



**PASSAIC COUNTY PLANNING BOARD  
MINUTES OF A REGULAR MEETING  
Thursday, July 8<sup>th</sup>, 2021  
WebEx Meeting**

Chair Redmon opened the meeting at 5:00 PM and read the notice that the requirements of the Open Public Meeting Act had been met. She then proceeded to the roll call.

**MEMBERS PRESENT:** Nakima Redmon, Chair; Joseph Metzler, Commissioner; Miguel Diaz, Commissioner; William Gervens, Commissioner (Arriving at 5:41 PM); County Engineer Jonathan Pera; Steve Edmond, Alternate (voting for Vice Chair Martinique); TJ Best, County Commissioner

**OTHERS PRESENT:** John Abdelhadi, Planning Board Counsel; Andras Holzmann, Supervising Planner; Jason Miranda, Senior Planner; Salvatore Presti, Assistant Planner.

**MINUTES:** A motion to adopt the minutes of the June 24<sup>th</sup>, 2021 meeting was made by Commissioner Metzler and seconded by Commissioner Diaz. The motion passed unanimously.

**PLANNING DIRECTOR'S REPORT:** Supervising Planner Holzmann reported on the following initiatives:

- Planning Department staff assisted a consultant team in hosting an information booth for the Passaic County Bike Plan during the Passaic County Food Truck Festival. Staff and the consultants handed out cards with information on how to take the survey to festival goers.
- Planning and Engineering staff continue to work on the Highlands Grant which includes a potential bridge in Ringwood and intersection improvements in Bloomingdale.

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

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

**Public Hearing:** Paterson-Newark Transit Market Study.

Supervising Planner Holzmann presented a slideshow summary of the goals and findings for the Paterson-Newark Transit Market Study which was completed in June 2020. The executive Summary and full report are located on the Passaic County Planning website.

Commissioner Edmond asked for clarification on the two light rail options presented in the presentation.

Commissioner Metzler asked about potentially extending the line to service more of Passaic County.

Ann Schnakenberg, citizen, asked about freight usage on the existing line. She also inquired about mitigation regarding traffic and pedestrian crossing on street-level crossings.

Vera Lazar, citizen, asked that more time be made for Clifton residents to have their input. She also asked about environmental reviews and expressed concerns about safety and noise.

The public can provide comments on the Study for 30 days after the hearing. Answers to the questions asked by the public will be posted on the Passaic County Planning Board website.

The Paterson-Newark Transit Market Study will be voted on for adoption as an element of the County Master Plan at the August 19<sup>th</sup>, 2021 meeting of the Passaic County Planning Board.

Commissioner Diaz made a motion to close the Public Hearing and was seconded by Commissioner Metzler. The motion passed unanimously.

## **DEVELOPMENT REVIEW**

### **SP-21-011 – Proposed Popeye’s Restaurant – 16 Main Avenue, Clifton**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to convert part of an existing commercial building into a Popeye’s fast food restaurant. The other part of the building, currently a 7-Eleven convenience store, will continue to be used as a commercial space. The building is part of Lot 14, but the parking encroaches into Lot 7. There is an existing shopping center on Lot 7. The only proposed changes are to the interior of the building on Lot 14. This application was withheld by the Board on May 13<sup>th</sup>, 2021 with 6 conditions.

The applicant has not proposed any changes to the parking. The applicant has submitted copy of a lease agreement permitting their customers to use all parking spaces in the shopping center. The applicant has not proposed any changes to the existing driveway intersection with Main Avenue, which is signalized and serves the entire shopping center. There is an existing sidewalk along the frontage of the entire site. The applicant has proposed to replace the sidewalk and curbing in front of Lot 14.

The existing driveway at this location is proposed to be narrowed away from both the side property line and the shopping center driveway, and will serve two (2) parking spaces in front of the building. The parking spaces would be signed for use by employees only. The applicant has requested design waivers for parking spaces being located within 20 feet of the right-of-way, a driveway within 10 feet of a side property line, and for having multiple access points along a County road. The applicant has submitted a written waiver request for consideration by the Board.

Regarding drainage, the plans indicate that stormwater discharged from the roof leaders will flow south towards an existing inlet in the main parking lot. Some stormwater will also flow to a municipal inlet on Austin Place. Flow arrows for the proposed two (2) space parking lot at the front of the building indicate that stormwater will flow into Main Avenue. The existing shade tree and walkway along the frontage of the site will be replaced, and the applicant has proposed to plant two Thornless Honeylocust shade trees and various shrubs along the site frontage.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. It is the recommendation of staff that the waivers to permit the driveway on Lot 14 be denied. The applicant has access to all parking spaces within the shopping center. Employee parking can easily be accommodated by those spaces. In the event that access to those spaces is lost, the Lot 14 parking lot would not be a sufficient replacement. Furthermore, the submitted turning templates show that on-site turnarounds would be difficult for vehicles to execute even with the reduction to two (2) parking spaces. As the driveway is not necessary to satisfy the parking needs of the site, and will remain non-conforming with County standards for driveways along County roadways, it is the recommendation of staff that the waivers be denied and the Lot 14 driveway removed. The applicant must submit the Corridor Enhancement Fee of \$250.00 made payable to Passaic County.

Commissioner Edmond asked about the applicant removing the paved area along the frontage of the site.

Jason Tuval, attorney for the applicant, formally withdrew the waiver request. He clarified that the applicant would be submitting an updated site plan.

Robert Freud, engineer for the applicant, was sworn in. He stated that the pavement will be removed along with the curb cut, and the sidewalk and curbing will be extended across the whole frontage.

Commissioner Edmond asked for clarification on what would replace the paved area. Robert Freud clarified that the pavement would be replaced with grass area.

A motion to open the meeting to public comment was made by Commissioner Metzler and seconded by Commissioner Diaz. The motion passed unanimously.

Anne Schnakenberg, citizen, asked about tree standards for the replacement of shade trees on site.

Commissioner Edmond clarified that there is no shade tree commission in the county, and clarified that the municipalities oversee the trees, though the county will make recommendations on tree plantings and species.

Seeing no one present, Commissioner Metzler made a motion to close the meeting to the public which was seconded by Commissioner Diaz. The motion passed unanimously.

Commissioner Metzler made a motion grant **conditional approval** to this site plan application. The motion was seconded by Commissioner Diaz. The motion passed unanimously.

**SP-21-034 – Proposed Synagogue (Congregation Kollel Ohr HaTorah) – 129 Main Avenue, Passaic**

Commissioner Gervens enters the meeting at 5:41 PM.

Staff explained that this is a new site plan application in which the applicant has proposed to convert an existing 3,719 sq. ft. building (formerly used as a bank) into a house of worship. The site has frontage along Main Avenue in Passaic.

The site will have a parking lot with nine (9) parking spaces. The applicant has not indicated whether there will be any off-site parking. The existing drive-thru canopy will be removed to accommodate a standard driveway. The site will have access via two one-way driveways: an entrance-only driveway along Howard Avenue (municipal road) and an exit-only driveway onto Main Avenue. No changes are proposed to the existing concrete sidewalk and driveway aprons. The Main Avenue frontage connects to two (2) existing crosswalks, across Howard Avenue and Main Avenue.

The applicant has not provided any information on existing or proposed drainage. An existing trench drain and inlet have been observed at the Main Avenue driveway. The applicant has not proposed any landscaping. A portion of the building, the cornice, the lighting fixtures, and a canopy all encroach into the County right-of-way per the submitted site plan.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. The applicant must submit two signed and sealed copies of the referenced survey. The curb ramps at the two crosswalks may not be ADA compliant. This will need to be verified by a professional engineer. If they are non-compliant, they will need to be replaced.

The Main Avenue driveway shall be removed from the plans. Sufficient site access will be provided on Howard Avenue. Furthermore, the driveway is located on a side property line where an existing driveway is located on the other side of the property line. The applicant must verify if there is any proposed off-site parking or any pick-up and drop-off procedures. If so, more information must be provided. The plan must include grade contours. The applicant must provide information on drainage, including calculations. The connections to the trench drain and inlet must be shown on the plans. It appears that part of the building and several exterior features (canopy, light fixtures, cornice, etc.) of the building encroach into the Main Avenue right-of-way. The applicant will need to apply for and receive an encroachment permit for any of these features to remain within the Main Avenue right-of-way. The applicant shall provide shade trees in the outside section of the Main Avenue sidewalk, adjacent to the roadway. The applicant must submit any available architectural plans for the site. The Corridor Enhancement Fee of \$1,802.00 must be provided payable to Passaic County.

Commissioner Edmond concurred with the staff recommendation to close the driveway along Main Avenue. He also asked if any traffic studies were submitted. Senior Planner Miranda replied that none was submitted.

Gary Cohen, attorney for the applicant, stated that the proposed synagogue would not require off site parking as there would be limited membership. He stated that the only construction would be removal of the canopy, and that the applicant was hoping to not preform construction or studies due to limited funds.

Commissioner Edmond suggested that the applicant remove a portion of the driveway and replace it with curbing to eliminate the driveway in a manner that would not cost much.

County Engineer Pera clarified the remaining comments to the applicant.

A motion to open the meeting to public comment was made by Commissioner Metzler and seconded by Commissioner Diaz. The motion passed unanimously.

Seeing no one present, Commissioner Diaz made a motion to close the meeting to the public which was seconded by Commissioner Metzler. The motion passed unanimously.

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

**SU-21-012 – Passaic Industrial Properties Subdivision – 88-90 Dayton Avenue, Passaic**

Staff explained that this is a new major subdivision application in which the applicant has proposed to subdivide an existing lot (4) into five (5) separate lots (4.01, 4.02, 4.03, 4.04 & 4.05). The property is bordered by Dayton Avenue, President Street, and Barbour Avenue; all of which are municipal roads. The nearest County roadways are Randolph, Highland, and Parker Avenues.

Proposed Lot 4.01 is a 27-acre tract of existing industrial and commercial uses. No development of the site is currently planned. Proposed Lot 4.02 is planned to be developed as multi-tenant retail via adaptive reuse of the existing structure. As the site is under an acre, a future site plan would not require County Planning Board approval. Proposed Lot 4.03 is an existing shopping center, with no plans for future development. Proposed Lot 4.04 is an existing McDonald's restaurant with a drive-thru. Proposed Lot 4.05 is planned to be developed as a parking garage. As the site is under an acre, a future site plan would not require County Planning Board approval.

Staff explained that the submitted plat has been reviewed by staff, and the application is recommended for approval on the basis that there are no potential impacts to County facilities posed by the proposed subdivision.

No comments were made by the board.

Commissioner Metzler made a motion to open the meeting to the public which was seconded by Commissioner Gervens. The motion passed unanimously.

Ann Schnackenberg asked if the county had any sustainability standards that would be required for this site in the future. County Engineer Pera responded that this was a subdivision so it would not.

Seeing no one present, Commissioner Edmond made a motion to open the meeting to the public which was seconded by Commissioner Gervens. The motion passed unanimously.

Commissioner Metzler made a motion to grant **conditional approval** to this site plan application. The motion was seconded by Commissioner Gervens. The motion passed unanimously.

**OLD BUSINESS – None.**

**NEW BUSINESS**

A motion to authorize Chair Redmon to sign a letter of support for the Westbrook Riparian Restoration Green Acres Program in West Milford was made by Commissioner Metzler and seconded by Commissioner Diaz. The motion passed unanimously.

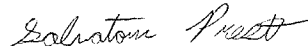
Commissioner Edmond asked that a map be provided outlining the project areas for the Green Acres Programs that are being supported by the board.

**CORRESPONDENCE – None.**

**RESOLUTIONS – None.**

**ADJOURNMENT:** Commissioner Metzler made a motion to adjourn the meeting at 6:07 PM that was seconded by Commissioner Diaz. 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](http://www.passaiccountynj.org)

**Michael Lysicatos AICP, PP**  
*Director*

**PLANNING BOARD**  
TEL (973) 569-4040  
FAX (973) 569-4041

July 9<sup>th</sup>, 2021

Clifton Board of Adjustment  
900 Clifton Avenue  
Clifton, NJ 07013

Re: Site Plan Review – Prop. Popeye’s Restaurant; 16 Main Avenue, Clifton; Block 82.06, Lots 7 & 14  
(Passaic County File Number SP-21-011)

Members of the Board,

The above referenced site plan dated January 7<sup>th</sup>, 2021, revised as of June 10<sup>th</sup>, 2021, was reviewed by the Passaic County Planning Board on July 8<sup>th</sup>, 2021 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.

This site plan application has been granted **conditional approval** pending receipt in an acceptable form of the following:

1. All variations in right-of-way width must be noted on the survey in the correct location. If there is no variation, the standard right-of-way width must be labelled and the “variable” label removed. The Master Plan right-of-way line shall be shown on the plans. As the Master Plan right-of-way of Main Avenue is 66 feet, this shall be shown extending 33 feet from the roadway centerline.  
**Complete.**
2. The applicant shall submit copies of any easements between Lots 7 and 14, which are currently under the same ownership. Already complete.
3. The section of sidewalk and curbing to the south of the driveway must be replaced, per County detail (see attached). The newer sidewalk and curbing adjacent to the curb ramp should remain and not be impacted. A landscaped strip must be provided between the sidewalk and curbing, as is standard elsewhere on this side of Main Avenue. The sidewalk shall be dimensioned as five (5) feet in width. The proposed driveway will require waivers to be located within 10 feet of a side property line, to maintain both parking spaces within 20 feet of the right-of-way line, and to allow an additional access point on a County roadway. It has been observed that there is already sufficient access and parking using the signalized driveway and shopping center parking lot. For the waivers to be considered by the Board, the applicant will need to submit a written justification for maintaining a driveway at this location. **The applicant has stated intent to withdraw the waiver request. The curb cut shall be replaced in accordance with the remainder of this portion of the site frontage, with curbing (per County detail), a landscaped strip, and a 5-**

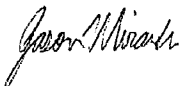
Passaic County Planning Board  
Prop. Popeye's Restaurant (SP-21-011)  
16 Main Avenue, Clifton  
Block 82.06, Lots 7 & 14

**foot sidewalk to be installed between the curb line and the site. It is strongly recommended that the pavement be removed and replaced with grass, as well as additional shade trees where appropriate.**

4. The crosswalk striping shall be replaced with new striping in the continental style, using thermoplastic material. The transverse lines must be removed from the plans. **Complete.**
5. The driveway has a sign showing a two-way exit, but only has one exit lane striped. The following must be installed:
  - a. A 60-foot, double yellow centerline and white 4-inch lane line. Already complete.
  - b. Turning arrow and "ONLY" markings in each exit lane (one set, 20 feet from the stop bar). Already complete.
6. The applicant shall clarify if the existing shade tree is to remain. The tree is interfering with the overhead electric lines and will need to be cut in order to remain. It is recommended that the applicant provide a new walkway to Main Avenue, as the current walkway has been adversely impacted by the roots of the tree. Already complete.
7. It is strongly recommended that the paved area between the sidewalk and the building be replaced with grass and other landscaping. An additional shade tree shall be provided, set back from the right-of-way to avoid any conflicts (the applicant should coordinate with County staff to determine an appropriate tree species). At the very least, landscaping shall be provided adjacent to the sidewalk to provide physical separation between the sidewalk and the site. The applicant shall provide additional shade trees along their frontage. It shall be noted on the plans that any landscaping within the County right-of-way is the responsibility of the property owner. **Complete.**
8. The plans must indicate all stormwater pipes utilized by the building, including their destinations and connecting pipes. The drainage system described in the response letter is not shown on the plans. The plans must indicate the overland flow, including grades, from the two downspouts on the plan, and where they ultimately discharge into a drainage structure. **Complete.**
9. The applicant must submit the Corridor Enhancement Fee of \$250.00 made payable to Passaic County. **Incomplete.**

**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,

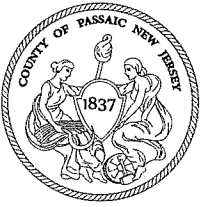


Jason Miranda  
Senior Planner

Cc: Passaic County Engineer  
Hickory Lake Assoc. LLP-HHG & Co  
Matthew J. Bersch, P.E.

Main Avenue Chicken, LLC  
Jason R. Tuvel, Esq.  
File





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

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**Michael Lysicatos AICP, PP**  
*Director*

**PLANNING BOARD**  
TEL (973) 569-4040  
FAX (973) 569-4041

July 9<sup>th</sup>, 2021

Passaic Board of Adjustment  
330 Passaic Street  
Passaic, NJ 07055

Re: Site Plan Review – Prop. Synagogue (Congregation Kolliel Ohr HaTorah); 129 Main Avenue, Passaic;  
Block 3298, Lot 33 (Passaic County File Number SP-21-034)

Members of the Board,

The above referenced site plan dated March 16<sup>th</sup>, 2021 was reviewed by the Passaic County Planning Board on July 8<sup>th</sup>, 2021 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. The applicant must submit two signed and sealed copies of the referenced survey by Alan R. Boettger dated 12/15/2020.
2. The applicant must submit a signed certification from a professional engineer that the curb ramps at both crosswalks are ADA compliant. If they are not, the ramps shall be replaced and the signed certification submitted prior to the release of any bonds associated with the permit. A determination on the existing ramps shall be obtained prior to the issuance of an unconditional approval.
3. The Main Avenue driveway shall be removed from the plans. Sufficient site access can be provided on Howard Avenue. Furthermore, the driveway is located on a side property line where an existing driveway is located on the other side of the property line.
4. The applicant must verify if there is any proposed off-site parking. If so, more information must be provided on the location and provision of off-site parking.
5. The plan must include grade contours.
6. The applicant must provide information on drainage, including calculations. The connections to the trench drain and inlet must be shown on the plans.

Passaic County Planning Board  
Prop. Synagogue (SP-21-034)  
129 Main Avenue, Passaic  
Block 3298, Lot 33

7. It appears that part of the building and several exterior features (canopy, light fixtures, cornice, etc.) of the building encroach into the Main Avenue right-of-way. The applicant will need to apply for (see attached application) and receive an encroachment permit from the Board of County Commissioners for any of these features to remain within the Main Avenue right-of-way.
8. The applicant shall provide shade trees in the outside section of the Main Avenue sidewalk, adjacent to the roadway.
9. The applicant must submit any available architectural plans for the site.
10. The Corridor Enhancement Fee of \$1,802.00 must be provided 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  
Gary Cohen, Esq.

Congregation Kollel Ohr HaTorah  
Eli Schneider, P.E.

File



# County of Passaic

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

[www.passaiccountynj.org](http://www.passaiccountynj.org)

Michael Lysicatos AICP, PP  
Director

**PLANNING BOARD**

TEL (973) 569-4040

FAX (973) 569-4041

July 12<sup>th</sup>, 2021

Passaic Planning Board  
330 Passaic Street  
Passaic, NJ 07055

Re: Major Subdivision Review – Passaic Industrial Properties Subdivision; 88-90 Dayton Avenue, Passaic; Block 4054, Lot 4 (Passaic County File Number SU-21-012)

Members of the Board,

The above referenced preliminary plat dated June 4<sup>th</sup>, 2020 was reviewed by the Passaic County Planning Board on July 8<sup>th</sup>, 2021 pursuant to the provisions of the Passaic County Subdivision 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.

This major subdivision application has been granted **conditional approval** pending receipt in an acceptable form of the proposed final plat and the \$125 Final Plat Fee made payable to Passaic County. Prior to being recorded with the Office of the County Clerk, the final plat will need to be signed by the Planning Director on behalf of the Passaic County Planning Board.

Best Regards,

Jason Miranda  
Senior Planner

Cc: Passaic County Engineer  
Charles H. Sarlo, Esq.

Passaic Industrial Properties, LLC  
Stonefield Engineering & Design, LLC

File