



**BOROUGH OF LEONIA
Leonía Planning Board**

MINUTES

July 28, 2021

7:30 PM

**REMOTE MEETING VIA
GOTOMEETING**

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

MEMBER(S) ABSENT: Mayor Judah Zeigler

ALSO PRESENT: Planning Board Attorney Arthur Neiss* & Daniel Steinhagen*, Zoning Officer Dan Melfi

Meeting called to order at 7:31 PM

FLAG SALUTE, OPENING MEETING STATEMENT, ROLL CALL

APPROVAL OF MINUTES:

Motion to approve the minutes of the June 23, 2021, meeting was made by: Councilman Fusco

Seconded: Mr. Wolf

On roll call, the vote was recorded as follows:

Mr. Wolf:	yes	Mr. Ford:	yes	Ms. Choi:	yes
Councilman Fusco:	yes	Mr. Botten:	yes		
Chairman DeGidio:	yes	Mr. Gold:	yes		

NEW/CONTINUING APPLICATIONS:

PB21-12 – Peter Pulice & Heidi Cunningham, 187 Sylvan Avenue, Block: 1503/29
Side Yard Width

The applicant, Mrs. Heidi Cunningham, of 187 Sylvan Avenue, Leonia NJ, was sworn in to provide testimony. Per Mrs. Cunningham, she and her family have lived in their home for nearly 29 years and have made no improvements to the bathroom in that time. Mrs. Cunningham stated that there will soon be four adults living in the home and that there is just one full bathroom. Mrs. Cunningham also stated that expanding the bathroom would allow for more than one person to use the facility at once and that it will make the bathroom a safer space moving forward.

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

Mr. Peter Pulice, of 344 Broad Avenue, Leonia NJ, was sworn in and addressed the Board in his capacity as a licensed Architect. Mr. Pulice was deemed qualified to provide expert testimony.

*Planning Board Attorney Daniel Steinhagen joined the meeting at 7:43 PM.

Mr. Pulice described the property dimensions and advised that an additional 10 feet of property was purchased from an adjacent neighbor on the South side of the home to extend the property. Per Mr. Pulice, the additional 10 feet could not be used in this application. Mr. Pulice detailed the drawing marked SP1 and described the location for the bathroom extension. Mr. Pulice stated that there will be a skirt roof detail and it will project another foot into the side yard. Mr. Pulice also stated that the applicant is seeking a side yard variance to accommodate the proposal of the 3.2-foot extension or projection which would only be applicable for the second floor. Per Mr. Pulice the new proposed setback would be seven feet to the property line.

Mr. Pulice also reviewed the floor plan depicted in drawing A1. Per Mr. Pulice, the existing bathroom provides limited space for mobility, and it is the intent of the applicant to allow for accessibility and increase functionality. Mr. Pulice detailed features that will be included in the new bathroom design to include an ADA compliant, wall-hung toilet. Per Mr. Pulice, the external features would include a horizontal window with zinc cladding and prefinished shingles. Mr. Pulice stated that, in his opinion, the addition would not be impactful to the neighbors and that it promotes good design, while making the home more usable and practical.

Discussion was held regarding the location of the garage in relation to the front portico. Upon questioning, Mr. Pulice advised that there is a fence between the subject property and the neighbor’s property. Mr. Pulice also stated that the neighbor has a 5.5-foot setback in their side yard. Clarification was made regarding notes on the drawings referencing current ENC (Existing Non-Conforming Condition).

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

Mr. Philip Salvatore, of 352 Moore Avenue, Leonia NJ, inquired about the roof design and drainage. Mr. Pulice advised that he didn’t think the proposal would contribute to a lot of stormwater.

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

The meeting was opened to the public for comments.

No members of the public provided comments.

Hearing no comments from the public, the public comments portion was closed.

A motion to approve the application PB21-12 was made by: Mr. Botten

Seconded: Mr. Russell

On roll call, the vote was recorded as follows:

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

PB21-12 was approved.

*At 8:08 PM Mr. Neiss advised that he was leaving the meeting since Mr. Steinhagen was available.

DISCUSSION ON BOARD MATTERS – NEW/OLD BUSINESS:

Meridia Development Proposal:

Chairman DeGidio advised that he convened a meeting on July 13, 2021, with the Mayor, Councilman Fusco, the Borough Planners (H2M), and the Board Attorney, Mr. Steinhagen, for the purposes of compiling feedback for the Meridia proposal. Following the meeting, Mr. Steinhagen drafted a response letter which was distributed to the Planning Board. Councilman Fusco confirmed that the Mayor & Council voted on including the property as an area in need of redevelopment and are awaiting a proposal from H2M to add to the ongoing study. Mr. Steinhagen summarized that the intent of the letter is to provide guidance regarding expectations and to start the dialogue. Mr. Steinhagen also emphasized that the letter is non-binding. Councilman Fusco indicated that he considered the overall impact of the project on the neighbors and found that the considerable bulk and density was out of proportion considering the size of the property.

Mr. Ford inquired about the definition of ‘Senior Residence’ as presented by Meridia and questioned whether clarification could be addressed in the letter. Mr. Russell stated that he had some concern regarding possible flooding considering the low area of the property and the potential of having below grade parking. Per Mr. Steinhagen, Meridia should be exploring the feasibility of below grade parking. Ms. Choi expressed concern regarding Meridia’s interpretation of the feedback. Further discussion was held regarding the back-and-forth process surrounding new developments and expectations from developers and Planning Boards alike.

A motion was made by Vice Chair Petti to authorize Mr. Steinhagen to respond with the letter as written with the commentary by Mr. Ford regarding defining senior residence added to the letter.

Seconded by: Mr. Botten

All in Favor – Motion Passed

A subcommittee was formed to serve as a working group that can then report to the Board during regular Board meetings. The volunteers for the subcommittee include:

Mr. Botten, Chairman DeGidio and Damee Choi.

Master Plan - Public Input Survey: Chairman DeGidio advised that the public input survey has concluded and received really good feedback. Per the Chairman, the next phase of the process will be to hold an open house, which will be held at the high school. Chairman DeGidio advised that final details are being ironed out.

In-person Meetings: Chairman DeGidio advised that the Planning Board will resume in-person meetings in order to remain consistent with the Mayor and Council meeting format. Prior to going forward with in-person meetings, the intent will be to find a location that can allow for sufficient social distancing and attendees will be required to wear masks. There will be a review for facilitating a hybrid meeting model.

COUNCIL LIAISON REPORT:

Councilman Fusco thanked the board for their participation and review of the Cannabis Ordinance. Per the Councilman, there will be no cannabis distribution or sales in Leonia, with an exception allowed for medicinal purposes.

BOARD ATTORNEY REPORT:

Mr. Steinhagen had nothing additional to report.

ZONING OFFICER REPORT/INTERPERTATIONS:

Mr. Melfi had nothing further to report.

PUBLIC COMMENT PERIOD – CORRESPONDENCE:

Mr. Philip Salvatore, of 352 Moore Avenue, addressed the Board regarding an interpretation issue Mr. Salvatore had regarding a denied zoning application. Mr. Salvatore reviewed the specifics of the application and expressed his concern regarding the process for interpreting ordinances. Mr. Melfi advised the Board that an interpretation was presented to the Planning Board as a courtesy, with generic information used so as not to bias the application if it were to be presented to the Board at a later date. Mr. Melfi also advised that an official denial letter was sent to Mr. Salvatore. Mr. Steinhagen advised that the board has the power as a board of adjustment to interpret the zoning ordinance when there's a current application for an interpretation. Mr. Salvatore expressed further concern for how the board interprets ordinances and further elaborated on the specifics surrounding the zoning application. Mr. Salvatore stated that he felt the application was misrepresented when previously discussed during the June Board meeting. Mr. Salvatore advised that he elected to withdraw the planning board application and planned to adjust the way he was parking.

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

Seconded: Mr. Wolf

All in Favor – Motion Passed

The meeting was adjourned at 8:48 PM

Respectfully Submitted,

Angela Copeland
Planning Board Secretary