

FORT LEE BOARD OF ADJUSTMENT

May 24, 2022

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

Absent: J. Nitti, E. Hong

Also Present: D. Testa, Esq., D. Juzmeski, Neglia Eng.

Chairman Sugarman called the meeting to order at 7:34 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 2021. 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. 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. Tropea, seconded by Mr. Conway, and passed on a vote of 6-0 by members Liapes, Conway, Tropea, Pacheco, Luppino and Sugarman to approve the minutes of the meeting of May 10, 2022.

Memorializations

Docket #6-22, THR FL, LLC, 204 Tom Hunter Road, Block 3956, Lot 23, Minor Site Plan – Signage

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

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Docket #12-22, 432 Stillwell, LLC, 432 Stillwell Avenue, Block 2854, Lot 3, Two Unit Dwelling

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

Acceptance/Completeness

Docket #16-22, 511 Main Property, Corp., 511 Main Street, Block 4454, Lot 22, Preliminary & Final Major Site Plan – 13 Unit Residential Building & 1 Commercial Unit

It was moved by Mr. Tropea, seconded by Mr. Liapes and approved 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.

Chairman Sugarman stated Mr. Luppino is a voting member this evening.

Public Hearings

Docket #32-21, Bhairavi Pandya, 256 Forest Road, Block 1953, Lot 1, Single Family Dwelling

Chairman Sugarman stated this application is carried to the meeting on **June 14, 2022**. No further notice is necessary, time is waived for the Board to act.

Docket #15-22, 2168 Mackay LLC, 2168 Mackay Avenue, Block 5951, Lot 11, 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 on the easterly side of Lincoln Avenue. There is a 1 ½ story brick dwelling and an attached garage on the property. All structures will be removed. The driveways will be pitched down. Cultec chambers to be installed. Utilities will be out to the street and underground.

Sheet 2-Landscaping-a planting island is to be installed. A bed will be between the two driveways. Arborvitaes will be planted as screening in the rear.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked what is the driveway width?

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Mr. Martins stated it is in excess of 20 feet. We can narrow the driveway to 18 feet.

Mr. Juzmeski asked will you be able to comply with the comments in my report?

Mr. Martins stated yes.

Chairman Sugarman asked for questions from the public.

Marie Moukites 2181 Mackay Avenue asked about the oil tank on the property.

Mr. Martin stated we don't show this on the plans. The prior owner is responsible for the removal and remediation of the tank.

Ms. Moukites stated there was an Ordinance passed in April, there is no consideration for parking on the street. Where is the parking on the street?

Mr. Martins stated the parking is on site – in the garage and driveway.

Mrs. Wu, 2192 Mackay Avenue stated you said this is a three story house but there are four floors.

Mr. Martins stated there is a drop in grade, and this is a sub-basement.

Mrs. Wu asked will the height be higher than next door?

Chairman Sugarman stated the Architect will answer this.

Mrs. Wu asked if there are four parking spaces per unit.

Mr. Martins stated yes, this will eliminate street parking.

Mrs. Wu asked what is the distance between this house and 2192 Mackay Avenue?

Mr. Martins stated it is 10 feet to the property line.

Marios Lachanaris, Architect, 1610 Center Avenue, Fort Lee was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A2-plans dated March 24, 2022

Page 1-site plan shows the proposed dwelling

Page 2-shows the partial sub-basement behind the garage. The building is three stories plus the sub-basement. It will consist of a gym, bathroom and utility room for each unit.

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The basement floor consists of a recreation room, bathroom, wet-bar and a two car garage for each unit.

Page 3-The second floor consists of a dining area, den, living room and powder room for each unit. The third floor will have four bedrooms, three bathrooms, a laundry closet, and closets for each unit.

Page 4-shows the elevations. The finish will be brick veneer and stucco.

Page 5-shows the side elevation. There is an 11 foot drop. Two decks are in the rear.

Page 6-shows the right side elevation-it shows a little difference in the grading and shows the stairs.

Page 7-this is the rear elevation, the house appears to be four stories, it is nine feet below grade.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked about the light fixtures.

Mr. Lachanaris stated page 4 shows the specifications on the lights – LED wall sconces, residential type, no spillage, no glare.

Mr. Luppino stated the garage level is at 315. The street is 313. There is a pitch. Can you lower the house two feet?

Mr. Martins stated the street is not level. We are one foot above. We don't want to pitch it backwards but could go about eight inches lower.

Chairman Sugarman asked for questions from the public.

Ms. Moukites asked what is the color of the brick?

Mr. Lachanaris stated it is a greyish glazed brick.

Ms. Moukites asked how many feet off the back is the deck?

Mr. Lachanaris stated 12 feet.

Ms. Moukites asked why can't the house be set back further?

Chairman Sugarman stated there cannot be a setback for a garage at 37 feet.

Ms. Moukites asked how many trees will be removed?

Mr. Lachanaris stated three.

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Ms. Moukites stated there is a tree on the side that needs to come down.

Mr. Macri stated if the tree is on my client's property, he will take it down.

Mrs. Wu stated from the front I see three floors. In the back I see four floors.

Mrs. Wu also asked if the tree could be cut down.

Mr. Macri stated we will take it down if it is on our property.

Mr. Lachanaris stated a vinyl fence will be installed between the properties as requested by Mrs. Wu.

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

Mr. Spatz handed to the Board the photographs known as Exhibit A3.

Exhibit A3-Photo Board of Site and Surrounding Area

Top left-subject property

Top right-to the right

Bottom left-to the left

Bottom right-across the street

Mr. Spatz stated we are in the R3 zone which permits two family homes. FAR and building height variances are required. There are drainage systems being installed. There is a conforming amount of parking being provided on site. The height is consistent with the neighborhood. Only the decks project into the rear yard setback. The building meets the side yard setbacks but combined, it does not meet the requirements. We exceed lot coverage. We meet the lot area per unit.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked about the C variance for the maximum fill in the rear yard. If there is an eight inch reduction in height, will that help to alleviate the variance?

Mr. Spatz stated I'd have to do the math.

Chairman Sugarman asked for questions from the public.

Ms. Moukites asked to see the photographs that were handed out to the Board by Mr. Spatz. The public reviewed them.

Mr. Yun asked where can I find out more information about the procedure for variances?

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Chairman Sugarman stated the Board grants and rejects variances. This is the Municipal Land Use Law of the State of NJ.

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

Ms. Moukites, 2181 Mackay Avenue stated there have been some amendments made here to the plans tonight – the driveway size, removal of the tree and additional landscaping. These are conditions of approval. When it snows, there is no place to park. There is a parking problem on Mackay Avenue.

Mrs. Wu, 2191 Mackay Avenue stated this is taking public parking away from the residents. I will not be able to see the moon. This is a high building, it is four floors.

Mrs. Wu, 2166 Mackay Avenue asked will they cut the tree down and install the vinyl fence?

Mr. Macri stated the driveway will be reduced by two feet, there will be two feet of extra plantings, the oil tank will be removed, the poison ivy will be removed and a vinyl fence will be installed. The tree will be removed if it is on my client's property.

Ms. Moukites stated there is a large hole in the grass area. This is very dangerous.

Mr. Macri stated I will advise the current owner's Attorney.

It was moved by Mr. Tropea, seconded by Mr. Pacheco, 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.

ADJOURNMENT

It was moved by Mr. Joh, seconded by Mr. Liapes to adjourn the meeting at 8:55 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary