

FORT LEE PLANNING BOARD

MARCH 9, 2020

PRESENT: A. Pohan, M. Marshall, R. Ferris, B. Suh, M. Sargenti, M. Kaplan, J. Cooney.

ABSENT: D. Sokolich, N. Forshner, R. Kative, H. Greenberg.

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

NOTICE OF MEETING:

Vice Chairwoman Cooney 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.

APPROVAL OF MINUTES – FEBRUARY 24, 2020:

A motion was made by Mr. Kaplan, seconded by Mr. Ferris, and passed on a vote of 6 to 0 by members Marshall, Ferris, Suh, Sargenti, Kaplan and Cooney, to approve the minutes for the meeting of February 24, 2020. Mr. Pohan abstained from the vote.

MEMORIALIZATIONS:

**DOCKET #1-20 CROSS RIVER BANK
 2115 LINWOOD AVENUE
 BLOCK 5151, LOT 1**

MINOR SITE PLAN – SIGNAGE

A motion was made by Mr. Ferris, seconded by Mr. Marshall, and passed on a vote of 6 to 0 by members Marshall, Ferris, Suh, Sargenti, Kaplan and Cooney, to approve the Memorialization for the Resolution of Approval for Signage (Minor Site Plan was Waived).

**DOCKET #2-20 ANTHONY SENATORE
 50 BRIDLE WAY
 BLOCK 951, LOT 1**

MINOR SUBDIVISION

A motion was made by Mr. Kaplan, seconded by Councilman Sargenti, and passed on a vote of 6 to 0 by members Marshall, Ferris, Suh, Sargenti, Kaplan and Cooney, to approve the Memorialization for the Resolution of Approval for Minor Subdivision.

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ACCEPTANCE/COMPLETENESS:

**DOCKET #3-20 SNS CP THREE, LLC
 201 MAIN STREET
 BLOCK 4751, LOT 15
MINOR SITE PLAN – SIGNAGE**

Vice Chairwoman Cooney advised: This is for the acceptance for review of an application by SNS CP Three, LLC for property located at 201 Main Street, for minor site plan approval. The acceptance for review by this Board will acknowledge that the application has also been deemed complete. Paul Kaufman, Esq. is representing the applicant.

Mr. Jovishoff recommended that the application be deemed complete pending submission of the agreed upon items and documents.

A motion was made by Mr. Pohan, seconded by Councilman Sargenti, and passed on a vote of 7 to 0 by members Pohan, Marshall, Ferris, Suh, Sargenti, Kaplan and Cooney, to accept this application for review, and by so doing, deeming this application to be complete pending submission of the agreed upon items and documents.

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**

Vice Chairwoman Cooney stated: This is a continuation from the meeting of January 13, 2020.

Paul Kaufman, Esq., representing the applicant, stated: We have revised the plans and submitted them to the Board to address some concerns of the Board and the public.

John Schettino, Esq., representing the Borough of Palisades Park, stated: Ordinance #2019-27, passed by the Fort Lee Mayor & Council, allows for parking of 8 feet by 15 feet spots which is a deviation from the RSIS standards and must be submitted to the Site Advisory Committee. I do not believe this was submitted and I question the validity of the Ordinance.

Mr. Kaufman stated: I do not represent the Borough, but an objector has 45 days to challenge the ordinance and it was never challenged.

Mr. Kienz stated: Your objection is noted on the record and preserves your rights to raise this at a future date.

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Mr. Kaufman stated: Mr. Pereira, you are still under oath.

Mr. Kaufman questioned: Did you revise the plans prior to this meeting?

Exhibit A-5, Colorized Architectural Plans, revision date of February 25, 2020.

Mr. Pereira stated: Yes. Sheet A-100 was changed and we increased the aisle width. It was 22 feet in width. We shifted the interior components and now have a 24 foot aisle. The clouded area was reduced by 2 feet and one space was moved to the top. There is no change to the number of parking spaces. Sheet A-110 is the upper parking floor. The changes below are the same at the top and they now have a 24 foot aisle width as well.

Mr. Kaufman questioned: Are there any changes to the units?

Exhibit A-6, Partial Floor Plans of Floors 1 through 4, dated March 9, 2020.

Mr. Pereira stated: Our recycling has changed. We have shifted the trash chutes up slightly towards the parking spaces. Now we have room and space for recycling bins and trash chute. They comply with ADA standards. The second, third and fourth floors are slightly different but accomplish the same.

Mr. Kaufman questioned: Did you remove the closets from the dining rooms?

Mr. Pereira stated: Yes, Sheet A-120 shows them removed from units eight and nine.

Mr. Pohan questioned: On Sheet A-100, the bubble around space 15 means it is eliminated?

Mr. Pereira stated: No, we had to shift it and then relocated it.

Mr. Pohan questioned: Is it the same on the other floor?

Mr. Pereira stated: Yes, for both compact spaces you can see the before and after.

Ms. Tiberi questioned: You are revising the aisle width to 24 feet but it is not consistent with the site plan. Did the length on the spaces get reduced?

Mr. Pereira stated: No, they remained the same size.

Ms. Tiberi questioned: What are the sizes?

Mr. Pereira stated: The compact spaces are about 8 feet by 15 feet. The rest are 8.5 feet by 18 feet.

Ms. Tiberi questioned: The upper left corner of what sheet correspond in the exhibit?

Mr. Pereira stated: A-110 is the first floor, A-120 is the second floor, A-130 is the third floor and A-140 is the fourth floor.

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Mr. Jovishoff questioned: On Sheet A-130, how did the addition of the garbage area impact the apartment behind it?

Mr. Pereira stated: That apartment had a very large walk-in closet. We slightly reduced it but there is still a very generous walk-in closet.

Mr. Jovishoff questioned: As far as the landscaping, the architectural plans and site plans do not match. I do not see lighting on one of the landscaping plan with materials and lighting. What lighting will be on the side of the building?

Mr. Pereira stated: Sheet A-120 includes the lighting fixture. It is up and down lighting.

Mr. Jovishoff questioned: On Sheet 160, what is the little white rectangle?

Mr. Pereira stated: Sheet A-150 has a small shaft on it and it shown as the triangle on A-160.

Mr. Schettino questioned: What are the number of compact spaces?

Mr. Pereira stated: I did not testify to that tonight but it is five compact spaces.

Mr. Schettino questioned: Could you meet the parking requirement without these spaces?

Mr. Pereira stated: I do not believe so.

Mr. Schettino questioned: Where is the HVAC?

Mr. Pereira stated: Below the window and some equipment on the roof line. A-150 shows it on the lower roof, condenser units.

Mr. Schettino questioned: Will it be screened?

Mr. Pereira stated: No, but the parapet will hide it.

Mr. Schettino questioned: The front faces Tenth Street?

Mr. Pereira stated: Yes.

Mr. Schettino questioned: Is the roof area accessible to residents?

Mr. Pereira stated: No, only by maintenance.

Mr. Schettino questioned: Is there up and down lighting through the entire place and what is the intensity?

Mr. Pereira stated: Yes, it is white and the intensity is 10 feet to 1 foot candle.

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Mr. Schettino questioned: Will there be impact across the street?

Mr. Pereira stated: There should not be. No more lighting than the wall sconces in this room.

Mr. Schettino questioned: What about the landscaping plan? How will we know it complies? It will have to come back to the Board.

Mr. Kaufman stated: The Planner and Engineer will be the final decision and they have the power to decide for the Board.

Mr. Schettino questioned: Where is the transformer in the pocket park and how is it secured?

Mr. Pereira stated: It is located at the edge and we have to follow the requirements.

Mr. Schettino questioned: Is there an emergency generator?

Mr. Pereira stated: Not as of now.

Mr. Kaplan questioned: Is there landscaping around the transformer like you said last time?

Mr. Pereira stated: Yes.

Mr. Kaplan stated: We will abide by what the governing body wants with the park.

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

Brian Mesropyan, 1414 Tenth Street, Fort Lee.

Mr. Mesropyan questioned: Will the park be closed off at nighttime?

Mr. Pereira stated: Whatever the Board requires.

Perry Frenzel, of Azzolina & Feury Engineering Inc., was sworn in as an Engineer.

Exhibit A-7, Engineering Plans, 5 Sheets, Last Revised February 2020.

Mr. Kaufman questioned: You heard the architectural testimony on the project?

Mr. Frenzel stated: Yes. Sheet 2 shows the existing conditions. The demo plan shows the footing to be removed. Sheet 3 is the plot plan and soil erosion plan. The configuration of the building is 17,846 square feet. It is approximately 170 feet deep on Tenth. The parking levels have been revised to show 24 foot aisles on both levels.

Ms. Tiberi stated: On our plans, dated February 27th, it shows 22 foot aisle widths.

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Mr. Kaufman stated: We will change them to reflect 24 feet.

Mr. Frenzel stated: The fourth sheet is our landscaping plan. The lower depiction has the roof top and terrace. The upper portion showing a row of arborvitae in back. We have a mix of ink berry, holly and hydrangeas, inbetween the building. The park in front has a mix of shade trees, mix of shrubs, dogwoods for color, boxwoods and other plantings to enhance the front for with year round greenery. Sheet 5 is the detail sheet. It has the catch basins, an arrow for details, fencing, water connection, site signage, etc.

Mr. Kaufman stated: For the record, it is sheet 1 out of 2 not out of 5.

Mr. Kienz questioned: Do you agree with all of the comments in Boswell's report?

Mr. Kaufman stated: Yes.

Mr. Kaufman questioned: Can you review the Zoning data?

Mr. Frenzel reviewed all of the data on the zoning table for the Board and public.

Mr. Kaufman questioned: Does the plan comply with the Redevelopment Plan?

Mr. Frenzel stated: Yes.

Mr. Kaufman questioned: Will all encroachments be removed?

Mr. Frenzel stated: Yes and will be reflected in the plan.

Mr. Kaufman questioned: Can you give the number of anticipated trips of soil to be removed and will it be coordinated with the police?

Mr. Frenzel stated: It is usually 15 to 17 cubic feet per truck load. I estimate about 200 loads and yes it will be coordinated.

Mr. Kaufman questioned: Will you work with Boswell on the drainage?

Mr. Frenzel stated: Yes, as a condition of approval.

Mr. Kaufman questioned: How many ADA spaces are required?

Mr. Frenzel stated: We need five percent to be ADA compliant which comes to two units and three spaces are required.

Mr. Kaufman questioned: Will we have clear site lines?

Mr. Frenzel stated: Yes.

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Mr. Kaufman questioned: Will we have a lighting plan for the park?

Mr. Frenzel stated: We will provide one if we have a park.

Mr. Kaufman questioned: Is all of the signage in the building?

Mr. Frenzel stated: Yes.

Mr. Pohan questioned: On sheet 3 of your site plan it shows the existing impervious coverage is 14,567 square feet but on sheet 2 it shows it as 14,680 square feet. Which is correct?

Mr. Frenzel stated: The number shown on sheet 2 is correct. It is 14,680 square feet.

Mr. Pohan questioned: In Boswell's letter it says the construction of the 14,250 building footprint. The site plan has a 12,656 footprint. Which is correct?

Ms. Tiberi stated: It looks like a typo in our letter. The applicant is correct.

Mr. Jovishoff stated: The landscaping complies with the Redevelopment Plan. However, selection of materials for the northern property line, we recommend be with arborvitae that are taller.

Mr. Kaufman stated: The applicant agrees.

Mr. Jovishoff stated: For the landscaping plans, regardless of the park, there should be a coordinated plan of landscaping and lighting.

Mr. Kaufman stated: We will go with what you and the Council want and it will be consistent.

Mr. Jovishoff stated: If the Board finds this acceptable.

The Board agreed.

Mr. Kaplan questioned: What would be the impact of location of a backup generator?

Mr. Kaufman stated: We could agree and you could decide where.

Ms. Tiberi questioned: With the new aisle width being 24 feet, that will have impact on the depressed curb. Will that be revised?

Mr. Frenzel stated: Yes.

Ms. Tiberi stated: The plantings should be lower at the front with a maximum height of 24 inches and not be removed.

Mr. Frenzel stated: Yes.

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Mr. Kienz stated: Let's leave the landscaping plan to be decided between the Board's professionals as long as the Board agrees.

The Board agreed.

Mr. Schettino questioned: The Redevelopment Plan states the detail and type for the landscape plan. If deviated from they have to come back?

Mr. Kienz stated: The final review and approval will be by the Board's professionals. If they think it deviates too much from then plan, then they will send it back to the Board.

Mr. Jovishoff stated: The applicant has to comply. If there is a technical reason for not being able to comply then yes, we have the authority to grant the change. Otherwise, they have to comply.

Mr. Schettino questioned: Does the height in the front and back of the building include the parapet? Does the ordinance require to measure to the height of the parapet?

Mr. Pereira stated: We measured to the building roof. Sheet A-200 shows it at 44 feet. It does comply. It is measured to the roof structure.

Mr. Schettino questioned: Does the ordinance exclude the parapet?

Mr. Pereira stated: Yes, it is from the average grade.

Mr. Schettino questioned: Is there a 21 foot grade difference?

Mr. Frenzel stated: Yes, across the property.

Mr. Schettino questioned: Will you require rock excavation?

Mr. Frenzel stated: We do not know now. If it cannot be backhoed, then it will be hammered not blasted.

Mr. Schettino questioned: Does this plan show trash removal?

Mr. Frenzel stated: The traffic engineer will address that.

Mr. Schettino questioned: Where is the joining elevation?

Mr. Frenzel stated: At 102.3 in the northeasterly corner.

Ms. Schettino questioned: How many spaces on Tenth Street will be lost?

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

Mr. Schettino questioned: Is the building sprinklered?

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Mr. Pereira stated: Yes, Type 13.

Mr. Schettino questioned: What is the size of the elevator?

Mr. Pereira stated: We comply.

Matthew Seckler, of Stonefiled Engineering and Design, LLC, was sworn in as a Traffic Engineer.

Mr. Kaufman stated: Can you go over the traffic impact of this property and anticipated trip generation?

Mr. Seckler stated: This site was originally a daycare. That would have generated 50 or so morning trips and 50 or so evening trips. This application is for 30 units. This application is estimated to generate 11 trips in the morning hours and 14 trips in the evening. Around 19 trips on Saturday during midday peak.

Mr. Kaufman questioned: Is there a percentage reduction in the trip generation?

Mr. Seckler stated: Yes, about a thirty percent reduction.

Mr. Kaufman questioned: Can you speak about the truck and garbage removal?

Mr. Seckler stated: They will contact a private hauler. The management will bring it out to the street. Once it is taken they will then bring it back in. This will happen about two to three times a week.

Mr. Kaufman questioned: Can you speak about moving in and out?

Mr. Seckler stated: For a type of development this size, after the initial move in, it will be scheduled outside of rush hour. They will use the street if not in the garage, depending on what they are in.

Mr. Kaufman stated: Can you talk about the pedestrian circulation?

Mr. Seckler stated: There are two separate driveway entrances. Both aisles are dead-ended. You have to exit where you came in. Most of the people will have a spot and park. The main entrance is on Tenth Street and has two driveways. The property currently has 3 curb cuts. This proposal has two and could probably allow for a space on the street that doesn't currently exist.

Mr. Kaufman questioned: What about emergency vehicle access?

Mr. Seckler stated: They would be on Tenth Street.

Mr. Kaufman questioned: Does the applicant comply with the Redevelopment Plan requirements?

Mr. Seckler stated: Yes.

Mr. Kaufman questioned: Are you familiar with the properties in Palisades Park?

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Mr. Seckler stated: Yes, it is about 100 to 150 feet away. We are at a lower elevation than Palisades Park. They have a multi-family development very similar to this structure.

Mr. Kaufman questioned: Will there be any negative impact on any properties in Palisades Park?

Mr. Seckler stated: No, this site sits lower and the use fits the area. The trip generation is less than the previously occupied.

Mr. Pohan questioned: You're comparing this trip generation to the prior use. Do you know how long this has been vacant?

Mr. Seckler stated: No.

Mr. Pohan questioned: How are you comparing trip generation from a non-existent use?

Mr. Seckler stated: It was just a comparison. This does not generate a significant amount of traffic and has safe and efficient site lines coming out of the driveways.

Mr. Kaplan questioned: Do you agree with the Neglia report dated March 4th?

Mr. Seckler stated: Yes.

Mr. Ferris questioned: Are there challenges with the visitor parking?

Mr. Seckler stated: We are going to use the virtual doorman system. Visitors could be let in to utilize spaces if let in. There will be 15 of 59 spaces that are for guests. We have a total of 62 spaces.

Vice Chairwoman Cooney questioned: How do they get in?

Mr. Seckler stated: The resident lets them in or they can use the virtual doorman and they can remotely open it if someone is arriving.

Vice Chairwoman Cooney questioned: Are there cameras in the garage?

Mr. Seckler stated: Yes, there are security cameras in the garage and around the perimeter.

Mr. Intindola stated: We just want to see that there is sufficient space for the virtual door man transaction to occur and information sent to us on the virtual doorman to be used.

Mr. Schettino questioned: The RSIS states one loading space is required but you provided none. You require a variance?

Mr. Seckler stated: Yes.

Mr. Schettino questioned: You have five compact spaces?

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Mr. Seckler stated: Yes.

Mr. Schettino questioned: The RSIS standards do not have compact spaces. Shouldn't the DCA weigh in?

Mr. Seckler stated: On similar projects they have not weighed in. On others they weigh in differently.

Mr. Schettino questioned: RSIS does not allow compact spaces?

Mr. Seckler stated: That is a standard compact size.

Mr. Schettino questioned: Is it de minimis?

Mr. Kienz stated: There is a letter from the DCA going around. They are not interested in garage parking. They are only interested in surface parking. It was received by my office.

Mr. Schettino questioned: Is it de minimis?

Mr. Seckler stated: It allows for the Board to consider the appropriate size. There is no specific number or percentage.

Mr. Schettino questioned: The amount of parking includes the number of guest spaces?

Mr. Seckler stated: Yes.

Mr. Schettino questioned: Will the 15 unassigned parking spaces be sprayed guest?

Mr. Seckler stated: It could be.

Mr. Schettino questioned: Did you call this a transitional development?

Mr. Seckler stated: Yes, I was quoting from the Redevelopment Plan.

Mr. Schettino questioned: Is this your opinion?

Mr. Seckler stated: Yes, there are other buildings behind and above.

Mr. Schettino questioned: Is there any reason not to fully comply with the Redevelopment Area and the loading space?

Mr. Seckler stated: If we used the area where the pocket park is it would cause another curb cut.

Mr. Schettino questioned: Couldn't you reduce the units?

Mr. Seckler stated: It is about the vehicle getting in the garage itself. We could always turn spaces into a loading space. We have 62.

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Mr. Schettino questioned: Did you review the Master Plan?

Mr. Seckler stated: No.

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

Brian Mesropyan, 1414 Tenth Street, Fort Lee.

Mr. Mesropyan questioned: Was the traffic review done with the new intermediate school added in?

Mr. Seckler stated: It is only based on the net of this property. They generate their own traffic.

Ms. Tiberi questioned: Will the virtual doorman be inside?

Mr. Seckler stated: It is in the area between the door and the curb. It is like a key swipe. Or it is on a mobile device and swipe in like a buzzer.

Mr. Kaufman stated: I have no further questions. I want to reserve the right to present rebuttal witnesses.

Mr. Schettino brought his own witnesses and called up Steve Collazuol.

Steve Collazuol, of Collazuol Engineering & Surveying Associates, LLC, was sworn in as an Engineer.

Mr. Schettino questioned: Did you review the architectural and engineering plans?

Mr. Collazuol stated: Yes, dated December 18, 2019.

Mr. Schettino questioned: Will the rear wall have no slope disturbance? Do you think the slope will be impacted?

Mr. Collazuol stated: Yes, the six foot high wall will need fall protection. There are two different walls shown but to be built it will have to go on to neighboring property.

Mr. Kaufman stated: He reviewed an old plan. He should review the new plan.

Ms. Tiberi stated: Our comment number eight says that they may need to secure a temporary easement of construction to build the wall.

Mr. Kaufman stated: Which we will get and submit for review.

Mr. Schettino questioned: The van accessible space is not here. Is it not required?

Mr. Collazuol stated: It is not there.

Mr. Pereira stated: The new plan shows space number five as van accessible.

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Mr. Schettino questioned: The compact spaces that were spoken about today were what size?

Mr. Collazuol stated: They proposed 8 feet by 15 feet.

Mr. Schettino questioned: Is that de minimis or not?

Mr. Collazuol stated: It is on the line.

Mr. Schettino questioned: What is the height from the average grade?

Mr. Collazuol stated: The average is of the four building corners and I did not see that on the plan.

Mr. Pereira stated: The revised plan shows 53 at the front and four stories. The average grade is of the property along Tenth Street. The average grade is approximately 113.5. The height at the front is approximately 42.8 feet. We are approximately 10 feet below the required height of both the front and back.

Ms. Tiberi stated: Yes, the average grade calculates to 113.5/113.4.

Mr. Schettino questioned: The loading zone and their inability to comply; Would they be able to comply if they lowered the amount of units?

Mr. Collazuol stated: I defer to our traffic engineer.

Mr. Schettino questioned: What about the flow on Tenth Street?

Mr. Collazuol stated: I would question its capacity because of the slope.

Mr. Kaufman questioned: The determination is by the Borough of Fort Lee.

Mr. Collazuol stated: They have to submit to the TWA.

Mr. Kaufman stated: The first step is the Borough of Fort Lee. This process starts after approval.

Mr. Collazuol stated: Yes, that is true but I still question the capacity.

Mr. Kaufman questioned: You as the Borough Engineer of Palisades Park, do you review applications for TWAs to endorse before they are approved by the Planning Board or Zoning Board?

Mr. Collazuol stated: No, not before.

Mr. Kaufman questioned: Are you familiar with the building up the block in Palisades Park that Mr. Seckler was talking about?

Mr. Collazuol stated: Yes.

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Mr. Kaufman questioned: How many units and stories were involved in the approval?

Mr. Collazuol stated: I do not recall. That was completed more than three years ago.

Mr. Kaufman stated: Please research that building as far as number of units, spaces, loading zones and if they comply. I would like to discuss at the next meeting.

Mr. Kienz announced that this meeting will be carried to April 13, 2020. No further notice is necessary on behalf of the applicant and time for the Board to act has been extended.

ADJOURNMENT

A motion was made by Mr. Marshall, seconded by Mr. Ferris, and passed without objection to adjourn this meeting at 9:56 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti

Recording Secretary