



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, June 2nd, 2022
401 Grand Street, Room 220, Paterson, NJ 07505**

Chair Metzler opened the meeting at 5:30 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; Kenneth Simpson, Commissioner; Nakima Redmon, Commissioner; Jonathan Pera, County Engineer

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

MINUTES: A motion to adopt the minutes of the May 26th, 2022, Planning Board Meeting was made by Commissioner Simpson and seconded by County Engineer Pera. The motioned passed unanimously with Commissioner Redmon and Vice Chair Martinique abstaining.

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

- Open Space Preservation Committee convened on June 1st to discuss final recommendations for open space grant awards.
- The virtual open house comment period for Bike Passaic County ended on May 31st. Public comments received during that time will be incorporated into the draft County Bicycle Master Plan.
- The Planning Department has applied for Local Safety Grants for roads in Clifton and Wayne.
- The Planning Department is creating an interactive survey for the county facilities plan.
- The Parks Department is testing a parks map developed by the Planning Department.
- The Planning Department has met with consultants to discuss the Morris Canal Phase IV project.

PUBLIC PORTION:

Chair Metzler asked if anyone from the public would like to make a comment not related to any items on the agenda. Seeing no one wishing to speak, he gave the floor to Senior Planner Miranda for Development Review.

DEVELOPMENT REVIEW

SU-22-003 – Creative Structures USA Subdivision – 110 West Haledon Avenue, Haledon

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 May 5th.

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 sufficient 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 driveways, 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. Both sidewalks must be a minimum of five (5) feet in width. Both driveways shall be narrowed to a maximum of 15 feet at the curb line. On-site turnarounds must be indicated on the plan. For both proposed lots, the on-site turnarounds are still not acceptable: The garage for the W. Haledon Avenue should be extra-wide. The turning movements show an outer wheel line colliding with the corner of the garage. Turning movements must be shown for all three garages, including all movements. The templates should also show how a vehicle parked in the driveway will exit the site without backing into the roadway.

The driveway slope must be indicated for the W. Haledon Avenue driveway. The label for the Pompton Road driveway indicates a slope of 8%, which exceeds the County standard of 2% within 50 feet of the right-of-way line. Elevation contours must be provided to indicate the flow of stormwater. The plans must include a trench drain detail (Campbell Foundry 4526A or equal). The submitted drainage calculations are not acceptable, as they only proposed to handle the difference between the existing runoff and proposed runoff. All existing and proposed runoff must be handled. The applicant shall verify that the proposed retaining walls will be located entirely outside of the County right-of-way. The plans must include a profile of both driveway sight lines, which appear to conflict with the proposed retaining walls.

Joseph Stigar, engineer for the applicant, was sworn in. John Saleh, owner of the site, was sworn in. Joseph Stigar explained the existing conditions on the site and why it presented difficulty in creating an on site turnaround for the site. Chair Metzler asked about what would happen if the car was parked in the driveway instead of the garage. Joseph Stigar responded that he would provide that information to the board. John Saleh responded that he believed that a k-turn was possible with the provided turnaround. Joseph Stigar stated that he would provide turning movements to the county engineer.

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

No comments were made by the public.

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

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

SU-22-004 – Wanaque Depot Urban Renewal Subdivision – 30 Union Avenue, Wanaque

Commissioner Simpson left the meeting.

Staff explained that this is a previously withheld minor subdivision application in which the applicant has proposed to re-subdivide four (4) existing lots into two (2) lots. An existing single-family home, with a driveway to Union Avenue, will remain on proposed Lot 13.01. The applicant has proposed to construct a warehouse on proposed Lot 13.02 under a separate site plan application (SP-22-007). The property has frontage along Union Avenue (CR 511) in Wanaque. This application was withheld on March 10th, 2022 with three (3) conditions.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The plat must show the property line running across the entire frontage of the site to the adjacent lot on the easterly side of the plan. A draft deed of dedication must be submitted, along with a metes and bounds description of the area to be dedicated.

The following comments pertain to the existing driveway on proposed Lot 13.01. Adequate sight distance must be indicated. There is only 55 feet of available sight distance at the driveway when looking left, far less than the 360 feet required. Drivers need to look left whether exiting to the right or left. This must be addressed by the applicant. An on-site turnaround must be provided. A driveway profile must be provided. The submitted driveway profile indicates that there are slopes in excess of 2% within 50 feet of the right-of-way line. Based on the information provided, it is recommended by staff that the Board grant a waiver from the condition.

Arthur Kuyan, engineer for the applicant, was sworn in. He described the current site conditions and stated that he believed due to the low-use of the site and the intention was to not construct on site, that the site should remain as is. County Engineer Pera asked for dimensions on the existing turnaround.

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

No comments were made by the public.

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

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

SP-22-007 – Proposed Industrial Warehouse – 30 Union Avenue, Wanaque

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a 272,000 sq. ft. warehouse building with office space on vacant land. The site is heavily forested under current conditions. The applicant has proposed to re-grade a large section of mountainous terrain to accommodate the proposed warehouse. The site will have frontage along Union Avenue (CR 511) in Wanaque. This application was withheld on March 10th, 2022 with 21 conditions.

The site will have 144 parking spaces across several parking areas. The applicant will also have 34 parking spaces for trailers. The site will have access to Union Avenue via one (1) full-access driveway. Interior driveways connect all the parking lots to the main access driveway. The applicant has agreed to install curbing and sidewalk along the frontage of the site.

Regarding drainage, the applicant has proposed to connect all roof leaders and inlets to several bioretention basins and underground infiltration basins on the site. Inlets are provided on both sides of the Union Avenue driveway. The inlets will connect to riprap, which will expel the stormwater into a non-basin area near the County right-of-way. The applicant has proposed to plant a variety of shade trees throughout the site and along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must install both sidewalk and curbing along the site frontage. Curbing must be constructed to County detail (attached). Curbing is proposed along the property frontage, but it is not clear exactly where it is proposed. The plans must include a typical section and a construction plan at a 1"=20' scale, showing widening to provide an 11-foot travel lane and a four-foot shoulder. The applicant must install a raised apron, in accordance with County detail, across the existing residential driveway. The sidewalk pervious pavement must be added to the maintenance schedule in the Stormwater Maintenance & Operations Manual. The County Engineer is agreeable to the NJDEP permitting procedures stated in the applicant's response letter. However, the property owner shall be responsible for the construction and maintenance of the curbing and sidewalk.

The traffic study uses trip generation figures from a generic warehouse use. This results in only 43 trips entering the site during the peak hour, and also 43 trips leaving the site in the peak hour. However, the actual trips generated may be far greater. The number of loading docks proposed, 82, is far above what the local Ordinance requires (15). The applicant must supply trip generation figures for the actual user, based on actual trip generation studies performed at comparable sites owned or operated by the actual user. The traffic study agrees that warehouse uses have changed significantly in the last several years. Although the report states that the occupant has not been determined, it does include potential trip generation for a "Parcel hub" and "Fulfillment center". The potential trip generation scenarios reveal that mitigation will be needed, with the installation of a signal at Union/Greenwood/Susquehanna, to be coordinated with the existing signals at I-287 South and at Ringwood Avenue. A signal may also be required

at the site driveway in the worst case scenario, in which delays will be over 200 seconds for vehicles exiting the driveway. Therefore, the applicant shall be required to enter into a developer's agreement requiring the submission of traffic studies once in operation given that the exact impact on traffic is difficult to determine at this time. It is recommended that Tilcon be included in the agreement and share in the responsibility, given the current application to provide quarry access along Union Avenue that will significantly contribute to the traffic impacts along the corridor.

Separate right and left turn lanes to exit the site driveway are not permitted unless a traffic signal is present. A traffic signal is not justified based on the submitted traffic study, but this is subject to change. The exit lane is still not acceptable. The pavement is too wide, and vehicles would still be able to exit side-by-side. The pavement shall be narrowed with mountable curb, allowing trucks to exit. The "right turn only" and "left turn only" exit lane notes must be removed, and the driveway dimensions must be updated. A driveway profile must be submitted. The contours indicate that the proposed slope will be 6.7% for the first 50 feet back from the County right-of-way line, which is unacceptable. The profile of the proposed driveway shows a 2% slope for 50 feet, but the 50 feet is not measured from the right-of-way line. Station 10+00 must be at the right-of-way line.

The applicant shall install a trench drain at the end of the site driveway, adjacent to Union Avenue. The trench drain at the bottom of the driveway is proposed to connect to an inlet on Union Avenue. The trench drain shall instead be modified to discharge into the wetlands area, similar to the other three discharges proposed uphill from there, by way of a pipe or swale. The applicant must provide an analysis of all drainage structures in the pavement in order to demonstrate that there will be no bypass flow into Union Avenue. The applicant did not provide the requested analysis of all drainage structures, which is required to show that there will be no bypass flow entering Union Avenue.

The applicant must provide an analysis of outflows from the four (4) outfalls within 400 feet of Union Avenue in order to demonstrate that no outflows will reach Union Avenue. The plans indicate two (2) 18-inch pipes and one (1) 24-inch pipe discharging into the wetlands area. The contours indicate that this area may be as shallow as two (2) feet in depth. The applicant did not provide the requested analysis, which is required to show that there will be no overflow into Union Avenue.

The applicant must have a mechanism for drainage maintenance to ensure that in the event of failure, no stormwater flows into the County right-of-way. The site plan and grading plan must show the re-grading work necessary to provide for the required sight distance, looking to the right, from the exit driveway. This is shown on the profile only. The plans must include a profile along the sight distance line to the south. This must indicate all grading required to provide two (2) feet of clearance between the finished grade and the sight line. The entire area of the sight triangle must provide the two (2) feet of clearance. On sheet C-40, the label on the profile refers to "looking to the right" but is actually for vehicles "looking to the left". The applicant shall

submit all details and exhibits for the rock cutting that is necessary for the proposed retaining wall.

The applicant shall submit all details for the proposed retaining wall, including a footing detail showing the footings of the wall in proximity to the Union Avenue right-of-way line. The applicant must submit copy of any correspondence from NJDEP regarding a Highlands Permit. The applicant must submit copy of any required NJDEP permits. The applicant must provide the Corridor Enhancement Fee of \$21,621.00 payable to Passaic County.

Chair Metzler asked if the applicant would be planting trees on site. Arthur Kuyan responded that there would be trees replanted on site, but there would be more replanting's required off site to mitigate. Chair Metzler asked how many trees were being cut down. Arthur Kuyan stated that he would have to come back with a more specific amount.

Arthur Kuyan stated that the preferred discharge point for stormwater would be into the wetlands area. He also stated that the applicant had received a Highlands Exemption from the municipality. That would mean that there would not be coordination with the NJDEP since the municipality had granted a wetlands exemption.

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

The following members of the public gave comment:

- David Beckera, resident, stated concern that there would need to be more traffic mitigation because there may not be enough room to have trucks accelerate and cars decelerate to enter and exit Union Avenue at safe speeds. He asked that an additional turning lane be provided. He also had concerns about developing the top of the mountain without proper stormwater mitigation. He expressed concern that properties in the area were not calculated correctly into the traffic study.
- Robert Rex, resident, asked if there was any space for a bike lane to be included into the site. He also explained the issues with the road, and asked that the applicant increase the width of the road to accommodate bike lanes. He emphasized that a turn lane would be critical at this point as constructing it later would be much more difficult.
- Suzanne Becker, resident, expressed concerns about future developments on the Moss Property located to the north of the site and that it would affect the drainage of the site. She also stated that having the applicant install lighting would improve safety.
- Ed Biancardi, resident, expressed concern that the lights would need to be retimed due to existing traffic issues the intersection of Union Avenue and Ringwood Avenue.
- Bill Kuipers, resident, expressed concern about the deforestation causing a lot of runoff and catching road salt and carrying it into the wetlands. He also expressed concern about the traffic in the area, especially coming off of Route 287. Additionally, he expressed concern about the roads current width and that there would be an issue with poor visibility.

- Nalla Wolloen, resident, expressed concern that the additional traffic would be affecting various nursing homes on the corridor.

Arthur Kuyan stated that the applicant had some restrictions with the wetlands on site, and that would affect the ability of the site to have deceleration lanes.

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

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

SP-22-015 – Proposed Warehouse – 441 Newark-Pompton Turnpike, Wayne

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a 28,890 sq. ft. warehouse building. The warehouse will share a parking lot and driveway access with an existing warehouse on the same lot. The site has frontage along the Newark-Pompton Turnpike (CR 683) in Wayne. A similar application (SP-18-063) for this site was previously reviewed but did not receive approval. This application was withheld on April 7th, 2022 with 10 conditions.

The applicant has proposed to modify the existing driveway to place it 10 feet from the side property line and to intersect perpendicularly with Newark-Pompton Turnpike. The applicant has proposed to increase on-site parking by 23 spaces, to bring the total number of parking spaces to 78. The applicant has indicated that there will be a drive-in entrance to the warehouse from the parking lot but has not indicated specific loading bays on the site plan. The applicant has proposed to construct a 5-foot sidewalk along the site's frontage within the County right-of-way.

Regarding drainage, the applicant has indicated that all roof leaders and inlets on the site will connect into two (2) proposed drainage basins. The site slopes away from the County right-of-way. The applicant has proposed to plant 10 Kwanzan Cherry trees along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must provide raised driveway aprons, including sidewalk, at the site driveway. The detectable warning surfaces shall remain, but must be oriented to the path of pedestrian travel. In accordance with County detail, the apron must include flares instead of a curb radii and the sidewalk must be carried level across the driveway. The curb ramps shall be removed from the plans. The detectable warning surfaces shall remain, but must be oriented to the path of pedestrian travel.

Truck turning templates must be included in the plans, showing all proposed turning movements at the site driveway. The submitted plans only show outside wheel outlines for truck turns at the driveway. A standard turning template must be provided. The applicant shall provide an access easement for the Morris Canal Greenway on the existing North Jersey District Water Supply Commission easement. A draft of the requested access easement and metes and bounds description were previously sent to the applicant for review as part of the previous application. The easement submitted by the applicant is significantly different from the document originally

drafted by County Counsel and sent to the applicant for review. The applicant must submit a signed copy of that easement document. The applicant must provide the Corridor Enhancement Fee of \$5,871.00 payable to Passaic County.

Chris Donnelly, landlord of the property, was sworn in. He explained the existing conditions of the site to the board.

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

No comments were made by the public.

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

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

SU-22-009 – Garfco Urban Renewal Corporation Subdivision – 500 Marshall Street, Paterson

Staff explained that this is a new minor subdivision application in which the applicant has proposed to subdivide an existing lot. The property has frontage along Marshall Street (CR 509) in Paterson. The applicant has not proposed any physical changes to the current site conditions as part of this application.

The applicant has proposed to subdivide the existing lot in order to create a total of two (2) lots. The submitted plat indicates two (2) existing buildings on the property, which will be on separate lots following the subdivision. The site has access via two (2) full-access driveways along Marshall Street. Both driveways are located on proposed Lot 3.01, and it is not clearly indicated how vehicles will be able to access proposed Lot 3.02.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. All driveways must be clearly indicated on the plan. At both existing driveways on Lot 3.01, the applicant shall install stop signs, stop bars (12 inches, white), and double yellow centerlines. All striping shall be noted as thermoplastic. Proposed Lot 3.02 does not have any existing driveways. The applicant must clarify how the site will be accessed from Marshall Street, and submit cross-easements for any shared driveway access with the neighboring properties. No new driveways from Lot 3.02 will be permitted. The applicant shall provide a parking and circulation plan for proposed Lot 3.02. The parking spaces parallel to the Marshall Street sidewalk must be removed.

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

No comments were made by the public.

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

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

SP-22-031 - Proposed Industrial Development – 90 Kingsland Avenue, Clifton

Staff explained that this is a new site plan application in which the applicant has proposed to change the use of an existing commercial site from commercial truck and equipment storage to industrial truck and equipment storage. No changes are proposed to the existing 9,173 sq. ft. building on the site. The site has frontage along Kingsland Avenue in Clifton. Kingsland Avenue is a municipal roadway in this location. The applicant has proposed to re-stripe the parking lot in order to add 21 additional parking spaces. The site will have a total of 189 truck parking stalls. The applicant will continue to use an existing full-access driveway on Kingsland Avenue.

Staff explained that the submitted plans have been reviewed, and there are no impacts to any County facilities. Staff recommended the application for approval, subject to the submission of any required NJDEP permits.

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

No comments were made by the public.

Seeing no one, a motion was made by Vice Chair Martinique to close the floor to public comment. Commissioner Redmon 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 Redmon. The motion passed unanimously.

Commissioner Simpson rejoined the meeting at 7:13 PM.

Vice Chair Martinique left the meeting at 7:13 PM.

OLD BUSINESS

SU-22-001 - Kyle Morris Realty LLC – 93 Glenwild Avenue, Bloomingdale

Staff explained that the applicant was requesting a waiver from two conditions previously imposed by the board:

1. Driveway profiles, showing a 2% maximum slope for 50 feet back from the right-of-way line, must be provided for both driveways.
2. The applicant shall install trench drains at the bottom of both driveways. The trench drains shall be connected to recharge chambers.

After review, staff recommended that both waivers be granted to the applicant.

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

No comments were made by the public.

Seeing no one, a motion was made by Commissioner Simpson to close the floor to public comment. Commissioner Redmon seconded the motion. The motion passed unanimously.

Commissioner Simpson made a motion to grant both requested waivers to the applicant with Commissioner Redmon seconding the motion. The motion passed unanimously.

NEW BUSINESS – None.

CORRESPONDENCE – None.

ADJOURNMENT: Chair Metzler made a motion to adjourn the meeting at 7:16 PM that was seconded by Commissioner Redmon. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for



ANDRAS HOLZMANN