



**PASSAIC COUNTY PLANNING BOARD  
MINUTES OF A REGULAR MEETING  
Thursday, June 30<sup>th</sup>, 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; Miguel Diaz, Commissioner; Kenneth Simpson, Commissioner; Jonathan Pera, County Engineer; Steve Edmond, Alternate (voting for Commissioner Gervens)

**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 June 16<sup>th</sup>, 2022, Planning Board Meeting was made by Commissioner Diaz and seconded by Chair Metzler. The motioned passed unanimously with Vice Chair Martinique abstaining.

Commissioner Edmond arrived at 5:36 PM. Commissioner Simpson arrived at 5:42 PM.

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

- The County has approved Open Space Grants for applicants being awarded under \$100,000 and is in the process of having hearings for projects being awarded over \$100,000.
- Planning Staff is working on an Olmstead Sketch Crawl that will be hosted at Garret Mountain at the end of July. Planning Staff is also working on several redesigns for Garret Mountain including potential changes to auto overlook loop.
- The Planning Department is continuing to work on the Spruce Street Path project to finish preliminary engineering.
- Planning Staff is working with a historic preservation consultant for the Morris Canal Greenway.
- The Planning Staff has completed a submission to the NJDOT for the Highlands Rail Trail Phase II.
- The Planning Department has begun an NJTPA subregional study for infrastructure in the county.
- The Planning Department has begun work on a facilities plan which would show county properties and assets in a uniform format.

**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, Vice Chair Martinique made a motion to close the public portion that was seconded by Commissioner Diaz. The motion passed unanimously.

**DEVELOPMENT REVIEW**

**SU-22-010 – Clifton IL, LLC Subdivision – 782-818 Valley Road, Clifton**

Staff explained that this is a new minor subdivision application in which the applicant has proposed to re-subdivide lots 14, 15 and 18 from three (3) lots to two (2) lots in order to accommodate a proposed independent senior living facility. Lot 11 is not being impacted, but has been included as part of the application. All proposed construction is being reviewed as a separate site plan application (SP-22-039).

The submitted plans have been reviewed by staff, and the applicant must submit an access easement for the proposed driveway connection through the adjacent lot.

No comments were made by the board.

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.

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

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

**SP-22-039 – Proposed Senior Living Residences – 782-818 Valley Road, Clifton**

Staff explained that this is a new site plan application in which the applicant has proposed to construct a 15,841 sq. ft., three-story senior living building. The existing building on the site is to be demolished. The proposed building will have a total of 50 dwelling units. The site has frontage along Valley Road (CR 621). A subdivision of the site is also being reviewed as a separate application (SU-22-010).

The applicant has proposed a total of 68 parking spaces on the site. The site will have access from Valley Road via a full-access driveway at the adjoining assisted living facility, which was previously approved by the Board. The applicant has proposed to construct an emergency vehicle only driveway from the site to Valley Road. The plans indicate that a chain will be installed across the driveway to restrict access. The applicant has proposed to replace the sidewalk and curbing along the site frontage.

Regarding drainage, the applicant has proposed to construct several inlets on the site and a trench drain at the bottom of the emergency access driveway. The applicant has indicated that all inlets, roof leaders, and the trench drain will connect into a PVC perforated underdrain. The applicant has proposed to plant several Bloodgood London planetrees, and numerous shrubs, along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The sidewalk must be a minimum of five (5) feet in width and dimensioned on the plan. The sidewalk appears to be located on the applicant's property. The applicant shall provide a sidewalk easement to the City of Clifton. The emergency access driveway shall have a gate and Knox box. The emergency access driveway must include a raised apron with sidewalk. The plans must include a driveway profile for the emergency access driveway.

A trench drain detail must be provided, or the trench drain must be noted as a Campbell Foundry pattern 4526A or equal. The applicant must provide drainage calculations showing that there will be no bypass of the trench drain into Valley Road. The plans must include a note for the proposed inlet at the bottom of the emergency driveway. The two (2) inverts must be indicated for the proposed pipes connecting into the existing inlet on Valley Road.

The applicant must provide an analysis of the 15-inch existing pipe, that runs from the two (2) new connecting pipes, to the existing manhole in Valley Road. This analysis must show the existing and proposed flows, and the pipe's capacity. The applicant must submit the maintenance manual for the pervious pavement. As the pervious pavement is acting as the detention basin, it is imperative that it function properly. The plan shall reference the maintenance manual, and it is recommended that the Board require the applicant to enter into a developer's agreement. The applicant must provide a typical section of the area between the emergency access driveway and the sidewalk, including the retaining walls. The Corridor Enhancement Fee of \$6,424.00 must be provided payable to Passaic County.

Commissioner Edmond asked that some inlets be provided on the access driveway. County Engineer Pera asked that the applicant provide the driveway profile of the adjoining site's driveway if the applicant was going to use the adjoining site driveway.

Jaime Kellenbach, representative of the applicant, was sworn in. Commissioner Edmond asked what signage would be provided on site. He stated that he was concerned drivers would pass the first driveway and then have to turn around, so he wished to see more signage directing drivers.

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

No comments were made by the public.

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

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

Staff explained 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 June 2<sup>nd</sup> with 3 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 sufficient turnaround area installed at each driveway and has provided turning tables for 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 applicant must submit a profile of the sight triangle including any retaining walls.

Commissioner Edmond expressed concerns that the next buyer would ignore the planning board requirements and asked for a deed restriction or developer's agreement. Bahman Izadmehr, engineer for the applicant, was sworn in. He stated he was in agreement with the suggestion. Jan Saleh, owner of the site, was sworn in. He described the situation of the site. Commissioner Edmond asked that a deed restriction be added for the site.

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 Vice Chair Martinique to close the floor to public comment. Commissioner Diaz seconded the motion. The motion passed unanimously.

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

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

Staff explained this is a previously withheld 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 application was withheld by the Board on June 2<sup>nd</sup> with three (3) conditions.

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. The applicant has proposed a cross-easement to allow for access between the lots.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must submit a draft deed of easement and metes and bounds description for review by staff.

County Engineer Pera asked the applicant to include a note that stated no parking would be allowed in front of the building. Commissioner Edmond asked that the paved area where the existing parking spaces were removed should be removed and replaced with grass and shade trees.

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

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

**SP-22-036 – Chabad Center for Jewish Life – 815 Ringwood Avenue, Wanaque**

Staff explained that this is a new site plan application in which the applicant has proposed to install site improvements at an existing religious facility. The applicant has proposed to construct an ADA-accessible ramp into their existing basement entrance from the outside. The ramp construction will also include retaining walls and planters. No other changes to the building footprint are proposed. The site has frontage along Ringwood Avenue (CR 511) in Wanaque.

The applicant has not proposed any changes to the existing 77-space parking lot. Portions of the parking lot, to the rear, are located outside of the applicant's property. The parking lot will continue to have access to Ringwood Avenue via a full-access driveway. No changes are proposed to the existing sidewalk and curbing.

Regarding drainage, there are existing inlets on the site and a trench drain at the Ringwood Avenue driveway. The inlets connect to two (2) existing detention basins. No changes to the drainage system are proposed. The applicant has proposed to plant various shrubs adjacent to the building.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must submit two (2) signed and sealed copies of the referenced survey. The applicant must submit copies of the cross-easement for the portions of their parking lot that are not located on their property. The plans must include a driveway profile. The applicant shall provide calculations to show that there is no runoff from the site onto Ringwood Avenue. The plans must indicate where the trench drain flows from the driveway. The applicant shall confirm that no footings for the proposed ramp or retaining wall would encroach into the County right-of-way. The Corridor Enhancement Fee of \$4,305.00 must be provided payable to Passaic County.

No comments were made by the board.

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 Vice Chair Martinique to close the floor to public comment. Commissioner Diaz 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 Diaz. The motion passed unanimously.

**SP-22-037 – Proposed Dunkin’ Drive-Thru – 76-98 Main Avenue, Passaic**

Staff explained that this is a new site plan application in which the applicant has proposed to construct a drive-thru facility at an existing Dunkin’ location. No changes are proposed to the existing footprint of the building. The site has frontage along Main Avenue (CR 601) in Passaic.

To accommodate the drive thru lane configuration, the applicant has proposed to re-configure a portion of the existing mall’s parking lot. Parking will be reduced from 105 spaces to 84 spaces. The site and parking lot will have access via three driveways: a full-access driveway along Main Avenue, an entrance-only driveway along Main Avenue, and a full-access driveway along Mass Court (a municipal road). The entrance-only driveway is currently in use as an emergency access driveway for fire use only. The applicant has submitted a Trip Generation and Parking Assessment Memorandum.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must submit two (2) signed and sealed copies of a topographic survey. The plans show 16 parking spaces that are partially within the Main Avenue right-of-way. These encroachment needs to be removed, with the parking designed in

order that the front of the vehicle does not overhang into the right-of-way. The applicant must justify providing multiple driveways along Main Avenue, as there is also access along Mass Court. It is recommended that the Board require the applicant to either provide a full-access driveway or two one-way driveways.

The proposed entrance-only driveway, which is currently gated and curbed off, is much too wide for a one-way driveway. The applicant must coordinate with the City of Passaic, as the driveway was previously approved as an emergency driveway for fire access only. The driveway also appears to conflict with the existing bus stop at the corner of Main Avenue and Mass Court, which is not acceptable. Appropriate signing and striping must be provided at the existing Main Avenue driveway. The plans must include driveway profiles for any proposed Main Avenue driveways. The applicant must submit drainage calculations to show that there will be no runoff from the site onto Main Avenue. The Corridor Enhancement Fee of \$5,628.00 must be provided payable to Passaic County.

Commissioner Edmond asked about regulation of curb inlets with the applicant's property. County Engineer Pera stated that a recommendation could be made to have the applicant change the heads of the on-site inlets to Type N-Eco Curb pieces; as Type N-Eco Curb pieces are required by the NJDEP to reduce the amount of large debris entering the inlet.

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.

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

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

### **SP-22-038 – Superfresh Supermarket – 514 Van Houten Avenue, Clifton**

Staff explained that this is a new site plan application in which the applicant has proposed to convert 9,753 sq. ft. of existing vacant retail space, and construct an additional 5,640 sq. ft. of retail space, for a new supermarket. The site has frontage along Van Houten Avenue (CR 614) in Passaic.

The applicant has indicated that the proposed construction will eliminate 18 parking spaces, reducing the total number of parking spaces on the site to 153. The site currently has access via a full-access driveway on Brighton Avenue (a municipal road), a full-access driveway on Manhattan Avenue (a municipal road), and a full-access driveway on Factory Street (a municipal road). After construction of the addition, the driveway on Manhattan Avenue will only serve a small parking area at the rear of the building, and will not connect to the full site. No driveway access is existing or proposed along Van Houten Avenue. No changes are proposed to the existing driveways. A traffic report has been submitted.

Regarding drainage, the applicant has not indicated any existing or proposed drainage facilities on the site plan. The site is sloped away from Van Houten Avenue. No landscaping has been proposed along Van Houten Avenue.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. It is recommended that the applicant provide stormwater retention for the 25-year storm. The Corridor Enhancement Fee of \$5,333.00 must be provided payable to Passaic County.

No comments were made by the board.

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.

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

## **OLD BUSINESS**

### **1. Historic Preservation Element (Parks, Recreation & Open Space Master Plan)**

Senior Planner Miranda outlined the proposed changes to the Historic Preservation Element as outlined by Cultural and Historic Affairs Director Ruffel. Commissioner Edmond expressed concern about the preservation of the wooded area at Church Land and Hamburg Turnpike. He was concerned that the area would not be accessible to the public.

### **2. Driscoll Foods (SP-22-008) Corridor Enhancement Fee Waiver Request**

Assistant Planner Presti outlined the waiver request. After discussion between staff and the board, it was agreed to table the waiver request until the next meeting until staff can assess updated property boundaries.

A motion to table both old business items to the next planning board meeting on July 14<sup>th</sup>, 2022 was made by Vice Chair Martinique. The motion was seconded by Commissioner Diaz. The motion passed unanimously.

**NEW BUSINESS – None.**

**CORRESPONDENCE – None.**



**ADJOURNMENT:** Vice Chair Martinique made a motion to adjourn the meeting at 6:48 PM that was seconded by Commissioner Diaz. The motion passed unanimously.

Respectfully submitted,  
Salvatore Presti for

A handwritten signature in cursive script that reads "Salvatore Presti".

ANDRAS HOLZMANN