



**BOROUGH OF LEONIA**  
**Leonía Planning Board**  
**MINUTES**

**April 28, 2021**

**7:30 PM**

**REMOTE MEETING VIA  
GOTOMEETING**

The Borough of Leonia Planning Board held a special meeting on April 28, 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:** Councilman Pasquale Fusco, Chairman Michael DeGidio, Vice Chair Vincent Petti, William Russell, Ron Wolf\*, Timothy Ford, Sean Thompson, Ira Gold, Haeseok Ko, Damee Choi

**MEMBER(S) ABSENT:** Mayor Judah Zeigler, Patrick Botten

**ALSO PRESENT:** Planning Board Attorney Dan Steinhagen, Zoning Officer Dan Melfi

Meeting called to order at 7:36 PM

**FLAG SALUTE**

A **MOMENT OF SILENCE** was held in honor of Mr. Irving S. Ziegler, Councilman Bill Ziegler’s father, who passed away recently. Chairman DeGidio offered words of sympathy for the Ziegler family.

**OPENING MEETING STATEMENT, ROLL CALL**

**APPROVAL OF MINUTES:**

Motion to approve the minutes of the March 24, 2021 meeting was made by: Vice Chair Petti

Seconded: Mr. Thompson

On roll call, the vote was recorded as follows:

Mr. Russell:	yes	Vice Chair Petti:	yes	Mr. Gold:	yes
Councilman Fusco:	yes	Mr. Ford:	yes	Ms. Choi:	yes
Chairman DeGidio:	yes	Mr. Thompson:	yes		

**APPROVAL OF RESOLUTION(S):**

**215 Broad Avenue – Second Resolution Extending Time to Perfect**

Mr. Steinhagen detailed the purpose and background supporting the need for the resolution. Per Mr. Steinhagen, the Board approved the subdivision of the lot and extended time to perfect the subdivision. According to Mr. Steinhagen, the lot designations that the board approved are different than what the tax assessor designated. The previously approved resolution and deed prepared by the Board designated the lots as 1.1 and 1.2, however, the tax assessor designated the lots as lots 1.01 and 1.02. As a result, the board would need a motion to authorize signing the new, corrected deed.

A motion to adopt the resolution as described by Mr. Steinhagen was made by: Mr. Russell

Seconded: Councilman Fusco

On roll call, the vote was recorded as follows:

Mr. Russell:	yes	Vice Chair Petti:	yes	Mr. Gold:	yes
Councilman Fusco:	yes	Mr. Ford:	yes	Mr. Ko:	yes
Chairman DeGidio:	yes	Mr. Thompson:	yes	Ms. Choi:	yes

**NEW/CONTINUING APPLICATIONS:**

**PB21-04** – Brendan Delaney, 475 Park Avenue, Block: 1307, Lot: 6  
Side Yard Width and Building Coverage Variance

The applicant, Mr. Brendan Delaney of 475 Park Avenue, Leonia NJ, was sworn in to provide testimony. Mr. Delaney advised that he was seeking Board approval to add a roof structure over the existing patio to control damage from inclement weather and to provide shading during warmer months. Mr. Delaney advised that the outdoor area has been used more frequently, especially during the pandemic. Mr. Delaney also stated that there is no intention to enclose the area with windows or to add walls. Mr. Delaney testified that other options for deck coverage were considered, however, those options were determined to be less aesthetically appealing and did not blend well with the property or the neighborhood. Mr. Delaney stated that because it is a simple roof project, the construction would be completed quickly, and he believes the project would represent a nice improvement to the property.

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

Councilman Fusco inquired as to why this application would trigger a variance. Per Mr. Melfi, the reason for the variance is due to the applicant expanding the roof into the rear setback. Mr. Melfi provided calculation details regarding existing and proposed building coverage. Discussion was held regarding the definition of building coverage. Mr. Steinhagen suggested that the Board consider whether it makes sense to apply the definition or interpret the ordinance for building coverage for the area between the walls to a portion that extends beyond the walls.

Mr. Peter Pulice, of 344 Broad Avenue, Leonia NJ, was sworn in and addressed the Board. Mr. Pulice was deemed qualified to provide expert testimony on behalf of the applicant.

\*It was noted that Mr. Wolf joined the meeting at 7:57 PM. Mr. Wolf advised the Board that he did not hear the initial testimony presented for PB21-04 and as a result, it was noted that Mr. Wolf would be ineligible to vote on the application.

Mr. Pulice described the property and the proposed project. Mr. Pulice advised that the applicant appeared before the board in 2016 for variances for an expansion and renovation. Mr. Pulice stated that the topography slopes from the east to the west, approximately 15 feet.

Marked was the following:  
A-1 - As Built Survey Prepared by Azzolina & Feury

Mr. Pulice advised that the As Built Plan reflects the current condition of the property. Mr. Pulice further stated that there is a large detention stormwater system that was designed and installed at the rear of this property to facilitate the improvements that were done in 2017.

Marked were the following:

A-2 – Drawing SP1, Prepared March 5, 2021

A-3 – Drawing D1, Prepared March 5, 2021

Mr. Pulice reviewed both drawings and confirmed that the applicant is seeking two variances and reviewed the lot calculations. Mr. Pulice detailed the features of the outdoor kitchen area and also reviewed the columns and support features for the deck. Mr. Pulice stated that the proposal includes the addition of an outdoor fireplace. Per Mr. Pulice, the proposed plan includes using a metal roofing system and to incorporate skylights. Mr. Pulice stated that the applicant is proposing a metal, low-slope roof that is near-flat and will be pitched about a quarter inch to a foot.

Marked was the following:

A-4 – Drawing D2, Prepared March 5, 2021

Mr. Pulice stated that the intent of the proposal was not to change any of the features of the existing deck, except to add the proposed metal roof. Mr. Pulice reiterated that the area would remain open. Mr. Pulice reviewed the drawing which depicted the left side elevation and detailed the additional deck enhancements such as the fireplace with a small chimney. Mr. Pulice advised that alternative deck coverage options were considered but determined to be disadvantageous.

Mr. Melfi inquired as to how far the deck roof extends out from the House. Mr. Pulice advised that from the house to the front edge of the deck roof is approximately 13.5 feet. Discussion was held regarding roof projections as it compares to rear yard setbacks and the view of the deck roof on the drawings. Chairman DeGidio inquired about the deck calculation as it relates to the increase in building coverage. Per Mr. Pulice, the area below the elevated deck has already been calculated into the building coverage calculations so that area was deducted from the additional coverage that would be created by the proposed deck roof.

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.

Further discussion was held regarding the definition and calculation of building coverage. It was noted that there may be a need to change the definition of building coverage to provide clarity for a portion of the roof that extends beyond the structure that does not have walls.

Upon questioning, Mr. Pulice confirmed that the fireplace would be a wood-burning, masonry fireplace and with a code compliant flue. Chairman DeGidio inquired as to whether the Fire Marshall has inspected the proposed plans to review the fireplace. It was determined that the appropriate code review will take place during the permitting process.

The meeting was opened to the public for comments.

Ms. Sally Klig, of 497 Park Avenue, Leonia NJ, was sworn in to provide public comment. Ms. Klig stated that she lives two houses down from the applicant and can see the deck from the rear of her home. According to Ms. Klig, the proposal would add to the substance and the presence of the existing deck. Ms. Klig stated that her

concern regarding the proposal is that it would set a precedent that would allow for other residents to apply to have roofs added to their deck for weather-related issues. Ms. Klig thanked the Board for their review of the application and asked that further consideration be made for how the Delaney home has impacted their immediate neighbors.

Hearing no further comments, the public comment section was closed.

Motion to approve PB21-04 was made by: Mr. Ford

Discussion was held regarding the requirement of a variance if the proposal was for a retractable awning. It was determined that a retractable awning would not be counted as building coverage.

Motion to approve Resolution PB21-04 was seconded by: Vice Chair Petti

Ms. Choi commented that due to the pandemic many people face the need to add more space to their homes and that the Board has been granting reasonable applications. Mr. Russell added that given the existing design of the deck, which is built over part of the building, the concern for water damage was reasonable. Mr. Russell found the design proposal acceptable given the circumstances and did not believe it would lead to a precedence for other residents to seek similar variances.

Prior to the vote for Approval, Mr. Steinhagen advised that the Board impose two conditions; one stating that the area cannot be enclosed, and the other stating that the purlins cannot extend more than three feet beyond the line of the enclosed space below the deck. Mr. Ford and Vice Chair Petti agreed with the conditions presented by Mr. Steinhagen and modified their motion accordingly.

On roll call, the vote was recorded as follows:

Mr. Russell:	yes	Vice Chair Petti:	yes	Mr. Gold:	yes
Councilman Fusco:	yes	Mr. Ford:	yes	Mr. Ko:	yes
Chairman DeGidio:	yes	Mr. Thompson:	yes	Ms. Choi:	yes

Application PB21-04 was approved.

**DISCUSSION ON BOARD MATTERS – NEW/OLD BUSINESS:**

Chairman DeGidio stated that the Master Plan subcommittee has been working with Mr. Conklin on the Master Plan. According to Chairman DeGidio, Mr. Conklin has created a public input survey which members of the Subcommittee have viewed along with Mr. Russell. Mr. Russell advised that he requested permission for the Environmental Committee to receive access to review the survey. Chairman DeGidio stated that the Borough Administrator, Andrea Wardrop, reviewed the survey with her assistant and provided similar feedback as he did. Mr. Russell advised that he would ask the Environmental Commission to review the survey and provide comments as soon as possible.

**COUNCIL LIAISON REPORT:**

Councilman Fusco advised that there was a proposal for a small development at Station Parkway and Grand Avenue. Councilman Fusco stated that the proposal is for 55 and older residents and that the building will comprise of one- and two-bedroom units. Councilman Fusco stated that the proposal would be for a five-story building with 150 apartments. Councilman Fusco also advised that KARP Strategies is continuing their work on economic redevelopment with the Town. Per Councilman Fusco, there are a number of properties that have been discussed and are being studied as part of the Redevelopment Plan.

**BOARD ATTORNEY REPORT:**

Mr. Steinhagen advised that upon signing the subdivision deed, it will need to be sent to the applicant's new attorney.

**ZONING OFFICER REPORT/INTERPERTATIONS:**

Mr. Melfi advised that in recent months a number of applicants have inquired about converting their garages into living space. Discussion was held regarding code 290-95. It was determined that garages cannot be converted into living space if there are no parking spaces available for two cars, as per the code. It was also noted that if setback issues are created due to use of impervious coverage, then the applicant would need to come before the Board for a variance.

**PUBLIC COMMENT PERIOD – CORRESPONDENCE:**

There was no public comment.

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

Seconded: Mr. Russell

All in Favor – Motion Passed

The meeting was adjourned at 8:57 PM

Respectfully Submitted,

Angela Copeland  
Planning Board Secretary