

## MINUTES OF THE PLANNING/ZONING BOARD

### FEBRUARY 22, 2022 MEETING

The meeting was called to order by Chairman Mancini at 7:32 p.m.

Members in attendance were Councilwoman Mary Ellen Murphy, Tom Napolitano, John Mitchell, Ed Rieper, Frank Miranda, Daniel Schnipp, Jessie Frias and Jose Chavez. Absent were Councilwoman Daniele Fede and D/Sgt. H. Liriano.

This meeting was a continuation of testimony presented at the October 12, 2021 meeting. Attorney Pantel stated that all modified plans were well received and were in compliance with planned zoning. Affidavit of Service and Publication of Notice of Hearing, Exhibit A10 was noted.

Exhibit A11, the revision of the Cross Street layout dated 2/22/2002 was presented to the Board by Kevin Webb, the applicant's engineer. Improvements at the intersection of Cross Street and Industrial Avenue consist of rail crossing arms, eliminated driveways on Industrial Avenue and additional sidewalks at the westerly portion of the site.

The site covers 2 municipalities, Bogota and Ridgefield Park, 6.0 acres are in Bogota and 5.7 acres in Ridgefield Park. All existing buildings will be demolished with no phasing of improvements. All improvements in Ridgefield Park and Bogota will be done concurrently.

In addition of the warehouse area in Building 2, an office area of 5,500 square feet will be part of the building. At the south end of the building there will be 10 loading docks which will continue from Cross Street access (north) to Industrial Avenue. Industrial Avenue will not be a public street. A dedicated easement will benefit the travelling public. Industrial Avenue has been reconstructed and widened to 30 feet Western side and included in easement. Industrial Avenue was shifted 3 feet to the west.

Enhancements of signage, pavement markings, new railroad signals with control arms will be installed according to plan. NJDOT approval is needed through their rail group as a condition of the application.

The parking lot of building 2 will have a single point of entry with trucks entering at the southern end. There will be a dedicated truck driveway. Approximately 145 parking spaces per ordinance. There will be 6 accessible parking spaces per ADA requirements and 4 electric charging stations.

The waterfront has 4 dedicated parking spaces and is NJDP compliant per the November 2021 permit. The walkway is 12 feet wide, has a retaining wall and hand railing. There will be LED

lighting, trees and shrubs. Approximately 55 shade trees, 19 ornamental trees/bushes and shrubs. The Borough's Shade Tree Commission and Environmental Committee will be involved in the landscaping process.

Storm Water Management – run off to the river. NJDT and Army Corp on Engineers will inspect the outfall to the river before and after construction.

Per Mr. Costa, electrical services are to be severed and inspected before and after construction. Also, per Mr. Costa, an outside agency is needed for soil conservation and should be authorized by the Railroad company and NJDOT.

Mrs. Frias asked if curbsways, trees and the sidewalks created would be maintained by the applicant. She also asked if trash receptacles would be placed along with walkway and who would be responsible for trash disposal. Installation of these items was strongly encouraged by the borough and it is noted this will be included in the affirmative resolution. Attorney Pantel will have the applicant comply.

Mr. Mitchell expressed concern regarding the approval of zone permits by the NJDOT and Rail Group. It was stated by Mr. Webb that these permits have been in the works for some time and he feels they will be approved in a matter of months.

Mr. Napolitano stated he was very impressed with the presentation and with the necessary revisions to Mr. Costa's modifications and additions. He was pleased that Bogota's Shade Tree Commission will be involved in the selection of trees and shrubs.

He also asked if equipment on the roof of the buildings would be in line of sight. He was advised that the units would be over the office space and not visible to pedestrians. It was encouraged that screening be installed around the equipment. Attorney Pantel agreed to have the applicant comply.

Daniel Schnipp questioned what would occur if the walkway was not approved. Would there be plans to build an overhead walkway. Mr. Webb advised there are no plans for that at this time and it would be a significant change in the plans. It was also stated that the walkway was approved by NJDOT.

Exhibit A11 was presented to the Board. This exhibit showed the western boundary of the railroad, 30 feet to Industrial Avenue and a lighting plan of 8.5 foot panels. Discussion of advance warning signage in addition to pavement markings, etc.

Daniel Schnipp mentioned soil/land calculations to determine if the land is sturdy enough for construction. Mr. Costa advised if the soil is not sufficient piles and structural slabs can be used. This, will, however, add to the costs of the project.



Regarding the movement of an electrical pole for the extension of a sidewalk, Mr. Costa advised the ultimate decision is made by PSE&G regarding pole placement.

Mr. Kelly questioned if the lighting will be decorative and match all along the walkway to Ridgefield Park. A review of the lighting was given by Mr. Webb. The electricity must be maintained by the applicant and not paid for by either municipality. The applicant is also responsible for maintaining the cleanliness of the property.

It was also noted that Industrial Avenue will need to be repaved once construction is completed. This was not part of the original plans but applicant will comply.

Landscaping plans have been reviewed by the DEP and are in compliance. Mrs. Frias will address the involvement of the Environmental Committee at their meeting.

Mr. Miranda addressed the maintenance of the lighting along the walkway. Since this is private property the owners/applicant are responsible for this. Owners are also responsible for the removal of trash from all receptacles. DEP requires hours of operation to be from dawn to dusk. Signage will be posted. Lights will be inspected by owner every 6 months.

Mr. Costa advised he feels that after months of meetings, phone calls and revisions, the project is finally in a good place. He advised that Cross Street is in disrepair and needs to be repaved.

Mr. Grygiel said all of his questions and concerns have been answered and he believes the project should be approved.

Mr. Mancini is happy with the addition of a sidewalk in front of Industrial Avenue and the proposals are adequate.

A motion was made by Jessie Frias and seconded by Councilwoman Murphy to open for public comment to the engineer. No questions – motion made by Councilwoman Murphy and seconded by John Mitchell to close. Motion passed.

The applicant's Traffic Planner, Alan Lothein was sworn in by Kevin Kelly. He explained after several studies in the area during different times of the day, that there would be little or no impact on traffic in either Bogota or Ridgefield Park. A question was raised about the number of tractor trailers going into the site on a daily basis. It was estimated that it would be about 50 per day with about 1 every 15 minutes. Mr. Costa advised the zone was changed to redevelop for trailer traffic. Mr. Kelly noted that to change the zoning to limit the tractor trailers in and out of the area would be unreasonable and interfere with the operation of the business.

A motion was made to open public comments by Mr. Mitchell and seconded by Mrs. Frias. There being no questions of Mr. Lothein, John Mitchell made a motion to close with a second by Mrs. Murphy. Motion passed.

In closing Mr. Pantel thanked the Board and our professionals for their efforts to make the project happen and urged the Board to approve the application.

Mr. Kelly stated that he would be working on an Affirmative Resolution to present to the Board. He would take the time to confer with Mr. Costa and would include all the conditions presented to the Board.

A motion was made by John Mitchell and seconded by Jessie Frias to open comments to the public either in favor or against the approval of this project. All in favor. Mr. Michael Kates, attorney for Star Candle, stated that after reviewing plans and studies his client supports the approval of this project. There being no further public comments a motion was made by John Mitchell and seconded by Tom Napolitano to close public comments. Motion passed.

Tom Napolitano advised he was in favor of approving this application. Ed Rieper also advised he was in favor of approving this application. Jessie Frias thanked the professionals for the improvements presented to the Board and approved the application. Councilwoman Murphy is satisfied and comfortable that everything is in compliance. However, she did state she was nervous about having a warehouse in Bogota but in spite of that is in favor of the application being approved. John Mitchell thanked the professionals and advised he is in favor of this project. Dan Schnipp said the Golf Center would be missed. He felt comfortable with the response to traffic concerns and is in favor of this application's approval. Mr. Mancini said he was proud of the Board and professionals for the job they have done on this project and is in favor of its approval.

Dan Schnipp made a motion that this application be approved based on the conditions outlined in the Affirmative Resolution to be presented to the Board. Mrs. Frias seconded. The roll was called and the application is approved.

A motion was made by Tom Napolitano with a second by Councilwoman Murphy to approve payment of Paul Grygiel's invoices. Motion passed.

Mr. Mancini requested that a minor correction be made to the minutes of the February 8<sup>th</sup> meeting. A motion was made to accept the amended minutes by Dan Schnipp and seconded by Tom Napolitano. Motion passed.

Mr. Mancini opened a discussion regarding our meetings going live next month. The Board agreed to return to live meetings on March 22, 2022. Masks would be optional. Notification to the public would be made.

A motion was made by John Mitchell and seconded by Councilwoman Murphy to adjourn the meeting. Motion passed. The meeting was adjourned at 9:49 pm.

Respectfully Submitted,  
Patricia Morrone