



**BOROUGH OF LEONIA**  
**Leonia Planning Board**  
**MINUTES**

---

**JUNE 22, 2022**

**7:30 PM**

**LEONIA SENIOR CENTER**

---

The Borough of Leonia Planning Board held a meeting on June 22, 2022 at 7:30 p.m. located at 305 Beechwood Place, Leonia NJ.

**MEMBERS PRESENT:** Chairman Michael DeGidio, Vice Chair Ira Gold, Councilman Pasquale Fusco, Patrick Botten, Timothy Ford, Sean Thompson, William Russell, Ron Wolf, Haeseok Ko, Damee Choi.

**MEMBER(S) ABSENT:** Mayor Judah Zeigler.

**ALSO PRESENT:** Planning Board Attorney - Daniel Steinhagen, Zoning Officer – Adam Myszka, Planning Board Engineer – Drew Di Sessa, Planning Board Planner – Sanyogita Chavan, Planning Board Traffic Engineer John Corak.

Meeting called to order at 7:30 PM

**OPENING MEETING STATEMENT, ROLL CALL**

**APPROVAL OF MINUTES:**

Motion to approve the minutes of the May 25, 2022, regular meeting, made by: Mr. Botten

Seconded: Vice Chair Gold

On roll call, the vote was recorded as follows

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

**APPROVAL OF RESOLUTIONS:**

**PB22-03**– 130 Highwood, Rocha. Block: 1503 Lot: 6 – Subdivision, Minor Subdivision, Parking

Motion to approve Resolution PB22-03 was made by: Councilman Fusco

Seconded: Mr. Botten

On roll call, the vote was recorded as follows:

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

**PB22-05** – 402 Highwood, Rogava. Block: 1611 Lot: 6 – Wall and Fence combined height

Motion to approve Resolution PB22-05 was made by: Mr. Ford

Seconded: Councilman Fusco

On roll call, the vote was recorded as follows:

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

**NEW/CONTINUING APPLICATIONS:**

**PB21-17** – Carried to the 07-12-22 special meeting with no further notice.

**Housing Plan Element and Fair Share Plan Draft** was presented by Sanyogita Chavan.

A short discussion was held by the board in regards to the presentation.

A motion was made to adopt the Housing Plan Element and Fair Share Plan by Mr. Botten

Seconded: Vice Chair Gold

On roll call, the vote was recorded as follows:

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

**PB22-06** – Lee Residence, 496 Park Ave, Block: 1308/ Lot: 11 – Front Yard Setback, Accessory Structure, Accessory Side Yard Setback

The applicant’s architect and planner, Peter Pulice of 344 Broad Avenue, was sworn in and addressed the board on behalf of the applicant and introduced the owner.

The owner Mr. Peter Lee of 496 Park Avenue addressed the board and give an overview of the proposed project and the reasons behind the application.

Mr. Pulice began to present his plans to the board. Chairman DeGidio inquired about an inconsistency in the dates on the provided plans. The most recent revised plans were put up on the screens in the meeting room, and Mr. Pulice continued his presentation of the plans. He detailed the new front entrance for the dwelling, the rear patio, and the proposed garage along with the variances they require.

5 Photos of 496 Park Avenue dated 06-22-2022, were marked as exhibit A-1.

Mr. Pulice detailed the photos presented in A-1 exhibit which concluded his testimony.

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

Mr. Ford inquired if the proposed widened driveway would interfere with adjacent driveways or parking locations. Mr. Pulice state that no parking spaces would be lost and a driveway is directly across from the project driveway.

Councilman Fusco inquired about the testimony regarding the new walkways and garage size. Mr. Pulice stated that the garage is larger to accommodate storage and that there is a path leading to the back yard.

Chair DeGidio asked if a change in proposed coverage would be possible in order to eliminate the requested coverage variance. Mr. Pulice and Mr. Lee agreed to reduce the coverage. Chair DeGidio then inquired about the location of the previous garage. Mr. Lee stated that he only knew about the garage through neighbors and had no knowledge of its location.

Mr. Wolf asked for clarification of one of the presented photographs.

Mr. Botten inquired about tree removal, the rules of which were explained by Chair DeGidio. Mr. Pulice stated that no tree removal is proposed.

Mr. Russell inquired about the garage blocking fire truck access. Mr. Pulice stated that the fire department would likely not enter the property with the vehicle and use a hose instead.

Councilman Fusco inquired about keeping the garage setback even with the other garages in the neighborhood. Mr. Pulice replied that the garage is even with the home and pushing it any further would increase the coverage and affecting the aesthetic and usability of the site. Councilman Fusco asked about the walls in the rear yard and the elevation of that area. Mr. Pulice clarified that the area between the retaining wall and garage has potential uses, and reiterated that it's the owners wish to have an unobstructed rear yard with a patio.

Mr. Botten asked about the distance of a neighboring home to the property line. Mr. Pulice didn't have the distance available. Mr. Botten then inquired about revising the water retention and runoff on site, to which Mr. Lee agreed.

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

Mr. James Silvestri of 482 Park Ave was sworn in and voiced his concerns about the garage location.

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

Mr. Myszka stated that relocation of the garage further back would reintroduce the lot coverage variance.

The board deliberated in relation to facts of the case. The board approved the preparation of a resolution subject to a plan revision pushing the back line of the garage to be parallel with the back line of the dwelling and the changes in water retention as requested by the board.

A motion was made by Mr. Botten.

Seconded: Mr. Thompson

On roll call, the vote was recorded as follows:

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

Application PB22-06 was approved.

**PB22-07** – Kim Residence, 282 Grand Ave, Block: 1209/ Lot: 5 – Side Yard Setback, Building Coverage, Lot Coverage, Fences and Walls

The applicant’s architect and planner, Peter Pulice of 344 Broad Avenue, was sworn in.

Helen Lee who is the sister of the applicant was sworn in to facilitate with translation.

Soon-Rye Kim was sworn in as the owner.

Mr. Botten inquired about the difference in signatures on the board application. Mr. Steinhagen clarified that the owner testified to their ownership and matched the borough records.

Helen Lee assisted Soon-Rye Kim in addressing the board and explaining what led to the unpermitted work on site and the reasons behind the application.

Mr. Pulice addressed the board. Mr. Steinhagen requested clarification of the “Existing Nonconforming Conditions” listen on Mr. Pulice’s plans. Mr. Pulice explained that these conditions were present prior to the purchase by the current owner in 2018.

Mr. Pulice presented his application and detailed the plans to the board. He outlined all the portions of the structure erected illegally, along with the coverage issues. He also discussed the partially collapsed retaining wall in the rear of the property.

2 pages of photos related to 282 Grand dated 06-22-2022, were marked as exhibit A-1.

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

Mr. Botten asked about the building layout and ownership of the building. He also wanted to know when the addition on the second floor of the porch was added. Mr. Steinhagen provided a survey from 1984 which listed the area in question as an open porch. Mr. Myszka stated that Street view has the structure visible as far back as 2007. Chair DeGidio requested a clarification on how the coverage can be considered “existing nonconforming” if the owner added to it as per testimony. Mr. Pulice said he based his plans on the site conditions as he had no old survey for comparison.

Referring to the 1984 survey Mr. Steinhagen stated that there was a note requesting a compliant setback on the then proposed deck, which is now built. It however doesn’t meet the requirements as noted.

Mr. Botten asked to clarify the entrance layout for the dwelling, and what the addresses were.

Councilman Fusco inquired about the garage sized door in the rear of the home. Mr. Pulice stated that it is a garage which is currently used for storage.

Chair DeGidio voiced his concerns in regards to the nature and details of this application. Mr. Pulice stated that the retaining wall is a priority. The Chair reiterated that more should and could be done to bring the site into compliance.

Mr. Steinhagen suggested that Mr. Pulice could assess the required parking and then remove coverage in excess of those parking locations in order to bring the coverage down from 75% closer to the compliant 50%. Mr. Pulice stated that he would revise the plan taking the parking into consideration.

Councilman Fusco voiced his concerns about runoff and storm water issues along with the location of the front yard retaining wall, and suggested a location for additional parking.

Mr. Botten inquired about the curb cut which extended past the property line.

Chairman DeGidio asked about the gravel and asphalt which extended past the property line into the adjacent borough lot. Mr. Pulice stated that he doesn't know when the site was paved but the owners are interested in purchasing the lot.

Mr. Steinhagen and Councilman Fusco discussed the procedure for the selling of a town lot of that size.

Chairman DeGidio asked Mr. Steinhagen if the board was able to permit the wall rebuild due to it being a safety issue. Mr. Steinhagen answered that this was possible. The board discussed this option.

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

The board deliberated in relation to facts of the case, specifically a partial approval for the wall which would encompass lot coverage reduction.

A motion was made by Chairman DeGidio approving the work in relation to the rear retaining wall and removing the rear concrete lot coverage, the rest of the application would remain pending a revised application which better addresses the issues on site and makes the site more conforming.  
Seconded: Mr. Wolf

On roll call, the vote was recorded as follows:

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

Application PB22-07 was approved.

**PB22-09 – NJ Promise Church, 150 Grand Ave, Block: 1501/ Lot: 12 – Conceptual Plan Review.**

Rebecca L. Maioriello the attorney for the applicant introduced Jay Chang a representative of the NJ Promise Church.

Mr. Chang outlined the mission of the church and detailed why an expansion was requested.

Ms. Maioriello introduced Ben Crowder from Bohler Engineering.

Mr. Crowder went over his plans and detailed them to the board.

Chairman DeGidio inquired about D.O.T. restriction on the site driveway. Mr. Crowder stated that its very possible that they would restrict the turns. The Chairman also wanted clarification on the tree removal in the rear yard. Mr. Crowder said that a good amount of the trees would have to be removed, but buffers are proposed.

Mr. Ford asked about trip limitation driveways as mentioned in the plan overview. Mr. Crowder stated that noncompliant lots such as this one will often have their trip density limited by the D.O.T.

Vice Chair Gold inquired about the trees in the rear yard. Mr. Crowder said that about 18 feet of the property would remain as is.

Councilman Fusco asked about the flow of traffic and peak times, stating that churches hold many events aside from their regular services. Mr. Crowder stated that the D.O.T. takes all the uses into consideration.

Vice Chair Gold inquired about planned green space for church goers to use. Mr. Crowder stated that most of the new improved area will be strictly parking.

Mr. Steinhagen inquired about the cross access and how they plan to entice people to use the cross-access exit rather than the existing driveway. Mr. Crowder stated that the cross-access leads to an intersection with traffic lights which guarantees movement and the ability to turn in either direction.

Mrs. Choi wanted clarification on traffic overlap with the swim club during their operating times in relation to the cross-access. Mr. Crowder stated that the D.O.T. will assess the flow of traffic and take appropriate action.

Chair DeGidio asked who has to permit the cross-access to the pool property. Mr. Steinhagen explained that this decision falls on the council.

Mr. Russell inquired about the wetlands area. Mr. Crowder showed the required rear buffer. Mr. Russell and Mr. Steinhagen discussed the possible flooding issues. Mr. Crowder assured that the D.E.P. was informed about this project and it would meet their storm water standards.

The planner presented the site plan discussed the details of the proposed addition. The applicant was advised to approach the Borough of Leonia regarding the cross-access exit as a necessary and first step.

A short discussion was then held on the Housing Element and Fair Share Plan progress.

A motion was made by Vice Chair Gold to authorize the board attorney to prepare the Housing Element and Fair Share Plan resolution.

Seconded: Mr. Botten

Motion was approved with a voice vote.

Councilman Fusco left the meeting.

**PB21-15** – 131 Fort Lee Road LLC/Sima Development LLC, 131 Fort Lee Road, Block: 802/ Lot: 16 - Preliminary & Final Site Plan Approval, Residential Use in D-Zone, Building Height, Rear Yard Setback, Side Yard Setback, Parking Spaces, Parking Aisles and Parking Requirements Variances - continued

The applicant's attorney, Carmine Alampi, addressed the Board on behalf of the applicant. Mr. Alampi outlined a reminder of what portions of the case were heard at the prior meeting. He also discussed how the sprinkler system affects the emergency egress for the building, along with the content of the letter his engineer had sent to the board.

The applicant's planner, Michael Pessolano, was sworn in.

14 pages of photos showing the surrounding areas were marked as exhibit A-14.

---

Mr. Pessolano went over the contents of exhibit A-14. He then gave testimony on the characteristics of the site. Mr. Pessolano then outlined the scope of the project, detailed the purpose of the building and went over the requested variances. He then explained the purposes of the Land Use Law and how this project meets those purposes. He also discussed how the project meets the redevelopment goals designated in the Leonia Master Plan as the site is located in an area designated in need of redevelopment. Mr. Pessolano then moved on to the parking and circulation proposed on site. He then correlated the addition of residential units in this downtown area, saying that it would assist local businesses.

Mr. Steinhagen clarified the details of the Housing Element and Fair Share Plan the Borough was undertaking to Mr. Pessolano.

Mr. Alampi brought this portion of the testimony to a close.

**PB21-17** – Carried to the 07-27-22 meeting with no further notice

---

---

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

None

**COUNCIL LIAISON REPORT:**

Councilman Fusco was not present.

**BOARD ATTORNEY REPORT:**

Mr. Steinhagen stated he had nothing to report.

**BOARD PLANNER REPORT:**

Ms. Chavan stated she had nothing to report

**ZONING OFFICER REPORT:**

Mr. Myszka stated 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: Vice Chair Gold

All in Favor – Motion Passed

The meeting was adjourned at 11:06 PM

Respectfully Submitted,



Adam Myszka  
Planning Board Secretary