

BOROUGH OF BOGOTA PLANNING AND ZONING BOARD

**January 22, 2019 – Regular Meeting - 7:30 PM
Council Chambers**

A G E N D A

- I. FLAG SALUTE**
- II. OPEN PUBLIC MEETINGS ACT STATEMENT BY THE CHAIRMAN**
- III. ROLL CALL**

Counc. Tom Napolitano	George Shalhoub
Counc. Mary Ellen Murphy	Dermot O’Hagan
Daniele Fede	Det. Sgt. Hector Liriano
Corrado Mancini (Chairman)	John Mitchell (Vice Chair)
Tina Trotta	
Frank Miranda- Alternate 1	Jessie Frias – Alternate 2

- IV. PUBLIC COMMENTS**
- V. OLD BUSINESS - None**
- VI. NEW BUSINESS**

- Memorialize Resolution 2019-1, RE: Reorganization of Planning and Zoning Board for 2019 and also the appointing of Committees for said Board

Memorialize Resolution 2019-2, RE: Approving Minor Subdivision for Hoyt Enterprises, LLC - 174 Central Avenue, Block: 6, Lot: 55, approved by the Board in 2018

Signatures for Oath of Office document, must be signed by newly sworn in Board members

- VII. CORRESPONDENCE**

-From The New Jersey Planner, paperwork stating, NJDEP requires all current members of the Board, take an online class regarding STORMWATER MANAGEMENT (training is aprox. 45 minute slideshow)

-Form from NJ Planning Officials, regarding the application for the mandatory LAND USE training required by the DCA. (upon receiving all of the information, I will set up the course for those members) ALSO, we are members of NJPO and you should factor that in when applying)



NEXT MEETING: Scheduled for February 12th, 2019

BOROUGH OF BOGOTA

	Aye	Nay	Absent	Abstn.	No Vote
Napolitano (Class I)					
Liriano (Class II)					
Murphy (Class III)					
Mancini					
Mitchell					
Shalhoub					
Trotta					
O'Hagan					
Fede					
Miranda (Alt. 1)					
Frias (Alt. 2)					
Vote Total					

DATE: January 22, 2019

RESOLUTION: 2019-2

MOTION BY: _____

SECOND BY: _____

RE: RESOLUTION APPROVING MINOR SUBDIVISION.

**RESOLUTION 2019-02
PLANNING/ZONING BOARD OF BOROUGH OF BOGOTA**

**IN THE MATTER OF
Hoyt Enterprises, LLC
174 Central Avenue, Bogota, Bergen County, NJ
Block: 6 Lot: 55**

WHEREAS, Hoyt Enterprises, LLC, 206 Hoyt Street, Brooklyn, New York 11217, Represented
by Franklin Soto, Esq. appeared as the applicant, and has applied to the Planning Board
configuration of the Planning/Zoning Board of the Borough of Bogota for a minor subdivision
creating two conforming lots; and

WHEREAS, public hearings were held by the Planning /Zoning Board of the Borough of
Bogota on August 28, 2018; and September 25, 2018, and the applicant having produced Frank
D. Miletto, AIA, PP, as an expert in this matter, and the public was given the opportunity to
question each witness and make comments at the conclusion of the testimony; and;

WHEREAS, the application consists of the following exhibits:

1. Application
2. Minor Subdivision Plat (as amended), and;

WHEREAS, the Planning /Zoning Board of the Borough of Bogota has determined the

applicant has met the proofs required under the Borough ordinance for minor subdivision approval;

NOW THEREFORE BE IT RESOLVED THE THAT THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA, hereby approves applicant's minor subdivision application. This approval is subject to the following conditions:

1. 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.
2. 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.
3. The relief granted to the Applicant is specifically made subject to any conditions referred to herein. In the event any condition is held to be invalid, unenforceable, or unlawful, the approval shall be unenforceable. It is the intent of the Board that the variance not be approved if any condition is invalid and that the conditions are not severable from any variances or relief granted herein.
4. The applicant must submit the final site plan pla or deeds (With legal description attached) to the board engineer and the borough construction official for their final approval. Once said approval is obtained the Chairman is authorized to sign the final memorializing documents (If required).
5. The applicant shall obtain all necessary municipal and county approvals and building permits required for the site.

NOW THEREFORE BE IT RESOLVED THE THAT THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA, hereby approved the minor subdivision of Block 6; Lot 55.

PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA

Corrado Mancini, Chairman

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 _____, 2019.

ATTEST: _____
George Medina, Clerk of the Board

BOROUGH OF BOGOTA

	Aye	Nay	Absent	Abstn.	No Vote
Napolitano (Class I)					
Liriano (Class II)					
Murphy (Class III)					
Mancini					
Mitchell					
Shalhoub					
Trotta					
O'Hagan					
Fede					
Miranda (Alt. 1)					
Frias (Alt. 2)					
Vote Total					

DATE: January 22, 2019

RESOLUTION: 2019-1

MOTION BY: _____

SECOND BY: _____

RE: RESOLUTION MEMORIALIZING REORGANIZATION

RESOLUTION 2019-1

PLANNING/ZONING BOARD OF BOROUGH OF BOGOTA

WHEREAS, the Planning/Zoning Board of the Borough of Bogota, having duly convened its reorganization meeting on January 8, 2019, and;

WHEREAS, the Board having duly nominated and elected the following officers:

Corrado Mancini	Chairman
John Mitchell	Vice Chairman
Tina Trotta	Secretary; and

WHEREAS, the Board having determined to delegate the review of applications for completeness to a Completeness Review Committee and the Chairman having duly appointed the following Board members to the Completeness Review Committee:

George Shalhoub; and

WHEREAS, at that meeting the Board has determined to appoint George Medina as Clerk for the Planning and Zoning Board of the Borough of Bogota; and

WHEREAS, the Borough of Bogota on Behalf of the Planning/Zoning Board of the Borough of Bogota, issued and published a Request for Qualifications for Contractual positions for the year 2019; and

WHEREAS, the Board having received submissions filed in response to a Request for Qualifications, and the Board having reviewed same and the board having determined that the following persons are qualified and possess the professional, financial and administrative familiarity with the board necessary to serve the Board, and possess the necessary experience, training and capability to provide the services requested in the Request for Qualifications, and providing the greatest benefit to the tax payers of Bogota; and

WHEREAS, the Board has determined to appoint Kevin P. Kelly, Esq. as Board attorney for the year 2019; and the Board authorizes the Chairman to enter into a contract to retain said professional; and

WHEREAS, the Board has determined to appoint Boswell Engineering as Engineer for the Planning and Zoning Board of the Borough of Bogota for the year 2019. Said firm shall be compensated by billing against applications wherein applicants have deposited professional escrows, in accordance with the terms of the Municipal Land Use Law; and

NOW THEREFORE BE IT RESOLVED, Planning/Zoning Board of the Borough of Bogota by way of

this resolution hereby appoints Kevin P. Kelly, Esq. as Attorney, Boswell Engineering as Engineer, for the Planning and Zoning Board of the Borough of Bogota for the year 2019 and the Board authorizes the Chairman to enter into contracts to retain said professionals, and execute same, and;

PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA

Corrado Mancini, Chairman

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 _____, 2019.

ATTEST: _____
George Medina, Clerk of the Board

OATH OF OFFICE

I, Dermot O'Hagan do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of CLASS IV MEMBER OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA to the best of my ability, and that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people.

Dermot O'Hagan

Signed and sworn to before me this
_____ day of January, 2019

OATH OF OFFICE

I, Danielle Fede do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of CLASS IV MEMBER OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA to the best of my ability, and that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people.

Danielle Fede

Signed and sworn to before me this
_____ day of January, 2019

OATH OF OFFICE

I, Jesse Frias do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of ALTERNATE MEMBER II OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA to the best of my ability, and that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people.

Jesse Frias

Signed and sworn to before me this
_____ day of January, 2019

OATH OF OFFICE

I, Hector Liriano do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of CLASS II MEMBER OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA to the best of my ability, and that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people.

Hector Liriano

Signed and sworn to before me this
_____ day of January, 2019

OATH OF OFFICE

I, Christopher M. Kelemen do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of CLASS I MEMBER OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA to the best of my ability, and that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people.

Christopher M. Kelemen

Signed and sworn to before me this
_____ day of January, 2019



New Jersey Planning Officials

The Association of Planning Boards and Zoning Boards of Adjustment
 P.O. Box 7113 Watchung, NJ 07069 (908) 412-9592 Fax: (908) 753-5123
 e-mail njpo@njpo.org <http://www.NJPO.org>
 An affiliate of the NJ State League of Municipalities since 1939

2019 NJPO Winter-Spring Programs Planning Boards, Zoning Boards of Adjustment & Combined Boards Mandatory Training Programs & Experienced Sessions

Mandatory Training Courses (State Required)

In accordance with State Law, within 18 months of appointment, all members of Planning Boards and Zoning Boards of Adjustment must participate in five hours of mandatory training. All such programs on this agenda are designed according to the standards published by the NJ Department of Community Affairs in the NJ Register, Monday, July 17, 2006 (CITE 38 N.J.R. 3019), Vol. 38, #14, N.J.A.C. 5:87. The curriculum in each session, course outlines and instructors' credentials were submitted to the Department of Community Affairs to ensure that attendees at these training sessions will fulfill mandatory training obligations. Certificates of completion are issued by DCA following successful completion of the five-hour program and a test. NJPO was certified as a training organization for these programs in 2006.

Experienced Members Previously Certified

- A mix of how to and refresher with something new
- Recent court cases covering a myriad of relevant issues
- Legislation on land use
- Legal experts share time to tackle one-on-one topics
- Planners and engineers offer insight into techniques and mandates that will tie-in the local master plan with effective ordinances to keep your board working in community interest and, hopefully, out of court.... *And more of what you bring ...*
- Location to location, year to year, this category is never the same.

Mandatory Training

NJPO Member Mandatory Training Registrants
 _____ X \$85 = _____

Non-NJPO Member Mandatory Training Registrants
 _____ X \$135 = _____

Experienced Members

Experienced NJPO Member Registrants
 _____ X \$55 = _____

Experienced Non-NJPO Member Registrants
 _____ X \$75 = _____

PUBLICATIONS:

P6 MLUL and Guide to Planning Boards & Zoning Boards of Adjustment Book Bundle (NJPO Member) _____ X \$30 = \$ _____

P6 MLUL and Guide to Planning Boards & Zoning Boards of Adjustment Book Bundle (Non-Member) _____ X \$36 = \$ _____

Calculate Shipping & Handling Fees 1 (Bundle) = \$4.00, 2 = \$6.00, 3-10 = \$15.00 _____ = \$ _____

Books may be purchased separately. Order forms are available on NJPO.org. All publications will be shipped to the municipality.

Person to contact regarding this form:

Amount Due:

Municipality: _____ Zip Code: _____

Street Address: _____

Contact Name/Title: _____

Phone: _____ Fax: _____

E-mail: _____

Registrations \$ _____

Publications \$ _____

TOTAL \$ _____

Voucher/PO# _____

Check # _____

REGISTRATION FOR:

Municipality _____ ZIP _____

**NJPO 2019 WINTER-SPRING
MANDATORY TRAINING PROGRAMS &
EXPERIENCED MEMBER SESSIONS**

Date	Day	Course #	Time	Location
1/26/19	Sat	Mandatory 1	8:15 a.m. – 1:15 p.m.	Morris County - Police Academy, Morris Plains
2/2/19	Sat	Mandatory 2	8:15 a.m. – 1:15 p.m.	Camden County - Gloucester Twp. Municipal Bldg., Laurel Springs
2/9/19	Sat	Mandatory 3	8:15 a.m. – 1:15 p.m.	Middlesex County - Fire Academy, Sayreville
2/23/19	Sat	Mandatory 4	8:15 a.m. – 1:15 p.m.	Cape May County - Technical High School, Cape May Court House
		Experienced 5		
3/2/19	Sat	Mandatory 6	8:15 a.m. – 1:15 p.m.	Ocean County - Fire Academy, Waretown
3/9/19	Sat	Mandatory 7	8:15 a.m. – 1:15 p.m.	Hunterdon County - Voorhees High School, Glen Gardner
3/15/19	Fri	Mandatory 8	5:15 p.m. – 10:15 p.m.	Gloucester County - Pleasant Valley School, Harrison
3/23/19	Sat	Mandatory 9	8:15 a.m. – 1:15 p.m.	Bergen County - Paramus Life Safety Building, Paramus
3/30/19	Sat	Mandatory 10	8:15 a.m. – 1:15 p.m.	Sussex County - Sussex Community College, Bldg. D, Newton
4/6/19	Sat	Mandatory 11	8:15 a.m. – 1:15 p.m.	Burlington County - Burlington Township Municipal Building
4/13/19	Sat	Mandatory 12	8:15 a.m. – 1:15 p.m.	Monmouth County – Monmouth Co. Fire Academy, Howell
		Experienced 13		
4/27/19	Sat	Mandatory 14	8:15 a.m. – 1:15 p.m.	Somerset County - Hillsborough Twp. Municipal Complex, Hillsborough
4/29/19	Mon	Mandatory 15	5:15 p.m. – 10:15 p.m.	Bergen County - Community College, Hackensack
5/4/19	Sat	Mandatory 16	8:15 a.m. – 1:15 p.m.	Essex County - Kessler Institute, West Orange
		Experienced 17		

INSTRUCTIONS: Type/ Print Clearly -
Certification to DCA is based on provided information.

- Step 1: Fill in Registrant Name, Email, and Board
- Step 2: Enter Selected Course Number (1-17)
- Step 3: Complete information on this page and Send form to NJPO

Morning sessions – Sign in & continental breakfast at 8:00 a.m.;
evening sessions include dinner sandwiches.

REGISTRANT NAME	EMAIL (Used for cancellation notification only)	BOARD PB, COMBINED, ZBA	Course #

- > **Vouchers, purchase orders or checks on all registrations and orders MUST be received no later than 7 days before the event**
- > Make checks payable to NJPO
- > **NO registration changes within 3 days prior to a program.** If you cannot attend, NJPO will attempt to reschedule you with a \$20 rescheduling fee.
- > Program registrants can only be rescheduled within the same calendar year.
- > **NO-show registrants will be charged the entire tuition fee if NJPO is not notified by the end of the second business day following the scheduled program.** If notification is provided then a \$20 rescheduling fee will be added to your invoice.
- > Board secretaries are responsible for communicating the **NO-show** policy to their registrant(s).
- > Non registered attendees will be charged for the class plus a \$20 late fee and will encounter delays processing tests and certificates.
- > Forms may be mailed, e-mailed to njpo@njpo.org or faxed, 908-753-5123.

For directions & more, visit us at www.njpo.org

NJDEP Requires Continuing Education for Board Members

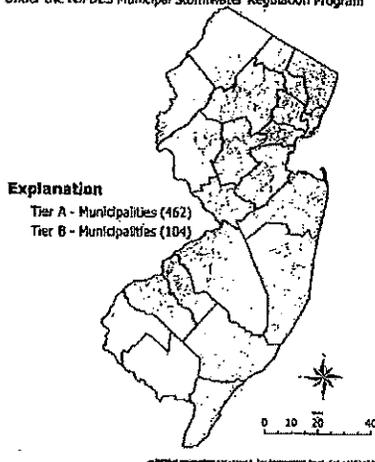
The New Jersey Department of Environmental Protection has mandated continuing education requirements for Board Members.

The Municipal Stormwater Regulation Program was developed in response to the U. S. Environmental Protection Agency's (USEPA) Phase II rules published in December 1999. The Department issued final stormwater rules on February 2, 2004 and four (4) NJPDES general permits authorizing stormwater discharges from Tier A and Tier B municipalities, as well as public complexes, and highway agencies that discharge stormwater from municipal separate storm sewers (MS4s). Public complexes include certain large public colleges, prisons, hospital complexes and military bases. Highway Agencies include county, state, interstate, or federal government agencies that operate highways and other thoroughfares.

The general permits address stormwater quality issues related to new development, redevelopment and existing development by requiring regulated entities to implement Statewide Basic Requirements (SBRs).

The Department has issued the final renewal permits for Tier A and B municipalities on November 9, 2017 and will become effective January 1, 2018.

Municipal Tier Assignments 2009
Under the NJPDES Municipal Stormwater Regulation Program



(continued on page 12)



DEP Required Classes

(continued from page 7)

Tier A Municipal Stormwater Permit

The Tier A Municipal Stormwater General Permit authorizes the discharge of stormwater from small municipal separate storm sewers. The permit was issued in response to USEPA's phase II rules. Tier A municipalities are generally located within the more densely populated regions of the state or along or near the coast. The Tier A permit addresses stormwater quality issues related to both new and existing development.

Tier B Municipal Stormwater Permit

The Tier B Municipal Stormwater General Permit authorizes the discharge of stormwater from small municipal separate storm sewers. Tier B municipalities are generally located in more rural areas and in non-coastal regions. The Tier B permit focuses on new development and redevelopment projects and public education.

Stormwater Management Design Review Course

This training is intended for individuals who review major development projects for compliance with the requirements of the Stormwater Management rules. The training will cover the requirements in the Stormwater Management rules, calculation methodologies, and how to review a major development.

Asking the Right Questions in Stormwater Review Training Tool (2015)

This interactive training tool is designed for Municipal Board and Governing Body members to provide a general understanding of the post construction section of the permit so that they can "Ask the Right Questions" during their review.

This interactive training tool must be completed by current Municipal Board and Governing Body members by July 1, 2018 and new members within 6 months of commencing duties.

From: Amanda Wolfe [<mailto:AWolfe@summitlawyers.net>]
Sent: Friday, May 18, 2018 1:40 PM
To: Frank Mottola <fmottola@bernardsvilleboro.org>
Cc: Steven K. Warner <swarner@summitlawyers.net>
Subject: FW: Mandatory Training - "Asking the Right Questions in Stormwater Review Training Tool"

All,

As you may already be aware, the New Jersey Department of Environmental Protection (NJDEP) is "requiring" that all current municipal land use board and governing body members take an online class regarding stormwater management by July 1, 2018. It is our understanding that the training is a 45 minute slide show presentation.

The NJDEP Stormwater Training site has an explanation of the training and information about compliance with the requirement. While it is apparently an honor based system, we believe that municipalities may have to include information about how many board members have taken the course on their annual reports, so it may be important that our board members review the presentation.

Here's the link to the DEP Stormwater Training site: <http://www.nj.gov/dep/stormwater/training.htm>

Here's the link to the "Asking the Right Questions in Stormwater Review Training Tool" link: <http://www.nj.gov/dep/stormwater/video/story.swf> (it initially did not open for me, but there's an alternate link [http://www.water.rutgers.edu/Projects/MunicipalOfficialTraining/E-Tool%20\(FINAL\)/story.html?usp=send_form](http://www.water.rutgers.edu/Projects/MunicipalOfficialTraining/E-Tool%20(FINAL)/story.html?usp=send_form) that did work for me)

For those of you interested in the specific language of the requirement:

f. Municipal Board and Governing Body Member Related Training (Part IV.B.5.f)

The Tier A Municipality shall ensure that municipal board and governing body members that review and approve applications for development and redevelopment projects, complete the "Asking the Right Questions in Stormwater Review Training Tool" posted at www.nj.gov/dep/stormwater/training.htm. This free on-line interactive training tool is designed for Municipal Board and Governing Body members to provide a general understanding of post construction requirements. This course must be completed by those individuals that review any projects for compliance with Part IV.B.4 of this permit. Training must be completed by current municipal board and governing body members on or before EDPA + 6 months and by new members within six months of commencing duties. Once per term of service thereafter, municipal board and governing body members must review at least of one of the tools offered under Post Construction Stormwater Management found at the website above. As specified in Attachment A (Measureable Goals and Implementation Schedule) for existing permittees, the Tier A Municipality is required to maintain a list of the dates and names of training program participants in its SPPP. Please refer to Attachment A-1 for new permittees.

http://www.nj.gov/dep/dwg/pdf/tier_a_draft_permit_for_publication.pdf (see page 33).

If anyone has any questions, please let us know.

Thank you!

Amanda C. Wolfe, Esq.



Paul W. Ferriero, PE, PP, CME, LEED AP, CFM
Robert C. Brightly, PE, PP, CME

Steven B. Bolio, PE, CME
Mark S. Denisiuk, PE, CME, LEED AP
Joseph S. Kosinski, PG, CFM, LEED AP
Dennis W. O'Neal, PE, PP, CME
C. Richard Quamme, PE, CME
Jess H. Symonds, PE

May 29, 2018

Frank Mottola, Board Administrator
Borough of Bernardsville Planning Board
Zoning Board of Adjustment
166 Mine Brook Road
Bernardsville, NJ 07924

Re: Mandatory Stormwater Training
Land Use Board Members

Dear Mr. Mottola:

As you are aware and to follow up the discussions with the land use boards, the NJDEP revised the Borough's municipal stormwater permit earlier this year. One of the requirements of the new permit is that all Board Members must take a DEP web based instructional program. This is anticipated to take 45 minutes or less. The link to the course is: www.nj.gov/dep/stormwater/training.htm. All Planning Board and Board of Adjustment Members should take the course. Please notify this office when the members have completed the training. I will have to report the roster of those trained with the annual report for 2018.

Please note that under the permit, the training must be completed within 6 months of the effective date of the permit. Since the effective date of the permit was January 1, 2018, the training is to be completed by July 1, 2018.

Please distribute this notice to the Board members and let me know if you have any questions.

Very truly yours,

Borough Engineer

cc: John R. Pidgeon, Esq.
Ralph Maresca
John Macdowall

RECEIVED

MAY 31 2018

BOARD OF ADJUSTMENT

RECEIVED

MAY 31 2018

PLANNING BOARD