



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, May 5th, 2022
930 Riverview Drive, Suite 250, Totowa, NJ 07512**

Chair Metzler opened the meeting at 5:34 PM and read the notice that the requirements of the Open Public Meeting Act had been met. He then proceeded to call the roll.

MEMBERS PRESENT: Joseph Metzler, Chair; Stephen Martinique, Vice Chair; William Gervens, Commissioner; Miguel Diaz, Commissioner; Jonathan Pera, County Engineer; Steve Edmond, Commissioner Alternate (voting for Commissioner Simpson); Terry Duffy, County Commissioner

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

MINUTES: A motion to adopt the minutes of the April 21st, 2022, Planning Board Meeting was made by Commissioner Diaz and seconded by Commissioner Gervens. The motioned passed unanimously.

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

- Planning Director Lysicatos gave a farewell message to the Planning Board. His last day with Passaic County will be Friday, May 13th.
- A motion was made by Commissioner Gervens to have Supervising Planner Andras Holzmann act as Planning Secretary in Planning Director Lysicatos's absence. Commissioner Diaz seconded the motion. The motion passed unanimously.

PUBLIC PORTION:

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

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

DEVELOPMENT REVIEW

SP-22-023 – Semeraro Construction Company – 352 Oldham Road, Wayne

Vice Chair Martinique recused himself from this application.

Staff explained that this is a new site plan application in which the applicant has proposed to confirm the existing use of the property as a construction yard. There is no proposed construction on the site. The site has frontage along Oldham Road (CR 685) in Wayne.

The applicant has proposed to continue using an existing driveway along Oldham Road. There is an existing sliding gate at the driveway. No formal parking spaces are proposed. The driveway is paved, but the parking lot is gravel. There is no existing sidewalk or curbing along the frontage of the site. Regarding drainage, the applicant has not indicated any existing drainage facilities. The site is sloped steeply away from Oldham Road. There is existing landscaping along the frontage of the site.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The plan must include a dimension from the right-of-way line to the existing sliding gate. The plans must include a driveway profile satisfying the requirements of a 2% slope within 50 feet of the right-of-way line. If the slope exceeds 2%, the applicant shall enter into a hold harmless agreement for all stormwater, silt, and debris runoff into the site. The applicant must provide the Corridor Enhancement Fee of \$5,868.00 payable to Passaic County.

County Engineer Pera added a comment that the applicant should show the proposed county roadway improvements overlaid on the site plan.

Chair Metzler asked about the types of trucks that would be using the site.

Donald Semeraro, manager of the site, was sworn in. He stated that at variety of construction trucks used the site. Chair Metzler asked what actions would be taken to protect the county road from damage caused by the construction vehicles entering and exiting the site. He stated that the trucks have their tires cleaned and that the driveway is paved so there would not be much debris or damage coming from the vehicles. County Engineer Pera advised Donald Semeraro on the proposed frontage dedication and on the proposed hold harmless agreement.

A motion was made by County Commissioner Duffy to open the floor to public comment. Commissioner Diaz seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

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

SU-22-003 – Creative Structures USA Subdivision – 110 West Haledon Avenue, Haledon
Vice Chair Martinique rejoined the meeting.

Staff explained that this is a previously withheld minor subdivision application in which the applicant has proposed to subdivide an existing lot (16.01) in order to create a total of two (2) lots, 16.01 and 16.02. The existing lot is currently vacant. The applicant has proposed to construct single-family residential dwellings on each proposed lot. Lot 16.01 will have frontage

on West Haledon Avenue (CR 674). Lot 16.02 will have frontage on Pompton Road (CR 504). This application was withheld by the Board on April 7th with several conditions.

The applicant has proposed to construct driveways on both lots, with each providing access to a County roadway. The applicant has indicated that there will be a turnaround area installed at each driveway. The applicant will install curbing and sidewalk along both frontages. Regarding drainage, both driveways are sloped towards the County right-of-way. The applicant has proposed to install trench drains at both driveway, which will be connected to on-site drywells.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The right-of-way width of W. Haledon Avenue must be noted on the plat. On-site turnarounds must be indicated on the plan. Both turnarounds are unacceptable. The County standard requires that an on-site turnaround be at least 10 feet wide and extend at least 20 feet beyond the edge of the driveway. Minimum distances from the edges of the turnaround shall be at least 20 feet from the garage, and at least 20 feet from the curb line or edge of pavement for the County road. There is not enough room to fully accommodate these dimensions on the proposed plan. The proposed driveway will either require the granting of a design waiver, or a driveway would need to be removed. The applicant must verify whether the dwellings will have garages. Elevation contours must be provided to indicate the flow of stormwater. The plans must include a trench drain detail (Campbell Foundry 4526A or equal).

Commissioner Edmond asked if the applicant had spoken with engineering staff. County Engineer Pera responded that his staff had been working with applicant when they had questions.

John Saleh, applicant, was sworn in. He stated that he had explored widening the garage to accommodate turning around before entering the county roadway. Bahman Izadmehr, engineer for the applicant, was sworn in. He described the turning movements on site.

A motion was made by County Commissioner Duffy to open the floor to public comment. Commissioner Diaz seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

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

SP-22-025 – Thatcher McGhee’s – 6 Wanaque Avenue, Pompton Lakes

Staff explained that this is a new site plan application in which the applicant has proposed to construct an 800 sq. ft. pavilion and outdoor patio at an existing restaurant. No changes are

proposed to the existing structure on the site. The site has frontage along Wanaque Avenue (CR 684) and Ringwood Avenue (CR 511) in Pompton Lakes.

To accommodate the pavilion, the application has proposed to remove seven (7) parking spaces, reducing the total number of parking spaces on site to 65. The site has a total of three (3) driveways: a full-access driveway on Laura Street (a municipal road), a full-access driveway on Ringwood Avenue, and an exit-only driveway on Ringwood Avenue. No changes are proposed to any of the driveways. The applicant has not proposed any changes to the existing sidewalk and curbing along the site frontage.

Regarding drainage, the applicant has indicated that the stormwater from the pavilion will connect into an existing detention basin on the site. The applicant has indicated that there are trench drains present at each driveway that connect into the detention basin. The applicant has proposed to plant decorative landscaping along the pavilion's frontage along Ringwood Avenue.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The entire property, including all driveways, must be shown on a site plan. The following comments pertain to signing a striping: A stop sign, stop bar (12 inches, white), and two (2) DO NOT ENTER (R5-1) signs must be installed at the northerly Ringwood Avenue driveway. A stop sign, stop bar (12 inches, white), and a double yellow centerline must be installed at the southernmost Ringwood Avenue driveway. All striping must be noted as thermoplastic.

The driveways on Ringwood Avenue must have raised aprons per County detail. The applicant must submit an encroachment application for the existing awning within the Wanaque Avenue right-of-way. The applicant must provide the Corridor Enhancement Fee of \$7,058.00 payable to Passaic County.

Brendan Madden, owner of the property, was sworn in. Commissioner Edmond asked what the pavilion would be made of. Brendan Madden responded it would be made of wood and vinyl. Commissioner Edmond asked how far the pavilion was from the sidewalk, Brendan Madden responded that it was about 16 feet from the sidewalk. County Engineer Pera also confirmed the distance between the pavilion and the sidewalk. Commissioners Edmond asked if there would be a barrier between the pavilion area and the driveway. Brendan Madden stated that there would be a barrier there.

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

No comments were made by the public.

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

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

SP-22-012 – Proposed Jewelry Store – 1061-1063 Main Street, Paterson

County Consul Abdelhadi recused himself from this application.

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a 5,145 sq. ft., three-story commercial building on a vacant lot. The building will be operated as a jewelry store. The site has frontage along Main Street (CR 601) in Paterson. This application was withheld on April 7th, 2022 with nine (9) conditions.

The site will have a 9-space parking garage in the cellar of the building. Access to the garage will be via a full access driveway along Delaware Avenue, a municipal road. The site will have no driveways or curb cuts along Main Street. The applicant has proposed to replace the existing sidewalk and curbing along the Main Street frontage.

Regarding drainage, the applicant has indicated that stormwater will drain to Delaware Avenue. No on-site detention is proposed. The applicant has stated that there are stormwater inlets on both sides of the lower end of Delaware Avenue that would be able to collect stormwater before it flows onto Getty Avenue, a county road. The applicant has proposed to maintain an existing shade tree along Main Street.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The replacement curb ramp must be oriented to the path of pedestrian travel, not diagonally towards the intersection as is the current ramp. The curb ramp shall be in accordance with ADA standards, not County/City standards. The proposed curb ramp is still not acceptable; it must be oriented parallel to the crosswalk. The applicant must clarify where stormwater on Delaware Avenue will be collected prior to reaching Getty Avenue. It is recommended that the City of Paterson require on-site detention for the proposed drainage that is proposed to be discharged to Delaware Avenue.

The right-of-way line of Main Street must be indicated on the side elevation drawing. The applicant will need to submit an encroachment application for the proposed canopy and cornice encroachments. The side elevation drawing indicates two (2) different right-of-way lines for Main Street. The plan indicates either one or two encroachments based on the correct location of the right-of-way line. The applicant must verify the correct location of the County right-of-way line. Any encroachments will need to be authorized by the Board of County Commissioners. The plans must also include a detail for the footings of the building, which must not encroach into the County right-of-way.

Commissioner Edmond asked that the applicant submit calculations that show the Delaware Avenue inlets can handle the stormwater being discharged from the site before it reaches Getty Avenue. Alternatively, the applicant can provide onsite detention.

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

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

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

SP-22-017 – Proposed Laundromat – 355-357 Market Street, Paterson

Staff explained that this is a new site plan application in which the applicant has proposed to operate a laundromat in an existing retail building. The laundromat will occupy a unit that is currently vacant, while the adjacent Dollar General will remain. The site has frontage on Market Street (CR 648) in Paterson.

The site has two parking lots: one parking lot along Summer Street (a municipal road) and a parking lot accessible from Market Street. The latter parking lot has access via an entrance-only driveway on Market Street and two (2) exit-only driveways onto Carroll Street (a municipal road). There will be a total of 29 parking spaces on site. No changes to the existing sidewalk and curbing are proposed. Regarding drainage, the applicant has indicated an existing trench drain beyond the Market Street driveway. As the driveway is sloped away from Market Street, the trench drain appears to collect runoff from the driveway. No other drainage facilities are indicated on the site. No landscaping is proposed.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The submitted survey does not reflect the existing site layout. The applicant must submit signed and sealed copies of the referenced survey completed in 2022. The right-of-way line of Market Street must be clearly indicated. The Market Street driveway must have a raised apron. The Market Street driveway width must be dimensioned on the plan. The applicant must verify whether the existing cellar door is to remain. If so, the cellar door must be inspected and certified by a licensed engineer that it satisfies loading requirements. The applicant must verify the presence of any sidewalk vaults along the Market Street frontage. The plans must show a side elevation along Market Street, as it appears that the existing building features encroach into the County right-of-way. The cellar door and any sidewalk vaults will also need to be included on the encroachment permit application. The applicant must provide the Corridor Enhancement Fee of \$1,000.00 payable to Passaic County.

No comments were made by the board.

A motion was made by County Commissioner Duffy to open the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

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

SP-22-021 – Proposed Charter School – 102-124 Madison Avenue, Paterson

Staff explained that this is a new site plan application in which the applicant has proposed to construct a three-story, 62,341 sq. ft. charter school on a vacant lot. The site has frontage along Madison Avenue (CR 649) in Paterson.

The site will have a total of 74 parking spaces with access via two (2) driveways on East 19th Street (a municipal road): a two-lane entrance-only driveway and a two-lane exit-only driveway. The applicant has indicated that both driveways will have motorized vehicle gates installed. The applicant has also proposed to install an emergency access driveway along Madison Avenue. A car queuing diagram has been included in the plan set. The applicant has submitted turning movements for a garbage truck and school bus accessing the site using the public driveways, and a pump fire engine accessing the site using the emergency access driveway. The applicant has proposed to replace the sidewalk and curbing along the site frontage.

Regarding drainage, the applicant has indicated that the roof leaders will connect via pipe to several inlets in the parking lot. However, no on-site detention or connection to the combined sewer system is shown. The applicant has proposed to pave portions of the parking lot with pervious pavement. The applicant has proposed to plant a variety of shade trees along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The proposed gate for the emergency access driveway must be clearly labelled on the plan and a detail included in the plan set. The apron on Madison Avenue shall be replaced with a mountable curb as is being proposed on the site. The proposed connection into the combined sewer in Madison Avenue requires City approval. If this is granted by the City, it is recommended that the applicant provide on-site detention prior to any overflow into the system. Inlet #4 must be modified to be a double inlet. The applicant must submit a maintenance plan for the porous pavement. The limits of the porous pavement must be clearly indicated on the plan. The applicant shall confirm whether the proposed Gingko trees would be seed-bearing. The applicant shall submit any available architectural drawings. The applicant must provide the Corridor Enhancement Fee of \$8,000.00 payable to Passaic County.

County Engineer Pera added a comment stating that the applicant must perform a signal analysis on the intersection of Third Avenue and Madison Avenue.

A motion was made by County Commissioner Duffy to open the floor to public comment. Commissioner Diaz seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

County Commissioner Duffy made a motion to **withhold approval** to this site plan application. The motion was seconded by Commissioner Gervens. The motion passed unanimously.

SP-22-022 – Atlantic Coast Fiber Recycling Center – 1 Lodi Street, Passaic

Commissioner Diaz exited the meeting at 6:38 PM.

Staff explained that this is a new site plan application in which the applicant has proposed to reconstruct a recycling center that was destroyed in a fire. The new single-story building will be 118,328 sq. ft. and occupy approximately the same area as the destroyed building. The site does not have frontage along a county road but includes over an acre of impervious area.

The site will have three (3) driveways: two (2) full access driveways on Lodi Street (a municipal road) and one full access driveway on South Street (a municipal road). The proposed parking lot will have a total of 46 parking spaces, which will be the same number of parking spaces located on the original site. Regarding drainage, the applicant has indicated that all roof leaders and inlets will discharge into the Passaic River. The applicant has not proposed any changes to the existing sidewalk and curbing. No landscaping is proposed.

The submitted plan has been reviewed by staff, and there are no impacts to any County facilities. The application is recommended for approval.

Commissioner Edmond asked that the applicant show NJDEP approval for the site.

A motion was made by County Commissioner Duffy to open the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

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

SP-22-024 – Proposed Apartments - 525 Wanaque Avenue, Pompton Lakes

Staff explained that this is a new site plan application in which the applicant has proposed to convert the second story of an existing commercial building into four (4) dwelling units. The first floor of the building will remain in use as commercial space. The site has frontage along Wanaque Avenue (CR 684) and Passaic Avenue (CR 706) in Pompton Lakes.

The applicant has proposed to add four (4) additional parking spaces, bringing the total amount of parking on site to 42 spaces. The applicant has proposed to maintain all existing driveways on the site: an entrance-only driveway on Wanaque Avenue, an exit-only driveway on Passaic Avenue, and a full-access driveway on Passaic Avenue. The two driveways on Passaic Avenue are adjacent to each other. The applicant has not proposed any changes to the existing sidewalk and curbing along the site frontage.

Regarding drainage, the applicant has proposed to connect all roof leaders to a proposed drywell on the site. The applicant has not proposed to install any inlets or trench drains. The applicant has indicated that stormwater flow is directed towards both County roadways. The applicant has not proposed any shade trees, although existing landscaping is shown to remain within the County right-of-way.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The existing right-of-way width of Wanaque Avenue must be noted on the plans. The applicant must submit signed and sealed copies of the referenced survey. The sidewalk along the property frontage must be a minimum of five (5) feet in width. This dimension must be included on the plans. A two-way and one-way driveway cannot be adjacent to each other, as is shown along Passaic Avenue. The one-way driveway shall be eliminated. Signing and striping must be provided at the two-way driveway, which may need to be widened. All driveways must be dimensioned on the plans. All driveways must have raised aprons in accordance with County detail. The plans must include a sight triangle for the intersection.

Commissioner Edmond asked about the second entrance driveway. County Engineer Pera explained the site layout. Commissioner Edmond ask that the driveway on Passaic Avenue should be right turn exit only.

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

No comments were made by the public.

A motion was made by County Commissioner Duffy to close the floor to public comment. Commissioner Gervens seconded the motion. The motion passed unanimously.

County Commissioner Duffy made a motion to **withhold approval** to this site plan application. The motion was seconded by Commissioner Gervens. The motion passed unanimously.

OLD BUSINESS – None.

NEW BUSINESS – None.

CORRESPONDENCE – None.

ADJOURNMENT: County Commissioner Duffy made a motion to adjourn the meeting at 6:56 PM that was seconded by Commissioner Gervens. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for

Salvatore Presti

MICHAEL LYSICATOS