

**BOROUGH OF BOGOTA**

	Aye	Nay	Absent	Abstn.	No Vote
Ambrosio	✓				
Mancini	✓				
Maye			✓		
Napolitano	✓				
O'Hagan	✓				
Mitchell	✓				
Shalhoub	✓				
Zampetti	✓				
Trotta	✓				
Frias	✓				
Kelemen	✓				
Vote Total	10		1		

DATE: July 10, 2018

RESOLUTION: 2018-07

MOTION BY: Napolitano

SECOND BY: Zampetti

**RE: SECOND AMENDMENT TO RESOLUTION 2016-10 GRANTING PRELIMINARY & FINAL SITE PLAN AND MAJOR SUBDIVISION APPROVAL**

**172 West Fort Lee Road (Lots 1, 1.01, 1.02, 1.03, 1.04, 1.05, 2, 2.01, 2.02, 2.03, 3, 3.01, 4, 4.01, 4.02, 5, 5.01, 6, 6.01, 6.02, 7, 7.01 in Block 72),  
Borough of Bogota, NJ**

=====

**RESOLUTION 2018-07**

**PLANNING/ZONING BOARD OF BOROUGH OF BOGOTA**

**WHEREAS**, RBC Urban Renewal, LLC, as the applicant has applied for to the Planning Board configuration of the Planning/Zoning Board of the Borough of Bogota for a Second amendment to the Preliminary and Final Sub Division and Site Plan Approval issued pursuant to Resolution 2016-10 dated December 13, 2016 for the Redevelopment Plan for 172 West Fort Lee Road (Lots 1, 1.01, 1.02, 1.03, 1.04, 1.05, 2, 2.01, 2.02, 2.03, 3, 3.01, 4, 4.01, 4.02, 5, 5.01, 6, 6.01, 6.02, 7, 7.01 in Block 72), Borough of Bogota, Bergen County, and

**WHEREAS**, public hearings were held by the Planning Board on June 26, 2018, at which time the Applicant, represented by Michael Bruno, Esq. of the firm of Giordano Halleran & Ciesla presented proof of notice and publication as required by law; and

**WHEREAS**, the Application consisted of a request for a second amendment to the subdivision and site plan previously approved pursuant Resolution 2016-10 (modified by Resolution 2018-4) specifically regarding location and configuration of the previously approved buildings; and

**WHEREAS**, the Board heard and considered the testimony in connection with said application from:

1. Jonathan Stein, principal of PCD Capital, LLC, owner of the applicant; and
2. Mark Denisiuk, PE , Ferriero Engineering, Inc. 180 Main Street. PO Box Chester, NJ 07930, a Licensed Engineer of the State of New Jersey, who was accepted by the Board as an expert in the field

of civil engineering;

3. John Larsen, AIA, NCARB President, CI Architects, Inc., 509 South Exeter Street, Suite 220  
Baltimore, Maryland 21202, a licensed architect of the State of New Jersey, who was accepted by the  
Board as an expert in the field of architecture; and

**WHEREAS**, the application consisted of the following:

- a. Application form, prepared by Michael A. Bruno, Esq., attorney for the applicant.
- b. Amended Preliminary & Final Major Site Plan, The River Club, Lots 1, 1.01, 1.02, 1.03, 1.04, 1.05, 2, 2.01, 2.02, 2.03, 3, 3.01, 4, 4.01, 4.02, 5, 5.01, 6, 6.01, 6.02, 7, 7.01 in Block 72, Borough of Bogota, Bergen County, New Jersey, prepared by Ferriera Engineering, Inc., consisting of 39 sheets, dated June 27, 2016, revised June 1, 2018.
- c. Final Major Subdivision Plat & Lot Consolidation Plan, The River Club, RCB Urban Renewal Bogota, LLC, New Lots 1.2, 2.1, 4.1, 5.1, Old Lots 1-7.01 in Block 72, Borough of Bogota, Bergen County, New Jersey, prepared by Ferriera Engineering, Inc., dated May 27, 2016, revised April 26, 2018.
- d. Architectural, Landscaping and Signage Plans, The River Club, Bogota, New Jersey, prepared by CI Design, Inc., consisting of 34 sheets, dated June 1, 2018.
- e. Stormwater Management Report for The River Club, RCB Urban Renewal Bogota, LLC, Lots 1-7.01 in Block 72, Borough of Bogota, Bergen County, New Jersey, dated June 27, 2016, revised May 4, 2018.
- f. Stormwater Management System Operations & Maintenance Manual for The River Club, River Development Bogota, LLC, Lots 1-7.01 in Block 72, Borough of Bogota, Bergen County, New Jersey, dated June 27, 2016, revised May 4, 2018.

**WHEREAS**, the at the hearing, the applicant marked the following exhibits, which were admitted into  
evidence:

1. A-1 Proof of service.
2. A-2 LS101 - Landscape Plan.
3. A-3 AS-102-design, drawing
4. A-4 Aerial view approved
5. A-5 Aerial view proposed
6. A-6 Colorized site plan approved
7. A-7 Proposed site plan
8. A-8 Elevation of building

**WHEREAS**, the public was given the opportunity to question each witness and make comments at the  
conclusion of the testimony, and based upon the testimony, and evidence presented, the Planning Board

configuration of the Planning/Zoning Board of the Borough of Bogota has made findings of fact and conclusions of law; and

**NOW THEREFORE BE IT RESOLVED**, the Planning Board of the Borough of Bogota has made the following findings:

1. RBC Urban Renewal, LLC (the "Applicant") is the owner and designated redeveloper of the property located at 172 West Fort Lee Road (Lots: 2, 2.01, 2.02, 2.03, 3.01, 4, 4.01, 4.02, 5, 5.01, 6, 6.01, 7 in Block 72; and 229 West Fort Lee Road, LOTS: 3, 4, 7, 8 and 9 in Block: 3) on the Tax Map of the Borough of Bogota (the "Property").
2. On May 23, 2013 the Mayor and Council of Borough of Bogota passed Resolution 13-11 providing for a preliminary investigation to be made to determine whether, Lots 1.01 and 1.02 in Block 72 on the Tax Map of the Borough of Bogota qualified as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, NJSA 40A:12A-5. On November 24, 2013 the Planning Board of the Borough of Bogota determined the aforesaid lots met the criteria for designation as an area in need of redevelopment.
3. On October 16, 2014, the Mayor and Council of Borough of Bogota passed Resolution 14-204 providing for preliminary investigation to be made to determine whether, Lots 2, 2.01, 2.02, 2.03, 3, 3.01, 4, 4.01, 4.02, 5, 5.01, 6, 6.01, 6.02, 7, 7.01 in Block 72 and Lots: 3, 4, 7, 8 and 9 in Block 3 on the Tax Map of the Borough of Bogota are areas in need of redevelopment. On May 21, 2015 the Planning Board of the Borough of Bogota determined said lots met the criteria for designation as an area in need of redevelopment.
4. Pursuant to Local Redevelopment Housing Law, N.J.S.A. 40A:12A-1 et. seq. on November 5, 2015 the Mayor and Council of Borough of Bogota adopted the West Fort Lee Road Redevelopment Plan (the "redevelopment plan").
5. Preliminary and Final Sub Division and Site Plan Approval for the property was issued pursuant to Resolution 2016-10 dated December 13, 2016.
6. An amendment to this approval was granted on March 27, 2018, and pursuant to Board Resolution 2018-4, the Applicant was permitted the install the forty-two (42) affordable dwelling units in a manner which disbursed said units throughout the property and proportionally located in each building to be developed as

part of the project. The proposed amendment will not further alter the Affordable Housing component of the project.

7. Applicant seeks to amend the prior approval to construct three (3) residential buildings and one mixed-use (commercial and residential) building with parking and amenities instead of the previously approved four (4) residential buildings and one mixed-use (commercial and residential) building.
8. The applicant proposes the same number of units as previously approved. There will be an increase on one bed room units and a decrease in two bed room units.
9. The amended application will result in a reduction in impervious coverage.
10. The applicant will provide the same number of affordable units as previously approved in the manner previously approved.
11. The proposed amendment will not change access to the site; alter the previously approved lot density ; or impact environmental issues related to the project.
12. Buildings 2 and 4 of the previously approved plan are being reoriented in a manner consistent with the plan so as to open up access to the waterfront.
13. This alteration will make the project more attractive and will produce more green space on site, while maintaining banked parking.
14. The proposed plan will also improve drainage and eliminate the location of cars in the flood zone area.
15. The subdivision being proposed will provide Four (4) building lots instead of five (5) building lots. The lots will be identified as: "1.1," which will contain building number 1; "2.1," which will contain building number 2; "4.1," which will contain building number 4 and the proposed dog Park; "5.1," which will contain building number 5. The proposed plan will eliminate lot 3.1 from the prior approval.
16. There is no change to the number of onsite parking spaces being proposed.
17. The Board finds that the location of dumpsters on the amended plan is an improvement.
18. The Board finds that the proposed amendment constitutes a better lay out and an aesthetic improvement to that which was previously approved by the Board. The Board finds that the proposed amendment to be better concept and allows better views and access to the waterfront. The Board finds the proposed amendment to be a better alternative from a planning perspective, and an overall improvement to the approved plan.

**NOW THEREFORE BE IT RESOLVED THE THAT THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA**, hereby grants applicant's request for an amendment to Resolution 2016-10 and approves the proposed amendment to the approved subdivision and site plan. This approval is subject to the following conditions:

1. This approval is specifically granted based upon the testimony of the applicant, the exhibits, and the application submitted to the Planning/Zoning Board of the Borough of Bogota, all of which have been relied upon by the Board. The applicant shall comply with all stipulations made on the record to the board.
2. The applicant shall pay any and all professional fees incurred by the Board as a result of this application. In the event any professional escrow of the applicant has been exhausted, said escrow shall be replenished prior to the issuance of any certificates of occupancy.
3. Applicant shall enter into an amendment to the Redeveloper's Agreement for the Project to reflect the amendment to the site plan and subdivision as the Borough or Borough Attorney requires.
4. All other conditions contained in Resolution 2016-10, as amended, remain in full force and effect and are not altered by the terms of this resolution, other than as set forth herein.

**BE IT FURTHER RESOLVED** that a copy of the resolution shall be on file in the office of the Borough clerk for public inspection, and a copy of the resolution shall be printed once in the Record.

Moved By: Mitchell

Seconded By: Napolitano

Roll Call Vote In Favor:  
**PLANNING/ZONING BOARD OF  
THE BOROUGH OF BOGOTA**

**PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA**

George Shalhoub  
George Shalhoub, Chairman

Tina Trotta  
Tina Trotta, Secretary

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Zoning Board of the Borough of Bogota at a meeting held on 7/10 2018.

ATTEST: George Medina  
George Medina, Clerk of the Board

