

REORGINIZATION MEETING

FORT LEE PLANNING BOARD

JANUARY 9, 2023

PRESENT: A. Pohan, M. Marshall, P. Yoon, R. Ferris, M. Sargenti, N. Forshner, M. Kaplan, J. Cooney.

ABSENT: B. Suh, R. Kative, H. Greenberg.

ALSO PRESENT: Glenn Kienz, Esq., Board Attorney; Paul Grygiel of Phillips Preiss Grygiel Leheny Hughes LLC; Alvaro Gonzalez of Boswell Engineering.

A motion was made by Mr. Forshner and seconded by Mr. Sargenti, to have Glenn Kienz, Esq. serve as the temporary Chairman of the meeting and passed by all board members present saying “aye”.

NOTICE OF MEETING:

Mr. Kienz stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: On November 28, 2022 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2023. 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 2023 to cover the cost of mailing.

ELECTION OF OFFICERS TO THE FORT LEE PLANNING BOARD

After a brief discussion, a final motion was made by Ms. Cooney and seconded by Mr. Ferris, to elect Herbert Greenberg as Chairman of the Fort Lee Planning Board and passed by all board members present saying “aye”.

A motion was made by Mr. Forshner and seconded by Mr. Pohan, to elect Janet Cooney as Vice Chairwoman of the Fort Lee Planning Board and was passed by all board members present saying “aye”. Ms. Cooney abstained from the vote.

A motion was made by Mr. Kaplan and seconded by Mr. Pohan, to elect Byong Suh as Secretary of the Fort Lee Planning Board and was passed by all board members present saying “aye”.

Vice Chairwoman Cooney took over the meeting.

APPOINTMENTS TO THE PLANNING BOARD

A motion was made by Mr. Ferris and seconded by Mr. Kaplan, to appoint Christen Trentacosti as Recording Secretary to the Fort Lee Planning Board and was passed by all board members present saying “aye”. Mr. Sargenti abstained from the vote.

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A motion was made by Mr. Pohan and seconded by Mr. Sargenti, to appoint Beth Calderone as Court Reporter to the Fort Lee Planning Board and was passed by all board members present saying “aye”.

LIAISON REPRESENTATIVE TO THE FOLLOWING COMMITTEES/BOARDS

The following members were appointed to these boards/committees:

Environmental/Beautification Committee: B. Suh.

A motion was made by Mr. Forshner and seconded by Mr. Sargenti, and was passed by all board members present saying “aye”.

Board of Adjustment: M. Kaplan.

A motion was made by Mr. Pohan and seconded by Mr. Forshner, and was passed by all board members present saying “aye”.

Subdivision Committee: R. Ferris, A. Pohan, N. Forshner.

A motion was made by Mr. Sargenti and seconded by Mr. Kaplan, and was passed by all board members present saying “aye”.

Sign & Façade Committee: J. Cooney.

A motion was made by Mr. Sargenti and seconded by Mr. Ferris, and was passed by all board members present saying “aye”.

OFFICIAL PUBLICATIONS OF THE FORT LEE PLANNING BOARD

The following were chosen as the official publications of the Fort Lee Planning Board:

The Record, The Jersey Journal and The Star Ledger.

A motion was made by Mr. Pohan and seconded Mr. Ferris, to have The Record, The Jersey Journal and The Star Ledger serve as the Official Publications of the Fort Lee Planning Board and was passed by all board members present saying “aye”.

APPROVAL OF MINUTES – DECEMBER 12, 2022:

A motion was made by Mr. Ferris, seconded by Mr. Forshner, and passed on a vote of 4 to 0 by members Pohan, Ferris, Forshner and Cooney, to approve the minutes for the meeting of December 12, 2022. Mr. Marshall, Councilman Yoon, Mr. Sargenti and Mr. Kaplan abstained from the vote.

RESOLUTION FOR PROFESSIONAL APPOINTMENTS FOR 2023

A motion was made by Mr. Pohan, seconded by Mr. Ferris, and passed on a vote of 7 to 0 by members Pohan, Marshall, Ferris, Sargenti, Forshner, Kaplan and Cooney, to approve the Resolution of the Planning

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Board of the Borough of Fort Lee Authorizing the Award of Contracts for Various Professional Services appointing the following professionals:

Board Attorney	Glenn Kienz, Esq./ The Weiner Law Group LLP
Board Planner	Phillips Preiss Grygiel Leheny Hughes LLC
Board Site Engineer	Boswell Engineering
Board Traffic Engineer	Neglia Engineering Associates
Board Special Traffic Engineer	Boswell Engineering

Councilman Yoon abstained from the vote.

ARRANGEMENT OF MEMBERS’ SEATING FOR VOTING PROCESS

It was agreed that the seating of Board Member for Voting Process would be the same as currently seated.

The seating of members for the purpose of voting will be: Armand Pohan, Moe Marshall, Councilman Yoon, Robert Ferris, Byong Suh, Janet Cooney, Mr. Sargenti, Neal Forshner, Herbert Greenberg. If necessary, Alternates No. 1, Randy Lyn Ketive, and No. 2, Michael Kaplan will also vote if seated.

A motion was made by Mr. Forshner and seconded by Mr. Sargenti, and passed on a vote of 8 to 0 by members Pohan, Marshall, Yoon, Ferris, Sargenti, Forshner, Kaplan and Cooney, to approve the seating of Board Member for Voting Process.

RULES OF THE FORT LEE PLANNING BOARD

A motion was made by Mr. Kaplan, seconded by Mr. Ferris, and passed on a vote of 8 to 0 by members Pohan, Marshall, Yoon, Ferris, Sargenti, Forshner, Kaplan and Cooney, to approve the Rules of the Fort Lee Planning Board including the Remote Meeting Rules.

2022 ANNUAL REPORT OF THE FORT LEE PLANNING BOARD

A motion was made by Mr. Kaplan, seconded by Mr. Marshall, and passed on a vote of 8 to 0 by members Pohan, Marshall, Yoon, Ferris, Sargenti, Forshner, Kaplan and Cooney, to approve the 2022 Annual Report of the Fort Lee Planning Board.

ACCEPTANCE/COMPLETENESS

DOCKET #4-22 458 FORT LEE CARE LLC
458 WEST STREET
BLOCK 5053, LOT 3
MINOR SITE PLAN - SIGNAGE

Nancy Lotvinville, Esq. stated: My firm represents the Applicant.

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Mr. Kienz questioned: Do you have any problems with the Board Planner’s report?

Ms. Lotvinville stated: No, we are also going to submit revised plans.

A motion was made by Mr. Kaplan, seconded by Mr. Ferris, and passed on a vote of 7 to 0 by members Pohan, Marshall, Yoon, Ferris, Forshner, Kaplan and Cooney, to deem this application complete upon submittal of the outstanding items. Mr. Sargenti abstained from the vote.

REFERAL FROM THE GOVERNING BODY

RESOLUTION OF THE BOROUGH OF FORT LEE DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR PROPERTY KNOWN AS BLOCK 6451, LOT 5.02, AND THE ENTIRETY OF LOTS 5.03 AND 5.04.

A motion was made by Mr. Kaplan, seconded by Mr. Pohan, and passed on a vote of 8 to 0 by members Pohan, Marshall, Yoon, Ferris, Sargenti, Forshner, Kaplan and Cooney, to Authorize Phillips Preiss Grygiel Leheny Hughes LLC to Prepare a Redevelopment Plan for Property known as Block 4355, Lot 5.02, and the entirety of Lots 5.03 and 5.04.

AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN AND DESIGNATING THE BOROUGH OF FORT LEE TO ACT AS THE REDEVELOPMENT ENTITY FOR THE REDEVELOPMENT PLAN FOR BLOCK 4355, LOTS 14-16 (90-100 MAIN STREET), 11-12 (1636 & 1640 KAUFER LANE), AND 20-23 (55, 51 & 47 MAIN STREET), AND AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF FORT LEE TO ESTABLISH SPECIFIC DEVELOPMENT REGULATIONS IN THE AREA

Councilman Yoon recused himself and stepped away from his seat.

Vice Chairwoman Cooney stated: This is the same Ordinance as was previously found consistent by this Board. There are no changes. This is the same Ordinance with a new Ordinance number. We are going to take a new vote on it.

A motion was made by Mr. Pohan, seconded by Mr. Ferris, and passed on a vote of 7 to 0 by members Pohan, Marshall, Ferris, Sargenti, Forshner, Kaplan and Cooney, to recommend to the Mayor & Council that the Ordinance is consistent with the Master Plan and having Ms. Trentacosti reissue our letter with our concerns and recommendations.

Councilman Yoon returned to his seat.

PUBLIC HEARINGS

**DOCKET #3-22 AAM ELC, INC.
 1576 PALISADE AVENUE
 BLOCK 3351, LOT 3
MINOR SITE PLAN - SIGNAGE**

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Vice Chairwoman Cooney, Mr. Marshall and Mr. Forshner recused themselves from the application.

Mr. Pohan took over the meeting as acting Chairman.

Gregory Asadurian, Esq. representing the Applicant stated: We are seeking to put a monument sign on Palisade Avenue. The Church owns the property, and our client runs the daycare. My client had previously put the sign up but was told that he needed approval so he took it down and we are here today. There is a LED monument sign there now for the Church. This sign is not that. This sign is wood.

Dillion DeAngelo, 1576 Palisade Avenue, was sworn in.

Mr. DeAngelo stated: I am the owner/operator. We started renting out the property about a year and a half ago. Upon moving in I did erect the sign and when I was told to take it down we did. We need it to give us exposure and help us out with people who can't tell there is a preschool in the Church. We get heavy traffic there and we want people to be aware there are children and families in the area. The preschool has children that are 2-6 years old and we have a capacity of sixty people. We moved in September 2021 and we have two other locations in Cliffside Park with nearly identical signs. We submitted photos that show the sign and angles of the sign showing other signs in the area and the location of the sign. The sign is fully made of wood except for the PVC at the logo.

Mr. Sargenti questioned: The overall width is sixty inches?

Mr. DeAngelo stated: Yes. The sign is forty-five inches wide the total with the crayon holders is sixty inches wide. The total height of the sign is seventy-two inches.

Mr. Asadurian questioned: There is no illumination?

Mr. DeAngelo stated: No.

Mr. Sargenti questioned: Is there a spotlight on it?

Mr. DeAngelo stated: No.

Mr. Sargenti questioned: So, when it is pitch black you cannot see it?

Mr. DeAngelo stated: No.

Mr. Asadurian questioned: What is the reason you need the sign?

Mr. DeAngelo stated: There are many families that don't know we are there and when we let students out there is more traffic and it poses a safety risk.

Chairman Pohan stated: Is it at the driveway for directional purposes?

Mr. DeAngelo stated: Yes, the left-hand side.

Chairman Pohan stated: Are there really fourteen colors?

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Mr. DeAngelo stated: Yes, it is the faces of the children and the colors in their shirts.

Chairman Pohan stated: That is a small area of the total sign.

Mr. DeAngelo stated: Yes.

Mr. Sargenti questioned: What is the size of the sign in your other locations?

Mr. DeAngelo stated: They are about the same. They are by the same manufacturer.

Mr. Sargenti questioned: Did you know there was a Sign Committee in town?

Mr. DeAngelo stated: No idea or I would have never erected the sign originally.

Mr. Sargenti stated: My only concern is that at night when it is dark, safety wise, what if someone is running on the lawn? Maybe you can put reflectors on the bottom?

Chairman Pohan questioned: You do not want electrical illumination? You want reflective tape?

Mr. Sargenti stated: I would prefer a spotlight.

Mr. Ferris questioned: The Sign & Façade Committee letter postdates our Planner's report. Are there any comments from our Planner?

Mr. Grygiel stated: I will listen to the testimony of their Planner before I comment.

Mr. Pohan 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 Pohan.

Exhibit A-1 – Photo of Site and Surrounding Area

Top left- Subject Property

Top right- Looking to the south

Bottom left- Looking across the street

Bottom right- Looking at Maestro Music

Mr. Spatz stated: The property is in a C-2 Zone and Downtown Overlay District. The sign is not permitted. There are two freestanding signs on the property that are not allowed. We are seeking variances for the sign itself, the sign height, distance of the side base to the bottom of the sign face and number of colors. The freestanding sign is not permitted but there is already one on the property. On the opposite side of the street there are a number of freestanding signs in the C-2 Zone so we will be consistent with the neighborhood. The Church is setback a distance. The sign is needed to identify the property and the location for residents and cars. This will help reduce the number of traffic impacts, help cars to not stop short, help with the public benefit and provide safer conditions. There is a freestanding sign along Palisade Avenue. There was another small sign for Church activities which was removed for this sign to replace it. The height of the sign helps since there are a number of trees. The driveway is on Palisades Avenue and the trees would block the signs

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and blend in. The bigger sign can help to identify the property. It is the same for the distance up to the sign to help with openness and blending in. The letters and numbers and the main colors of the sign are really only four colors. The other ten colors are in the logo which is for the skin color of the children, their shirts and the globe. I believe we are consistent with the neighborhood. There are no substantially negative reasons why not to grant the variances being sought. There is a benefit for safety, the traffic impact will be better, we are not changing the character of the neighborhood and the signs are on many other properties on the street. On balance the positive outweighs the negative and thus, the variances can be granted.

Chairman Pohan questioned: What is the height of the Maestro sign?

Mr. Spatz stated: At least ten feet in height.

Mr. Kienz questioned: Did you see Paul's report? Do you have any issues?

Mr. Spatz stated: We are in total agreement.

Chairman Pohan questioned: Back to the light. Do we want to set wattage or lumens? Can we make it subject to approval of the Board Planner?

Mr. Asadurian stated: Yes.

Mr. Grygiel stated: As far as the report of the Sign and Façade Committee, most of it was addressed except for the colors. The letter size complies, the logo does not and the location is fine. The height is a little bit higher but close. I think you can justify it. As a correction, the sign is removed. It was there and then it wasn't there.

Councilman Yoon questioned: When the Sign & Façade Committee come up with their recommendations, what do they use to come up with them?

Mr. Grygiel stated: They are just that, recommendations, but the Applicant came with experts.

Chairman Pohan stated: I think identifying the driveway is a very good thing.

Mr. Kienz stated: If approved, it is subject to the lumen approval by the Planner, the Ordinance for timing of the light and they are seeking a waiver of site plan approval. You should also supply a copy to the County for their information only.

Mr. Asadurian stated: We noticed them, but we will supply them with a copy for informational purposes.

Chairman Pohan opened the meeting to the public and asked for questions and/or comments.

A motion was made by Mr. Sargenti, seconded by Mr. Kaplan, and passed on a vote of 5 to 0 by members Yoon, Ferris, Sargenti, Kaplan and Pohan, to approve the Signage.

Mr. Kienz questioned: Do you waive receipt of the resolution to put up the sign? Is that your request?

Mr. Asadurian stated: Yes.

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Mr. Kienz questioned: Does the Board accept?

The Board all agreed.

ADJOURNMENT

A motion was made by Mr. Ferris, seconded by Councilman Yoon, and passed without objection to adjourn this meeting at 8:27 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti

Recording Secretary