



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, July 28th, 2022
401 Grand Street, Room 220, Paterson, NJ 07505**

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; Kenneth Simpson, Commissioner; Miguel Diaz, Commissioner; Jonathan Pera, County Engineer; Terry Duffy, County Commissioner

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 July 14th, 2022 Planning Board Meeting was made by Commissioner Diaz and seconded by Chair Metzler. The motion passed unanimously, with County Commissioner Duffy, Commissioner Diaz, and Vice Chair Martinique abstaining.

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

- Open Space Grant applications awarded over \$100,000 will be granted at the County Commissioner's Meeting on August 9th.
- The Planning Department has completed work on the County Bike Master Plan.

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 Commissioner Diaz. The motion passed unanimously.

DEVELOPMENT REVIEW

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

Staff explained this is an amended 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 (CR 647) in Paterson. This application was granted conditional approval by the Board on February 24th, 2022.

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 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. The applicant has submitted a truck circulation plan. The applicant was previously granted a waiver permitting trucks to exit the site onto Getty Avenue, but prohibiting trucks from entering the site from Getty Avenue. The applicant has submitted an updated plan showing trucks entering and exiting at the Getty Avenue driveway, with the proposed installation of a flashing yellow signal and box striping in the intersection. These changes were discussed with County staff prior to the submission of the amended plans.

Regarding drainage, the applicant has proposed to connect the inlets and roof leaders on site to two rip-raps 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 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 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 Getty Avenue driveway dimension to the side property line was measured from the driveway centerline. Instead, the distance must be measured from the edge of the driveway at the right-of-way line. 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.

Additionally, the following comments are in response to the amended plans and must be addressed by the applicant: The applicant must enter into a tri-party agreement with the County and the City of Paterson regarding the installation, jurisdiction, and maintenance of the proposed flashing yellow signals. The applicant will need to submit a draft agreement for review by County staff. The applicant shall enter into a developer's agreement pertaining to the requested truck access along Getty Avenue. The agreement shall require the applicant and/or property owner to conduct and submit traffic studies after the facility has been in operation for 1, 3, and 5 years. The studies shall assess the trip generation of the completed facility. The applicant shall coordinate with County staff to determine the appropriate thresholds, subject to the determination of the County Engineer, that would trigger requirements for the applicant to mitigate the traffic impacts of the facility.

Chair Metzler asked what factors changed for the applicant to propose the changes. County Engineer Pera explained the proposed changes to the facility driveway configuration. Commissioner Simpson asked about what happens if the applicant does not provide a traffic study at the specified times. County Engineer Pera explained the traffic studies and that the board would be tracking it. Commissioner Diaz asked about what repercussions would happen if the applicant did not submit the studies. County Engineer Pera stated it would be part of the developers agreement and could face withdrawal of county permits.

Adam Faiella, attorney for the applicant, stated that provisions would be included in the developer's agreement to enforce the traffic studies. John Cote, engineer for the applicant, was sworn in. Exhibit A1 was entered as official testimony. He explained the traffic circulation for the site and the proposed signals and improvements for the driveway intersection with Getty Avenue.

County Engineer Pera asked about the peak truck traffic at site. John Cote responded that weekday morning traffic would be three (3) trucks in and three (3) trucks out. Weekday evening traffic would be four (4) trucks in and five (5) trucks out. He also explained the truck backing in on site. Commissioner Simpson asked about parking close to the Park Street intersection. John Cote responded that parking at that area is currently illegal, so there should not be an issue with maneuvering. Commissioner Simpson asked if the businesses near the intersection loading and unloading their own trucks would interfere with the truck turning movements onto the site. John Cote responded that so long as the businesses did not block the street, there should be no issues with truck turnings.

Commissioner Simpson asked if the applicant would be responsible for restriping the "do not block the box" painting. Adam Faiella responded that the applicant would be responsible and that would be included in the developer's agreement.

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

SU-22-011 – Martorana Enterprises Subdivision – 453 Main Street, Little Falls

Vice Chair Martinique left the meeting at 6:00 PM.

Staff explained that this is a new minor subdivision application in which the applicant has proposed to modify the lot line between two (2) existing lots. The proposed lot line will place an existing commercial building on a separate lot (12.1) from the proposed residential building (12.2). Currently, both lots have frontage on Main Street. The proposed subdivision would result in only Lot 12.1 having frontage along Main Street. Proposed Lot 12.2 would have frontage along Grove Street (municipal) only. No cross easements have been provided. All improvements to the site have been submitted under SP-22-041.

Staff explained that there was a condition that must be satisfied before the application could receive an unconditional approval. The applicant shall submit a cross-access easement for the two (2) lots.

Vice Chair Martinique reentered the meeting at 6:05 PM.

No comments were made by the board.

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

No comments were made by the public.

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

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

SP-22-040 – Proposed Mixed-Use Development – 453 Main Street, Little Falls

Staff explained that this is a new site plan application in which the applicant has proposed to construct a residential building on an existing commercial site. The applicant has proposed to construct a 27,526 sq. ft., four-story residential building with a total of 60 dwelling units. The applicant has proposed to demolish all buildings on site except for a 4,065 sq. ft. two-story commercial building, which is to remain. The applicant has proposed to re-configure the existing lot lines under SU-22-011. The site has frontage along Main Street in Little Falls.

The applicant has indicated that the first floor of the proposed residential building will be a parking deck. The site will have a total of 133 parking spaces between the parking deck and a proposed surface parking lot. Access to the site will be provided via three (3) driveways: two (2) full access driveways along Main Street and one (1) full access driveway on Grove Street, a municipal road. The applicant has not indicated any changes to the existing sidewalk and curbing.

Regarding drainage, the applicant has proposed to construct an on-site detention basin. The roof leaders and several proposed inlets will connect into the on-site detention system. The applicant has proposed to plant two (2) Comus Kousa “Japanese Dogwood” 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 zoning table must include the existing and proposed impervious area. The applicant must submit signed and sealed copies of the referenced survey. The right-of-way line of Main Street must be clearly indicated on the plans. The sidewalk and curbing along the site frontage must be replaced. The sidewalk shall be a minimum of five (5) feet in width and dimensioned on the plans. If there is sufficient space, the applicant shall also provide a grass strip between the sidewalk and curbing.

The applicant shall request that the Township re-stripe the existing crosswalk across Main Street. The applicant shall provide signed certification that the existing curb ramp is ADA-compliant.

The westerly driveway shall be eliminated from the plans. For the two full-access driveways shown on the plan to be considered by the Board, the applicant must submit a written waiver request justifying the provision and configuration of the driveways. The easterly driveway may also require a waiver to be within 10 feet of a side property line. This distance must be dimensioned on the site plan. The plans must note the distance from the edge of the easterly driveway to the location of the gate for the railroad tracks. Any proposed driveways must have aprons, per County detail, that include raised sidewalks and flared ends.

Any proposed driveways must include double yellow centerlines. The stop bars and centerlines must be noted as thermoplastic material. The following comments pertain to the submitted traffic report: The development must be noted as 56 units, not 62. The report states that “Vehicular traffic between the residential and commercial portions of the site will be restricted to emergency vehicles only by a physical barrier”. The plans show a proposed FOB-activated lever arm for resident access between the two new lots. This needs to be clarified.

The plans must include driveway profiles for any Main Street driveways, which should not have any grades in excess of 2% within 50 feet of the right-of-way line. The plans must include grade elevations along the driveway curblin. A trench drain may be necessary at the driveway to ensure that no stormwater flows onto Main Street. The pipe size must be noted between the proposed 6x6 Precast Concrete Structure (MH-3) and the existing 30x9 box culvert within Main Street. The maintenance schedule for the proposed detention system must be noted on the plans.

The plans indicate that “soil test holes to be dug prior to installation in the area of the proposed detention system to determine suitability of substrata”. This testing shall be performed prior to the issuance of any County Planning Board approval. The applicant must submit architectural drawings for the proposed site plan. The plans must include a Main Street elevation drawing with the County right-of-way labelled to indicate any existing encroachments. The applicant must submit copies of any required NJDEP permits. The Corridor Enhancement Fee of \$4,108.00 must be provided payable to Passaic County.

Vice Chair Martinique asked about the westerly driveway’s proximity to the existing railroad gate. County Engineer Pera stated that the applicant would need to dimension the distance between the driveway and the property line. Vice Chair Martinique also requested that the applicant show the dimensions between the railroad and the driveway.

Anthony Fiorello, attorney for the applicant, explained the proposed driveways. He stated that the easterly driveway is proposed to be gated to prevent regular usage, and only be used in case of emergency, but Little Falls had requested it be available for residents. Matthew Greco, engineer for the applicant, was sworn in. He stated that Little Falls had requested that the second driveway be included to keep traffic off Grove Street. He also stated that the property line moves rapidly away from the driveway further down the site. County Engineer Pera stated that the applicant would need a waiver for the westerly driveway or it would need to be eliminated.

Chair Metzler asked about ponding on site, and requested that a comment be added to require the applicant to maintain 6-inches of ponding on 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.

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

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

SP-21-044 – R.V.D. Associates – 2320 Paterson-Hamburg Turnpike, Wayne

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a commercial retail structure on a vacant lot. The building will consist of a Gencarelli's Bakery and an additional retail tenant. The site has frontage along Paterson-Hamburg Turnpike in Wayne. This application was withheld by the Board on September 2nd, 2021 with 8 conditions.

The applicant has proposed an entrance-only, right turn only, driveway along Paterson-Hamburg Turnpike. A full-access driveway will be constructed along St. Moritz Place, a municipal street. The applicant has proposed to install a four (4) foot sidewalk along the site frontage.

Regarding drainage, the applicant has proposed to install an on-site detention basin. Several on-site inlets will connect into the basin. The applicant has also proposed to install trench drains at the Paterson-Hamburg Turnpike driveway and St. Moritz Place driveway; both of which will connect to the on-site detention basin. The applicant has indicated that the on-site detention basin will connect to a scour hole that will discharge stormwater to the rear of the property. The applicant has proposed to plant three (3) crabapple trees and one (1) red maple tree along the Paterson-Hamburg Turnpike frontage of the site.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The Paterson-Hamburg Turnpike sidewalk must be a minimum of five (5) feet in width. The applicant shall also provide a 3-foot minimum grass strip between the curb and sidewalk.

The following comments pertain to the proposed Paterson-Hamburg Turnpike driveway: For a one-way driveway, the typical width is 15-18 feet. The plans show an approximately 27-foot opening with striping and hatching. The applicant must provide a justification for the proposed driveway width. Truck turning templates must be submitted. The plans must include layout dimensions of the proposed hatched area. The arrow and hatching shall be noted as thermoplastic. The radius must be zero throat width to further restrict the driveway to the right-in movement. The plans must include a driveway profile for the proposed Paterson-Hamburg Turnpike driveway, which shall indicate slopes no greater than 2% for the first 50 feet from the right-of-way line.

The following comments pertain to drainage: The Paterson-Hamburg Turnpike trench drain shall be Campbell Foundry pattern 4526A or equivalent. The maintenance procedure and inspection schedule of the proposed subsurface infiltration basin must be noted on the plans. The infiltration basin must be designed to retain the 25-year storm on the site. The outfall pipe diameter shall be 12 inches. It must be clarified whether the manhole covers for the detention basin are to be covered or slotted.

No comments were made by the board.

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.

Seeing no one, a motion was made by County Commissioner Duffy 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-22-003 – Proposed Apartment Building – 191-193 West Broadway, Paterson

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a three-story, 1,728 sq. ft., apartment building with four (4) dwelling units on a vacant lot. The site has frontage along West Broadway (CR 673) in Paterson. This application was withheld by the Board on April 21st, 2022. See the attached letter for details.

The applicant has indicated that there will be no parking on the site. The plans indicate that there will be two (2) roll-up doors along the site frontage that lead to a 360 sq. ft. utility/waste room. The applicant has indicated that the roll up doors will be five (5) feet in width. The applicant has proposed to replace the depressed curbing along the site frontage with full-height curbing. The applicant has also proposed to replace the sidewalk along the site frontage.

Regarding drainage, the applicant has proposed to construct a seepage pit at the rear of the site. The applicant has also proposed to construct trench drains, at the right-of-way line, across the two (2) walkways on either side of the building. The trench drains will connect to the seepage pit in the rear of the site. The applicant has proposed to install one (1) Allegheny Serviceberry tree along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The following comments pertain to drainage: The plan does not clearly depict the seepage pit layout. The seepage pits and their connections must be indicated on the plan. The plans must include a layout of the proposed infiltration basin. It shall be clarified whether the proposed Cultec Recharger 280HDs can be stacked on top of each other. The plans indicate an existing rock outcrop at the proposed location of the seepage pit. The applicant must provide additional information stating how the seepage pit will function at this part of the property.

It is recommended that the applicant coordinate with the Paterson Construction Official regarding the proposed retaining wall along the side and rear portions of the property. It is not clear whether the wall footing would extend beyond the property line and if fall protection is required.

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

SP-22-041 – Proposed Apartments – 1026-1038 Main Avenue, Clifton

Staff explained that this is a new site plan application in which the applicant has proposed to renovate an existing two-story commercial building in order to accommodate residential units on the second floor. The applicant has proposed to maintain the existing commercial space on the first floor and to convert the second floor into eight (8) residential units. The site has frontage along Main Avenue in Clifton.

The site does not have any existing or proposed parking spaces or driveways. The applicant has not proposed any changes to the existing sidewalk or curbing. Regarding drainage, the applicant has not provided information on any existing or proposed drainage systems on the site. The applicant has not proposed any landscaping along Main Avenue.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must submit signed and sealed copies of the referenced survey. The right-of-way line of Main Avenue must be clearly indicated on the plans. The applicant shall request that the City re-stripe the existing crosswalk across Hadley Avenue. The applicant shall provide signed certification that the existing curb ramp is ADA-compliant. The plans must indicate the existing drainage system and roof leaders.

The plans show the Liquor King doors swinging into the right-of-way. The doors must either be recessed or designed to swing inwards to avoid any encroachment in the County right-of-way. The applicant must submit architectural drawings for the building. The plans must include a Main Avenue elevation drawing with the County right-of-way labelled to indicate any existing encroachments. The applicant shall provide shade trees along the Main Street frontage, between the curb and sidewalk. The Corridor Enhancement Fee of \$3,483.00 must be provided 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 Diaz seconded the motion. The motion passed unanimously

No comments were made by the public.

Seeing no one, a motion was made by County Commissioner Duffy 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 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.

No comments were made by the board.

A motion was made by Vice Chair Martinique for the Planning Board to endorse the Historic Preservation Element. County Commissioner Duffy seconded the motion. The motion passed unanimously.

NEW BUSINESS – None.

CORRESPONDENCE – None.

ADJOURNMENT: Commissioner Simpson made a motion to adjourn the meeting at 6:49 PM that was seconded by Commissioner Diaz. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for



ANDRAS HOLZMANN