

**MINUTES OF THE REGULAR MEETING
MORRIS COUNTY PLANNING BOARD
FOR APRIL 15, 2010**

30 Schuyler Place
April 15, 2010

Morristown
New Jersey

CALL TO ORDER

Chairman Falkoski called the meeting to order at 7:30 p.m.

OPEN PUBLIC MEETINGS LAW

Chairman Falkoski stated that the Secretary of the Board provided public notice of this meeting in a legal notice dated February 11, 2010.

ROLL CALL

Those present were:

Joseph Falkoski, Chairman

Steve Rattner, Vice-Chair

Stu Klatzman

Steve Hammond, County Engineer

Ted Eppel

Ed McCarthy Alt. 1

Paul VanGelder Alt. 2

Christine Marion, Planning Director

Anthony Soriano, Supervising Planner

Greg Perry, Principal Planner

Rene Axelrod, Recording Secretary

Steven Rice, Assistant Director

PRESENTATION

Steve Rice, Assistant Director of the Morris County GIS Section, gave a presentation on “Shared Services Geographic Information System” (GIS). Mr. Rice informed members that numerous municipalities have requested mapping support from the GIS Section. Morris Township and Jefferson Township are examples of municipalities that will be receiving assistance from the County in master plan mapping and digitizing tax maps, respectively. He noted that as other municipalities approach the County for GIS assistance, it is important to have a consistent protocol for providing GIS services. For that purpose, he is drafting a comprehensive GIS shared service proposal to define GIS-related services that the County can provide to municipalities, including those that can be provided at no cost and those that will require reimbursement. Mr. Rice described the different types of GIS support that may be provided and outlined some of the advantages of making these services available to municipalities. Mr. Rice is working with Linda Murphy, Morris County Shared Services Coordinator developing a standard shared services agreement. A discussion followed.

REVIEW OF MINUTES

Mr. Rattner moved approval of the minutes of the March 18, 2010 meeting. The motion was seconded by Mr. Klatzman and unanimously approved by voice vote.

DIRECTOR'S REPORT

The Board accepted the March 2010 Director's Report and it will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for March 2010 totaled \$4,423.00.

FUTURE MEETINGS

Ms. Marion stated that staff will be attending the County Planners Association meeting on April 16, 2010. The report of the Governor's Housing Opportunity Task Force will be discussed.

Ms. Marion and Ms. Michelin will be attending Wastewater Management Plan coordination meetings on April 20, 2010 and on May 12, 2010. Ms. Marion informed members that they will also be meeting with Lincoln Park on April 27, 2010 concerning the Lincoln Park chapter of the Wastewater Management Plan.

Ms. Marion stated she will be participating in an upcoming New Jersey Future TDR Committee meeting in Trenton.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan - Ms. Marion informed members that during the first part of March she completed the documentation required for the ARRA Wastewater Management Plan grant. Staff has continued to work on the Wastewater Management Plan capacity analyses. An error was found in the consultant's nitrate dilution calculations, which required a recalculation of septic capacity numbers for most municipalities. Some of the recalculations show a 20%-30% reduction in septic capacity. Ms. Marion stated that municipalities will be informed of the changes and that the chapters posted on the website will be revised. The first meeting with municipalities on the results of the build-out and capacity analyses will be on April 27, 2010 with Lincoln Park, which has calculated deficits in the sewer service area and septic areas.

Ms. Marion stated that she has been in communication with the Department of Environmental Protection (DEP) on a number of issues that have come up during the course of plan development. Administrative order 2010-03, issued by DEP Commissioner Bob Martin, extends the deadline for the submission of the County Wastewater Management Plan to April 7, 2011. The order also requires that the DEP hold a public meeting in each county to provide notice on the changes in the proposed sewer service area map and to allow public input on these changes.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner reported that the Committee reviewed five applications. Mr. Rattner gave a brief summary of each application. A preliminary subdivision of the Iron Mountain Industrial Park, along Iron Mountain Road in Mine Hill Township proposes a four lots subdivision of a 31.95 acre lot. The preliminary plan does not include road plans, a stormwater

management plan or drainage report as required by the County Land Development Standards, Section 402. Mr. Rattner also updated members on the Novartis expansion discussed at the previous Planning Board meeting. The expansion will add 1,600 work stations within the Novartis complex and therefore, traffic is a primary concern associated with this expansion. Additional traffic reports are being provided by Novartis. A discussion followed.

Mr. Klatzman made a motion to approve the Report of Actions Taken on Development Plans for March 2010. The motion was seconded by Mr. Eppel and approved by voice vote.

Legislative and Municipal

Recent Legislation – Mr. Soriano stated that the State Legislature is currently addressing budget issues and this is the only issue listed on the legislative calendar until the end of May. He noted recent activity concerning several bills in the Legislative Action Report. Assembly Bill A-2525, sponsored by Assemblyman Alex DeCroce and Assemblyman Anthony Bucco, would eliminate all planning and permitting provisions from the Highlands Act. Assembly Bill A-2217 would extend the expiration date of the special appraisal process for Green Acres and farmland preservation programs from 2009 to 2014 for lands in the Highlands Region. Mr. Soriano updated the Board on the status of Senate Bill S-82 concerning the “Time of Decision” rule. A discussion followed.

Mr. Soriano distributed a summary that he prepared concerning the County Planning Board’s proposed role as described in the Governor’s “Housing Opportunity Task Force - Findings & Recommendations” report. He described the responsibilities of the County Planning Board as recommended by the Task Force and some of the implications for the Board should the recommendations be made law. A discussion followed.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano presented a summary report concerning a Master Plan land use amendment from the Township of Morris. The amendment concerns the rezoning of several properties and the definition of “Essential Service.”

Mr. Soriano reported that during March 2010, the office processed a total of eleven (11) ordinances, consisting of six (6) proposed and five (5) adopted ordinances. Ordinance #7-10 from the Township of Denville will allow the operation of a Seasonal Farmer’s Market under the sponsorship of a non-profit, civic or religious organization in a specified location in the Township. He said that staff informed the Morris County Preservation Trust of the ordinance.

Long Range Planning

The Committee did not meet.

LIAISON REPORTS

Lake Hopatcong Commission

Mr. McCarthy informed members that due to a lack of funds, the Commission will not be able to operate the weed harvesters this year. He also stated that last year's low water levels, combined with recent warm weather, will result in a terrible weed problem this year and that there is an acute lack of funding available to address this problem. Mr. McCarthy had called Senator Bucco's office and was informed that there has been no physical or financial audit of the Commission since 2002.

Lake Musconetcong Regional Planning Board

Mr. Rattner stated the Board did not meet.

Morris County Open Space & Farmland Preservation Trust Fund

Mr. Klatzman informed members that the Trust met on Monday April 12, 2010. The list of closings was sent to members in their meeting materials email. Mr. Klatzman informed members that there are fourteen million dollars to spend this year. A discussion followed.

Musconetcong River Management Council

Mr. Rattner stated that he was unable to attend the February meeting due to the snowstorm. He said the second meeting of the year is next week.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion informed members of a notice received on the Susquehanna-Roseland 500kv Overhead Transmission Line, concerning an NJDEP State Permit Application Public Hearing to be held on April 28, 2010, 6 p.m. at the Berkshire Valley Golf Course. Permit applications have been submitted under the Freshwater Wetlands Protection Act and the Flood Hazard Area Control Act.

Ms. Marion informed members of a letter received from the County of Passaic in support of Assembly Bill A-128, which would change the wording of the County Enabling Act to provide for consistency in County Planning Board review authority concerning site plans and subdivisions affecting county roads. Ms. Marion will draft a letter in support of Assembly Bill A-128 for Chairman Falkoski to sign at the next meeting.

Ms. Marion stated that she received a request from a consultant for Passaic County for a letter in support of Passaic's grant application to ANJEC to prepare a Morris Canal Greenway Feasibility Study. This report will study the feasibility of creating a multi-use, historical interpretive trail along a branch of the Morris Canal and the Pompton Feeder. Ms. Marion stated that she had prepared a draft letter for the Board's consideration. Mr. Rattner moved approval of the letter. The motion was seconded by Mr. Klatzman and unanimously approved by voice vote.

REPORTS OF MEETINGS

Highlands Council – Mr. Soriano informed members that he attended the Highlands Council meeting held on April 15, 2010. At this meeting, Eileen Swan provided an updated on the current conformance status, stating that 56 municipalities have petitioned for conformance. She also updated the Council concerning the status of the TDR program, which is presently allocating Highlands Development Credits to “hardship” applicants only. To date, there have been sixteen applications, of which eleven have received a letter indicating that an allocation of credits may be available. Mr. Soriano explained that the hardships related to personal bankruptcy and major medical problems.

Mr. Soriano also reported that the Council devoted most of the meeting to considering a redevelopment waiver for the Heath Village Retirement Community, located in Washington Township, Morris County. Heath Village Retirement Community needs the waiver from Highlands Council in order to replace three buildings within the existing complex even though the redevelopment is within an existing developed area. The waiver was granted by the Council with conditions that included the development of several mitigation plans and deed restricting about two-thirds of its property (over 100 acres) from any future development. Health Village will still require a Highlands Preservation Area Approval from the NJDEP before it can proceed. A discussion followed.

OTHER BUSINESS

Update on 2010 Census – Ms. Marion informed members that Morris County’s participation rate is currently 74% and that in 2000, the final participation rate was 82%. A discussion followed.

Energy Master Plan – Ms. Marion informed members that staff is organizing a technical committee to review the proposed scope of work for the Energy Master Plan. She asked members to inform her if they had any additional recommendations for participants of the technical committee.

Financial Disclosure Statements – Ms. Marion reminded members that their Financial Disclosure Statements are due at the County Clerk’s office by April 30, 2010.

Mr. Soriano went over the process of retrieving meeting materials that are posted on Google Documents for access by Planning Board members. He noted that some members had difficulty opening the documents and provided instructions on how to open up a Google, “G-Mail” account, which would facilitate access to future meeting materials.

LEGAL UPDATE

Nothing to Report

COMMENTS FROM THE PUBLIC

None.

NEXT MEETING

The next meeting will be Thursday, May 20, 2010.

ADJOURNMENT

At 9:05 p.m., Mr. Hammond moved to adjourn the meeting. Mr. Eppel seconded and all approved by voice vote.

The Board went back in session to discuss starting the Morris County Planning Board Meetings at 7:00 p.m. instead of 7:30 p.m. All agreed and future meetings will be re-noticed to start at 7:00 p.m.

At 9:10 p.m. the meeting was adjourned.

Original signed by Christine Marion, P.P./AICP, Planning Director