



**PASSAIC COUNTY PLANNING BOARD  
MINUTES OF A REGULAR MEETING  
Thursday, January 26<sup>th</sup>, 2023  
401 Grand Street, Room 220, Paterson, NJ 07505**

Chair Metzler opened the meeting at 5:35 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; Steven Edmond, Commissioner; Jonathan Pera, County Engineer

**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 January 16<sup>th</sup>, 2022 Planning Board Meeting was made by Vice Chair Simpson and seconded by Commissioner Martinique. The motion passed unanimously, with County Engineer Pera abstaining.

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

- Passaic County hosted a Cannabis Job Fair at the Passaic County Community College on January 17<sup>th</sup>. The event had over 300 registered attendees with more walk-in attendees and was covered by several news organizations.
- The Open Space Trust Fund Advisory Committee is kicking off its 2023 funding cycle for Parks Development and Historic Preservation grants. The Planning Department hosted several workshops where grant applicants could learn about the application process and ask staff questions. The presentation has been posted on the Planning Department Website. Letters of Intent from prospective applicants must be submitted to the Planning Department by 4:30 PM on Friday, January 27<sup>th</sup>.
- The Highlands Council has contacted the county for assistance with adding sustainability elements to the Master Plan updates for municipalities that are within the Highlands.
- The Planning Department will be presenting the annual Development Review Summary for 2022 at the end of meeting. A presentation for the Corridor Fee Summary for 2022 will be presented at the February 16<sup>th</sup> Planning Board meeting.

**PUBLIC PORTION:**

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

Gabriella Wilday, member of the public, thanked the county for organizing the cannabis job fair.

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

## **DEVELOPMENT REVIEW**

### **SP-22-055 – Molly Ann Farms – 265 Belmont Avenue, Haledon**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to convert an existing 8,883 sq. ft. funeral home into a cannabis retail business. The applicant has not proposed any changes to the footprint of the building. The site has frontage along both Henry Street (CR 656) and Belmont Avenue (CR 675) in Haledon. This application was withheld by the Board on December 21<sup>st</sup>, 2022.

The applicant has proposed improvements to the existing parking lot, which will reduce the parking on site from 67 to 62 spaces. The parking lot will have access via an entrance-only and exit-only driveway on Belmont Avenue, and an exit-only driveway on Morrissee Avenue (a municipal road). The applicant has proposed to close an existing entrance-only driveway on Morrissee Avenue and replace the driveway with full-height curbing. The applicant has submitted a waiver request in support of maintaining the existing driveways on Belmont Avenue, and has submitted turning templates showing a garbage truck and fire engine navigating the driveway and parking lot. The applicant has not proposed any changes to the existing concrete and brick sidewalk along Belmont Avenue or the concrete sidewalk along Henry Street. No changes to the curbing are proposed. The applicant has submitted a traffic assessment.

Regarding drainage, the applicant has proposed to use an existing concrete chute to direct stormwater into the Molly Ann Brook. The site slopes away from both County rights-of-way. The applicant has proposed to install four (4) planters along the Belmont Avenue frontage, and two (2) shade trees at the south end of the site. The applicant has submitted architectural drawings. The applicant has also requested that the existing pylon sign and four (4) brick masonry pillars, which both encroach into the Belmont Avenue right-of-way, be permitted to remain.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The plans appear to indicate a sign and pillars within the Belmont Avenue right-of-way. The applicant has submitted an encroachment application for the existing pylon sign and pillars, and has requested a waiver from the requirement to remove the improvements. The existing encroachments are not impacted by the proposed driveway design. Provided the Board is satisfied with the proposed driveway design, the waiver is recommended by staff. The submitted encroachment application is subject to the approval of the Board of County Commissioners.

The applicant has requested a waiver from the requirement to remove the proposed driveway along Belmont Avenue, as there is access to a municipal street (Morrissee Avenue). The applicant submitted a letter from the Haledon Fire Chief in support of maintaining driveway access on Belmont Avenue. Staff recommend that the waiver be granted based on the following conditions: The applicant shall provide vehicle and truck (i.e. delivery, garbage, and fire trucks) turning templates for the entrance and exit driveways. Based on the turning templates, the two (2) one-way driveways may have to be re-constructed into a single two-way driveway. The applicant shall slightly shift the right-turn movement for a garbage truck to avoid conflict with an

on-street parking space. The templates must show all on-street parking spaces and the roadway centerline. The garbage truck must be entirely in the travel lane.

If the two (2) one-way driveways remain, then the applicant shall include the appropriate MUTCD signage (i.e. ONE WAY signs, DO NOT ENTER signs). If the turning templates require a single two-way entrance, then the applicant shall include the appropriate MUTCD signing, striping, and markings. All striping and markings shall be noted as thermoplastic. The applicant shall also provide "ONE WAY" signs at the driveways. "DO NOT ENTER" signs shall be provided on both sides of each driveway. The MUTCD sign number must be included in the plans/details.

The submitted traffic assessment is acceptable. The applicant shall perform post-construction traffic studies 2- and 5 years from the date that a Certificate of Occupancy is issued by the Borough of Haledon. The applicant has requested a waiver from the requirement to provide post-construction traffic studies. The waiver is not recommended by staff. The submitted architectural drawings indicate that the existing building canopy and planting bed encroach into the County right-of-way. The applicant has requested a waiver allowing the existing awning and planters to encroach onto the county right-of-way. These are included on the submitted encroachment application. The waiver request has been granted. The applicant has submitted an encroachment application that includes the existing awning and planting bed encroachments, which is subject to authorization by the Board of County Commissioners.

County Engineer Pera explained the submitted turning templates to the board. Commissioner Edmond asked if the striped areas are curbed or painted.

Gabriella Wilday, applicant, was sworn in. She stated that the referenced areas were painted. She also stated there was a concrete curb stop that would prevent the car from driving forward. Gabriella Wilday asked for clarification on the traffic report study. She asked that the board give deference on providing at traffic study for two years. After a discussion with the board, it was determined that the applicant would submit the requested traffic study two years after a Certificate of Occupancy is issued to the applicant.

The board voted on the following waivers:

- A motion was made by Vice Chair Simpson to approve the encroachment waiver request to allow a pylon sign and pillar in the county right of way. The motion was seconded by Commissioner Martinique. The motion passed unanimously.
- A motion was made by Vice Chair Simpson to approve the waiver request allowing the applicant to maintain two (2) one-way driveways on a county road while also having access on a municipal road. Commissioner Martinique seconded the motion. The motion passed unanimously.
- A motion was made by Vice Chair Simpson to deny the applicant's wavier request to be exempt from conducting a two (2) and five (5) year post-construction traffic study. Commissioner Edmond seconded the motion. The motion passed unanimously.

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

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

**SP-21-031 – Proposed Equipment Storage Facility – 237 Paterson-Hamburg Turnpike, Bloomingdale**

This is a previously withheld site plan application in which the applicant has proposed to construct a one-story commercial construction building. The site will be used to store equipment for a hardscape company. Office space will also be included in the building. The site, which has frontage along Paterson-Hamburg Turnpike in Bloomingdale, is currently vacant. This application was withheld by the Board on June 10<sup>th</sup>, 2021.

The applicant has proposed to construct a 2,250 sq. ft. one-story commercial construction building. The site will have access along Paterson-Hamburg Turnpike via two one-way driveways. Vehicles will enter the site at the southerly driveway and exit at the northerly driveway. The driveways will lead to a proposed surface parking lot with seven (7) parking spaces. An additional five (5) spaces will be provided in garages. The applicant has submitted turning templates. The applicant has not proposed to replace the existing sidewalk and curbing.

Regarding drainage, the applicant has proposed to install six (6) dry wells on the site. The proposed roof leaders will be connected to two (2) of the dry wells. The applicant has also proposed to install two (2) inlets on the site and a trench drain at the northerly driveway, all of which will connect to the remaining four (4) dry wells. The site is sloped towards the northerly driveway. The applicant has indicated that shade trees will be planted on the site, but has not specified the species.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The driveways must be converted to one-way circulation. The driveways shall have a maximum width of 18 feet. The southerly driveway shall be narrowed away from the side property line. Both drop curbs must be narrowed in order to align with the 18-foot drive aisles. The applicant shall provide additional “ONE WAY” signing/stripping at each driveway. “DO NOT ENTER” signs shall be provided at the entrance driveway facing the internal parking lot. Arrow markings and the stop bar shall be labelled as thermoplastic. The reconstructed driveway aprons shall include raised sidewalks in accordance with County detail (attached). The sidewalk must delineated across the driveway on the plan.

The following comments pertain to drainage: The drainage design must be modified to account for 100% of the impervious surface on the site, not just the increase in impervious surface. The

invert elevations must be indicated for the pipes connecting to the drywells. The proposed trench drain at the exit driveway must be placed within the property line. The applicant shall provide the percolation/permeability test rate for the soil for the drainage system. The proposed grading must be indicated on the drainage plan. Upon obtaining the Certificate of Occupancy from the Borough of Bloomingdale, 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 Bloomingdale Construction Official and the Passaic County Planning Board.

The applicant shall plant shade trees along the frontage of the site, outside of the County right-of-way. The applicant shall provide on-site tree replacement in accordance with local guidelines. The shade tree species must be labelled on the plan. The applicant shall refer to the list of trees provided by PSEG that are compatible with overhead utility lines. The applicant must submit the Corridor Enhancement Fee of \$3,700.00 payable to Passaic County. The sidewalk and grass strip (between curbing and sidewalk) shall be dimensioned. The plans must include driveway profiles for both driveways that indicate the right-of-way line and extend for 50 feet into the property. The driveway grades shall not exceed 2% for the 50 feet. As the southerly driveway is sloped away from the County right-of-way, the applicant shall be required to enter into a hold harmless agreement for all stormwater, silt, and debris that enters the site from the County right-of-way. A standard agreement shall be provided to the applicant for their review and signature.

Commissioner Edmond asked for clarification on the property line and master plan right of way. Senior Planner Miranda clarified the comments. Commissioner Edmond asked staff to review the Borough of Bloomingdale's drainage policy to determine if the applicant was in compliance with the proposed seepage pits and septic tank.

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

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

**OLD BUSINESS – None.**

## **RESOLUTIONS**

Senior Planner Miranda presented a resolution asking for the board's approval for the City of Paterson's Stormwater Control Ordinance.

Commissioner Martinique made a motion to accept the resolution. Vice Chair Simpson seconded the motion. The motion passed unanimously.

**NEW BUSINESS**

Senior Planner Miranda presented the Development Review Summary for 2022. The presentation provided an overview of applications reviewed and compared 2022 to previous years.

**CORRESPONDENCE – None.**

**ADJOURNMENT:** Commissioner Martinique made a motion to adjourn the meeting at 6:31 PM that was seconded by Vice Chair Simpson. The motion passed unanimously.

Respectfully submitted,  
Salvatore Presti for



MASSIEL MEDINA FERRARA