

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

30 Schuyler Place  
January 19, 2017

Morristown  
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:08 p.m.

**OPEN PUBLIC MEETINGS LAW**

Chairman Rattner stated that the Secretary of the Board provided public notice of this meeting in a legal notice dated February 1, 2016.

Chairman Rattner invited members to join in for the pledge of allegiance to the flag.

**ROLL CALL**

Those present were:

Steve Rattner, Chairman	Christine Marion, Planning Director
Isobel Olcott, Vice Chair	Deena Leary, Department Director
Ted Eppel, Secretary	Greg Perry, Supervising Planner
Christopher Vitz, County Engineer	Barbara Murray, Program Coordinator
Annabel Pierce	Joseph Barilla, Principal Planner
Everton Scott	Anthony Soriano, Supervising Planner
Nita Galate, Alt.1	W. Randall Bush, Attorney
Kevin Sitlick, Senior Planner	Rene Axelrod, Recording Secretary

Ms. Marion stated that the Freeholder Board has made the following re-appointments for 2017: Isobel Olcott and Annabel Pierce have been reappointed to the Planning Board. Freeholder Christine Meyers is the regular Freeholder liaison and Freeholder Deborah Smith is the Freeholder alternate. All other members remain the same as last year.

Ms. Marion opened the floor for nominations for the Planning Board Chairman. Ms. Olcott moved the nomination of Steve Rattner as Planning Board Chairman and Mr. Eppel seconded. There were no other nominations for Chairman; nominations were closed by Mr. Eppel and all voted in favor of Mr. Rattner as Chairman by voice vote.

Chairman Rattner opened the floor for nominations for Vice-Chairman. Mr. Eppel nominated Ms. Olcott and Mr. Scott seconded. There were no other nominations; Mr. Eppel closed nominations. All voted in favor of Ms. Olcott as Vice-Chairman by voice vote.

Chairman Rattner continued the nominations for Board Secretary. Ms. Olcott nominated Mr. Eppel for Board Secretary and Mr. Scott seconded. No other nominations were made; all voted in favor of Mr. Eppel as Board Secretary by voice vote.

Chairman Rattner asked members if they would continue their Committee appointments from last year. All agreed to continue. Ms. Marion identified the committee members.

Legislative & Municipal - Everton Scott, Chairman, Ted Eppel, Vice-Chair, Annabel Pierce and Nita Galate (alternate)

Land Development Review – Steve Jones, Chairman, Christopher Vitz, County Engineer, Isobel Olcott and Everton Scott

Long Range Planning – Isobel Olcott, Chairman, Ted Eppel, Annabel Pierce and Nita Galate

Environmental & Watershed – Ted Eppel, Chairman, Christopher Vitz, County Engineer, Steve Jones and Anthony Abrantes

Long Range Planning – Isobel Olcott, Chairman, Ted Eppel, Anabel Pierce and Nita Galate (alternate)

Planning Board Liaisons:

Lake Hopatcong Commission – David Jarvis and Eric Wilsusan (alternate)

Lake Musconetcong Regional Planning Board – Steve Rattner

Lake Musconetcong River Management Council – Steve Rattner

Morris County Open Space Trust – Annabel Pierce

Trails Committee – Isobel Olcott and Nita Galate

**REVIEW OF MINUTES**

Ms. Olcott moved approval of the minutes of the December 1, 2016 meeting. Mr. Eppel seconded the motion and the minutes were approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	x		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

## **DIRECTOR'S REPORT**

The Board accepted the Director's Report for December 2016 – January 2017 and it will be placed on file.

Ms. Marion informed the Board that the New Jersey Department of Environmental Protection (DEP) will be holding quarterly meetings with each county to discuss the new wastewater rules. She reported that the Parsippany-Troy Hill Township chapter of the Wastewater Management Plan has been submitted to the DEP and that the DEP has begun its review. She stated that Mr. Sitlick has been working on demographic updates and will be giving a presentation later in the meeting.

## **REPORT OF FUNDS RECEIVED**

Funds received for December 2016 totaled \$5,240.

## **FUTURE MEETINGS**

Ms. Marion informed the Board that staff will attend the New Jersey American Planning Association Conference next Thursday and Friday. She reported that Ms. Michelin would be attending the Raritan River Stakeholder Group Meeting on January 31, 2017 and the Jersey Water Works Best Management Practices meeting in January 2017. Ms. Marion stated that on February 2, 2017, she will participate on a panel for the Morris County Economic Development Corporation (MCEDC) webinar series, and that the discussion will address the state of the real estate market and Morris County demographics. She reported that this discussion will take place at the Chamber of Commerce in Florham Park but will also be available as a webinar. Ms. Marion stated that she would register any interested members for the presentation.

## **COMMITTEE REPORTS**

### **Environment and Watershed**

***Wastewater Management Plan*** – Ms. Marion reported that Ms. Michelin continues to work with the Rockaway Valley Sewerage Authority municipalities to complete their Wastewater Management Plans.

### **Land Subdivision and Zoning**

***Developments Reviewed*** – Ms. Olcott reported on the January 12, 2017 Land Development Review Committee meeting and noted the following applications:

1. Garden Mausoleum, East Hanover - This site plan is for the two additional 2,340 square foot mausoleum structures at the Gate of Heaven Cemetery. County Engineering will review stormwater management.
2. Lidl Grocery Store, Hanover – This site plan is for the redevelopment of the former Allen Paper Company with a 35,962 square foot grocery store and 180 parking spaces. There are two driveway access points to Ridgedale Avenue. One is a full access driveway and the other will

be a right-in and right-out only driveway. County Engineering will review for stormwater management.

3. Shop Rite Parking Lot Expansion, Long Hill – This site plan is for a 68-space parking lot expansion at the existing Shop Rite shopping center. Mr. Vitz described the driveway access situation. County Engineering will review for stormwater management.
4. 3 East Mill Road, Washington Township – This is a two lot minor subdivision of a 0.822-acre parcel with two existing single family residences; neither has individual driveway access to East Mill Road. Both residential structures will remain and maintain their existing roadway access to Fairmount Avenue. County Engineering will review the property frontage.

Chairman Rattner asked about an item of interest from December’s report concerning an exempt site plan in the Township of Hanover for a proposed hydrogen fueling station facility on Route 10. He asked the basis for its exemption and Mr. Perry explained that it was not on a county road and that there was less than one acre of impervious surface.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for December 2016. Mr. Vitz seconded the motion and it was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	x		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

### **Legislative and Municipal**

**Recent Legislation** – Mr. Soriano noted several bills from the Legislative Report. Senate Bill S2834 “The Water Quality Accountability Act” imposes certain testing, reporting, management and infrastructure investment requirements on water purveyors and would require water purveyors to inspect, renew, maintain, and repair infrastructure in accordance with the New Jersey Board of Public Utilities Standards. Chairman Rattner asked Mr. Soriano if the State had conducted an economic impact study for the bill and Mr. Soriano said he was not aware of one, but would research the issue. Assembly Bill A4438 would eliminate the authorization for municipalities to impose mandatory affordable housing fees on developers. Senate Bill S2873 would require the municipal land use plan element of master plan to address smart growth, storm resiliency, and environmental sustainability issues. Lastly, Senate Bill S2788 that would amend the MLUL to limit information required to be submitted to the municipalities in association with preliminary site

plan and subdivision applications. Ms. Marion stated that the New Jersey Builders Association has reached out to the New Jersey Association of Counties for feedback and she explained some of the difficulties associated with the bill. Ms. Olcott stated that the Board should continue to follow the progress of this bill.

***Master Plan & Land Use Ordinance Monthly Report*** – Mr. Soriano reported that he received a Master Plan Reexamination Report and a draft Housing Element and Fair Share Plan from the Borough of Wharton. The Borough of Chester submitted a Draft Master Plan Highlands Element. Mr. Soriano explained that the Borough of Chester is entirely within the Highlands Planning Area and that the draft Element is based on the model Highlands Master Plan Element developed by the Highlands Council.

Chairman Rattner asked about the congestion by the Dewey Ave/Main Street bypass mentioned in the Wharton Reexamination Report. Mr. Vitz stated that advance work has begun on the North Main Street Extension, informing the Board that property acquisitions are in the works and that permits will require renewal before actual construction can start.

Mr. Sitlick then reported on recent zoning, stating that seven ordinances were received and processed for December 2016. He highlighted two adopted ordinance from Randolph Township. The first rezones over 600 properties as called for by the 2016 Master Plan Reexaminations Report. The second amends zoning to permit Garden Apartment Affordable Housing as a conditional use in the R-4 Garden Apartment District.

### **Long Range Planning**

***2017-2022 Capital Facility Program Consistency Determination/Program***- Ms. Olcott informed the Board that the Long Range Committee completed its review of the County of Morris 2017-2022 Capital Facility Program for consistency with the Morris County Master Plan. Ms. Olcott noted that the budget includes funding for upgrades at the County College and the Morris County School of Technology. She also noted budget for the replacement of equipment and vehicles and several environmental cleanup projects. She asked about the funding identified for a specific vehicle and Ms. Leary informed the Board that funding relates to a specialized Emergency Medical Support Vehicle.

Ms. Olcott stated that the Long Range Committee recommends that the Board find the 2017-2022 Capital Facility Program for Morris County consistent with the Morris County Master Plan and made a motion to approve the findings. Mr. Eppel seconded the motion and all approved by roll call vote. A letter authorizing the recommendation will be sent to the Morris County Freeholders approving the 2017-2022 Capital Facility Program for Morris County.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	x		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Ms. Olcott reported that Mr. Eppel asked that the Long Range Committee consider other Long Range items for future discussion such as water supply and the future use of railroads in the County.

## **LIAISON REPORTS**

### **Lake Hopatcong Commission**

Ms. Marion stated that she was unable to reach Mr. Jarvis, but she informed the Board that a special meeting was held on January 9, 2017 at which the meeting schedule for 2017 was adopted. She reported that the next meeting will be in Roxbury Township on March 20, 2017. Ms. Marion informed the Board that the minutes of November 2016 were posted. She stated that the Commission is still short a number of members and that the Acting Chair is currently Daniel McCarthy. She provided an update on the status of weed harvesting, reporting that between May 24, 2016 and October 20, 2016, a total of 4,024 cubic yards of weed were harvested.

### **Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council**

Chairman Rattner reported that he met Allen Hunt, PhD, the new Executive Director of the Musconetcong Watershed Association and that Dr. Hunt is in the process of coordinating stakeholder activities. Mr. Rattner stated that the Lake Musconetcong Regional Planning Board received a 319(h) grant for another piece of equipment and the bid was accepted last week. He reported that the State will no longer allow harvested weeds to be dumped on State property and that the Board is now looking for donations or loans of 20 to 30-yard dumpsters to store the harvested weeds.

### **Morris County Open Space Trust Fund**

Ms. Pierce informed the Board that the December 15, 2016 meeting was cancelled and that the next meeting will be held in March 2017.

## **Trail Committee**

Ms. Olcott stated that the Freeholders awarded the grants based on the recommendations of the Trails Committee. Ms. Olcott stated that the Trails Committee meets next on January 31, 2017 to discuss the possibility revisions to the application criteria.

## **Correspondence and Reports Received**

Ms. Marion stated that a letter was received from the Borough of Chatham concerning the Morris County Planning Board minutes of October 20, 2016. She read the letter to the Board, in which the Borough Administrator asks for a revision of the minutes concerning the discussion of Chatham Borough's Housing Element and Fair Share Plan. She noted that the Board approved the minutes and that the minutes are not a verbatim transcript of all that was said at the meeting. Mr. Bush stated that the minutes were accurate as to what transpired at the meeting. The Planning Board accepted the letter from Chatham as correspondence.

## **Report of Meetings**

Ms. Marion reported that staff met with Mr. Donald J. Travisano, the Town of Dover's Administrator, Mr. Michael Hantson, Town Engineer and the developer of a proposed 68-unit multi-family residential project to be developed on Prospect Street parking lot. Ms. Marion reported the project will be 100% affordable housing with preference for veterans and their families. She stated this redevelopment project is in the concept stage, but that she anticipates a formal submission to the County in the near future.

## **Other Business**

Demographic and Economic Trends - Mr. Sitlick gave a PowerPoint presentation on Morris County demographic and economic trends, using information obtained from the United States Census Bureau and the New Jersey Department of Labor and Workforce Development. He presented slides on a variety of topics, including births, population growth, racial diversity, age, median household income and housing costs, poverty rates, income, migration, employment, educational attainment and other demographic data. He also provided information concerning unemployment, county business characteristics, occupational characteristics, anticipated job growth by occupation and industry. He summarized the major findings from this information and the Board thanked Mr. Sitlick for his presentation.

Resolution 2017-1: 2017 Meeting Schedule Resolution - Ms. Olcott moved approval of Resolution 2017-1: 2017 Meeting Date Schedule. Mr. Eppel seconded the motion and it was unanimously approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	x		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Authorization for Destruction of Planning Board Meeting Recordings – Chairman Rattner asked for a motion for the destruction of Planning Board meeting recordings. Mr. Eppel made a motion, seconded by Ms. Olcott and approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	x		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman		x	

Town of Boonton Transit-Oriented Planning Study Technical Advisory Committee - Ms. Marion reported that the Board of Chosen Freeholders received a letter from the Mayor of the Town of Boonton inviting them to participate on a Technical Advisory Committee for a Transit-Oriented Planning Study for the Town of Boonton funded by the North Jersey Transportation Planning Authority. She reported that Mr. Rohsler and Mr. Hayes from the Morris County Transportation & Engineering Division will be participating on the TAC. Staff will inform the Board of any development on this project.



Affordable Housing Supreme Court Decision - Mr. Soriano reported that the Supreme Court rendered its decision concerning the 1999-2015 affordable housing obligation “Gap Period.” He stated that the Court rejected the argument that there was zero obligation incurred by municipalities during this period. He reported that the Court decided that this obligation must be addressed as part of “Present Need.” The Court also found that the obligation should be adjusted to account for persons who have since died or who are no longer eligible and that adjustments must be made to avoid the double counting of deficient units. He stated that the decision will require a recalculation of municipal affordable housing obligations, and the likely revision of many Housing Elements and Fair Share Plans that have not yet been approved by the Court. He reported that in its decision, the Court stated that the New Jersey Legislature may take up the issue of new affordable housing legislation.

## **LEGAL UPDATE**

Mr. Bush had nothing to report.

## **COMMENTS FROM THE PUBLIC**

None

## **NEXT MEETING**

The next meeting is scheduled for February 16, 2017.

## **ADJOURNMENT**

At 9:05 p.m., Mr. Vitz moved to adjourn the meeting. Mr. Scott 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.*