



BOROUGH OF LEONIA
Leonía Planning Board
MINUTES

JANUARY 27, 2021

7:30 PM

REMOTE MEETING VIA GOTOMEETING

The Borough of Leonia Planning Board held a special meeting on January 27, 2021 at 7:30 p.m. via remote video conference in lieu of an in-person meeting due to the Coronavirus pandemic and Governor Murphy’s Executive Orders 107 and 152 that restrict public gatherings.

MEMBERS PRESENT: Mayor Judah Zeigler, Councilman Pasquale Fusco, Chairman Michael DeGidio, Vice Chair Vincent Petti, William Russell, Ron Wolf, Timothy Ford, Patrick Botten, Sean Thompson, Ira Gold, Haeseok Ko, Damee Choi

MEMBER(S) ABSENT: N/A

ALSO PRESENT: Planning Board Attorney Dan Steinhagen, Zoning Officer Dan Melfi, Planning Board Traffic Engineer John Corak

Meeting called to order at 7:54 PM

OPENING MEETING STATEMENT, ROLL CALL

APPROVAL OF MINUTES:

Motion to approve the minutes of the December 16, 2020 meeting made by: Mr. Botten

Seconded: Councilman Fusco

On roll call, the vote was recorded as follows:

Mayor Zeigler:	yes	Councilman Fusco:	yes	Mr. Ford:	yes
Mr. Wolf:	yes	Chairman DeGidio:	yes	Mr. Botten:	yes
Mr. Russell:	yes	Vice Chair Petti:	yes	Mr. Thompson:	yes

NEW/CONTINUING APPLICATIONS:

PB20-10 - Kulite Semiconductor, Schor Avenue, Block 503, Lot 26, Use Variance and Preliminary & Final Site Plan Approval for Installation of Parking Facility with Lifts, continued

Chairman DeGidio reminded the Board that Mayor Zeigler and Councilman Fusco were not eligible to participate in this matter. It was also confirmed that Mr. Botten could not participate as well.

Mr. Regan addressed the board and advised that the applicant developed a Concept of Operations for attendant-assisted employee parking.

Marked was the following:

A-2 Concept of Operations Document for Operating Parking Lift Facility at Schor Avenue

Michael Good, representing Kulite Semiconductor, was recalled to provide testimony. Mr. Good was reminded that he was previously sworn in and was still under oath. Mr. Good identified the Concept of Operations document and testified that Kulite would be agreeable to have the Concept of Operations be part of the resolution for the operations of the parking lift and would follow the guidelines if approved.

Mr. Melfi inquired about snow removal. Mr. Good advised that snow would be moved to the West side of the lot, located at Schor and Willow Tree Road in the four parking spaces that will not have lifts.

Discussion was held regarding the Borough's ability to enforce the Concept of Operations. It was determined that the document could be added to the Resolution as an exhibit if the application was approved and it would be required that a copy of the Concept of Operations be laminated and posted at the attendant kiosk.

Mr. Regan briefly reviewed the landscaping plan that was submitted to the Board and has a revision date of 1/14/21.

This matter was temporarily adjourned at 8:14 pm to allow for a witness to join the meeting via video.

PB20-13 – Suez Treatment Solutions, 600 Willow Tree Road, Block 503, Lot 1 Change of Use/Occupancy for Raphael Stone Design LLC

Erica Edwards, representing Rafael Stone Design LLC, addressed the Board and provided an overview of the application. Ms. Edwards advised that Rafael Stone is operating in a fully conforming use in the LI zone. Ms. Edwards described the operations of the firm as a warehouse for quartz slab and providing wholesale distribution from the site. Ms. Edwards further advised that the business does have incidental office space at the site. Ms. Edwards stated that there is no retail or showroom business conducted at the site.

Ms. Edwards stated that there was a misunderstanding regarding the requirements that were to be addressed in advance. Per Ms. Edwards, it is their understanding that Rafael Stone has addressed all fire requirements and have applied for all permits that were required for the work completed at the site.

Angelica Rodriguez, Office Manager for Rafael Stone Design LLC, located at 600 Willow Tree Road, Leonia NJ, was sworn in to provide testimony for this application. Ms. Rodriguez provided a summary of operations for the business. Ms. Rodriguez stated that the sole purpose of the warehouse is to store the merchandise and conduct minimal administrative duties. Ms. Rodriguez advised that there are a total of 11 employees, many of whom primarily work in the field. Per Ms. Rodriguez, there is no cutting or altering of the merchandise at the warehouse.

Chairman DeGidio inquired about the parking availability at the warehouse. Ms. Rodriguez advised that there are four employees who work at the warehouse daily and the employees park their vehicles outside of the loading dock doors. It was determined that per the sublease agreement with Suez, the parking spaces afforded to Rafael Stone are unreserved. Ms. Rodriguez also addressed the storage and security of the propane tanks that are used for the forklift.

Discussion was held regarding Rafael Stone's compliance with the Change of Use and Municipal Land Use Law obligations. Ms. Edwards clarified that the required work that needed to be addressed has been completed and the permit applications have already been submitted to the Building Department. Per Mr. Steinhagen, a condition of approval for the application will be to obtain written confirmation of fulfillment of the requirements from the Building Department and the Fire Marshall.

Sharon Cohen, co-owner of Rafael Stone Design LLC, was sworn in to provide additional testimony for this application. Upon questioning, Mr. Cohen confirmed that the required work has already been completed.

Discussion was held regarding attributing a timeline for completion of all requirements for compliance. Mr. Cohen advised that Rafael Stone has not submitted an application for a sign.

Motion to approve the application, conditioned with full compliance with Fire Marshall and Building Department requirements within 90 days was made by: Mr. Wolf
Seconded: Mr. Russell

Prior to the roll call, Mayor Zeigler advised that it should be clearly stated that there is a limited amount of time for the applicant to complete requirements. It was determined that the applicant will be required to meet all requirements and obtain their Certificate of Occupancy within 90 days. If the applicant does not comply within this timeframe, the applicant will be required to reappear before the Board. It was also determined that the applicant must also apply for a sign permit.

The meeting was opened to the public for comments.
No members of the public provided comments.
Hearing no comments from the public, the public comment portion was closed.

On roll call, the vote was recorded as follows:

Mayor Zeigler:	yes	Councilman Fusco:	yes	Mr. Ford:	yes
Mr. Wolf:	yes	Chairman DeGidio:	yes	Mr. Botten:	yes
Mr. Russell:	yes	Vice Chair Petti:	yes	Mr. Thompson:	yes

PB20-10 - Kulite Semiconductor, Schor Avenue, Block 503, Lot 26, Use Variance and Preliminary & Final Site Plan Approval for Installation of Parking Facility with Lifts, continued

This matter was recalled at 8:39 pm.

Bob Kiser, representing Stires Associates, was recalled to provide testimony. Mr. Kiser was reminded that he was previously sworn in and was still under oath. Mr. Kiser reviewed the proposed landscaping plan that was provided to the Board with a revision date of January 14, 2021. Mr. Kiser advised that the fencing height indicated on the plan should be disregarded and confirmed that the six-foot fence that currently exists at the site will remain.

Mr. Kiser provided details of each tree and shrub species, the expected height and width at full maturity and expected canopy coverage. Discussion was held regarding the required maintenance for the newly planted trees and shrubs. Mr. Good advised that the Kulite maintenance crew will handle watering as needed. Further discussion was held regarding the type of species selected and placement given limited spacing. Mr. Kiser confirmed that each species selected would work well and was specifically chosen for the narrow corridor.

Upon questioning, Mr. Kiser confirmed that the size of the attendant kiosk is five by five feet. Mr. Regan stated that the intention for staffers at the kiosk is to have one full-time attendant onsite and to have a second attendant during the peak time frames for approximately an hour in the morning and an hour in the evening.

Mr. Melfi inquired about additional fence screening on Willow Tree Road. Mr. Kiser stated that this option was reviewed, and it was determined that additional screening raised concerns regarding sight distance in the area. Mr. Kiser further confirmed that the existing fencing is open fencing with no slats added for screening. Additional discussion was held regarding the adequacy of the screening from the trees and shrubs on Schor Avenue, as there are several trees that will eventually grow taller but most of the landscaping will be below eye level and will not screen the stacker units and the stacked vehicles from view.

The meeting was opened to the public for questioning of Mr. Kiser.
No members of the public provided questions.
Hearing no questions from the public, the public questioning portion was closed.

Chairman DeGidio asked members of the Board if there was a motion for action on the application. Hearing none, Chairman DeGidio extended his appreciation to Kulite for the work done on behalf of the application. Chairman DeGidio expressed concerns regarding the number of variances being sought and also expressed concern that the governing body has not amended the zoning ordinances to permit a parking lot without a principal structure on a property in over 20 years despite the longtime use of the lot for that purpose. Chairman DeGidio advised that he has taken careful consideration of the application as well as the Master Plan and stated that he does not believe this application will advance the goals of the Master Plan.

Motion to deny PB20-10 was made by: Chairman DeGidio
Seconded: Mr. Ford

During Board discussion, Mr. Russell stated that he was surprised by the outcome of the motion. Further discussion was held regarding individual views of the potential impact of this type of parking option. It was noted by some members of the Board that the effort on behalf of Kulite was appreciated and that the Board looks forward to working with Kulite again in the future on other opportunities to address the parking problem.

On roll call, the vote was recorded as follows:

Mr. Wolf:	yes	Vice Chair Petti:	yes	Mr. Gold:	no
Mr. Russell:	no	Mr. Ford:	yes		
Chairman DeGidio:	yes	Mr. Thompson:	no		

Mr. Steinhagen confirmed that the motion to deny the application passed with a four to three vote.

PB20-12 – Eddens-Crowley, 219 Overlook Avenue, Block 207, Lot 10 Front Yard and Side Yard Set Back Variance

Mr. Russell recused himself from this application.

Mr. Frank Raucci, General Contractor located 78 Hawthorne Terrace, Leonia NJ, was sworn in to provide testimony on behalf of the applicant for this application. Mr. Raucci detailed the specifics of the application for a dormer addition. Mr. Raucci testified that the applicant did not realize that the application would trigger a variance due to the home being pre-existing, non-conforming.

Mr. Raucci provided details of the distance from the front property line and advised that the dormer would be an improvement and not a detriment to the neighborhood. Upon questioning, Mr. Raucci confirmed that the new dormer would not extend further than the existing dormer.

The meeting was opened to the public for questioning of Mr. Raucci.

No members of the public provided questions.

Hearing no questions from the public, the public questioning portion was closed.

The meeting was opened to the public for comments.

Peter Pulice was sworn in to provide public comment on the application. Mr. Pulice advised that he prepared the plans for this application and believes that it is a better solution than the pre-existing skylight that was leaking. Mr. Pulice also stated that the proposal maintains the aesthetic character of an older Leonia home.

William Russell, of 218 Overlook Avenue, Leonia NJ, was sworn in to provide public comment. Mr. Steinhagen advised that comments by Mr. Russell for this application are done so as a member of the public and not as a Board member. Mr. Russell stated that as a neighbor he believes the proposal would be an improvement to the home.

Hearing no further comments from the public, the public portion of the meeting was closed.

Motion to approve PB20-12 was made by: Vice Chair Petti

Seconded: Mr. Botten

On roll call, the vote was recorded as follows:

Mayor Zeigler:	yes	Chairman DeGidio:	yes	Mr. Botten:	yes
Mr. Wolf:	yes	Vice Chair Petti:	yes	Mr. Thompson:	yes
Councilman Fusco:	yes	Mr. Ford:	yes	Mr. Gold:	yes

PB21-01 – Muhamet Imeraj, 470 Grand Avenue, Block 503, Lot 13 Front Yard and Side Yard Set Back Variance

Mr. Peter Pulice, was sworn in to provide testimony on behalf of the applicant for this application. Mr. Pulice described the current conditions of the property to include the dimensions, existing structures and layout. Mr. Pulice advised that he prepared the plans to demonstrate the existing conditions and detail the proposal. Per Mr. Pulice, the intention of the application is to build over an existing front platform to facilitate a powder room, closet and entry foyer on the first floor of the home.

Marked was the following:

A-1 Photo Exhibit taken by Mr. Pulice of Subject Property and Neighboring Properties

Mr. Pulice testified that the home was purchased in September 2020 and the applicant wanted to initiate the planning process for the proposed addition. Per Mr. Pulice, there are a number of homes on Grand Avenue that are existing non-conforming. Mr. Pulice also stated that there are a variety of homes and housing styles that do have the porticos protruding into the front yard. Per Mr. Pulice, the proposal is consistent with the architectural style of the homes on the Western side of Grand Avenue and does not present a detriment to the neighborhood. Mr. Pulice advised that this proposal is an opportunity to modernize the home and give it features that are needed since the footprint of the home is small.

Mr. Pulice also provided details regarding the grade depreciation from Grand Avenue to the backyard. Per Mr. Pulice, this depreciation in grade makes the location of the bathroom in the rear of the home impractical. Mr. Botten advised that he has viewed the property from Grand Avenue. Upon questioning, Mr. Pulice confirmed that renovations are currently taking place and permits have been secured for those renovations. It is Mr. Pulice’s opinion that the front platform was built at least 10 to 15 years ago.

Mr. Botten inquired whether the application would include removal of some or all of the paving in order to comply with the 50% lot coverage requirement. Per Mr. Pulice, removing the pavers is reasonable to do in the front in order to add to the curb appeal.

Discussion was held regarding conducting the desired work in the rear of the home as opposed to the front. Mr. Pulice stated that it would be impractical to build toward the back due to the grade drop and the reconfiguration requirements that would be needed to support adding onto the back of the home. Mr. Pulice advised that adding to the front would better define the entrance and enhance the appearance of the structure. Mr. Pulice also stated that the applicant would be willing to add greenery to the front if that was a condition of the approval.

Further discussion was held regarding the condition of the front porch and the actual age of the porch addition. Per Mr. Pulice, the front porch area has been there for some time. Mr. Pulice also confirmed that the new windows depicted in the photo of the subject property, provided in Exhibit A-1, will be part of the final expression of the home. Ms. Choi inquired as to whether or not the other properties depicted in photo exhibit A-1 sought front yard setback variances. Mr. Pulice could not provide clarification regarding variance applications for those properties; however, Mr. Pulice provided his opinion as to the design history of the homes based on the appearance of the properties.

The meeting was opened to the public for questioning of Mr. Pulice.
No members of the public provided questions.
Hearing no questions from the public, the public questioning portion was closed.

The meeting was opened to the public for comments.
Hearing no comments from the public, the public comment portion was closed.

During discussion, Mayor Zeigler stated that he was committed to preserving the true residential nature of the community.
Mayor Zeigler advised that approval of this application would set a precedent for similar variance applications.

Motion to deny PB21-01 was made by: Mayor Zeigler

Seconded: Councilman Fusco

On roll call, the vote was recorded as follows:

Mayor Zeigler:	yes	Councilman Fusco:	yes	Mr. Ford:	no
Mr. Wolf:	yes	Chairman DeGidio:	yes	Mr. Botten:	no
Mr. Russell:	no	Vice Chair Petti:	yes	Mr. Thompson:	yes

PB20-14 – Leonardo Garzon, 309 Beechwood Place, Block 1001, Lot 20 Side Yard Width and Building Coverage Variance

Chairman DeGidio advised that Mr. Wolf is recused from this application.

Mr. Rami Bitar, Architect for RAB Architects LLC, located at 14 Bergen Street, Hackensack NJ, was sworn in to provide testimony on behalf of the applicant for this application.

Mr. Bitar explained that the applicant is currently a tenant who has lived in the Borough for a number of years and has made an offer on the home that is contingent on Board approval of their application. Mr. Bitar detailed the current conditions of the home and explained the current existing non-conforming side yard. Mr. Bitar advised that the adjacent property is a commercial property and clarified that the adjacent property is identified incorrectly on the site plan.

Mr. Bitar reviewed the current lot calculations, impervious coverage conditions, circumstances surrounding the area that was previously used as a garage and the proposed changes to the ground floor. Mr. Bitar also detailed the other proposed changes to the home, to include the addition of one bedroom and an ‘added open to below’ area on the second floor. Mr. Bitar also reviewed the current condition of the basement, the proposed porch and the attic design for auxiliary use.

Mr. Bitar provided clarification regarding the existing height of the home versus the proposed new height of the home. Upon questioning, Mr. Bitar stated that the proposed increase in height will be conforming.

Chairman DeGidio inquired about design attempts to satisfy the 25% zoning requirement for building coverage. Mr. Bitar advised that the porch calculations are included in the building coverage calculation which is added to the total lot coverage. Mr. Bitar further detailed the restriction of building on top of the previous garage area due to the existing side yard variance condition.

Mr. Steinhagen provided clarification regarding lot coverage per the ordinance and confirmed that the porch is considered part of the building coverage.

Discussion was held regarding the number of stories of the home considering the appearance of the home on the proposed plans. Mr. Bitar testified that it is not the intent of the applicant to utilize the attic space as a habitable space. Further discussion was held regarding the depiction of the dormer on the drawings, particularly on the front elevation. Mr. Melfi recommended that the drawings be redone to correct the errors that are on the plan.

Mr. Steinhagen inquired about the lot being larger than the minimum lot area required in the A3 zone and whether or not there were any physical conditions related to the property that prevents development of the lot in the conforming amount of coverage. Mr. Bitar reiterated that the current side yard setback condition prohibits building another story on top of it. Further discussion was held regarding removing the front porch and/or decreasing the size of the proposed new powder room and kitchen in order to reduce lot coverage percentage.

The meeting was opened to the public for questioning of Mr. Bitar.

No members of the public provided questions.

Hearing no questions from the public, the public questioning portion was closed.

The applicant, Leonardo Garzon, of 309 Beechwood, Leonia NJ, provided testimony on the application. Per Mr. Garzon, he and his wife are in contract to purchase the home which is subject to the Board's approval of the application. Mr. Garzon detailed the purpose and intent for the plan. Per Mr. Garzon, the family wants to have more space on the first and second floors of the home in order to accommodate working and learning from home. Mr. Garzon also stated that it is not their intent to use the attic as habitable space. Mr. Garzon expressed the family's desire to remain in Leonia.

The meeting was opened to the public for questioning of Mr. Garzon.

No members of the public provided questions.

Hearing no questions from the public, the public questioning portion was closed.

Mayor Zeigler suggested that the issues with the drawings warrant a revision in order for the Board to accurately assess the proposal. Mr. Melfi suggested that the applicant consider pursuing the side yard variance since the home is located next to the Leonia Senior Center and there is no future intention to expand the Center.

Councilman Fusco advised that there is concern with the overall look of the building due to the appearance of the proposed design being oversized and its incompatibility with other properties. Mr. Botten recommended providing a rendition of the home that does not give the appearance of a three-story house.

Mr. Bitar reviewed the suggestions provided by the Board and requested to have the matter carried to the February meeting.

Mr. Steinhagen announced to members of the public that the application for 309 Beechwood Place, Block 1001, Lot 20, will be carried to the February 24, 2021, remote meeting of the Planning Board. Mr. Steinhagen advised that the remote meeting information will be posted on the Borough website and on the meeting agenda in advance of the February meeting.

DISCUSSION ON BOARD MATTERS – NEW/OLD BUSINESS:

Chairman DeGidio advised that Mr. Janota is in recovery, however, he has appointed a Senior Planner, Ryan Conklin, who will take over the master plan development. Chairman DeGidio stated that he has had an introductory meeting with Mr. Conklin on Tuesday, January 26th. Chairman DeGidio also advised that he also had a meeting on Wednesday, January 27th, with the Borough Administrator and David Torres to discuss technical capabilities for distributing an online public questionnaire/survey.

Chairman DeGidio stated that Mr. Conklin will reach out shortly to the Subcommittee that was formed for the Master Plan Redevelopment (Mr. Botten, Mr. Gold and Mr. Russell) to go over the questions being proposed. Chairman DeGidio also stated that there would probably be a 60-to-90-day public outreach session as a next step for advancing the Master Plan development. The Chairman stated that the questionnaire/survey would be posted on the Borough website, Facebook and possibly Leonia Talks listserv in order to gather as much input as possible for the plan.

Chairman DeGidio advised Mr. Russell that the Environmental Committee should consider whether or not they have questions that they wish to have included in the questionnaire/survey.

Chairman DeGidio stated that he believes there will be public hearings prior to adoption. Per Chairman DeGidio there has also been discussion regarding multiple language options for the survey.

COUNCIL LIAISON REPORT:

Councilman Fusco stated that he had nothing to report.

BOARD ATTORNEY REPORT:

Mr. Steinhagen had nothing new to report.

ZONING OFFICER REPORT/INTERPERTATIONS:

Mr. Melfi had nothing additional to report.

PUBLIC COMMENT PERIOD – CORRESPONDENCE:

There was no public comment.

With no further business presented, a motion to adjourn the meeting was made by: Mr. Botten

Seconded: Mr. Russell

All in Favor – Motion Passed

The meeting was adjourned at 11:16 PM

Respectfully Submitted,

Angela Copeland
Planning Board Secretary