



**PASSAIC COUNTY PLANNING BOARD
MINUTES OF A REGULAR MEETING
May 16th, 2024
401 Grand Street, Room 220, Paterson, NJ 07505**

Chair Joseph 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; Miguel Diaz, Vice Chair; Stephen Martinique, Commissioner; Nakima Redmon, Commissioner; Steven Edmond, Commissioner; Jonathan Pera, County Engineer;

BOARD PROFESSIONALS PRESENT: Planning Board Counsel John Abdelhadi; Adam Bradford, Supervising Planner; Jason Miranda, Senior Planner

MINUTES: A motion was made by Commissioner Martinique to approve the minutes of the April 25th, 2024 Planning Board meeting. The motion was seconded by Vice Chair Diaz. The motion passed unanimously.

DIRECTOR'S REPORT:

Supervising Planner Bradford relayed on behalf of Planning Director Holzmann that the Vietnam Veterans War Memorial opening ceremony would take place on May 18th.

PUBLIC PORTION:

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

Seeing no one from the public present, Commissioner Martinique made a motion to close the meeting to public comment. The motion was seconded by Vice Chair Diaz. The motion passed unanimously.

DEVELOPMENT REVIEW

SP-23-021 – Green Paradise Therapy – 217A Paterson-Hamburg Turnpike, Bloomingdale

This is a site plan application that was previously granted conditional approval. The applicant is now seeking an amended conditional approval following major site plan changes in response to municipal review comments. The applicant has proposed to retrofit an existing 1,964 sq. ft. building into a cannabis dispensary. The site has frontage along Paterson-Hamburg Turnpike (CR 694) in Bloomingdale.

Following review by the Bloomingdale Planning Board, the applicant has proposed to construct a 6-stall parking lot on the site. The spaces will allow vehicles to back out into the shoulder of the roadway. Additionally, the applicant will stripe five (5) on-street parking spaces along the site frontage. The plans that were previously granted conditional approval included eight (8) on-street parking spaces and no on-site parking. The applicant has proposed to replace the sidewalk

and curbing along the site frontage, and will install two (2) delineators and a depressed curb ramp along the parking area.

Regarding drainage, the applicant has indicated that all stormwater roof leaders will drain away from the County right-of-way, as the site is sloped away from Paterson-Hamburg Turnpike. The applicant has proposed to plant three (3) Eastern Redbud shade trees along the site frontage.

Staff explained that there were conditions that must be addressed before the application can received unconditional approval. The applicant shall provide permanent protection for the two (2) utility poles in and adjacent to the parallel parking area or coordinate with the utility to relocate the poles. A flexible delineator (ground-mounted) shall be indicated at the corners of the curbed bump outs (behind the curb). The western curb bump-out shall be modified around the utility pole, in order to allow street sweepers and snowplows to transition into the parallel parking spaces. If feasible, the curbline shall be modified to provide a smoother transition (similar to the eastern bump-out) around the utility pole. The size, material, and location of utilities, within the two (2) utility manholes at the northwest corner of the building, shall be verified and added to the plans. The applicant shall verify the existing material and inverts within the manholes.

The plan includes a note: “reset cleanout to proposed grade” at the location of the proposed sidewalk. The applicant shall clarify what is being proposed in this location. The sidewalk has been removed from the plans in this location. This must be addressed by the applicant. Additionally, the applicant shall verify if any portion of the septic tank or system is located within the County right-of-way. The applicant has been granted a waiver to allow the existing septic system to encroach into the County right-of-way under the following conditions: At the end of life of the current septic system, any future replacements shall be made entirely outside of the County right-of-way. This must be included as a note on the plan. Inspections of the septic system shall be conducted on an annual basis and an inspection report issued by a New Jersey-licensed professional engineer. This must be included as a note on the plan. The applicant shall apply for an encroachment permit, which must be authorized by the Board of County Commissioners.

The applicant shall enter into an agreement with the County stating that the property owner shall bear the responsibility for clearing the parking spaces along the site frontage. The agreement must contain a “hold harmless” section stating that the County is not liable for any damage caused by stormwater, silt, or debris that enters the site from the County right-of-way. A draft agreement shall be provided by the applicant for review by County staff. The applicant shall provide written correspondence acknowledging that the County is not responsible for painting or maintaining the striping of the parking spaces along the site frontage.

The revised plans require a design waiver from the Passaic County Site Plan resolution, as vehicles parking in the on-site parking spaces will be required to back to or from the County right-of-way. A waiver is recommended by staff on the basis that the large shoulder area provides sufficient maneuvering spaces for backing vehicles to avoid any conflicts with the travel lane of the roadway. The following comments pertain to the proposed signing: The

applicant shall provide additional no parking and no left turn signs. The applicant shall provide a custom sign at each 90-degree parking spot which prevent or deters vehicles from making left/U-turns to head west on Paterson-Hamburg Turnpike. The “NO PARKING OUTSIDE OF OPERATING HOURS” signs shall be removed if no Borough of Bloomingdale ordinance exists. The applicant shall coordinate with the Borough of Bloomingdale to determine if a barrier should be provided at the 90-degree parking spots.

Marsha Moore, attorney for the applicant, asked that Matthew Seckler, engineer for the applicant, be sworn in. Matthew Seckler was sworn in and explained the vehicle turning on site and the changes proposed to the site plan.

Commissioner Edmond requested that a guard rail be installed in the proposed parking lot. Chair Metzler requested that a provision be added to the developer’s agreement stating that the applicant was responsible for clearing the parking spaces and road shoulders along the site’s frontage, and that the applicant provide written acknowledgement that the county is not responsible for painting or striping the parking spaces along the site frontage. Commissioner Martinique requested that the applicant enter into a hold harmless agreement with the county, acknowledging that the county is not liable for any damage caused by vehicles backing out of the parking lot.

A motion was made by Chair Metzler to allow a waiver allowing vehicles to back into a county right. The motion was seconded by Vice Chair Diaz. The motion passed unanimously.

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

Seeing no one from the public present, a motion was made by Commissioner Martinique to close the floor to public comment. The motion was seconded by County Commissioner Cruz. 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 Diaz. The motion passed unanimously.

SP-24-008 – ON3 Proposed Internal Roadways – Metro Boulevard, Clifton

This is a new site plan application where the applicant has proposed to construct internal roadways at the ON3 campus in Clifton. The roadways will connect future commercial uses and parking lots with two (2) entrance/exit ramps onto US Route 3, as well as connecting to roads under the jurisdiction of the Borough of Nutley and Essex County. No buildings are proposed under the submitted site plan. Per the “Future Overall Concept Plan”, the access road will serve a grocery store, Starbucks cafe, a bank, and other undetermined commercial uses. The site has no frontage along any County roadways.

The submitted plans have been reviewed by staff, and there are no impacts posed to any County facilities. The application is recommended for unconditional approval.

Adam Faiella, attorney for the applicant, thanked the board for their time.

No comments were made by the board.

A motion was made by Commissioner Martinique to open the floor to public comment.

Seeing no one from the public present, a motion was made by Commissioner Martinique to close the floor to public.

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

SP-23-004 – Proposed Apartments – 201 Lafayette Street, Paterson

Staff explained this is a previously withheld site plan application in which the applicant has proposed to construct a six-story, 28,742 sq. ft. mixed-use building. The applicant has proposed to demolish all existing residential and retail units on site. The mixed-use building will have a total of 139 dwelling units and 2,487 sq. ft. of commercial space on the first floor. The site has frontage on Lafayette Street (CR 650) in Paterson.

The site will have a total of 156 parking spaces in a parking garage on site. The applicant has indicated that the parking garage will encompass most of the first floor, as well as two (2) basement levels. The parking garage will have access via a full-access driveway on Lafayette Street (CR 650). The applicant has indicated that access to the parking garage will be controlled via a garage door, and residents may access the parking garage via a card reader located at the entrance driveway. The applicant has proposed to replace the sidewalk and curbing along the Lafayette Street frontage.

Regarding drainage, the applicant has proposed to connect the building's roof leaders to existing stormwater system under Franklin Street and Lafayette Street. The applicant has proposed to plant shrubs along the Lafayette Street frontage.

Staff explained that there were conditions that must be addressed before the application can received unconditional approval. The applicant shall submit copies of any existing cross-easements between the two lots (8 & 9). The submitted "cross-access easement" is a copy of the Franklin Street vacation ordinance. The applicant shall confirm if the lots are to be consolidated. The applicant shall provide a recorded Deed of Lot Consolidation prior to the issuance of an unconditional approval.

The plans must include a driveway profile. The driveway grades shall not exceed 2% within 50 feet of the right-of-way line of Lafayette Street. The applicant has requested a waiver from the requirement that grades shall not exceed 2% within 50 feet of the right-of-way lane. For the waiver request to be considered by the Board, the applicant must provide a driveway profile on the plan and submit a written justification for the requested waiver. The grade of the apron shall be reduced to 7% maximum, if feasible and/or provide certification signed by a New Jersey-licensed professional stating that there will be issues with vehicles bottoming out.

If the City of Paterson permits the connection of the pipe leading to the inlet within the County right-of-way, the connection shall be made with Ductile Iron Pipe Class 52 and shall enter from the back of the inlet in lieu of the gutter line. Additionally, if the City permits the connection of the pipe leading to the inlet, the applicant shall verify the condition of the existing inlet and televise the pipe leading from the inlet to the combined sewer. The applicant shall submit a televised pipe inspection report. The entire connection within the right-of-way shall be indicated as Ductile Iron Pipe Class 52. The applicant shall provide additional correspondence from the City of Paterson stating that the connection is permitted as proposed on the current plan set. A note shall be added to the plan indicating that the proposed inlet in the right-of-way shall be precast concrete (knockout structures not accepted).

If the City of Paterson permits the proposed connection, the applicant shall provide a calculation of the pipe capacity from the inlet to the combined sewer considering the addition of the roof leader and existing drainage area leading to the inlet. The calculation shall be made for the 25-year storm for a 1-hour duration. The applicant shall provide additional correspondence from the City of Paterson stating that the connection is permitted as proposed on the current plan set. The right-of-way line of Lafayette Street must be shown on the submitted building elevations in order to verify if the canopy will encroach into the County right-of-way. The applicant shall submit copies of any required NJDEP permits for the proposed development. The applicant must confirm the presence of any underground storage tanks prior to the issuance of an unconditional approval. The current/previous use of the site appears to be as a gas station. Per NJDEP standards, all underground storage tanks must be removed prior to construction.

No comments were made by the board.

No one from the public was present.

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

SP-23-033 – Spark Car Wash – 1195-1207 Paterson-Hamburg Turnpike, Wayne

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to demolish a vacant restaurant building in order to construct a 4,860 sq. ft. carwash facility. The site has frontage along Paterson-Hamburg Turnpike (CR 504) in Wayne.

The site will have 37 parking spaces, five (5) reserved for employees only. The site does not have direct access to Paterson-Hamburg Turnpike. Instead, the applicant proposes site access via a driveway on the adjacent property, Lot 106 which is under common ownership and is proposed for consolidation with the subject property, Lot 105. Please note that a separate site plan application (SP-23-012) for a proposed Chipotle restaurant on Lot 106 has been granted unconditional approval. The proposed driveway on Lot 105 shall be restricted to right-in and right-out turns, as is standard along Paterson-Hamburg Turnpike and consistent with driveway

access management within the County right-of-way. The applicant has proposed replace the sidewalk and curbing along the site frontage.

Regarding drainage, the applicant has proposed to utilize the existing inlets on the site. The site is sloped away from the County right-of-way. The applicant has proposed to plant various shrubs and shade trees throughout the site and along the frontage.

The revised plans have been reviewed by staff. The application is recommended for conditional approval, subject to the deed of lot consolidation being recorded by the applicant.

No comments were made by the board.

A motion was made by Commissioner Martinique to open the floor to public comment.

Seeing no one from the public present, a motion was made by Commissioner Martinique to close the floor to public comment.

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

SP-23-002 – Gjoni Construction Inc. – 120-124 Main Street, Bloomingdale

Staff explained this is a site plan application that was previously granted conditional approval. The applicant is now seeking an amended conditional approval following major site plan changes in response to municipal review comments. The applicant has proposed to construct a 12,978 sq. ft. mixed-use building. The site will have 2,974 sq. ft. of commercial space on the ground floor. The remaining two (2) stories will have a total of 20 dwelling units. The applicant has proposed to demolish the existing single-family dwellings on the site. The site has frontage along Main Street (CR 511) in Bloomingdale.

The applicant has proposed a total of 36 parking spaces on the site. The parking lot will have access via a full-access driveway along Main Street. The applicant had previously located the proposed driveway on the western end of the site, but is now seeking amended conditional approval after relocating the driveway to the eastern end of the site. The applicant has not proposed any changes to the existing brick-paver sidewalk, which is in good condition. Further, the applicant is complying with Bloomingdale's sidewalk standards.

Regarding drainage, the applicant has proposed to construct a stormwater recharge chamber on the site. The applicant has also proposed to construct a trench drain across the driveway, an inlet at the east side of the site, and an inlet at the rear of the site. All inlets, trench drains, and roof leaders will connect to the proposed stormwater recharge basin. The applicant has proposed to plant several shade trees and shrubs along the site frontage, outside of the right-of-way.

Staff explained that there were conditions that must be addressed before the application can received unconditional approval. The proposed stop bar shall be relocated to be entirely within

the property and a minimum of four (4) feet from the edge of the sidewalk. The distance between the stop bar and the edge of the sidewalk must be dimensioned on the plan. The applicant shall re-design the drainage system to accommodate a 25-year storm for 100% of the impervious coverage, and not just the increase in impervious coverage. The roof leaders must be included on the drainage plan (i.e. tie into the proposed stormwater detention/retention system). The percolation/permeability rate must be provided for the infiltration. The applicant must also provide the Geotech field test data. Percolation test results shall be submitted prior to the issuance of an unconditional approval. The applicant shall provide confirmation that there will be adequate separation from the groundwater table.

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 above note must be added to the stormwater plan. The sight triangle for the proposed exit must be indicated on the plan. Sight distance must be indicated on the plan (or in a separate exhibit) to demonstrate if any obstructions exist. The applicant shall submit a request to the Borough of Bloomingdale, and provide a copy to the County, to prohibit on-street parking within the sight triangle of the driveway.

The applicant shall provide the Corridor Enhancement Fee of \$3,248.00 payable to Passaic County. The applicant shall be advised the County will be resurfacing this section of Main Street in 2024. If approved, the applicant shall expedite all work in the County right-of-way prior to the roadway being resurfaced.

Steve Schepis, attorney for the applicant, explained the reasoning for changing the driveway location. Jeffery Houser, engineer for the applicant, explained that applicant will be performing soil testing at the project location.

No comments were made by the public.

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

SP-23-020 – Proposed House of Worship – 534-548 Broadway, Paterson

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a 5,566 sq. ft. house of worship. The applicant has proposed to demolish an existing commercial and residential building on site. The site has frontage along Broadway (CR 622) in Passaic.

The site will have a total of 26 parking spaces on the site. Access to the parking lot will be via two driveways: one (1) full-access driveway on Broadway, and one (1) exit only driveway onto Dawson Avenue, a municipal road. The applicant has submitted a waiver request to allow a driveway on a County road. Additionally, emergency access is proposed along Katherine

Avenue. The applicant has proposed to install a 3-foot grass strip and 5-foot sidewalk along the site frontage, and to replace the curbing.

Regarding drainage, the applicant has proposed to construct two (2) underground detention basins on the site. The applicant has indicated that the building's roof leaders will connect to the detention basin. The applicant has proposed to install an inlet to collect stormwater at the Broadway driveway to collect rainwater. There are several existing stormwater inlets present on Broadway located at the site driveway. The applicant has proposed to plant shade trees along the Broadway frontage.

Staff explained that there were conditions that must be addressed before the application can receive unconditional approval. The right-of-way width of Broadway is indicated as 50 feet along the frontage of the site. As the Master Plan right-of-way of Broadway is 60 feet, the applicant shall be required to enter into an "if and when" agreement to provide a dedication of the full half-width of 30 feet at a later date if and when requested by the County and at no cost to the County. An agreement template is attached for the applicant's review and signature. The applicant must submit a signed copy of the agreement previously provided by staff. The agreement is subject to the authorization of the Board of County Commissioners.

As the site has access along municipal streets (Dawson/Katherine), a deign waiver is necessary for any driveway to be permitted along Broadway. The applicant must either remove the proposed Broadway driveway from the plans or submit a written waiver request with justification for the driveway. The applicant has submitted a waiver request in support of the proposed Broadway driveway. Based on the justification provided, the waiver is recommended by staff. The distance from the right-of-way line to the first parking space adjacent to the Broadway entrance driveway shall be dimensioned on the plan. The dimension is provided from the curb line, but not from the right-of-way line as requested. The plans must include dimensions to the first (employee-only) and second parking spaces. The applicant has requested a waiver for both proposed spaces within 20 feet of the right-of-way. The waiver is recommended by staff, as both spaces have been designated as employee-only.

The submitted survey indicates an existing inlet within the driveway on Broadway, although it is not shown on the site plan. The applicant must provide clarification. A callout shall be provided indicating that the existing manhole shall be reconstructed as necessary where the 15-inch RCP is being removed near the Broadway entrance. Flow from the Dawson Avenue driveway will ultimately drain to the County right-of-way. As such, the debris-filled inlet shall be indicated on the plans and any drainage pipes shall be cleaned out and reconstructed as necessary. The leader/note indicating stormwater inlets and drainage pipes shall be cleaned out and reconstructed as necessary appears to have been omitted from the submission. The plans shall be revised accordingly. As part of updating the survey information, the applicant shall confirm if the three (3) inlets on Broadway are B or D inlet structures or if they are openings atop a culvert structure. Once this information is verified, the applicant shall provide a detail showing how the inlets will be converted to an A-inlet as indicated on sheet C-5. The applicant shall provide a detail showing how the inlet opening atop the culvert will be converted to an inlet type A. Alternatively, driveway access may be specified at the structure if feasible. A leader shall be

added to sheet C-5 indicating what is proposed at the center curbed inlet atop the culvert opening where the depressed driveway curb is proposed.

A lower profile trench drain shall be detailed and graded to not conflict with the top of the culvert. It is recommended that the roof leader drains and drains crossing atop the culvert/easement be specified as ductile iron pipe as the drains may have shallow cover as a result of crossing atop the existing culvert. The site grading must still be revised to provide for at least six (6) inches of on-site ponding. The yard inlet, where the 6-inch ponding is provided, shall be shifted further away from the edge of sidewalk. The proposed tree can be eliminated and replaced with smaller plantings, if necessary.

Commissioner Edmond asked that the applicant verify that the proposed improvements do not interfere with the county bridge slab and culvert.

No one from the public was present.

A motion to grant a waiver to allow a driveway onto a county roadway when municipal roadway access is possible was made by Commissioner Martinique and seconded by Vice Chair Diaz. The motion passed unanimously.

A motion to grant a waiver to allow parking within 20 feet of the county right of way contingent on the parking spaces being signed as for staff only was made by Vice Chair Diaz and seconded by Commissioner Martinique.

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

SP-24-001 – Proposed Apartment Building – 313-315 Straight Street, Paterson

Staff explained that this is a previously withheld site plan application in which the applicant has proposed to construct a 30,000 sq. ft., four-story apartment building. The proposed apartment building will have a total of 60 dwelling units. The property is currently being used as a surface parking lot. The site has frontage along Straight Street (CR 647).

A total of 67 parking spaces will be provided on the ground level of the building. The site will have access via two (2) driveways; a full-access driveway along Straight Street (CR 647) and an exit-only driveway onto Madison Street, a municipal road. The applicant has proposed to install roll-up garage doors at the Madison Street driveway, and an access point to the internal parking garage from the Straight Street driveway. The applicant has proposed to replace the sidewalk and curbing along the Straight Street frontage.

Regarding drainage, the applicant has proposed to construct a trench drain at the Straight Street driveway, and to construct a seepage tank to accommodate the trench drain. The applicant has proposed to discharge the stormwater from the building into the combined sewer system

underneath Madison Street. The applicant has proposed to construct two (2) planter boxes along the Straight Street frontage.

Staff explained that there were conditions that must be addressed before the application can receive unconditional approval. As the site has frontage along Madison Street, the proposed driveway along Straight Street shall be removed from the plans. The applicant may submit a waiver request for consideration by the Board. If a waiver is requested, the letter must include an explanation of the hardship that would be caused by removing the Straight Street driveway, and the following comments shall apply: The applicant shall indicate the stop bar, double yellow centerline, and traffic marking arrows as being painted with thermoplastic material at the driveway. The stop bar must be a minimum of four (4) feet from the edge of the sidewalk. This must be dimensioned on the plan. No part of any driveway shall be located within 10 feet of a side property line. The applicant may submit a separate waiver request for consideration by the Board. Any such waiver request must provide an explanation of the hardship that would be caused by moving the driveway away from the side property line to the south. The applicant has submitted a waiver request in support of the Straight Street driveway. The applicant has also requested a waiver to allow for the driveway to remain within eight (8) feet of the southern side property line. Based on the provided justification, the waivers are recommended by staff.

The applicant shall update calculations to demonstrate the 25-year storm, for a one-hour duration, is being retained for the total impervious area draining to the County right-of-way. The proposed drainage and calculations shall be updated to provide sufficient volume to store and/or infiltrate the 25-year storm for a one-hour duration. The architectural and engineering site plans shall be consolidated on the final submission. The applicant shall provide written documentation from the City of Paterson that the City takes no exception to the building roof leaders being tied into the combined sewer system on Madison Street. If the City of Paterson permits the roof leaders to discharge into the combined sewer system, it must be clearly indicated on the plans how all the roof leaders will be tied to the discharge point and demonstrated that, if the system overflows, it will drain away from Straight Street. The trench drain adjacent to Straight Street shall be indicated to be ADA-compliant.

A motion to deny the waiver request authorizing a driveway onto Straight Street when access to a municipal roadway was available was made by Commissioner Simpson and seconded by Vice Chair Diaz.

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

Seeing no one from the public present, a motion was made by Commissioner Martinique to close the floor to public comment. The motion was seconded by County Commissioner Cruz. The motion passed unanimously.

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

OLD BUSINESS – None.

NEW BUSINESS – None.

CORRESPONDENCE – None.

ADJOURNMENT: Commissioner Simpson made a motion to adjourn the meeting at 7:10 PM that was seconded by Commissioner Martinique. The motion passed unanimously.

Respectfully submitted,
Salvatore Presti for

A handwritten signature in cursive script that reads "Salvatore Presti".

ANDRAS HOLZMANN