

**Minutes of the Borough of Bogota Planning & Zoning Board Meeting
May 9, 2023 Meeting**

The May 9, 2023 meeting of the Borough of Bogota Planning/Zoning Board was called to order by Chairman Mancini at 7:37 pm

Members in attendance were Chairman Mancini, Vice Chair Daniele Fede, Tom Napolitano, Robert Foster, Yesenia Frias, Rebecca Youla, and Daniel Schnipp. Also in attendance were Board attorney Kevin Kelly and Board secretary Patricia Morrone.

Councilwoman Mary Ellen Murphy, D/Sgt. Liriano and William Hordern were excused. Eddie Rieper was absent.

A motion to open to public comments not related to items on the agenda was made by Tom Napolitano with a second by Jessie Frias. There being no public comments a motion was made by Tom Napolitano with a second by Rebecca Youla to close public comments. Both motions were carried.

Larry Calli, attorney for applicant Wenesco Realty, advised his client would be presenting an amended submission of plans for the Wendy's restaurant at 229 West Fort Lee Road.

Corey Chase from Dynamic Engineering was sworn in as a witness and began his presentation regarding the improvement of circulation to the site. He began with site plan A-1 explaining that there are 2 access points along Fort Lee Road. He stated the county required the following points prior to the approval of the traffic plan.

They are as follows: Depressed curb aprons shown across the access points. The Drainage and Utility plans reflect the existing inlet abutting the southern drive and connecting pipe traversing West Fort Lee Road shown as being removed. Removal of the proposed County Roadway Easement from all plans and indicate by note the existing pavement striping on West Fort Lee Road shall be milled to provide the left turn striping modification. Mr. Chase stated a revised plan

incorporating these requirements is to be forwarded to the County for final processing and approval.

He stated the egress of the drive thru is on the southern side of the lot with vehicles able to turn on West Fort Lee Road. The patio was reduced by 4 feet to provide more room for turning vehicles.

Sheet A-2, Vehicle Circulation Plan shows some egress of the original plan, but also shows a revised egress lane with more than sufficient space to make turns and exit to Fort Lee Road.

Sheet A-3, please refer to County requirements as noted on page 1 of these minutes.

The turning template for delivery trucks issue allows access around drive thru area and turns onto West Fort Lee Road. Deliveries are made during off hours and park on the back side of the lot. There is still one way circulation with driving in and out one way. Mr. Costa advised the 180 degree turn is not necessary and not safe. Mr. Costa also stated he could not approve this plan because of the conflict with delivery trucks. It is an accident waiting to happen.

Mr. Kelly asked if there could be a guarantee that deliveries would be made between the hours of 12 a.m. and 6:30 a.m. Mrs. Fede suggested some limits to the hours of deliveries.

Mr. Costa again advised the turn is a concern and does not work as he showed on the drawing. It was suggested that mountable curbs be placed. An amended drawing to be submitted to reflect revision date and delivery hours.

The applicant advised in the event a delivery truck was late someone from the restaurant would be outside directing traffic.

A motion to open public comments was made by Jessie Frias with a second by Rebecca Youla. Motion carried. There being no public comments a motion to close was made by Tom Napolitano with a second by Rebecca Youla. Motion carried.

Mr. Kelly will provide an affirmative resolution within the next couple of weeks to include the mountable curbing, the stipulation of delivery hours. Chairman Mancini asked for a motion to approve Mr. Kelly's providing an affirmative

resolution. A motion was made by Rebecca Youla with a second by Jessie Frias. Mrs. Morrone called the roll. Motion was carried.

John Veteri, the attorney for the 285 Orchard Terrace applicant thanked the Board and Mrs. Morrone for their assistance. He also advised the Board's recommendations were taken into consideration when revising the plans for this project. He stated they will not be subdividing the lot so a D-5 variance is not needed. They will, however, be applying for C variances.

Frank Troia, the applicant's architect was sworn in and explained 4 townhouse style dwellings would be built on the property. Each unit would have separate front and rear entrances. The buildings are joined to maximize space on the lot, eliminate curb cuts with front steps leading up to the property from the sidewalk. There will be landscaping along the front and existing trees will be maintained. The exterior elements are upscale and would blend in with the existing residences in the area.

Sheet BA001 showed a layout of the basements and the first floor with an elevated landing above the sidewalk.

BA-2 showed a detailed view of the basements. The end units have bump outs to break up the roof. The laundry areas are in the basement with no bathroom or egress window. It cannot be used as a bedroom.

The first floor is an open floor plan with your living area, kitchen, eat in area and rear balcony over the driveway. There is also a small room off the kitchen that does not meet any dimensions and cannot be used as a bedroom. A pantry is also on the first level.

Sheet BA201 showed the layout of the second floor. There are 3 bedrooms with a common hallway. The master suite has a bathroom, walk in closet. The hallways have walk in closets with plenty of storage space.

Sheet BA500 showed the property elevations. The front doors and staircase along the side of the building. The staircase will be a part of the masonry of the building. Sprinklers will be installed in all the homes and all fire codes for each unit are met.

Rebecca Youla asked for clarification of the parking. As well as the garage parking for 2 cars, would there be parking for 2 cars in the driveway. That was confirmed.

Jessie Frias thanked the applicant for clarifying that they are building four units on the lot.

Mr, Kelly asked about the size of the balcony. It would be 4 feet out and 17 feet wide. There would be no grills, no hanging laundry, just small outdoor furniture. The applicant agreed.

Tom Napolitano asked about the space in between the existing building and the new units. It is about 15 to 20 feet from the existing building.

A motion to open to public comments pertaining to this application was made by Tom Napolitano with a second by Jessie Frias. Motion passed. Mr. Rob Perez, an Orchard Terrace homeowner, expressed concern about the loss of a parking space, the snow emergency issue and school traffic.

Michelle Rugar, 140 West Fort Lee Road expressed concern about the elimination of 1 parking space on Orchard Terrace.

A motion to close public comments was made by Tom Napolitano with a second by Rebecca Youla. Motion carried.

Kyle Goodwin, the applicant's engineer again explained the parking with 2 car garages, 2 cars in the driveway and the loss of 1 space on Orchard Terrace. He spoke about the addition of 7 shade trees on the property. There would be new sidewalks and the tree roots will be accommodated. One tree on Orchard Terrace would be lost. The shade trees added to the site would be a minimum of 2 ½" caliber.

Mrs. Fede suggested that in order to maintain our trees, the applicant should contact our tree expert to accommodate the tree roots when re-doing the sidewalks.

Regarding drainage, there will be 5 dry wells designed by Mr. Costa. All utilities are on West Fort Lee Road and each unity is metered separately. The wall between the buildings is 8 feet (new wall). A fence on top of the wall exceeding 6' above ground level. Front is 4 feet. Will need a variance for the fence on top of the wall.

To comply with the Board Engineer structural plans will be submitted for wall and steps.

Spach Trahan asked if the trees are ornamental or shade. She suggested shade trees that flower.

Mr. Costa noted he felt pervious pavers were advisable.

A motion to open for public comments was made by Tom Napolitano with a second by Daniele Fede. Motion passed. Michelle Rugar continued to express concern about the loss of one parking space on Orchard Terrace which she feels would have a negative impact on residents. She questioned where the fire hydrant was located on the plans submitted. She was given a closer look at the plans and was satisfied. A motion to close public comments was made by Tom Napolitano with a second by Jessie Frias. Motion passed.

TJ Ricci, the applicant's planner advised they would be building 4 unit multi-family homes on the lot. He advised a D-5 variance is needed. Parking is compliant and he knows of no known parking issues with the tenants of the existing building. Utilities are already provided and the distance between buildings is 50 feet.

Sheet C4 shows parking is functional. There are mixed reviews regarding pervious pavers. Mr. Costa advised pervious pavers okay.

In reference to the Master Plan, Mr. Ricci stated there is limited housing in Bogota and these buildings offer a way to grow and conform nicely with the existing homes in the area. Since there are only 4 units, no COLA is necessary.

Chairman Mancini asked for a motion to proceed with the past 10:00 pm time limit. A motion was made by Jessie Frias with a second by Tom Napolitano. Motion carried.

Dan Schnipp noted the plans did not show the height of the existing building. Is the new building lower than the existing one. He suggested the plans be updated to show the height of the existing building.

Tom Napolitano commented that the new buildings will blend in with the existing residences in the area. Mass transit is fine.

Spach Trahan stated the Master Plan called for establishing additional housing. The new units will provide a new look to the area. There is minimal effect on existing parking.

A motion to open to public comments was made by Tom Napolitano with a second by Rebecca Youla. Motion passed. Michelle Rugar, 140 West Fort Lee Road, questioned how much green space would be available for residents of the existing building to enjoy the outdoors. It was stated that the patio will be available. The green area is being maintained in the back of the building. A motion to close public comments was made by Jessie Frias with a second by Rebecca Youla. Motion passed

At the consent of the applicant a motion to carry this matter to the May 23, 2023 meeting was agreed to. There will be no need to further advertise or notice.

A motion to adopt the minutes of the March 28th meeting was made by Jessie Frias with a second by Tom Napolitano. Motion passed.

A motion to adjourn the meeting was made by Tom Napolitano with a second by Jessie Frias. Motion carried. The meeting was adjourned at 10:29 pm

Respectfully submitted,
Patricia Morrone