

# **FORT LEE BOARD OF ADJUSTMENT**

**September 13, 2022**

**Present:** H. Liapes, J. Nitti, D. Conway, H. Joh, A. Tropea, L. Pacheco, J. Luppino, E. Hong

**Absent:** D. Sugarman

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

Vice-Chairman Liapes called the meeting to order at 7:38 p.m.

## **NOTICE OF MEETING:**

Vice-Chairman Liapes 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. Nitti, seconded by Mr. Conway, and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Hong to approve the minutes of the meeting of August 23, 2022.

## **Memorializations**

### **Docket #23-22, CD Developers, LLC, 199 Myrtle Avenue, Block 7056, Lot 1, Minor Subdivision & Preliminary & Final Major Site Plan – Three Unit Dwelling**

It was moved by Mr. Nitti, seconded by Mr. Conway, and approved on a vote of 6-0 by members Liapes, Nitti, Conway, Joh, Tropea and Pacheco to grant the applicant Minor Subdivision & Preliminary & Final Major Site Plan approval to construct a Three Unit Dwelling.

**Acceptance/Completeness**

**Docket #29-22, W&R Home Builders, LLC, 1036 Anderson Avenue, Block 356, Lot 9, Minor Subdivision – Single Family Dwelling & Two Unit Dwelling**

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

**Public Hearings**

**Docket #12-09, Fort Lee A.C. Condominium Association, Inc., 2029 Lemoine Avenue, Block 14751, Lot 11, Amendment to Resolution – Preliminary & Final Major Site Plan – Office/Retail/Club Development**

Vice-Chairman Liapes stated this application is carried to the meeting of October 11, 2022. No further notice is necessary and time is waived for the Board to act.

**Docket #17-21, Aved Awad, 543 Main Street, Block 4454, Lot 28, Preliminary & Final Major Site Plan – 18-Unit Multi-Family Building  
(continued from the Public Hearing of August 9, 2022)**

Vice-Chairman Liapes stated this application is carried to the meeting of October 25, 2022. No further notice is necessary and time is waived for the Board to act.

**Docket #13-22, Broadwest Corp., 2149 & 2151 Hudson Street, Block 6151, Lots 7 & 8, Preliminary & Final Major Site Plan – 99 Unit, Multi-Family Residential Dwelling  
(continued from the Public Hearing of July 26, 2022)**

Vice-Chairman Liapes stated this application is carried to the meeting of November 29, 2022. No further notice is necessary and time is waived for the Board to act.

**Docket #18-22, Unlmted Development, LLC, 1355 Fifteenth Street, Block 2251, Lot 3, Preliminary & Final Major Site Plan – 130 Unit Multi-Family Building**

Vice-Chairman Liapes stated this application is carried to the meeting of September 27, 2022. No further notice is necessary and time is waived for the Board to act.

**Docket #25-22, 313 Henry Street, LLC, 281 Myrtle Avenue, Block 6959, Lot 16, Minor Subdivision & Two, Two-Unit Dwellings**

Mr. Macri stated we are here seeking the Board's approval for a subdivision to construct two two-unit dwellings.

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

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**Exhibit A1**-Full set of colorized plans. On the property there is an existing two story masonry and frame dwelling, garage, car port and concrete driveway. We would like to subdivide the lot to two 50 x 100 lots. The frontages will be on Myrtle Avenue.

Page 2-Grading and Drainage. Each unit is a two family with a two car garage. There is no current drainage on the property. We propose cultec systems under the driveways.

Landscape plan-Six trees are to be removed and we are planting four trees. We will make a contribution to the Tree Fund. Zelcova, azaleas, hollies, myers yews, arborvitae and some lower plantings will be planted.

The report dated September 7, 2022 from Neglia Engineering has been reviewed.

Vice-Chairman Liapes asked for questions from the Board.  
Vice-Chairman Liapes asked for questions from the public.

Mr. Shiva Rajagopalan, 285 Myrtle Avenue asked if they're asking for approval to convert a single family home into two 2 family homes?

Mr. Martins stated yes.

Jenny Xiang, 2447 1st Street, asked if the four units will face Myrtle Avenue?

Mr. Martins stated yes.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs was sworn in and his credentials accepted by Vice-Chairman Liapes.

Mr. Cocoros stated this lot is on the western side. A side by side two family home is proposed with three stories. Side staircases and entries are proposed. The houses are the same except the driveway on the corner lot is different. Brick and stucco to be used on the exterior.

Sheet A2-there will be a recreation room, bathroom, utility room two closets and a garage on the basement level. On the first floor there is an eating area, dining room, living room, kitchen, powder room, wood deck and one closet. The second floor consists of three bedrooms, two bathrooms, four closets, and a laundry room. In the attic, a powder room, one closet and roof balcony are proposed.

Vice-Chairman Liapes asked for questions from the Board.

Mr. Conway asked if there will be any negative impact due to this being across from the school?

Mr. Cocoros stated we will stipulate that there will be no road closures during school drop off and pick-up times. The Police Department will also be notified.

Mr. Juzmeski stated the sidewalks need to be reconstructed.

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Mr. Rajagopalan asked if there will be a sidewalk proposed on 1st Street?

Mr. Cocoros stated no.

Wen Zheng, 2413 1st Street asked where will the driveway be for the corner lot residence?

Mr. Cocoros stated on Myrtle Avenue.

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

**Exhibit A2-Photo Board of Site and Surrounding Area**

Top left-subject property, 1<sup>st</sup> Street shown

Top middle-to the north

Top right-across the street

Bottom left-subject property

Bottom middle-towards the west

Bottom right-across the street

Mr. Spatz stated we are in the R3A zone which permits two-family homes. Two D variances, minimum lot coverage, setbacks, coverage and building height variances are required. The lot is well suited for the proposal. Drainage is being provided. There is a sufficient amount of parking on site. The lot sizes are only minimally less than what is required. The existing dwelling is older and the new homes will benefit the neighborhood. The lot can support the additional FAR. The front yard will be conforming. Side yard variances are required. The height exceeds slightly by a half story. Coverage is exceeded by 100 square feet.

Vice-Chairman Liapes asked for questions from the Board.

Mr. Juzmeski asked about the right of way.

Mr. Spatz stated there is no ability to widen the road. The driveways are wide enough to back out.

Mr. Rajagopalan asked why are the dwellings 3 ½ stories?

Mr. Spatz stated they are three stories plus the attic space which is not livable space. We are less than three feet above what is permitted.

Mr. Rajagopalan asked if you have been there during drop off and pick up time?

Mr. Spatz stated the curbs are painted yellow. Nobody should be parking there.

Mr. Rajagopalan stated the Police allow parents to drop off and pick up here. This is a busy Street.

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Mr. Spatz stated the people living in these homes will park their cars on site, not in the street.

Vice-Chairman Liapes stated all the homes on this street have parents parking there.

Mr. Theodore Diamontopoulos, 2411 1<sup>st</sup> Street asked how many cars will there be?

Mr. Spatz stated two cars per driveway plus the garages.

Mr. Diamontopoulos asked how many feet is this home from the rear property line?

Mr. Spatz stated 20.81 feet.

Vice-Chairman Liapes asked if any member of the public would like to come up, be sworn and testify on the application?

Mr. Shiva Rajagopalan, 285 Myrtle Avenue stated this is one of the greenest properties in the area. These residences will increase the congestion. Students will be added to the schools and the traffic will increase.

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

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

**Docket #24-22, Babalis Enterprise, LLC, 433 Catherine Street, Block 4055, Lot 13, Two Unit Dwelling**

Vice Chairman Liapes stated Mr. Luppino is recused from this application and Ms. Hong will be a voting member.

Mr. Cereste stated the applicant is seeking approval to construct a two family dwelling. It is in the R2 single family district. The property is approximately 5,000 square feet. Two D variances, one for use and one for FAR are required.

**Exhibits:**

- A1-Site plan dated June 6, 2022, 3 pages
- A2-Architectural plan – dated June 9, 2022
- A3-4 photos, David Spatz
- A4-drainage calculations dated June 3, 2022
- A5-4 photos by Saverio Cereste's office
- A6-survey dated January 18, 2022
- A7-colored plan

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

Mr. Martins stated the site is on the north side of Catherine Street. There is a 1 ½ story brick and frame structure on the property with a retaining wall. We propose to construct a two unit dwelling. This is a standard duplex dwelling with a two car garage in the front. Underground detention systems will be installed. All of the utilities will be underground. The sidewalk will be replaced.

Landscaping plan-one tree to be removed and we will replace with two zelkova trees. Azaleas to be planted in the planting area between the driveway. Holly, azaleas, myers yews and arborvitae to be planted.

The Neglia report dated August 8, 2022 has been reviewed.

Vice-Chairman Liapes asked for questions from the Board.

Mr. Nitti asked if the retaining wall is being removed.

Mr. Martins stated yes, we are removing and replacing it.

Mr. Juzmeski asked about the fence in the rear.

Mr. Martins stated we are removing it.

Mr. Juzmeski asked can you have the utility pole in the front moved by PSE&G to behind the curb line?

Mr. Martins stated we will make an attempt to have it moved.

Vice-Chairman Liapes asked for questions from the public.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs was sworn in and his credentials accepted by Vice-Chairman Liapes.

**Exhibit A2-Architectural plan** Mr. Cocoros stated this is a side by side two family dwelling. The entry door is at the front. It is a three level configuration plus a roof deck. It is an all brick structure with stucco.

Floor plan-The dwelling consists of a recreation room, bathroom, utility room, two closets, masonry platform and a garage on the basement level. The first floor will have a family room, dining room, living room, kitchen, powder room, deck and one closet. The second floor has three bedrooms, two bathrooms, four closets and a laundry room. The attic consists of a powder room, one closet, exterior roof balcony and finished attic space.

LED lighting will be used, residential style, no spillage.

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The property is in the R2 zone. The lot is undersized. FAR coverage is in line with the area.

Vice-Chairman Liapes asked for questions from the Board.

Mr. Juzmeski asked if the condenser is a sufficient size.

Mr. Cocoros stated we can put an additional one under the deck if needed.

Vice-Chairman Liapes asked for questions from the public.

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

**Exhibit A3-Photo Board of Site and Surrounding Area**

Top left-subject property

Top right-to the right, see the PSE&G pole

Bottom left-to the left, see walls

Bottom right-across the street

Mr. Spatz stated this neighborhood is a mixture of one and two family homes. We require Use, FAR and C variances. There are several two family homes in this vicinity. We are providing newer housing in the neighborhood. I believe the property can support the additional FAR. Drainage is being provided. We meet the front yard setback. We exceed the building coverage by 265 square feet. The building height is 1.33 feet above what is permitted. We are providing a conforming amount of parking on site.

Vice-Chairman Liapes asked for questions from the Board.

Vice-Chairman Liapes asked for questions from the public.

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

**ADJOURNMENT**

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

Respectfully submitted,

*Linda Garofalo*

Linda Garofalo  
Recording Secretary