



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, January 13th, 2022
WebEx Meeting**

Chair Redmon opened the meeting at 5:02 PM and read the notice that the requirements of the Open Public Meeting Act had been met. She then proceeded to call the roll.

MEMBERS PRESENT: Nakima Redmon, Chair; Stephen Martinique, Vice Chair; Miguel Diaz, Commissioner; William Gervens, Commissioner; Joseph Metzler, Commissioner; Jonathan Pera, County Engineer; Kenneth Simpson, Commissioner; Steve Edmond, Alternate

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

MINUTES: A motion to adopt the minutes of the December 29th, 2021, Planning Board Meeting was made by Commissioner Metzler and seconded by Commissioner Diaz. The motioned passed unanimously, with Commissioner Gervens and Vice Chair Martinique abstaining.

REORGANIZATION

Planning Board Chair

Commissioner Diaz nominated Commissioner Metzler to be Chair and was seconded by Vice Chair Martinique. There were no other nominations. A motion was made by Vice Chair Martinique and seconded by Commissioner Diaz to appoint Commissioner Metzler as Planning Board Chair for 2022. The motion passed unanimously with Commissioner Metzler abstaining.

Planning Board Vice Chair

Chair Metzler nominated Vice Chair Martinique to remain Vice Chair and was seconded by Commissioner Redmon. There were no other nominations. A motion was made by Commissioner Gervens and seconded by Chair Metzler to appoint Vice Chair Martinique as Planning Board Vice Chair for 2022. The motion passed unanimously with Vice Chair Martinique abstaining.

Planning Board Secretary

Vice Chair Martinique nominated Planning Director Lysicatos to remain as Planning Board Secretary and was seconded by Commissioner Redmon. There were no other nominations. A motion was made by Commissioner Redmon and seconded by Commissioner Metzler to appoint Planning Director Lysicatos as Planning Board Secretary for 2022. The motion passed unanimously.

Planning Board Meeting Schedule

A motion to adopt presented 2022 meeting dates for the Planning Board was made by Commissioner Redmon and seconded by Chair Metzler. The motion passed unanimously.

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

- The Planning Board will continue to meet online through February to mirror the county's continued advisement regarding avoiding meetings in person.
- The Planning Department will be presenting an updated Site Plan Resolution to the board when it is ready sometime in spring.
- The Planning Department has updated the 2022 fee schedule for Planning Board Applications based on inflation in the past three years.
- The Planning Department will have a draft of the County Bike Plan for the board to review in late spring. The plan will include recommendations for each municipality.
- Open Space solicitation is open to municipalities and non-profits, with applications due in March. A public workshop will be held on January 19th to help any interested parties with their applications. A summary of the workshop along with and FAQs will be posted on the county website.

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

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

DEVELOPMENT REVIEW

SP-21-073 – Biogenesis Storage Building – 444-456 Marshall Street, Paterson

Staff explained that this is a new site plan application in which the applicant has proposed to construct a two-story, 25,081 sq. ft. warehouse facility and parking facility. The applicant has indicated that the first floor will be used for parking, and the second floor for storage. The site has frontage along Marshall Street in Paterson.

The applicant has indicated that an existing driveway on Industrial Plaza, a municipal road, will continue to be used. The applicant has also proposed to install two (2) truck loading docks on Industrial Plaza. The applicant has proposed to install a new driveway along Marshall Street. There are no existing driveways along the Marshall Street frontage. The driveway will provide access to the parking garage. The parking garage will have a total of 52 parking spaces. The applicant has indicated that a roll-up garage door will be installed at each driveway entrance.

Regarding drainage, the applicant has proposed to construct two inlets and one trench drain on site. The trench drain will be installed at the truck loading docks and the inlets installed in the parking lot. The applicant has indicated a connection to the stormwater system along Marshall Street. The applicant has not proposed any changes to the existing sidewalk or curbing, which is in a deteriorated state. The applicant has proposed landscaping along Marshall Street, although it is not indicated which species are to be planted.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The name of the County must be included in the title block.

The name and address of the applicant and the owner must be noted on the plan. The zoning table must include the square footage of the existing and proposed impervious area. The applicant must submit two (2) signed and sealed copies of the referenced survey by Lakeland Surveying. The "Variable Width ROW" note along Marshall Street is not acceptable. The right-of-way widths must be verified and noted in the correct location for each variation in width. The Master Plan right-of-way of 66 feet must be shown on the plan. No portion of the building may be located within the Master Plan right-of-way.

The sidewalk and curbing along the Marshall Street frontage must be entirely replaced. The sidewalk must be a minimum of five (5) feet in width and dimensioned on the plans. A portion of the sidewalk is within the existing right-of-way of Marshall Street. A grass strip shall be provided between the curbing and sidewalk along Marshall Street. This may require the sidewalk to be pushed back towards the fence. The applicant must submit a certification, signed by a professional engineer, that the existing curb ramp at the corner of Marshall Street and Industrial Place is ADA-compliant.

The Marshall Street driveway shall be eliminated, as there is a driveway on the side street that provides access to the same interior building aisle that the Marshall Street driveway intersects. The applicant must submit a traffic study or statement addressing the expected trip generation from this site, and its effect on the roadway network. The plans must include a separate grading and drainage plan, which shall indicate all drainage connections. The drainage calculations consist of only computer printouts and maps – a narrative is required. The applicant shall verify if the drainage connection to Marshall Street is part of the combined sewer system. The proposed landscaping must be labelled and correspond with a landscaping table. The applicant must submit correspondence stating that the property owner shall have maintenance responsibility for all landscaping within the Marshall Street right-of-way. The plans must include a footing detail. The footings of the building shall not encroach into the Master Plan right-of-way of 66 feet on Marshall Street.

The applicant must verify that the proposed door swing along Marshall Street does not encroach into the County right-of-way. The applicant shall submit copy of any required NJDEP permits. The applicant must submit copy of any available correspondence from the Paterson Historic Preservation Commission. The applicant must provide the Corridor Enhancement Fee payable to Passaic County. The fee shall be assessed based on the requested survey, as the submitted plans do not provide sufficient information.

No comments were made by the board.

Keyvan Rabbani, COO of Biogenesis, was sworn in. Steven Coppa, architect for the applicant, was sworn in. Heather Goldstein, attorney for the applicant, asked Keyvan Rabbani to describe the business of Biogenesis. Keyvan Rabbani stated that the business manufactured skin care products and the proposed building was to store containers and glass jars for the business. He also stated that Biogenesis has owned the property in question for about five years and the building is a certified green building. He stated that the site would not be adding parking and that

there would be about four to five employees added to the new building. Heather Goldstein stated that the applicant has received Paterson Planning Board approval.

Commissioner Edmond asked if the property in question provided parking for the existing building. He also asked for clarification on the location of the site.

Steven Coppa described the history of the site to the board and described the proposed construction and changes to the site. He stated that the entrance on Marshall Street was to provide better traffic circulation in the parking area. He also stated that the applicant had received variance from the City of Paterson. Commissioner Edmond asked if the product moved to the storage area via elevator. Steven Coppa stated that it did.

A motion was made by Vice Chair Martinique open the floor to the public comment. Commissioner Simpson seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by Vice Chair Martinique to close the floor to the public comment. Commissioner Redmon seconded the motion. The motion passed unanimously.

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

SP-21-074 – Proposed Warehouse Building – 297 Getty Avenue, Paterson

Staff explained that this is a new site plan application in which the applicant has proposed to construct a 365,800 sq. ft. warehouse building and to demolish the existing 733,000 sq. ft. warehouse building on the site. The site has frontage along Getty Avenue in Paterson.

The applicant has proposed to install a full-access driveway along Getty Avenue. An additional two (2) driveways are proposed along Thomas Street, which is under municipal jurisdiction. The site will have access to W. Railway Avenue via Thomas Street. The non-trailer parking lot will have a total of 355 parking spaces. The applicant has indicated that there will be a total of 53 trailer parking spaces and a total of 53 loading docks. A traffic report has been submitted for the project. The applicant has also submitted a truck circulation plan. The report indicates that most truck traffic will utilize Thomas Street to enter and exit the site.

Regarding drainage, the applicant has proposed to connect the inlets and roof leaders on site to rip-rap that will expel water into a bioretention basin. The applicant has also proposed to install porous pavement in the non-trailer parking lot. The applicant has not proposed any changes to the existing sidewalk and curbing along Getty Avenue. The applicant has proposed to plant 35 shade trees and various shrubs along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The existing sidewalk shall be dimensioned on the plans, and should be a minimum of five (5) feet in width. The applicant shall submit a certification, signed

by a professional engineer, that the existing curb ramp at the corner of Getty Avenue and Thomas Street is ADA-compliant. The applicant shall dimension the distance between the Getty Avenue driveway and the adjacent property line to the north. For driveway access along Getty Avenue to be considered, the applicant must submit a waiver request with an engineering justification for provision of the driveway.

Trucks shall be prohibited from exiting at the proposed Getty Avenue driveway. Thomas Street is a better alternative as it is one-way, has no horizontal curves, and has adequate width for truck movements. This would also separate all entering and exiting trucks from each other. The turning movements for trucks entering at the Getty Avenue driveway must be shown on the plans. The Trip Generation data in Table 2 is not consistent with Figure 9 in Appendix A. The calculated Trip Generation was based on a classification of this facility as a Warehouse. However, the proposed warehouse is consistent with the definition of a High-Cube Warehouse based on square footage and ceiling height. This classification is significant as, based on ITE Trip Generation rates, the number of truck trips to be generated could be as much as 57% higher.

The applicant must provide additional information on the exact nature of the proposed operations, as there are five sub-categories of High-Cube Warehouses with differing trip generation rates: Transload, Short-Term Storage, Cold Storage, Fulfillment Center, and Parcel Hub. The applicant shall confirm any proposed connections into the combined sewer system, which would require the approval of the City of Paterson. The applicant shall submit copy of any required NJDEP permits. The applicant shall provide a written memorandum of understanding accepting maintenance responsibility for all proposed landscaping within the County right-of-way. The applicant must provide the Corridor Enhancement Fee of \$21,070.00 payable to Passaic County.

Adam Faiella, counsel for the applicant, called his witnesses to be sworn in. Greg Berman, representative for the applicant, was sworn in. John Cote, engineer for the applicant, was sworn in. Alan Lothian, traffic engineer for the applicant, was sworn in. Commissioner Edmond asked about the reasoning for connecting the driveway to the non-trailer parking area. John Cote responded that the driveway on Thomas Street is to accommodate employees on site. He also described the circulation of the site and stated that the application wished to retain full access on Getty Avenue. Commissioner Edmond asked if there were enough gaps in Getty Avenue traffic to allow trucks to leave the parking area.

Alan Lothian stated that any truck that needed to enter the site would be able to, and that any truck waiting to exit onto Getty Avenue would not affect traffic on Getty Avenue as they would be queuing on site. He also described the truck movement onto Getty Avenue and stated that the proposed modification would allow trucks to exit onto Getty Avenue without affecting oncoming traffic. Staff and the board discussed the trucks turning onto Getty Avenue.

County Engineer Pera asked why the applicant could not use Thomas Street as an entrance and Getty Avenue driveway as an exit. John Cote stated that the circulation was used to provide safety for truck drivers backing up in a manner that they would have been trained in.

Commissioner Diaz asked how far the Getty Avenue driveway was from the Madison Avenue intersection. Planning Director Lysicatos stated that the driveway was approximately 200 feet from the intersection. Commissioner Edmond asked if the applicant intended to use Park Street. John Cote stated that the applicant does not intend to use Park Street for truck traffic. He also stated that by shifting the driveway, trucks do not have to cross the centerline to make a right turn out of the site. Commissioner Edmond also commented that a north arrow appeared to be upside down on a survey.

County Engineer Pera asked about the tight turn that the trucks would need to make to exit the site. John Cote stated that the trucks would be able to make the turn. Commissioner Diaz asked how many trucks were anticipated to be exiting on Getty Avenue. Alan Lothian stated that the applicant anticipated that over the course of an hour, about two trucks would be going south and three going north.

A motion was made by Vice Chair Martinique open the floor to the public comment. Commissioner Diaz seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by Vice Chair Martinique to close the floor to the public comment. Commissioner Redmon seconded the motion. The motion passed unanimously.

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

OLD BUSINESS – None.

RESOLUTIONS – None.

NEW BUSINESS

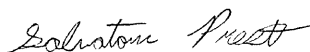
Annual Report

Senior Planner Miranda presented the annual report to the board. The report summarized information on the site plans and fees reviewed during 2021 as well as the Corridor Enhancement Program.

CORRESPONDENCE – None.

ADJOURNMENT: Commissioner Redmon made a motion to adjourn the meeting at 6:32 PM that was seconded by Vice Chair 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) 569-4041

January 14th, 2022

Paterson Planning Board
125 Ellison Street
Paterson, NJ 07505

Re: Site Plan Review – Biogenesis Storage Building; 444-456 Marshall Street, Paterson; Block 5401, Lot 6 (Passaic County File Number SP-21-073)

Members of the Board,

The above referenced site plan dated March 11th, 2020 was reviewed by the Passaic County Planning Board on January 13th, 2022 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 name of the County must be included in the title block.
2. The name and address of the applicant and the owner must be noted on the plan.
3. The zoning table must include the square footage of the existing and proposed impervious area.
4. The applicant must submit two (2) signed and sealed copies of the referenced survey by Lakeland Surveying.
5. The “Variable Width ROW” note along Marshall Street is not acceptable. The right-of-way widths must be verified and noted in the correct location for each variation in width.
6. The Master Plan right-of-way of 66 feet must be shown on the plan. No portion of the building may be located within the Master Plan right-of-way.
7. The sidewalk and curbing (see attached detail) along the Marshall Street frontage must be entirely replaced. The sidewalk must be a minimum of five (5) feet in width and dimensioned on the plans.
8. A portion of the sidewalk is within the existing right-of-way of Marshall Street.
9. A grass strip shall be provided between the curbing and sidewalk along Marshall Street. This may require the sidewalk to be pushed back towards the fence.

Passaic County Planning Board
Biogenesis Storage Building (SP-21-073)
444-456 Marshall Street, Paterson
Block 5401, Lot 6

10. The applicant must submit a certification, signed by a professional engineer, that the existing curb ramp at the corner of Marshall Street and Industrial Plaza is ADA-compliant.
11. The Marshall Street driveway shall be eliminated, as there is a driveway on the side street that provides access to the same interior building aisle that the Marshall Street driveway intersects.
12. The applicant must submit a traffic study or statement addressing the expected trip generation from this site, and its effect on the roadway network.
13. The plans must include a separate grading and drainage plan, which shall indicate all drainage connections.
14. The drainage calculations consist of only computer printouts and maps – a narrative is required.
15. The applicant shall verify if the drainage connection to Marshall Street will connect into the City of Paterson's combined sewer system.
16. The proposed landscaping must be labelled and correspond with a landscaping table.
17. The applicant must submit correspondence stating that the property owner shall have maintenance responsibility for all landscaping within the Marshall Street right-of-way.
18. The plans must include a footing detail. The footings of the building shall not encroach into the Master Plan right-of-way of 66 feet on Marshall Street.
19. The applicant must verify that the proposed door swing along Marshall Street does not encroach into the County right-of-way.
20. The applicant shall submit copy of any required NJDEP permits.
21. The applicant must submit copy of any available correspondence from the Paterson Historic Preservation Commission.
22. The applicant must provide the Corridor Enhancement Fee payable to Passaic County. The fee shall be assessed based on the requested survey, as the submitted plans do not provide sufficient information.

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
Heather Goldstein, Esq.

Biogenesis, Inc.
Coppa Montalbano Architects

Ann Rabbani



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) 569-4041

January 14th, 2022

Paterson Planning Board
125 Ellison Street
Paterson, NJ 07505

Re: Site Plan Review – Prop. Warehouse Building; 297 Getty Avenue, Paterson; Block 6701, Lot 2 (Passaic County File Number SP-21-074)

Members of the Board,

The above referenced site plan dated November 16th, 2021 was reviewed by the Passaic County Planning Board on January 13th, 2022 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 existing sidewalk shall be dimensioned on the plans, and should be a minimum of five (5) feet in width.
2. The applicant shall submit a certification, signed by a professional engineer, that the existing curb ramp at the corner of Getty Avenue and Thomas Street is ADA-compliant.
3. The applicant shall dimension the distance between the Getty Avenue driveway and the adjacent property line to the north.
4. For driveway access along Getty Avenue to be considered, the applicant must submit a waiver request with an engineering justification for provision of the driveway.
5. Trucks shall be prohibited from exiting at the proposed Getty Avenue driveway. Thomas Street is a better alternative as it is one-way, has no horizontal curves, and has adequate width for truck movements. This would also separate all entering and exiting trucks from each other.
6. The turning movements for trucks entering at the Getty Avenue driveway must be shown on the plans.

Passaic County Planning Board
Prop. Warehouse Building (SP-21-074)
297 Getty Avenue, Paterson
Block 6701, Lot 2

7. The Trip Generation data in Table 2 is not consistent with Figure 9 in Appendix A.
8. The calculated Trip Generation was based on a classification of this facility as a Warehouse. However, the proposed warehouse is consistent with the definition of a High-Cube Warehouse based on square footage and ceiling height. This classification is significant as, based on ITE Trip Generation rates, the number of truck trips to be generated could be as much as 57% higher. The applicant must provide additional information on the exact nature of the proposed operations, as there are five sub-categories of High-Cube Warehouses with differing trip generation rates: a) Transload; b) Short-Term Storage; c) Cold Storage; d) Fulfillment Center; e) Parcel Hub.
9. The applicant shall confirm any proposed connections into the combined sewer system, which would require the approval of the City of Paterson.
10. The applicant shall submit copy of any required NJDEP permits.
11. The applicant shall provide a written memorandum of understanding accepting maintenance responsibility for all proposed landscaping within the County right-of-way.
12. The applicant must provide the Corridor Enhancement Fee of \$21,070.00 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
Getty Industries, LLC
John Cote, P.E.

Thor 297 Getty Avenue, LLC
Adam Faiella, Esq.