



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, August 11th, 2022
401 Grand Street, Room 220, Paterson, NJ 07505**

Chair Metzler opened the meeting at 5:33 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; Miguel Diaz, Commissioner; Jonathan Pera, County Engineer; Steve Edmond, Alternate (voting for Stephen Martinique)

OTHERS PRESENT: Allan Kanan, standing in for Planning Board Counsel Abdelhadi; 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 28th, 2022 Planning Board Meeting was made by Commissioner Diaz and seconded by County Engineer Pera. The motioned passed unanimously with Commissioner Edmond abstaining.

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

- A public hearing was held on Tuesday, August 9th for Open Space Grants receiving over \$100,000.
- The Planning Department is continuing its work on the Highlands Grants which include improvements to the Main & Reeves intersection in Bloomingdale and a pedestrian bridge in Ringwood.
- The Planning Department is working on local safety plans for Market Street in Paterson and Allwood Drive in Clifton.

PUBLIC PORTION:

Commissioner Diaz made a motion to open the meeting to the public which was seconded by County Engineer Pera. The motion passed unanimously.

Seeing no one present, Commissioner Diaz made a motion to close the public portion that was seconded by County Engineer Pera. The motion passed unanimously.

DEVELOPMENT REVIEW

SP-19-001 – The Armory – 461-473 Market Street, Paterson

Commissioner Redmon entered the meeting at 5:38 PM.

Staff explained that, this is a previously withheld site plan application in which the applicant has proposed to construct a 7-story, mixed-use building on the site of the former Paterson Armory. The building will have ground-floor retail with a proposed restaurant, office space on the second floor, and 138 total apartment units. A parking garage located on the ground floor and lower

level will contain 151 parking spaces. The former Armory building has been demolished. The site is located within Paterson's Fifth Ward Redevelopment Area and has frontage along Market Street. This application was withheld by the Board on July 14th, 2022.

The applicant has not proposed any curb cuts or driveway access via Market Street. Access to the parking garage will be via a driveway along 17th Avenue and a driveway along Rosa Parks Boulevard. The applicant has proposed to replace all sidewalk and curbing along the site frontage. Regarding drainage, the applicant has proposed to connect to the municipal combined sewage system on all sides except Market Street. Along Market Street, roof drains will connect into an underground retention system. The applicant has proposed to plant Allegheny serviceberry trees 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 applicant must provide bump outs at both corners along the Market Street frontage, in order to shorten pedestrian crossings and restrict parking near intersections. The four existing crosswalks at these corners must be replaced with continental-style crosswalks (ladder bars, but no transverse lines). The previously requested bump outs and crosswalk striping are no longer required. The applicant must verify if the curb ramps are ADA-compliant. If not, the ramps must be replaced accordingly. The applicant shall submit a written request to the City of Paterson for the proposed crosswalk and stop bar striping to be installed. The striping should only be done by the City, at their discretion, not by the applicant. The plan must be revised to state that the curb ramps will be replaced. The applicant must submit a written request to the City for the proposed striping improvements. The applicant must verify the ADA compliance of the ramps before final approval is issued, as the ramps will need to be replaced if determined to be non-compliant.

For the prohibition at the Pennington Avenue intersection, a detail must be provided for the "NO STOPPING OR STANDING" signs. Double headed arrows shall be used for signs within the prohibition, and single headed arrows shall be used for signs at the ends of the prohibition. The plans only include a detail for a double-headed arrow sign. Signs must be placed at each end of the prohibition, with single-headed arrows. The "NO STOPPING OR STANDING" signs must be placed at both ends of the sight distance triangle. The applicant must submit a copy of their formal request to the City of Paterson

It is not clear where the proposed roof discharge through the curbs onto 17th Avenue and Pennington Street ultimately flows. The plan must show any inlets that would collect the stormwater. The applicant shall confirm if the City of Paterson has approved the proposed curb discharge, as the stormwater will ultimately flow into the City's combined sewer system. The applicant must provide written documentation from the City of Paterson that they have authorization for the proposed stormwater flow into the City's combined sewer/stormwater system.

The maintenance schedule of the retention system shall be provided on the plans. The applicant must add the following to the Maintenance Schedule: "All inspection records are to be maintained. Every two (2) years, a New Jersey licensed professional engineer shall perform a

formal inspection of the system. This report and any recommendations are to be submitted to the Paterson Construction Official and a copy submitted to the County Planning Board.

The applicant must clarify what is being proposed between the south building line and the Market Street sidewalk. Drainage mitigation must be provided within this area to ensure that there is no overflow onto the Market Street sidewalk. The applicant must provide grading plans for the proposed landscaped area. This area is to include a minimum 6-inch ponding area within the property.

Commissioner Edmond inquired about the proposed bump outs. Senior Planner Miranda explained that bump outs would no longer be required. Commissioner Edmond asked about the outstanding drainage comments. County Engineer Pera clarified the changes proposed by the applicant and the remaining outstanding comments.

Commissioner Edmond asked if the City of Paterson allowed the applicant to connect into the combined sewer system. Michael Rubin, attorney for the applicant, explained the difficulties in connecting to the city system.

Thomas Sterns, engineer for the applicant, was sworn in. He explained the sites connection into the municipal stormwater system. He also stated the proposed changes to the stormwater system to comply with the county's comments. Commissioner Edmond inquired about the proposed overflows on the site. Thomas Sterns explained that the overflows were on Pennington Drive.

Andy Reid, director of development, was sworn in. He stated that the applicant will be submitting revised plans to the city.

No comments were made by the public.

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

SP-22-043 – Proposed Addition (Janki Properties, LLC) – 527 High Mountain Road, North Haledon

Staff explained that this is a new site plan application in which the applicant has proposed to construct a second story onto an existing 1.5-story, 5,462 sq. ft. commercial building in order to accommodate five (5) dwelling units. The site has frontage along High Mountain Road (CR 677) in North Haledon.

The site currently has eight (8) existing parking spaces, including an ADA parking space, that back out directly onto High Mountain Road. The plans indicate that the spaces encroach into the County right-of-way. The site also has a full-access driveway along High Mountain Road that leads to a rear parking lot that includes five (5) surface parking spaces and two (2) garage parking spaces. The site has a total of 15 spaces. The applicant has not proposed any changes to the existing sidewalk and drop curb along the site frontage. The applicant has not submitted any

information regarding the existing drainage system. The site slopes away from the county right of way. No landscaping is existing or proposed.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The right-of-way width of High Mountain Road must be noted on the plan. The parking spaces between the building and the right-of-way line must be removed, as these spaces encroach into and require vehicles to back into or out of the County right-of-way. The distance from the existing curb line to the right-of-way line must be noted on the plan. The applicant must provide full-height curbing (per detail) along the High Mountain Road frontage of the site. This will also require the replacement of the existing sidewalk in order for the sidewalk and curbing to be at the same height.

The plans must indicate the width of the High Mountain Road driveway at the right-of-way line and curb line. Graphically, it appears that the driveway may be too narrow for two-way traffic. The High Mountain Road driveway is within 10 feet of a side property line. For a driveway in this location to be considered, the applicant must submit a written justification for a waiver request for consideration by the Board. All driveway striping must be noted as thermoplastic. The plans must include a driveway profile for the High Mountain Road driveway. The driveway grade shall not exceed 2% within 50 feet of the right-of-way line. The plan set must include a drainage plan, including roof leaders. No stormwater shall be permitted to flow over land into the County right-of-way. The applicant must provide the Corridor Enhancement Fee of \$1,864.00 payable to Passaic County.

Commissioner Edmond asked that the master plan ROW be displayed on the plans.

Thomas Sterns, engineer for the applicant, still under oath, described the site to the board. Commissioner Edmond asked where the roof leaders drain to. Thomas Sterns stated that the roof leaders emptied to the rear of the site.

No members of the public were present.

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

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

Staff explained that this is a previously withheld 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. This application was withheld on May 5th, 2022.

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. A Traffic Impact Analysis has been submitted. 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. The applicant has proposed to connect into the City of Paterson's combined sewer system. The applicant has proposed to pave portions of the parking lot with pervious pavement. A maintenance manual and schedule for the pervious pavement areas has been submitted. 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 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. The applicant must provide written permission from the City for the proposed connection into the combined sewer system. Inlet #4 must be modified to be a double inlet. The inlet must be labelled as 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. All maintenance inspection records are to be maintained. Every two (2) years, a New Jersey licensed professional engineer shall perform a formal inspection of the system. This report and any recommendations are to be submitted to the Paterson Construction Official and a copy submitted to the County Planning Board. The applicant shall submit copy of any required NJDEP permits for the proposed development.

Commissioner Edmond asked about the proposed connection to the city drainage system. County Engineer Pera explained the proposed connection to the stormwater system.

No comments were made by the public.

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

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

Staff explained that this is a previously withheld 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. This application was withheld on June 30th, 2022.

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 requested a waiver to allow for the existing driveway slope, which is in excess of 2%, to be maintained. The applicant has proposed to plant various shrubs adjacent to the building.

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 County design standard for a driveway is grades of 2% or less within 50 feet of the right-of-way line. The applicant has requested a waiver for the driveway to maintain grades in excess of 2%. The waiver is recommended by staff. The applicant shall provide calculations to show that there is no runoff from the site onto Ringwood Avenue. The requested calculations must be submitted by the applicant. A stop sign must be installed at the Ringwood Avenue driveway. The STOP sign must be labeled on the plans, and a detail provided. The Corridor Enhancement Fee of \$4,305.00 must be provided payable to Passaic County. The applicant has submitted a request for a waiver of the Corridor Enhancement Fee due to the applicant's status as a not-for-profit institution. Based on precedent, it is recommended that the fee be reduced to \$250.00 for a not-for-profit application.

No comments were made by the board.

No comments were made by the public.

A motion to grant both a waiver to allow the driveway to have a grade of over 2% and to recommend a reduction in the Corridor Enhancement Fee to \$250 was made by Commissioner Diaz and seconded by Commissioner Redmon. The motion passed unanimously.

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

SP-22-042 – Proposed Retail Building – 1591-1593 Alps Road, Wayne

This is a new site plan application in which the applicant has proposed to construct a 10,482 sq. ft. commercial building with a drive-thru window. The applicant has proposed to demolish the existing funeral home and single-family dwelling on the site. The site has frontage along Alps Road (CR 504) and the Paterson-Hamburg Turnpike (CR 689) in Wayne.

The applicant has proposed to remove the existing parking lot and to construct a new surface parking lot, which will have a total of 52 parking spaces. Access to the site will be provided by a proposed full-access driveway on Grandview Drive, a municipal road, and a proposed right-turn-in and right-turn-out only driveway on Paterson-Hamburg Turnpike. The plans indicate the outlines of a sidewalk on Paterson-Hamburg Turnpike, although it is unclear if sidewalk is being proposed. There is an existing asphalt sidewalk along the Alps Road frontage of the site.

Regarding drainage, the applicant has proposed to pave portions of the proposed parking lot with pervious pavement. Site roof leaders and inlets will percolate into the porous pavement through

outlet control structures. The applicant has proposed to plant four (4) Gleditsia Triacanthos “Shademaster Honeylocust” trees along the site frontage in addition to a variety of shrubs and smaller shade trees.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant shall coordinate with County staff on the driveway location to avoid any conflicts with utility poles along Paterson-Hamburg Turnpike. The County’s current construction plans would shift the Alps Road sidewalk to be immediately adjacent to the curb. The purpose of this is to preserve the parking lot of the funeral home. At this is no longer necessary, the sidewalk could be shifted in (towards the site and away from the curb line). The applicant shall investigate the feasibility of adjusting the retaining walls to accommodate a sidewalk in this location.

The plans must include a driveway profile for the proposed Paterson-Hamburg Turnpike driveway. The driveway grade shall not exceed 2% within 50 feet of the right-of-way line. The following comments pertain to the submitted drainage report: The drainage report must include an Operations & Maintenance Manual for the stormwater detention system. Without proper maintenance, the porous pavement will fail and runoff will flow uncontrolled into the County right-of-way. The applicant shall engage in further discussion with County staff on the design and maintenance of the porous pavement system. The invert for the 15-inch outlet for the north system in the report does not match the invert shown on the construction details. The Tax Map reference in the drainage report needs to be corrected (outline is offset and label is incomplete).

The applicant shall address if water will bleed from the porous pavement section through the sloped area at the intersection of Grandview Drive and Alps Road. The bottom of the stone bed is set from elev. 380.3 to 375.3, which is approximately the middle elevations of the proposed slope. A trash rack detail must be included in the plans. The applicant must submit copy of any required NJDEP permits for the proposed development. The applicant must submit architectural drawings. The applicant must provide the Corridor Enhancement Fee of \$9,750.00 payable to Passaic County.

Commissioner Edmond asked about traffic generation on site. Daniel Reeves, engineer for the applicant, was sworn in. He described the site and the proposed stormwater drainage system on site. County Engineer Pera explained the county improvement project under way and asked that the applicant coordinate with the Engineering Department to ensure site improvements were installed in coordination with the ongoing project.

No comments were made by the public.

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

SP-22-044 – Proposed Addition (Zidan) – 246-248 5th Avenue, Paterson

This is a new site plan application in which the applicant has proposed to construct a second story onto an existing 1,625 sq. ft. commercial building in order to accommodate two (2) dwelling units. The site has frontage along 5th Avenue (CR 652) in Paterson.

The applicant has proposed to maintain three (3) existing parking spaces at the rear of the building. The parking spaces have access via a driveway along East 17th Street, a municipal road. The applicant has proposed to replace the sidewalk and curbing along the 5th Avenue frontage. The existing building has an overhang that may encroach into the County right-of-way. Regarding drainage, the applicant has not submitted any information on any existing or proposed stormwater drainage. No landscaping is existing or proposed.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The name and address of the applicant and the owner must be noted on the plan. The applicant must submit signed and sealed copies of the referenced survey. The sidewalk and curbing (per detail) along 5th Avenue must be replaced. The applicant must submit a signed certification from a licensed professional that the existing curb ramps at the intersection of 5th Avenue and East 17th Street are in compliance with current ADA standards. A “NO STOPPING OR STANDING” sign, with an arrow, must be installed as parking is prohibited by State statute for the first 25 feet from the crosswalk at the corner of 5th Avenue and E. 17th Street. A detail of the sign must be provided.

The applicant must submit a drainage plan, including roof leaders. No stormwater shall be permitted to flow overland into the County right-of-way. An on-site retention or seepage system may be required. Note 1 on Sheet T-01 must be removed. If the applicant is proposing to connect into the City of Paterson’s combined sewer system, then written approval from the City of Paterson must be submitted. The side elevation plans must note the right-of-way line of 5th Avenue in order to verify if there are any existing or proposed building encroachments. The applicant shall verify if any sidewalk vaults existing along 5th Avenue. It is recommended that the applicant coordinate with the City of Paterson regarding the existing cellar doors along E. 17th Street.

The first floor plans show the doors swinging into the building along 5th Avenue. The applicant shall advise if this is code compliant for emergency egress. If they are required to swing outward (towards 5th Avenue), the doors must be designed to avoid swinging into the County right-of-way. The applicant shall provide a shade tree in the existing tree pit along 5th Avenue. The plans must note the species of the tree. The applicant shall provide the Corridor Enhancement Fee of \$653.00 payable to Passaic County.

County Engineer Pera asked that a topographic survey be provided. He also stated that it is recommended that the City of Paterson require the applicant have inspection of the existing sidewalk basement doors, and that it is inspected every four years. Commissioner Redmon recommended that the applicant ask the city to install the no parking or standing sign along the site property instead of having the

No comments were made by the public.

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

SP-22-045 – Proposed Apartments (Petra Garden LLC) – 62-66 Mt. Prospect Avenue, Clifton

Staff explained that this is a new site plan application in which the applicant has proposed to construct a 10,604 sq. ft., 2.5-story, multi-family residential building on an existing residential lot. There is an existing one-story commercial daycare building on the site that will remain. The proposed building will have a total of 21 dwelling units. The site has frontage along Mount Prospect Avenue (CR 609) in Clifton.

There is an existing parking lot on the site with 49 spaces. The applicant has not proposed to expand the parking lot. The parking lot has access via two existing driveways: an existing full-access driveway along Sargent Avenue, a municipal road, and a proposed entrance-only driveway on Mount Prospect Avenue. The applicant has submitted a turning table indicating a fire truck maneuvering through the site. The applicant has proposed to construct a sidewalk and ADA ramps along the site frontage.

Regarding drainage, the applicant has proposed to construct a drainage basin on the site. It is not clear if the roof leaders of the proposed building will connect to the detention basin. The applicant has proposed to plant several varieties of shrubs along the site frontage, as well as shade trees throughout the site.

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 sidewalk shall be noted as five (5) feet in width. A grass strip, no less than three (3) feet in width, shall be provided between the sidewalk and curb. The applicant shall provide pedestrian access from Mt. Prospect Avenue to the building at the interior of the site. For the proposed Mt. Prospect Avenue driveway to be considered, the applicant must submit a written justification for a waiver request to allow for driveway access along a County roadway. It should be noted that a similar site plan (SP-18-067), which did not include any driveways on Mt. Prospect Avenue, was approved by the Board in 2019.

The proposed driveway on Mt. Prospect Avenue is within 10 feet of the side property line. This distance must be dimensioned on the plan. For a driveway to be considered in this location, the applicant must submit a written justification for a waiver request. The typical width of an entrance-only driveway is 15 to 18 feet. The applicant must provide a written justification for the proposed 24-foot width. Any permitted Mt. Prospect Avenue driveway shall have a raised apron in accordance with County detail (attached). The plans must include a driveway profile for the proposed Mt. Prospect Avenue driveway. The driveway grade shall not exceed 2% within 50 feet of the right-of-way line. The submitted drainage report states that the roof leaders will be connected to the stormwater drainage system. This must be indicated on the plans, along with the necessary details.

The applicant shall clarify in the drainage report if the drainage from neighboring Lot 10.01 is incorporated into the drainage calculations. No stormwater shall be permitted to flow overland onto Mt. Prospect Avenue. The plans must include additional edge of pavement/bottom of curb elevations adjacent to the proposed Mt. Prospect Avenue driveway. The maintenance plan for the proposed stormwater detention system must be added to the plan set. The system must be inspected by a licensed NJ Professional Engineer every two (2) years and an inspection report with any recommendations submitted to the municipal construction official and the County Planning Board.

The applicant shall clarify the proposed elevation (117.5) shown on the proposed Mt. Prospect Avenue driveway. The applicant shall clarify if there are any existing cross-easements with adjacent Lot 10.01 for both access and utilities. In addition to the proposed shrubs, the applicant shall provide shade trees along the Mt. Prospect Avenue frontage of the site. The applicant shall submit copy of any required NJDEP permits for the proposed development. The applicant must provide the Corridor Enhancement Fee of \$4,660.00 payable to Passaic County.

No comments were made by the public.

Commissioner Edmond asked if the site has been reviewed by the City of Clifton. He explained the site to the board and stated that the driveway was widened to accommodate firetrucks. Dominic Iannarella, applicant and attorney, was sworn in. He stated that the site had been approved by the City of Clifton. He also explained that the reason was so close to the property line was to accommodate access for firetrucks and due to constraints of the site. County Engineer Pera asked for clarification on if the neighboring site was sending stormwater.

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

OLD BUSINESS – None.

NEW BUSINESS – None.

CORRESPONDENCE – None.

ADJOURNMENT: Commissioner Diaz made a motion to adjourn the meeting at 7:14 PM that was seconded by Commissioner Redmon. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for



ANDRAS HOLZMANN