



BOROUGH OF LEONIA
Leonia Planning Board
MINUTES

July 24, 2024 **7:30 PM** **LEONIA NEW MUNICIPAL CENTER**

The Borough of Leonia Planning Board held its regular meeting on JULY 24, 2024, at 7:30 p.m. located at 229 Fort Lee Road, Leonia, NJ.

Meeting was called to order at 7:30 PM.

FLAG SALUTE

ROLL CALL

MEMBERS PRESENT: Chairman Michael DeGidio, Vice Chair Ira Gold, Councilman Christoph Hesterbrink, Patrick Botten, Timothy Ford, William Russell, Sean Thompson, Haeseok Ko

MEMBER(S) ABSENT: Mayor Bill Ziegler, Ron Wolf, Damee Choi

ALSO PRESENT: Attorney – Dan Steinhagen, Planner – Sanyogita Chavan, Engineer – Drew DiSessa

Chair DeGidio explained a change in the order of business.

APPROVAL OF MINUTES

RESOLUTIONS

Mr. Botten asked for clarification on the resolution and if the wording is correct in regard to the type of pavers required. The board discussed and Mr. DiSessa explained the pavers that the board wants. The board made an amendment to the resolution.

Motion to approve the amended resolution for application PB 24-04, Peter Costanzo, for the address 163 Christie Street made by: Mr. Botten and Seconded by Mr. Russell:

On roll call, the vote was recorded as follows

Mayor Zeigler:	Absent	Chair DeGidio:	Yes	Councilman Hesterbrink:	Yes
Vice Chair Gold:	-	Mr. Russell:	Yes	Mr. Ford:	-
Mr. Botten:	Yes	Mr. Thompson:	Yes	Mr. Wolf:	Absent
Mr. Ko:	-	Ms. Choi:	Absent		

Motion Passes.

PAVER DISCUSSION

Chair DeGidio spoke with the board about beginning a discussion to add an ordinance that would give credit to homeowners for using pervious pavers.

Mr. DiSessa explained his experience with pervious surfaces and gave benefits and detriments in doing this.

Ms. Chavan explained her view on these ordinances.

Councilman Hesterbrink spoke in favor of this ordinance and gave some additional information on the use of pervious pavers.

Mr. Botten expressed concern over the people then being able to cover more of their property. Ms. Chavan explained the intention of the ordinance.

Chair DeGidio created a subcommittee to work on this ordinance made up of Mr. Botten, Chair DeGidio and Mr. Russell.

NEW/CONTINUING APPLICATIONS

PB24-09 – Mel Conti, 138 Broad Ave, Block: 1505 / Lot: 24 – Variances related to a home addition and a proposed

Chair DeGidio explained where the board left off, having tabled a motion.

Motion to Withdraw the prior motion on application PB 24-09, Mel Conti, 138 Broad Ave, with conditions made by Vice Chair Gold and Seconded by Chair DeGidio.

Mayor Zeigler:	Absent	Chair DeGidio:	Yes	Councilman Hesterbrink:	Yes
Vice Chair Gold:	Yes	Mr. Russell:	Yes	Mr. Ford:	Yes
Mr. Botten:	Yes	Mr. Thompson:	Yes	Mr. Wolf:	Absent
Mr. Ko:	-	Ms. Choi:	Absent		

Motion Passes.

Mr. Pulice asked if, because the application is substantially different can Mr. Ko take part in the vote?

Mr. Steinhagen and the board stated that he could not because there is already testimony that he was not present for.

Mr. Pulice presented the new modified application.

Mr. Steinhagen marked into evidence the revised survey as A3.

Chair DeGidio asked a question about the side yard setbacks. Mr. Steinhagen explained the preexisting nonconforming conditions and what requires a variance.

Mr. Ko asked a question about the entry way and how they would add a ramp for ADA compliance. Mr. Pulice explained where they could accomplish this in the plan.

Chair DeGidio opened the meeting to the public for questions.

Joe Reilly, 201 Moore Ave, asked a question about the blockage of the sky. Mr. Pulice explained that the sun angle is not blocked by the building.

Youngbin Lee, 130 Broad Ave, asked what the side yard set back is, and Mr. Pulice told her.

Chair DeGidio closed to public question and opened the meeting to public comment.

Youngbin Lee, 130 Broad Ave, was sworn in by Mr. Steinhagen. Ms. Lee expressed concern over the height of the building and the visibility looking over her fence and into her windows.

Chair DeGidio closed the meeting to public comment.

Mr. Botten asked if the windows could be frosted so that the visibility to the neighbor is fixed, and Mr. Pulice stated that this is not an issue.

Vice Chair Gold stated that he has the same concerns as the prior hearing.

Mr. Steinhagen explained to the board the required variances.

Vice Chair Gold discussed with Mr. Steinhagen the variances and requirements to approve or deny variances.

Mr. Botten asked if the driveway variance is driven by the ADA requirements, and Mr. Steinhagen confirmed this.

Mr. Ford stated that he believes they made substantial changes, and the applicant has been accommodating and is in support of the application.

Mr. Steinhagen discussed with the board the extent of the application which is conforming.

Chair DeGidio agreed with Mr. Ford and Mr. Botten and stated that he is in support of the application.

Mr. Steinhagen asked a question about the pervious paver and what kind they would be, and Mr. Pulice confirmed that he would accept the recommendation of the board engineer.

Mr. DiSessa gave his recommendation on the pavers.

Motion to Approve application PB 24-09, Mel Conti, 138 Broad Ave, with conditions made by Mr. Ford and Seconded by Mr. Russell.

Mayor Zeigler:	Absent	Chair DeGidio:	Yes	Councilman Hesterbrink:	Yes
Vice Chair Gold:	No	Mr. Russell:	Yes	Mr. Ford:	Yes
Mr. Botten:	Yes	Mr. Thompson:	Yes	Mr. Wolf:	Absent
Mr. Ko:	-	Ms. Choi:	Absent		

Motion Passes.

PB24-08 – Jessica Sim, 169 Broad Ave, Block: 1608 / Lot: 1 – Variances related to an addition and the expansion of a non-conforming use.

Peter Pulice was sworn in by Mr. Steinhagen.

David Kim, 169 Broad Ave, was sworn in by Mr. Steinhagen. Mr. Kim presented his story and his application to the board.

Jessica Sim, 169 Broad Ave, was sworn in by Mr. Steinhagen. Ms. Sim explained her story and why this application would help their family.

Mr. Botten asked a question about her connection to the application and Mr. Steinhagen explained how she would be involved.

Chair DeGidio asked if any board member or any member of the public had any questions for either of the witnesses. Confirming that there were none, Mr. Pulice came back up.

Mr. Pulice presented an OPRA request, and a Building Department File and Mr. Steinhagen entered it into evidence, marking it as A1. This evidence showed that the home is being taxed as a two-family home currently.

Mr. Pulice presented the application.

Chair DeGidio asked a question about parking use, and Mr. Pulice explained which areas would be used for residential and which would be used for the business.

Chair DeGidio and Mr. Steinhagen discussed with Mr. Pulice the ADA requirements.

Chair DeGidio raised a concern that the new driveway design requires people to back out onto Broad Ave, and Mr. Pulice offered to expand the area to allow for a three-point turn to fix this.

Mr. Pulice continued explaining the application.

The board asked if there were separate Utility meters, and Mr. Kim confirmed that there are.

Mr. Steinhagen confirmed that the playroom was not considered a bedroom, and Mr. Pulice stated that it could be used as a bedroom but that this is not the intention.

Chair DeGidio asked Mr. Pulice to point out the exits. He expressed concern over the required egress from a fire prevention viewpoint. Mr. Pulice explained that the building has fire suppression and that he would comply with any requirements by Fire Prevention.

Mr. Pulice gave more testimony on the application.

Mr. Ko asked about the elevation and the height of the building.

Mr. Russell asked if the home could be rented as a two-family in the future.

Mr. Steinhagen explained to the board that the home was already being used as a two family and that this meant that it could be rented in the future.

The board discussed the ability to restrict the property to keeping residents in the same family.

Mr. Russell commented that he is in favor of the application.

Chair DeGidio expressed that he is concerned about the driveway size and location forcing people to back onto Broad Avenue. Mr. Pulice stated the solution of increasing the driveway to allow a turnaround and accepting this as a condition of approval. Chair DeGidio asked about a section of asphalt in the rear yard. Mr. Pulice explained that this is access to the shed. Chair DeGidio asked if the applicant would be willing to make this into grass to decrease coverage. Mr. Pulice said this would be okay.

Mr. Botten asked about ADA compliance. Mr. Steinhagen explained that this will be a requirement they have to work around.

Mr. Pulice stated that he would comply.

Chair DeGidio asked if there were rules in place about the number of driveways.

Mr. Botten stated that this has been discussed on a prior application.

The board discussed this question, and Ms. Chavan told the board that they found nothing in the code about this.

Chair DeGidio opened the meeting to the public for questions.

Horst Becker, 211 Highwood Ave, asked a question about the number of stories in the building. Mr. Becker asked if any trees would be removed, and Mr. Pulice confirmed that no there would not be any trees removed.

Chair DeGidio closed the meeting to the public for questions and opened the meeting to the public for comments.

Helen Tarr, 312 Highwood Ave, was sworn in by Mr. Steinhagen. Ms. Tarr explained that she lives next door and stated that the Kim family has improved the house. Ms. Tarr expressed her approval of the application and explained that the house has had a rental the entire time.

Forst Becker, 211 Highwood Ave, was sworn in by Mr. Steinhagen. Mr. Becker testified that he appreciates the board's comments on the application and hopes that the board will encourage the home to remain a family home.

Chair DeGidio closed the meeting to the public.

Mr. Pulice made some closing comments.

The board discussed the action they plan to take.

Mr. Botten made a motion to Authorize Mr. Steinhagen to prepare a resolution of approval for the next meeting when the board would vote on the application and approve the resolution at the same time. Seconded by Mr. Russell.
All in Favor – Motion Passed

COUNCIL LIAISON REPORT

DISCUSSION ON BOARD MATTERS – NEW/OLD BUSINESS

PLANNING BOARD ATTORNEY REPORT

PUBLIC COMMENT PERIOD – CORRESPONDENCE

CLOSED SESSION

A motion was made to enter closed session at 10:13 PM by: Mr. Botten and seconded by Mr. Russell.
All in Favor – Motion Passed

A motion was made to leave closed session at 10:17 PM by: Mr. Botten and seconded by Mr. Russell.
All in Favor – Motion Passed

ADJOURNMENT

With no further business presented, a motion to adjourn the meeting was made by: Mr Botten and seconded by Mr. Russell.
All in Favor – Motion Passed

The meeting was adjourned at 10:20 PM.

Respectfully Submitted,

Michael Greco
Planning Board Secretary