

FORT LEE PLANNING BOARD
MARCH 11, 2019

PRESENT: A. Pohan, L. LaMastro, R. Ferris, B. Suh, R. Kative, M. Kaplan, J. Cooney.

ABSENT: M. Marshall, M. Sargenti, N. Forshner, H. Greenberg.

ALSO PRESENT: Glenn Kienz, Esq., Board Attorney; and Michael Jovishoff of Phillips, Preiss, Grygiel, Leheny, Hughes LLC;

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 15, 2018 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2019. On February 25, 2019 this Body, by Resolution, adopted an Amended Schedule of Regular Public Meetings for 2019. 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 2019 to cover the cost of mailing.

APPROVAL OF MINUTES – FEBRUARY 26, 2019:

A motion was made by Mr. Pohan, seconded by Mr. Ferris, and passed on a vote of 5 to 0 by members Pohan, Ferris, Suh, Kaplan and Cooney, to approve the minutes of the meeting for February 26, 2019. Mr. LaMastro and Ms. Kative abstained from the vote.

MEMORIALIZATIONS:

DOCKET #5-18 PHO TODAY FORT LEE, LLC
2151 LEMOINE AVENUE
BLOCK 5952, LOT 11

MINOR SITE PLAN -SIGNAGE

A motion was made by Mr. Pohan, seconded by Mr. Kaplan, and passed on a vote of 4 to 0 by members Pohan, Suh, Kaplan and Cooney, to approve the Memorialization for the Resolution of Approval for Signage.

DOCKET #1-19 SOMERSET TIRE SERVICE, INC./
MAVIS DISCOUNT TIRE
2419 LEMOINE AVENUE
BLOCK 7056, LOTS 10 & 11

MINOR SITE PLAN -SGINAGE

A motion was made by Mr. Ferris, seconded by Ms. Kative, and passed on a vote of 6 to 0 by members Pohan, Ferris, Suh, Kative, Kaplan and Cooney, to approve the Memorialization for the Resolution of Approval for Signage.

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ACCEPTANCE/COMPLETENESS:

**DOCKET #3-19 PALISADE CENTER MALL
1627-1633 PALISADE AVENUE
BLOCK 7056, LOTS 7 & 8**

AMENDED PRELIMINARY & FINAL MAJOR SITE PLAN – EXPANSION OF SECOND FLOOR OVER THE GARAGE

Vice Chairwoman Cooney advised: This is for the acceptance for review of an application by Palisade Center Mall for property located at 1627-1633 Palisade Avenue, for amended preliminary and final major site plan approval. The acceptance for review by this board will acknowledge that the application has also been deemed complete. David Carmel, Esq. is representing the applicant.

Mr. Kienz questioned: Did you have a chance to review the March 8th report prepared by Mr. Jovishoff?

Mr. Carmel stated: Yes, carefully. It was very thorough. Some of them we have issue with. For instance, we do not believe we have to provide owner's consent because the applicant is the owner of the property.

Mr. Jovishoff stated: I was not aware of that, so I just needed you to provide the information. This is satisfactory.

Mr. Carmel stated: We already have a Developer's Agreement and we are under construction. I am submitting photos to the Board so that you can see.

Mr. Kienz stated: Give them to Michael please.

Mr. Carmel stated: We do not believe we need to provide the temporary site plan and phasing plan. They were not a requirement in the Developer's Agreement or the resolution My client is coming for the second floor of the accessory garage. In 2009 it was planned for the cleaner to have his storage here. The cleaner is now out of business. There is only tailoring and alterations going on. My client is an avid collector of memorabilia of Fort Lee and would like to dedicate this area to that.

Vice Chairwoman Cooney stated: Can we please stick to the completeness questions.

Mr. Carmel stated: We are only requesting this change to make the second floor wider, higher and longer for the posters.

Mr. Kienz stated: This is all information for the hearing.

Mr. Jovishoff stated: Let me try to help this along. For the site plan a waiver was requested and I have no objection to that. This applies to all of the other items where the waiver was requested. I am requesting that you provide the rear elevations for the structure for the Board's review.

Mr. Carmel stated: Whatever you need we will provide.

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Mr. Jovishoff stated: You provided a zoning schedule, but I am requesting that you submit a new zoning schedule for the accessory use structure bulk standards, since they are currently incorrectly indicated.

Mr. Carmel stated: The reason we wanted waivers was because this was already approved.

Mr. Kienz stated: You are fine.

Mr. Jovishoff stated: Please just delineate with a dotted line what the original structure was and what the new structure is. You just need to revise the plans with a dotted line. Also, there is a request for the CCTV.

Mr. Carmel stated: We did not provide this because there are new sewer lines going in.

Mr. Jovishoff stated: You better talk to the Borough Engineer, Ed Mignone, because he usually likes to see this.

Mr. Kienz stated: Just check with Ed to make sure.

Mr. Jovishoff stated: Based on these requests, I recommend this be deemed complete.

Mr. LaMastro questioned: I just have a few housekeeping items. There was a cleaners there before, correct?

Mr. Carmel stated: Yes.

Mr. LaMastro questioned: Then wouldn't item #22 on the environmental questionnaire be yes, that there were hazardous chemicals on site?

Mr. Carmel stated: That was answered as yes in 2009 when there was still a cleaners. There was no change.

Mr. LaMastro stated: I know there was no change, but the answer should have been yes.

Mr. LaMastro questioned: The Barymore Theater seems to be to use for historical archives and you are doing the same?

Mr. Carmel stated: They are going to have all of the historical items. My client has all of the artistic works from that period. There are posters that were in front of movies theaters. You will be able to see artifacts that tie into historical events. The Borough doesn't have these items and even so, some will be at the Barymore because my client has a tremendous amount of artwork. He is constantly in touch with Tom Meyers.

Vice Chairwoman Cooney stated: We have to stay on topic. If they are generous enough to give this then we should be thankful.

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Mr. LaMastro stated: The third item that I have is, you are asking to expand the top floor of the garage but I drove there two hours ago and it is done.

Mr. Kienz stated: Mr. LaMastro, this is only completeness, any details spoken about must be brought up at the public hearing because it must be noticed to the public

Mr. Carmel stated: It is only the footprint that is done and not changing.

Mr. LaMastro stated: If our counsel says it's for later, I will wait and bring it up then.

Mr. Kienz stated: You should, at the time of hearing, definitely bring this up.

Mr. LaMastro stated: I just bring it up because we have had people, multiple times, ask for things that have already been done.

Ms. Kotive questioned: Vice Chairwoman Cooney, do you feel this applicant has complied with all of the requests for the application submission and I can make a motion to deem it complete?

Vice Chairwoman Cooney stated: Yes, after I open to the public and if our Planner has no additional questions.

Mr. Jovishoff stated: Yes, I am finished.

A motion was made by Ms. Kotive, seconded by Mr. Pohan, and passed on a vote of 6 to 0 by members Pohan, Ferris, Suh, Kotive, 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. Mr. LaMastro abstained from the vote.

ADJOURNMENT

A motion was made by Ms. Kotive, seconded by Mr. Ferris, and passed without objection to adjourn this meeting at 8:00 p.m.

Respectfully submitted,

Christen S. Trentacosti

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Recording Secretary