



**PASSAIC COUNTY PLANNING BOARD  
MINUTES OF A REGULAR MEETING  
Thursday, May 11<sup>th</sup>, 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; Kenneth Simpson, Vice Chair; Stephen Martinique, Commissioner; Miguel Diaz, Commissioner; Steven Edmond, Commissioner; Jonathan Pera, County Engineer; Terry Duffy, County Commissioner; Orlando Cruz, County Commissioner

**BOARD PROFESSIONALS PRESENT:** John Abdelhadi, Planning Board Counsel; Andras Holzmann, Planning Director; Jason Miranda, Senior Planner; Salvatore Presti, Assistant Planner

**MINUTES:** A motion to adopt the minutes of the April 20<sup>th</sup>, 2023 Planning Board Meeting was made by Vice Chair Simpson and seconded by Chair Metzler. The motion passed unanimously, with Commissioners Martinique and Diaz abstaining.

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

- The Planning and Engineering Departments have been working on two (2) Local Safety Program projects, in Paterson and Clifton. The Planning Department anticipates having a public meeting for both projects within the next two (2) months.
- The NJTPA has approved two (2) additional Local Safety Program grants for projects in Wayne and Clifton, which are expected to begin in Fall or Winter 2023.
- The auto overlook has re-opened in the Garret Mountain Reservation. The new playground is expected to open soon.
- The Hinchcliffe Stadium ribbon cutting will be on Friday, May 19<sup>th</sup>. The New Jersey Jackals will play their first game in the stadium on May 20<sup>th</sup>.
- Planning Director Holzmann welcomed County Commissioner Orlando Cruz to the Planning Board.

**PUBLIC PORTION:**

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

**DEVELOPMENT REVIEW**

**SP-23-008 – WTP Residuals Handling Facility – 800 Union Boulevard, Totowa**

Shabbir Shehabuddin, Esq. entered the meeting at 5:41 PM.

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct upgrades to an existing water treatment facility. The applicant has proposed to construct the following at the existing water treatment facility: two (2) flocculators, two (2) thickeners with plate settlers, three (3) residuals holding tanks, a central pumping station, and a truck loading area. The site has frontage along Union Boulevard (CR 646) and Riverview Drive (CR 640) in Totowa.

The applicant has indicated that the proposed driveway entrance and exit along Union Boulevard (CR 646) will remain. The site also has three (3) emergency access driveways on Riverview Drive (CR 640), which are not being impacted by the improvements. All driveways on the site are gated. The site currently has no sidewalk along either roadway.

Regarding drainage, the applicant has not provided information on existing drainage on the site, although all driveways are sloped away from the County right-of-way.

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 shall install a sidewalk along the Union Boulevard frontage of the site within the County right-of-way. The sidewalk shall be a minimum of five (5) feet in width and be dimensioned on the site plan. The applicant has not complied with the requirement. The applicant shall enter into an “if and when” agreement to install sidewalk and curbing along Riverview Drive, at a later date if and when requested by the County. The applicant has not complied with the requirement.

The plans must include driveway profiles for all site driveways. Driveway grades shall not exceed 2% within 50 feet of the right-of-way line. The applicant has not complied with the requirement. The applicant shall provide appropriate signing and striping at the site driveways, including stop bars (12 inches white) and “STOP” signs where necessary. A crosswalk shall be striped across the Union Boulevard driveway. All striping shall be noted as thermoplastic. The applicant has not complied with the requirement to stripe a crosswalk across the Union Boulevard driveway.

The applicant shall submit a written request to the Borough of Totowa to stripe a crosswalk across Riverview Drive. Any striping shall be done by the Borough, at their discretion. A copy of the requested correspondence must be submitted to County staff. The applicant shall install curb ramps at both ends of the driveway along Union Boulevard. The applicant shall also install a curb ramp at the corner of Riverview Drive and Union Boulevard. Following installation and prior to the release of any bonds associated with the permit work, the applicant shall submit a signed certification from a licensed professional in the State of New Jersey stating that the ramps are in compliance with current ADA standards. The applicant has not complied with the requirement.

Any existing curbed inlets on the site shall be updated with Eco-type curb pieces, in accordance with NJDEP requirements. The existing inlets shall also be upgraded to comply with NJDEP standards. Upon obtaining the Certificate of Occupancy from the Township of Totowa, 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 above note must be added to the plan. The applicant must provide the Corridor Enhancement Fee of \$250.00 payable to Passaic County.

The board discussed the applicant's responses to the county's comments. Commissioner Edmond asked that the applicant provide correspondence from the Department of Homeland security stating that a sidewalk would not be permitted.

Mark Tompeck, engineer for the applicant, was sworn in. Michael Higgins, attorney for the applicant, stated that there were security concerns that would prevent some improvements from being installed. The board questioned Michael Higgins on the security concerns posed by the applicant. County Engineer Pera clarified the drainage comments made by the county. Michael Higgins stated that the applicant would provide the appropriate materials and correspondence.

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

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

**SP-21-053 – Academy of Greatness & Excellence – 735-747 Broadway, Paterson**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to open a private school in the historic Temple Emanuel building. The site has frontage along East 33<sup>rd</sup> Street (a County road) in Paterson, at the intersection with Broadway (a municipal street).

The applicant has proposed to operate a private school (grades K to 12) on the site of a former charter school and house of worship. The applicant has proposed to maintain the existing footprint of the building and will re-configure the interior of the building. The applicant has not proposed to construct or demolish any additional structures. The plan has received approval from the Paterson Historic Preservation Commission.

The applicant has proposed to maintain an existing one-way, circular driveway on E. 33<sup>rd</sup> Street for student drop off and pick up operations. The plans indicate that the driveway loop can hold six (6) vehicles without queuing onto E. 33<sup>rd</sup> Street. The applicant has also indicated that there will be one space off Linden Road reserved for a school van. The applicant has also proposed to stripe 18 parking spaces along Linden Road, a municipal street. The plans indicate that multiple

spaces would be within 20 feet of the right-of-way line of E. 33<sup>rd</sup> Street. The applicant has replaced portions of the sidewalk and curbing along the East 33<sup>rd</sup> Street frontage, and has proposed to replace the remainder. The applicant has indicated that there are existing inlets on site that connect to the East 33<sup>rd</sup> Street stormwater system. The applicant has proposed to maintain the existing landscaping on the site.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The sidewalk and curbing along the entire E. 33<sup>rd</sup> Street frontage of the site must be replaced. The sidewalk width must be dimensioned on the site plan. The curbing must be per County detail (attached). The sidewalk and curbing must be replaced for the remainder of the frontage adjacent to the intersection with Broadway. The section of sidewalk and curbing to be replaced must be indicated on the plan.

The applicant shall provide a landscaped strip between the sidewalk and the curbing, provided that the sidewalk is a minimum of five (5) feet in width. The grass strip must be provided for the remainder of the frontage adjacent to the intersection with Broadway. The new section of grass strip must be indicated on the plan. The crosswalk across E. 33<sup>rd</sup> Street, at Broadway, must be replaced with a continental-style (ladder bars, no transverse lines) crosswalk. The applicant shall provide a written request to the City of Paterson to stripe the crosswalk, and submit a copy of that correspondence to County staff. The crosswalk striping shall only be done by the City, at their discretion.

The STOP sign and NO LEFT TURN sign must be on the right side of the exit driveway. The plans must include a call out, notes, and detail to specify that all back-to-back signs do not distort the shape of any other sign placed back-to-back. The proposed parking along Linden Street must be removed within 20 feet of the 33<sup>rd</sup> Street right-of-way. The applicant shall provide turning templates for all spaces within 20 feet of the E. 33<sup>rd</sup> Street right-of-way line, with adjacent spaces occupied, and without interfering with the crosswalk. The applicant shall submit a copy of the referenced City of Paterson approval of the parking variance along Linden Street.

The applicant must submit a traffic study, addressing pick up and drop off operations and the expected maximum queue. Operations must be carefully controlled to prevent queuing onto E. 33<sup>rd</sup> Street and, potentially, Broadway. The applicant shall provide a traffic analysis study report addressing the following:

- a. The one (1) minute assumption for drop-off and pick-up time is unrealistic. The report shall include a cited or studied average pick-up and drop-off time.
- b. The actual maximum queue length/vehicle stacking to be anticipated for the approved maximum number of students for the school for the both the morning and afternoon.
- c. Traffic impacts to East 33<sup>rd</sup> Street, the intersection, and the NJ Transit Bus Stop.
- d. If the driveway loop area is to be the primary pick-up location, how will the student pick-up be handled when the vehicles are re-directed to Linden Street?
- e. Describe further the proposed operations of the school as it relates to:
  - i. What is the maximum number of students approved for the school?

- ii. What is the maximum staff size and is there adequate parking?
- iii. What are the age groups of the students and describe in further detail the staggered dismissal and pick-up times?
- iv. Are the students from the local neighborhood, all of Paterson, or commuting from other municipalities?
- v. What are the anticipated number of school vans or buses?

The applicant shall submit a written request to the Paterson City Council to establish a parking prohibition for all of the E. 33<sup>rd</sup> Street frontage of the site, in order to prevent use of the street parking for pick up and drop off. The applicant shall install NO STOPPING OR STANDING signs at both ends of the frontage. The applicant shall submit a copy of the requested correspondence to the City of Paterson. The sign detail must be revised to indicate separate NO STOPPING OR STANDING signs, one with a directional left arrow and one with a directional right arrow. On the plans, the NO STOPPING OR STANDING signs on 33<sup>rd</sup> Street shall be placed at a 45 degree angle to the direction of travel. The plans must include driveway profiles for the 33<sup>rd</sup> Street driveways. The applicant must submit a waiver request, with a written justification, for the proposed driveway grade of 2.4% shown on the submitted profile.

The plans must indicate any existing or proposed drainage facilities at the site and show any pipes that are being connected into. The applicant shall provide trench drains at the driveway entrance and exit, with on-site detention or retention for the 25-year storm for a 1-hour duration. The applicant shall provide calculations, grades, and details for any proposed structures. Any assumptions regarding soil types used in the drainage calculations shall be verified via a percolation test prior to receiving final approval. The applicant must submit drainage calculations for the driveway along 33<sup>rd</sup> Street. It is not permitted to allow stormwater to flow overland into the County right-of-way. The applicant shall provide updated calculations per the previous comment. The applicant shall provide the Corridor Enhancement Fee of \$5,901.00 payable to Passaic County.

Commissioner Edmond asked that language be added that if the city does not install “no stopping or standing” signs, the applicant is responsible for installing the signs. After discussion, it was decided that the applicant would not be asked to add this comment at this juncture. County Commissioner Cruz asked how many cars could fit in the drop off loop, and how efficient the anticipated traffic flow is. County Engineer Pera responded that the applicant indicated that six cars could fit in the loop and explained the need for more information from the applicant.

Wahid Maroa, applicant, was sworn in. He explained the history of the building and school organization to the board. The board and Wahid Maroa discussed the site and clarified the county’s comments.

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

No comments were made by the public.

Seeing no one, a motion was made County Commissioner Duffy 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 of this site plan application. The motion was seconded by Commissioner Diaz. The motion passed unanimously.

**OLD BUSINESS – None.**

**NEW BUSINESS**

**Waiver Request – SP-21-058 – Proposed Grocery Store – 2-10 Wagaraw Road, Hawthorne**

Per the Passaic County Site Plan Resolution, no two driveways serving the same site shall be located within 50 feet of each other and no driveways shall be located within 10 feet of a side property line. In this case, a new property line adjacent to the unsignalized driveway is proposed as part of the subdivision application (SU-21-017). The unsignalized driveway shall be a minimum of 10 feet, measured at the right-of-way line, from the proposed side property line. The distance must be dimensioned on the plan, at the right-of-way line. The proposed lot line must be modified to accommodate the required 10-foot offset.

A waiver is recommended to allow for the proposed driveway on the condition that the applicant provide an easement to accommodate the driveway that would prohibit any future driveways within 20 feet of either curb return of the driveway.

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

Commissioner Diaz made a motion to grant the requested waiver. The motion was seconded by Vice Chair Simpson. The motion passed unanimously.

**RESOLUTIONS – None.**

**CORRESPONDENCE – None.**

**ADJOURNMENT:** Commissioner Martinique made a motion to adjourn the meeting at 7:14 PM that was seconded by County Commissioner Duffy. The motion passed unanimously.

Respectfully submitted,  
Salvatore Presti for



ANDRAS HOLZMANN