

FORT LEE PLANNING BOARD

JUNE 13, 2022

PRESENT: A. Pohan, R. Ferris, B. Suh, R. Kative, J. Cooney.

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

ALSO PRESENT: Glenn Kienz, Esq., Board Attorney, Spach Trahan of Phillips Preiss Grygiel Leheny Hughes LLC, Alvaro Gonzalez of Boswell Engineering.

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 November 22, 2021 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2022. 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 2022 to cover the cost of mailing.

APPROVAL OF MINUTES – MAY 9, 2022:

A motion was made by Ms. Kative, seconded by Mr. Pohan, and passed on a vote of 5 to 0 by members Pohan, Ferris, Suh, Kative and Cooney, to approve the minutes for the meeting of May 9, 2022.

ACCEPTANCE/COMPLETENESS:

**DOCKET #1-22 WINIA AMERICA, LLC
222 BRUCE REYNOLDS BOULEVARD
BLOCK 4751, LOT 1
MINOR SITE PLAN - SIGNAGE**

Saverio V. Cereste, Esq. stated: I represent the Applicant which is a company out of Korea. There is existing signage on the building which is approximately 200 square feet from South Pole. We are proposing to remove this sign and replace it with a sign on the roof so that sign has more exposure. We are looking for a variance for the size of the letter, the size of the sign and signage above the second floor. We revised our drawings to meet the items that were missing as noted in the Planner's letter and resubmitted.

Ms. Trahan questioned: Will they need site plan approval?

Mr. Kienz stated: They will put a site plan request in their notice, or they will request a waiver of same from the site.

Mr. Cereste stated: I will do that this week.

Vice Chairwoman Cooney questioned: Did you meet with the Sign Committee?

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Mr. Cereste stated: I met with Paul Leale and Mr. Ribarro. He promised he would do the letter.

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, Kative and Cooney, to deem this application complete.

Mr. Ferris questioned: This has become a recurring situation. I was going to vote no because we did not have the letter. Can we let the Council know that we did not receive the letter and perhaps deny or not proceed next time?

Vice Chairwoman Cooney stated: I thought this was all sorted out. I will raise the issue again.

PUBLIC HEARINGS

**DOCKET #2-21 PROPERTIES CAS INC.
2239 JONES ROAD
BLOCK 5551, LOT 6**

AMENDMENT TO RESOLUTION – MINOR SUBDIVISION – TWO (2) LOTS

Marc D. Macri, Esq. stated: I represent the Applicant. I appeared before this Board in August of last year. We were approved subject to approval from Leonia for the subdivision of the two land locked properties in the rear. We appeared before Leonia, and they denied the approval and said they did not want to create lots less than 100 feet. The properties are already less than 100 feet they are 60 feet. We are now asking you to remove that condition from the resolution. We still want to create two rectangular lots so the plan is to give a seven-foot easement to the other lot and that will make them rectangular. I am here to ask the Board to remove the condition from the resolution requiring Borough of Leonia subdivision approval.

Vice Chairwoman Cooney questioned: In the Boswell letter it states that you need approval from the Borough of Leonia for the easement?

Mr. Macri stated: We do not need approval from Leonia for an easement. A landowner can give a neighboring landowner use of its property and my client owns both lots. It is between the two parties not the Borough. There is no need for Borough approval for the easement.

Mr. Kienz stated: What he said is correct. It is the same as if you went to a utility and you are not doing any improvement.

Mr. Macri stated: Correct, we are not proposing any changes to the original approval. We are just asking that the subdivision requirement from Leonia be removed.

Ms. Kative questioned: What lot is keeping the original home in Fort Lee?

Mr. Macri stated: Lot 6 in Fort Lee. The two lots in Leonia will maintain the easement between the two of them, not Fort Lee.

Vice Chairwoman Cooney questioned: There will be no overlap into Leonia for the new house?

Mr. Macri stated: No structures are to be put in Leonia.

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Ms. Kative questioned: Who pays the taxes on that lot?

Mr. Macri stated: There are taxes paid in Leonia and those are paid by the owner in Fort Lee.

Mr. Ferris questioned: Does the Leonia Planning Board have any basis for recourse for any action that we are taking here?

Mr. Macri stated: Not that I know of.

Mr. Kienz stated: Not that I know of. It is a private easement. It is just another way of doing it.

Ms. Kative questioned: The deed will reflect an easement?

Mr. Macri stated: Yes.

Mr. Gonzalez stated: There are minor things missing from one of our letters, such as applicant's address, signature block, provide the address on the plans, etc.

Mr. Macri stated: We will do that when we resubmit.

Mr. Kienz questioned: Do you have any problem with the items raised in the Boswell letter?

Mr. Macri stated: None except for Leonia's approval for the easement.

Mr. Kienz stated: Correct.

Vice Chairwoman Cooney asked for questions and comments from the public.

Yoon Park, 511 Ridgeland Terrace, Leonia, stated: I was here before and they removed the shed. I raised issue on the privacy and safety and submitted pictures to Leonia to make it right. The fence is also falling down. I took pictures then and today. The shed was removed but the fence is up and almost falling down. I asked for a fence and a tree line.

Mr. Kienz stated: All of the items that you are raising are on the Leonia side, but I am sure if you speak with Council after this, they will let you know either way.

Mr. Macri stated: During the last meeting they asked us to remove the shed and put up a fence. We took the shed down right away. Once the subdivision is resolved, the property fence will be replaced.

Ms. Park stated: We are lower than the new house and worried about our privacy.

Vice Chairwoman Cooney stated: We have not approved a new house right now. There are no plans right now to submit any plans to the Borough for a building there. You would receive a notice if building.

Mr. Kienz stated: You may or may not if they don't need a variance.

Vice Chairwoman Cooney asked for comments from the public.

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Ms. Kative stated: I would like to make a motion to approve and allow the condition to be removed and allow for the easement on the subdivision. The woman that asked for something with the fence and the shrubs are beyond our jurisdiction.

A motion was made by Ms. Kative, seconded by Mr. Ferris, and passed on a vote of 5 to 0 by members Pohan, Ferris, Suh, Kative and Cooney, to Remove the Condition of Subdivision Approval from the Borough of Leonia from the Resolution of Approval.

NEW BUSINESS

Ms. Trentacosti stated: I sent a memo out to the Mayor & Council about changing the submitted plans to a smaller size. Once I hear back from them, I will put it on our agenda for discussion since I believe the ordinance will need to change.

Ms. Kative stated: I will contact you about Josh Gottheimer and the affordable housing grant program. I know the information for the contact person.

ADJOURNMENT

A motion was made by Mr. Pohan, seconded by Ms. Kative, and passed without objection to adjourn this meeting at 7:57 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti
Recording Secretary