



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, November 5th, 2020
WebEx Meeting**

Chairman Miguel Diaz 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: Miguel Diaz, Chairman; William Gervens, Commissioner; Joseph Metzler, Commissioner; Kenneth Simpson, Commissioner; Steve Martinique, Commissioner; Steve Edmond, Alternate Commissioner (voting for Vice Chair Redmon); County Engineer Jonathan Pera, Commissioner; Freeholder Pat Lepore

OTHERS PRESENT: John Abdelhadi, Planning Board Counsel; Michael Lysicatos, Planning Director and Board Secretary; Jason Miranda, Senior Planner; Salvatore Presti, Assistant Planner.

MINUTES: A motion to adopt the minutes of the October 22nd, 2020 meeting was made by Commissioner Metzler and seconded by Commissioner Martinique. The motion passed unanimously.

PLANNING DIRECTOR'S REPORT: Planning Director Lysicatos reported on the following initiatives:

- The Planning Department will be finalizing its move to its new office at 401 Grand Street, Room 417 in Paterson on Monday, November 9th. This will be the new mailing address for the department. All other contact information will remain the same.
- Andras Holzman and Noah Berkowitz will be joining the Planning Department as new staff members, starting the week of November 16th, 2020.
- The Highlands Rail Trail Project is moving forward into phase II. The NJTPA Board is scheduled to approve \$1.6 million for the construction of phase II. The Planning Department is applying to the NJTPA for additional TAP funding in November for additional costs associated with the path, crossings, and a pedestrian bridge construction.
- The Planning Department will be receiving local safety funds for the Lakeview Avenue project in the City of Paterson, reconfiguring the corridor from Crooks Ave to Market Street, including construction of a new roundabout where the current traffic circle is located on Market Street. The project will secure over \$8 million and is anticipated to be a multiyear project.
- Concept development for Main Avenue in the City of Passaic is moving forward. The Planning Department has received concepts from the consultant on designs to reconstruct Main Avenue corridor along the central business district and will be reviewed with the Engineering Department and City Staff.

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

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

DEVELOPMENT REVIEW

SP-20-038 – 225 Grand Street, LLC (Phase II) – 225 Grand Street, Paterson

Staff explained that This is a new site plan application in which the applicant has proposed to construct an elevated gym and to reconfigure and expand an existing parking lot at a school. The reconfiguration will add additional parking spaces to the site. Interior renovations are also proposed. The site was previously granted approval (SP-15-036) by the Board for use as a school in 2016. The site has frontage along both Grand Street (a County road) and Morris Street.

The applicant has proposed to demolish two buildings on the site to expand the parking lot. The parking lot from 141 to 158 spaces. The parking lot will have access along Morris Street. The applicant has also proposed restriping and signing the existing parking lot. In addition, the applicant has proposed to construct an open-air gym above a portion of the parking lot. Access to the gym will be via a stairwell connected to the parking lot. The previous approval permitted the applicant to install a slip lane for student pick-up and drop-offs along the Grand Street frontage. The applicant has not proposed any changes along the Grand Street frontage of the site. Regarding drainage, there is an existing stormwater pipe extending from the parking lot across Morris Street and down Barbour Street to Spruce Street. Inlets in the parking lot will connect into the pipe. The applicant has proposed additional landscaping adjacent to the parking lot and gym.
way.

There are conditions that must be met before the application can be granted unconditional approval. A continental-style crosswalk must be striped across Morris Street at the intersection with Grand Street. At the entrance to the one-way driveway, the "NO LEFT TURN" sign must be rotated 90° on the south side of Grand Street in order to face eastbound Grand Street traffic. At the exit of the one-way driveway, a "NO LEFT TURN" (R3-2) sign must be installed on the left side and be mounted on the back of the "DO NOT ENTER (R5-1) sign. At the westernmost two-way driveway, a "STOP" sign, stop bar, and centerline must be installed. The applicant shall enter into an agreement with the County regarding the operational use and restrictions of the Grand Street pick-up and drop-off driveway. The grading/drainage plan indicates an elevation of 91 in the location of the proposed ADA parking spaces, but shows an inlet adjacent to those spaces with a grate elevation of 87.69. This discrepancy must be clarified.

The plans must clarify the language in the drainage report stating that the site is not a major development per NJDEP rules. The applicant shall provide a drainage plan showing the

connection between the site and Spruce Street, which is a County roadway. The plans indicate runoff from the site onto Barbour Street, which would enter the County right-of-way of Spruce Street. The applicant shall install a trench drain across the driveway, which shall be connected to the SD inlet. It must be clarified whether that inlet is connected to the combined sewer system. The drainage plan must indicate the destination of the 8-inch PVC pipe. The landscaping must be planted per the previously approved site plan dated August 1st, 2016, revised as of September 19th, 2016. The applicant shall provide the Corridor Enhancement Fee of \$12,280.00 payable to Passaic County.

Commissioner Simpson requested that the operational agreement be backed up with a mechanism to enforce the agreement. Commissioner Edmond inquired if the board can have the applicant hire an officer to regulate traffic. County Counsel Abdelhadi responded that the board cannot require the applicant to hire an officer to regulate traffic. Freeholder Lepore inquired about the amount of feet of frontage the applicant was being charged for the corridor enhancement fee. Commissioner Edmond asked that if a written agreement was agreed upon for phase I of the site plan, the applicant should submit in writing why they are not following the agreed upon procedure.

There were no public comments on the professional testimony or any other aspect of the project.

Commissioner Metzler made a motion **withhold approval** to this site plan application. The motion was seconded by Commissioner Simpson. The motion passed unanimously.

OLD BUSINESS

1. SP-20-012; Arbor Ridge Addition

261 Terhune Drive, Wayne

Request: Waiver to permit wider driveway aprons for truck use

Tyler Vandervalk, engineer for the applicant, was sworn in. He explained that the applicant was seeking to add flanges to the driveway apron. Commissioner Edmond asked that the applicant send in more detailed drawings of the driveway flairs.

A motion to carry the appeal was made by Commissioner Metzler. The motion was seconded by Commissioner Gervens. The motion passed unanimously.

Freeholder Lepore recused himself and left the meeting.

2. SP-19-031; Preakness Shopping Center

1210 Paterson-Hamburg Turnpike, Wayne

Request: Reduction of Corridor Enhancement Fee

Commissioner Edmond inquired about the feet in the frontage of the site.

A motion to make a recommendation to the freeholders for the reduction as recommended by the County staff was made by Commissioner Gervens. The motion was seconded by Commissioner Edmonds. The motion passed unanimously.

3. SP-20-022; Pompton Lakes Towne Center
1-55 Wanaque Avenue, Pompton Lakes
Request: Reduction of Corridor Enhancement Fee

Commissioner Edmond requested that the second to last paragraph be removed from the agreement.

A motion to make a recommendation to the freeholders for the reduction as recommended by the County staff was made by Commissioner Metzler. The motion was seconded by Commissioner Gervens. The motion passed unanimously.

4. SP-20-023; Prop. Retail Development (Manzo-Doren, LLC)
809-813 Riverview Drive, Totowa
Request: Reduction of Corridor Enhancement Fee
Staff are requesting that this item be tabled, as the applicant is still in discussions with staff.

NEW BUSINESS – None.

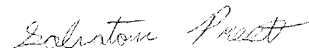
CORRESPONDENCE – None.

RESOLUTIONS – None.

ADJOURNMENT: Commissioner Gervens made a motion to adjourn the meeting at 6:06 PM that was seconded by Commissioner Martinique. The motion passed unanimously.

Respectfully submitted,

Salvatore Presti for



MICHAEL LYSICATOS



County of Passaic

Department of Planning & Economic Development
401 Grand Street, Room 417
Paterson, New Jersey 07505

www.passaiccountynj.org

Michael Lysicatos AICP, PP
Director

PLANNING BOARD
TEL (973) 569-4040
FAX (973) 812-3450

November 9th, 2020

Paterson Planning Board
125 Ellison Street
Paterson, NJ 07505

Re: Site Plan Review – 225 Grand Street, LLC (Phase II); 225 Grand Street, Paterson; Block 4802, Lots 23, 24 & 25 (Passaic County File Number SP-20-038)

Members of the Board,

The above referenced site plan dated April 15th, 2020 was reviewed by the Passaic County Planning Board on November 5th, 2020 pursuant to the provisions of the Passaic County Site Plan Resolution.

Passaic County Standards and Requirements: All submissions must consist of 2 paper copies plus a PDF digital file of all plans and technical reports. Signed and sealed copies of all plans and technical reports must be submitted to the Department of Planning & Economic Development at 401 Grand Street, Room 417, Paterson, NJ 07505.

Approval of this site plan application has been **withheld** pending receipt in an acceptable form of the following:

1. A continental-style crosswalk must be striped across Morris Street at the intersection with Grand Street.
2. At the entrance to the one-way driveway, the “NO LEFT TURN” sign must be rotated 90° on the south side of Grand Street in order to face eastbound Grand Street traffic.
3. At the exit of the one-way driveway, a “NO LEFT TURN” (R3-2) sign must be installed on the left side and be mounted on the back of the “DO NOT ENTER (R5-1) sign.
4. At the westernmost two-way driveway, a “STOP” sign, stop bar, and centerline must be installed.
5. The applicant shall enter into an agreement with the County regarding the operational use and restrictions of the Grand Street pick-up and drop-off driveway. The agreement must be consistent with the terms of the previously approved site plan application (SP-15-036).

Passaic County Planning Board
225 Grand Street, LLC – Phase II (SP-20-038)
225 Grand Street, Paterson
Block 4802, Lots 23, 24 & 25

6. The grading/drainage plan indicates an elevation of 91 in the location of the proposed ADA parking spaces, but shows an inlet adjacent to those spaces with a grate elevation of 87.69. This discrepancy must be clarified.
7. The plans must clarify the language in the drainage report stating that the site is not a major development per NJDEP rules.
8. The applicant shall provide a drainage plan showing the connection between the site and Spruce Street, which is a County roadway.
9. The plans indicate runoff from the site onto Barbour Street, which would enter the County right-of-way of Spruce Street. The applicant shall install a trench drain across the driveway, which shall be connected to the SD inlet. It must be clarified whether that inlet is connected to the combined sewer system.
10. The drainage plan must indicate the destination of the 8-inch PVC pipe.
11. The landscaping must be planted per the previously approved site plan dated August 1st, 2016, revised as of September 19th, 2016.
12. The applicant shall provide the Corridor Enhancement Fee of \$12,280.00 payable to Passaic County.

Subsequent submissions must include a cover letter indicating how each condition has been addressed. Plans submitted without a cover letter will be considered incomplete.

Best Regards,



Jason Miranda
Senior Planner

Cc: Passaic County Engineer
Dynamic Engineering Consultants, PC

225 Grand Street, LLC
File



County of Passaic

Department of Planning & Economic Development
930 Riverview Drive, Suite 250
Totowa, New Jersey 07512

www.passaiccountynj.org

Michael Lysicatos AICP, PP
Director

(973) 569-4040
(973) 812-3450 fax

MEMORANDUM

TO: Passaic County Planning Board
FROM: Michael Lysicatos
Cc: John Abdelhadi, Esq. – Passaic County Planning Board Counsel
John Pogorelec, Esq. – Passaic County Counsel
DATE: October 29, 2020
RE: Corridor Enhancement Program Fee Appeal Review – SP-19-031

The Passaic County Board of Chosen Freeholders reviewed the appeal of the corridor enhancement program fee dated April 28, , submitted by Mark J. Semeraro, Esq., on behalf of the applicant, for the site located 1210 Hamburg Turnpike (County Site Plan SP 19-031). In its appeal the applicant requested a reduction of the Corridor Enhancement Fee from \$19,992.00 to \$4,998.00. Counsel for The Passaic County Board of Chosen Freeholders decided to remand the appeal to the Passaic County Planning Board for its review and recommendations.

In its appeal, the applicant took the position that can justify a reduction in the corridor enhancement fee based upon the percentage of the road frontage that is improved by virtue of the site plan application. The applicant highlights that the total frontage of the proposed improvements of the multi-use site made of various “pad sites” accounts for approximately 405 linear feet of frontage. The applicant has presented that there is a total of 1,643 of linear feet of County Roadway frontage and thus the fee should be reduced to the portion being reviewed by this Planning Board application activities approximately 25% which equates to a 75% reduction.

The Passaic County Planning and Engineering staff concur with this premise and can confirm the length of the proposed improvements along Paterson-Hamburg Turnpike and Berdan Avenue that account for the activities proposed under this Planning Board application. The application has calculated the total frontage along the County Roadways in making an argument for the proportional reduction of the Corridor Enhancement Fee. While there is a reduction in traffic

trips in the traffic statement, there are still impacts to the County roadway and infrastructure. The staff agrees that for sites that constitute multiple uses for separate businesses typically made up of “pad sites” that support separate building and uses but are held under one land owner consideration should be given to the proportional impact on the County when calculating the Corridor Enhancement Fee. In this case the total frontage of the County roadway was miscalculated. The frontage along the Paterson-Hamburg Turnpike and Berdan Avenue accounts for 999 linear feet and thus 405 feet of impact would account for 40.5% of that frontage and a 59.5% reduction of the fee to \$8,096.76. This fee is also consistent with conducting various qualified activities under the Corridor Enhancement Program in light of the fact that traffic trips are being slightly reduced and total impervious is being reduced.

In conclusion it is the County staff recommendation to reduce the Corridor Enhancement Fee to \$8,096.76 as it relates to the proportion of the activity on the site and the typical costs of one of many eligible activities under the Corridor Enhancement Program as it relates to the impacts of this specific site.

Att: Corridor Enhancement Appeal Letter SP-19-031

KAUFMAN SEMERARO & LEIBMAN

LLP

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Reply to:

Parsippany, New Jersey

April 28, 2020

Via Email-aabdelhadi@msn.com

John Abdelhadi, Esq.

Passaic County Planning Board Attorney

991 Main St., #3a

Paterson, NJ 07503

Re: **Wayne PSC, LLC**
1210 Hamburg Turnpike
Block 3205 Lot 7
Passaic County File No. SP-19-031

Dear John:

I am writing to you regarding the enhancement fee which was sought by the Board with regard to the above referenced matter.

I had previously provided you case law that supports the fact that the County's desire to impose the enhancement fee upon my clients is not valid.

I explained to you that nonetheless, my client is interested in working cooperatively with the Board and the County and despite the fact that it has no legal obligation and there is no basis to impose a Carter Enhancement Fee, it would be amenable to making some payment to resolve the issue with the Board amicably.

On February 7, 2020, you had informed me that you were bringing our position to the Board and would obtain what their position was with respect to the same.

That was two months ago and we are in the process of finalizing all post resolution compliance issue and this issue as well as the identification of the limited property along the

entrance way on Hamburg Turnpike that the County sought dedication of, are the last two issues that need to be resolved in order to secure an unconditional approval from the County's Planning Board.

I believe that the County can justify a reduction in the corridor enhancement fee based upon the percentage of road frontage that is improved by virtue of the site plan application, but to do so, the County needs to consider the fact that this property borders Hamburg Turnpike and Berdan Avenue, two County roadways.¹

It is not fair to consider the County's imposition of sidewalk construction as an area of disturbance for the purposes of imposing a Carter Enhancement Fee. That would be immensely unfair to my client especially since it was not proposing the sidewalk construction on Bergan Avenue but agreed to it as a condition of approval requested by the Board.

According to my client's engineer, the proposed improvements are along 405 feet of Alps Road and the total frontage along Berdan Avenue and Alps Road is 1,643. This equates to a 25% disturbance.

As such, I proposed that the original enhancement fee of \$19,992.00 be reduced by 75% or to \$4,998.00

Again, it is my legal position and that of my clients, that for the reasons set forth in our earlier correspondence, it is not legally obligated to make any payment whatsoever. I make this suggestion as it is something that my client would agree to as settlement of this issue and still provides some justification to the Board so as not to compromise its position with future applications.

I believe that this offer is very generous given the fact that there is no legal basis to impose a fee whatsoever.

Kindly bring this to Board's attention and advise us of their position regarding the same. Please stay safe during this pandemic crisis.

Thank you for your kind attention to this matter.

Very truly yours,


MARK J. SEMERARO

MJS/lc

Encl.

cc: Client
Gerard Fitamant (via email)

¹ Also, it would be unfair to consider the sidewalk that the board required us to install, as an "improvement" for this purpose.



County of Passaic

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Michael Lysicatos AICP, PP
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MEMORANDUM

TO: Passaic County Planning Board
FROM: Michael Lysicatos
Cc: John Abdelhadi, Esq. – Passaic County Planning Board Counsel
John Pogorelec, Esq. – Passaic County Counsel
DATE: October 29, 2020
RE: Corridor Enhancement Program Fee Appeal Review – SP-20-022

The Passaic County Board of Chosen Freeholders reviewed the appeal of the corridor enhancement program fee dated September 18, 2020, submitted by Mark J. Semeraro, Esq., on behalf of the applicant, for the site located at 1-55 Wanaque Avenue in Pompton lakes (County Site Plan SP 20-022). In its appeal the applicant requested a reduction of the Corridor Enhancement Fee from \$20,118.00 to \$5,000.00. Counsel for The Passaic County Board of Chosen Freeholders decided to remand the appeal to the Passaic County Planning Board for its review and recommendations.

In its appeal, the applicant took the position that its project has no impact to Passaic County roadways, from neither a traffic or drainage perspective, that would require mitigation of off-site improvements. In reviewing the subject application, it is the Passaic County Planning and Engineering staffs' opinion, that while the project will result in a reduction of traffic and impervious surface, there will nevertheless remain an impact on Passaic County roadways. Impacts include existing traffic conflicts on bicycle access along the roadway, impacts on traffic markings, and other goals for safety and access outlined in various elements of the County Master Plan. A specific impact includes, but is not limited to stormwater from the area of disturbance during construction activities, and from portions of the four (4) driveway areas along Ringwood Avenue and Wanaque Avenue (both county roadways) that would runoff into Passaic County roadway after construction is complete and not managed as part of the on-site stormwater management system. While the drainage from the site flowing towards the driveway is collected

and piped into drainage systems, there remains portions of these driveways that will result in drainage into Passaic County roadways, and into Passaic County drainage systems. In total, the combined surface area of these unchecked driveway areas is approximately 2,500 square feet.

The nature of the use of the site is a multi-tenant commercial strip development. While the development spans the entire frontage of the two County roadways, the subject of the Planning Board application only involves a portion of the existing commercial structures on the site. The development activities account for approximately 400 feet of the 1,005-foot frontage of the property on Wanaque Avenue and Ringwood Avenue. As a result, staff recommends that the fee be reduced proportionally due to the multi-use nature of the land use as well as the multiple buildings maintained through separate “pads”. This would account for mitigation of the impacts of those activities. As such the staff recommends that the fee account for 39.8% of the total fee (\$8,007.00) as that is the proportion of the building frontage that is the subject of the Planning Board application. This fee is also commiserate with conducting various qualified activities under the Corridor Enhancement Program, including, but not limited to offsetting the drainage entering the County stormwater system from the driveways, as described, with a facility such as a rain garden within the watershed.

According to a Costs of Green Infrastructure manual produced through the Rutgers Water Resource Program, an estimate to construct a non-structural green infrastructure system (such as a rain garden) up to 1,000 square feet will cost between \$10 and \$35 per square foot. Applying the standards in the Cost of Green Infrastructure manual to the site in question, will result in a cost between \$2,500.00 and \$8,750.00 to build such a system in the watershed area sufficient to mitigate the impacts as outlined including construction, land acquisition and design

In conclusion it is the County staff recommendation to reduce the Corridor Enhancement Fee to \$8,007.00 as it relates to the proportion of the activity on the site and the typical costs of one of many eligible activities under the Corridor Enhancement Program.

Att: Corridor Enhancement Appeal Letter SP20-022

KAUFMAN SEMERARO & LEIBMAN

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Reply to:

Parsippany, New Jersey

September 18, 2020

Via Lawyer Services & Email – matthewj@passaiccountynj.org

Passaic County Board of Chosen Freeholders

Mr. Matthew P. Jordan, Esq., County Counsel

401 Grand Street | Room 214

Paterson, New Jersey 07505

Re: Appeal of Passaic County Planning Board Corridor Enhancement Fee

Passaic County File No.: SP 20-022

Applicant: UB Pompton Lakes I, LLC

Address: 1-55 Wanaque Avenue

Pompton Lakes, New Jersey 07442

Block: 100 Lot: 8

Dear Mr. Jordan:

As you are already aware, we represent UB Pompton Lakes I, LLC (“the Applicant”) with respect to the application that was heard by the Passaic County Planning Board on July 1, 2020. The County Planning Board granted conditional approval with respect to the same and my office filed an appeal on July 9, 2020.

Respectfully, the case law cited to in your most recent response Squires Gate, Inc. v. Count of Monmouth, 247 N.J. Super. 1, 588 A.2d 824 (App. Div. 1991) concerned a county’s imposition of contribution for the applicant’s proportionate share of reconstructing several bridges that had a direct impact on drainage facilities.” Id. at 6-8, 588 A.2d 824. In Squires Gate, the court had found a “‘rational nexus’ between the expansion of the bridges and ‘storm water, which drain into County culverts.’” Id. at 9, 588 A.2d 824.

While on the application’s face, the proposed project does front a county road and at first blush may be perceived to intensify traffic, it is however reducing the intensity of use and

Via Lawyer Services & Email – matthewj@passaiccountynj.org

Passaic County Board of Chosen Freeholders

Mr. Matthew P. Jordan, Esq., County Counsel

September 18, 2020

Page 2 of 3

reducing the trip generation to the site. Per the Circulation and Parking Assessment prepared by Dynamic Engineering, the access to the site is controlled by way of “one (1) full movement driveway, one (1) left/right turn ingress driveway, one (1) right turn ingress driveway along Wanaque Avenue, and one (1) right turn egress driveway along Ringwood Avenue.” Circulation and Parking Assessment, 1, 6, June 10, 2020. Further, the intensity of use is reduced as shown by the reduction of parking spaces from five hundred and nine (509) down to four hundred and fifty-three (453). Ibid.

Trip generation, as calculated by Dynamic Engineering, is greatly reduced. “[T]he proposed site improvements are anticipated to generate the same number of trips during the morning peak hours, 30 fewer primary trips during the afternoon peak hour, and 33 fewer primary trips during the Saturday peak hour.” Id. at 3.

As explained through testimony on the record, the proposed grocer, Lidl, is only occupying a portion of the former A&P site. The balance of its former space shall be expanded, but used for self-storage, which has approximately 1/50th of the traffic demand of a grocery store or retail use. As provided by testimony during the hearing, there is no impact to drainage facilities, no runoff increases, no increases in impervious coverage, and no detriments are imposed upon county facilities or roads as a consequence of this application. Rather, the proposed improvements to this site are enhancing the area and reducing overall impact to county facilities.

“[A] municipality may only demand contribution for off-tract improvements that are necessitated by the development itself, or are a direct consequence of the development.” Toll Bros. v. Bd. of Chosen Freeholders of Cty. of Burlington, 194 N.J. 223, 244, 944 A.2d 1, 13 (2008)(citing Holmdel Builders Ass’n v. Twp. of Holmdel, 121 N.J. 550, 571 583 A.2d 277 (1990)).

The County’s position of imposing the Corridor Enhancement Fee upon the Applicant respectfully cannot be maintained. As a result of this application, the County is receiving the benefit of improvements at no additional cost, and most importantly, there is no increase in impact to any county facilities or roads. Respectfully, at this juncture, the burden belongs to the County to show that the Corridor Enhancement Fee for off-site improvements bears a rational nexus to the project and that the same is necessitated by the project, or is a direct consequence of the project.

As stated in my previous correspondence, we have agreed to the balance of all Comments, attached hereto, as provided by the Passaic County Planning Board.

Via Lawyer Services & Email – matthewj@passaiccountynj.org

Passaic County Board of Chosen Freeholders
Mr. Matthew P. Jordan, Esq., County Counsel
September 18, 2020
Page 3 of 3

Based upon the aforementioned interpretation of the applicable case law cited, and considering the fact that the application as proposed is reducing trip generation and the intensity of the use, there is no legal justification to impose a Corridor Enhancement Fee on this Applicant.

Please note, attached hereto you shall find the Staff Report provided by the Passaic County Planning Board, wherein Item 4 specifically recommends that the Corridor Enhancement Fee be reduced. To this extent, my client is certainly interested in cooperating with the County and wishes to maintain the request that the Board kindly reduce the Corridor Enhancement Fee as detailed from \$20,118.00 to \$5,000.00.

Thank you for taking the time to consider this appeal and for your kind attention to this matter. Should you wish to discuss this matter further, do not hesitate to contact me at your earliest convenience.

Very truly yours,

Mark J. Semeraro, Esq.

Encl.
MJS/smk
Cc: Willing Biddle
Stephan Rapaglia