

FORT LEE BOARD OF ADJUSTMENT

June 8, 2021

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

Absent: S. Tropea

Also Present: J. Mariniello, Jr., Esq., M. Jovishoff, Phillips, Preiss, Grygiel, D. Juzmeski, Neglia Eng.

The meeting was held remotely, by means of communication equipment. The foregoing Electronic Public Meeting is recommended due to the current situation involving COVID-19 Virus and directives of State and County governments. The meeting was conducted using the Zoom operating system.

NOTICE OF MEETING:

Chairman Sugarman stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: On December 8, 2020 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. 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 2021 to cover the cost of mailing.

Approval of Minutes

It was moved by Mr. Liapes, seconded by Mr. Nitti and passed on a vote of 6-0 by members Liapes, Nitti, Joh, Conway, Hong and Sugarman to approve the minutes of the meeting of May 25, 2021.

Memorializations

Docket #2-19, HLC Development, LLC, 1629-1635 John Street, Block 3653, Lots 4 & 5, Extension of Time – Minor Subdivision & Two Two (2) Unit Dwellings

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It was moved by Mr. Joh, seconded by Mr. Liapes and approved on a vote of 5-0 by members Liapes, Nitti, Joh, Hong and Sugarman to grant the applicant Extension of Time approval.

Docket #8-19, M&J 730, LLC, 1629 Parker Avenue & 1624 Palisade Avenue, Block 4351, Lots 6 & 11, Extension of Time-Preliminary & Final Major Site Plan-Two Story, Mixed Use Shopping Center

It was moved by Mr. Liapes, seconded by Ms. Hong and approved on a vote of 5-0 by members Liapes, Nitti, Conway, Hong and Sugarman to grant the applicant Extension of Time approval.

Docket #12-21, A&I Realty, LLC, 825 Palisade Avenue & 2 Cumbermeade Road, Blocks 553 & 552, Lots 6 & 33, Preliminary & Final Major Site Plan – Conversion of Office Space to a Residential Unit

It was moved by Mr. Nitti, seconded by Mr. Liapes and approved on a vote of 5-0 by members Liapes, Nitti, Joh, Hong and Sugarman to grant the applicant Preliminary & Final Major Site Plan approval.

Docket #15-21, JZS Developers, LLC, 1429 Anderson Avenue, Block 2252, Lot 10, Two Unit Dwelling

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

Docket #16-21, 2239 Center Avenue, LLC, 2239 Center Avenue, Block 6053, Lot 9, Two Unit Dwelling

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

Acceptance/Completeness

Docket #20-21, Aniello Lotito, 211 SlocumWay, Block 3956, Lot 27, Two Unit Dwelling

Chairman Sugarman stated Mr. Macri is not here tonight. Mr. Jovishoff spoke to Mr. Macri and the applicant agreed to comply with all items in Mr. Jovishoff's report. He recommends the application be deemed complete.

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

Public Hearing

Docket #10-21, Electrify America, 154 Main Street, Block 4351, Lots 3 & 12, Minor Site Plan – Electric Vehicle Charging Station

(continued from the Public Hearing of May 11, 2021)

Mr. Lavigne stated the applicant is seeking to convert 10 parking spaces into 4 charging station spaces. A Use Variance is required.

Chairman Sugarman stated Mr. Pacheco and Ms. Hong will be voting members tonight.

Mr. Vlasin stated the charging stations are fast charging. In New Jersey there is one other level 3 station located in North Brunswick. The others in New Jersey are level 2.

Of the 22 New Jersey sites, the average hours of use per station is 34.8. minutes. The app can tell you which stations are available for use.

After the car reaches 100%, there is a 10 minute waiting period, then there is an idling fee which is 40 cents per minute.

Chairman Sugarman asked for questions from the Board.

Mr. Liapes asked if there is someone watching the stations.

Mr. Vlasin stated there is an agreement set-up with the bank.

Chairman Sugarman asked Mr. Mariniello, we all know that Bank of America has a reputation for towing out of their lot. Is there any liability?

Mr. Mariniello stated there is no liability on the Borough.

Ms. Hong stated there is a shortage of parking spaces at this location. I see 30-40 spaces there. I do not think the bank customers will have enough parking.

Mr. Lavigne stated this information is in the updated memorandum. The site plan shows the parking spaces. Some spaces are for the Fort Lee Fire Department. There is no parking variance required for this application.

Chairman Sugarman stated there are 11 parking spaces set aside for the Fire Department and 10 spaces which will be used for the charging stations. Are these stations for 1 or 2 cars each?

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Mr. Lavigne stated there are 4 stalls, one car each.

Mr. Pacheco asked if there are field technicians that will inspect these stations. Will there be any records kept?

Mr. Vlasin stated we have a maintenance operation. We know when a station is off-line. No security cameras are planned at this time. The applicant would look into security with the bank if necessary.

Chairman Sugarman asked if there are 11 charging stations in New Jersey, how many spaces are there at each location.

Mr. Vlasin stated 4 to 10. They are monitored in Michigan.

Ms. Hong stated there are many charging stations in Fort Lee already.

Mr. Pacheco asked how long it will take to construct these stations.

Mr. Vlasin stated construction is 25-30 days.

Mr. Jovishoff asked what the hours of operation are.

Mr. Vlasin stated 24/7.

Mr. Jovishoff asked about security and the cabinets being locked.

Mr. Vlasin stated there hasn't been any vandalism.

Chairman Sugarman asked if this is a credit card operation or cash.

Mr. Vlasin stated there is no cash involved. You can pay with a credit card, our app., or a plug-in charge. Once plugged in, it happens automatically.

Mr. Jovishoff asked how is the power supplied?

Mr. Vlasin stated this is underground. A new pole will be installed behind the garbage area.

Mr. Jovishoff asked what is the average use per day.

Mr. Vlasin stated 34.8 minutes per day. 1 to 2 vehicles per day. 1.7 hours in Secaucus.

Mr. Juzmeski stated the lot was just paved. Are you going to make the parking lot seamless?

Mr. Vlasin stated this would all be underground.

Mr. Juzmeski asked would you agree to make the asphalt seamless?

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Mr. Vlasin stated yes.

Mr. Juzmeski asked what the impact will be on the parking lot when this area is developed.

Mr. Vlasin stated it's up to the contractor. They will need a trash area and storage area. The first driveway would probably be closed down. The rest of the parking lot would be open.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

Paul Ricci, Planner, 177 Monmouth Avenue, Atlantic Highlands was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Ricci stated he reviewed the plan, the Master Plan and the Ordinances. The Use variance is for 4 spaces for parking and charging. These are needed for electric cars. As of June 2021, there are 34,000 cars that are battery, hybrid and electric. These cars reduce the emissions. I believe this is a beneficial use. The use is located in a commercial area of town and fits nicely. Parking will not be heavily impacted. There is a need for these facilities. This is in an appropriate location. There is no substantial detriment to the public. This is a new emerging use.

Chairman Sugarman asked about the parking spaces. What is to prevent me from parking in one of these spaces?

Mr. Ricci stated these 4 spots can be used for parking.

Chairman Sugarman stated there are 34,000 electric vehicles in New Jersey, out of how many?

Mr. Ricci stated I don't know.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff stated it takes 20-30 minutes for a car to be charged. Are these charging stations a beneficial use?

Mr. Ricci stated it's not identified in the Municipal Land Use Law.

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.

Mr. Lavigne stated other than the minor site plan approval, we need a Use Variance. Paramus has level 3 chargers at the Garden State Plaza. If someone parked there and decided to go into

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the mall to shop, they would incur idling fees if running into the Mall while charging. This location is well suited. There are no bulk variances, parking variances, or setback variances. I thank you for your time.

It was moved by Mr. Liapes, seconded by Mr. Joh and denied on a vote of 5-2 by members Nitti, Conway, Pacheco, Hong and Sugarman to deny the applicant Minor Site Plan approval. Mr. Liapes and Mr. Joh voted to approve the application.

Docket #5-21, 2053 Fletcher Associates, LLC, 2053 Fletcher Avenue, Block 4458, Lot 2, Preliminary & Final Major Site Plan – Eight Unit Apartment Building (continued from the Public Hearing of April 27, 2021)

Chairman Sugarman stated this application is carried to the meeting of June 22, 2021. No further notice is necessary, time is waived for the Board to act.

Docket #11-21, 2450 Lemoine Realty, LLC, 187 Washington Avenue, Block 7151, Lot 1, Preliminary & Final Major Site Plan – Conversion of Second Floor to Two (2) Residential Units

Chairman Sugarman stated this application is carried to the meeting of June 22, 2021. No further notice is necessary, time is waived for the Board to act.

ADJOURNMENT

It was moved by Mr. Liapes, seconded by Mr. Joh to adjourn the meeting at 8:54 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary