

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

30 Schuyler Place
April 20, 2017

Morristown
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:04 p.m.

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

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, 2017.

ROLL CALL

Those present were:

Steve Rattner, Chairman	Christine Marion, Planning Director
Isobel Olcott, Vice Chair	Greg Perry, Supervising Planner
Ted Eppel, Secretary	Anthony Soriano, Supervising Planner
Christopher Vitz, County Engineer	Joseph Barilla, Principal Planner
Nita Galate, Alt.1	W. Randall Bush, Board Attorney
Anthony Abrantes, Alt. 2	

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the March 16, 2017 meeting. Mr. Vitz seconded the motion and the minutes were 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	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

DIRECTOR'S REPORT

The Board accepted the Director's Report for March-April 2017 and it will be placed on file.

Ms. Olcott asked about the status of the proposed amendments to the New Jersey Department of Environmental Protection (DEP) Stormwater Management Rules. Ms. Marion stated that the public comment period has just ended but she has not received any information regarding rule approval. She stated she would keep the Board up to date with any news.

REPORT OF FUNDS RECEIVED

Funds received for March, 2017 totaled \$16,055.

FUTURE MEETINGS

Ms. Marion stated that staff is attending a U.S. Census Bureau workshop on Friday, April 21, 2017 concerning the 2020 Census Local Update of Census Addresses. Ms. Marion stated that she is attending a New Jersey County Planners meeting on Friday, April 21, 2017.

COMMITTEE REPORTS

Watershed Activities- Ms. Marion had nothing to report.

County Wastewater Management Plan – Ms. Marion stated that staff is still waiting for the DEP to comment on the Parsippany Chapter.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the April 13, 2017 meeting of the Land Development Review Committee and highlighted the following applications:

1. Paper Perfect, Town of Boonton- This application is a site plan for a tenancy change and site upgrades to an existing structure. The applicant intends to use the structure for retail sales of paper products. The site distance for the driveway on Boonton Avenue will be reviewed.
2. Dover Veterans Housing, Town of Dover – This is a site plan application for affordable housing with veteran and veteran's families preferences within a redevelopment zone. Access for the site will be from a local street and County Engineering will review stormwater management conditions. Ms. Olcott stated that she would be interested in the finding out the number of veterans that eventually rent apartments at this location and the method by which the veteran preference is administered.
3. Mondelez, Township of East Hanover – This application concerns a site plan for a parking lot expansion at the former Nabisco facility and that County Engineering will review stormwater management.
4. Verizon Wireless, Florham Park – This site plan is for wireless communication facilities situated on interior street light poles within the Green at Florham Park. There are no County concerns. Mr. Bush informed the Board that Morris County is developing procedures and

standards on regulating these facilities that are proposed to be located within a County road right-of-way. He stated he would keep the Board up to date on future developments.

5. Jefferson Mixed Use Complex, Township of Jefferson – This site plan is for a two-story 13,317 square foot structure with a convenience store on the first floor and office space on the second floor. There is an existing building behind the proposed commercial/office structure. The County will review stormwater management conditions, site driveways and road improvements. A right-of-way dedication will be required for Espanong Road.
6. American Animal Hospital, Randolph Township – This site plan is for the expansion and redevelopment of the American Animal Hospital property. The existing structure will be expanded and converted to an animal boarding building. A new two-story veterinary clinic and a stand-alone retail structure will be constructed. A total of 60 parking spaces are proposed. The existing driveway will be closed and access will be provided through a driveway connection to the Sussex Turnpike and Millbrook Ave. signalized intersection. The County will review for drainage and site frontage improvements.
7. Franklin Minor, Harding Township – This a previously approved application. The applicant is requesting a waiver from the County requirement of no direct access to the County Road for the proposed three lots. She stated that, after inspection, the Land Development Review Committee agreed to rescind the requirement for no new driveways.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for March 2017. Mr. Eppel 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	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		-
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

2016 Development Activity Report - Mr. Barilla provided an overview of the 2016 Development Activity Report with a PowerPoint presentation. He stated that this year’s report cover features a former commercial property on Route 10 in Hanover Township that is being redeveloped into a hydrogen vehicle fueling station. He stated that this would be the first such facility in Morris County and gave a brief explanation on how the system works.

He then reported on development activity in Morris County during 2016. He reported that 200 residential building lots were created in 2016, largely due to just two projects, the Green at Florham

Park and the 700 Mountain Way project in Parsippany-Troy Hills Township. He expects that once these larger projects phase out, the number of new lots will likely average about 50 per year.

He noted that townhome and multi-family developments are providing the greatest residential growth, and that with 983 units approved, 2016 had the third highest unit total in this category over the last 10 years. The County is on track to achieve this number of new townhome and multi-family units again in 2017 and that millennials and baby boomers are the key demographic groups fueling this growth. He noted that there is a concern that most multi-family apartments being built are in the luxury category and that this market could be becoming oversaturated. He then presented a map illustrating the location of current multi-family projects in Morris County.

Regarding new nonresidential development, Mr. Barilla presented a graphic illustrating the Morris County office submarkets. He stated that Morris County leads the northern New Jersey office market with 40 million square feet of office space and that the vacancy rate remains about the same as last year and appears to be stabilizing. Ms. Marion identified several examples of previous office sites being redeveloped with residential or mixed use projects, which she stated is helping to lower the vacancy rate. Ms. Olcott stated that she would be interested to learn to what degree former office buildings were being adaptively reused for housing. Ms. Marion noted that many former office and industrial buildings are being demolished and the sites are being redeveloped with housing.

Mr. Barilla informed the Board that the number of new non-residential site plans remained fairly constant from 2010, with the numbers for 2015 and 2016 being nearly identical. The amount of new floor area from new residential site plans also remained fairly consistent from 2015 to 2016, with about 854,000 square feet approved in 2016. He stated that the County is on pace to see a similar amount of new square footage in 2017, and noted that most new development is expected from the redevelopment of existing sites.

The Board thanked Mr. Barilla for his report.

Mr. Eppel asked how new development was influencing population. Ms. Marion explained that while many new units are going up, reductions in the number of persons per household overall is keeping the County's population from rising as much as might otherwise be expected.

Ms. Olcott moved to release the 2016 Land Development Activity Report. Mr. Eppel seconded 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	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		-
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Legislative and Municipal

Recent Legislation – Mr. Soriano presented the legislative activity report and stated that there were three appropriations of note, including S2997, S2991 and S3076. The bills addressed state acquisition of lands for recreation and conservation purposes, funds for capital preservation grants for historic preservation projects, and transportation funding for bridge and road repairs. Assembly Bill A3351 would permit farms holding a winery license to manufacture hard cider and mead. Senate Bill S2788 concerns proposed changes to the information that could be required with a preliminary application and on the introduction of Assembly companion bill A4746. He stated that this bill was nearly identical to the Senate version, except that language was added to refer to additional requirements contained in the County Planning Act. Ms. Marion stated that she drafted this language at the request of the New Jersey Association of Counties and New Jersey County Planning Association.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano reported on the Chatham Township Reexamination Report, stating that this report provided an update to Chatham’s 2006 Master Plan Reexamination Report. He stated that the report did not call for the development of a new master plan, but included recommendations concerning land use on certain parcels and the need to develop a new Housing Element and Fair Share Plan. He then reported that Morris Township introduced a Land Use Amendment concerning the former Colgate-Palmolive Company site fronting on Hanover Avenue, indicating that this site is now planned for a mix of retail use and townhouse development. Ms. Marion informed the Board that the standards for this redevelopment place the residential and nonresidential uses at different locations on site, and that the plan requires a berm between the uses and prohibits internal access drives between the residential and nonresidential uses. She noted that the East Hanover Avenue Corridor Study did not anticipate the redevelopment of this site and the associated increase in traffic generation.

Mr. Soriano reported that there were nine ordinances processed for the month of March; four proposed ordinances and five adopted ordinances. He stated that the most significant ordinance was from Morris Township concerning the rezoning of the Colgate-Palmolive property as discussed previously. Ms. Olcott stated she was concerned about the traffic generated by this development. Ms. Marion suggested that the staff review the East Hanover Avenue Corridor study and review issues that may be applicable to this redevelopment and share these findings with Morris Township.

Long Range Planning

Ms. Olcott asked Mr. Soriano to comment on the Circulation Plan Element. Mr. Soriano stated that the Morris County Division of Engineering and Transportation is working on the completion of Part 1 of the Draft of the Circulation Plan Element. He stated that Part 1 includes the introduction, plan development process, description of stakeholders, goals, objectives, strategies and the street design guidelines. He stated that Part 2 of the Element concerns the background portion of the Plan. Mr. Soriano stated that he and Ms. Marion are waiting to review the Part 1 draft, and when complete, a meeting will be set with the Long Range Committee for its review.

LIAISON REPORTS

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner stated that the Musconetcong River Management Council held its annual clean up on April 15, which attracted about 600 volunteers from about 30 groups. He stated that they cleaned both the riverbanks and adjacent roadways and planted 805 weeping willow stalks.

Mr. Rattner reported that the Lake Musconetcong Regional Planning Board received a federal grant to get a \$350,000 hydro-rake. Mr. Rattner stated that weed disposal remains an on-going problem. He stated that if this limits weed harvesting, the Board will have to rely increasingly on herbicides.

Mr. Rattner informed the Board of a problem with high sodium levels in local waterways. He stated that sodium levels in the Delaware River Basin have increased about 450 percent over the last fifty years. He reported that Rider University and the Musconetcong Watershed Association completed a three-year study of the Musconetcong River in the Highlands Region in which nine of ten monitoring sites showed elevated sodium levels. He stated that of the ten sites being monitored, nine sites showed sodium levels higher than what is recommended for human consumption. He reported that due to increased sodium levels, some Warren County municipalities are considering adding salt as one of the required criteria evaluated when conducting a well test.

Lake Hopatcong Commission

Mr. Rattner reported that lake water levels have been rising due to recent rainfalls and the lake level is near normal. Ms. Marion reported that the Commission is still without funding or staff, but that the Lake Hopatcong Foundation has been very active and is making progress.

Morris County Open Space Trust Fund

Ms. Marion stated there was one closing in Kinnelon Borough, in which the applicant was The Trust for Public Land. She stated that the closing was for a 62.8-acre property for the Waughaw Mountain Greenway-Untermeyer Lake-Denise Drive.

Trail Committee

Ms. Olcott reported that the Morris County Freeholders approved proposed changes to the Trails Program rules and regulations. She stated that applications will be going out in April 2017 and that workshops have been scheduled for Tuesday, April 25, 2017 and Thursday, May 18, 2017. Ms. Marion stated that all 2016 grant agreements have been executed by the municipalities and the Freeholders will sign the last few at their next meeting.

Ms. Marion reported that there was one farm closing for the Pultz “Sky-Top” Farm in Washington Township. Mr. Bush stated that with this closing, the total area of preserved farmland in the county is just under 8,000 acres. Ms. Marion also informed the Board that staff went out to Morris County Central Park for a drone demonstration to investigate the possibility of using Office of Emergency Management drones to assist the farm monitoring process.

Ms. Marion informed the Board that Ms. McCulloch has established a Community Rating System (CRS) Assistance Program within the Flood Mitigation Program. She explained that actions taken in connection with the CRS program could result in discounted flood insurance for communities. She reported that a kick-off meeting with five municipalities was held on March 13, 2017 and that the next meeting is scheduled for May 9, 2017.

Correspondence and Reports Received

Ms. Marion had nothing to report.

Report of Meetings

Ms. Marion had nothing to report.

Other Business

Affordable Housing Update - Mr. Soriano reported that the Fair Share Housing Center has released its calculations for municipal obligations for the 1999-2015 “Gap Period” which the Supreme Court said must be included in municipal affordable housing obligation calculations. He stated that many municipalities have prepared Housing Elements and Fair Share Plans without including obligations for this period. He stated that the extent to which these particular figures may or may not be used by the courts is presently unknown, but that these figures or other similar figures may be used by the court in negotiations concerning municipal affordable housing obligation. He stated that the Fair Share Housing Center established an 11,592 “Gap Period” obligation for Morris County, but that the part of this obligation which has already been addressed or which may be adjusted downward due to lack of vacant or developable land is unknown. He noted that municipal obligations are presently being determined by the courts on a case-by-case basis.

LEGAL UPDATE

Mr. Bush had nothing to report.

COMMENTS FROM THE PUBLIC

None

NEXT MEETING

The next meeting is scheduled for May 18, 2017.

ADJOURNMENT

At 8:35 p.m., Mr. Vitz moved to adjourn the meeting 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.