

REORGINIZATION MEETING

FORT LEE PLANNING BOARD

JANUARY 13, 2020

PRESENT: M. Marshall, D. Sokolich, R. Ferris, B. Suh, M. Sargenti, N. Forshner, R. Kative, M. Kaplan, J. Cooney.

ABSENT: A. Pohan, H. Greenberg.

ALSO PRESENT: Glenn Kienz, Esq., Board Attorney; J. Yakimik of Boswell Engineering; and M. Jovishoff of Phillips, Preiss, Grygiel, Leheny, Hughes LLC; and B. Intindola of Neglia Engineering Associates.

Mr. Kienz begin the meeting and called the meeting to order at 7:30 p.m.

NOTICE OF MEETING:

Mr. Kienz stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: On October 28, 2019 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2020. 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 2020 to cover the cost of mailing.

Mr. Kienz welcomed the new members to the Board.

An email sent by Mr. Lou LaMastro, former Planning Board member and Mayor's Designee, was read by Mr. Kienz.

ELECTION OF OFFICERS TO THE FORT LEE PLANNING BOARD

A motion was made by Councilman Sargenti and seconded by Mr. Kaplan, 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 Councilman Sargenti, 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.

Vice Chairwoman Cooney took over as acting Chairwoman for the remainder of the meeting.

A motion was made by Vice Chairwoman Cooney and seconded by Mr. Ferris, to elect Byong Suh as Secretary of the Fort Lee Planning Board and was passed by all board members present saying "aye".

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APPOINTMENTS TO THE PLANNING BOARD

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

A motion was made by Mr. Kaplan and seconded by Councilman 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

After discussion among the board members, the following members were appointed to these boards/committees:

Environmental/Beautification Committee: B. Suh.
Board of Adjustment: M. Kaplan.
Subdivision Committee: R. Ferris, A. Pohan, J. Cooney.

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.

APPROVAL OF MINUTES – DECEMBER 30, 2019

A motion was made by Mr. Ferris, seconded by Mr. Forshner, and passed on a vote of 5 to 0 by members Marshall, Ferris, Suh, Forshner and Cooney, to approve the minutes of the meeting for December 30, 2019. Mr. Sokolich, Councilman Sargenti, Ms. Kative and Mr. Kaplan abstained from the vote.

RESOLUTION FOR PROFESSIONAL APPOINTMENTS FOR 2020

A motion was made by Mr. Forshner, seconded by Mr. Ferris, and passed on a vote of 8 to 0 by members Marshall, Sokolich, Ferris, Suh, Sargenti, Forshner, Kaplan and Cooney, to approve the Resolution of the Planning 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./ Weiner Law Group LLP
Board Conflict Attorney	Brian Chewcaskie, Esq./ Cleary Jacobbe Alfieri...
Board Planner	Phillips Preiss Grygiel Leheny Hughes LLC
Board Site Engineer	Boswell Engineering
Board Traffic Engineer	Neglia Engineering Associates
Board Special Traffic Engineer	CME Associates

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ARRANGEMENT OF MEMBERS' SEATING FOR VOTING PROCESS

A motion was made by Councilman Sargenti, seconded by Mr. Marshall, and was passed by all board members present saying "aye" for the seating of Board Member for Voting Process.

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

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 Marshall, Sokolich, Ferris, Suh, Sargenti, Forshner, Kaplan and Cooney, to approve The Rules of the Fort Lee Planning Board. Ms. Kative abstained from the vote.

2019 ANNUAL REPORT OF THE FORT LEE PLANNING BOARD

A motion was made by Councilman Sargenti, seconded by Mr. Kaplan, and passed on a vote of 8 to 0 by members Marshall, Ferris, Suh, Sargenti, Forshner, Kative, Kaplan and Cooney to approve the 2019 Annual Report of the Fort Lee Planning Board. Mr. Sokolich abstained from the vote.

Ms. Kative stated: There are things on the annual report based on representation by applicants that were not true.

Vice Chairwoman Cooney stated: We should have addressed this at the time of memorialization.

Mr. Kienz stated: The issues can be raised, and we can have our Engineer and Planner review them. It may have to get addressed by the Construction Official. We are not an enforcement board.

MEMORIALIZATIONS

**DOCKET #5-19 KURA SUSHI USA INC.
 2151 LEMOINE AVENUE
 BLOCK 5952, LOT 11**

MINOR SITE PLAN – TWO (2) WALL SIGNS

A motion was made by Mr. Forshner, seconded by Mr. Marshall, and passed on a vote of 5 to 0 by members Marshall, Ferris, Suh, Forshner and Cooney, to approve the Memorialization for the Resolution of Approval for Two (2) Wall Signs (Minor Site Plan was Waived).

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PUBLIC HEARINGS

**DOCKET #6-19 47th STREET GROUP LLC
REDEVELOPMENT AREA 10
1435 TENTH STREET
BLOCK 2752, LOT 19**

PRELIMINARY & FINAL MAJOR SITE PLAN – FIVE (5)–STORY, 30-UNIT MULTI-FAMILY DEVELOPMENT WITH PARKING

Paul Kaufman, Esq. representing the applicant for site plan approval on Redevelopment Area 10, 1435 Tenth Street.

John Schettino, Esq. representing the Borough of Palisades Park stated: We are here to learn about the application and possibly object. We ask to adjourn the meeting for time to review the application as the Borough misplaced the notice which never got to the appropriate person to make the decision and they did not have sufficient time to review.

Mr. Kaufman requested to proceed and stated that the application will most likely not finish but since they acknowledged they received the notice they would like to proceed and see how far they get.

Vice Chairwoman Cooney reviewed the procedure for the public hearing.

Mr. Kienz stated: This is an application for site plan approval of a 5-story, 30-unit multi-family development under a redevelopment designation. The applicant is here for a deminimus exception or two to the redevelopment plan. The issues should be vetted out. Let's not waist time. We understand you have rights. We will start the testimony and we can provide transcripts.

Mr. Kaufman stated: We submitted the affidavit of service and proof of publication. This is for a 5-story, 30-unit development that has previously been determined to be an area in need of redevelopment, designated as Area 10, and adopted by the Mayor & Council. The application conforms with the redevelopment plan.

Chris Pereira, of CPA Architecture, was sworn in as an Architect.

Exhibit A-1, Colorized Architectural Plans, revision date of 11/12/19, 10 sheets.

Exhibit A-2, Colorized Photo of Proposed Building.

Mr. Pereira stated: The property is located on Tenth Street. There is a large grade difference from corner to corner. There are 62 parking spaces for the 30-unit development. There is a garage door on the west side with level one and lobby access and a lower garage door with egress. It will have stucco and wood looking finishes. Sheet T-100 is the cover page. It is 30 units, 5 one-bedroom and 25 two-bedroom. There are 62 parking spaces on two levels. Sheet A-100 shows the basement level. There is the in/out, the utilities, 26 bicycle spaces on two racks. Sheet A-110 shows level one, with parking and amenities. It contains the lobby with seating, mailboxes, elevator, stairs, trash chute and garbage access. For garbage access they will park on the street, pull out the containers and unload. Building management can

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schedule the pickup so that it does not conflict with rush hour. Garbage pickup will be twice a week with recycling pickup once a week. There will be a transformer. There is a seating area with benches and

chairs, called a pocket park.

Mr. Jovishoff questioned: The landscaping plan and the architectural plan diverge from each other. If approved, you will provide final plans that are consistent?

Mr. Kaufman stated yes.

Mr. Pereira stated there are nine spaces that area affected by the 22 foot drive aisle. The site being triangular in shape causes the 22 feet instead of the 24 feet. Sheet A-120 is level two with apartments and amenities such as a gym and lounge. There are two staircases and a terrace. There are 3, one-bedroom and 6, two-bedroom units on this floor.

Vice Chairwoman Cooney questioned where the garbage chute is located.

Mr. Pereira stated: It is near the lounge. It is only a door not a room. If it is a room, people leave garbage in there. The recycling they must bring downstairs themselves.

Mr. Forshner questioned why there is only one elevator.

Mr. Pereira stated: It is only 30 units. Sheet A-130 shows level three which has 1, one-bedroom and 8, two-bedroom units. There are units flanking the courtyard. Sheet A-140 shows level four that has 1, one-bedroom and 11, two-bedroom units. The two-bedrooms towards the rear have internal staircases that go up to a loft. Sheet A-150 shows a partial loft plan and partial roof plan. There is a possibility of solar panels, but you would not see them from the street.

Vice Chairwoman Cooney questioned: What else do they see on the terraces by the courtyard?

Mr. Pereira stated: They will see bushes and vegetation.

Ms. Kative questioned: Will you need a retaining wall because of the slope? What kind of materials will you be using?

Mr. Pereira stated: There will be. It will be concrete and concrete for the basement levels will act as retaining walls.

Ms. Kative questioned: What about esthetically?

Mr. Pereira stated: We will get to it.

The Board requested a short recess.

Roll Call was taken when the Board returned from recess. Present were – Mr. Marshall, Mr. Ferris, Mr. Suh, Councilman Sargenti, Mr. Forshner, Mr. Kaplan and Vice Chairwoman Cooney.

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Mr. Kienz questioned: Mr. Sokolich could not continue this evening. Does anyone have a possible conflict this evening?

Ms. Kative stated: I have a relationship with the applicant as well as some of the objectors.

Mr. Kaufman questioned if the connection was financial.

Ms. Kative stated: With the objectors, yes. The applicant, I sold properties for in the past but that can happen with any application given my business.

Ms. Kative stated: I will recuse myself.

Mr. Kienz stated: There were questions asked. We could go forward and call these non-appealable issues. Are you okay with that?

Mr. Kaufman & Mr. Schettino both stated yes.

There was also no objection to this from the public.

Mr. Pereira stated: Sheet A-200 shows a cutout of the street. The applicant may want a sign in the future. The building will be dark grey on the lower floors. There is a person depicted in the corner that shows sight lines. You perceive the building as you see on the Tenth Street elevation. All the windows and grills are flush and do not protrude. Sheet A-210 shows the retaining wall. All of the grey is the part that is underground. The first floor is almost at grade in the rear.

Mr. Forshner questioned: There is a 26 foot grade difference. The two bottom levels are 26 feet?

Mr. Pereira stated: We are about 3 feet or so above grade along the western side of property.

Councilman Sargenti questioned: Going back to the garbage, what happens to the garbage after the first floor?

Mr. Pereira stated: It is the same chute all the way up. The lofts don't have the chute.

Mr. Kaufman questioned: Will emergency generators be installed?

Mr. Pereira stated: No.

Councilman Sargenti questioned: If there was one to be put in later, where would it go?

Mr. Pereira stated: There are a number of locations but most likely by the transformer.

Mr. Forshner questioned: Are the stairs on the interior or exterior?

Mr. Pereira stated they were interior.

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Mr. Forshner questioned: There is no lighting inside the staircase?

Mr. Pereira stated there will be emergency lighting.

Exhibit A-3, Fire Letter from Steve Curry, dated 1/9/2020.

Mr. Kaufman asked as to fire hydrant within 100 feet.

Mr. Pereira stated: We will leave it up to the civil engineer but if not, we will have to put one in.

Mr. Kaufman questioned: If it is not, will it be?

Mr. Pereira stated yes.

Mr. Kaufman asked if we would comply with the system requests from letter.

Mr. Pereira stated yes.

Mr. Kaufman questioned: Did you discuss proposed building materials and renderings?

Mr. Pereira stated: For the proposed building and renderings, Sheets A-200 and A-210 have notes of the materials being used and also a material board we can mark.

Exhibit A-4, Material Board.

Vice Chairwoman Cooney stated: You will not be able to get a firetruck in here.

Mr. Pereira stated: Correct, I was not going to testify to this but no you cannot and there would be no department that would fight this fire from inside.

Mr. Ferris questioned: Why can't you meet the driveway width requirement.

Mr. Pereira stated: I think we could besides the entrance.

Mr. Kaufman stated: Lets go back because the testimony is different. Let's ask the traffic engineer when he comes up.

Vice Chairwoman Cooney asked if there were any more questions from the Board.

Vice Chairwoman Cooney asked if Mr. Schettino had any questions for the witness.

Mr. Schettino questioned: What are the dimensions and square footage of the pocket park?

Mr. Pereira stated: It is on the western side of the property. It is 62 feet along Tenth Street, along western property line is approximately 72 feet and along building approximately 50 feet. I would have to do the

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math on the square footage.

Mr. Schettino questioned: The 2, one-bedroom units have dens?

Mr. Pereira stated: Yes, on the first floor by the courtyard.

Mr. Schettino questioned: Is anything keeping people from converting them into two-bedrooms?

Mr. Pereira stated: There are no doors enclosing the rooms. It would be the enforcement of the building manager.

Mr. Schettino questioned: Based on RSIS, if they were converted to two-bedrooms wouldn't that increase the number of spaces necessary?

Mr. Pereira stated: Yes, even so we are overparked and could comply.

Mr. Schettino questioned: Are you familiar with the fact that the Borough of Fort Lee's site standards are that at a 90 degree parking angle requires a 24 foot aisle width, which is required by both Fort Lee and the RSIS?

Mr. Pereira stated: Correct.

Mr. Schettino questioned: At a 45 degree angle parking they can have a 13 foot aisle width. Why do they require this? For safe egress and ingress into the parking?

Mr. Pereira stated: If you are parking at 45 degree you have to do a 45 degree turn into the space instead of 90 degree.

Mr. Schettino questioned: Borough of Fort Lee site standard states that less than 24 feet aisle width then you can only have one mean of egress and ingress?

Mr. Kaufman stated: You are asking questions of him that really go to the traffic engineer.

Mr. Kienz stated: Mr. Schettino they have a traffic engineer that they are saying will address this.

Mr. Schettino questioned: Are you saying that I cannot cross examine the witness on his testimony?

Mr. Kienz stated: No, I am not telling you that. We are suggesting that you follow up with the traffic engineer. We note your objection and concerns and they are on the record.

Mr. Schettino questioned: Have you reviewed the surrounding properties. There are three nursery schools in the area. How close are they?

Mr. Pereira stated: The Planner will address this.

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Mr. Schettino questioned: Do you know if there are any elementary schools in the area?

Mr. Pereira stated: I do not know.

Mr. Schettino stated he had no other questions.

Mr. Jovishoff questioned: Is the roof accessible to the residents?

Mr. Pereira stated: No, Sheet A-160 shows the center stairs for maintenance for access. It will be locked

with only access for authorized personnel.

Mr. Jovishoff questioned: Can you show us the coloration on the elevation?

Mr. Pereira stated: I will go back to Exhibit A-4, Material Board. The bays will have a darker grey brick. The wood-looking material is a tan color metal siding that will not age like wood. The windows are a dark brown/black for the frame and PTAC grills and the white volumes are stucco and will be white. Exhibit A-2 shows the depiction. Trim will be black or very dark brown.

Mr. Jovishoff questioned: The recycling being walked down by residents is unpractical. Are there any other options?

Mr. Pereira stated: We can find space on each floor.

Mr. Jovishoff questioned: Where do they peak above the embankment? At what floor?

Mr. Pereira stated: Sheet A-210 shows you it peaks in the middle of the top-most level. The loft is a little higher.

Mr. Jovishoff questioned the transformers noise and size.

Mr. Pereira stated: PSE&G will determine what size they want to use. It will be enclosed in a case and will probably be 4 feet by 4 feet by 4 feet. There will be light coming from it but there will be landscaping around it except for one side for PSE&G access.

Mr. Keinz swore in the Boards professionals for the year.

Mr. Yakimik questioned: Will you address lighting or the site engineer?

Mr. Pereira stated: I will say on Sheets A-110 and A-100 there are locations of wall sconces with foot candles. The civil engineer will address the foot candles and the rest of the lighting.

Mr. Yakimik questioned: Is the pocket park covered here by this lighting or is there other lighting?

Mr. Pereira stated: There is no lighting proposed. If the Board wants it for safety or other reasons, we can provide it.

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Mr. Jovishoff questioned: Is there a fence around the park? Is the park for residents only?

Mr. Pereira stated: We could leave it open for everyone. We can fence the transformer.

Mr. Intindola questioned: What is the height clearance for the garage doors, operation of the doors and the type of doors for pedestrians walking by?

Mr. Pereira stated: They will be enclosed not see through. The doors will work by fab. The building is setback so people can see them coming out. We can add mirrors or sound if the Board wants.

Mr. Kaufman questioned: Do the dens have closets or windows?

Mr. Pereira stated: There are no windows or doors.

Mr. Kaufman questioned: They do not meet the requirements of bedrooms by code correct?

Mr. Pereira stated: No, we are consistent with the Redevelopment Plan.

Vice Chairwoman Cooney asked if there were questions from the public for the witness.

George Paraponiaris, 1410 Tenth Street, Fort Lee.

Mr. Paraponiaris questioned: Will this building be condo or rental?

Mr. Pereira stated: The market will dictate at the time.

Mr. Paraponiaris questioned: Who decides if they can make changes to the apartments if they go condo?

Mr. Pereira stated: The Condominium Board.

Mr. Paraponiaris questioned: Why is the aisle 24 feet wide on the basement floor and not the ground?

Mr. Pereira stated: They are the same. Sheets A-100 & A-110 show they are the same, 22 feet wide.

Mr. Paraponiaris questioned: Why not extend the aisles to 24 feet?

Mr. Pereira stated: We would have to move the walls and extend into the side yards and we conform to the Redevelopment Plan as we are now. There are many buildings built throughout that have 22 foot aisles, it is becoming a new standard. The traffic engineer will testify to this.

Steven Meneve, for family house of my mother-in-law, Athanasenas, 492 Stillwell Avenue, Fort Lee.

Mr. Meneve questioned: There are schools in Palisades Park, nursery. There are businesses at the top of Tenth Street and at the base of the hill is an athletic field and school. How will parking work for visitors?

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Mr. Kaufman stated: There is a traffic engineer that will address this.

Mr. Meneve questioned: Can I ask about the Area in Need of Redevelopment?

Vice Chairwoman Cooney stated: No. This is for questioning the witness on his testimony.

Mr. Meneve stated: No one was notified.

Mr. Kienz stated: There is a process for when a Redevelopment Area is designated, and that process was followed. You can follow up with the Board Planner for information on that. We will give you his information.

Evelyn Tsugranis, 1441 Twelfth Street, Fort Lee.

Ms. Tsugranis stated she does not believe this project works here.

Mr. Kienz reviewed the procedure for public hearing.

Rosina Russino, 1432 Tenth Street, Fort Lee.

Ms. Russino stated: There are going to be transformers across from us and a park with benches for people to sit and make noise all night so that I hear them?

Mr. Kaufman stated: I will take this into advisement and will review.

Lola Padin, 488 Stillwell Avenue, Fort Lee.

Ms. Padin asked as to the guest parking.

Mr. Kaufman stated: The traffic engineer will address this.

Vice Chairwoman Cooney asked if there were any more questions of the witness.

Vice Chairwoman Cooney announced that this application will be carried to the meeting of March 9, 2020. No further notice is necessary unless the date is moved to an earlier date.

ADJOURNMENT

A motion was made by Mr. Ferris, seconded by Councilman Sargenti, and passed without objection to adjourn this meeting at 10:09 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti

Recording Secretary