

**FORT LEE PLANNING BOARD**  
**February 8, 2016**

PRESENT: A. Pohan, M. Marshall, L. LaMastro, S. Sakin, B. Suh, J. Cooney,  
N. Forshner, C Nicholas, R. Ferris, H. Greenberg.

ABSENT: C. Keng.

PRESENT: G. C. Kienz, Esq., Board Attorney; B. Klein, Board Secretary;  
M. Jovishoff of Phillips, Preiss, Grygiel Associates; P. Carberry of  
Neglia Engineering Associates.

Chairman Greenberg called the meeting to order at 7:35 p.m.

**NOTICE OF MEETING**

Chairman Greenberg stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: All members of this body have been advised in writing at least 48 hours prior to this meeting of the time, place and proposed agenda of this meeting. A written notice of the time, place, and proposed agenda was posted on the bulletin board of the Municipal Building, 309 Main Street, Fort Lee, New Jersey. On the same date, a copy of said written notice was mailed to the Record, Jersey Journal, Time Warner Cable and Fort Lee Online. A copy was filed with the Borough Clerk, and on the same date, copies were mailed to all persons who have requested copies of such notice and have prepaid the fee fixed for the year 2016.

**APPROVAL OF MINUTES**

A motion was made by Mr. Sakin, seconded by Mr. LaMastro, and passed on a vote of 5 to 0 by members Pohan, LaMastro, Sakin, Suh and Nicholas to approve the minutes of the meeting of January 11, 2016. Members Marshall, Cooney, Forshner and Greenberg abstained from the vote.

**PLANNING BOARD 2015 ANNUAL REPORT**

A motion was made by Ms. Cooney, seconded by Mr. Nicholas and passed on a vote of 7 to 0 by members Pohan, Marshall, LaMastro, Sakin, Suh, Cooney, Forshner, Nicholas and Greenberg to adopt the Fort Lee Planning Board 2015 Annual Report.

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### **REFERRAL FROM THE GOVERNING BODY**

Chairman Greenberg advised: The following have been referred to this board by the Mayor and Council:

#### ORDINANCE #2016-1

Chairman Greenberg stated: This is an Ordinance of the Borough of Fort Lee, Bergen County, New Jersey approving the application and authorizing the Mayor and Borough Clerk pursuant to N.J.S.A. 40A:201 et seq. to execute a Financial Agreement by and between the Borough of Fort Lee and Fort Lee Phase II Residential Urban Renewal Company, LLC for the property located on Lemoine Avenue, Fort Lee, also known as Lot 1 in Block 4851.02 located in Redevelopment Area 5, as shown on the Official Tax Map of the Borough of Fort Lee for a residential project.

#### ORDINANCE #2016-2

Chairman Greenberg stated: This is an Ordinance of the Borough of Fort Lee, Bergen County, New Jersey approving the application and authorizing the Mayor and Borough Clerk pursuant to N.J.S.A. 40A:201 et seq. to execute a Financial Agreement by and between the Borough of Fort Lee and Fort Lee Phase II Urban Renewal Associates LLC for property located at 100 Park Avenue, Fort Lee, also known as Lot 4 in Block 4851.04 located in Redevelopment Area 5, as shown on the Official Tax Map of the Borough of Fort Lee for a residential project.

Mr. Kienz stated: This is a referral to this board from the Mayor and Council. These are ordinances for the Tucker application. I cannot comment on this matter tonight as I disqualified myself from hearing the Tucker application.

Ms. Cooney inquired: Why is this being referred to us when this is already a fait accompli? There was an adoption already on the 21<sup>st</sup> of January.

Councilman Pohan stated: Nothing has changed. The standard procedure is to give the developer a tax break until the building is rented. If this Financial Agreement is not made, it could delay the start of the building. When the building does go co-op or condo, the tax benefits to the town will be very large. We are anxious to get this thing done. This did not apply to the first building that has already gone up. We have given this to the Modern. Why this has to come before the Planning Board is a

mystery beyond my legal ken. The Mayor and Council vetted this matter over several months and the vote was unanimous. This applies only to residential.

A motion was made by Mr. LaMastro, seconded by Councilman Pohan, and passed on a vote of 8 to 0 by members Pohan, Marshall, LaMastro, Sakin, Suh, Forshner, Nicholas and Greenberg that the Planning Board approves the materials sent to them regarding Ordinance #2016-1 and Ordinance #2016-2. Ms. Cooney abstained from the vote.

ORDINANCE #2016-4

Chairman Greenberg stated: This is an Ordinance amending Chapter 261 Land Use Procedures, Appendix A: "Checklists for Development Application", Revised General Ordinances of the Borough of Fort Lee (Inclusion of Historic Preservation Commission/Historic District).

Mr. Jovishoff stated: This ordinance is necessary for a piece of property when that piece of property is located within a Historic District.

A motion was made by Ms. Cooney, seconded by Mr. Forshner, and passed on a vote of 9 to 0 by members Pohan, Marshall, LaMastro, Sakin, Suh, Cooney, Forshner, Nicholas and Greenberg.

**DOCKET NO. 9-15                      HOMA CONSTRUCTION**  
**2443 First Street**  
**Block 6959, Lot 7**

Chairman Greenberg advised that the public hearing for this application is being carried to the meeting of February 22, 2016.

**SECTION 31                              FORT LEE PARKING AUTHORITY**  
**CAPITOL REVIEW                      FORT LEE MUNICIPAL PARKING LOT**  
**BLOCK 471, LOT 2**

Chairman Greenberg advised: This is a "courtesy review" by the board for a proposed four-story parking garage consisting of a ground level and three levels above. This will be a mixed-use structure incorporating office and retail together with the parking.

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Neil Marotta, attorney representing the Fort Lee Parking Authority, addressed the board: We would like to move forward with this much-needed project. For your information, and on the record, we will not be moving forward with the billboard presently shown on the plans. We will be removing that billboard from our plans.

Mr. Chris Gray, architect for the project, stated: We are set back about 235 feet from Main Street. Plans have been submitted for a 221,000 square foot, four-level garage. This project will be called the Guntzer Mixed Use Parking Facility. There will be a total of 821 parking spaces with 650 parking spaces within the structure and 166 spaces of surface parking that will surround the structure. This will be a net gain of approximately 400 parking spaces. There will be 8,600 square feet for office space that will accommodate the office of the Parking Authority and the Business District Alliance of Fort Lee. There will be 5,600 square feet for retail and service space that will be able to accommodate the Post Office that will be relocated from its current location on Main Street. And, there will be 1,200 square feet of leasable retail space. The parking structure will have the same entry and exit that exists presently. We have had a traffic study prepared. The garage will be 330 feet long with a height of 44 feet from the ground level to the parapet and 57 feet to the stair tower. There will be parking on the roof. On the Main Street side, we would like to introduce a plaza space. There will be two-way traffic in the center of the structure and one-way traffic around the perimeter. There will be two elevators. The handicapped parking will be located in close proximity to the elevator. Currently, a billboard is shown on the plans. That billboard is being stricken from the plans. We are proposing colored lighting effects that can be used as a "communications device", and an example of that can be seen on our plan with the red lights that are on all four sides of the top of the building.

Chairman Greenberg stated: Electrical displays and billboards are prohibited.

Mr. Gray continued: Along Center Avenue we have incorporated some plantings. A new road will be constructed. I believe the Port Authority will provide long-term parking.

Chairman Greenberg commented: I would think that permanent parking would provide a revenue benefit.

When questioned, Mr. Gray stated: I am estimating that the total cost will be approximately \$18 million dollars.

Mr. Gray continued: There will be a shared-car service. We are looking to dedicate a certain number of spaces for a car-share such as a ZIP car. It is possible that the Post Office may not relocate to this structure. In that event, the retail use area could

be expanded. It will take 12 to 14 months from the time of the construction award until the project is completed. During construction, it is the intent to have about 300 parking spaces available offsite and 120 spaces within the area. The federal government owns the Post Office space. We have started a conversation with the federal government about what will become of the Post Office.

Board members questioned if the residents in the area had been notified about this project.

Mr. Marotta stated: it is not required that we notify the residents in the area.

Ms. Gloria Gallo, Executive Director of the Fort Lee Parking Authority stated: We lost about 10 parking spaces on Main Street because of the streetscape, and we lost about 12 to 15 parking spaces on Lemoine Avenue because of a new development. For about a year now we have been exploring alternative parking that can be used during the construction of this project. We have found three possibilities that will give us about 300 parking spaces. We are also talking to New Jersey Transit. We also have the option to outsource shuttle services.

Ms. Cooney stated: I find it offensive that residents who about this particular project have not been notified. I understand that you are not required to notify these residents, but it is a necessity to notify them. I think it is an outrage that you are hiding behind the fact that such notice is not required.

Chairman Greenberg stated: This is a preliminary hearing for this project. It is just an overview of what might be built.

Ms. Cooney stated: Years ago, there was a discussion about constructing a new parking lot on that property. From that discussion it was learned that there is a sinkhole on that property.

Mr. Jeffrey Morris of Boswell McClave Engineering stated: We have done geo-technical tests on that property. One-half of the parking lot is on rock and the other half is on an unconfined area.

At the conclusion of the hearing, Mr. Kienz stated: Normally, at the end of a hearing such as this, the board sends a letter to the Mayor and Council with three specific recommendations.

Discussion was had among board members, and it was determined that the board will send a letter to the Mayor and Council that will include the following three recommendations.

1. The applicant will provide copies of the traffic report to the Planning Board.
2. The board strongly urges the Fort Lee Parking Authority to notify neighboring residents regarding this project and to hold discussions with those residents.
3. The billboard currently shown on the plan will be stricken from the plan.

**DOCKET 11-15**                      **BORDER DEVELOPMENT, LLC**  
**Redevelopment Area 8**  
**604-608 Main Street**  
**1679-1685 Bergen Boulevard**  
**Block 3557, Lots 4-8**

Chairman Greenberg advised: The applicant is requesting a modification to the conditions attached to the Resolution of Approval that was also memorialized for a six-story, multi-family residential building.

Danielle Lamake, Esq., representing the firm of Kaufman, Semeraro & Leibman read into the record a letter dated January 25, 2016 that was hand delivered to the board.

Ms. Lamake stated: The applicant has received approval from this board for this project, and that approval was memorialized. We believe there is sufficient parking for the anticipated demand. We do not believe that off-site parking is necessary.

Mr. Kienz stated: At the time of the hearing there was some question as to how this condition would be applied. I spoke to Mr. Kaufman. The statement made tonight by counsel is accurate in that all of those parking spaces are not needed. I believe the condition in question can be removed.

A motion was made by Mr. Nicholas, seconded by Ms. Cooney, and passed on a vote of 8 to 0 by members Pohan, Marshall, LaMastro, Sakin, Suh, Cooney, Nicholas, and Greenberg to strike Condition No. 8 from the Resolution of Approval as Condition No. 8 is not applicable. Mr. Forshner abstained from the vote.

#### **ADJOURNMENT**

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

Respectfully submitted,  
Patricia A. Jordan  
Recording Secretary

