

WHEREAS, the Passaic County Department of Planning and Economic Development is in receipt of a proposed Agreement (attached hereto) by and between the County of Passaic (hereafter “County”) and HAMBURG DEV LLC (hereafter “Applicant”) to construct and develop real property on a Passaic County roadway located at 2203-2227 Paterson-Hamburg Turnpike, Block 3510, Lots 159, 163 & 164 in Wayne, NJ; and

WHEREAS, Applicant applied to the Passaic County Planning Board (hereafter “Board”) under File No. SP-24-049, originally dated October 9, 2024, revised on March 23, 2026, prepared by Matthew J. Bersch, P.E., was submitted to the Board and received a review letter (hereafter “Subdivision Review Letter”), attached hereto, withholding approval of the application subject to certain terms and conditions as set forth therein; and

WHEREAS, the slope of the Applicant’s driveway is graded in such a manner that all stormwater, silt, and debris would flow away from the County right-of-way; and

WHEREAS, in lieu of requiring modifications to the driveway, the Board has required the Applicant to enter into an agreement with the County holding the County harmless for all stormwater, silt, and debris that enters the Applicant’s property from the County right-of-way; and

WHEREAS, the Agreement is required due to the slope of the site’s driveways along Paterson-Hamburg Turnpike (CR 689), a County road; and

WHEREAS, the Agreement has been reviewed by County staff and deemed acceptable; and

WHEREAS, the Agreement, the most recent Subdivision Review Letter, and grading plan are all attached to this request; and

WHEREAS, this matter was discussed at the July 2, 2026 meeting of the Planning and Economic Development Committee and is being recommended to the Passaic County Board of County Commissioners for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, by the Board of County Commissioners of the County of Passaic that the County Commissioner Director and Clerk of the Board be and are hereby authorized to execute the attached Agreement by and between the County of Passaic and HAMBURG DEV LLC, as set forth above.

JDP

July 14, 2026