

County of Passaic

Board of County Commissioners



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Clerk Of The Board

Date: Feb 24, 2026 - 5:30 PM

Agenda: RESOLUTION FOR AN "IF AND WHEN" AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND 147-153 NEW ST LLC, APPLICANT/OWNER OF 147-153 NEW STREET, BLOCK 5103, LOTS 17 AND 18, PATERSON, NEW JERSEY.

THIS RESOLUTION WAS REQUESTED BY:
PLANNING AND ECONOMIC
DEVELOPMENT

REVIEWED BY:

Matthew P. Jordan, Esq.
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.
COUNTY COUNSEL

Planning and Economic Development

COMMITTEE NAME

Official Resolution#	
Meeting Date	2/24/2026
Introduced Date	2/19/2026
Adopted Date	
Agenda Item	46.
CAF#	
Purchase Req. #	
Result	

RESOLUTION FOR AN “IF AND WHEN” AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND 147-153 NEW ST LLC, APPLICANT/OWNER OF 147-153 NEW STREET, BLOCK 5103, LOTS 17 AND 18, PATERSON, NEW JERSEY.

WHEREAS, the Passaic County Department of Planning and Economic Development is in receipt of a proposed Agreement (attached hereto) relating to premises located at 147-153 New Street, Block 5103, Lots 17 and 18 in Paterson, New Jersey 07501 (hereinafter “Property”) for the proposed construction and development of real property; and

WHEREAS, 147-153 New St LLC (hereafter “Applicant”), whose address is 147-153 New Street, Paterson, New Jersey 07501, applied to the Passaic County Planning Board (hereinafter “Board”) under File No. SP-24-021 for site plan approval for the Property; and

WHEREAS, a Site Plan, originally dated May 30, 2023, revised on September 11, 2025 (“Site Plan”), attached herein, prepared by Matthew G. Evans, R.A. (N.J. Lic. No. 13803) was submitted for approval to the Passaic County Planning Board (“County Board”), received County Board approval with conditions on November 13, 2025 (“Site Plan Approval”), subject to certain terms and conditions set forth therein; and

WHEREAS, the subject property has frontage along New Street, a roadway under Passaic County jurisdiction; and

WHEREAS, the Site Plan Review Letter, specifically requires the Applicant to enter into an agreement to dedicate sixty (60) feet of its property that extends thirty (30) feet from the right-of-way centerline towards the Project, at a later date when requested by the Passaic County Engineer (“County Engineer”) or the County Board, at no cost to the County; and

WHEREAS, the parties understand and acknowledge that the Master Plan provides for a right-of-way of sixty (60) feet and is depicted on the Applicant’s Site Plan; and

WHEREAS, the Parties further understand and acknowledge that the Applicant’s Site Plan provides a thirty-five (35) foot wide right-of-way in partial compliance with the Master Plan right-of-way in partial compliance with the Master Plan right-of-way, leaving the Applicant with providing for an additional future right-of-way dedication equal to twenty-five (25) feet; and

WHEREAS, the parties further understand and acknowledge that, if and when, the County Engineer or the County Board demand the additional right-of-way dedication, Applicant will be required to submit a right-of-way dedication up to the Master Plan right-of-way line indicated on Applicant’s Site Plan; and

WHEREAS, the attached Agreement has been reviewed by staff and the most recent Planning Board Review Letter, dated November 18, 2025, is also attached for reference.

WHEREAS, the Applicant shall confer and cooperate with the County with respect to all maintenance decisions concerning the foregoing; and

WHEREAS, this matter was discussed at the February 12, 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 Passaic County Board of County Commissioners that the County Commissioner Director and Clerk of the Board be and are hereby authorized to execute the attached “If and When” Agreement by and between 147-153 New St LLC and the County of Passaic.

ZMQ

February 24, 2026