



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

**MINUTES**

**December 15, 2021**

**7:30 PM**

**REMOTE MEETING VIA  
GOTOMEETING**

The Borough of Leonia Planning Board held a special meeting on December 15, 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 Zeigler, William Russell, Chairman Michael DeGidio, Timothy Ford, Patrick Botten, Sean Thompson, Ira Gold, Haeseok Ko, Damee Choi

**MEMBER(S) ABSENT:** Ron Wolf, Councilman Pat Fusco

**ALSO PRESENT:** Planning Board Attorney - Daniel Steinhagen, Zoning Officer - Dan Melfi, Planning Board Engineer – Drew Di Sessa, Planning Board Planner – Ryan Conklin, Planning Board Traffic Engineer – Arthur Kuyan

Meeting called to order at 7:30 PM

**FLAG SALUTE, OPENING MEETING STATEMENT, ROLL CALL**

**APPROVAL OF MINUTES:**

Motion to approve the minutes of the November 23, 2021, meeting was made by: Mr. Ford  
Seconded: Mr. Botten

Mr. Russell:	yes	Mr. Botten:	yes	Mr. Ko:	yes
Chairman DeGidio:	yes	Mr. Thompson:	yes	Ms. Choi:	yes
Mr. Ford:	yes	Mr. Gold:	yes		

**OATH OF OFFICE:**

Mayor Zeigler administered the Oath of Office to the following members:

- Ira Gold – Class IV Member, expiration 12/31/23
- Haeseok Ko – Alternate I Member, expiration 12/31/22
- Damee Choi – Alternate II Member, expiration 12/31/21

**APPROVAL OF RESOLUTION(S):**

**PB21-10** – Munr Kazmir/Sima Development LLC, 345 Grand Avenue, Block: 803/ Lot: 35  
Rear Yard Setback

Motion to approve Resolution PB21-10 was made by: Mr. Botten

Seconded: Mr. Russell

On roll call, the vote was recorded as follows:

Mr. Russell:	yes	Mr. Ford:	yes	Mr. Thompson:	yes
Chairman DeGidio:	yes	Mr. Botten	yes	Mr. Gold:	yes

**NEW/CONTINUING APPLICATIONS:**

Chairman DeGidio announced to members of the public that applications PB21-15 for 131 Fort Lee Road, PB21-18 for 176 Fort Lee Road and PB21-19 for 181 Sylvan Avenue were being carried. Mr. Steinhagen further announced to members of the public that all three matters will be carried to the January 26, 2022, remote meeting of the Planning Board. Mr. Steinhagen advised that due to a revised denial letter prepared by the Zoning Officer, the applicant for 181 Sylvan will re-notice. Mr. Steinhagen advised that due to a conflict he has with the PB21-19 application, Mr. Steinhagen will arrange for coverage. With regard to applications PB21-15 and PB21-18, Mr. Steinhagen advised that there will be no further notice published or mailed to property owners within 200 feet. Mr. Steinhagen also advised that the login information for the meeting will be posted to the Borough website in advance of the January meeting.

**PB21-17** – Pacific Outdoor Advertising/Consolidated Rail Corp, LLC, Fort Lee Road, Block: 217/ Lot: 1  
Variances related to Installation for Double-Sided Digital Billboard Sign within the Railroad Right of Way

Mayor Zeigler recused himself from this application since it is a Use Variance Application.

Mr. Arthur Kuyan of Stonefield Engineering, located at 92 Park Avenue, Rutherford NJ, was sworn in as Planning Board Traffic Engineer.

Ms. Danielle Federico, of Decotiis, FitzPatrick, Cole & Giblin, LLP, addressed the Board on behalf of the applicant, Pacific Outdoor Advertising LLC. Ms. Federico briefly summarized the details of the application and newly submitted exhibits that were requested at the previous meeting. It was determined that the attorney memos provided did not need to be marked into evidence.

Mr. William Vogt of L2A Land Design LLC, located at 66 Grand Avenue, 2<sup>nd</sup> Floor, Englewood NJ, was sworn in to testify before the Board as a Civil Engineer. Mr. Vogt reviewed his qualifications, professional and educational background. Mr. Vogt was deemed qualify to testify before the Board.

Marked was the following:

A-1 – Site Plan, Pages C-01 – C-03, Original Date 8/27/21, Revision #2 Dated 9/28/21

Mr. Vogt reviewed the specifics of the site plan, to include the overpass location and proposal details. Per Mr. Vogt, the billboard will be erected on a single monopole, and it will be in a flag position. Mr. Vogt also testified that the billboard will be 10-feet from the I-95 overpass and the back of the billboard will be 76.07-feet from the I-95 overpass. Mr. Vogt also stated that the billboard will cantilever over the railroad tracks. Mr. Vogt reviewed the elevation plan and measurements and confirmed that the billboard would be oriented in a perpendicular fashion toward I-95 so that the two sides of the sign are visible to the North-bound and South-bound traffic. Mr. Vogt also reviewed the zoning table for the proposed installation in the LI zone and provided details for comparison if the sign was to be installed in the LI-2 zone, where billboards are permitted.

Discussion was held regarding standard billboard sizes. Mr. Vogt reviewed standard billboard sizes and stated that the standards are determined by the Outdoor Advertising Association of America. Mr. Vogt also stated that non-standard sizes can likely be custom made by sign manufacturers. Mr. Ko requested clarification regarding the size of the billboard sign proposed versus the size that was permitted by the New Jersey Department of Transportation (NJDOT).

Marked was the following:

A-2 – Two-page Letter from NJDOT Dated 8/6/19 with Permit from NJDOT, Dated 8/6/19, Location Drawing and Permit Transfer Authorization from Outfront Media to Pacific Outdoor Advertising, LLC

It was determined that Mr. Jacobs will elaborate or testify to the permit allowance versus the proposal at a later time. Ms. Choi inquired as to what circumstances inspired the selection of the proposed site for the billboard considering the extent of relief desired. In response Mr. Jacobs reviewed the comments presented in the Planning Board Engineering Review letter, provided by Pennoni.

Marked was the following:

A-3 – Requirements for Off-Premise Multiple Message Signs, NJAC 16:41C-11.1

Mr. Vogt read through the requirements listed in Exhibit A-3 and provided some feedback regarding the proposal and site selection as it relates to the requirements. Mr. Vogt also reviewed section 16:41C-8.1, General Requirements -D-2, which states that no sign may be located within 500-feet of a safety rest area. Per Mr. Vogt, there is a wide shoulder on the North-bound side of I-95 and this distance requirement from a rest area is another reason why the proposed site was selected. Mr. Conklin of H2M requested clarification on the proposed sign that has been described during testimony versus what is indicated on the site plan. Mr. Vogt confirmed that the proposed sign will be a back-to-back, parallel sign and not a V-shaped sign. Mr. Conklin advised that the documents submitted be reviewed to correct inconsistencies in description or design of billboard.

Mr. Steinhagen inquired about the standard sign size and maximum width allowance. Upon further questioning Mr. Vogt advised that signs greater than 60-feet wide are prohibited by the NJDOT. Discussion was held regarding the Borough's ability to implement more stringent restrictions based on what the NJDOT permits per the regulations. Mr. Vogt testified that he was not aware of any NJDOT regulations that restricted the Borough's ability to limit the size of signs. Upon further questioning, Mr. Vogt advised that there are regulations that provide for minimums for sign size based on the size of the advertising, speed allowance on the roadway, elevations, and cone of vision. Mr. DeGidio inquired as to whether there is a published standard for a roadway, with 55-mph speed, that provides for required sign dimensions. Ms. Federico advised that her client would look into published standards.

Marked were the following:

D-1 – Pennoni Review Letter, Dated 11/5/21

D-2 – H2M Review Letter, Dated 10/19/21

A-4 – Tax Map 1, Dated 12/16/91

A-5 – NJ Geo Web Print Out, Dated 12/9/21

Mr. Vogt reviewed the properties listed in the LI-2 zone, block 102/lots 2, 2.01 and 3, which he stated were deemed inappropriate for the sign install. Mr. Vogt detailed the distances from the LI-2 properties to I-95. Upon questioning from Mr. Conklin, Mr. Vogt clarified that the distances listed on Exhibit A-5 are to the edge of the cartway and not the I-95 right-of-way. Mr. Vogt also identified the area of the safety shoulder that was mentioned earlier in his testimony. Per Mr. Vogt, all of the properties along the I-95 area that are in the LI-2 zone are located within 500 feet of the safety shoulder area, which is against the NJDOT regulation earlier cited. Mr. Vogt reviewed the Borough Zoning Ordinance for the LI-2 District as further evidence as to why the proposal complies or does not comply with the LI-2 regulations. Discussion was held regarding the distance of the safety rest area in Leonia to the digital sign in Englewood and how that compares to properties in the LI-2 zone. Further discussion was held regarding safety rest areas.

Upon questioning, Ms. Federico advised that there are Green Acre restrictions in the County park land that is in the area that restrict any billboard placement. Mr. Conklin advised that, to his knowledge, the Borough-owned properties do not have Green Acre restrictions. Mr. Conklin also advised that the monopole billboards are typically permitted through the NJDEP within wetlands due to the de minimis nature of the monopole.

The meeting went into a brief recess at 9:22 pm and the meeting was called back into session at 9:30 pm.

Mr. Conklin reiterated that, according to his review, the two Borough-owned properties in the LI-2 zone are not part of the Green Acres. Mr. Steinhagen recommended that the applicant provide documentation clarifying whether or not the properties are covered under the Green Acres designation. Per Ms. Federico, there are guidelines for properties that may not be listed the Recreation and Open Spaces Inventory (ROSI) but are still considered Green Acres property. Ms. Federico advised that she will provide a memo detailing this claim.

Mr. Vogt continued to review the Borough Zoning Ordinance for the LI-2 District. Per Mr. Vogt, the driving force for selection of the proposed site in the LI District was based on the narrow lot of the railroad property.

Marked was the following:

A-6 – Lighting Exhibit – Lighting Analysis for DB 16x60, Prepared by DakTronics, Dated 12/6/21

Mr. Vogt testified that the lighting exhibit illustrates the illumination levels for a 16x60 digital billboard sign. Mr. Vogt detailed the method that DakTronics used to run their analysis in order to obtain the calculations provided on the exhibit. Per Mr. Vogt, the method used, and calculations provided represent the worst-case scenario for light illumination. Chairman DeGidio inquired about the single-point light source of the model in order to obtain calculations versus taking the readings from any point on the billboard. Chairman DeGidio further inquired about the light calculations from the Southbound lanes versus the greater light calculations for nearby residents. Per Mr. Vogt, the calculations are taken at five feet off the ground. It was requested that DakTronics provide a model showing illumination levels from two stories high, or 14 to 15-feet above the ground. Further discussion was held regarding the worst-case scenario method used to illustrate illumination levels and how that compares to actual ambient light that is generated. Upon questioning, Mr. Vogt confirmed that DakTronics is the billboard manufacturer that the applicant intends to use to produce the sign. Mr. Vogt stated that he would follow-up with DakTronics as to what time of day the worst-case scenario was calculated in their analysis. Additional discussion was held regarding illumination levels versus output requirements. Ms. Federico advised that the applicant will request further analysis from DakTronics to answer the Board questions presented. Mr. Gold inquired about the qualitative effect for Lakeview residents looking out of their window and seeing a billboard versus seeing the moon. Discussion was held regarding line of sight to building residents and the qualitative effect of seeing the sign. Mr. Vogt testified that the billboard would be visible from other areas in Leonia. Ms. Federico directed Mr. Vogt not to answer the qualitative question regarding the impact of seeing a billboard versus the moon.

Mr. Steinhagen announced to members of the public that the billboard matter for Pacific Outdoor Advertising, was being carried to the January 26, 2022, remote meeting of the Planning Board. Mr. Steinhagen advised that there will be no further notice published or mailed to property owners within 200 feet. Mr. Steinhagen also advised that the login information for the meeting will be posted to the Borough website in advance of the January meeting. The applicant agreed to the extension of time for the Board to act on the application.

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

Chairman DeGidio reviewed the 2022 meeting schedule. The Chairman suggested that the 2022 Reorganization meeting start at 7:00 instead of 7:30 given the number of items expected on the January agenda.

Motion to approve the 2022 Regular Meeting dates, with the change to the start time for the Reorganization meeting was made by: Mr. Russell

Seconded: Mr. Ford

Mr. Russell:	yes	Mr. Botten	yes	Mr. Ko:	yes
Chairman DeGidio:	yes	Mr. Thompson:	yes	Ms. Choi:	yes
Mr. Ford:	yes	Mr. Gold:	yes		

The Chairman advised that a draft of the Master Plan has been provided by H2M to members of the Master Plan Subcommittee. The subcommittee will review the draft and H2M will provide a summary of the draft during the January meeting.

Chairman DeGidio also advised that Planning Board RFPs will be circulated to the RFP Subcommittee for review and recommendation.

H2M started the Redevelopment Study for the additional properties that Capodagli is interested in. H2M will be presenting on the Study as soon as it's completed. Mr. Steinhagen advised that a representative from Capodagli has advised that below-grade parking was doable, however, no reports have been submitted yet.

**BOARD ATTORNEY REPORT:**

Mr. Steinhagen had nothing further to report

**ZONING OFFICER REPORT:**

Mr. Melfi advised that the Board will have a busy first quarter. Mr. Melfi suggested that the Board arrange for a few special meeting dates in advance in order to cover larger applications.

**PUBLIC COMMENT PERIOD – CORRESPONDENCE:**

No Public Comments Raised.

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

Seconded: Mr. Botten

All in Favor – Motion Passed

The meeting was adjourned at 10:54 PM

Respectfully Submitted,

Angela Copeland  
Planning Board Secretary