

**MINUTES OF THE REGULAR MEETING
MORRIS COUNTY PLANNING BOARD**

30 Schuyler Place
April 17, 2014

Morristown
New Jersey

Chairman Falkoski called the meeting to order at 7:00 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 8, 2014.

ROLL CALL

Those present were:

Joseph Falkoski, Chairman	Christine Marion, Planning Director
Isobel Olcott, Secretary	Deena Leary, Department Director
Steve Rattner, Vice-Chair	Anthony Soriano, Supervising Planner
Ted Eppel	Greg Perry, Supervising Planner
Christopher Vitz, County Engineer	Joe Barilla, Principal Planner
Stephen Jones, Alt. #1 (arrived 7:10)	W. Randall Bush, Planning Board Attorney
Nita Galate, Alt. #2	Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the March 20, 2014 meeting. The motion was seconded by Mr. Rattner and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

DIRECTOR'S REPORT

The Board accepted the Director's Report for March - April 2014 and it will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for March 2014 totaled \$2,205.

FUTURE MEETINGS

Ms. Marion stated that the New Jersey Department of Transportation (NJDOT) is holding a public meeting on April 23, 2014 from 6:00PM to 8:00PM at the Dennis O'Brien School in Rockaway Township. She reported that at that time, the Interstate 80/Route 15 Interchange Improvements Project for the Township of Rockaway and Borough of Wharton will be discussed.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion reported that Ms. Michelin is continuing to work with Jefferson Township and that its WMP chapter is near completion. She stated that Ms. Michelin is also working on the chapters for the Rockaway Valley Regional Sewerage Authority (RVRSA) towns. Ms. Marion reported that Mine Hill Township is interested in extending sewer service area within the municipality. A meeting was held between the Township, the Department of Environmental Protection (DEP) and the RVRSA to discuss the matter. Ms. Marion stated that Mine Hill Township is a customer of RVRSA, but not a RVRSA member and that the municipality does not; therefore, have access to capacity by right. Ms. Marion stated the meeting was successful and provided the Township with a clear understanding of the next steps in this process.

Ms. Marion stated that a technical advisory meeting for the Septic Management Program was held concerning final testing of the application. She reported that testing should be completed within two months.

Watershed Activities - Ms. Marion reported that the Rockaway River Watershed Cabinet will meet on May 19, 2014.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner reported on four applications reviewed at the April 17, 2014 Land Development Review Committee meeting:

1. A minor subdivision of the old Dover landfill site that will create two lots for a 103-room Marriott Towne-Place Suites Hotel and a 29,742 square foot office building. County Engineering needs to review the drainage report.
2. The Castle site plan application in Pequannock Township proposes the redevelopment of a former swim club into a 70,000 square foot catering hall with 622 parking spaces. Part of the site is in the floodplain. Mr. Perry stated that the Department of Environmental

Protection has issued a permit and that County Engineering is reviewing the stormwater management plan.

3. Property at 255 Brooklake Road in Florham Park Borough will be subdivided into two lots. One lot will contain the existing single family home on property and the second lot will will be acquired by the Borough for preservation as open space. There are no County concerns.
4. The CubeSmart self storage facility in Randolph Township is proposing a small addition. There are no County concerns

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for March 2014. The motion was seconded by Mr. Vitz and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Legislative and Municipal

Recent Legislation – Referring to the Legislative Report distributed to the Planning Board, Mr. Soriano reported that activity was noted on 53 bills and that all but 11 actions concern bills carried over from the last legislative session. Senate Bill S1883/Assembly Bill A1496 would eliminate the property tax exemption for municipal and school property unless the property was located within the boundaries of the subject municipality. He noted that this would include municipally-owned open space, and provided an example of Denville Township open space that is actually located in Rockaway Township. He also reported that while the bill appears to exempt county property, there is a new section which makes the exemption unclear. Ms. Marion stated that Morris County owns property in Somerset County and that Passaic County owns property in Pequannock Township.

Mr. Soriano reported on two new bills. Assembly Bill A2976 prohibits elected or appointed officials and immediate family members from participating in farmland preservation programs. He stated that the Morris County Agricultural Development Board uses a similar restriction, but that this new bill would expand the definition of immediate family member. Assembly Bill A3058 would extend the expiration data of the special appraisal process for farmland preservation in the Highlands Region from 2014 to 2019. He reported that Morris County Preservation Trust has been notified of the proposed legislation.

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano reported on one Master Plan amendment received for the Borough of Mount Arlington concerning the examination of three lots

in the Hotel Motel Conference (HMC) zone located along Howard Boulevard, west of I-80 and proposed zoning changes concerning two the three lots.

Mr. Soriano then reported on the Land Use Ordinance Monthly report, stating that there were seven proposed ordinances and four adopted ordinances for a total of eleven ordinances processed for the month. He noted a Borough of Madison ordinance that adopts the draft redevelopment plan for 39 Green Village Road, a roughly 37,000 square foot lot, which is the site of a former 1920's era apartment building. He reported that the apartment building suffered extensive damage by fire and water and is being rezoned to allow redevelopment with 22 to 26 units of multi-family housing.

Long Range Planning

Ms. Olcott stated the committee did not meet.

LAISON REPORTS

Lake Hopatcong Commission

Ms. Marion had nothing to report.

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner had nothing to report.

Morris County Open Space Trust/Flood Mitigation Committees

Mr. Eppel reported that the next meeting of the Committee will be on Monday, April 21, 2014.

Morris County Agriculture Development Board Ms. Marion informed the Board that she is an ex-officio member of the County Agriculture Cultural Development Board and informed the Board that there has been significant recent farmland preservation activity. She stated that there have been closings on three farms since the beginning of the year and Mr. Bush stated that there will be closings on two more farms by the end of the month. Mr. Marion noted that there are another seven farms in the process of being preserved. She reported that when these closings are complete, there will be 130 farms preserved, with a total of approximately 8,000 acres.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion stated she received a notice from Katherine Coyle concerning the purchase of development easement on the Angen Farm in Mount Olive Township.

Report of Meetings

Passaic River Basin Public Information Session, March 25, 2014 - Ms. Marion reported that Ms. Michelin attended a meeting concerning the Passaic River Main Stem Flood Risk Management Preliminary Alternative Analysis Report produced by the Governor's Task force regarding the elimination of flooding in the Passaic River Basin. She reported that four alternatives will be studied, including the use of flood levies, retaining walls, flood tunnels and a non-structural/buy-out

program. She stated that whatever alternative is chosen, New Jersey will responsible for 35% of the cost. Ms. Marion stated there is a link she can forward to any Board member interested in presentation. Ms. Olcott asked if someone from the Task Force could come and speak to the Board and Ms. Marion said she would inquire as to this possibility.

Morris Canal Greenway Conference, March 27, 2014 – Mr. Soriano stated that Mr. Barilla, Principal Planner, Lindsey Santamaria from Morris County Economic Development Corporation and he attended the conference held by the New Jersey Transportation Planning Authority (NJTPA). The NJTPA formed the Morris Canal Working Group Forum to conduct ongoing discussions concerning the future of the canal corridor and methods to promote increased preservation and enhancement of this resource as a tourist destination. He stated that the NJTPA Working Group is considering how best to convert the Morris Canal into a public greenway for biking and walking with connections to cultural, historic and recreation sites. He reported that the meeting focused on the history of the Canal, local preservation efforts and potential economic development opportunities associated with increased tourism.

Ms. Leary reported that Morris County was ranked number one of all New Jersey counties in the amount of tourism dollars raised in 2013 according to an economic impact report prepared for the New Jersey Office of Tourism.. Ms. Leary stated that Ms. Leslie Bensley, Executive Director of the Morris County Tourism Bureau had announced this information at a recent Freeholder meeting and she will ask Ms. Bensley if she would come and speak to the Board.

Roxbury Economic Development Committee Presentation - Ms. Marion reported on a presentation made to the Roxbury Economic Development Committee on March 27, 2014 with Mr. Jones and Ms. Santamaria of the Morris County Economic Development Corporation. Mr. Jones informed the Board that the presentation was very well received and Ms. Marion did an excellent job. He stated that the Roxbury Economic Development Committee would like to continue interaction with the County as well as with the Morris County Economic Development Corporation. He anticipates invitations from other municipalities for a similar presentation.

Ms. Marion also stated she attended a meeting of the Great Swamp Watershed Association that is starting a new initiative called the “Great Swamp Upper Passaic Municipal Alliance.” Ms. Marion distributed a brochure to the Board. Mr. Frank Banisch, a Professional Planner and advisor to the Association gave a presentation on current development trends and the market demand for luxury apartments.

Other Business

2013 Annual Development Review Activity Report – Mr. Barilla gave a presentation on the annual report. The 2013 report cover contains graphics of chain pharmacies stores and convenience stores. He stated that these businesses did not seem to be negatively impacted by the recession. The County Planning Board received 30 applications for new or remodeled pharmacies and convenience stores. The report shows an overall increase in submissions to the Morris County Planning Board in 2013, indicating a recovery from the Great Recession. There has also been a significant increase in multi-family residential projects, particularly high-end rental units. Ms. Marion noted that developers of such projects report a strong market with little or no vacancy in these units as they are being produced. However, Mr. Barilla noted a concern with potential oversaturation of the market if the

31 projects with 7,208 units in concept, review, and approved stages are constructed as shown in an informal survey conducted by staff.

Mr. Barilla also reported a 30% increase in nonresidential site plans reviewed by the Board between 2012 and 2013. Overall, there was a 45% increase in submissions over 2012, and that the outlook for future growth is more positive than it has been in recent years. Ms. Olcott congratulated Mr. Barilla on a job well done with concurrence by the Board.

Ms. Olcott made a motion to approve the release of the 2013 Development Activity Report on the website and for the distribution of copies. The motion was seconded by Mr. Rattner and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	x		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Resolution supporting Senate Bill S1240 and Assembly Bill A2852 concerning Commercial/Industrial Zone Exemptions in the Highlands- Mr. Rattner made a motion to approve the Resolution Supporting S1240/A2852. The motion was seconded by Ms. Olcott and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	x		
Nita Galate, (Alt. 2)			x
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

LEGAL UPDATE

Mr. Bush reported that the 45 day appeal period concerning Hanover/Horsehill litigation has ended. He stated that neither he nor counsel for ShopRite received notice of an appeal of the February 28, 2014 decision by Judge Weisenbeck.

CLOSED SESSION MINUTES

Ms. Olcott moved approval of the Closed Session Minutes of the March 20, 2014 meeting. The motion was seconded by Mr. Eppel and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	x		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Comments from the Public

There were no comments from the Public.

NEXT MEETING

The next meeting is scheduled for May 15, 2014 at 7:00 p.m.

ADJOURNMENT

At 7:45 p.m., Mr. Vitz moved to adjourn the meeting. Chairman Falkoski seconded, and all approved by voice vote.

Respectfully submitted,

Christine Marion, P.P./AICP
 Planning Director

Original was signed and is on file at the office of the Morris County Planning Board.