

FORT LEE BOARD OF ADJUSTMENT

August 9, 2022

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

Absent: D. Conway, S. Tropea, J. Luppino

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

Chairman Sugarman called the meeting to order at 7:32 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 Ms. Hong, seconded by Mr. Pacheco, and passed on a vote of 4-0 by members Joh, Pacheco, Hong and Sugarman to approve the minutes of the meeting of July 26, 2022.

Memorializations

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

It was moved by Mr. Pacheco, seconded by Chairman Sugarman, and denied on a vote of 2-0 by members Pacheco and Sugarman to deny the applicant approval to construct a Single Family Dwelling.

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Docket #5-22, Seung Yang & Chan Park, 1303 Palisade Avenue, Block 1955, Lot 8, Preliminary & Final Major Site Plan – Mixed Use – Commercial Offices & Residential

It was moved by Mr. Pacheco, seconded by Ms. Hong and denied on a vote of 3-0 by members Pacheco, Hong and Sugarman to deny the applicant Preliminary & Final Major Site Plan approval.

Public Hearings

Docket #17-21, Aved Awad, 543 Main Street, Block 4454, Lot 28, Preliminary & Final Major Site Plan – 18 Unit Multi-Family Building

Mr. Cereste stated this application is for an 18 unit building. It will cause less traffic due to the use. We are replacing a service station with a beautiful building. There are some C & D variances. The property is in the C2 district.

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

Exhibit A1-Site plan of Mark Martins, 8 sheets, last revised February 2, 2022. This property runs along Main Street. Sheet 2 shows the existing conditions on the property. There's a one story service station currently on the property.

Exhibit A6- Sheet 3 – site plan, colorized – the landscaped areas are in green and the building is shown in brown. This is a four story, 18 unit apartment building. New ingress and egress are proposed. One handicap space is proposed along with a charging station. A use variance is needed. Sheet 4 – grading and drainage plan – the site has a small slope, we are maintaining the elevation. The parking area is behind the building. A four foot retaining wall is proposed. Utilities will be underground. No drainage improvements are on the property now, we propose to install an underground detention system. There are two front yards, we are using Main Street as the front. The property is in the C2 zone and a residential zone is abutting our property. There are 34 parking spaces required, 21 spaces are proposed. There are also some design waivers.

Landscape plan, sheet 5 – there is a small landscaped area in the back and streetscape improvements on Main Street. There will be red maples, flowering shrubs, azaleas, rhododendrums, junipers and a rain garden installed. There will be four trees removed and we are planting four trees. We will make a contribution to the Borough Tree Fund.

Sheet 6, lighting plan – three types of lighting will be installed – sconces, one pole mounted light and ceiling mounted fixtures. The Neglia report dated July 8, 2022 will be complied with.

The handicap curb replacement request across the street will be complied with.

Chairman Sugarman asked for questions from the Board.

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Chairman Sugarman asked about the deficiency of 9 parking spaces. The entrance and egress are on Jones Road and that is a narrow street. There is a school down the street and there is a morning rush hour. Jones Road is closed often. Currently it is an active gas station. Will we know about the removal of the gas tanks tonight?

Mr. Luglio will talk about trip generation.

Mr. Cereste stated all tanks comply with the DEP.

Chairman Sugarman stated the tank removal will affect the property. I'd like to know about remediation issues.

Mr. Juzmeski asked if there has been any communication with the County?

Mr. Martins stated not yet, there has been no submission yet.

Mr. Juzmeski asked if there will be private trash hauling?

Mr. Martins stated yes.

Mr. Juzmeski asked if there are any issues with the Fire Department comments?

Mr. Cereste stated we will comply.

Mr. Juzmeski stated the sidewalk is on private property, will you provide an easement?

Mr. Martins stated yes, but I don't think it's required.

Mr. Pacheco asked how long it will take to complete the project?

Mr. Martins stated one year.

Mr. Pacheco stated the traffic is my concern, especially with the school down the street. Do you plan to close the road?

Mr. Martins stated these questions really are for the contractor. This would have to be worked out with the Police Department.

Mr. Juzmeski asked what type of trash enclosure will be used?

Mr. Martins stated we are not enclosing it, there will probably be a fence around it.

Chairman Sugarman asked are you familiar with the June 15, 2022 letter from Steve Curry, the Fire Subcode Official?

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Mr. Martins read the letter and will look into the hydrant location being within 100 feet of the building and stated a sprinkler system will be installed. Based on the survey there is no hydrant in the vicinity. We will comply with all recommendations and Building Department recommendations.

Ms. Hong stated during school hours there are a lot of cars in this area. Have you looked into this?

Mr. Martins stated Mr. Luglio will answer this.

Mr. Nitti stated there's a fire hydrant across the street.

Chairman Sugarman asked for questions from the public.

Ray Virgona, Architect, 125 River Road, Edgewater was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Virgona stated A31 shows the view of the site. There are 18 units, 3 are affordable. The exterior is brick masonry and stucco. There are 4 stories. SK1 is an elevation drawing. There will be one rooftop unit, it will be shielded. The rear of the building is open along with the parking area. SK2 is the first floor plan – there are 21 parking spaces, front facing Main Street – there is a lobby, vestibule, package area, and mechanical room.

SK3 shows the second floor plan, there are 3 affordable units on this floor – 1 one bedroom, 1 two bedroom and 1 three bedroom.

SK3A is the floor plan for floors 2 and 3 – typical floor plan.

SK4 is the roof plan showing the screened area.

The Neglia report has already been addressed.

Mr. Virgona stated since the last submission, we reduced the size of the building slightly.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked about his comment about recessing the door.

Mr. Virgona stated we relocated it.

Mr. Juzmeski asked what screening is available to block the vehicles lights?

Mr. Virgona stated I have to refer to the site plan.

Mr. Martins stated there is a 4 foot wall and also plantings.

Mr. Virgona stated we will comply with the sprinkler system request in the Fire Official's letter.

Chairman Sugarman asked for questions from the public.

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Louis Luglio, Traffic Engineer, 30 Montgomery Street, Jersey City was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Luglio stated he prepared the traffic assessment report dated May 23, 2022.

Exhibit A7-is part of the May 23, 2022 report. This is an aerial map dated March 12, 2021. There are 4 gas pumps on the property. We are looking at a trip generation of 10 cars during the AM peak hour, 7 trips in the PM peak hour and 7 trips on the weekend. The existing trips are 41 in the AM peak hour, 56 in the PM peak hour and 51 during the Saturday peak hour.

Chairman Sugarman stated I don't see this number of cars in this location. There is a lot of congestion here.

Mr. Luglio stated based on the operation, this table I have prepared is an average. There's less activity with a residential development. This is a congested area.

There are 34 parking spaces required, 30 spaces are required with the car charger credit. A variance is needed for 9 parking spaces.

Chairman Sugarman asked for questions from the Board.

Mr. Pacheco asked if the deficiency of 9 parking spaces includes the guest parking.

Mr. Luglio stated yes.

Mr. Cereste asked where the Municipal Parking lot is.

Mr. Luglio stated across the street.

Chairman Sugarman stated there is parking on Main Street but there is no parking in front of this property.

Mr. Pacheco stated I think there's a bus stop across the street.

Mr. Luglio stated there are some spaces near the bus stop. The move ins and outs will be done on Jones Road. Most likely the Fed Ex, UPS, Amazon and other deliveries will double park or park half way on the sidewalk.

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 A3- Photo Board of Site and Surrounding Area

Top left-subject property

Top right-down to the east of the property

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Bottom left-across the street

Bottom right-across the street showing a self-storage facility

Mr. Spatz stated there is commercial and newer multi-family homes in the area. This use is not permitted. FAR and building height, front, rear, side yard and parking variances are required. I believe there is a sufficient amount of parking on site. This proposal is a reduction in units. It is consistent with the development behind us. The site can accommodate the increased FAR. Drainage improvements are being provided. Environmental improvements are being made to the property. The storage facility across the street has a higher elevation. Affordable units are being provided. The front yard setback is consistent with Main Street. Sidewalks are being provided. The retaining wall will eliminate issues with headlights. We are 9 parking spaces short. There are guest spaces available and parking across the street in the Municipal lot. I believe the positive criteria is met.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked if the photos were taken at the same time and the same day?

Mr. Spatz stated he didn't know.

Chairman Sugarman stated photo #1 appears that the gas station is not generating any traffic.

Mr. Spatz stated several cars may be there for service.

Chairman Sugarman stated there are no cars at the pumps. Photos #2, #3, and #4 appear to show considerable traffic on Main Street. In photo #4 you can see a car is blocking the traffic. You're adding 10 extra cars during peak traffic time and this will make it worse.

Mr. Spatz stated the 10 extra cars will be coming out at different times.

Chairman Sugarman stated people in this area don't walk. They use their car.

Mr. Pacheco stated that the parking meters are put in place to provide flow of traffic. I find it difficult, I travel this road often.

Chairman Sugarman asked for questions from the public.

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

The Board took a break at 9:06 pm and returned at 9:10 pm.

Chairman Sugarman stated this application is carried to the meeting of **September 13, 2022**. No further notice is necessary, time is waived for the Board to act.

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Docket #17-22, Igor & Margarita Golden, 1009 Dearborn Road, Block 454, Lot 14, Single Family Dwelling

Mr. Cereste stated the property is oversized. It is in the R1 District. One D variance for FAR is required.

Christopher Lantelme, Engineer, 101 West Street, Hillsdale was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Lantelme stated the property had a brick split level home on the property. There's an 8" retaining wall on the north side of the property.

The property is approximately 7,600 square feet. A two story dwelling is proposed. A drainage system with two seepage pits is proposed under the driveway. No retaining walls are proposed. A FAR variance is required. A circular driveway is to be constructed. Landscaping is proposed, 20 arborvitae are to be planted.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated he needs to see the coverages on the plan.

Mr. Cereste stated this will be done.

Mr. Nitti asked where is the chain link fence?

Mr. Lantelme stated it's a proposed fence for the pool.

Chairman Sugarman asked for questions from the public.

Robert Zampolin, Architect, 187 Fairview Avenue, Westwood was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A2-dated March 7, 2022 - floor plan. The frontage is 56.6", depth is 50'. On the first floor there is a dining room, library, great room, staircase, powder room, 2 car garage, mudroom, kitchen, guest bedroom, hall bathroom and side door entrance from the pool. The first floor is 2,352 square feet.

The second floor consists of three bedrooms, walk in closets, master bathroom with ensuite bathroom, coffee station, wet bar, large closets and make-up station. The second floor is 2,283 square feet.

The basement has the mechanicals, storage room, recreation room, laundry room, exercise room, and a fifth bedroom. The basement is 1,773 square feet. The total home is 6,408 square feet. Sheet A4 shows the elevations. The height of the first floor is 11 feet, the second floor is 10 feet and the basement is 9 feet. Stucco to be used on the exterior with a stone base. The roof consists of composite shingles. The dormers are for aesthetics. There will be a fireplace. Decorative

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residential lighting to be installed. Trash will be in the garage.

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 A3-Photo Board of Site and Surrounding Area

Top left-subject property
Top right-to the right, north
Bottom left-to the left, south
Bottom right-across the street

One D variance for FAR and two C variances for setback and coverage are required. The property can support the additional FAR. Drainage improvements and landscaping are proposed. This is consistent with the neighborhood. The front yard setback is for the façade in the amount of 6 inches. Coverage is only slightly over. There is a similar home across the street. Parking is being provided. The positive criteria is met.

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 come up, be sworn and testify on the application.

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

ADJOURNMENT

It was moved by Mr. Pacheco, seconded by Mr. Nitti to adjourn the meeting at 9:40 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary