

**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, February 1, 2018
930 Riverview Drive, Suite 250, Totowa, NJ 07512**

Chairman Gervens opened the meeting at 5:03 PM and read the notice that the requirements of the Open Public Meeting Act had been met. He then proceeded to the roll call.

MEMBERS PRESENT: William Gervens, Chairman; Joseph Metzler, Vice Chairman; County Engineer Steve Edmond; Miguel Diaz (5:15); Stephen Martinique; Nakima Redmond (5:15); Kenneth Simpson; Sam Mirza, Alternate; Freeholder Theodore Best (5:23); Freeholder Terry Duffy (5:29)

OTHERS PRESENT: John Abdelhadi, Planning Board Counsel; Michael La Place, Planning Director; Michael Lysicatos, Assistant Planning Director; Jason Miranda, Assistant Planner

REORGANIZATION: Stephen Martinique nominated William Gervens to be the Chairman of the Board. The nomination was seconded by Kenneth Simpson. The nomination passed unanimously. Joseph Metzler nominated Kenneth Simpson to be the Vice Chairman of the Board. The nomination was seconded by William Gervens. The nomination passed unanimously. Stephen Martinique nominated Michael La Place to be the Planning Board Secretary. The nomination was seconded by Joseph Metzler. The nomination passed unanimously. Stephen Martinique nominated William Gervens to be the Planning Board's liaison on the County Agricultural Development Board. The nomination was seconded by Joseph Metzler. The nomination passed unanimously.

MINUTES: The minutes of the January 18th, 2018 meeting were read. There being no additions, corrections or deletions and upon motion being made by Commissioner Metzler and seconded by Commissioner Martinique the minutes as noted above are officially adopted. Vice Chairman Simpson abstained.

PLANNING DIRECTOR'S REPORT: Planning Director Michael La Place reported on the following initiatives:

- The Department is coordinating with Engineering and Parks to develop a tree mitigation plan, through which the NJDEP will place trees throughout the County as compensation for the deforestation associated with the Route 3 & 46 project. Vice Chairman Simpson recommended that the Dey Mansion visitor's center parking lot be included in the plan.
- The Department has completed interviews for the Principal Planner position and anticipates that the position will be filled shortly.

PUBLIC PORTION: Commissioner Martinique made a motion to open the meeting to the public which was seconded by Vice Chairman Simpson. The motion passed unanimously.

Commissioner Martinique made a motion to close the public portion that was seconded by Vice Chairman Simpson. The motion passed unanimously.

DEVELOPMENT REVIEW

SP-18-002 – LSK Associates – 100 Oak Ridge Road, West Milford

Staff explained that this is a new site plan application in which the applicant has proposed to construct a 410 sq. ft. addition to an existing office building. There would be 12 off-street parking spaces located on

the site, a decrease from the existing 17 spaces. The site would maintain its existing, full-access driveway along Oak Ridge Road. The applicant has not proposed to construct any sidewalk along the frontage. The applicant has proposed to dedicate the remainder of the Master Plan right-of-way to the County. The site is sloped towards Oak Ridge Road. The plans do not indicate how stormwater runoff would be prevented from entering the County right-of-way. The applicant has proposed a single shade tree along the property frontage, an October Glory Red Maple, in addition to grass and shrubs.

There are conditions that must be satisfied before the application can be granted unconditional approval. The applicant must provide the referenced survey, which must be signed and sealed by a licensed surveyor. A property description and deed must be submitted for the proposed right-of-way dedication, signed and sealed by a licensed surveyor. The applicant must submit elevation profiles for the driveway. All striping must be noted as "thermoplastic". The centerline striping must be shown as double-yellow. The applicant must provide an explanation of the proposed parking allotment, which is significantly below the required 21 spaces. The right-of-way width of Oak Ridge Road must be noted on the plans. If the right-of-way width varies, all variations in width must be indicated in the correct location. The applicant must provide a positive drainage plan. There must be no stormwater runoff from the site into the County right-of-way. Shade trees must be provided in the proposed mulched area within the Master Plan right-of-way. All local and state approvals for the proposed septic system must be submitted to the County. The applicant must provide the Corridor Enhancement Fee of \$1,927.00 payable to Passaic County.

Commissioner Metzler inquired as to whether there were any handicapped parking spaces shown on the plans. Staff indicated that there were no handicapped spaces noted on the plan and added a comment that all such spaces must be labelled on the site plan.

Gregory Asadurian, the attorney for the applicant, provided a brief overview of the application. Mr. Asadurian stated that there would be less stormwater runoff from the property, as the overall impervious surface would be reduced. Mr. Asadurian stated that the Master Plan right-of-way may have been dedicated to the County by a previous applicant. Staff agreed to review past applications for any right-of-way dedications that may have been recorded. Commissioner Edmond informed the applicant's attorney that dedications were made by local ordinance in the past and would not appear in a title search. In such a case, it would have been completed as a quit claim deed.

Commissioner Edmond also inquired about the discrepancy between the local parking requirement of 21 on-site spaces and the 12 provided in regards to overflow parking. Tyler Vandervalk, the applicant's engineer, was sworn in and provided testimony on the project design. Mr. Vandervalk provided that the additional paved area to the rear of the building would accommodate six or seven additional employee vehicles for in the case that there are not enough spaces for visitors. Mr. Vandervalk was open to discussing the possibility of providing the paved area as formal parking spaces if the Township would work with the applicant on the design standards. The required handicapped parking space will be provided at the northwesterly corner of the parking lot.

Commissioner Edmond stated that the tributary areas must also be shown, and reiterated that all runoff towards the County roadway must be collected on-site and managed. Mr. Vandervalk stated that the septic system under the front parking lot restricts the applicant from installing a dry well in the front of the building.

Staff made a recommendation to confer with the Township and consider a green infrastructure treatment, such as a bioswale, in the front planted area in the situation that a dry well is not permitted by the Township.

Commissioner Metzler made a motion to **withhold approval** of the site plan application. Commissioner Martinique seconded that motion. The motion passed unanimously.

SP-18-003 – Pennington Passaic Townhomes – 176 Pennington Avenue, Passaic

This is a new site plan application in which the applicant has proposed to construct 20 three-story townhomes on an existing parking lot. There would be 44 off-street parking spaces located on the property, including 20 garage spaces. The site would have two full-access driveways, one each along Pennington Avenue and Aycrigg Avenue. The proposed driveway along Pennington Avenue will require a waiver from the Site Plan Resolution. The site is sloped towards Pennington Avenue at the location of the proposed driveway; the plans do not indicate how stormwater runoff would be prevented from entering the County right-of-way. The plans indicate that the proposed roof leaders would discharge onto the site. The applicant has proposed to plant 11 Sawleaf Zelkova trees along the Pennington Avenue and Aycrigg Avenue frontages.

There are conditions that must be satisfied before the application can be granted unconditional approval. The zoning table must be revised to include the square footage of both existing and proposed impervious surfaces on the site. The applicant must provide a positive drainage plan. There must be no stormwater runoff from the site into the Pennington Avenue right-of-way. Additionally, drainage calculations must be provided which account for both existing and proposed impervious surfaces. The Pennington Avenue driveway must be removed from the plans. The existing driveway must be replaced with full-height curbing and sidewalk in accordance with the attached County detail. All curbing and sidewalk along Pennington Avenue must be replaced in accordance with the County curb and pavement widening detail. It should be clarified if anything is proposed for the wooded area located at the northern edge of the property. The south building's utility connections must be to Aycrigg Avenue. The applicant must provide the Corridor Enhancement Fee of \$8,329.00 payable to Passaic County.

Vice Chairman Simpson inquired about the number of parking spaces required. Gregory Asadurian, the attorney for the applicant, stated that there would be a total of 44 parking spaces on the site. Of the 44 spaces, 20 would be located in private garages. Jeffrey Allen was sworn in as the applicant's engineer. Mr. Allen stated that there would be 10 surface spaces in front of each building, which would be restricted, in addition to 2 handicapped spaces and 2 visitor spaces.

Commissioner Metzler inquired as to whether there will be a refuse dumpster located on-site. Mr. Allen stated that this information would be provided in the follow-up submission.

Mr. Allen stated that the applicant is open to eliminating the Pennington Avenue driveway, but will wait to speak with the local fire official regarding emergency access requirements.

Mr. Allen stated that it will need to be determined if the applicant is able to provide all utility connections to Aycrigg Avenue.

Staff commented that the corridor enhancement fee was miscalculated and will be re-assessed before the review letter is issued.

Commissioner Edmond asked the applicant resubmit the drainage report. The applicant would like to discuss dry wells or other accommodations that would prevent stormwater runoff from entering the right-of-way.

Commissioner Metzler made a motion to **withhold approval** of the site plan application. Chairman Gervens seconded that motion. The motion passed unanimously.

SP-16-029 – Crossroads Pavement & Maintenance – 826 Black Oak Ridge Road, Wayne

Staff explained that this is a previously withheld application in which the applicant has proposed to operate an equipment repair facility and an office/retail facility in two existing buildings. The application was withheld by the Planning Board on June 10th, 2016 with 11 conditions. There would be a total of 53 off-street parking spaces located on the property, with all access via a combined driveway along Black Oak Ridge Road. There is an existing sidewalk along the entire property frontage. The site is sloped towards the County right-of-way. Inlets and a trench drain at the driveway would connect into an on-site detention system. The applicant has proposed to place three Black Gum trees along the frontage of the property.

There are conditions that must be satisfied before the application can be granted unconditional approval. The proposed on-site drainage may not be connected to the 12” HDPE underdrainage pipe along Black Oak Ridge Road. Instead, the applicant may connect to inlet #4 along the Black Oak Ridge Road frontage. Drainage calculations must be provided for the entire site, including all tributary areas. The calculations must show that there would be no sheet flow into the County right-of-way from the driveway or from the landscaped area to the north of the driveway. The 4’ sidewalk easement must be granted to the Township of Wayne. The applicant must submit a copy of the executed deed to the County. A 12’ exit lane must be provided at the driveway, with a striped shoulder for use only by trucks. All striping must be noted as “thermoplastic” instead of “long life”. Provide a copy of the required municipal approval, once granted, for the oil separator to be installed along the proposed drainage line. The applicant must provide the Corridor Enhancement Fee of \$4,461.20 payable to Passaic County. The Corridor Enhancement Fee was not assessed for the previously approved application. The Site Plan Resolution has since been updated and requires a Corridor Enhancement Fee for all site plans with frontage along any County roadway.

Commissioner Martinique made a motion to **withhold approval** of the site plan application. Commissioner Metzler seconded that motion. The motion passed unanimously.

SP-17-045 – Congregation Emek Yehoshua – 35-39 Brook Avenue, Passaic

This is a previously withheld application in which the applicant has proposed to operate a synagogue and community center in two existing buildings. The applicant has also proposed to construct building additions totaling 969 sq. ft. The application was withheld by the Planning Board on August 24th, 2017 with 12 conditions. There would be 30 off-street parking spaces located on the site, with access via two combined driveways along Brook Avenue. The applicant has proposed a valet parking operation for special events. The property is sloped away from Brook Avenue. There is no on-site drainage system, as the property drains into the Wood Bridge Brook to the rear. The applicant has proposed four Green Hawthorn trees along the property frontage.

There are conditions that must be satisfied before the application can be granted unconditional approval. The applicant must provide a survey, signed and sealed by a licensed surveyor. As there is no existing drainage on the site, the applicant must provide a positive drainage plan. There must be no stormwater runoff into the County right-of-way. The flood hazard area lines must be shown on the

plans. The color of the proposed striping must be shown on the plans. All striping must be indicated as “thermoplastic”. The plans must be revised to indicate the distance between the proposed “NO PARKING ANY TIME” signs and the driveways. The applicant must submit a copy of the previously requested correspondence with the City of Passaic, which should request an ordinance prohibiting parking between the proposed “NO PARKING ANY TIME” signs. The curbing and sidewalk must be replaced for the entire frontage. The applicant must provide the Corridor Enhancement Fee of \$250.00 payable to Passaic County along with verification of the applicant’s non-profit status. The proposed valet parking plan must use a standard AASHTO design Passenger Car (P) vehicle. The applicant must provide a written description of operations for the proposed valet parking, including the location of any off-site parking. From the front of the building up to Brook Avenue, the drive aisles must be 24’ in width with parking stalls of 18’ in length. The westerly driveway opening and drive aisle must line up with each other.

Commissioner Diaz made a motion to **withhold approval** of the site plan application. Chairman Gervens seconded that motion. The motion passed unanimously.

SP-17-062 – Proposed Condominiums – 165 Lakeside Road, West Milford

The application was previously withheld application. The applicant has proposed to use an existing building for 9 condominium units. The site includes an existing parking lot on the east side of Lakeside Road (Lot 23), which would be significantly reduced in size. The application was withheld by the Planning Board on December 14th, 2017 with 14 conditions.

There would be 10 diagonal parking spaces located adjacent to the building, with ingress and egress via two one-way driveways. On the opposite side of Lakeside Road, an 11-space parking lot would have access via a combined driveway. The applicant has requested a waiver from the County’s driveway grading requirements on Lot 21 due to the existing building being at a higher elevation than the right-of-way and within 50’ of the right-of-way line. The applicant has proposed to construct sidewalk along portions of the frontages of both lots; curb ramps have been proposed on both sides of the roadway. The applicant has proposed to install a crosswalk connecting Lot 23 to Lot 21. Both lots are sloped towards Lakeside Road; trench drains are proposed at both driveways. All stormwater collected on-site would connect into the County drainage system along Lakeside Road. The applicant has proposed Northern Red Oak and Zelkova trees along the property frontages.

There are conditions that must be satisfied before the application can be granted unconditional approval. The applicant must show that no stormwater will bypass the proposed trench drains. An analysis of gutter flows must be submitted. The receiving stormwater system must be analyzed to determine if it can accommodate drainage from the site. The applicant must provide a more detailed roof leader plan, including leader capacities and showing connections into the piping system. The applicant must apply for a drainage connection permit. Any required NJDEP permits for the proposed septic system must be submitted. As the development would generate over 2,000 gallons per day, an NJPDES permit is also required. The applicant must submit a warrant for a mid-block crosswalk and HAWK system. If the warrants are not satisfied, the crosswalk must be removed from the plans and replaced with pedestrian warning signs (which must be maintained through an agreement with the Township). The proposed pedestrian lighting must reflect the previously requested illumination level and height. Any changes made in response to comment 14 should be taken into account for the foot candles calculations. The proposed bus shelters must be located behind the requested curbing. The applicant has submitted a request for a waiver from the Site Plan Resolution, as the existing building is

located within 50' of the right-of-way line and at a higher elevation than the roadway. The waiver request must be revised to propose a specific grade deviation within the 50' area. The applicant must provide the Corridor Enhancement Fee of \$9,776.00 payable to Passaic County. The proposed block wall and associated piping must be located a minimum of 29' from the roadway centerline. The proposed double-head light pole on the easterly side of Lakeside Road must also be located at a minimum of 29' from the roadway centerline. The right-of-way, within 29' of the centerline, must be graded flat and level on both sides of the roadway. The applicant must provide an 8" curb along both frontages, located 29' from the roadway centerline. Install white markings along both frontages, extending the shoulder line through the widened roadway area, providing for 11' travel lanes.

Commissioner Edmond stated that the drainage connection permit comment should be associated with condition 3, which refers to the overall drainage conditions. The bus shelters should be located 5 feet behind the curb and have adjacent ADA-accessible curb ramps. The shelters would need to be maintained by the applicant through a formal agreement.

Commissioner Martinique made a motion to **withhold approval** of the site plan application. Commissioner Diaz seconded that motion. The motion passed unanimously.

00-016 – Villages at Totowa – 750 Totowa Road, Totowa

This is a previously withheld major subdivision application in which the applicant proposed to subdivide the existing lots in accordance with a corresponding site plan application (SP-00-024) for a 213-unit townhome community. The application was previously granted unconditional approval on November 6th, 2003, subject to a developer's agreement. The agreement required the applicant to provide a traffic signal warrant study in order to determine if a signal was warranted at the intersection of Hickory Hill Boulevard and Totowa Road. The applicant was required to provide the study no later than 1 year after the issuance of the 214th certificate of occupancy for the project. In the meantime, the applicant was permitted to construct the approved townhome development. However, the applicant did not provide the study by the required date and the application was retroactively withheld by the Planning Board on October 21st, 2009. The applicant has submitted correspondence and the requested traffic signal warrant study (which was completed in 2011, but never received by the County). The study concluded that the intersection of Hickory Hill Boulevard and Totowa Road did not satisfy the criteria of any of the 9 MUTCD traffic signal warrants and that, therefore, a traffic signal is not warranted at the intersection. Additionally, the applicant has submitted a revised final plat. The previous final plat included survey monuments that were off-set by two feet; the plat has been revised with the monuments in the correct locations.

Staff explained that the applicant has satisfied the conditions of the previous review letter. However, per staff inspection of the site, the retaining wall was not constructed according to the approved plans and is in poor condition. As the retaining wall is within the County right-of-way, the problem must be addressed by the applicant before an unconditional approval can be granted.

Commissioner Metzler made a motion to **withhold approval** of the major subdivision application. Freeholder Duffy seconded that motion. The motion passed unanimously.

OLD BUSINESS - NONE

NEW BUSINESS

2017 Annual Report: Land Development Summary

Assistant Planner Miranda presented the 2017 Land Development Summary to the Board, which included a statistical summary all site plans and subdivisions that were submitted to and/or reviewed by the Board in 2017.

2017 Annual Report: Corridor Enhancement Program

Assistant Planning Director Lysicatos presented the 2017 Corridor Enhancement Program Report to the Board, which included total expenditures and fees collected in 2017, the current balance of each district, a summary of the use of corridor enhancement funds in 2017, and a preliminary list of proposed corridor enhancement projects for 2018 and 2019.

New Planning Board Appointment

Chairman Gervens introduced Nakima Redmon as the newest appointment to the Board.

ADJOURNMENT

Chairman Gervens made a motion to adjourn the meeting at 6:38 PM that was seconded by Commissioner Martinique.

Respectfully submitted,



Michael Lysicatos for

MICHAEL LA PLACE