

AGREEMENT

THIS AGREEMENT, made on May 26, 2026, between, HAMBURG DEV LLC ("Applicant") with an address at 301 Route 17 North, Suite 802, Rutherford, NJ 07070 and Passaic County ("County"), with an address at 401 Grand Street, Room 417, Paterson, New Jersey 07505 ("Applicant" and "County" collectively referred to as the "Parties").

WITNESS:

WHEREAS, Applicant filed an Application (File# SP-24-049) for Site Plan Approval ("Application") to construct and develop real property on a Passaic County roadway located at 2203-2227 Paterson-Hamburg Turnpike, Wayne, New Jersey, Block 3510, Lots 159, 163 & 164 ("Project"); and

WHEREAS, a Site Plan, originally dated October 9, 2024, revised on March 23, 2026 ("Site Plan"), prepared by Matthew J. Bersch, P.E., was submitted for approval to the Passaic County Planning Development Review Committee ("County DRC"), received County DRC approval with conditions on May 6, 2026 ("Site Plan Approval"), subject to certain terms and conditions set forth therein; and

WHEREAS, the Site Plan Approval, specifically requires the Applicant to enter into an agreement to dedicate a strip of its property that extends 17 feet from the roadway centerline towards the Project, at a later date when requested by the Passaic County Engineer ("County Engineer") or the County DRC, at no cost to the County; and

WHEREAS, the Applicant submits this Agreement to comply with the terms of the Site Plan Approval.

NOW, THEREFORE, for good and valuable consideration received by Applicant, and for further good cause, Applicant herewith agrees to the following:

1. In consideration of the County Board's Site Plan Approval, Applicant agrees to provide a future Dedication to the County for the Paterson-Hamburg Turnpike Master Plan Right-of-Way, if and when requested by the County Engineer or the County DRC.

2. The Parties understand and acknowledge that the Master Plan currently provides for a right-of-way of 100 feet and is depicted on the Applicant's Site Plan.

3. The Parties further understand and acknowledged that the Applicant's Site Plan provides a variable width 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 17 feet.

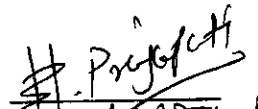
4. The Parties further understand and acknowledge that, if and when, the County Engineer, or the County DRC, demand the additional right-of-way dedication, Applicant will be

required to submit a right-of-way dedication of an additional 17 feet.

5. This Agreement is intended to provide to the County the right-of-way dedication described herein which shall be memorialized in a Deed of Dedication between the Applicant and the County.

Witness:

Applicant: HAMBURG DEV LLC


Name: HARDIK PRAJAPATI
Title: EMPLOYEE

By: 
Name: Sachin Shah
Title: OWNER

COUNTY OF PASSAIC

Name: Louis E. Imhof III
Title: Clerk to the Board

By: _____
Name: Cassandra Lazzara
Title: County Commissioner Director

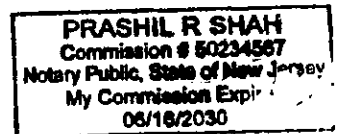
RECORD AND RETURN TO:
OFFICE OF THE COUNTY COUNSEL
401 GRAND STREET, ROOM 214
PATERSON, NJ 07505

STATE OF NEW JERSEY }
 }
COUNTY OF BERGEN }

I CERTIFY that on MAY 26th, 2026, SACHIN SHAH,
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.

Prashil
Notary Public



STATE OF NEW JERSEY }
 }
COUNTY OF PASSAIC }

I CERTIFY that on _____, 2026, _____, 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



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

May 7th, 2026

Wayne Planning Board
475 Valley Road
Wayne, NJ 07470

Re: Site Plan Review – Proposed Dunkin' w/ Drive-Thru; 2203-2227 Paterson-Hamburg Turnpike, Wayne; Block 3510, Lots 159, 163 & 164 (Passaic County File Number SP-24-049)

Members of the Board,

The above referenced site plan prepared by Mathew J. Bersch, P.E. (N.J. Lic. No. 54522) and dated October 9th, 2024, revised as of March 23rd, 2026, was reviewed by the Passaic County Development Review Committee on May 6th, 2026 pursuant to the provisions of the Passaic County Site Plan Resolution.

Passaic County Standards and Requirements: All submissions shall 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 shall be submitted to the Department of Planning & Economic Development at 401 Grand Street, Room 417, Paterson, NJ 07505.

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

1. The applicant name and address must be listed on the cover sheet. *Previously completed.*
2. The applicant shall show the remainder of the Master Plan right-of-way on the plans and enter into an "if and when" agreement with the County to acquire the up to the full width of the Master Plan right-of-way. *The applicant shall confirm if there is a previous dedication. If so, the applicant shall provide a copy of the existing dedication that is noted on the plans. There is an existing easement for right-of-way widening along the site frontage. The applicant shall enter into an "if and when" agreement that would allow the County to require a future right-of-way dedication up to the Master Plan right-of-way line of Paterson-Hamburg Turnpike. An agreement template is attached for the applicant's review and signature.*
3. The applicant shall add the following note to the plans: *Prior to the release of the performance bond by the County Road Department the ADA curb ramps in the county right of way shall be inspected and certified by a licensed professional per current PROWAG standards. Signed and sealed Correspondence from the licensed professional shall be provided to the County Road Department certifying the ADA compliance of the ramp in*

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accordance with PROWAG standards prior to the release of the performance bond. Previously completed.

4. Driveways intersecting with a county road shall have maximum grades of no more than +/- 2% for 50 feet back from the right of-way line. The applicant shall provide a driveway profile at the driveway(s) on the county road, ensure the following is labeled on the profile all percent grade changes including the driveway apron, sidewalk cross slope, counter slope of the road, the right of way line, the curb and dimension 50 feet from the right of way line. *The northern driveway shall be regraded to 2% or less for 50 feet back from the County right-of-way. The applicant shall be required to enter into a "hold harmless" agreement, indemnifying the County for any stormwater, silt or debris that enters the southern driveway from the County right-of-way. An agreement template, for the applicant's review and signature, is attached. A driveway profile, in accordance with County standards, shall be provided for the private section of Westview Road within Block 3510 Lot 159. A waiver has been granted for the grading of the northern driveway. A signed copy of the previously requested "hold harmless" agreement must be submitted.*
5. If the western driveway is proposed to remain, the applicant shall provide ADA curb ramps on both sides of the driveway. *A single curb ramp shall be provided on the southern side of the private Westview Road driveway within Block 3510 Lot 159. Complete.*
6. The applicant shall provide narrative on deliveries and garbage pick up to the site. *Previously completed.*
7. The applicant shall increase the thickness of the mountable curb island to 10 inches. *Previously completed.*
8. The applicant shall add the county curb detail to the plans. *Previously completed.*
9. The applicant shall add the county trench restoration detail to the plans. *Previously completed.*
10. The applicant shall label the distance between driveway and side property line. *The distance from the near side property line shall be labelled at the private section of Westview Road. Complete.*
11. The applicant shall provide a signed and sealed certification from a professional engineer there are no sight obstructions or topography within the proposed sight lines per AASHTO standards. *The applicant shall provide a new certification to include the proposed driveway at the private section of Westview Road within Block 3510 Lot 159. Also, the certification and sight triangles shall be updated as necessary based on comment 28. Complete.*
12. The applicant shall provide a three (3) foot grass strip dimensioned from the back of curb to edge of sidewalk. *The grass strip shall be revised to be a minimum of six (6) feet in width*

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dimensioned from the back of curb to the edge of sidewalk. The layout of the 5-foot sidewalk shall be revised to extend to the private section of Westview Road on Lot 159. Complete.

13. The applicant must note that the stop bars and lettering will be painted with thermoplastic material. *The same shall be provided and noted at the private section of Westview Road within Block 3510, Lot 159. This comment is no longer applicable.*
14. The applicant shall provide a double yellow centerline within the driveway throat, also noted as thermoplastic. *The same shall be provided and noted at the private section of Westview Road within Block 3510, Lot 159. This comment is no longer applicable.*
15. The applicant shall show all the business directional/monument signs on the plans or confirm all are shown. The applicant shall ensure none of them are placed in the County right of way. *Previously completed.*
16. The applicant shall reconfigure the driveways such that one driveway can be dedicated for entrance and the other for egress to reduce points of conflict. If this is not possible, the applicant shall provide a narrative stating why that would not be possible, along with hardship justification. *The submitted waiver request shall be revised to include the private Westview Road driveway. The Passaic County Site Plan Resolution recommends a maximum of two (2) driveways, when permitted by the County Engineer, for site frontages of 111 to 800 feet on a County road. The waiver request must explain why three (3) driveways are needed for the 518.51 feet of site frontage. This comment is no longer applicable.*
17. The applicant shall include the intersection of Black Oak Ridge Road to the traffic impact analysis. *The applicant shall use the actual Peak Hour Factor (PHF) for the Level of Service (LOS) calculations. The applicant shall clarify if any mitigation factors were used to calculate the Future Build LOS, and if there is any proposed mitigation for the expected traffic impacts. Complete.*
18. The applicant shall clarify where the proposed side driveway that leads to a dirt road connects to. *There is an existing locked gate within the Heritage Manor Development on Lot 2, adjacent to the cross-access easement to Lots 160, 161 & 162. The applicant shall confirm if any cross-access easements with Lot 2 exist. If so, the applicant shall provide copy. A stop sign, stop bar, and double yellow centerline (labeled as thermoplastic) shall be provided at the cross-access portion of the driveway leading to Lots 160, 161 & 162. Complete.*
19. The applicant shall provide the following reference information from the survey schedule B No. 14, 16, 17, 18, 19, 20, 22 and 23 indicated on the survey regarding the 50-foot wide private access easement, ingress and easement right. *The applicant shall confirm if the Turnpike Development Co. is a private entity. Complete.*

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20. At any proposed egress, No-Left-Turn symbol signs shall be provided at the near right of the egress and far left across the street of any proposed egress. *A NO LEFT TURN sign shall also be provided at the private section of Westview Road at Lot 159. Incomplete.*
21. For vehicles traveling northbound, the applicant shall provide NO LEFT TURN signs at the near right (across the street from the site) and far left to prevent vehicles from turning left into the site. *Previously completed.*
22. The applicant shall install trench drains within the site at the proposed driveways to intercept stormwater runoff from sheet flowing into the County right of way. *The flow from the proposed trench drain shall either be retained or detained prior to discharging. The trench drain shall be set back as required based on revised comments. A note shall be added to the plans stating that an as-built survey shall be provided to the Passaic County Planning Department prior to the issuance of certificate of occupancy. Complete (waiver granted).*
23. The applicant shall conduct a queue analysis for the drive throughs and provide the results to the County Planning Department. *For the queue analysis, the applicant shall use actual Peak Hour Factor (PHF) for Paterson-Hamburg Turnpike. The queue for Dunkin' is 10 vehicles, as the queue starts at the service window and not the stop bar. Complete.*
24. The applicant shall identify and provide any required NJDEP permits. **Incomplete.**
25. The following note shall be added to the plans & the O&M manual: *"Upon obtaining the Certificate of Occupancy from the municipality, 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 municipal Construction Official and the Passaic County Planning Board." Previously completed.*
26. The applicant shall provide the Corridor Enhancement Fee in the amount of \$3,400.00, made payable to Passaic County. **Incomplete.**
27. The applicant shall provide new curb (per attached detail) along the entire frontage of Block 3510, Lot 159. **Complete.**
28. The new curb shall be set back two (2) feet from the existing face of curb across the entire frontage of Lots 163 and 164. At Lot 159, the new curb shall be set back two (2) feet from the existing face of curb between the extension of the northern side property line of Lot 163 to the south edge of the private section of Westview Road. **Storm Structure #97 shall be revised to be a proposed Inlet Type D. The applicant shall provide two (2) delineators at the skew points of the 25-foot curb transition, behind the curb at the southern side of the frontage.**

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29. The applicant shall provide a 6-inch, white shoulder stripe on Paterson-Hamburg Turnpike, in front of the curb line, that is set back two (2) feet from where the existing curb line exists. The stripe shall be indicated as thermoplastic. **The proposed shoulder stripe shall be labelled as six (6) inches in width and thermoplastic.**
30. At Lot 159, the layout of the existing driveway (private section of Westview Road) shall be revised to restrict access to right-in and right-out movements only. The driveway design shall include a triangular mountable curbed island similar to the other proposed driveways, a STOP sign, near right and far left NO LEFT TURN signs, a stop bar, and a 50-foot double yellow centerline (indicated as thermoplastic and paved 50 feet within the lot). The proposed driveway shall also satisfy the requirements of comments 4 and 11. **The applicant shall provide "STOP" and "NO LEFT TURN" signs at the near right and far left of the Westview Road driveway. The driveway shall be designed with zero throat width in order to physically restrict vehicles from turning left.**
31. **The electrical connection shall be modified to accommodate overhead wires within the Master Plan right-of-way of Paterson-Hamburg Turnpike.**

Subsequent submissions shall 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

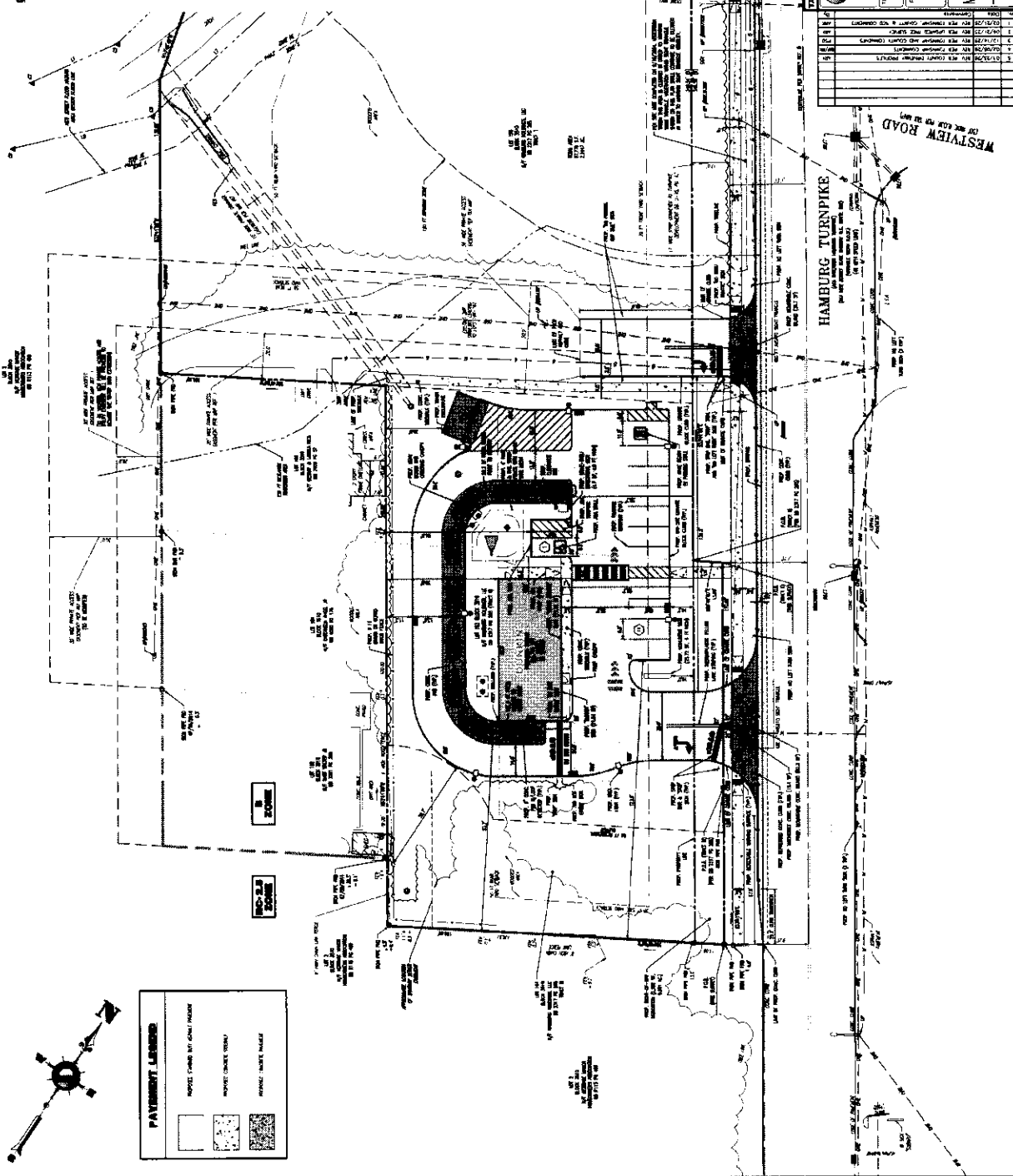
Cc: Passaic County Engineer
Michael A. Rubin, Esq.

Hamburg Dev, LLC
Dynamic Engineering, LLC

File



PAVEMENT LEGEND	
	GRAVEL
	CONCRETE
	ASPHALT



GENERAL NOTES

1. THE PLAN AND SPECIFICATIONS SHALL BE CONSIDERED AS ONE.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE DURING CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING PAVEMENT AND STRUCTURES.
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ELEVATION DATA	
STATION	ELEVATION
1+00	100.00
2+00	100.00
3+00	100.00
4+00	100.00
5+00	100.00
6+00	100.00
7+00	100.00
8+00	100.00
9+00	100.00
10+00	100.00
11+00	100.00
12+00	100.00
13+00	100.00
14+00	100.00
15+00	100.00
16+00	100.00
17+00	100.00
18+00	100.00
19+00	100.00
20+00	100.00

MANHOLE DATA

MANHOLE NO.	LOCATION	ELEVATION	DIAMETER
1	1+00	100.00	36"
2	2+00	100.00	36"
3	3+00	100.00	36"
4	4+00	100.00	36"
5	5+00	100.00	36"
6	6+00	100.00	36"
7	7+00	100.00	36"
8	8+00	100.00	36"
9	9+00	100.00	36"
10	10+00	100.00	36"
11	11+00	100.00	36"
12	12+00	100.00	36"
13	13+00	100.00	36"
14	14+00	100.00	36"
15	15+00	100.00	36"
16	16+00	100.00	36"
17	17+00	100.00	36"
18	18+00	100.00	36"
19	19+00	100.00	36"
20	20+00	100.00	36"

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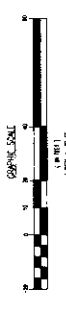
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Baltimore, MD 21234
Phone: (410) 555-1234
Fax: (410) 555-5678
Email: info@dynamiceng.com

SITE PLAN
PROJECT: HAMBURG TURNPIKE
SHEET NO.: 6
DATE: 10/15/2024
DRAWN BY: J. SMITH
CHECKED BY: M. JONES
DESIGNED BY: R. P. FREUD
APPROVED BY: M. JONES
MATTHEW J. FREUD, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF MARYLAND, LICENSE NO. 12345