



County of Passaic

Department of Planning & Economic Development
401 Grand Street, Room 417
Paterson, New Jersey 07505

www.passaiccountynj.org

Andras Holzmann AICP, PP
Director

PLANNING BOARD
TEL (973) 569-4040
FAX (973) 569-4041

December 20th, 2023

Totowa Planning Board
537 Totowa Road
Totowa, NJ 07512

Re: Site Plan Review – Tilcon Asphalt Batch Plant; 859 Riverview Drive, Totowa; Block 171, Lots 12, 12.01, 12.02, & 13 (Passaic County File Number **SP-22-070**)

Members of the Board,

The above referenced site plan prepared by Wayne J. Ingram, P.E. (N.J. Lic. No. 42582) and dated September 20th, 2022, revised as of November 27th, 2023, was reviewed pursuant to the provisions of the Passaic County Site Plan Resolution. On December 19th, 2023, the Passaic County Planning Board granted the applicant's waiver requests.

Passaic County Standards and Requirements: All submissions must consist of 2 paper copies plus a PDF digital file of all plans and technical reports. Signed and sealed copies of all plans and technical reports must be submitted to the Department of Planning & Economic Development at 401 Grand Street, Room 417, Paterson, NJ 07505.

This site plan application has granted **conditional approval** pending receipt in an acceptable form of the following:

1. The plans indicate a variable right-of-way width along both Riverview Drive and Minnisink Road. Any variations in right-of-way width must be indicated in the correct location along both frontages. **Complete.**
2. The Master Plan right-of-way widths must be indicated for both Riverview Drive (66 feet) and Minnisink Road (66 feet). If the Master Plan right-of-way half-width(s) extend beyond the existing right-of-way line(s) adjacent to the site, the applicant shall enter into an "if and when" agreement to provide a right-of-way dedication to the County at a later date (if and when requested by the County). **Complete (no agreement required).**
3. The applicant shall submit a cross-easement agreement for access between the three (3) lots. **The lot consolidation deed shall be recorded by the applicant.**
4. The applicant shall install a 5-foot sidewalk and 3-foot grass strip along the Riverview Drive frontage of the site. **Complete.**



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859 Riverview Drive, Totowa
Block 171, Lots 12, 12.01, 12.02, & 13

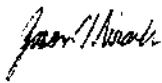
5. The applicant shall enter into an “if and when” agreement to install a 5-foot sidewalk and 3-foot grass strip along the Minnisink Road frontage at a later date, if and when requested by the County or Borough. **Incomplete.**
6. For the Board to consider allowing multiple driveways on County roads, the applicant must submit a waiver request with a written justification for providing both driveways. **The applicant’s waiver request has been granted by the Board, on the condition that a sight distance plan is submitted and deemed acceptable by staff.**
7. For the Board to consider allowing the driveways to be within 10 feet of a side property line, the applicant must submit a waiver request with a written justification. **The applicant’s waiver request has been granted by the Board, on the condition that a sight distance plan is submitted and deemed acceptable by staff.**
8. A stop bar, stop sign, and 50-foot double yellow centerline must be provided at each driveway. All striping shall be noted as thermoplastic. **Complete.**
9. The distance between the curb line and the existing gates (in both open and closed conditions) must be dimensioned on the plan at both driveways. **Complete.**
10. The plans must include a driveway profile for the first 50 feet from the right-of-way line at both the Riverview Drive and Minnisink Road driveways. **Complete.**
11. Upon obtaining the Certificate of Occupancy from the Borough 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 Totowa Building Department and the Passaic County Planning Board. **The above note must be added to the plan set. Manhole castings, which must be detailed, shall be added to the proposed seepage pits for maintenance.**
12. A trench drain must be installed (at the property line) at the Riverview Drive driveway. **The trench drain must be labeled on the site plan.**
13. As the Minnisink Road driveway is sloped away from the County right-of-way, the applicant shall enter into a hold harmless agreement with the County for any stormwater, silt, or debris that enters the site from the County right-of-way. **A signed agreement has been submitted and is under review by staff.**
14. All internal inlet heads shall be replaced with NJDEP stormwater compliant inlet heads. **Complete.**
15. The applicant shall provide documentation from the State of New Jersey regarding the referenced emergency operations of the facility. **Complete.**

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16. The applicant shall provide the Corridor Enhancement Fee of \$5,252.00 payable to Passaic County. **Complete.**

Subsequent submissions must include a cover letter indicating how each condition has been addressed. Plans submitted without a cover letter will be considered incomplete.

Best Regards,



Jason Miranda, AICP
Senior Planner

Cc: Passaic County Engineer
Alan J. Zakin, Esq.
File

Tilcon New York, Inc.
Wayne J. Ingram, P.E.

AGREEMENT

THIS AGREEMENT, entered into this _____ day of May, 2023 by and among the County of Passaic (hereinafter referred to as the "County"), and Tilcon New York Inc (the "Applicant"), with a business address of 9 Entin Road, Parsippany, NJ 07054 with respect to a waiver of responsibility for any and all stormwater, silt or debris that enters the Applicant's Property located at known as Block 171, Lots 12, 12.01 and 13, 839 Riverview Drive, Totowa, Passaic County, New Jersey, ("Property").

WHEREAS, the Passaic County Planning Board ("County Planning Board") reviewed the Applicant's Amended and Executed Site Plan Resolution, approved March 8, 2023, pursuant to the provisions of the Passaic County Site Plan Resolution (Passaic County File No. 58-22-00), and granted conditional approval pending satisfaction of certain conditions, and pending approval from the 21st December 2022 meeting of the Passaic County Planning Board; and

WHEREAS, the Applicant's site plan did not show the required driveway profile with a maximum slope of two percent (2%) within fifty (50) feet of the County right-of-way as per the provisions of the Passaic County Site Plan Resolution; and

WHEREAS, the County Planning Board did not require the Applicant to modify the slope of the driveway on the basis that the site 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 County Planning Board required the Applicant to enter into an agreement to protect and hold the County harmless for any and all damage caused to Applicant's Property in connection with any stormwater, silt, or debris that enters the Applicant's Property from the County right-of-way; and

WHEREAS, the Applicant and the County are willing to enter into this Agreement to memorialize the parties understanding.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the County and the Applicant agree as follows:

1. The Applicant waives any and all claims against the County of Passaic for any and all damage to Applicant's Property that may be caused by any stormwater, silt, or debris that enters the Applicant's Property from the County right-of-way.
2. The Applicant shall indemnify and hold the County harmless for any and all claims against the County of Passaic for any and all damage to Applicant's Property that may be caused by any stormwater, silt, or debris that enters the Applicant's Property from the County right-of-way.
3. The County waives the requirement of the Applicant to provide a maximum slope of two percent (2%) within fifty (50) feet of the County right-of-way.
4. This Agreement shall inure to the benefit of and be binding upon the Parties hereto, their heirs, personal representative, successors and assigns and shall be a covenant that runs with the land described above and this Agreement shall be recorded in the office of the Passaic County Clerk's Office.
5. This Agreement shall be governed by the Laws of the State of New Jersey and shall only be amended in writing signed by all Parties.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have caused their presence to be signed and attested to by its property corporate officers on the day and year first written above.

Witness:

Witness:


Anne F. Poltorak

Name: *Anne F. Poltorak*
Title: *Notary*

Name:
Title:

TILCON NEW YORK, INC

COUNTY OF PASSAIC



Name: *Clifford Morris*
Title: *President*

By: _____
Name: *Pat Lepore*
Title: *County Commissioner Director*

RECORD AND RETURN TO:
OFFICE OF THE COUNTY COUNSEL
401 GRAND STREET, ROOM 214
PATERSON, NJ 07505

STATE OF New Jersey }
COUNTY OF Morris }

I CERTIFY that on August 24, 2023, Charles C. Morris personally known to me or proven to me under oath and to my satisfaction, personally appeared before me and did acknowledge under oath and to my satisfaction that:

- (a) This person is the owner of the Property;
- (b) This document was signed and delivered by voluntary act within the signer's authority;
- (c) This person attested to the truth of these facts.

Anne T. Pollorak
Notary Public

Anne T Pollorak
NOTARY PUBLIC
State of New Jersey
ID # 2038745
My Commission Expires 12/18/2027

STATE OF NEW JERSEY }
COUNTY OF PASSAIC }

I CERTIFY that on _____, 2023, Pat Lepore, personally known to me or proven to me under oath and to my satisfaction, personally appeared before me and did acknowledge under oath and to my satisfaction that:

- (a) This person is the Director of the Board of County Commissioners of COUNTY OF PASSAIC,
- (b) This document was signed and delivered by voluntary act within the signer's authority;
- (c) This person attested to the truth of these facts.

Notary Public of State of New Jersey