



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

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**JULY 27, 2022**

**7:30 PM**

**LEONIA SENIOR CENTER**

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The Borough of Leonia Planning Board held a regular meeting on July 27, 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, Damee Choi.

**MEMBER(S) ABSENT:** Mayor Judah Zeigler, Haeseok Ko.

**ALSO PRESENT:** Planning Board Attorney - Daniel Steinhagen, Zoning Officer – Adam Myszka, Planning Board Engineer – Raja Dipti, 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 June 22, 2022, regular meeting, made by: Mr. Botten

Seconded: Mr. Wolf

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	Mr. Thompson	yes
Mr. Russell	yes	Mr. Wolf	yes	Ms. Choi:	yes

Motion to approve the minutes of the July 12, 2022, special meeting, made by: Mr. Botten

Seconded: Mr. Thompson

On roll call, the vote was recorded as follows

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

**APPROVAL OF RESOLUTIONS:**

**Housing Element and Fair Share Plan**

Motion to approve the Housing Element and Fair Share Plan was 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	Mr. Thompson	yes
Mr. Russell	yes	Mr. Wolf	yes		

**NEW/CONTINUING APPLICATIONS:**

**PB20-03** – Carried to the 10-26-22 regular meeting with no further notice.

Dipti Raja of Pennoni Associates was sworn in as the board’s engineer.

**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, remained sworn in from the previous meeting.

Mr. Pulice detailed the changes made in the plans as per the board’s request at the previous meeting.

Mr. Steven Silvestri of 4449 Post Avenue, Miami, Florida was sworn in and voiced his concerns about the garage location.

Motion to approve Resolution PB22-06 was made by: Mr. Botten

Seconded: Mr. Wolf

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	Mr. Thompson	yes
Mr. Russell	yes	Mr. Wolf	yes	Ms. Choi:	yes

**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, remained sworn in.

Mr. Pulice presented his revised plans the plans to the board. He outlined the proposed parking areas along with a reduction of lot coverage and detailed the retaining wall repair plan. Chair DeGidio inquired about the existing portions of the dwelling which were built without permits, Mr. Pulice stated that they don’t require variances. Mr. Steinhagen interjected clarifying that the project requires coverage variances therefore any coverage is a part of the coverage issue, not any part specifically. Mr. Pulice then clarified his position.

Chair DeGidio requested clarification on how the four-car stack parking would be handled for a 2-family home and about the paving encroaching on Borough property. The applicant’s planner stated that the paving was that way at the time of purchase. Chair DeGidio also had questions in regards to the curb cut. Mr. Pulice agreed to relocate the curb cut.

Councilman Fusco brought up concerns in regards to vehicle maneuvering on site. A discussion was held in regard to possible parking revisions which would allow easier use of the stack parking. Mr. Pulice agreed to revise the plan to encompass a maneuvering area in the front yard.

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 meeting was opened to the public for comment regarding the application.  
No members of the public provided comments.  
Hearing no comments from the public, the public comment portion was closed.

The board deliberated in relation to facts of the case. The board approved the preparation of a resolution subject to a plan revision of the maneuvering and parking area along with the relocation of the curb cut as requested by the board.

A motion was made by Mr. Ford.  
Seconded: Mr. Russell  
On roll call, the vote was recorded as follows:

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

The preparation of a Resolution was approved.

**PB22-08** – Kim Residence, 284 Glenwood Ave, Block: 901/ Lot: 11 – Front Yard Setback, Side Yard Setback, Combined Side Yard Setback, Parking Space Size, Retaining Wall Height.

Mathew Capizzi the applicant’s attorney presented an overview of the application.

The applicant’s architect and planner, Hojoon Chung of Joon Architecture - 21 Grand Avenue, Palisades Park was sworn in.

A new site plan drawing P-002 was marked as exhibit A-1.

Mr. Chung presented his plans to the board and detailed the scope of the project.

Chair DeGidio asked for a clarification on the side yard setbacks, Councilman Fusco additionally inquired about how the addition lines up with the existing portions of the structure.

Mr. Chung detailed the side yard encroachment as proposed on his plans. Councilman Fusco further inquired about rearranging the layout of the addition in order to make the application more compliant. Mr. Chung and Mr. Capizzi reiterated the existing setbacks and how the proposed addition would impact the setback layout.

Chairman DeGidio asked about the existing impervious coverage amount.

Ms. Raja clarified that they will require drainage calculations to be provided prior to seepage pit installation.

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

Grace Zucaro-Roman of 216 Van Orden Avenue wanted clarification on the side yard setback requirements.

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

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

A planning exhibit was submitted and was marked as exhibit A-2.

Mr. Pessolano went over the contents of exhibit A-2. He then gave testimony on the characteristics of the site. Mr. Pessolano then outlined the scope of the project, detailed the purpose of the addition and went over the requested variances. He further discussed the relief sought and the criteria being met in regards to the Land Use Law.

Chair DeGidio requested clarification about the tree on site.

Mr. Ford questioned if demolishing the home and starting from a clean slate would not have been more beneficial. Mr. Capizzi stated that many scenarios and options were discussed in relation to the direction of this project.

Councilman Fusco, asked about the front yard setback as shown on the plans and voiced his concern in regards to inconsistencies in calculations.

Mr. Botten inquired about shade tree requirements, and replacement of the removed trees on site.

Chair DeGidio inquired about the portion of the encroaching retaining wall, to which Mr. Capizzi said the portion would be removed.

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

No members of the public provided questions.

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

A motion to approve the application with the board required conditions was made by Mr. Botten.

Seconded: Chair DeGidio

On roll call, the vote was recorded as follows.

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

Application PB22-08 was approved.

**PB22-10** – Voss Residence, 164 Spring Street, Block: 1202/ Lot: 11 – Lot Coverage, Parking Space Size.

Helen Voss was sworn in as the owner.

Wayne Guskine of 26 Central Ave, Hillsdale was sworn in as the professional architect.

Mr. Guskine presented his plans to the board and detailed the scope of the project.

A photo board was submitted and marked as exhibit A-1.

Mr. Guskine went over the contents of exhibit A-1

Mr. Steinhagen gave his interpretation of how to view coverage present on site.

Chair DeGidio voiced his concerns about the undersized driveway. Mr. Guskine agreed that the space was undersized.

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

MS. Voss gave testimony about the project and the proposed driveway. She also stated that the intention for this property was for resale. Ms. Voss outlined the existence of undersized driveways on multiple other lots on the same block.

Councilman Fusco inquired about how many of the existing driveways on the block were constructed legally. Mr. Steinhagen replied that any driveways partially using the Borough right of way would require council approvals.

Ms. Raja requested the use of pervious paving for the driveway. Mr. Guskine agreed.

The meeting was opened to the public for questioning of Ms. Voss.  
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 comment regarding the application.

Mr. Munr Kazmir of 146 Spring St. was sworn in and spoke in support of this application.

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

The board deliberated in relation to facts of the case.

A motion was made by Councilman Fusco to deny the application as presented.

Seconded: Chairman DeGidio

On roll call, the vote was recorded as follows:

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

Application PB22-10 was denied.

**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 explained he intended to focus on height variance and bulk requirements.

The applicant’s planner, Michael Pessolano, remained sworn in from the previous meeting

Mr. Pessolano continued his planning testimony. He outlined the applicable case law and criteria. Mr. Pessolano further focused on the building height and detailed the proofs of the applicable criteria. He ended his testimony detailing the positive criteria.

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

Chair DeGidio asked Mr. Pessolano how the parking limitations are justified, seeing how the height of the building dictates the required number of spaces. Mr. Pessolano replied that the spaces are sufficient as presented. Mr. Steinhagen asked Mr. Corak to weigh in on the parking standard presented as the Board's Traffic Engineer.

Mr. Corak explained the board's ability to reduce parking requirements on external factors.

Mr. Pessolano reiterated that the property will control the parking use on site.

Mr. Ford further inquired about parking, focusing on parking for guests.

Mr. Wolf asked but how ridesharing services would be handled and managed on site.

Vice Chair Gold made a statement about the number of personal vehicles being used as opposed to mass transit.

Mr. Steinhagen discussed the applicable case law in regards to the proposed use of the project, clarifying that the use not permitted in this zone was a use known to the governing body at the time of the adoption of the current regulations.

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

No members of the public provided questions.

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

Mr. Alampi brought this portion of the testimony to a close and acknowledged his understanding that the Borough is underway with development of a Redevelopment Plan for the area.

**PB21-15** – Carried to the 09-28-22 meeting with no further notice

**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.

Mr. Paul Kaufman attorney for the applicant addressed the board and introduced Mr. William Vogt the applicants civil engineer, both of whom remained sworn in from their previous appearance.

A revised site plan containing pages C-01 through C-03 dated 05-09-2022 was submitted and marked as exhibit A-8.

Mr. Vogt presented revisions present in the plans of A-8 and detailed the scope of the project. Mr. Vogt went over the lighting analysis in detail.

Mr. Steinhagen and Chair DeGidio inquired about details of the proposed light shielding, Mr. Vogt replied that he'd have to acquire the specs for the shielding.

Lighting Analysis from Daktronics was submitted and marked as exhibit A-9.

Pennoni Letter dated 07-11-2022 was submitted and marked as exhibit B-3.

H2M Letter dated 07-25-2022 was submitted and marked as exhibit B-4.

Stonefield Letter dated 11-16-21 was submitted and marked as exhibit B-5.

Stonefield Letter dated 06-14-22 was submitted and marked as exhibit B-6.

Mr. Kaufman asked Mr. Vogt to go over the Department of Transportation regulations and criteria for billboards.

Chair DeGidio asked for clarification of testimony regarding the orientation of the rear of the billboard, its height, and location of lighting levels. Mr. Vogt detailed the board position, revised height, and the intervals at which the light levels were measured. Chair DeGidio asked about how the footcandle calculations are affected by environmental and ambient light. Mr. Vogt focused on how the programming automatically dims and brightens the board lighting.

Mr. Wolf asked for details of the footcandle measuring procedures. Mr. Vogt described how they were measured.

Vice Chair Gold wanted to know how far the board would be visible from. Mr. Vogt said he would have to get the specific details regarding its visibility.

Ms. Choi inquired if there was analysis of the negative impact of broads against the model used by the applicant. Mr. Vogt reiterated that the provided analysis was a sufficient lighting assessment.

Vice Chair Gold asked how many foot candles are given off by moonlight. Mr. Vogt did not know the value in question. Vice Chair Gold also inquired if the lighting shielding would intensify the light output by focusing it. Mr. Vogt replied that the shielding was only to redirect light not magnify its value.

Mr. Steinhagen asked if the maximum illumination provided by the board is standard or if it differs from board to board. Mr. Vogt stated that boards of comparable size put out comparable maximum lumens. Mr. Steinhagen then added an inquiry if the changing of the colors and ads on the billboard make the board more noticeable.

Mr. Kaufman asked Mr. Vogt went over exhibit B-3.

A colored tax map was submitted and marked as exhibit A-10.

Mr. Vogt reviewed the data shown on A-10.

Chair DeGidio proposed the billboard be relocated to a compliant location since the proposed and permitted lots both would require variances. Mr. Kaufman said he'd take the statement under advisement.

Ms. Raja inquired which variances and D.O.T. standards would be applicable and which would be noncompliant of the proposed location.

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

Marilese Becker of 211 Highwood Avenue asked questions of Mr. Vogt.

Dawn Dissimos of 281 Orchard Drive in Mahwah asked questions of Mr. Vogt.

Aydan (unintelligible) asked questions of Mr. Vogt.

Horst Becker of 211 Highwood Ave asked questions of Mr. Vogt.

Karen Nippisin of 13 Undercliff Ave in Edgewater asked questions of Mr. Vogt.

Laura Mitchell of 11B Lakeview Ave asked questions of Mr. Vogt.

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

**PB21-17** – Carried to the 08-24-22 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 11:30 PM

Respectfully Submitted,

Adam Myszka  
Planning Board Secretary