

**FORT LEE PLANNING BOARD**  
**March 21, 2016**

PRESENT: A. Pohan, L. LaMastro, S. Sakin, B. Suh, J. Cooney, C. Nicholas,  
N. Forshner, C Keng.

ABSENT: M. Marshall, R. Ferris, H. Greenberg.

PRESENT: G. C. Kienz, Esq., Board Attorney, B. Klein, Board Secretary;  
M. Jovishoff of Phillips, Preiss, Grygiel Associates; D. Harrington  
of Boswell Engineering.

Vice Chairman Sakin 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 Ms. Cooney, seconded by Mr. LaMastro, and passed on a vote of 7 to 0 by members Pohan, LaMastro, Sakin, Suh, Cooney, Nicholas, Forshner and Keng to approve the minutes of the meeting of February 8, 2016. Mr. Keng abstained from the vote.

**DOCKET NO. 11-15**

**BORDER DEVELOPMENT, LLC  
REDEVELOPMENT AREA 8  
604-608 Main Street  
1679-1685 Bergen Boulevard  
Block 3557 Lots 4-8**

A motion was made by Mr. Forshner, seconded by Mr. Nicholas, and passed on a vote of 6 to 0 by members Pohan, Sakin, Suh, LaMastro, Cooney, and Nicholas to approve a Memorialization for the Resolution of Approval for this application as prepared by the Board Attorney for a six-story, multi-family, residential building with 59 units. Mr. Keng abstained from the vote.

**DOCKET NO. 3-16**

**YEON HEE KYEOUNG  
1310 Palisade Avenue  
Block 2054, Lot 14**

Mr. Kienz advised: This is to accept for review an application for a three-story office building at 1310 Palisade Avenue as well as deeming the application complete. Paul Kaufman, Esq. is representing the applicant. Mr. Sakin will not be voting on this matter.

Mr. Jovishoff advised: I would deem this application complete with the exception of several issues.

Danielle Lamake, Esq. of Paul Kaufman's office, advised: We are in receipt of Mr. Jovishoff's letter dated March 17, 2016. We agree to comply with the requests made by Mr. Jovishoff in his letter.

Ms. Lamake then read Mr. Jovishoff's requests into the record.

Mr. Jovishoff reviewed the requests contained in his letter with Ms. Lamake.

Ms. Lamake advised: The parking lot is not owned by the applicant, but is leased from Harbor House. The applicant will be continuing that lease with Harbor House for parking in the rear.

Mr. Jovishoff stated: It is my understanding that there will be some improvements to that lot.

A motion was made by Mr. Forshner, seconded by Mr. Nicholas, and passed on a vote of 7 to 0 by members Pohan, LaMastro, Suh, Cooney, Forshner, Nicholas and Keng to accept this application for review.

**DOCKET NO. 1-16**

**REDEVELOPMENT AREA 3  
470 MAIN STREET ASSOCIATES LLC  
456-470 Main Street  
453 Jane Street  
Block 3656, Lots 6 and 7  
Block 4056, Lots 1 and 4**

Mr. Sakin advised: This is a public hearing for preliminary and final major site plan approval for a 5-story, 96-unit, mixed-use commercial/residential building with ground-level retail and parking on site. Paul Kaufman, Esq. is representing the applicant.

Mr. Kaufman advised: We have submitted proof of service and publication. This is an application for 453 Jane Street. More than a decade ago, this property was intended for use as an affordable housing project. Since that time, the borough has addressed the affordable housing issue in a different manner. The Mayor and Council has adopted an amended redevelopment plan. This will be a five-story, 96-unit, mixed commercial and residential building with 3,000 square feet of retail use on Main Street. No variances are required for this plan. There is sufficient parking.

A Site Plan prepared by Mr. Mark Martins, was marked into evidence as Exhibit #A-1.

Mr. Mark Virgona, architect for the applicant, was sworn in, stated his qualifications and advised: My firm designed this project. The project spans from Main Street to Jane Street. The property has a varied topography. There is a significant grade change on the property. At Main Street, the property slopes down to the south with a grade change of about 6 feet. To the south, the property drops down to the grade of Jane Street with a grade change of about 11 feet. There will be two access points for vehicles, one on Main Street and one on Jane Street. On Main Street, vehicles can enter via a 2-way driveway, take a circular route, and either exit out onto Main Street or go down to the next level. There is a second separate vehicle access point off Jane Street. Jane Street is a dead-end street.

Marked into evidence as Exhibit #A-2 was a Colored Rendering of the Elevations of the building from Main Street.

Mr. Virgona stated: This will be a courtyard type of building. There will be store fronts on Main Street. This building will be a mix of retail and residential. The retail uses will function as a screen for the garage which will not be able to be seen from Main Street.

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Marked into evidence as Exhibit #A-3 was a Colored Rendering of Jane Street.

Mr. Virgona stated: There will be a setback from the lobby level down to the garage area. There will be some parking at the lobby level and there will also be levels of underground parking.

Marked into evidence as Exhibit A-4 was Sheet #6 of the Architectural Plan.

Mr. Virgona stated: After you go down the lobby level ramp, you will be on one of the underground garage levels. Then if you wish, you can continue further down to the next underground garage level. On Sheet A-2, you can see the rear of the building. There will be one and a half floors of garage that will be visible from the rear of the building. There will be three levels of garage, but only two levels of garage space will be visible. The driveway on Main Street is a general entry driveway. A person drives in and out, or goes down the ramp to another level. The ramp will be 24 feet wide and that complies with the Zoning Ordinance. Currently there are no restrictions on turning right or left when exiting the driveway onto Main Street. The garage will have self-parking.

Mr. Kaufman stated: If the county requires a traffic light, then we will provide a traffic light at our own cost.

Mr. Virgona stated: The garage on Jane Street will provide entry and exit access on Jane Street. The property in the back between the building and Jane Street will be landscaped. Sheet No. A-7 of the Architectural Plan shows a typical floor plan. There will be 52 one-bedroom and 44 two-bedroom units. One-bedroom units will be 735 to 880 square feet. Two-bedroom units will be 1,100 to 1,250 square feet. Each unit will have a kitchen, laundry, and walk-in closet. The building materials will be stucco and masonry. Certain trees will be relocated. There will be six trees on the site.

Mr. Kaufman stated: We don't know at this time what type of retail tenants this building will have.

Mr. Virgona stated: Some of the apartments will have balconies. We do not know yet what type of retail space there will be. There will be ten parking spaces provided on the lobby level, and we anticipate these spaces will be used by patrons of the retail uses. I believe we will have one parking space per patron of a retail use. With regard to the parking requirements, 182 parking spaces are required, and this figure includes requirements for visitor parking. We meet that parking requirement. Each tenant will be able to control the heating and air conditioning for

his/her unit. Each floor will have a trash room with a trash chute. There will be a trash compactor in the garage.

Mr. Sakin opened the meeting to the public for questions, and the following appeared before the board:

1. Ms. Ruth DeMercurio, 460 Jane Street, Fort Lee, New Jersey: How far will the streets run on Main Street?

Mr. Virgona answered: About two-thirds of the way.

Ms. DeMercurio questioned: What will the stages of construction be for this project?

Mr. Virgona answered: There will be four stages of construction: demolition, excavation, underground work, construction work.

Ms. DeMercurio questioned: Will there be blasting?

Mr. Virgona answered: I don't know.

Ms. DeMercurio questioned: What about direct lighting?

Mr. Kaufman answered: The Borough Engineer will make sure that whatever light comes off this property will not land on the property of any residences.

Ms. DeMercurio questioned: Will there be any danger of asbestos when the existing building is demolished.

Mr. Virgona answered: No.

Mr. Kaufman stated: The developer has entered into an agreement with the borough that the nine affordable housing units will be built offsite and that the 6/10<sup>th</sup> unit will be satisfied by writing a check to the borough. This property is one of the last remaining eyesores in the borough. I think this proposed project will be a terrific improvement for that area.

Councilman Pohan stated: I am concerned about the possible retail uses in the lobby level and the need for parking connected to those retail uses.

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Mr. Kaufman stated: The applicant has indicated that a restaurant will not be a use in this building.

Councilman Pohan stated: Some uses, such as a manicure/pedicure salon, will have patrons that will stay for an hour and a half.

Mr. Kaufman stated: People would also be utilizing street parking and the municipal parking lot, and feeding the meters. I believe if the parking is insufficient for certain uses, then those uses will not locate there. This relates to the law of supply and demand.

Mr. Forshner stated: I would like Mr. Virgona to describe the lighting on the back of Jane Street.

Mr. Harrington advised: We will evaluate the lighting plan. We can require additional screening of the lighting if necessary.

Mr. Mark Martins, engineering expert for the applicant, was sworn in, stated his qualifications, and testified: I prepared the engineering plans for this application. I received a memorandum dated February 17, 2016 from Boswell and a second memorandum dated February 27, 2016 from Boswell regarding this plan. Our plan reflects the changes recommended by Boswell in their memoranda as well as changes requested during a meeting we had with them.

Mr. Foshner requested information regarding the sanitary and storm sewers.

Mr. Kaufman stated: We will provide whatever plans are requested to Boswell.

Mr. Sakin opened the meeting to the public for questions of the experts, but no one appeared before the board.

Mr. Louis Luglio, traffic engineering expert for the applicant, was sworn in, stated his qualifications, and testified: This is a four-way intersection. This is a very low trip generation area for residential, especially during peak hours. We do envision some vehicles coming in and out of the Main Street garage, but we believe the majority of vehicles will come in and out of the Main Street garage. With regard to A-1, as vehicles enter from Main Street, they can make a right turn and then a left turn to go down to the parking deck. This will be a safe condition as there will be very few vehicles entering from Main Street. I think exiting onto Main Street and going straight ahead will be difficult but will still be able to be done. I have submitted a traffic report. When exiting onto Main Street, there is a stop sign and a

stop bar. During the peak hours, there will be a lot of confusion when exiting onto Main Street, but I still believe that will be a safe maneuver.

Councilman Pohan questioned: Will drivers be allowed to make a left turn onto Main Street?

Mr. Kaufman advised: We have contacted the Department of Transportation regarding the left-turn-onto-Main-Street issue, but we have not received a response from them yet.

Mr. Harrington stated: I am concerned that during rush hour a lot of people may utilize the driveway access in the rear of the building.

Ms. Cooney stated: Personally, I would like to know what our experts think about the traffic.

Mr. Kienz advised: We could take a vote tonight for preliminary approval and then have a vote for final approval at another time.

Mr. Forshner stated: I do not feel uncomfortable about voting tonight on the entire application. I don't believe Jane Street will be much of an issue.

After discussion, it was decided to carry this application until the meeting of April 4, 2016.

A motion was made by Mr. LaMastro, seconded by Mr. Keng, and passed without objection to carry this application to the meeting of April 4, 2016.

Mr. Kienz advised: No further notice will be required.

**DOCKET NO. 2-16**

**METRO CITY BANK  
1636 Parker Avenue  
Block 4353, Lot 12**

Mr. Sakin advised: This is a public hearing for preliminary and final major site plan approval for an interior alteration at 1636 Parker Avenue. Paul Kaufman, Esq. is representing the applicant.

Danielle Lamake, Esq., appeared on behalf of Mr. Kaufman, and advised: The applicant is requesting approval for an interior alteration for the first floor of the

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property. No variances are required. This is a C-2 zone. The use is permitted. There is sufficient parking.

Mr. Kim, architect for the applicant was sworn in, stated his qualifications, and stated: I prepared the architectural plans that were submitted to the board. We provide 12 parking spaces.

Mr. Jovishoff stated: This proposed renovation is more than 500 square feet, and therefore, it requires approval by this board.

Mr. Kim stated: The bank occupies the first floor and a part of the cellar where it stores its records. Only the bank is located on the first floor. There will be a maximum of seven employees on the first floor, and there will be no employees working in the cellar. The hours of operation for the bank will be 9:00 a.m. to 5:00 p.m. Monday through Friday, and 9:00 a.m. to 2:00 p.m. on Saturday. The only changes that will be made with this renovation will be on the first floor and the cellar.

Ms. Lamake stated: Metro Bank is Georgia-based. I believe it is a national bank.

Mr. Kim explained his calculations for the number of parking spaces required.

Mr. Kim stated: We do not have a tenant yet for the second floor.

Mr. Jovishoff stated: Mr. Kim's calculations for parking are correct. If the second floor is occupied, 6.96 parking spaces are required.

Mr. Forshner stated: I am familiar with that area. There is no parking in the street anywhere in that neighborhood. It is going to be very difficult to park in that area. There is also a dance studio there.

Mr. LaMastro stated: I can't understand how this is going to work. The calculations may reach a certain number, but I don't really think this is going to work – a bank with a ballet studio and parents dropping off and picking up children.

Ms. Cooney addressed Ms. Lamake: A formula may produce a certain number, but that number in reality will not work. What we are telling you is the reality. What you are telling me is what's on paper. Nothing that has been built there has worked, and if you think you are going to hide a bank on Parker Avenue, you are wrong. You do not have sufficient parking. I don't care what the numbers are telling you.

Mr. Kim stated: I designed the building that is there now.

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A photo exhibit entitled "In Between the Corner" consisting of a series of nine photographs was marked Exhibit #A-4 in evidence.

Mr. Kim advised: There will be two means of ingress. There will be seven employees for the bank. The second floor is not occupied yet. The third floor is a dance studio. There is no sign. There is no application for a sign.

Mr. Jovishoff stated: The bank is a permitted use in this zone.

Mr. LaMastro stated: I don't understand this. We have a dance studio on the third floor. We have an unknown tenant who will go into the second floor. And, we have a bank on the first floor.

Mr. Kim explained: We went directly to the Building Department with this proposed renovation.

Discussion took place among board members as to how this application had come before the board.

A motion was made by Ms. Cooney, seconded by Mr. Cameron and passed on a vote of 5 to 3 by members Pohan, Cooney, Forshner, Nicholas and Keng. The three "no" votes were cast by members LaMastro, Sakin and Suh.

Councilman Pohan stated: This board must have a Work Session to discuss all of this.

## **ADJOURNMENT**

It was moved by Mr. LaMastro, seconded by Mr. Keng, and passed without objection to adjourn this meeting at 10:20 p.m.

Respectfully submitted,

Patricia A. Jordan  
Recording Secretary

