



**PASSAIC COUNTY PLANNING BOARD  
MINUTES OF A REGULAR MEETING  
August 3<sup>rd</sup>, 2023  
401 Grand Street, Room 220, Paterson, NJ 07505**

Chair Metzler opened the meeting at 5:32 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; Jonathan Pera, County Engineer; Orlando Cruz, County Commissioner

**BOARD PROFESSIONALS PRESENT:** Shabbir Shehabuddin, Esq., sitting Planning Board Counsel John Abdelhadi; Jason Miranda, Senior Planner; Salvatore Presti, Assistant Planner

**MINUTES:** Chair Metzler requested that approval of the minutes of the July 13<sup>th</sup> Planning Board meeting be carried to the August 24<sup>th</sup> Planning Board meeting.

**PLANNING DIRECTOR'S REPORT:** Senior Planner Miranda reported on the following initiatives:

- The County will be hosting a Public Information Center (PIC) for the proposed Market Street Improvements (from Spruce Street to Madison Avenue) on Monday, August 14<sup>th</sup> between 6-8 PM. The information center will be hosted in the Commissioner's Meeting Room (Room 220) at 401 Grand Street, Paterson.
- The annual County Fair will be held at Garret Mountain from August 10<sup>th</sup> to August 13<sup>th</sup>.
- Assistant Planner Salvatore Presti has been appointed as Acting Open Space Coordinator for 2023. Open Space Award Letters for grant applications receiving under \$100,000 in awards have been issued. There will be a public comment period beginning on the August 8<sup>th</sup> County Commissioner's meeting for Open Space grant applications being awarded over \$100,000.

**PUBLIC PORTION:**

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

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

**DEVELOPMENT REVIEW**

**SP-21-071 – Reservoir Point – 1673 Paterson-Hamburg Turnpike, Wayne**

Staff explained this is a previously withheld site plan application in which the applicant has proposed to construct town homes on vacant land. The site has frontage along the Paterson-Hamburg Turnpike (CR 689) in Wayne.

The applicant has proposed to construct 105 town homes on the site. The applicant has indicated that 84 will be market rate units and 21 will be COAH units. The applicant has indicated that 18 units will have a one (1) car garage and driveway space, and 80 units will have a two (2) car garage and driveway space. The site has frontage along Paterson-Hamburg Turnpike in Wayne. The applicant has proposed a subdivision of the existing lots under a separate application (SU-21-021).

The applicant has proposed to construct several parking lots throughout the site with a total of 65 parking spaces. The applicant has proposed to construct a driveway along Paterson-Hamburg Turnpike which will connect all townhome units and parking lots. The driveway will be restricted to right turns only, as is standard along Paterson-Hamburg Turnpike. The applicant has proposed to install sidewalk along the entire site frontage.

Regarding drainage, the applicant has proposed to connect various inlets and manholes throughout the site to several proposed spillways. The applicant has also proposed to construct a trench drain at the roadway entrance. No connections to the Paterson-Hamburg Turnpike drainage system have been proposed. The applicant has proposed to plant 14 red maple trees along the site frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. Driveway profiles shall be provided for all Paterson-Hamburg Turnpike driveways, with maximum grades of 2% within 50 feet of the right-of-way line. The applicant has requested a waiver from this condition. The requested driveway profiles, of the existing/proposed conditions, must be submitted for the waiver request to be considered by the Board. The applicant has requested a waiver from the requirement to have a maximum grade of 2% within 50 feet of the right-of-way line. Trench drains shall be provided, at the right-of-way line, at the driveways for Lots 5.01 and 6.01. The applicant has requested a waiver from the requirement to provide trench drains for the driveway of Lots 5.01 and 6.01.

The proposed location of the 18-inch RCP pipe running along the gutter line of Paterson-Hamburg Turnpike appears to conflict with an existing telephone duct bank and an existing gas main. The applicant shall confirm the location of the existing utilities along the curb line of Paterson-Hamburg Turnpike and revise as required. Please see the attached, existing utility schematic for this location, which is on file with the County. The accuracy of the schematic is unknown and it is only for informational purposes. The following note shall be added to the plan: "Test pits and exploratory work for utility conflicts versus the proposed drainage improvements along Paterson Hamburg Turnpike shall be performed prior to constructing any improvements on site. If significant utility conflicts are found along Paterson Hamburg Turnpike to conflict with the proposed improvements the applicant shall provide a revised drainage plans for approval and in coordination with the Passaic County Engineering Department."

The applicant shall clarify the purpose of the 16 proposed parking spaces on Lot 6.01. The plans must indicate the proposed parking and circulation for Lot 6.01, as the existing layout will not function with the proposed sidewalk and curbing along Paterson-Hamburg Turnpike. The plans must include all signing and striping, including a stop sign, stop bar, and centerline. The

applicant shall provide a No Left Turn sign at the near right and far left (across the street at both driveway openings for cars exiting the driveway openings. The applicant shall also provide a No Left turn signs at the near right and far left restricting left turns into both openings.

The applicant shall provide a raised turning island at the site driveway. The island may need to be modified from the County detail (attached). The raised sidewalk must be delineated across the drive lanes. Detectable warning surfaces shall still be provided. The distance from the stop bar to the raised sidewalk must be a minimum of four (4) feet and dimensioned on the plan. The plans show crosswalks and curb ramps at the site driveway, which are not compatible with a raised turning island. Raised sidewalk must be carried across the length of the driveway. "NO LEFT TURN" signs shall be installed at the exit and across the street. The applicant shall provide a depressed curb along the entrance and exit of the driveway. The additional two (2) "NO LEFT TURN" signs shall be added to the left and right of approximate station 13+00 for the northbound traffic. The signs are shown in the submitted PDFs, but the paper copies submitted are missing sheets 12 through 16. The applicant must provide hard copies of sheets 12-16. The comment will be considered complete upon receiving the hard copies. The applicant must submit the Corridor Enhancement Fee of \$10,991.00 payable to Passaic County.

Edwin Caballero, engineer for the applicant was sworn in. Gaccione Pomaco, attorney for the applicant, and Edwin Caballero spoke about the nature of the site the board. Both also explained the justification for requesting waivers for the site.

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

A motion was made by Vice Chair Simpson to grant a waiver to the applicant allowing a driveway to have a greater than 2% slope. County Commissioner Cruz seconded the motion. The motion passed unanimously, and the waiver was granted.

A motion was made by Vice Chair Simpson to grant a waiver to the applicant allowing the applicant to not install a trench drain along the driveway of lots 5.01 and 6.01. County Commissioner Cruz seconded the motion. The motion passed unanimously, and the waiver was granted.

Vice Chair Simpson made a motion grant conditional approval of this site plan application. The motion was seconded by County Commissioner Cruz. The motion passed unanimously.

**SP-23-001 – AvalonBay Wayne – Valley Road, Wayne**

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a large multi-family housing development on a commercial site. The site has frontage along Valley Road (CR 681) in Wayne.

The applicant has proposed to construct fifteen (15) residential buildings, one (1) clubhouse building, and one (1) that will have a combined 231,115 sq. ft. of building coverage and 618,337 sq. ft. of gross floor area. The proposed residential buildings would have a total of 473 dwelling units between all buildings. The site will have a total of 766 parking spaces across all surface parking lots and an interior parking deck located on lot 16. The site will have access via three (3) driveways located on Barbour Pond Road (a municipal road) and one (1) driveway on Valley Road (CR 681): one (1) full-access driveway on Barbour Pond Drive to service lot 19, one (1) full access driveway on Barbour Pond Drive to service the club house with no connection to the rest of the site's parking, one (1) full access driveway on Barbour Pond Drive to service lot 16, and one (1) full access driveway on Valley Road to service lot 16. The applicant has proposed to replace the sidewalk and curbing along the county frontage.

Regarding the drainage, the applicant has proposed to install inlets throughout the parking lots of both sites. the applicant has proposed to construct two (2) stormwater basins on Lot 16 that will collect stormwater from lot 16. The basins will connect to a pipe that goes under Barbour Pond Drive and expels into the Barbour pond. The applicant has indicated that the inlets on lot 19 will expel directly into the Barbour pond. The applicant has indicated that lot 16 largely slopes away from the county right of way, and lot 19 slopes towards the county right of way. The applicant has proposed to plant shade trees along the site's frontage.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. Per Passaic County Site Plan Resolution standards, the applicant shall eliminate the proposed driveway along Valley Road. The applicant may submit a written justification for a waiver request to be considered by the Board. The applicant has requested a design waiver to allow for the proposed Valley Road driveway.

If permitted, the driveway shall be restricted to right-in and right-out turns only, and a channelizing curbed island shall be installed to prevent left turns. "NO LEFT TURN" signs shall be placed at the near right side of the driveway and at to the far left across from the driveway exit. If the waiver for the driveway is accepted by the board, the driveway shall be modified with triangular channelizing curbed island with flush five (5) foot wide pedestrians access route including five (5) foot wide detectable warning surfaces.

A profile of the driveway, from the curb line to 50 feet within the property, shall be provided. The proposed driveway grades shall not exceed 2% within 50 feet of the right-of-way line. If the waiver is accepted by the board, the applicant shall enter into a hold harmless agreement with the county.

If the existing traffic signal at Valley Road/Barbour Pond Road is required to be adjusted, it is recommended that the applicant enter into a tri-party signal agreement with the Township of Wayne and Passaic County. Based on the new access configuration with the Valley Road driveway, the performance of the Valley Road approaches to the Barbour Pond Dr signal are approximately 40% worse in the PM Peak Hour. If the Board provides a waiver for the new Driveway on Valley Road, the applicant shall design a new timing schedule for the PM Peak

hour to reduce the delays to Valley Road to be approximately equal to the No-Build condition. Either the applicant or the Township shall implement the new timing schedule.

The applicant shall provide the Corridor Enhancement Fee of \$21,211.00 payable to Passaic County.

Dan Dougherty, engineer for the applicant, was sworn in. He explained the site conditions to the board and expanded on the applicant's justification for the waiver requests.

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

No comments were made by the public.

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

A motion was made by Vice Chair Simpson to grant a waiver allowing the applicant to construct a driveway on Valley Road. County Commissioner Cruz seconded the motion. The motion passed unanimously, and the waiver was granted.

A motion was made by Vice Chair Simpson to grant a waiver to the applicant allowing a driveway to have a greater than 2% slope. County Commissioner Cruz seconded the motion. The motion passed unanimously, and the waiver was granted.

County Commissioner Cruz made a motion grant conditional approval of this site plan application. The motion was seconded by Vice Chair Simpson. The motion passed unanimously.

**SP-23-032 – 24+Half – 33-37 Van Houten Street, Paterson**

Staff explained that this is a new site plan application in which the applicant has proposed to renovate, demolish, and construct various mixed-use and commercial buildings on site. The site does not have frontage on a county roadway but is over one (1) acre of impervious area.

The applicant has proposed to renovate and construct onto three (3) existing buildings on site. The applicant has indicated that two (2) of the renovated buildings will be mixed use, with the third building being commercial use only. The site will have a total of 167 dwelling units, and 11, 200 sq. ft. of commercial area. The applicant has indicated that there will be 28 parking spaces on site, and 278 off site parking spaces via the Paterson Parking Authority. The site has access via a full-access driveway on Van Houten Street, a municipal road. The driveway is right turn out only as Van Houten Street is a one-way road. The applicant has proposed to replace the sidewalk and curbing along the site frontage. Regarding the drainage, the applicant has indicated that all roof leaders and inlets on site will be emptied into the Passaic River, which runs behind the property.

Staff explained that there were conditions that must be satisfied before the application could receive an unconditional approval. The applicant shall submit copies of any NJDEP permits. The

applicant shall submit copies of any approvals by the Paterson Historic Preservation Commission. The applicant shall provide information on off-site parking and if it will have an effect on any County roadways. The applicant shall clarify if Paterson Parking Authority lots are being used. If Paterson Parking Authority lots are being used, the applicant shall provide the locations of the lots and any agreements with the Paterson Parking Authority. The Planning Department may make further traffic comments based on the provided information.

John Cote, engineer for the applicant was sworn in. He and Adam Faiella, attorney for the applicant, explained the proposed work on site.

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

Vice Chair Simpson made a motion grant conditional approval of this site plan application. The motion was seconded by County Engineer Pera. The motion passed unanimously, with County Commissioner Cruz abstaining.

**OLD BUSINESS – None.**

**NEW BUSINESS – None.**

**RESOLUTIONS – None.**

**CORRESPONDENCE – None.**

**ADJOURNMENT:** Vice Chair Simpson made a motion to adjourn the meeting at 6:15 PM that was seconded by County Commissioner Cruz. The motion passed unanimously.

Respectfully submitted,  
Salvatore Presti for



ANDRAS HOLZMANN