



H2M Associates, Inc.

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March 26, 2024

Borough of Leonia Planning Board
312 Broad Ave
Leonias, NJ 07605

**Re: Pacific Outdoor LLC
Capital Review
Block 102; Lot 3
1 Overpeck Drive North
H2M Project No.: LEON2104**

Dear Board Members:

Pacific Outdoor is proposing to construct a digital outdoor advertising sign at the above-referenced property, which is owned by the Borough of Leonia. As per the submitted site plans, it is a single-sided sign facing the southbound side of NJ Turnpike. It is proposed to be located at the northernmost portion of the site, at a distance of about 109 feet to the NJ Turnpike right of way. The sign will be located at a distance of 240 feet to the nearest residential structure. The said property is located in the LI-2 Zone District, where billboards are a permitted use but requires bulk or "c" variances due to noncompliance of certain zoning requirements. However, as this outdoor sign will be constructed on a Borough owned property, it is exempt from the site plan requirements and the Planning Board is required to conduct a capital review pursuant to N.J.S.A. 40:55D-31 of the Municipal Land Use Law (MLUL). This correspondence identifies the Planning Board's role in the review of the proposed project in accordance with the MLUL.

Review of Capital Projects

N.J.S.A. 40:55D-31.a states the following:

Whenever the planning board shall have adopted any portion of the master plan, the governing body or other public agency having jurisdiction over the subject matter, before taking action necessitating the expenditure of any public funds, incidental to the location, character or extent of such project, shall refer the action involving such specific project to the planning board for review and recommendation in conjunction with such master plan and shall not act thereon, without such recommendation or until 45 days have elapsed after such reference without receiving such recommendation. This requirement shall apply to action by a housing, parking, highway, special district, or other authority, redevelopment agency, school board or other similar public agency, State, county or municipal. In addition, this requirement shall apply to any public entity taking any action to permit the location, erection, use or maintenance of an outdoor advertising sign required to be permitted pursuant to P.L. 1991, c.413 (C.27:5-5 et seq.).

The statute requires referral to the Planning Board, but this referral is **not** an application for development and the Planning Board's role is advisory in nature. The Planning Board, under the M.L.U.L., does **not** have the authority to approve or deny the capital project but can submit recommendations, if any, to the governing body regarding the same. As such, these recommendations are non-binding, and the governing body may or may not consider them.

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Review and Conclusion

After reviewing the materials submitted to the Planning Board we have the following comments:

- The ordinance was changed in 2001 to permit outdoor signage in the LI-2 Zone District.
- The 2022 Master Plan does not have any recommendations regarding highway billboards but acknowledges that it is permitted in the LI-2 Zone and that the ordinance outlines guidelines for highway billboards and similar large-scale signage.

Very truly yours,

H2M Associates, Inc.

A handwritten signature in black ink, appearing to read "Sanyogita Chavan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sanyogita Chavan, PP, AICP
Practice Leader – Land Use Planning

