



**BERGEN COUNTY PLANNING BOARD**  
**REGULAR MEETING MINUTES**  
**April 11, 2023**

Chairperson Hedy Grant called the meeting to order at approximately 5:03PM.

**Open Public Meeting Law**

Chairperson Grant announced that the meeting was being held in conformity with the requirements of the "Open Public Meeting Act".

**Present**

Hedy Grant, Chairperson  
Shergoh Alkilani, Vice Chairperson  
Commissioner Joan Voss  
Joseph Femia, County Engineer  
Karen Sasso  
Mobin Sheikh  
Zvonko Veskov

**Absent**

Doug Lanzo

**Staff/Planning & Public Audience**

William Brown, Board Attorney  
Lori Haggerty  
Tom Casey  
Peter Kortright  
Alan Camlet  
Jared Lautz  
Debbie Lawler, Colliers Engineering & Design  
Nick Dickerson, Colliers Engineering & Design  
William Orr, Teaneck Resident  
Nagy Milik, Rutherford Resident  
David Karleback, River Vale Resident  
Pamela Perron, Ridgewood Resident  
David Refkin, Ridgewood Resident

**Approval of Minutes**

A motion was requested by Chairperson Grant to approve the Minutes of the March 14, 2023 meeting. The motion was made by Vice-Chair. Alkilani and seconded Commissioner Voss. Minutes were approved by all members present with Mr. Femia and Ms. Sasso abstaining.

**Presentation to the Board to Petition to Waive Violation Fee:**

Mr. Nagy Milik came before the Board to request that the violation fee that is being assessed on his application that received conditional approval from the Board at the December 2022 meeting. Mr. Milik originally submitted his application in 2008. After the Department of Planning & Engineering sent an initial review letter, there was no further response from Mr. Milik. During this time, Mr. Milik proceeded with construction without County conditional or final approval. When Mr. Milik could not obtain a certificate of occupancy is when he came back to the County to correct his application and he received conditional approval. Mr. Milik petitioned the Board to waive the violation fee of \$2,125.00 due to hardship. Based on the information provided to the Board and Mr. Milik’s presentation, the Board voted to NOT waive the violation fee. For further explanation, please see the attachments.

**Presentation and Vote to Adopt Bergen County Master Plan**

Debbie Lawler and Nick Dickerson of Colliers Engineering & Design made a power point presentation to the Board and the Public in attendance about the Bergen County Master Plan which the Board voted on to adopt after the presentation. There was discussion after the power point presentation with questions and input from Board Members and the Public. Please see the attachment for the Q & A summary.

**Review of Applications**

**Part A-Action on Site Plans Joint Reports**

NUMBER	APPLICANT	MUNICIPALITY
SP 8727	Carol & Quinlin Avery	Demarest
SP 8737	Landmark AR Park Ridge, LLC	Park Ridge
SP 8754	Alpine Learning Group, Inc.	Paramus
SP 8755	Ramsey Auto Group	Mahwah

A motion was requested by Chairperson Grant to approve Site Plans SP 8727, SP 8737 & SP 8755 on the agenda. The motion was made by Ms. Sasso and seconded Vice Chair Alkilani. These 3 Site Plans were approved by all members present.

A motion was requested by Chairperson Grant to approve Site Plan SP 8754 on the agenda. The motion was made by Ms. Veskov and seconded Commissioner Voss. This Site Plan was approved by all members present with Mr. Sheikh abstaining.

**Part B-Action on Subdivision Joint Reports**

SD 7954M	Broadway Medical Center, LLC	Fair Lawn
SD 7965	John & Joanne Triano	River Vale

A motion was requested by Chairperson Grant to approve the Subdivisions on the agenda. The motion was made by Commissioner Voss and seconded Vice Chairperson Alkilani. Subdivisions SD 7954M & SD 7965 were approved by all members present.

**Next Meeting Date**

The next meeting is scheduled for May 9<sup>th</sup>

Remaining Meeting Dates are: June 13<sup>th</sup>, July 11<sup>th</sup>, August 8<sup>th</sup>, September 12<sup>th</sup>, October 10<sup>th</sup>, and December 12<sup>th</sup>.

## **Adjournment**

Being no further business before the Board, the meeting was adjourned at approximately 5:42PM. A motion to adjourn was requested by Chairperson Grant. The motion was made by Vice Chair Alkilani and seconded by Commissioner Voss. All were in favor adjourning the meeting.

For further verbatim details as to the above meeting, kindly consult the tapes and the attachments.

Respectfully submitted,  
Lori Haggerty  
Board Secretary

**MEETING DATE: APRIL 11, 2023**

**Q & A AFTER PRESENTATION BY COLLIERS**

**BERGEN COUNTY MASTER PLAN**

<b>NAME</b>	<b>QUESTION ANSWERED BY:</b>
<b>Joe Femia – County Engineer: statement about providing an ‘Annual Report’ of any updates to the document and if the Board has any recommendations, please forward to the department.</b>	
<b>Chairperson Hedy Grant: Affordable Housing Statement added to Plan?</b>	<b>Debbie Lawler, Colliers: Yes</b>
<b>David Refkin, Ridgewood Resident: Extreme Weather Issues and recommendations on power outages, flooding, road access, etc.</b>	<b>Debbie Lawler &amp; Nick Dickerson, Colliers: Most weather information is covered in the All-Hazard Mitigation Plan that takes in all 70 municipalities. However, there are goals and action items to enhance storm resilience and enhancing resilience is a common element throughout document because it is an issue we are facing and continue to face. Peter Kortright, Department of Planning added that the All-Hazard Mitigation Plan was updated by OEM in the last 2 years with Bergen County</b>
<b>Bill Orr, Teaneck Resident: Interactivity and the ability to make updates and will recommendations be brought before the Board</b>	<b>Debbie Lawler, Colliers: Yes, all updates will go before the Board for any updates and elements that will be changed or amended in the future</b>
<b>Mobin Sheikh: What process is in place to measure the effectiveness of the implementation of the plan, is the County working with Municipalities to make sure that the Plan gets implemented. How to measure that the Plan is truly a living and breathing document. How to ensure that the towns are aware and engaged in using the guide. Should the Planning Board have a Subcommittee to track these items.</b>	<b>Peter Kortright, Planning &amp; Engineering: The way to measure is through communication. The Plan is a guide not a requirement. We want the 70 towns to look at the Plan for guidance in all areas, but it depends on the individual town. The County is a partner with the NJ Transportation Organization for the Northern Part of the state where we participate with multiple towns with projects. Debbie Lawler, Colliers: Another tracking is Sustainable Jersey that most towns are members of and you can see online how each Municipality has done in many areas. Another way of tracking is through Grant Applications. Also to create a</b>

**Story Map which would make it very user friendly to the public and would be online and you would be able to track who use the Story Map.**

**Pamela Perron, Ridgewood Resident: Ridgewood has a subcommittee for the Planning Board and looks at every action item and what has been done on that item.**

**Peter Kortright: A subcommittee to follow and track how the municipalities are using the Plan would be a good idea and this is something the Planning Board can start.**

# Memo

To: Bergen County Planning Board

From: Alan J. Camlet, Asst. Planner

cc: William Brown IV, Esq. Lori Haggerty

Date: 3/30/2023

Re: SP7832 Nagy Milik, Violation

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At the February Meeting I gave the Board a brief synopsis of the above project.

This application was submitted by Mr. Nagy Milik originally in 2008. The Department of Planning and Engineering wrote an initial review letter upon receipt of the application and received no further response from the applicant. The applicant proceeded to construct the project without approval from the County Planning Board thus rendering the site a violation. Recently, in 2022, the Applicant was having an issue getting a Certificate of Occupancy since there was no final County Planning Board approval or any documentation from the Department of Planning and Engineering. The Applicant had both called and had meetings with me and Joe Baladi, Director of Planning. Mr. Milik was advised on how to proceed to correct the building violation. The Applicant hired Costa Engineering to pick up the project from the original engineering firm of MCB engineering. MCB had elected to not continue with the project.

Costa Engineering submitted plans that were acceptable, and the Planning Board issued a conditional approval in December of 2022.

Mr. Milik seeks relief from the assessed violation fee of \$2,125.00 that is noted in the attached report and was part of the conditional approval the Planning Board granted at the December 2022 meeting.



## COUNTY OF BERGEN

### Department of Planning & Engineering

One Bergen County Plaza, 4th Floor, Hackensack, NJ 07601-7076 (201) 336-6446

This Joint Report has been prepared by the Department of Planning & Engineering on behalf of the Bergen County Planning Board indicating the Requirements and Conditions for Final Approval of the following-named Application.

**THIS REPORT DOES NOT REPRESENT APPROVAL**

**SP 7832 - RUTHERFORD**

**Page 1 of 4**

#### **A: GENERAL INFORMATION:**

1. Title: The Castle Block 40.01 - Lots 3, 4, & 13, 176 Union Avenue, Borough of Rutherford, Bergen County, New Jersey. Sheet 2 of 7 " Site Plan" & Sheet 3 of 7 Grading & Utility Plan. Sheets last revised 03-01-07.
2. Municipality: **RUTHERFORD** County Road Affected: **UNION AVENUE**
3. Location: 176 Union Avenue
4. Project Data:

Plot Area (Acres):	0.388	Block #:	40.01	Lot #:	3	
Proposed Use:	Residential	No of Dwelling Units:	8			
Parking Stalls:	Existing:	3	Proposed:	14	Total:	17
Building Area (sq.ft):	Existing:	5,500	Proposed:	8,000	Total:	13,500
Impervious Area (sq.ft):	Existing:	6,839	Proposed:	4,312	Total:	11,151
5. Notes: None
6. Project Description:

Applicant is constructing a multifamily residence on a site with historic features.
7. Applicant: **Nagy Milik** Phone: (551) 795-1085  
85 Orient Way, Rutherford, NJ 07070-2070
8. Attorney: None Phone:
9. Owner: Same as Applicant Phone:
10. Preparer: MCB Engineering Associates, LLC Phone: (973) 812-6680  
Attn: Matthew G. Clark, PE, 11 Furler Street, PO Box 588,  
Totowa, NJ 07511-0588
11. Purchaser: None Phone:

#### **B. REQUIREMENTS AND CONDITIONS FOR APPROVAL:**

##### FEEES:

- 1.A check in the amount of \$250.00 (made payable to the County of Bergen) be forwarded to the Department of Planning and Engineering, to cover the Final Approval Fee.
- 2.A check in the amount of \$719.00 (made payable to the County of Bergen) shall be forwarded to the Department of Planning and Engineering, Division of Land Use, to cover the Inspection Fee (6% of the total amount of construction) for the items of construction indicated in Section D. below.
- 3.A performance guarantee and bonding agreement be executed between the Property Owner and the County of Bergen for the Items of Construction listed in Section D. below.

4. A check in the amount of \$280.00 (made payable to the County of Bergen) be forwarded to the Department of Planning and Engineering, Division of Land Use, to cover the Processing Fee.

5. A check in the amount of \$2125.00 (made payable to the County of Bergen) be forwarded to the Department of Planning and Engineering, Division of Land Use, to cover the Violation Fee (Construction without County Planning Board Approval.)

IMPROVEMENTS:

6. ADA ramps at the corner of Union Street & Hackett Place shall be reconstructed to achieve compliance.

7. Existing curb along the County road frontage be removed and replaced with new full height curb (8" or as indicated) in conformance to the County Engineer's design standards.

SIGNAGE & STRIPING:

8. All on-site pavement markings for traffic control purposes shall be maintained by the property owner and not the County of Bergen.

9. All pavement markings/stripping related to traffic control shall be of a reflective hot-extruded thermoplastic material, minimum 90 mil. thickness, applied in accordance with Bergen County design standards and the manufacturer's specifications for application.

PROPERTY CONVEYANCE:

10a. A Twenty-five (25') foot corner radius easement at Union Avenue & Hackett Place be established. The additional property being provided for road purposes be conveyed to the County of Bergen by Deed of Easement.

10b. Right-of-way shall be established at 30 feet from the surveyed centerline of the right-of-way of Union Avenue. The road widening easement requirement is imposed pursuant to the County road width standards shown on the Map of Bergen County Required Road Right-of-way Widths, adopted by the Bergen County Freeholders on 4/11/18.

DRAINAGE:

11. The maintenance of the proposed stormwater system and adjunct drainage structures shall be in accordance with the County Stormwater Regulations.

PROPERTY MONUMENTS/MARKERS:

12. Concrete monuments / markers shall be installed for the proposed easement corners along the right-of-way line of Union Avenue as depicted on the drawing by Costa Engineering dated 9/16/22.

13. Upon project completion, a Professional Land Surveyor shall provide an as-built plan and County of Bergen Survey Form for Drainage Structures with latitude (to 0.01 seconds) and longitude (to 0.01 seconds) for all drainage structures that are within the County roadway, property and/or easements. The plans and forms shall include latitude (to 0.01 seconds) and longitude (to 0.01 seconds), grate and invert elevations, pipe size and material of all drainage structures. One plan can be submitted which shows both monuments/makers and drainage structures.

14. Upon project completion, a Professional Land Surveyor shall provide an as-built plan and County of Bergen Survey Form for Monuments with latitude (to 0.01 seconds) and longitude (to 0.01 seconds) for all monuments.

GENERAL:

15. Any existing curb and sidewalk along the County road frontage be removed and replaced with new full height curb (8") and sidewalk in conformance to the County Engineer's Design Standards;

16. Applicant and/or contractor MUST contact the \*Bergen County Engineering Division\*, at (201)336-6815 to arrange for inspection of the items of construction listed in Section D. below, prior to beginning construction and when construction is complete. The County Inspector has the right to require modifications to construction beyond the scope of the performance bond to ensure County engineering specs are complied with and as necessitated by field conditions. The Division of Planning does not schedule, or conduct, inspections.

17. Any proposed plantings along the Union Avenue Frontage shall have a mature height of thirty (30) inches or less to ensure adequate sight distance along the County road



18. Relocation of underground electric service that is necessitated by any modifications/removal/relocation of utility poles is the responsibility of the property owner, and not the County of Bergen;
19. The project shall comply with all the requirements set forth by the Bergen County Soil Conservation District (N.J.S.A. 4:24-43). A copy of the Soil Conservation District approval letter shall be submitted to The County Planning Board;
20. All existing or proposed sidewalks, curbing and handicap ramps must be constructed and/or reconstructed to meet the current requirements of the Americans With Disabilities Act (ADA). The design/construction of the handicapped ramp and the type of truncated dome surface shall be specified & certified by the municipal engineer or his designee. Pursuant to Title 27:16-8, the County of Bergen maintains roadways between curblines or edges of asphalt and is not responsible for these improvements
21. Curb and roadway specifications are to be in accordance with the Bergen County Engineer's "Design and Construction Plan Standards" ~~201-336-6800~~.
22. The Applicant / Property Owner shall be responsible to maintain required sight lines, along the subject property frontage, for an exiting vehicle from Hackett Place onto the County Road. This includes the removal of any identified obstructions (e.g. trees, limbs, branches, ornamental walls and ground brush) within the county right-of-way / county easement area. Any proposed plantings along the exit driveway shall have a mature height of thirty (30) inches or less,
23. All aboveground utilities within the proposed traveled way shall be relocated from same, at no cost to the County, prior to release of the posted performance guarantee. Any relocated utility poles shall be set a minimum of eighteen (18") inches from the face of curb.
24. The sheet(s) referenced in Section A-1 above, incorporating any revisions required by this report, shall be submitted to this office in reproducible format signed and sealed by the preparer of the plan(s) for County signature and sealing.
25. The County Signature Block shown below shall be added to the submitted reproducible sheet(s) indicated in Section A-1 above. The signature block shall be positioned in the lower left hand corner of each sheet submitted.

APPROVED BY THE  
COUNTY PLANNING BOARD  
COUNTY OF BERGEN, NEW JERSEY

ATTESTED TO BY: \_\_\_\_\_ DATE: \_\_\_\_\_

26. All sidewalks within the county right-of-way / road widening easement shall have a maximum cross-slope of two (2%) percent and shall be a minimum of four (4) feet in width.

### **C. ADA REQUIREMENTS:**

1. All inquiries regarding ADA requirements stipulated in this report should be directed to Jaison Alex, P.E., County ADA Coordinator, of this office.
2. The Applicant shall construct or re-construct handicap ramps, including those at commercial driveways, in strict compliance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and <http://www.access-board.gov/provac/draft.htm> that require public right-of-ways and sidewalks provide ADA compliant improvements include but are not limited to: properly sloped ramps and transition areas; ramps properly aligned with crosswalks and other ramps; properly located and aligned detectable warning surfaces; properly sized and sloped landing area at the top of the ramp; proper ramp transition to the road surface; and the entire ramp area free of obstructions.
3. Any deviation from the Americans with Disabilities Act Accessibility Guidelines, necessitated by field conditions that prevent the construction of a fully compliant handicap ramp, shall only be constructed if a Technical Infeasibility Waiver is approved by the municipal engineer and the County Engineering Division. The Applicant shall submit an application for a Technical Infeasibility Waiver to the municipal engineer for review and approval. The application shall include a thorough evaluation of compliant ramp alternatives and justifications supporting the

technical infeasibility of constructing a fully compliant ramp. If approved by the municipal engineer, the applicant shall submit the Technical Infeasibility Waiver to the County Engineering Division for final review and approval. No non-compliant ramps shall be constructed without Technical Infeasibility Waivers approved by both the municipal engineer and the County Engineering Division. In the absence of an approved Technical Infeasibility Waiver, the Applicant shall construct fully compliant ramps.

4. The Applicant's engineer shall provide signed and sealed handicap ramp plans in 1"=5' scale, cross sections, specifications and a Compliant Design Certification, in Bergen County format, to the municipal engineer and County ADA Coordinator for review and approval. The applicant shall submit the municipal engineer's Compliant Design Certification approval, along with the handicap ramp plans, to the County Engineering Division prior to construction. Any construction that results in non-compliant handicap ramps without a previously approved Technical Infeasibility Waiver shall be removed and a compliant ramp shall be reconstructed. All slopes are subject to compliance verification with an electronic level.

5. The Applicant's engineer shall provide as-built handicap ramp plans and a signed and sealed Compliant Construction Certification, in Bergen County format, to the municipal engineer and County ADA Coordinator for review and approval. The applicant shall submit the municipal engineer's Compliant Construction Certification approval to the County Engineering Division upon completion of construction. Any construction that resulted in non-compliant handicap ramps without a previously approved Technical Infeasibility Waiver shall be removed and a compliant ramp shall be reconstructed. All slopes are subject to compliance verification with an electronic level.

6. Handicap ramp drawings shall be 1"=5' and be submitted to the Municipal Engineer and County ADA Coordinator shall include, but not be limited to, the following: spot elevations and dimensions at all key locations within the ramp construction area to adequately verify all regulated proposed slopes on the ramp, 4'x5' landing area, and transition areas; identify all slopes with a directional arrow and corresponding percent slope (example; 2% slope); all signs, landscaping, curbing, fences, buildings, doorways, retaining walls, grading, overhead and underground utilities, drainage structures, and crosswalks; the locations of other handicap ramps that will dictate the alignment of proposed ramps (example; existing ramps on the opposite side of the road from proposed ramps). Handicap ramp drawings shall be at a scale of 1"=5' or, if necessary, at another scale determined by the County to be appropriate. All handicap ramp plans shall be signed and sealed by a Professional Engineer.

**D. PERFORMANCE GUARANTEE:**

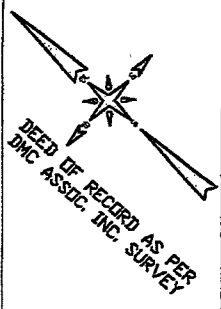
ITEMS OF CONSTRUCTION	QUANTITY	UNIT	@	PRICE	=	AMOUNT
Remove Curb	100	LF	\$	3.00	\$	300.00
Concrete Curb	100	LF		20.00		2000.00
Concrete Monuments	3	Each		1200.00		3600.00
ADA Compliant Ramp Construction	1	Each		5000.00		5000.00
-				Sub-total:	\$	10900.00
-				10% Contingencies:		1090.00
-				Total Amount of Performance Guarantee:	\$	11990.00

**E. COMMENTS:**

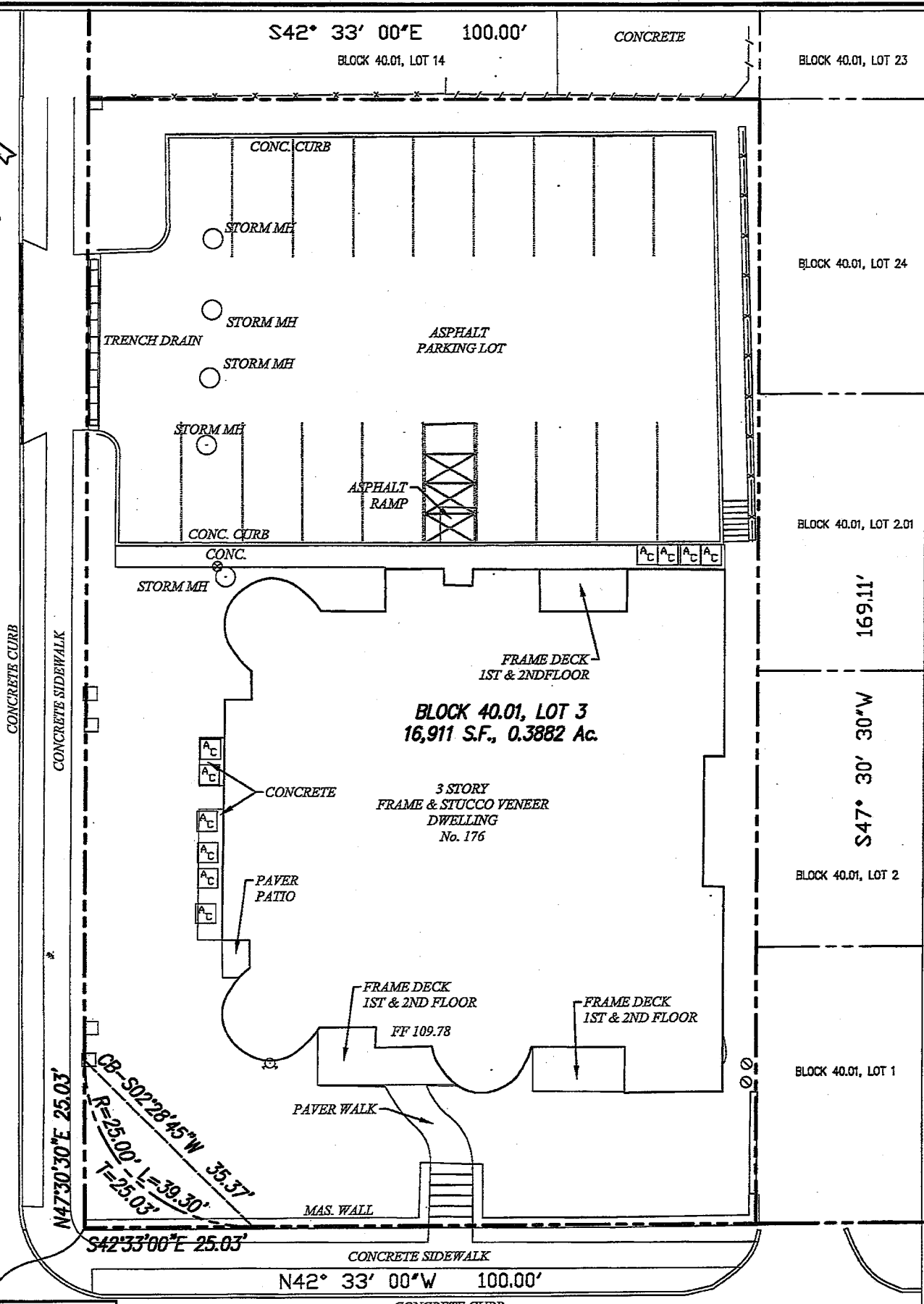
No Access to the County Road

**F. RECOMMENDATIONS:**

 Assistant County Engineer  
 P.E. *12/8/22* DATE  
 Division of Land Use  
 P.P. *12/8/22* DATE  
*TWC 11/9/2022*  

**HACKETT PLACE**  
 (49 FT. R.O.W. SURVEY PER DMC ASSOC. INC.)  
 (50 FT. R.O.W. T.M.)  
 N47° 30' 30"E 169.11'



**P.O.B.**  
**ROAD WIDENING EASEMENT**  
**TO THE COUNTY OF BERGEN**

**UNION AVENUE** (54 FT. R.O.W.)

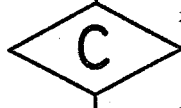
This Road Widening Easement is prepared in accordance with the following: "Final As-Built Survey of, Tax Lot 3, Block 40.01, A.K.A. 176 Union Avenue" Prepared by DMC Associates, Inc., Dated 07/29/22, Dwg. No.2207017.

**SKETCH SHOWING**  
**ROAD WIDENING EASEMENT**  
**TO THE COUNTY OF BERGEN**  
 prepared for  
**MILIK**  
 property known as  
 No. 176 UNION AVENUE  
 BLOCK 40.01, LOT 3  
 BOROUGH OF RUTHERFORD  
 BERGEN COUNTY, NEW JERSEY  
 SEPTEMBER 01, 2022

SCALE: 1"=20' PROJ. NO. 22-MILIK

**COSTA ENGINEERING CORPORATION**  
**PROFESSIONAL ENGINEERS ♦ SURVEYORS ♦ PLANNERS**

State Of New Jersey, Certificate of Authorization No. GA 276726.  
 325 So. RIVER STREET SUITE 302 HACKENSACK, N.J. 07601  
 TEL (201) 487-0015 FAX (201) 487-5122



*(Signature)*  
 DAVID JAMIOLKOWSKI, NJPLS Lic. No. 24GS04329600  
 NEW JERSEY PROFESSIONAL LAND SURVEYOR