

**PASSAIC COUNTY PLANNING BOARD**  
**Minutes of a Regular Meeting**  
**Thursday, July 12, 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; Kenneth Simpson, Vice Chairman; County Engineer Jonathan Pera; Stephen Martinique; Nakima Redmon; Sam Mirza, Alternate; Freeholder Director Cassandra Lazzara; Freeholder Terry Duffy

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

**MINUTES:** The minutes of June 21<sup>st</sup>, 2018 meeting were read. There being no additions, corrections or deletions and upon motion being made by Commissioner Martinique and seconded by Commissioner Redmon, the minutes as noted above are officially adopted. Freeholder Duffy abstained from voting.

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

- The Department has completed a draft of the Passaic County Green Infrastructure Plan. A summary of the plan will be presented to the Board in the near future.
- The Department is assisting the Engineering Department with a public meeting regarding the design for Rifle Camp Park on July 25<sup>th</sup> at the Woodland Park Borough Hall from 6 – 8 pm.
- Department staff have been participating at the “Tuesdays in the Plaza” being held in Court House Plaza in Paterson. Staff will be in attendance next Tuesday and will focus on environmentally themed projects.

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

A representative of the applicant for the Tastefully British application, which has been recently reviewed by the Board, requested an update on the application.

Seeing no one else present to make comments, Commissioner Martinique made a motion to close the public portion that was seconded by Commissioner Redmon. The motion passed unanimously.

#### **DEVELOPMENT REVIEW**

##### **SP-16-010 – Levco Associates (Wayne Hills Mall) – 1020 Paterson-Hamburg Turnpike, Wayne**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to re-develop an existing building at the Wayne Hills Shopping Center. The replacement building would be divided into three (3) separate retail spaces, with the total floor area decreasing from 103,800 sq. ft. to 90,248 sq. ft. No changes are proposed for the other three (3) buildings on the site. The site has frontage along both Paterson-Hamburg Turnpike and Berdan Avenue. The application was withheld by the Planning Board on March 17<sup>th</sup>, 2016 with 11 conditions.

The northerly driveway would be full-access, with separate lanes for right-out and left-out turns. The southerly driveway would be physically restricted to right-in turns only. The applicant has proposed to install a signal at the middle driveway, which would provide a right-out and two left-out turning lanes in

addition to a single, unrestricted, entrance lane. Along Paterson-Hamburg Turnpike, both driveways would be restricted to right-in and right-out turns only. There would be a total of 2,170 parking spaces on the site, a decrease of 88 spaces from the existing configuration. The site slopes away from Berdan Avenue and towards Paterson-Hamburg Turnpike; inlets on-site and at the driveways would connect into the County systems along both roadways. Additional on-site inlets, covering the majority of the site, would drain to the rear. The site would have impervious coverage of 80.5%, a decrease of 2,832 sq. ft. from the existing conditions. The applicant has proposed to plant additional shade trees in the area of the modifications. There are also existing shade trees along parts of both frontages of the site.

There are conditions that must be satisfied before the application can be granted unconditional approval. On sheet C2 of the County Improvements set, the applicant must remove the "variable width R.O.W." label and replace with "66' R.O.W." label. The proposed slope of 0.25% is too flat to drain properly along Paterson-Hamburg Turnpike. At the southerly Berdan Avenue driveway, the proposed pipe inverts are not workable (351.15 flows into 351.40). The following comments pertain to the site driveways: 1) the left-turning lane at the northerly Berdan Avenue driveway must be removed from the plans; provide appropriate signing and striping for a right-turn only egress; 2) on sheet C8 of the County Improvements set, show a minimum distance of 4' from each stop bar to the sidewalk; and 3) all "STOP" signs must be placed at stop bars.

The following comments pertain to the proposed signal and the middle Berdan Avenue driveway intersection: 1) provide an agreement for ownership and maintenance of the proposed signal by the Township and/or property owner; 2) provide a signal timing schedule; 3) the \* only occurs during pedestrian actuation, which does not correlate with the Phase C diagram; the diagram should show the crosswalk on the northerly side of the intersection; 4) install signal head signs in both directions on Berdan Avenue; 5) signal faces 1 and 2 do not appear to have enough horizontal separation; 6) signal face 4 should be shifted to the left for enhanced visibility, especially due to the southbound curve of Berdan Avenue; 7) on southbound Berdan Avenue, the rear lane use sign and the corresponding pavement markings should be shifted 50' to the north; 8) relocate the overhead sign (R3-1) to be ground-mounted at the driveway; and 9) add a two-faced "ONE WAY" sign at the one-way driveway on the westerly side of Berdan Avenue.

Sheet C10 of the County Improvements set shows trucks encroaching onto curbs and over the centerline when entering at the northerly Berdan Avenue driveway, which must be addressed by the applicant. The Corridor Enhancement Fee of \$20,935.00 must be provided payable to Passaic County. The applicant must analyze the build condition for the intersection of Paterson-Hamburg Turnpike and Berdan Avenue in order to determine the optimum signal timing. For example, during the Saturday peak hour, the delays experienced at each approach are similar but volumes on Paterson-Hamburg Turnpike are significantly higher. The overall performance of the intersection may be improved with a reallocation of green time. The applicant would be responsible for this retiming, which would be a separate item in the signal agreement. The following comments pertain to curb ramps: 1) the top and bottom of the curb must be identical at the end of a curb ramp in order for the ramp to be considered barrier-free; and 2) detectable warning surfaces must be a cast-in-place tile that is safety red in color.

Jerome Vogel, the applicant's attorney, was in attendance and provided background on the conditions of the site and the occupancy status of the building in question. The delay in responding to the 2016 review letter was because the applicant had been defending the proposed tenant in court against a competing business. Charles Olivo, the applicant's traffic engineer, was sworn in and provided testimony on the overall traffic conditions. Mr. Olivo stated that the applicant would review the Board's conditions and would be interested in meeting with staff to discuss the County's concerns with the site plan.

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

**SP-16-046 – Woodland Park Pediatrics – 214 Lackawanna Avenue, Woodland Park**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to utilize the existing building as a child care facility and to construct an additional two-story building for medical (ground-floor) and residential (2<sup>nd</sup> floor) uses. The application was granted conditional approval by the Board on April 20<sup>th</sup>, 2017. The conditional approval was, however, contingent upon receipt of all NJDEP permits within 180 days. As the applicant did not submit any permit materials during that period, the application’s status reverted to being withheld.

There would be 28 off-street parking spaces on the property, an increase from the existing 15 spaces, with access via a combined driveway along Lackawanna Avenue. A curbed divider would be constructed at the driveway. The applicant has proposed to construct sidewalk along the entire frontage of the site. Storm water on the site would flow into an underground detention system located along the northwesterly edge of the site. The applicant has proposed to plant four (4) Yoshino Cherry trees on the site along the Lackawanna Avenue frontage.

There are conditions that must be satisfied before the application can be granted unconditional approval. The driveway must be placed perpendicular to the roadway. The applicant must provide copies of the NJDEP-approved plan, which was last revised October 10<sup>th</sup>, 2017.

Commissioner Martinique made a motion to grant **conditional approval** to the site plan application. Commissioner Redmon seconded that motion. The motion passed unanimously.

**18-004 – Kutcher Subdivision – 887 Valley Road, Wayne**

This is a new minor subdivision application in which the applicant has proposed to modify the lot line between lots 26 and 28. The rear portion of lot 28 will be transferred to lot 26; the applicant will construct a garage on that portion of the site. Additionally, the applicant has proposed an access easement which will allow the owner of lot 26 to access the garage through lot 28. The existing dwelling on lot 28 will be demolished; the lot is to be re-developed at a later date. Lot 26 has frontage along Valley Road in Wayne, including an existing driveway which cannot be extended to the proposed garage.

Staff explained that there are conditions that must be satisfied before the application can be granted unconditional approval. The Valley Road right-of-way line and width must both be labeled on the plans. The Valley Road driveway apron should be re-constructed.

Vice Chairman Simpson made a motion to grant **conditional approval** to the site plan application. Commissioner Mirza seconded that motion. The motion passed unanimously.

**SP-18-032 – 9 Hamburg Urban Renewal – 7-9 Paterson-Hamburg Turnpike, Pompton Lakes**

This is a new site plan application in which the applicant has proposed to construct a three-story mixed-use building. The building would have two (2) ground-floor retail units and eight (8) upper-floor apartment units. The existing multi-family dwelling on the site would be demolished. The site would have access along Paterson-Hamburg Turnpike at the westerly edge of the site. The driveway would be within 10 feet of the property line. Additionally, the driveway would be located opposite the

intersection of Paterson-Hamburg Turnpike and Garden Road. There would be a total of 13 parking spaces located on the site. The applicant has proposed to construct a concrete walkway from the parking lot to the entrance of the building; however, there is no proposed connection between the walkway and the existing sidewalk along the frontage. The site is sloped slightly towards Paterson-Hamburg Turnpike at the location of the driveway; the applicant has not proposed any drainage at the driveway. Roof leaders from the building would connect to an underground retention system at the rear of the site. The plans do not show any shade trees, existing or proposed, along the frontage of the site.

Staff explained that there are conditions that must be satisfied before the application can be granted unconditional approval. The zoning table should be revised to include the existing and proposed area of disturbance. A graphic scale must be included on sheet 1 of the plan set. The applicant must submit drainage calculations for the entire site. There must be no stormwater runoff into the right-of-way. The size of the proposed detention basin must be noted on the plans. The proposed driveway will require a waiver from the Site Plan Resolution, as it would be located within 10 feet of an adjacent property. The plans should be revised to show the adjacent property, including any driveways. The applicant must install a centerline, stop bar, and "STOP" sign at the driveway. A raised driveway apron must be installed at the driveway in accordance with the County driveway apron detail. The driveway apron should not have any curvature. New curbing and sidewalk must be provided along the entire frontage. The applicant must delete note 13 on sheet 2 of the plan set. The applicant should install a walkway connecting the proposed concrete walk along the frontage of the building with the sidewalk along Paterson-Hamburg Turnpike. Shade trees should be planted within the landscaped area along the frontage of the site, outside of the right-of-way. The applicant must install bicycle parking along the frontage of the site, outside of the right-of-way. An explanation must be provided for the discrepancy between the proposed and required parking, showing that there would be no adverse impact to Paterson-Hamburg Turnpike due to inadequate on-site parking. The applicant must provide more information on the proposed relocation of two utility poles along the frontage of the site. The Corridor Enhancement Fee of \$2,000.00 must be provided payable to Passaic County.

Freeholder Duffy made a motion to **withhold approval** of the site plan application. Freeholder Director Lazzara seconded that motion. The motion passed unanimously.

**OLD BUSINESS – NONE.**

**NEW BUSINESS – NONE.**

**ADJOURNMENT**

Commissioner Martinique made a motion to adjourn the meeting at 5:39 PM that was seconded by Commissioner Redmon.

Respectfully submitted,



Michael Lysicatos for

MICHAEL LA PLACE