



BOROUGH OF LEONIA
Leonía Planning Board
MINUTES

JANUARY 26, 2022

7:30 PM

REMOTE MEETING VIA GOTOMEETING

The Borough of Leonia Planning Board held a meeting on January 26, 2022 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 Ira Gold, William Russell, Ron Wolf, Timothy Ford, Patrick Botten, Sean Thompson, Haeseok Ko, Damee Choi

MEMBER(S) ABSENT: N/A

ALSO PRESENT: Planning Board Attorney - Daniel Steinhagen & *Andrew Kohut, Zoning Officer – Adam Myszka, Planning Board Engineer – Drew Di Sessa, Planning Board Planner – Sanyogita Chavan & Paul Cancilla

Meeting called to order at 7:30 PM

OPENING MEETING STATEMENT, ROLL CALL

APPROVAL OF MINUTES:

Motion to approve the minutes of the December 15, 2021, meeting made by: Mr. Botten

Seconded: Mr. Ford

On roll call, the vote was recorded as follows:

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

Discussion was held regarding holding a Special Planning Board Meeting on Tuesday, February 8, 2022, to review the Master Plan Draft and continuing applications. Mayor Zeigler, Mr. Botten and Mr. Ko advised that they would not be in attendance for the meeting.

Chairman DeGidio announced to members of the public that applications PB21-15 for 131 Fort Lee Road, PB21-17 for the Billboard application and PB21-18 for 176 Fort Lee Road were being carried. Mr. Steinhagen further announced to members of the public that PB21-15 and PB21-17 will be carried to the Regular Meeting on February 23, 2022, remote meeting of the Planning Board. Mr. Steinhagen advised that PB21-18 will be carried to the Special Meeting on Tuesday, February 8, 2022. Mr. Steinhagen advised that there will be no further notice published or mailed to property owners within 200 feet for the applications being carried. Mr. Steinhagen also advised that the login information for the meeting will be posted to the Borough website in advance of the February meetings.

NEW/CONTINUING APPLICATIONS:

PB21-19 – Patrice Harakandi, 181 Sylvan Avenue, Block: 1503/ Lot: 30
Minor Subdivision, Side Yard Width

Mr. Steinhagen recused himself from this application due to a conflict between an interested party who is a client of his firm and the applicant. *Mr. Andrew Kohut of Wells, Jaworski & Liebman LLP served as Planning Board attorney in Mr. Steinhagen's absence for this matter.

Mr. Mark Madaio of the Law Office of Mark D. Madaio, located at 27 Legion Drive, Bergenfield, NJ, addressed the Board on behalf of the applicant. Mr. Madaio reviewed the application and specifics surrounding the proposal. Per Mr. Madaio, the proposal includes subdividing the lot into two lots; one lot will be 90-feet in width, while the other lot will be 50-feet in width. Mr. Madaio advised that the 90-foot lot will contain the existing home while the 50-foot lot will remain vacant until a new home is constructed at a later time. Mr. Madaio advised that there is a variance for the existing home because it will be less than eight feet from the property line per the subdivision proposal.

Steven Collazuol of Collazuol Engineering & Surveying Associates, LLC, located at 1610 Center Avenue, Fort Lee NJ, was sworn in to provide testimony as a professional engineer. Mr. Collazuol reviewed his qualifications, professional and educational background. Mr. Collazuol was deemed qualify to testify before the Board.

Mr. Collazuol testified that the differences between the plans submitted to the Board versus the plans presented during the meeting consisted of minor changes that were made as a result of comments from the Board Engineer's Review Letter. Mr. Kohut concluded that the revisions made were minor and that the revised plans can be used for the meeting.

Marked was the following:

A-1 – Subdivision Plan, Dated 11/30/21

Mr. Collazuol reviewed the specifics of the property to include the property dimensions, elevations, principal building and accessory structure on the property. Mr. Collazuol also confirmed existing variance conditions on the property. Mr. Collazuol proceeded to review the proposed subdivision plan. Upon questioning, Mr. Collazuol stated that the proposed lots meet the requirements for lot area as stated in the Borough code with some room for interpretation. Mr. Collazuol stated that the proposed 50-foot lot would be conforming and will not require variances. Mr. Collazuol reviewed the specifics of the proposed larger/parent lot that contains the existing home, and the variances being sought in relation to the lot. Upon questioning, Mr. Collazuol confirmed that the existing front yard setback variance would be eliminated if the plan were to be approved because the existing garage would be reduced by approximately four-feet in width in order to comply with front yard setback requirements. Collazuol reviewed the proposed side yards on the larger/parent lot and it was confirmed that the side yard setback requirement is 10-feet on both sides of the home. Collazuol also reviewed building and impervious coverage.

Mr. Botten inquired about the front yard set-back requirements as per the Borough code. Mr. Collazuol reviewed the Borough ordinance that applies to the front yard set-back and explained that the calculations achieved for the required front yard setback are based on the averages of the front yards of neighboring properties, as per zoning ordinance 290-8. Mayor Zeigler inquired as to whether or not any subsequent owner of the smaller/child lot could apply for variances in the future. Mr. Madaio confirmed that the new owner could apply for variances, however, there are presently no variances being sought for the smaller/child lot.

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

Mr. Alec Melman of 172 Highwood Avenue asked if a study was conducted regarding flood water. Mr. Madaio advised that there has not been any flood study, however, Mr. Madaio noted that any permits that are submitted in the future for the smaller/child lot will have to provide the necessary flood management/drainage solutions to the Borough engineer.

The Board Secretary presented questions that were provided via email regarding this application from Ms. Catherine Al-Askari of 196 Sylvan Avenue.

1. *How will proposed building not severely obstruct sunlight from house behind it?* Mr. Madaio stated that the current home is a fully conforming structure and that there is no height variance being sought for the structure.
2. *How will cars be able to get up and down Sylvan, which is narrow, during construction when lorries and dumpsters are obstructing passage?* Mr. Madaio stated that if the street was being blocked it would be a police matter and safety steps would be taken if the road needed to be blocked. Mr. Collazuol added that the existing width of Sylvan Avenue, curb-to-curb, is 30-feet wide and is considered sufficient for cars to pass, at least on one side.
3. *How long will project take?* Chairman DeGidio noted that this question is not applicable to this application since the proposal does not include a new home.
4. *In view of recent climate change and a currently congested area, will this project contribute to more flooding downhill from it?* Chairman DeGidio noted that this question was asked and answered previously.
5. *Will town provide extra police to control parking violations as well as noise control such as early morning starts?* Chairman DeGidio noted that this question is not applicable for this application and would be directed to the Borough.

Mr. Tom Toronto of 173 Sylvan Avenue requested clarification regarding flood control measures on the proposed subdivided lot and requested confirmation that whomever builds must account for all stormwater retention on the lot. Mr. Madaio confirmed that Mr. Toronto is correct and stated that this information would be provided at the time that someone applies for a building permit for that lot.

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

Mr. David Spatz, located at 60 Friend Terrace, Harrington Park, NJ, was sworn in to testify before the Board as a Professional Planner. Mr. Spatz confirmed that his license remains in good standing. Mr. Spatz was deemed qualify to testify before the Board.

Marked was the following:

A2 – H2M Review Letter, dated 1/19/2022

Mr. Spatz reviewed the required lot frontages in the A-3 zone as per Borough code 290-9(b). Mr. Spatz explained that based on his interpretation of the ordinance, the minimum lot width that is required for the A-3 zone is 50-feet. Mr. Madaio reviewed the H2M Review Letter and the interpretation regarding the minimum lot width requirements per the ordinance. Upon questioning, Mr. Spatz stated that based on his interpretation of the ordinance, the 75-foot requirement is applicable only in zones such as A-1 or A-2 where the average lot size of the homes is taken into account, and is not applicable to the zone where this applicant is located. Discussion was held regarding the average width of neighboring properties and what area is being referred to as neighboring property. Per Mr. Spatz, with regard to zoning, neighborhood refers to residents in the lots within a 200-foot radius or at a minimum, those in the 200-foot radius that are on the same street of the subject property. Mr. Spatz also stated that the 50-foot lot width is the predominant lot width of the neighborhood. Mr. Kohut advised that per his interpretation, the definition of neighborhood is described as 500-feet from the middle point of the subject lot. Detailed discussion was held regarding the interpretation of the zoning ordinance for minimum lot width in the A-3 zone. Mr. Spatz continued to review the lot patterns in the area and possible criteria for a variance for frontage, if required.

Marked was the following:

A-3 – Key Map for 181 Sylvan with 50-foot lots highlighted

Per Mr. Spatz, within the 200-foot radius, there are 31 lots, excluding the proposed lot, that are 50-feet in width. Mr. Spatz also stated that within the 200-foot radius, there are 14 lots that front on Sylvan Avenue that have 50-foot in width. Mr. Spatz testified that the subject lot is the largest existing lot within the 200-foot radius. Mr. Spatz reviewed the number of lots that are greater than 50-feet within the 200-foot radius. Mr. Spatz also reviewed the

side yard setback variance and the proposal for adjusting the existing garage. Mayor Zeigler inquired about the use of 200-feet to identify the neighborhood versus 500-feet which is defined as neighborhood in the Zoning Ordinance, section 290-3. Mr. Spatz stated that he used 200-feet because it is traditionally used for neighborhood, however, he could do the calculations and provide to the Board at a later time. Brief discussion was held regarding the use of 200-feet versus 500-feet in determining the average lot width.

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

Mr. Dan Kennelly of 190 Highwood Avenue inquired about lot dimensions on Exhibit A-3. Per Mr. Kennelly, the property directly behind the subject property is his lot and it has been noted by Mr. Spatz as a 50x100 lot, however, Mr. Kennelly advised that the property is 125x100 feet. Per Mr. Spatz, the tax map that was used for the exhibit identifies Mr. Kennelly's property as two distinct lots. As a result of the feedback from Mr. Kennelly, Mr. Spatz corrected the total number of lots that are 50-feet wide within the 200-foot radius from 31 lots to 30 lots.

No further members of the public provided questions.

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

The meeting was opened to the public for comments.

Mr. Tom Toronto of 173 Sylvan Avenue stated that he was on the Planning Board when the large lot ordinance was adopted and that the purpose of the ordinance was to maintain the varied nature of the different lot sizes within the Borough. Mr. Toronto was sworn in to provide testimony. Mr. Toronto further stated that this application would create a precedence and would result in a lot of unintended consequences for Leonia.

Mr. Joel Groves of 115 Paulin Boulevard was sworn in to provide testimony. Mr. Groves inquired about the number of trees that would be removed from the lot in order to subdivide the lot. Per Mr. Madaio, an analysis was not conducted on the impact to trees, however, Mr. Madaio noted that when and if a home is constructed on the smaller/child lot, the project would have to comply with the Borough's tree ordinance. Mr. Groves stated that when he reviewed the lot on Google, the lot appears to be completely covered in trees and removal of that many trees would not be a positive step.

Mr. Dan Kennelly of 190 Highwood Avenue was sworn in to provide testimony. Mr. Kennelly stated that he agreed with Mr. Toronto's testimony and believed the proposal would set a dangerous precedence. Mr. Kennelly remarked on his interpretation of the subdivision ordinance and stated that he is happy with the ordinance and was glad that it was passed.

Ms. Priscilla Boggia Toronto of 173 Sylvan Avenue was sworn in to testify. Ms. Toronto stated that many years ago there was a subdivision application for this property made by the previous owners, Dr. and Mrs. Robins. Per Ms. Toronto, the previous subdivision application was denied and it is Ms. Toronto's opinion that the current application falls under res judicata. Ms. Toronto also stated that the lot is smaller now because ten feet of the property was sold previously to the Pulice's. Ms. Toronto stated that the concern really is how many subdivisions will be permitted in the Borough of Leonia. Ms. Toronto thanked all officials and Board members who have protected the Borough's ordinance and hopes that this application is denied.

No further members of the public provided comments.

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

Mr. Madaio advised that he submitted an Open Public Records request (OPRA) to the Borough for previous Planning Board subdivision applications for this property and the Borough responded that there were no records available pertaining to the request.

Additional board discussion was held regarding the definition of neighborhood and the zoning ordinance for lot subdivision. Vice Chair Gold inquired about the criteria for res judicata. Mr. Kohut detailed the criteria that must be met in order for res judicata to apply. Councilman Fusco noted that the reason why residents love this town is

because of the uniqueness of the Town as opposed to neighboring communities. Chairman DeGidio reviewed a section of the Master Plan that was previously adopted which addresses lot consistency.

Mr. Kohut advised that before a motion is made for application PB21-19, an interpretation vote should be taken for what the ordinance states and then based on that vote, there can be a vote on the application. Discussion was held on the phrasing of the motion for the interpretation.

A motion was made by Mayor Zeigler stating that the required minimum lot width is 75-feet as set forth in Ordinance 290-09.

Seconded: Mr. Botten

On roll call, the vote was recorded as follows:

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

A motion was made by Mayor Zeigler to deny side yard setback and minimum lot size variances for application 21-19.

Seconded: Councilman Fusco

On roll call, the vote was recorded as follows:

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

Application 21-19 is denied

Mr. Steinhagen rejoined the meeting. Mr. Steinhagen announced to members of the public that the draft Master Plan review would be carried to the Special Meeting that will be held on Tuesday, February 8, 2022.

Ms. Sanyogita Chavan of H2M was sworn in as the Planning Board Planner for 2022.

H2M Presentation – Grand Avenue & Station Parkway Redevelopment Study

Ms. Chavan reviewed H2M’s findings for the area under review for redevelopment. Ms. Chavan discussed the process, the properties that were included in the study and summarized the criteria for redevelopment.

Mr. Paul Cancilla of H2M was also sworn in as Planning Board Planner for 2022.

Mr. Cancilla provided an analysis of each property and reviewed the criteria that the properties meet for redevelopment. Mr. Cancilla reviewed photos, discussed the surrounding area and uses and stated that the two properties that are included in the study present adverse conditions to the surrounding properties. Ms. Chavan summarized that the properties have numerous violations and lack maintenance. As a result of their study, H2M recommends designating the two properties as Non-Condemnation Area in Need of Redevelopment. Mr. Steinhagen inquired as to the manner in which vacancy satisfies the criteria for redevelopment for residential properties. Ms. Chavan confirmed that vacancy, on its own, is not sufficient to satisfy criteria D, however, Ms. Chavan stated that the vacancy created a public safety issue because of a trespassing incident and that the property exhibited significant dilapidation due to lack of maintenance.

The meeting was opened to the public for comments.

No members of the public provided questions and Mr. Steinhagen advised that no comments were submitted electronically.

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

A motion was made by Mr. Botten to request that both properties included in the study be recommended to the Mayor & Council for inclusion in Area in Need of Redevelopment.

Seconded: Mr. Wolf

On roll call, the vote was recorded as follows:

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

Mr. Steinhagen advised that he will provide a letter to the Mayor & Council and Borough attorney advising that Planning Board recommends the inclusion of the properties in the Area in Need of Redevelopment.

PB22-02 – Properties CAS Inc., 2239 & 2235 Jones Road, Block: 608/ Lots: 8 & 9
Minor Subdivision, Lot Width

Mr. Marc Macri of the Law office of Marc D. Macri located at 1000 Anderson Avenue, Fort Lee NJ, addressed the Board on behalf of the applicant. Mr. Macri reviewed the application and specifics surrounding the proposal. Per Mr. Macri, the subject lots are landlocked.

Mr. Steven Collazuol of Collazuol Engineering & Surveying Associates, LLC, located at 1610 Center Avenue, Fort Lee NJ, was sworn in to provide testimony as a professional engineer. Mr. Collazuol was deemed qualify to testify.

Mr. Collazuol reviewed the subdivision plans, lot dimension and detailed the existing conditions along with the proposed subdivision. Mr. Collazuol stated that the properties front into the Borough of Fort Lee. Mr. Collazuol also identified the Leonia Borough line that is located in the rear of the property. Mr. Collazuol advised that the proposal includes moving the Borough of Leonia lot line approximately seven or eight feet Southerly. Upon questioning from Mr. Steinhagen, Mr. Collazuol testified that if the Board were to act favorably on this application, the applicant would provide a revised plan showing different building envelopes on the plans as it relates to the setbacks that are required for Leonia in order to be compliant and not require additional variances.

Mr. Collazuol reviewed the zoning schedule for Leonia and the variances being sought. Mr. Collazuol confirmed that the property that is located in Leonia abuts the rear yard of another property in Leonia and that there is a fence and hedges that run along the rear property line. Chairman DeGidio inquired as to whether or not the Borough of Fort Lee has approved the subdivision application. Per Mr. Macri, Fort Lee has approved the subdivision application, however, it is subject to approval from Leonia. Ms. Chavan advised that the subject property is in the A-2 zone and has a side yard setback requirement of 14-feet. Mr. Steinhagen advised that per Mr. Collazuol’s testimony, the applicant will revise the plans to comply with the requirement and if the Board acts favorably, the resolution would be conditioned upon doing so. Upon questioning, Mr. Macri stated that the intent is to build a single-family home on the vacant lot. Discussion was held regarding current construction activity on Jones Road in Fort Lee. Mr. Steinhagen advised that if the intent was to build a home that is greater than a single-family home, the applicant would have to return to the Board for a density variance.

Andrew Di Sessa was sworn in as the Planning Board Engineer for 2022.

Mr. Di Sessa inquired as to whether the existing lot is a single lot in Fort Lee currently. Mr. Collazuol confirmed that it is a single lot in Fort Lee and that the lot line that extends from the Leonia municipal boundary line does not extend into Fort Lee to Jones Road. Mr. Di Sessa also inquired about the site improvements that were approved by the Borough of Fort Lee, to which Mr. Collazuol reviewed the conditions that are depicted on the subdivision plans. Mr. Macri stated that the Fort Lee approval was granted approximately two months prior and he would email the resolution to Mr. Steinhagen. Discussion was held regarding the rear yard setback for the lot that contains the existing home.

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

Mr. Jin Park of 511 Ridgeland Terrace inquired as to whether the existing fencing will be replaced and if the privacy that currently exists will remain. Mr. Macri reiterated that there are no plans for construction on the vacant lot, however, Mr. Macri stated that he will speak with his client to ensure that the existing fence is secured and if it needs to be replaced, he will discuss that as well.

No further members of the public provided questions.

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

The meeting was opened up to members of the public for comments.

Mr. Jin Park of 511 Ridgeland Terrace was sworn in to provide testimony.

Marked was the following:

R1 – Resident Photos

Mrs. Yun Park of 511 Ridgeland Terrace was sworn in to provide testimony. Mrs. Park detailed the conditions of the fence that is depicted in the photos taken in exhibit R1. Mrs. Park expressed concern over the safety of the existing fence and stated that she would like to maintain the height of the fence as well as the privacy screening. Mrs. Park also stated that the shed is in bad condition and that there are dead trees leaning on the shed.

Mr. Steinhagen inquired as to when the shed would be removed if the application were approved. Mr. Macri stated that the shed would be removed quickly, approximately in the spring. Mr. and Mrs. Park confirmed that the retaining wall in Exhibit R1 is their retaining wall. Mr. Steinhagen stated that the approval of the application can be conditioned on the replacement of the fence. Discussion was held regarding potential future improvements to the lots without Leonia Board approval and the option of conditioning approval on restricting building principal structures in the rear yard setbacks. Further discussion was held regarding the nature of a subdivision that impacts two boroughs and the potential impact to the Borough of Leonia as well as the subdivision ordinance.

A motion to approve the application with the conditions pertaining to limiting principal structure in the rear yard, compliance to the side yard setback requirements, removal of rear shed and replacement of fence was made by: Chairman DeGidio

Seconded: Mr. Ford

Mr. Zeigler expressed concern over approving a subdivision that would chip away at the character of Leonia. Mr. Thompson inquired as to whether or not the applicant could proceed with the subdivision exclusively on the property that is in Fort Lee. Further discussion was held as to whether Fort Lee would allow for the subdivision without approval from Leonia.

On roll call, the vote was recorded as follows:

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

Application PB22-02 is denied

PB21-20 – Ester & Cornelio Porras, 337 Hillside Avenue, Block: 601/ Lot: 34
Variance for Driveway Buffer and Deviation from Approved Plans for Walkway & Driveway

Corneilo Porras of 337 Hillside Avenue was sworn in to testify before the Board. Mr. Porras discussed his history in Leonia and explained the impact of Covid on the development of the home. Mr. Porras advised that it is their intention to remain in Leonia for quite some time due to family commitments.

Mr. Zeigler inquired about the supervision of the new construction. Mr. Steinhagen reviewed the architectural plan and compared it to the as-built survey to confirm the key issues behind the deviation.

Mr. Adam Myszka was sworn in as Zoning Officer for 2022.

Mr. Myszka advised that the issue regarding the k-turn driveway in the front of the yard was originally noted in the denial letter as an FYI to the Board because it was no longer a simple walkway but now enlarged for a car to conduct a k-turn. Chairman DeGidio inquired about the deliberate decision to expand the walkway to a k-turn driveway by the homeowners. Upon questioning, Mr. Porras acknowledged that the change from the walkway to a k-turn driveway was pre-authorized. Chairman DeGidio also inquired about the viability of the original driveway width compared to what was actually built. Mr. Steinhagen reviewed the zoning ordinance, 290-95(b) regarding driveway width and stated that the k-turn depicted on the as-built drawing appears to exceed the maximum width of 16-feet and would likely require a variance. Mr. Steinhagen advised that the approval can be conditioned so that no cars are permitted to park in front of the home, however, Mr. Steinhagen expressed concern regarding enforcement.

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

Mr. Thompson inquired about the initial layout of the driveway. Mr. Steinhagen reviewed a google image of the driveway prior to construction. Discussion was held regarding the impact to the homeowners if the application was denied. Ms. Choi inquired about the other issues that needed to be addressed in order to obtain a temporary certificate of occupancy (TCO). Mr. Porras detailed the issue with the front planters and venting in the home that needed to be corrected. Mr. Myszka elaborated on the clearance issue that needed to be corrected at the back platform and steps. Mayor Zeigler inquired about conditions that can be applied if the applicant parks their car(s) at the front of the home. Mr. Steinhagen suggested that the applicant represent that they will not park the vehicle in the k-turn space and if they do, the Board can take action to rescind the variance based on incorrect testimony. Further discussion was held regarding options for the approval and conditions. Mayor Zeigler requested that the resolution reflect that the Board has approved the application with significant reservations and that the Board does not condone the actions of the applicant.

A motion was made by Mayor Zeigler to approve the driveway buffer and width of the driveway, with significant stated reservations, and with the condition that no vehicle is to be parked in the k-turn portion of the driveway. It was confirmed that the intent of the condition is that in the event of a parked vehicle being in the k-turn area, the applicant will have to reappear before the Board.

Mr. Porras testified that he understood the conditions and the ramifications if he did not adhere. Mr. Steinhagen recommended that in addition to the motion, a deed restriction be recorded so that any future purchaser is aware of this condition.

Motion Seconded by: Mr. Thompson

On roll call, the vote was recorded as follows:

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

Application PB21-20 is approved

DISCUSSION ON BOARD MATTERS – NEW/OLD BUSINESS:

Chairman DeGidio advised that there was an initial meeting with the subcommittee on business-use of homes. The Chairman stated that the Subcommittee will provide a response to Councilwoman Terrell by or before the end of Q1.

COUNCIL LIAISON REPORT:

Councilman Fusco stated that he had nothing 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 12:10 AM

Respectfully Submitted,

Angela Copeland
Planning Board Secretary