



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
Thursday, January 12th, 2023
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; Miguel Diaz, Commissioner; Nakima Redmon, Commissioner; Steven Edmond, Commissioner; Nordan Murphy, Deputy County Engineer (sitting for County Engineer Pera)

REORGANIZATION

A nomination was made for Chair Metzler to serve another year as Planning Board Chair by Commissioner Simpson. Commissioner Diaz seconded the nomination. The board unanimously voted elect Joseph Metzler to serve as Planning Board Chair for 2023.

A nomination was made for Commissioner Simpson to serve as Planning Board Vice Chair by Vice Chair Martinique. Commissioner Redmon seconded the nomination. The board unanimously voted to elect Kenneth Simpson to serve as the Planning Board Vice Chair for 2023.

BOARD PROFESSIONALS PRESENT: John Abdelhadi, Planning Board Counsel; Massiel Medina Ferrara, Planning Director; Jason Miranda, Senior Planner; Salvatore Presti, Assistant Planner

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

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

- Passaic County has received a \$375,000 Subregional Study Grant from the North Jersey Transportation Planning Authority. The grant will be used to fund a study to analyze priority investment areas throughout the county, and provide a roadmap for capital investment to meet the county's transportation goals.
- The City of Passaic has launched their Bicycle and Pedestrian Master Plan Study. Staff will be attending the Study Working Group and will periodically report back to the board.
- Planning staff are preparing an End of Year report for 2022 and will be presenting the report to the board in February.
- The New Jersey Planning Officials have released their virtual learning schedule for 2023. While attendance is not mandatory, it is highly encouraged that board commissioners attend a training session.

PUBLIC PORTION:

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

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

DEVELOPMENT REVIEW

SP-22-061 – Stew Leonard’s – 467 Allwood Road, Clifton

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to convert an existing 54,609 sq. ft. commercial building into a grocery store. The applicant has proposed to make changes to the building’s façade and columns to accommodate the new use. No changes are proposed to the building’s existing footprint. The applicant has proposed minor changes to the parking lot including relocation of a refuse area fence and construction of a concrete pad. The site has frontage along Allwood Road (CR 602) and Bloomfield Avenue (CR 622) in Clifton. This application was withheld by the Board on October 20th, 2022.

The parking lot is a common parking area for the entire shopping mall and will continue to have 775 parking spaces. The applicant has not proposed any changes to the existing trailer loading bays. The applicant has not proposed any physical changes to the existing full access driveways along Allwood Road and Bloomfield Avenue. The applicant has provided driveway profiles showing that the existing driveways are under the required 2% grade for the first 50 feet into the site. The applicant has proposed to refresh all striping at the site driveways. On Allwood Road, an existing entrance-only service driveway is to remain. On Bloomfield Avenue, an existing entrance-only driveway is also proposed to remain. The applicant has proposed to repair approximately 30 feet of curbing adjacent Allwood Road/Bloomfield Avenue traffic circle. The applicant has also proposed to update several existing ADA curb ramps along the site’s frontage to conform with current ADA standards.

Regarding drainage, the applicant has indicated that the converted commercial building will utilize the existing stormwater infrastructure on site. The applicant has shown the existing stormwater infrastructure on the site plan.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must clarify ownership of the grass strip adjacent to the Allwood/Bloomfield circle. If the strip is part of the applicant’s property, the applicant shall dedicate up to the Master Plan right-of-way widths along Allwood Road (50 feet from the right-of-way centerline) and Bloomfield Avenue (30 feet from the right-of-way centerline) for the extent of the grass strip. These expanded right-of-way widths must be indicated on the plan. The applicant shall dedicate up to the Master Plan right-of-way line along both Allwood Road and Bloomfield Avenue. These expanded right-of-way lines must be indicated on the site plan. The current right-of-way width along Allwood Road must also be

indicated. The applicant shall submit a draft deed of dedication and metes and bounds description for review by staff.

Deputy County Engineer Murphy asked that a note acknowledging the ADA curb ramp certifications be included on the site plan. He also asked that the applicant submit as-builts of the ADA curb ramps.

Andrew Kohut, attorney for the applicant, stated that the county had previously granted land to the county along the Allwood Road roundabout. Joseph Yannucci, engineer for the applicant, was sworn in. He stated that the proposed dedication would encroach into approximately ten parking spaces. Deputy Engineer Murphy responded that the proposed dedication should be drafted in a manner to avoid encroaching into the existing parking spaces on site.

A motion was made by Commissioner 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 Commissioner 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 Redmon. The motion passed unanimously.

SP-22-059 – R&M Realty, LLC – 373-375 Union Avenue, Paterson

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a 4,900 sq. ft. second floor addition to an existing commercial building to accommodate four (4) dwelling units. The first floor will remain in use as a grocery store. The site has frontage along Union Avenue (CR 646) in Paterson.

The site has no existing or proposed parking spaces or driveways. The applicant has proposed to replace the sidewalk and curbing along the site frontage. The applicant has submitted an engineer's report and encroachment permit for a cellar door located in the sidewalk, which the applicant intends to maintain. The applicant has confirmed that there are no other basement vaults on the site, and the existing basement does not extend under the sidewalk. The parking lane in front of the site has been signed and painted as a commercial loading zone, and prohibits non-delivery parking on Monday to Friday from 8 AM to 5 PM.

Regarding drainage, the applicant has indicated that the proposed second story addition inlets will connect to the existing inlets on the building's current roof. The applicant has not specified if these connect to the Union Avenue sewage system or if stormwater is detained on site.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant must submit an encroachment application for the awning and basement sidewalk door. The encroachment application has been submitted, but

is pending review by staff and authorization by the Board of County Commissioners. The applicant shall show on the site plan where the existing and proposed roof drains flow to. The plan does not indicate any connecting pipes or outlets for the roof leaders.

Deputy County Engineer Murphy asked that the note of the architect signing off on the cellar door be included in the site plan. Commissioner Edmond asked that the applicant show where the roof leaders drain to.

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

No comments were made by the public.

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

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

SU-22-015 – BNY Mellon Subdivision – 385 Rifle Camp Road, Woodland Park

Staff explained that this is a new major subdivision application for a proposed lot consolidation and re-subdivision of three (3) existing lots at the BNY Mellon campus in Woodland Park. The applicant has proposed to re-subdivide the consolidated into a total of two (2) lots, indicated as Lots A and B. Lot A would include the BNY Mellon facility and an existing single-family home, which is to be demolished. Proposed Lot B is currently vacant, and would be cordoned off from the BNY Mellon site.

The applicant has submitted a site plan application (SP-22-071) for the proposed improvements to the site, including the re-construction of an emergency access driveway to Weaseldrift Road and the installation of solar carports. The property has frontage along Weasel Drift Road (CR 634). Additionally, the property has access to Rifle Camp Road (CR 633) via an access easement through a private roadway.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant shall submit copies of all easements noted on the plat. The applicant shall submit the final plat.

Michael Klein, attorney for the applicant, explained the reasoning for the applicant consolidating and changing the existing lot lines.

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

No comments were made by the public.

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

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

SP-22-072 – Straight & Narrow Inc. – 410-420 Straight Street, Paterson

Staff explained that this is a new site plan application in which the applicant has proposed to construct a 36,572 sq. ft. rehabilitation facility on a vacant lot. The facility will have a total of 50 dwelling units (halfway house bedrooms). The site has frontage along Straight Street (CR 647) in Paterson.

The site will have access via two driveways: a full-access driveway along Straight Street, and a full-access driveway along Cedar Street, a municipal road. The site will have a total of 50 dwelling units (halfway house bedrooms) and 119 parking spaces. The applicant has proposed to also use on-street parking along Cedar Street. The applicant has proposed to install a gate across Cedar Street. A chain link gate will be installed along a private roadway connecting to Cedar Street. The applicant has proposed to replace a portion of sidewalk and depressed curbing along the site frontage with new sidewalk and full-height curbing.

Regarding drainage, the applicant has proposed to install an inlet at a low point in the site's parking lot. The applicant has proposed to connect the inlet to a catch basin on Straight Street. The applicant has also proposed to construct a trench drain at the base of the tractor trailer loading bay. The applicant has proposed to connect the trench drain and an inlet at the rear of the site to a catch basin located on Cedar Street. The plans do not indicate where the building's roof leaders will drain to. The applicant has proposed to plant seven (7) Acer Buergerianum (Trident Maple) 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 shall submit a signed and sealed copy of the survey referenced on the site plan. The applicant shall submit a copy of the cross-access easement agreement between the two lots (Block 6004, Lots 1 and 2). The proposed building may be partially located within the Master Plan right-of-way (60 feet) of Straight Street. The Master Plan right-of-way line must be indicated on the site plan. The sidewalk along Straight Street shall be a minimum of five (5) feet in width and dimensioned on the site plan.

For a driveway to be permitted on the Straight Street frontage, the applicant shall provide a written justification for a waiver request for consideration by the Board. If such a waiver is ultimately granted, then the following comments shall apply: The applicant shall provide appropriate striping, markings and signing, including but not limited to: a double yellow centerline for 50 feet into the property, a stop bar (white, 12 inches), and a stop sign. All striping shall be noted as thermoplastic. The plans must include a driveway profile from the curb line to 50 feet into the property. The driveway slope shall be no greater than 2%. The driveway must have a raised apron instead of the proposed curb ramps. The driveway shall be dimensioned on the site plan.

The applicant shall maintain the existing curb ramp alignment at both intersections along Straight Street. The curb ramps shall be inspected and a signed certification submitted by a licensed professional that the ramps comply with current ADA standards. If the ramps are determined to be non-compliant, new ramps shall be installed in the existing location. The applicant shall submit a written request to the City of Paterson to re-stripe the existing crosswalks across Straight Street, 20th Street, and Cedar Street. The applicant shall submit a traffic report. The distance from the proposed gate to the Straight Street right-of-way line must be dimensioned on the plan. There shall be sufficient distance for a vehicle to be parked on the outside of the gate, open the gate, and have no impact to traffic on Straight Street. Between Block 6004, Lot 1 and Block 6107, Lot 7, the drawings indicate a 60-foot public right-of-way along Cedar Street. This section of Cedar Street is shown to be gated off to the general public. The applicant shall provide documentation of the authorization to close this section of public right-of-way to the general public from the City of Paterson.

The following comments pertain to drainage: No stormwater shall be allowed to flow to the County roadway. If a Straight Street driveway is permitted, the applicant shall provide a trench drain at the property line. The applicant shall provide retention/detention on-site for a 25-year storm for all of the impervious surface. The plan must include the locations of roof drains. The applicant shall submit drainage calculations. The applicant shall provide written documentation that the City of Paterson has granted permission for the site to connect into the Paterson combined system. Upon obtaining the Certificate of Occupancy from the City of Paterson, the applicant must submit an inspection report from a professional engineer on the conditions of the stormwater system. The applicant shall address any recommendations, if any, within 90 calendar days of the report. The inspection report is to be performed and submitted every two (2) years to the Paterson Construction Official and the Passaic County Planning Board.

The floor plan indicates a door swinging outwards. Straight Street must be labelled on the plan with the right-of-way line indicated, in order to ensure that there will be no encroachment. The right-of-way line of Straight Street must be indicated on the north/south elevation drawings, in order to ensure that there will be no encroachment. The applicant shall verify that the footings of the building will not encroach into Straight Street right-of-way. The applicant shall provide copies of any required NJDEP approvals for the propose development. It is recommended that the applicant coordinate with the Paterson Construction Official to determine if a guiderail and/or barrier is required along the proposed southern portion of the parking lot (along 20th Ave). The applicant shall provide the Corridor Enhancement Fee of \$9,001.00 payable to Passaic County.

Commissioner Edmond asked that the comment regarding master plan right of way be modified to include language that the applicant should not construct into the master plan right of way. Deputy County Engineer Murphy asked that the applicant show the dedication on the site plan.

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

No comments were made by the public.

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

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

OLD BUSINESS – None.

RESOLUTIONS

Board Commissioner Appointment & Reappointments

The following members were sworn in as full Planning Board Commissioners to serve a three-year term:

- Joseph Metzler
- Nakima Redmon
- Kenneth Simpson
- Steve Edmond

Planning Board Meeting Schedule (2023)

A motion to adopt the draft meeting schedule as the Planning Board 2023 Meeting Schedule was made by Commissioner Simpson. Commissioner Diaz seconded the motion. The motion passed unanimously.

NEW BUSINESS

New Jersey Planning Officials Virtual Learning

Planning Director Ferrara informed the board of upcoming dates for New Jersey Planning Officials Virtual Learning courses. She also stated that attendance was not mandatory but was encouraged.

CORRESPONDENCE – None.

ADJOURNMENT: Commissioner Diaz made a motion to adjourn the meeting at 6:16 PM that was seconded by Commissioner Redmon. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for



MASSIEL MEDINA FERRARA