

FORT LEE PLANNING BOARD
AUGUST 12, 2019

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

ABSENT: B. Suh, M. Sargenti, R. Kative,

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

NOTICE OF MEETING:

Chairman Greenberg 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 – JULY 22, 2019:

A motion was made by Ms. Cooney, seconded by Mr. LaMastro and passed on a vote of 6 to 0 by members Marshall, LaMastro, Ferris, Cooney, Kaplan and Greenberg, to approve the minutes for the meeting of July 22, 2019. Mr. Pohan and Mr. Forshner abstained from the vote.

ACCEPTANCE/COMPLETENESS:

DOCKET #5-19 CLAREMONT PROPERTY LLC
10 CLAREMONT ROAD &
9 MANATAUK AVENUE
BLOCK 756, LOTS 5 & 6

MINOR SUBDIVISION

The Chairman announced that this application would not be heard. It has been moved to the Zoning Board of Adjustment since a "d" variance was found.

PUBLIC HEARINGS:

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**PROPOSED AREA IN NEED OF REHABILITATION
2143 HUDSON TERRACE
BLOCK 6155, LOT 2
STUDY PREPARED BY PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC –
DATED: AUGUST 2019**

Michael Jovishoff stated: My office was directed to prepare the study to determine if 2143 Hudson Terrace qualifies as an Area in Need of Rehabilitation. On January 18, 2018, adjoining Lot 1 was deemed an Area in Need of Rehabilitation. There was no Redevelopment Plan prepared. On December 11, 2018 the Zoning Board of Adjustment approved a 316-unit residential development for Lots 1 & 2. One Lot of this development has been deemed a Rehabilitation Area while the other is now before us. It is in the interest of the Borough to extend the Rehabilitation Area. According to the Local Redevelopment Housing Law, there are certain criteria that need to be met to qualify as a rehabilitation area which are listed on Page 13 of the study. The report provided the findings and recommendations of my office, but I will briefly summarize.

2143 Hudson Terrace, Block 6155, Lot 2, is a single tax lot of 18,905 square feet. It is on the west side of Hudson Terrace. It is currently vacant with a motel building surrounded by parking. Over 90% of the property is impervious coverage. The uses surrounding the property are office, commercial and residential uses. The motel is two-stories in height. It has 34 guest rooms and is antiquated in configuration. The parking adjoins the guest rooms and it has been vacant for over two years. There had been numerous violations from 2013-2017. Squatters took over the building once it was vacant and it was likely they caused the 2018 fire. It was boarded up but seems it was tampered with. It is uninhabitable and unusable. Motels are not permitted in the Borough at all. While hotels are permitted in the Borough, this cannot be retrofitted to fit the criteria to meet hotel standards. This study area meets criteria 1, since the structure is deteriorating and criteria 3, because there is a pattern of vacancy, abandonment or substandard conditions. Since there still seem to be squatters trying to get into the motel, it is likely to further damage the property. The potential for the property to be reused is not possible. Notably, the motel is not permitted. This area meets the test for the criteria to be deemed an area in need of rehabilitation. To make sure there is redevelopment, designation of this property would be recommended.

Ms. Cooney questioned: Lot 1 and Lot 2 were approved for development. These people are coming back now and want to have the rehabilitation coincide with the whole project. This is an afterthought?

Mr. Jovishoff stated: We did one study originally. I'm not sure if they had both properties originally. Now there are two lots and they figured out complications of having half of the project qualified. This is one whole project which was made clear at the Zoning Board.

Ms. Cooney questioned: Are Lots 1 & 2 owned by the same person?

Mr. Jovishoff stated: I'm not sure.

Mr. Forshner questioned: On Lot 1 they are rehabbing the building. On this Lot before us they are knocking it down and putting up a new building?

Mr. Jovishoff stated: Yes, that was the project that was approved by the Zoning Board. It is two separate buildings, but they are connected through skywalks, etc.

Mr. LaMastro questioned: Motels are not permitted in Fort Lee, but hotels are. What were the differences?

Mr. Jovishoff stated: The largest difference is a hotel has amenities, while a motel does not.

Chairman Greenberg questioned: Is this proposed to be two projects or one?

Mr. Jovishoff stated: Just one project.

Mr. LaMastro questioned: If we declare this an area in need, this brings tax consideration?

Mr. Jovishoff stated: Potentially, yes.

Mr. Pohan questioned: Wasn't this project before this Board in the past and approved?

Ms. Cooney stated: I believe it came before us but had to be moved to the Zoning Board.

Mr. Kaplan questioned: You stated the conclusion of the fire investigation showed that it was started by squatters?

Mr. Jovishoff stated: Yes, intentionally by squatters.

Mr. Kaplan questioned: There's evidence that there is continued squatter activity now?

Mr. Jovishoff stated: Yes, it seems to have been attempted. Although it is all boarded up, it seems that some of the boards have been pulled back.

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Ms. Cooney stated: Aside from this fire, the ambulance probably responded every Friday night for a fire.

Getting rid of that thing is a blessing.

Chairman Greenberg asked for questions/comments from the public.

A motion was made by Mr. LaMastro, seconded by Mr. Kaplan, and passed on a vote of 8 to 0 by members Pohan, Marshall, LaMastro, Ferris, Cooney, Forshner, Kaplan and Greenberg, to recommend to the Mayor and Council that 2143 Hudson Terrace be deemed an Area in Need of Rehabilitation.

ADJOURNMENT

A motion was made by Mr. Pohan, seconded by Mr. Ferris, and passed without objection to adjourn this meeting at 7:54 p.m.

Respectfully submitted,

Christen S. Trentacosti

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Recording Secretary