



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

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**FEBRUARY 08 , 2022**

**7:30 PM**

**REMOTE MEETING VIA GOTOMEETING**

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The Borough of Leonia Planning Board held a meeting on February 08, 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:** Councilman Pasquale Fusco, Chairman Michael DeGidio, Vice Chair Ira Gold, William Russell, Ron Wolf, Timothy Ford, Sean Thompson

**MEMBER(S) ABSENT:** Mayor Judah Zeigler, Patrick Botten, Haeseok Ko, Damee Choi

**ALSO PRESENT:** Planning Board Attorney - Daniel Steinhagen, Zoning Officer – Adam Myszka, 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 January 26, 2022, reorganization meeting only, made by: Mr. Ford

Seconded: Mr. Russell

On roll call, the vote was recorded as follows

Mr. Wolf:	yes	Chairman DeGidio:	yes	Mr. Thompson:	yes
Mr. Russell:	yes	Mr. Ford:	yes	Vice Chair Gold:	yes

Chairman DeGidio announced that application PB21-18 for 176 Fort Lee Road would be heard first.

**NEW/CONTINUING APPLICATIONS:**

**PB21-18** – Citiview Associates Ltd., 176 Fort Lee Road, Block: 1205/ Lot: 3  
Preliminary and Final Site Plan Approval, Variances for Density, Units per Building, Minimum Living Space, Basement Apartment, Storage Space, Garages, Parking Spaces, Wall/Fence Height, Open Space, Parking Setback, Parking Aisle and Parking Space Variances.

Mr. Steinhagen advised that since this application and as well as application PB21-18 involves a D-Variance, Councilman Fusco should not participate. Councilman Fusco subsequently recused himself from this case.

The applicant's attorney, Kevin Conway, addressed the Board on behalf of the applicant. Mr. Conway outlined a reminder of what portions of the case were heard at the prior meeting

Mr. Spatz was sworn in to provide testimony as a licensed professional planner, he was deemed qualified by the board.

Mr. Spatz provided testimony regarding the variances which the applicant was seeking and how as per him they would provide improvements to the site and be justified within the overall goals of zoning regulations. Mr. Spatz further outlined the benefits of having the superintendent be able to live on site. Mr. Spatz was questioned regarding the D1 variance by Mr. Conway to which he replied that he didn't believe that the D1 variance was applicable to this project.

Chairman DeGidio, stated that there was no definitive conclusion made at the previous meeting in regards to the D1 variance not being applicable to this application along with if the basement designation was proper. Mr. Steinhagen outlined the basement definition and stated that he feels its applicable to the area in question, along with how the previous testimony from the architect detailed the grading on this project. Mr. Spatz replied to Mr. Steinhagen's and the Chairman's statements. Mr. Conway, stated that the architect testified about the nature of the lowest floor being more than 50% above grade at the previous meeting.

Mr. Steinhagen requested further clarification in regards to which nonpermitted use expansions are being requested. Mr. Spatz replied that the nature of some of the variances hinge on whether the floor and its existing units are considered a basement.

Discussion was held regarding Mr. Spatz's testimony, questions arose which required the input of other professionals and the building owner regarding storage. Mr. Steinhagen asked Mr. Spatz about the purpose of density restrictions and how it impacts the area, and if the benefits he stated prior could be attained without the addition of an onsite superintendent or an additional apartment. Chairman DeGidio asked how the proposed apartment would remain for the use of the superintendent only, Mr. Steinhagen replied that such enforcement would require a deed restriction.

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

Mr. Nobile was sworn in to provide testimony as the owner.

Mr. Conway questioned Mr. Nobile as to the history of the property and the building and the nature of their uses. Mr. Nobile testified about the need for a regular superintendent due to the age of the building. Mr. Nobile agreed to restricting the use of the proposed apartment.

Discussion was held regarding Mr. Nobile's testimony. The chair asked about apartment availability and storage. Mr. Nobile outlined that the previous superintendent lived in one of the existing apartments and they are now all occupied, he also stated that the bulk of the storage is done outside, and the storage space which will be displaced by the new construction will have its contents divided up between an outdoor storage area or the apartment with the superintendent. Mr. Steinhagen inquired about vacancies, and about requirements of onsite superintendents.

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

Mr. Pulice was sworn in to provide testimony as the architect.

Mr. Conway questioned Mr. Pulice in regards to outlining the difference in defining stories and basements. Exhibit P2, a plan photo exhibit prepared by Mr. Pulice dated 10-25-2021 was presented. Testimony was given on the photos and plans pointing out how the current layout of the building and retaining walls creates wells on either side of the building and therefore the lowest floor is entirely above grade.

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

No members of the board provided questions.

Hearing no questions from the board members, the board questioning portion was closed.

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.

Mr. Conway provided closing statements in regards to the intentions of this application being approved as a whole and allowing for it improve on the building and site as a whole along with the new apartment solely for the superintendent.

Additional board discussion was held regarding the application and concerns with the potential conversion of the proposed apartment into a rental unit at a later date. Mr. Di Sessa voiced his concern in regards to the engineering requirement for handicapped parking space not being located in the correct location if it was required and the need for repair and replacement of sidewalks facing Fort Lee Road. Mr. Conway agreed to the stipulations outlined in the board engineer’s letter. Mr. Steinhagen recommended that a condition of the approval will be that a deed restriction needs to be recorded to the satisfaction of both the board and borough attorney outlining the proposed apartment will never be occupied by anyone but the superintendent. Mr. Conway agreed with Mr. Steinhagen’s recommendation.

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

No members of the public provided comments.

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

A motion was made by Mr. Wolf to approve the application with the conditions stipulated by Mr. Steinhagen and all improvements being completed in timely fashion. Mr. Steinhagen added that the stipulation should encompass all the conditions outlined in the Pennoni letter.

Seconded: Mr. Russell

Chairman DeGidio voiced concerns about the application being bifurcated and only a portion of the project being done, Mr. Steinhagen replied that in this situation the project would not receive a Certificate of Occupancy.

On roll call, the vote was recorded as follows:

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

Application 21-18 is approved

Sign Waiver

Mr. Wolf recused himself from this application.

Mr. Wolf was sworn to provide testimony as the applicant.

Mr. Wolf outlined the details of the sign project he was proposing. He explained that he would be opening a business, and wanted his business sign to be unique. He detailed how background of the sign would be constructed from barrels cut in half and mounted directly onto the building, and the lettering would then be attached to the barrels.

The meeting was opened to the board members for questioning of Mr. Wolf.

Vice Chair Gold inquired about the sign projection from the building, Mr. Wolf stated that the proposed projection would be less than 18 inches, equal or less than the current awning. He explained he didn't have exact numbers as not all barrels have identical dimensions. Vice Chair Gold inquired about the durability of the barrels as a signage material, Mr. Wolf explained that the barrels have been treated and lacquered to withstand weathering. Mr. Russell inquired about where the idea of the design came from, Mr. Wolf explained he has seen a similar sign elsewhere. Chair DeGidio inquired about why the sign size chosen to be this large, Mr. Wolf replied that this was the design that he felt worked and looked best. The Chairman also asked to clarify if the top of the sign would not be higher than the bottom of the second-floor windows, Mr. Wolf said that they would not. Chair DeGidio also asked to clarify the dimensions of the proposed signage, Mr. Wolf gave the detailed dimensions of the sign. Mr. Myszka explained how the sign area is calculated. Mr. Steinhagen quoted the Borough sign ordinance pertaining to sign sizes. Chair DeGidio expressed concerns about the size of the sign in relation to that permitted by the Ordinance and the potential for setting a precedent.

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

No members of the public provided comments.

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

Mr. Fusco inquired about mounting details on the plan.

A motion was made by Mr. Ford to approve the application 22-01.

Seconded: Councilman Fusco

On roll call, the vote was recorded as follows:

Mr. Russell:	yes	Chairman DeGidio:	no	Mr. Thompson:	yes
Councilman Fusco:	yes	Mr. Ford:	yes	Vice Chair Gold:	yes

Application 22-01 is approved.

Mr. Wolf rejoined the meeting as a board member.

Mr. Steinhagen addressed the chair and asked if this presentation was informal in nature or if the board would be voting to adopt the master plan at this meeting. Chair DeGidio clarified that the vote would happen at a later date and that this presentation was informal.

Ms. Sanyogita Chavan of H2M was sworn in to provide testimony as the Planning Board Planner.

Mr. Paul Cancilla of H2M was also sworn in to provide testimony as the Planning Board Planner.

**H2M Presentation – Draft of the Master Plan**

Ms. Chavan reviewed the purpose and process of the Master Plan reexamination. Mr. Cancilla detailed the engagement and participation of the community and how it affected the new master plan draft. Mr. Cancilla reviewed how the plan takes into consideration the issues most important to the community through a survey H2M conducted. Ms. Chavan outlined the age distribution in the borough and how the plan addresses the needs of community members. Mr. Cancilla presented the preferred housing types according to the survey. Ms. Chavan touched on incorporating commercial districts in the master plan. Mr. Cancilla explained the Climate Change Vulnerability Assessment. He also addressed how the Master Plan will approach circulation issues and outlined recommendations. Ms. Chavan spoke about the economic development. Mr. Cancilla detailed the sustainability issues & recommendations, he then spoke about the parks, open space areas, and community facilities in the Borough. Ms. Chavan outlined the plans for historic areas and recommendations for their preservation. Chair DeGidio thanked the planners for their work on this Master Plan.

The meeting was opened to the board members for questioning of Ms. Chavan and Mr. Cancilla.

Mr. Wolf asked for a clarification of shared parking ordinances, which Mr. Cancilla proceeded to explain.

Councilman Fusco inquired about the economic development section of the presentation, Ms. Chavan replied that this section was general in nature due to the housing development and economic development working off one another and through ordinances. Mr. Steinhagen added that redevelopment planning falls under the governing body through the adoption of resolutions and requesting studies of specific areas in need of redevelopment. Chair DeGidio asked to what extent the governing body's economic development consultant Karp Strategies guided the economic development portion of the plan, Ms. Chavan said that the recommendations of the consultant were referenced and incorporated into the plan. Mr. Russell inquired about the lack of specificity of the criteria cited in the Master Plan, and wanted to ensure that the Master Plan attracts high quality development. Councilman Fusco agreed with Mr. Russell. Ms. Chavan explained that the Master Plan is a framework, from which ordinances and design frameworks are proposed.

Mr. Steinhagen defined the role of the master plan and how it is used. He asked the planner about the progress of the housing element fair share plan portion of the master plan. Ms. Chavan stated that the analysis was done but they needed to discuss it with the Borough attorney first. Mr. Steinhagen then inquired if the planners had answers to questions posed by the Borough attorney at an earlier date, Ms. Chavan said that she had replied with her answers to the Borough attorney and included the applicable data into the Master Plan. Chair DeGidio outlined that the governing body wanted a more focused and detailed plan in regards to the enforcement of marijuana uses. Mr. Steinhagen replied that care must be taken about including detail in the Master Plan that could contradict borough ordinances especially if the language used is specific.

Hearing no other questions from the board members, the board questioning portion was closed.

The meeting was opened to the public for comments.

Mrs. Sanchez who is a member of the Historic Preservation Board commented that she was pleased that the planners used the feedback that the community provided from the workshop meeting she had attended. She also suggested that the Borough should consider and opportunity of working with Columbia University allowing them provide an outsider's perspective into the needs of the community.

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

Chairman DeGidio inquired about a timeline for presenting the Master Plan and any possible revision that the board wished for. Ms. Chavan asked if the final plan was planned to be adopted on March 23<sup>rd</sup>, Chair DeGidio agreed that this date would allow for the board members to submit any feedback they wish to the planners, prior to March 1<sup>st</sup>. The board members agreed.

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

Chairman DeGidio asked Mr. Steinhagen to discuss details of the upcoming meeting of February 23<sup>rd</sup> as the council meeting was moved to take place on the same date and time. It was decided that the meeting date would not be moved.

**COUNCIL LIAISON REPORT:**

No report presented.

**PUBLIC COMMENT PERIOD – CORRESPONDENCE:**

There was no public comment.

With no further business presented, a motion to adjourn the meeting was made by: Councilman Fusco

Seconded: Mr. Russell

All in Favor – Motion Passed

The meeting was adjourned at 10:40 PM

Respectfully Submitted,

Adam Myszka  
Planning Board Secretary