



**PASSAIC COUNTY PLANNING BOARD  
MINUTES OF A REGULAR MEETING  
Thursday, March 18<sup>th</sup>, 2021  
WebEx Meeting**

Chair Redmon opened the meeting at 5:06 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; Stephen Martinique, Vice Chair; Miguel Diaz, Commissioner; Joseph Metzler, Commissioner; Traffic Engineer Charles Silverstein (filling in for County Engineer Jonathan Pera)

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

**MINUTES:** A motion to adopt the minutes of the March 2<sup>nd</sup>, 2021 and March 4<sup>th</sup>, 2021 meetings was made by Commissioner Diaz and seconded by Commissioner Metzler. The motion passed unanimously.

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

- The Planning Department is progressing on the Allwood Road and Market Street Local Safety Projects funded through NJTPA. The department has received preliminary designs and concepts that are being vetted with both the municipalities and staff.
- A virtual public meeting for the Main Ave Concept Development Project will be held on March 25<sup>th</sup> at 6 PM. The concepts for Main Ave will be presented to the public. The next phase of the project will be selecting a preferred alternative and then advanced to the engineering phase. A flyer with information on the meeting is available on the County website and City of Passaic website.
- The Planning Department is moving along with the Signal Phasing Project that runs through all of Main Avenue, West Broadway, and the Paterson-Hamburg Turnpike, encompassing an approximately 15 mile corridor. The department is working through a modified concept phase with the state and local partners. The project is anticipated to go to design later this year.
- The Planning Department is assembling an Arts Advisory Group in conjunction with the NJTPA and Together North Jersey. A flyer has been posted on the county facebook page asking residents to take a survey regarding what types of art they would like to see integrated in the Morris Canal Greenway.

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

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

## **DEVELOPMENT REVIEW**

### **SP-19-004 – Prop. Medical Office Building – 169 Minnisink Road, Totowa**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a four-story medical office building. The medical office building will have approximately 125,000 sq. ft. of commercial space. The development has frontage along Minnisink Road and is located in the Minnisink Road Redevelopment Zone. This application is a part of the North Jersey Developmental Center Redevelopment Plan. The application was withheld by the Board on January 20<sup>th</sup>, 2020 with 10 conditions.

There are 578 proposed on-site parking spaces. Access to the site will be via a previously approved driveway (Roadway A) on Minnisink Road and via a newly proposed driveway on Vreeland Avenue, which is under NJDOT jurisdiction at that location. The applicant has proposed to install a signal at the intersection of Vreeland Avenue and Minnisink Road, which will be under NJDOT jurisdiction and was included in the applicant's submission to NJDOT. A four-party agreement, including the County, will be submitted for review. The applicant has also agreed to install a traffic signal at the intersection of Minnisink Road and Roadway A, subject to a three-party agreement (which has been submitted in draft form). Minnisink Road will be widened from Vreeland Avenue to Roadway B in order to create a left turn lane into the site at both driveways. The applicant has proposed to install sidewalk along the frontage of Minnisink Road, including along the frontage of Lot 19.02.

The site is sloped towards Minnisink Road. Roadway A has an artificial low point designed to prevent water from entering the roadway. Inlets and roof leaders will connect to an on-site detention basin. The applicant has proposed to install landscaping along Minnisink Road, including 116 shade trees, 39 evergreen trees, 38 ornamental trees, and numerous shrubs and grasses.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. It is strongly recommended that NJDOT permit the installation of sidewalks along the northerly side of Minnisink Road up to the I-80 overpass, which has existing sidewalk. Although the sidewalk network further west along Minnisink Road is very inconsistent, the Board has and will continue to require sidewalks for all site plans with frontage along this section of Minnisink Road in accordance with guidelines of the County's Transportation Element. The applicant must submit a four-party agreement for County review, pertaining to the proposed signal at Minnisink Road and Vreeland Avenue. The following comments pertain to the submitted three-party agreement for the proposed signal at Minnisink Road and Roadway A: The agreement references a conditional approval which has not been issued, the referenced plan revisions are all from the previous submission; they should be revised to reflect the current submission, the referenced site plan application number is incorrect. The plans indicate a 9-foot County sidewalk easement. The applicant shall provide copy of this easement, which should be provided to the Borough of Totowa.

Commissioner Metzler expressed that the sidewalk should extend along Minnisink Road as much as possible. Traffic Engineer Silverstein and Planning Director Lysicatos explained that the property and jurisdiction belonged to the NJDOT, and the NJDOT would have to agree to construction and a maintenance agreement.

Glenn Dominick, principal developer for the applicant, was sworn in and stated that he saw no issue with the comments presented.

No comments were made by the public.

Vice Chair Martinique made a motion grant **conditional approval** of this site plan application. The motion was seconded by Commissioner Diaz. The motion passed unanimously.

**SP-20-023 – Prop. Starbucks/QuickChek – 809-813 Riverview Drive, Totowa**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to demolish existing structures to construct a new convenience store, gas station, and restaurant. The applicant has proposed the demolition of four (4) existing structures, and the consolidation of five (5) contiguous lots into one lot. The site will include a 5,670 sq. ft. convenience store, a 6,890 sq. ft. gas canopy and filling station with 10 pumps, and a 2,778 sq. ft. Starbucks café with a drive-thru. This application was withheld by the Board on July 1<sup>st</sup>, 2020 with 17 conditions.

Access to the site will occur via two driveway entrances; one on Riverview Drive and one on Minnisink Road. The Riverview Drive driveway is to be restricted to right turns only, with a turning island. The Minnisink Road driveway is at a signalized intersection with a Route 46 ramp, and will include a two-lane exit. All parking lots and structures on site are proposed to be connected by internal driveways and walkways. The proposed on-site parking will total 65 parking spaces. A traffic report has been submitted. The applicant has proposed to construct sidewalk along the entire frontage of the site. Minnisink Road and Riverview Drive are both under NJDOT access control along the site's frontage.

Regarding the drainage, the applicant has proposed to connect all roof leaders and inlets into an on-site detention basin. The basin connects to an outlet control structure, allowing emergency overflow to the Riverview Drive drainage system. A stormwater report has been submitted. The applicant has proposed to plant "Autumn Brilliance" serviceberries and red maple trees along the frontage of the site.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. The applicant shall provide an easement for the portions of sidewalk on the applicant's property. The applicant must submit a draft deed of easement and easement description. The sidewalk must extend fully to the property line along the Minnisink Road frontage. The Riverview Drive driveway must be physically restricted to zero throat width. The various right-of-way widths must be indicated along the property frontage along both Minnisink Road and Riverview Drive. At the Riverview Drive driveway, the NO LEFT TURN signs are shown in the wrong location. They shall be located as follows: for the exit, one on each side of

the stop bar, for the entrance, one on the island and one across the street on Riverview Drive (both facing southbound traffic).

The applicant must provide a signal plan for the replacement signal at the intersection of Minnisink Road and Route 46 westbound ramp. The plan must include existing and proposed timing. NJDOT approval is required for the replacement of the signal. Sheet C-26 shows a WB-50 entering the site from Route 46. The applicant shall verify if the WB-50 is able to turn right into the driveway. If not, the turn must be prohibited by signing. The plans must include a sign restricting the Riverview Drive driveway to single-unit trucks, and prohibiting trucks from exiting onto Riverview Drive. The following comments pertain to drainage: A call-out for the proposed detention system must be provided on sheet C-6, trench drains shall be installed at the right-of-way line for both the exit and entrance portions of the Riverview Drive driveway, the outlet control structure detail is incomplete. The detail must include more views/sections in order that all dimensions and feature are shown, the outlet pipe from the outlet control structure must be reduced to 12", and the final connection pipe into the County system must be reduced to 15", the proposed drainage area to Riverview Drive in noted in the report as 27,567 SF, but the drainage area map indicates 61,336 SF. For the requested reduction of the Corridor Enhancement Fee, the applicant must provide information on the cost of the proposed off-site improvements.

Commissioner Metzler asked Traffic Engineer Silverstein if drainage issues were still present on Riverview Drive. Traffic Engineer Silverstein stated that there was some drainage issues on Riverview Drive, and that this was the reason for the requiring the reduced pipe size.

Commissioner Metzler asked if the WB-50 truck was the largest truck entering the site. Traffic Engineer Silverstein responded that there would be a turn restriction on Riverview Drive.

Mark Semeraro, attorney for the applicant, stated that the cost estimates for offsite improvements were submitted to the Planning Department. John Corak, traffic engineer for the applicant, was sworn in. He stated that the driveway design has been reviewed extensively with the Totowa Planning Board, and he asked that the County Planning Board make an exception to the zero width restriction on the ingress side of the driveway. He stated that WB-50 trucks would be the largest sizes of trucks making deliveries to the site. He also stated that the QuickChek gas station can not service sizes larger than WB-50 trucks, so they would be directed off site.

Arthur Kuyan, engineer for the applicant, was sworn in. He stated that the applicant would clarify the discrepancies on the drainage report.

No comments were made by the public.

Vice Chair Martinique made a motion grant **conditional approval** of this site plan application. The motion was seconded by Commissioner Diaz. The motion passed unanimously.

**SP-20-039 – Canete Landscape & Garden Center – 825 Black Oak Ridge Road, Wayne**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to remove and construct a new asphalt parking area in front of an existing retail building. The applicant has also proposed to demolish an existing three-story barn structure, and to construct a new one-story metal garage at the rear of the property. The site has frontage along Black Oak Ridge

Road in Wayne. The application was withheld by the Board on November 19<sup>th</sup>, 2020 with 9 conditions.

The new parking lot will have a total of 33 parking spaces and retain the previously existing driveway entrance along Black Oak Ridge Road. The applicant has proposed to shorten the driveway width to 35 feet, although the apron widens to 76 feet. The driveway will include a crosswalk, connected to proposed curb ramps with detectable warning surfaces. The applicant has proposed to install curbing and sidewalk along the entire frontage of the site. A deed of dedication has been required for the portions of sidewalk that would be located on the applicant's property.

Regarding drainage, the site flows away from Black Oak Ridge Road. An existing culvert runs through the site in the direction of the Pompton River. The applicant has obtained a permit from the NJDEP to conduct site work in a Flood Hazard Area. The applicant has proposed to plant four (4) maple trees along the frontage of the site, outside of the right-of-way.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. The name and address of the applicant and the owner must be noted on the plans. The plans show a proposed sidewalk easement, while a dedication was requested. The note on the plans shall be changed and a draft deed of dedication submitted for County review. As stormwater from Black Oak Ridge Road will continue to flow onto this site, the owner/applicant shall be required to sign a hold harmless agreement. The applicant must provide a copy of the easement permitting truck circulation through Lot 54.

Commissioner Metzler asked about the size of a WB-57 truck. Traffic Engineer Silverstein stated that it translated to a 53 foot long trailer.

No comments were made by the public.

Commissioner Diaz made a motion grant **conditional approval** of this site plan application. The motion was seconded by Vice Chair Martinique. The motion passed unanimously.

**SP-21-011 – Prop. Popeye's Restaurant – 16 Main Avenue, Clifton**

Staff explained that this is a new 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.

The proposed conversion will use 2,999 sq. ft. of the existing building. The applicant has not proposed any changes to the parking. The applicant has not proposed any changes to the existing driveway intersection with Main Avenue, which is signalized. There is an existing sidewalk along the frontage of the entire site. The section of sidewalk in front of Lot 14 is in poor condition, and there is no curbing in this location. There is also no physical separation between the sidewalk and the paved area in front of the building. No drainage information has been provided. There is an existing shade tree along the frontage of the site, although it appears to be interfering with the overhead electric lines.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. 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 applicant shall provide any easements between Lots 7 and 14, which are currently under the same ownership. The section of sidewalk and curbing to the south of the driveway must be replaced. The newer sidewalk and curbing adjacent to the curb ramp should 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 crosswalk striping shall be replaced with new striping in the continental style, using thermoplastic material.

The driveway has a sign showing a two-way exit, but only has one exit lane striped. 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. 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 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 must submit the Corridor Enhancement Fee of \$250.00 made payable to Passaic County. The applicant should install the following striping: 60-foot long double yellow centerline and white 4-inch lane line. The applicant should also install turning arrows and “ONLY” in each lane (one set 20 feet back from the stop bar).

Commissioner Metzler asked that a comment requiring the applicant to submit drainage information be added.

Jason Tuval, attorney for the applicant, asked the board to clarify what they wanted done to the paved area along Main Avenue. Robert Freud, engineer for the applicant was sworn in. He stated that the intention was to leave the asphalt area as is.

No comments were made by the public.

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

**SP-21-012 – McDonald’s – 43A Marshall Hill Road, West Milford**

Staff explained that this is a new site plan application in which the applicant has proposed to renovate an existing McDonald’s restaurant. No changes to the footprint of the existing building are proposed. The site has frontage along Marshall Hill Road in West Milford, and is located in an existing shopping center with a Shop-Rite. The McDonald’s restaurant building is located on Lot 14, while the site encroaches onto Lot 15 (which includes the remainder of the shopping center).

The site will have a total of 26 parking spaces. The applicant has proposed to restructure the existing drive-thru facility to accommodate side-by-side ordering. The entrance and exit of the drive-thru will remain single lane. In addition, the applicant has proposed ADA improvements to the parking lot. The full-access driveway (on Lot 14) includes curb ramps and a crosswalk. However, the sidewalk ends immediately to the east of the curb ramps. There is a striped pavement area along the shoulder of Marshall Hill Road adjacent to the site. The applicant has not provided any information on the site's drainage. There is existing landscaping on the site.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. 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 plans must note property boundary lengths for Lot 14. The applicant shall provide any easements between Lots 14 and 15, which are under separate ownership. The driveway crosswalk shall be replaced with a continental-style crosswalk. The driveway centerline must be noted as double yellow. The driveway stop bar must be noted as white and 12". All driveway striping must be noted as thermoplastic. What is the purpose of the striped area along the frontage of Lot 14? Perhaps the sidewalk could be extended across the remainder of the frontage. At a minimum, the sidewalk should be extended to the edge of the paved area. The surveyed length of the frontage of Lot 14 must be provided before the fee can be property assessed. The stop bar, centerline, and crosswalk must be replaced. The applicant must submit the Corridor Enhancement Fee made payable to Passaic County.

No comments were made by the public or board.

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

### **SP-21-013 – Prop. Mixed Use Addition – 294 Union Boulevard, Totowa**

Staff explained that this is a new site plan application in which the applicant has proposed to renovate and construct additions to an existing retail building. The applicant has proposed to construct second story additions to the single story portions of the building and has also proposed a second floor tenant entry and stairwell. The site currently includes three (3) retail spaces and one residential unit. The proposed condition will include three (3) residential units in addition to the three (3) retail units. The applicant has proposed to remove the existing garage door, apartment door, and stoop from the frontage of the building. The applicant has proposed to replace an existing drop curb (for the garage) with a full-height curb. The site has frontage along Union Boulevard in Totowa.

The site includes a rear parking lot with 14 spaces that is shared with Lot 5. The driveway accessing the lot is also shared with the adjacent property. There are additional parking spaces on the Lot 5 portion of the parking lot. The driveway, which is the only access to the parking lot, has a width of 10 feet. This is not considered an acceptable width for two-way traffic. The driveway apron includes a raised sidewalk. There is existing streetscaping along the outer edge

of the sidewalk, consistent with the rest of the corridor. The plans do not include any information on drainage. There is existing landscaping along the frontage of the site.

Staff explained that there were conditions that must be met before the application can receive unconditional approval. The applicant must submit two (2) signed and sealed copies of the referenced survey by Bernard Criscenzo. The applicant shall provide any easements with the owner of Lot 5 in regards to the shared driveway. The driveway will require a waiver in order to remain within 10 feet of a side property line. The applicant must verify if the proposed parking is for tenants only or for customers. This impacts the viability of the driveway given that the width only accommodates one car at a time. It is recommended that the brick treatment along this stretch of Union Boulevard be extended across the defunct driveway apron. The applicant should coordinate with the Borough on streetscaping.

The right-of-way line of Union Boulevard shall be shown on the floor plans and elevation plans, in order to determine any encroachments into the County right-of-way. The applicant shall verify the presence of any downspouts discharging onto Union Boulevard. Roof leaders must be shown on the plans for the proposed second-story additions. There is an existing roof leader on the east side of the building that discharges towards the sidewalk area – this must be connected into a drainage system on-site. The driveway is too narrow for two-way traffic. For a one lane driveway, it cannot be open to the public. Sight distance is severely limited for exiting traffic to see pedestrians. This must be addressed, possibly by replacing the portion of the sidewalk immediately adjacent to the building with a landscaped area, and warning signs/pavement markings. The applicant must submit the Corridor Enhancement Fee of \$1,400.00 made payable to Passaic County.

Patrick McClellan, engineer for the applicant, was sworn in. He stated that the presented comments would be workable to the applicant. Commissioner Metzler asked about the existing drainage pipe. Patrick McClellan responded that the applicant would take care that the drainage does not discharge into the county right of way.

No comments were made by the public.

Commissioner Diaz made a motion grant **conditional approval** of this site plan application. The motion was seconded by Vice Chair Martinique. The motion passed unanimously.

**OLD BUSINESS – None.**

**NEW BUSINESS – None.**

**CORRESPONDENCE – None.**

## **RESOLUTIONS**

The following Municipality Stormwater Ordinance was put forward for unconditional approval by resolution:

1. 2021-12: Stormwater Control Ordinance – Clifton

A motion to unconditionally approve the above listed Municipal Stormwater Ordinance was made by Commissioner Metzler. The motion was seconded by Vice Chair Martinique. The motion passed unanimously.

The following Municipality Stormwater Ordinance was put forward for conditional approval by resolution:

1. 2021-13: Stormwater Control Ordinance – Prospect Park

A motion to conditionally the above listed Municipal Stormwater Ordinance was made by Commissioner Metzler. The motion was seconded by Commissioner Diaz. The motion passed unanimously.

**ADJOURNMENT:** Commissioner Metzler made a motion to adjourn the meeting at 6:32 PM that was seconded by Commissioner Martinique. The motion passed unanimously.

Respectfully submitted,  
Salvatore Presti for



MICHAEL LYSICATOS