an error.

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. Conway and approved on a vote of 7-0 by members Nitti, Conway, Joh, Tropea, Pacheco, Luppino and Sugarman to grant the applicant approval to Construct a Two Unit Dwelling.

ADJOURNMENT

It was moved by Mr. Conway, seconded by Mr. Joh to adjourn the meeting at 9:08 p.m.

Respectfully submitted,

Linda Garofalo
Linda Garofalo
Recording Secretary