

FORT LEE BOARD OF ADJUSTMENT
NOVEMBER 22, 2022

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

Absent: J. Nitti, H. Joh, E. Hong.

Also Present: J. Mariniello, Esq., D. Juzmeski, Neglia Engineering Associates.

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 2022. 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. Conway, seconded by Mr. Pacheco, and passed on a vote of 5-0 by members Liapes, Conway, Tropea, Pacheco and Sugarman to approve the minutes of the meeting of October 25, 2022. Mr. Luppino abstained from the vote.

MEMORIALIZATIONS

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

This memorialization is being carried to the meeting of November 29, 2022.

Docket #21-22, Ashok & Joanna Lakhiani, 1612 William Street, Block 4053, Lot 1, Two Unit Dwelling

It was moved by Mr. Liapes, seconded by Mr. Conway, and passed on a vote of 5-0 by members Liapes, Conway, Tropea, Pacheco and Sugarman to adopt the resolution of approval for a Two Unit Dwelling.

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Docket #22-22, THR FL, LLC, 204 Tom Hunter Road, Block 3956, Lot 23, Change of Use

It was moved by Mr. Tropea, seconded by Mr. Liapes, and passed on a vote of 5-0 by members Liapes, Conway, Tropea, Pacheco and Sugarman to adopt the resolution of approval for a Change of Use.

ACCEPTANCE/COMPLETENESS

Docket #33-22, Strategic Group, LLC, 2245 & 2249 Camner Street, Block 6955, Lots 5 & 6, Minor Subdivision & Two (2), Two Unit Dwellings

It was moved by Mr. Pacheco, seconded by Mr. Conway, and passed on a vote of 5-0 by members Liapes, Conway, Tropea, Pacheco and Sugarman to deem the application complete. Mr. Luppino abstained from the vote. Outstanding items to be submitted prior to public hearing. Will call for a hearing date.

Docket #34-22, Edwin Glenn O'Connor, 1580 John Street, Block 3754, Lot 6, Amendment to Two Unit Dwelling

It was moved by Mr. Liapes, seconded by Mr. Conway, and passed on a vote of 5-0 by members Liapes, Conway, Tropea, Pacheco and Sugarman to deem the application complete. Mr. Luppino abstained from the vote. Outstanding items to be submitted prior to public hearing. Will call for a hearing date.

Docket #35-22, Tom Hunter Developers, LLC, 1533 Center Avenue, Block 3855, Lot 9, Minor Subdivision & Two (2), Two Unit Dwellings

It was moved by Mr. Tropea, seconded by Mr. Pacheco, and passed on a vote of 6-0 by members Liapes, Conway, Tropea, Pacheco, Luppino and Sugarman to deem the application complete. Outstanding items to be submitted prior to public hearing. Will call for a hearing date.

Docket #36-22, Unity Bank, 899 Palisades Avenue, Block 553, Lot 5, Signage

It was moved by Mr. Conway, seconded by Mr. Tropea, and passed on a vote of 6-0 by members Liapes, Conway, Tropea, Pacheco, Luppino and Sugarman to deem the application complete. Outstanding items to be submitted prior to public hearing. Will call for a hearing date.

EXTENSION OF TIME/SITE PLAN APPROVAL

Docket #33-20, ARS Architectural Design & Trade, LLC, 1637 Maple Street, Block 3554, Lot 3, Two Unit Dwelling

Mr. Cereste stated: We are here requesting a 1-year extension to November 1, 2023.

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It was moved by Mr. Pacheco, seconded by Mr. Conway, and passed on a vote of 5-0 by members Liapes, Conway, Tropea, Pacheco and Sugarman to grant a 1-year extension to November 1, 2023 for the Two Unit Dwelling. Mr. Luppino abstained from the vote.

PUBLIC HEARINGS

Docket #27-22, Smadar Ben-Simhon, 811 Jassamine Way, Block 3554, Lot 3, Two Unit Dwelling

Marc Macri, Esq. representing the applicant.

Mr. Macri stated: We are here seeking approval to remove the current two family dwelling and replace it with a new two-unit, duplex style dwelling.

Steven Koestner, Koestner Associates, 61 Hudson Street, Hackensack, was sworn in as an engineer. Mr. Koestner was sworn in and his credentials accepted as an engineer by Chairman Sugarman.

Mr. Koestner stated: There is currently a two family dwelling on the property with an existing garage in the rear and both are to be removed completely. There is a 50 foot frontage in the front with 53.16 feet in the rear, 98.53 feet to the southerly line and 100 feet to the northerly line. It is 200 feet south of Columbia Avenue and is partially in Cliffside Park. The new two unit on the property would have side yards of 6.69 feet. There will be a front yard setback of 21.22 feet and a rear yard of 20.47 feet to the building. We will mitigate runoff with chambers in the front yard. The topography of the property is flat across the lot, both front and back. We have provided a landscape plan to mitigate further. We propose landscaping beds in the front left and right of the home and down the center of the two driveways. There will be landscaping in the rear as well and a number of shrubs will be planted. We have reviewed Neglia's letter dated September 16, 2022 and can comply with the request.

Mr. Macri questioned: Can you comply with Neglia's report dated November 16, 2021?

Mr. Juzmeski questioned: There is a fence on the westerly, rear, line. Will it be removed?

Mr. Koestner stated: No, it will remain.

Mr. Juzmeski questioned: The proposed garage will be removed with its foundation in entirety?

Mr. Koestner stated: Yes.

Mr. Juzmeski stated: You need Cliffside Park approval as well.

Mr. Macri stated: I will request a waiver from Cliffside Park.

Chairman Sugarman asked for questions from the public.

Vassilios Cocoros, VCA Group, 467 Sylvan Avenue, Englewood Cliffs. Mr. Cocoros was sworn in and his credentials accepted as an architect by Chairman Sugarman.

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Mr. Cocoros stated: This is a side-by-side duplex style two unit dwelling with three levels. We have the staircases on the sides, a two car driveway with a planting strip in between and landscaping strips on both sides of the property. It will be brick, stucco and paneling. They are a mirror image on both sides. Sheet A-2 shows the three levels of the units with their layouts.

Mr. Cocoros reviewed the layout of each floor for the Board.

Mr. Juzmeski questioned: Can you give the proposed lighting information?

Mr. Cocoros stated: There will be LED recessed lighting. There will be fixtures above the garage doors and rear sliders.

Mr. Juzmeski questioned: There will be full cut off and no glare to the residential properties?

Mr. Cocoros stated: Yes.

Chairman Sugarman asked for questions from the public.

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

Exhibit A-1 – Photo of Site and Surrounding Area

Top left- Subject Property

Top right- Looking to the right

Bottom left- Looking to the left

Bottom right- Looking across the street

Mr. Spatz stated: The property is in an R-3 Zone. The use is permitted. There is an existing two family. We are seeking a Density variance and an FAR variance. This is a typical two and it is scaled down because of the lot size. We are promoting the public health and are providing housing in the area. For the density, we are a two family in a two-family zone. We are providing a positive visual environment. We are removing an old two family with no drainage and providing a new two unit dwelling with drainage, landscaping and a new home that meets codes and standards. The FAR can be supported. We are providing drainage improvements. We are providing landscaping to buffer and parking. For the Density we are already a two family so we are not increasing it and we are providing additional parking. The bulk variances are due to the undersized nature of the lot. Jassamine Way is all one- and two-family homes that are all on 50 feet x100 feet. We cannot acquire land without making other properties undersized. The cutouts project into the side yards and deck as well. Removing the garage in the rear increases the setbacks more than what exists now. Drainage will help to mitigate the improvements. There are no substantially negative reasons why not to grant the variances being sought. On balance the positive outweighs the negative and thus, the variances can be granted.

Mr. Juzmeski stated: You do not have an FAR or Density variance. On April 14, 2022, the Borough increased its FAR number. You only have “C” variances per our letter.

Mr. Spatz stated: Understood, thank you.

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Mr. Conway questioned: Are the trees in the rear of this property yours or the adjoining property's trees?

Mr. Koestner stated: Our plan shows no trees on our property in the rear.

Chairman Sugarman asked for questions and comments from the public.

John Krivy, 803 West End Avenue, was sworn in and stated: This property calls for more land. This property is undersized. Why is this being proposed? You already said no to this.

Chairman Sugarman stated: This is an existing two family. There is no use variance, there is no FAR or Density variance. There are only "C" variances. All of the properties in the area are on 50 feet x100 feet lots whether it is a one or two family. It is very rare to have one of these without a "D" variance, but it seems consistent with the neighborhood.

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

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

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 #31-22, Gerald & Jilian Calabrese, 262 Harmon Avenue, Block 2356, Lot 4, Pool & Rear Yard Landscape

This application is carried to the meeting of December 27, 2022. No further notice is necessary, and time is waived for the Board to act.

ADJOURNMENT

It was moved by Mr. Pacheco, seconded by Mr. Conway, to adjourn the meeting at 8:12 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti
Recording Secretary