

FORT LEE PLANNING BOARD

MAY 11, 2020

PRESENT: A. Pohan, M. Marshall, R. Ferris, M. Sargenti, N. Forshner, R. Kative, M. Kaplan, H. Greenberg, J. Cooney.

ABSENT: D. Sokolich, B. Suh.

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

Chairman Greenberg announced that Vice Chairwoman Cooney would be chairing the meeting.

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. A notice with the updated virtual meeting Zoom information was published in the record on May 2, 2020. Notice was also posted on the Borough Website and the Bulletin Board at 309 Main Street.

APPROVAL OF MINUTES – MARCH 9, 2020:

A motion was made by Mr. Pohan, seconded by Mr. Ferris, and passed on a vote of 6 to 0 by members Pohan, Marshall, Ferris, Sargenti, Kaplan and Cooney, to approve the minutes for the meeting of March 9, 2020. Mr. Forshner, Ms. Kative and Chairman Greenberg abstained from the vote.

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: We are carrying this application to the meeting of June 8, 2020.

**DOCKET #3-20 SNS CP THREE, LLC
201 MAIN STREET
BLOCK 4751, LOT 15**

MINOR SITE PLAN – SIGNAGE

FORT LEE PLANNING BOARD

May 11, 2020

Page 2

Danielle Federico, Esq., representing the applicant, stated: The applicant is seeking approval for signage for their business on the second floor of 201 Main Street. They are using the entire upstairs of the building. All of the wall signs are for identity. I have two witnesses, the applicant and a representative of the sign designer.

Scott Untener, Applicant and Owner/Operator of Club Pilates, was sworn in.

Ms. Federico questioned: You are the Owner/Operator of the Pilates Studio?

Mr. Untener stated: Yes.

Ms. Federico questioned: Do you have other locations?

Mr. Untener stated: Yes, Englewood and Northvale.

Ms. Federico questioned: You are leasing the entire second floor of 201 Main Street and there is extra space?

Mr. Untener stated: Yes, but we are going to use it for storage and/or to expand our studio eventually.

Ms. Federico questioned: Is the extra space intended for another tenant?

Mr. Untener stated: No, just for us to possibly expand or remain as storage.

Ms. Federico questioned: This is a franchise, so you have to follow the size, color, etc. of the signs?

Mr. Untener stated: Yes, and the signs are necessary for foot traffic which is important to us.

Ms. Federico questioned: What are the hours of your business?

Mr. Untener stated: 6 a.m. to 9 p.m. everyday.

Ms. Federico questioned: Are the signs on a timer?

Mr. Untener stated: Yes.

Ms. Federico questioned: Can you turn the lights on and off half an hour before and after the business hours?

Mr. Untener stated: Yes.

Ms. Federico questioned: When are you opening for business?

Mr. Untener stated: We were supposed to have been open already but due to COVID-19 we have been delayed on opening. As soon as we get the go ahead we will open.

Mr. Marshall questioned: What is the size of the space you will expand later?

FORT LEE PLANNING BOARD

May 11, 2020

Page 3

Mr. Untener stated: The total of the second floor is 4,000 square feet. We take up 3,000 square feet, so 1,000 square feet is left.

Ms. Federico questioned: Do you have a lease for the entire space?

Mr. Untener stated: Yes.

Vice Chairwoman Cooney questioned: How many members will be in the facility?

Mr. Untener stated: There are twelve maximum people to a class. We have a boutique type membership. There are seven to eight classes a day and there are roughly 400 members.

Vice Chairwoman Cooney questioned: Where will they park?

Mr. Untener stated: Municipal lot or meters.

Ms. Kative questioned: The signs for the bank on the top banner were granted because they were taking the whole building. Now they are only the first floor. It is a lot of signage and will not be attractive. I am worried the bank will ask for signage at the street level. Where is the Sign and Façade Committee letter?

Ms. Trentacosti stated: They did not submit one. I tried to get one today, but the secretary is working limited days and did not get back to me. They have been saying if the application warrants a variance they will not comment since the Board has to make the decision.

Vice Chairwoman Cooney questioned: The proposal you have on the square footage, is that mandated or larger?

Ms. Federico stated: The designer can speak to that.

Vice Chairwoman Cooney questioned: You are requesting a phone number. You want this on the entrance downstairs? Who puts phone numbers on signs now?

Mr. Jovishoff stated: Signage was approved for both facades, Main and Lemoine. The bank did not put signs on the Main Street side. Technically, they still have open signs but may vary from original approval. They are permitted to have signage for each tenant but must be attached to where the entrance is per the ordinance.

Ms. Kative questioned: So they get two signs or four?

Mr. Jovishoff stated: They are eligible for two signs. They used one. They have the rear but that is separate.

Vice Chairwoman Cooney questioned: What is the front?

Mr. Jovishoff stated: That is based on street frontage, and they have two technically.

Ms. Kative questioned: So, it is the sign on Lemoine that is really in question?

FORT LEE PLANNING BOARD

May 11, 2020

Page 4

Mr. Jovishoff stated: yes.

Ms. Federico stated: We have additional options that we could introduce just in case the Board would like other signage options. It is up to the Board.

Vice Chairwoman Cooney stated: I think that is more confusing.

Ms. Federico stated: My client would prefer the signage as submitted as well.

Mr. Jovishoff questioned: Have you had any findings from the Sign and Façade Committee?

Ms. Federico stated: I spoke with the Chairman, Mr. Paul Leale. He sent me an email in response to my submission. They wanted the signage size to match the bank. They thought that we were not occupying the entire space and were concerned. I assured them there is no third tenant. They were okay with Lemoine if the bank moved their sign, but the bank would not agree. They were okay with the pilates studio having Main and the bank having Lemoine.

Vice Chairwoman Cooney questioned: Can you forward those emails to Ms. Trentacosti so that we can see them?

Ms. Federico stated: Yes.

Chairman Greenberg stated: This is an ongoing problem with the Sign and Façade Committee and when I get back, I am going to straighten things out.

Mr. Pohan questioned: The rear sign you are proposing, it is twice as large as the ordinance allows?

Mr. Jovishoff stated: That was approved already, and they only used half for the bank.

Mr. Pohan stated: The left sign is existing; the right is not. This goes back to what Ms. Kative said about being worried about the Main Street sign.

Mr. Jovishoff stated: Yes, they didn't use the whole thing. It is an approved sign and they are changing the text. Danielle you are not changing the size?

Ms. Federico stated: The letter heights are smaller than approved.

Mr. Pohan questioned: You are not increasing the size of the box? You are just adding additional lettering?

Ms. Federico stated: Yes.

Stefanie Fontana, Senior Project Manager at Priority Inc., was sworn in.

Ms. Federico questioned: How was the sign designed?

FORT LEE PLANNING BOARD

May 11, 2020

Page 5

Ms. Fontana stated: We have been working with Club Pilates for twelve or fourteen years now. They agreed on the colors, lighting, etc. and establish a consistency. We create a brand book. We research each town and what is allowed. We have been working with Scott for several years and his different studios. We could not meet the standards of the town and that is why we are here. We want to tell you how important the signage we need is. What we proposed was larger, but we see signage around, and we want to be consistent with the bank sign. We wanted two because of the corner location and if they don't have signage they will be missed. The signs are low voltage LED lit and have a blue halo lighting effect. Page one of our plan is the cover page. Page two of our plan is the elevation. Page three shows the manufacturing details. The low voltage LED will last ten plus years. They would dim at that point and maintenance is minimal.

Chairman Greenberg questioned: Is this sign lit all night?

Ms. Federico stated: There will be a timer for before business and after.

Councilman Sargenti questioned: So 5:30 a.m. to 9:30 p.m it will be lit? What are the bank hours?

Ms. Federico stated: The bank is 6 a.m. to 11 p.m.

Ms. Tiberi questioned: The lights are black during the day and turns white at night?

Ms. Fontana stated: Yes, it is very cool. It is the perforated material. It is black during the day and the white illuminates at night and takes over.

Mr. Kaplan questioned: The signs will not provide glare?

Ms. Fontana stated: No, they are anti-glare.

Ms. Fontana stated: Page four shows the box that is approved and what we will put the Club Pilates overlay on. Page five shows the contact info you asked about. This is typical for the brand. They want the phone number and hours shown. The vinyl is removable and replaceable. It holds up well.

Ms. Federico questioned: The bank and the pilates studio both have entrances on Main Street?

Ms. Fontana stated: Yes, the door vinyl is important because they want to know if they are open and the contact information is important as well for them. We typically put it up before the soft opening.

Mr. Ferris questioned: Where does the door vinyl show?

Ms. Fontana stated: Just on Main Street.

Councilman Sargenti questioned: Is this on the inside or outside of the door?

Ms. Fontana stated: It can be made either way.

Vice Chairwoman Cooney questioned: Is there access to the pilates studio in the back?

FORT LEE PLANNING BOARD

May 11, 2020

Page 6

Mr. Untener stated: Yes, you can but it goes into the “storage space”.

Mr. Pohan stated: Someone in the municipal lot would use it. I don’t think they would walk to the front.

Mr. Untener stated: Yes, they could use it.

Councilman Sargenti questioned: Are you asking for the vinyl on that door as well?

Ms. Fontana stated: No.

Vice Chairwoman Cooney questioned: Why is it necessary for the pilates studio to go more than seven square feet larger than the bank?

Ms. Fontana stated: We are trying to get the most visible signs. We feel this is reasonable.

Vice Chairwoman Cooney stated: The bank sign was a variance. You are looking for a variance on top of an approval. I expect that they would be consistent and would want to keep the size the same.

Ms. Fontana stated: I wasn’t privy to all of this information when I was designing, and we don’t want it to look like a blob.

Vice Chairwoman Cooney stated: Its not going to look like a blob at 6.78 square feet less.

Mr. Pohan stated: If you went by the ordinance, they would be entitled to 32 square feet on each side. We gave the bank two signs 70 square feet each. Now there is 70 square feet on Lemoine and you want two 38 square feet signs, one on Lemoine and one on Main. That is 146 square feet, which is six more feet than the variance.

Mr. Jovishoff stated: That is correct.

Mr. Pohan stated: This is a funny corner. It will be visible on Lemoine from three sides, but on Main you will only see it on Main. I think Main can be smaller.

Ms. Federico stated: We will reduce the sign on Main Street by 6.78 square feet.

Mr. Untener stated: Yes, the important sign is Lemoine Avenue.

Ms. Fontana stated: Yes, we will reduce it.

Mr. Kienz stated: I think the Board has spoken and the they are being fair. If you are willing to amend, I think we can move on.

Ms. Federico stated: We will amend as such.

Ms. Kotive questioned: Has the applicant signed a lease subject to signage?

FORT LEE PLANNING BOARD

May 11, 2020

Page 7

Mr. Kienz stated: We cannot get involved with that. They come with their best shot.

Mr. Jovishoff questioned the sign illuminations for compliance.

Ms. Kative stated: My concern is that the Board gave the approval for the bank based on the fact that they were the entire building and put their sign on the second floor. Now the second floor tenant is wanting to add nine variances. I'm conflicted with this.

Mr. Forshner questioned: If one of the signs is lit until 11 p.m. and the other 9:30 p.m. it will look silly. I think the signs should go off at the same time. We are suggesting 70 square feet for two signs?

Mr. Pohan stated: Yes.

Ms. Federico stated: The total would be 140 square feet including the bank sign.

Mr. Jovishoff stated: The applicant must waive site plan approval. The signs will go on at 5:30 a.m. and go off at 11 p.m. for both the bank and pilates studio.

Mr. Pohan stated: We still have 1,000 square feet not utilized and some of us are waiting for the other shoe to drop and for them to come for another sign. This is it for signs on this building.

Ms. Federico stated: We are open to restrict this in the resolution for all tenant's total in case a future tenant went in. Scott is leasing the entire space and he will expand it if it warrants.

Mr. Kienz stated: We have done that in other municipalities. It is reasonable. It is a good idea to put it in as a condition.

Mr. Jovishoff questioned: If they choose to split the sign for another tenant, as long as it conforms to the variances granted, does the Board have jurisdiction to allow?

Mr. Kienz stated: That is a good question. It is up to the Board. They could have the Planner review for constancy at that time.

Mr. Pohan questioned: The approval is specific to this sign, not a license to put up a sign for a 7-11?

Mr. Kienz stated: That is correct.

Mr. Forshner stated: If there are any changes to these signs they should come back to the Board.

Ms. Kative stated: We are pegging this on the pilates guy. What about the bank?

Mr. Kienz stated: I will figure it out and we will make it that they must come back.

Vice Chairwoman Cooney questioned: They would have to come back with both resolutions?

FORT LEE PLANNING BOARD

May 11, 2020

Page 8

Mr. Kienz stated: I will add a condition.

Ms. Kative stated: Keep in mind going forward, if there is a single user, there may not be a single user.

A motion was made by Mr. Pohan, seconded by Mr. Forshner, and passed on a vote of 8 to 0 by members Pohan, Marshall, Ferris, Sargenti, Forshner, Kaplan, Greenberg and Cooney, to approve this application for Signage and waive Minor Site Plan. Ms. Kative abstained from the vote.

ADJOURNMENT

A motion was made by Mr. Forshner, seconded by Ms. Kative, and passed without objection to adjourn this meeting at 9:00 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti

Recording Secretary