

Regular Public Meeting of the Englewood Cliffs  
Planning Board Minutes  
March 13, 2025

The Regular Meeting of the Englewood Cliffs Planning Board was called to order by Chairman Porrino at 7:39 pm.

Roll Call:

Present:

Chairman Porrino  
Vice Chairwoman Mrs. O'Shea  
Ms. Correa  
Ms. Kim  
Mr. O'Shea  
Mrs. Villari  
Mrs. Rizvi – 1<sup>st</sup> Alternate  
Mr. Lee – Borough Representative  
Mr. You – Mayor Designee  
Councilwoman Biegacz

Absent:

Ms. Zamecki – 2<sup>nd</sup> Alternate  
Mayor Park

Present:

Thomas Randall Esq., of Randall & Randall, LLP, the planning board's attorney.  
Mr. Craig Zimmerman of Colliers Engineering, the planning board's engineer.

Flag Salute

Public notice of this regular meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, notification to The Press Journal, and posting of notice on the municipal website at [www.EnglewoodCliffsNJ.org](http://www.EnglewoodCliffsNJ.org) and posting on the entrance of the borough hall building at 482 Hudson Terrace, Englewood Cliffs, NJ.

Chairman Porrino requested a motion for the February 13, 2025, Re-Org. minutes. The motion was made by Mrs. O'Shea and seconded by Ms. Correa with a roll call vote. (10) Ayes, Mrs. O'Shea, Ms. Correa, Mr. Kim, Mr. O'Shea, Mrs. Villari, Ms. Rizvi, Mr. Lee, Councilwoman Biegacz, Mr. You and Chairman Porrino. No Nays, No Abstentions.

Chairman Porrino stated that the minutes for the February 13, 2025, regular meeting will be carried to the April 10, 2025, meeting.

**Old Business:**

Application #335K - Extension of Prior Approval  
45 Laurie Dr. & 28 Geraldine Ct. – Block 1009 – Lots 16 & 17  
Resolution – Approved

Chairman Porrino recused himself at 7:40 pm and stepped back from the dais. Vice Chairwoman O'Shea took over the meeting and requested a motion to approve the resolution for this application extension. Motion was made by Mrs. Villari and second by Mr. Lee with a roll call vote (5) Ayes Mrs. O'Shea, Ms. Correa, Mr. Kim, Mr. O'Shea, and Mr. Lee.

Chairman Porrino returned to the meeting at 7:42 pm.

Application #342K – Use Variance

See Saw, LLC – 650 Palisade Ave. – Block 502 – Lot 10  
Resolution – Approved

Chairman Porrino requested a motion to approve the resolution for this application. Motion was made by Ms. Correa and second by Mrs. Villari with a roll call vote (6) Ayes Mrs. O’Shea, Ms. Correa, Mr. Kim, Mr. O’Shea, Mrs. Villari and Chairman Porrino.

Application #325K - Residential Impervious Coverage Variance

Dr. & Dr. Goldenberg – 20 Lynn Dr. – Block 1003 Lot 16  
Resolution – Approved.

Chairman Porrino stated that this matter has been an ongoing issue where the applicant has not submitted revised plans prior to the resolution approval. The applicant has not conformed with the approval. I have asked Cathy to speak with the Construction Official about this and Mr. Randall is to speak with the applicant’s attorney. This is being carried to the April 10, 2025, meeting.

Application #340K - Minor Subdivision w/Site Plan Approval & Variances

Dara Ye – 18 Seventh St. – Block 203 – Lot 10

Chairman Porrino stated this is an application that the board had started and the attorney for the applicant noticed the board that they are not ready to proceed this evening. We will carry this to the April 10, 2025, meeting with no further notice required.

**New Business:**

Chairman Porrino stated we have a light agenda this evening, so I want to take the time to start reviewing the 2024 Annual Report since some council members are saying that the Mayor & Council wants to make updates to some of the Borough Ordinances. We are hoping that maybe with this report and the past two years given to the Mayor & Council we can start the process of changes.

Chairman along with all board members they went through the list of applications that went in front of the board in 2024.

One application which wasn’t heard was about installation of a fence on the side yard corner lot. Chairman Porrino stated maybe we can suggest something to help that if sight line is not an issue.

There was discussion about impervious coverage of 51% to maybe give credit or allowance if they use permeable pavers but there is the issue of maintenance of these pavers to not get clogged. The borough can put into the ordinance that the owner will have to certify in some way to the borough that they are being maintained and cleaned on a yearly or bi-yearly basis.

Chairman Porrino brought up underground garages and the concerns of the borough that maybe the borough can put limitations of underground basement levels because of the flooding issues. This is because of homes that have a downward slope driveway. It could be something like a limit or possibly that the garages are not to be beneath the first floor. The larger lots in the RA zone I don't see a need to have the garage on the basement level. Most people want the first floor to possibly put a bedroom and other rooms on that floor instead of the garage. It is not necessary there is still plenty area for the garage to be on the first floor. It gets a little more complicated on the 50 wide lots. Most homes being built have 2 stories with a basement. You can have the garage at level then you can still have a basement lower than the garage. There was much discussion between members about this issue and also height issues of new homes.

Chairman Porrino stated an application that required a very tall retaining wall on the property should be an ordinance change not to allow walls on the property line but moved in a couple inches or maybe one foot as to allow the water to flow between properties the way it did before the wall was installed. Also, there is no restriction to the height of retaining walls you can build. There maybe should be a height restriction and if you want to exceed it you then will have to come to the board. This is my personal opinion. Planning Board members had much discussion about retaining walls and fence heights.

Planning Board members discussed impervious coverage for commercial properties since there is no ordinance currently.

Mrs. O'Shea stated we should have a change in ordinance for large commercial campus properties that they can not be subdivided into multi lots like the CNBC and Unilever properties. Chairman Porrino stated as long as we don't spot zone it could be possible to enlarge the minimum lot size.

Chairman Porrino stated that he will write up a draft report to have for the next meeting to review and possibly adopt to get it to the Mayor & Council along with the last two years report.

Chairman Porrino asked for a motion to open to the public for any matter. The motion was made by Mrs. O'Shea and seconded by Mrs. Villari and carried unanimously by voice vote.

Mrs. Carin Geiger of 270 Alfred St. stated that she is pleased that the planning board is going through this process of possible changes of borough ordinances. In 2012 I was involved with the height where the former Mayor had expediated an ordinance that changed the height throughout the town to be 35'. I am not aware of that changing so whatever the height is for residential and for corporation should conform with the ordinances to be consistent. I think it should be looked at. Another issue on building height is that we do not allow flat roof dwelling maybe that too can be looked into and possibly be allowed so that you can get the 9' ceiling height most want. I support the issue with garages being taken out of the ground. The only issue that was not discussed was for garages that corporations have below grade and that have flooded as well. My last item is regarding the buffer zones with corporate properties and parks etc.

Mr. David DiGregorio of 165 Charlotte Pl. stated he was pleased to see and hear the discussion of improving the ordinances of the borough especially the low grade garages. I am glad it is moving. One piece that is missing is the existing below grade garages whereas

something to help them to close them up and possibly build a garage somewhere on the property. The other item is the use of PVC fencing, they do not look good. I think our town should have a better look and maybe an ordinance regarding this is important. The impervious coverage is something that should be looked at.

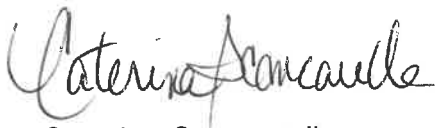
On another note, I had asked the Planning Board Chairman in the sense of transparency to give a list of all projects that you have done. I have learned that since 2020 the Planning Board Chairman has developed 17 properties in town. I have the list here with me. I put an OPRA request and obtained the list. I am not accusing anyone of anything. I think if you are making money in the town that you should not be chairing any board.

Chairman Porrino stated you asked me for a list, and I denied it. Everyone that sits here and every member of the public knows that I am a developer in town. I do not hide the fact and if there is a project that I know the applicant or I have some financial interest in it I step back and there has never been any question. So, if there was a specific issue or property that I should not have participated in I would love to hear it. I am extremely careful in the years that I have served, and I have built houses for decades before I served on the board, and I don't know which one I will resign or retire from first, but it is what I do. I hope that with my experience I help this board.

Tom Randall stated there are many chairmans who are architects, engineers and or attorneys who all do the same business as does the chairman here and it is not an issue. They bring special knowledge to each board.

Chairman Porrino asked for a motion to close the public portion and adjourn the meeting at 8:40 pm. Motion was made by Mr. O'Shea seconded by Mr. Lee and carried unanimously by voice vote.

Respectfully submitted.

A handwritten signature in cursive script, reading "Caterina Scancarella".

Caterina Scancarella  
Planning Board Administrative Secretary

**ENGLEWOOD CLIFFS PLANNING BOARD**  
**REGULAR MEETING – March 13, 2025 7:30 PM**

10 Kahn Terrace, Englewood Cliffs, NJ

**CALL TO ORDER**

The meeting of the Englewood Cliffs Planning Board will come to order this (date). The time is (time).

**FLAG SALUTE:**

**"OPEN PUBLIC MEETINGS ACT" STATEMENT**

This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regularly scheduled Planning Board meeting by advertisement in The Record, notification to the Northern Valley Press Journal, the Suburbanite, posting of notice on the municipal website at [www.EnglewoodCliffsNJ.org](http://www.EnglewoodCliffsNJ.org), and at Borough Hall, 482 Hudson Terrace, Englewood Cliffs, NJ.

**ROLL CALL**

**APPROVAL OF MINUTES:**            February 13, 2025 – Re-Org Meeting  
February 13, 2025– Regular Meeting

**OLD BUSINESS:**

- |                     |   |
|---------------------|---|
| Application #335K - | Extension of Prior Approval<br>45 Laurie Dr. & 28 Geraldine Ct. Block 1009 – Lots 16 &17<br><b>Resolution – Approved</b>  |
| Application #342K - | Use Variance<br>See Saw, LLC – 650 Palisade Ave. – Block 502 – Lot 10<br><b>Resolution – Approved</b>   |
| Application #325K - | Residential Impervious Coverage Variance<br>Mr. & Mrs. Goldenberg – 20 Lynn Dr. – Block 1003 - Lot 16<br><b>Resolution – Approved</b>                           |
| Application #340K - | Minor Subdivision w/Site Plan Approval & Variances<br>Dara Ye – 18 Seventh St. – Block 204 – Lot 10<br><b>Request to Carry to April 10<sup>th</sup> Meeting</b> |

**NEW BUSINESS:**

2024 Annual Report - Discussion

**COMMUNICATIONS:**

**EXECUTIVE SESSION:**

**COMMITTEE REPORTS:**

**PUBLIC COMMENTS OTHER THAN HEARING ON THIS AGENDA**

**ADJOURNMENT**

# ORIGINAL

## RESOLUTION EXTENDING LAND USE APPROVALS

### Block 1009 Lots 16 and 17

**WHEREAS** Palestroni – Englewood Cliffs JLUB Randall are owners of Block 1009 Lots 16 and 17 a/k/a 45 Laurie Drive and 28 Geraldine Court; and

**WHEREAS**, Applicant applied to the Board on January 31, 2025 for extension of approval for the minor subdivision from August 8, 2024

**WHEREAS**, the Englewood Cliffs Planning Board has previously granted the following approval:

- a) Planning Board Resolution – A minor subdivision approval (Adopted August 8, 2024); and

**WHEREAS**, the reasons for the extension were provided by Applicant's counsel Matthew Capizzi, Esq. in support of the request and the Board is satisfied that an extension is warranted; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board of the Borough of Englewood Cliffs, on this 13<sup>th</sup> day of March 2025, hereby grants the request to extend the above approval through August 13, 2025.

**BE IT FURTHER RESOLVED** that the applicant pays the costs of the Borough of Englewood Cliffs Engineer, Planner and Borough of Englewood Cliffs Planning Board Attorney associated with this application, and release of escrows for escrows posted authorized upon receipt of sign off letters from all Borough professionals.

**THE BOROUGH OF ENGLEWOOD CLIFFS** is hereby directed to mail a copy of this

Resolution to the applicant's attorney and to file a copy of this Resolution with the Borough of Englewood Cliffs Clerk, and to cause notice of these determinations of the Planning Board to be published in the official newspaper of the Borough of Englewood Cliffs within ten (10) days of the date hereof and thereafter published according to law.

ATTEST:

*Caterina Micavella*  
Secretary

ENGLEWOOD CLIFFS PLANNING BOARD

*M. O'Shea*  
Vice Chairperson

Roll Call:

Motioned by: Mrs. Villari

Seconded by: Mr. Lee

Ayes: Mrs. O'Shea, Ms. Correa, Mr. Kun, Mr. O'Shea, Mr. Lee

Nays: None

Abstentions: None

# ORIGINAL

## PLANNING BOARD BOROUGH OF ENGLEWOOD CLIFFS

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**IN THE MATTER OF THE APPLICATION : MEMORIALIZATION RESOLUTION  
OF SEE SAW LLC : APPLICATION NO. 338K  
FINAL SITE PLAN APPROVAL RELATING :  
TO LOT 4 BLOCK 502 :  
650 PALISADE AVENUE :**

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**WHEREAS**, Applicant, SEE SAW LLC, applied on or about September 20, 2024 to the Planning Board of the Borough of Englewood Cliffs, for site plan approval with variances relief to use a portion of the retail premises for clothing sales; and

**WHEREAS**, the public hearings were conducted on February 13, 2025, upon proper notice certified by Applicant's proof of service to property owners within a 200-foot radius of the subject property and proof of publication in an official newspaper of the Borough; and

**WHEREAS**, on February 13, 2025 a vote of the Board was taken to approve the application; and

**WHEREAS**, during the course of said hearing, Applicant presented expert testimony from several professionals outlining the site plan application and short summary; and

**WHEREAS**, all application materials, including all plans and reports submitted by or on behalf of Applicant, are a part of the official record of the public hearings on the application; and

**WHEREAS**, Applicant was represented by Gregg F. Paster, Esq; and

**WHEREAS**, the Planning Board considered documentary evidence submitted in connection with the application and heard testimony of the Applicant, witnesses, and considered the argument of Applicant's attorney; and

**WHEREAS**, the Planning Board was represented by Timothy Wiss, Esq., at the hearings on this Application; and

**WHEREAS**, Applicant submission, interdepartmental communications and advisory reports of municipal departments and agencies were received and considered as follows:

Review letters of the Board's consulting professional:

- a) Application Form and Checklists, prepared by Applicant dated September 20, 2024;
- b) Floor plans entitled Proposed Sales Merchandise dated March 4, 2024;
- d) Completeness memo dated November 4, 2024

**WHEREAS**, testimony in support of the application was given by:

- a. Joseph Donato, Architect

**WHEREAS**, the following Board consultants were present:

- a. Craig Zimmermann, Colliers Engineering – Board Engineer
- b. Timothy Wiss, Esq., Randall & Randall, LLC – Board Attorney

**WHEREAS**, the Board did consider the testimony and evidence presented,

**NOW, THEREFORE**, on this 13th day of March, 2025, be it resolved that the Englewood Cliffs Planning Board makes the following findings of fact:

**The Application**

1. The application submitted by Applicant was complete and jurisdiction before the Board was proper.

**Existing Conditions**

2. The subject site, known as 650 Palisade Avenue, or Lot 4 of Block 502, is a corner lot on Palisade Avenue and Ostermeyer Way . The Applicant is a tenant. Present uses are all pre-existing, nonconforming uses as an apothecary store with some sale of sundries for retail.

**Proposed Conditions**

The Applicant is seeking to use a portion of the retail premises for clothing sales.

According to the documents submitted by the Applicant, proposed Lot 4's compliance with the bulk standards of the B-1 Office District is as follows:

**VARIANCE REQUIRED**

**30-5.4 Permitted Use in the B-1 Business District (Office)**

a. Business offices, professional offices and governmental offices. Medical or dental clinics and facilities for rehabilitation and therapy are expressly prohibited.

**HEARINGS**

**Testimony**

**The following persons testified on February 13, 2025**

**Joseph Donato** was sworn and qualified as an architect.

1. The building is old and presently has no conforming uses.
2. He introduced his plan dated January 13, 2025 and marked as A-1, consisting of two (2) pages.

3. Page 1 depicts existing conditions.
4. The site is on a corner lot which has a large right of way.
5. There is ample parking on the corner and rear of the store with 29 spaces.
6. The existing site presently looks like retail storefront with large glass frontage,
7. This is a product of its prior uses such as a pharmacy and other retail.
8. The proposed floor plan was reviewed.
9. The existing square footage of the store is 856 square feet, which includes dressing room and storage.
10. The available retail displays are 730 square feet.
11. The proposed displays are dedicated to the dressing room is 85 square feet.
12. This includes mannequin tables and clothing racks.
13. The remaining 45 square feet is for the dressing room.
14. The total use for the 130 square feet is 17.46 % of the store retail display space.
15. The combined display and dressing room is less than 30%.
16. There are only 11% of the entire building and tenants.

### **STATUTORY CRITERIA**

#### **D(1) Use Variance**

1. N.J.S.A. 40:55D-70(d)(1) permits a Board of Adjustment “in particular cases for special reason” to grant a variance to permit “a use or principal structure in a district restricted against such use or principal structure.”
2. This represents the positive criteria for the statute.
3. In addition, a showing of the negative criteria is necessary to obtain a “D(1)” variance.

4. The applicant must demonstrate that the proposed variance can be granted “without substantial detriment to the public good and will not substantially impair the intent and the purpose of the Zone Plan and Zoning Ordinance.

#### **Analysis and Conclusion of Law**

The scope of this variance is limited. We note the presently in the store are not conforms. This appears to be an expansion of the use as to type of use. This use does not provide any intensification of the site with the anticipated 1-2 customers at hour. Furthermore, as an upscale usage it will be a benefit to the area. The Board is satisfied from the testimony that this added retail use can be accommodated on site. The parking is adequate. There does not seem to be any negative impact to the neighborhood problem. The board finds purpose (m) of the land use act is promoted. It will diversify and help the vitality of the zone as well. Further, this while a d(1) variance, it is akin to a d(2) as retail exists and the new usage is minimal . No physical expansion is implicated and the use is suited for the present location. Therefore the use will not be detrimental to the public and will not significantly impair the zone plan. On balance the benefit substantially outweighs any detriment, warranting an approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board of the Borough of Englewood Cliffs recommends the approval of the Final Site Plan with variances for:

A. Use of a portion of the retail premises for clothing sales with total use of 85 square feet for clothing and 45 feet for dressing room. The use will not exceed 29.06% (130 sq ft.) of the retail area for dresses and changing rooms.

#### **General Conditions**

1. The Applicant shall obtain the approval (or waiver thereof) of any and all other

governmental agencies having jurisdiction over the proposed development, including but not limited to the New Jersey Department of Environmental Protection and the Bergen County Department of Planning and Economic Development.

2. The Applicant pay the costs of the Borough of Englewood Cliffs, Planner, Engineer and Borough of Englewood Cliffs Planning Board Attorney associated with this application, and release of escrows posted authorized upon receipt of sign off letters from all Borough professionals.

3. All representations made by applicants or their agents shall be deemed conditions of this approval and any misrepresentations by applicants or their agents contrary to the representations made before the Board shall be deemed a violation of this approval.

4. The action of the Planning Board in approving this application shall not relieve the Applicant of responsibility for any damages caused by this project, nor does the Planning Board of the Borough of Englewood Cliffs, or its reviewing professionals or agencies, accept any responsibility for design of the proposed improvement or for any damages that may be caused by this development.

5. Building permits as needed must be obtained before any work begins at the site and in accordance with the approval(s) conferred herein.

ATTEST:

ENGLEWOOD CLIFFS PLANNING BOARD

  
Secretary

  
Chairperson

Roll Call:  
Motions by: Mrs. Correa  
Seconded by: Mrs. Villari  
Ayes: Mrs. O'Shea, Mrs. Correa, Mr. Kim, Mr. O'Shea, Mrs. Villari, Chairman Porriano  
Nays: None  
Abstentions: None