

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

30 Schuyler Place
December 6, 2018

Morristown
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:04 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 4, 2018 and 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	Anthony Soriano, Supervising Planner
Ted Eppel, Secretary	Joe Barilla, Principal Planner
Roslyn Khurdan, Engineering Alt.	Staci L. Santucci, Morris County Counsel
Nita Galate	Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Ms. Olcott moved the minutes of the October 18, 2018 Planning Board meeting. Mr. Eppel seconded the motion and all approved by voice vote.

DIRECTOR'S REPORT

The Board accepted the Director's Report for October - November 2018 and it will be placed on file.

Chairman Rattner stated that he would like to see work begin on a new County Land Use Plan Element, now that the Circulation Element is complete. Ms. Marion stated that the Long Range Committee should meet and discuss the issue to review the potential scope of work and development process. Ms. Galate stated that the incorporation of open space preservation issues into the Land Use Element should be explored. Ms. Olcott stated that State of the County Report may be used as a basis for creation of the new Element. Mr. Marion said that a meeting of the Long Range Committee will be scheduled prior to the February Board meeting.

REPORT OF FUNDS RECEIVED

Funds received for November 2018 totaled \$4,575.

FUTURE MEETINGS

Ms. Marion had nothing to report.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan - Ms. Marion reported that the Parsippany-Troy Hills WMP chapter should go to notice shortly according to the Department of Environmental Protection (DEP). Ms. Marion informed the Board of a recent meeting with Mine Hill and the DEP. She stated that Mine Hill is moving forward with amendments to sewer certain sections of the municipality but must still resolve issues with the Rockaway River Sewage Authority.

Watershed Activities – Ms. Marion stated that, at her request, the Rockaway River Watershed Cabinet, the Whippany River Watershed Action Committee, the Passaic River Coalition and the Great Swamp Watershed Association met on December 4, 2018 to share information and ideas. She stated that quarterly meetings are planned.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the Land Development Review Committee meeting on November 27, 2018. She noted the following:

1. Butler, Butler Plaza (County Road 618) – This site plan is for the redevelopment of two multi-tenant commercial structures including a CVS Pharmacy, Panera Cafe and a Wawa convenience store with motor fueling facility. Access will be right in/right out to Route 23 North with a full access driveway connection to Decker Road. There is no proposed direct access to Kiel Avenue (County Road 618). County Engineering will review stormwater management and the traffic study.
2. Mendham Township, Mendham Shores – This seven lot subdivision includes six single-family and one open space lot. All lots will have individual wells and onsite septic systems. County Engineering will review for stormwater management.
3. Montville, Roome Road Subdivision – This application is an eight lot single-family residential subdivision of a ten acre property with an existing single-family home to remain. Access for all lots will be from a cul-de-sac extension of Roome Road and sanitary sewers and potable water will served each lot. County Engineering will review stormwater management.
4. Mount Olive, Wawa Food Market & Fuel, county road 613 – This site plan is for the redevelopment of the existing Herold's Landscaping & Garden Center into a Wawa convenience store motor fuel facility. Wawa will be paying for all proposed road improvements. County Engineering will review the stormwater management, the driveway connection to Flanders-Netcong Road and the intersection improvements. Mr. Barilla and Chairman Rattner described some of the road conditions in the area and Chairman Rattner informed the Board of the history of the area.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for October 2018. 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		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	-		
Christopher Vitz, County Engineer	-		
Deborah Smith, Freeholder Alt.	-		
Nita Galate	x		
Christian Francioli (alt. 1)	-		
Roslyn Khurdan, (Eng. alt.)	x		
Steve Rattner, Chairman	x		

Chairman Rattner made a motion to approve the Report of Actions Taken on Development Plans for November 2018. Ms. Olcott seconded the motion and it was approved by roll call vote.

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

Legislative and Municipal

Recent Legislation – Mr. Soriano reported on newly introduced legislation, starting with Assembly Bill A4660, which would create a farm distillery license to produce gin, rum, vodka and whiskey from locally grown crops. Assembly Bill A4714 concerns solar energy generation facilities and municipally-owned preserved open space, A4725 concerns certification for zoning officers and land use board administrators and Assembly Bill 4610 would allow municipalities to require registration of vacant and abandoned properties and use registration fees to maintain these properties. Mr. Soriano also reported that Senate Bill S3145 was signed into law and that this law

directs the Department of Agriculture to create pilot program to research the cultivation of industrial hemp.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano stated that one master plan amendment and three reexamination plans were received. He reported that the Township of Hanover submitted an amendment to the Land Use Plan and a Reexamination Plan and that these concerned four specific zoning amendments. The Borough of Morris Plains and the Borough of Mount Arlington both submitted Reexamination Reports.

Mr. Sitlick stated that seven proposed ordinances and twenty adopted ordinances were processed in October 2018. He noted that the Township of Boonton is rezoning 129 acres off County Route 511 to change the minimum lot size for single-family homes from six acres to 81,000 sq. ft. He then reported that 11 proposed ordinances and four adopted ordinances were received in November 2018. He noted an ordinance from Parsippany-Troy Hills concerning an amended redevelopment plan for an 11-acre site at the Route 10/Dryden Way interchange at the border with Hanover Township.

Long Range Planning

Ms. Galate stated that the Long Range Committee will meet in the New Year to discuss development of a new Morris County Master Plan Land Use Element.

LIAISON REPORTS

Lake Musconetcong Regional Planning Board

Chairman Rattner reported that the NJDEP acknowledged that there are no regulations for hydro-raking and will now allow weed disposal in accordance with the Board's plans. He reported the delay in obtaining this answer resulted in losing a whole season of weed harvesting and that efforts will have to be increased over the next two years to meet the requirements of their 319h grant. Chairman Rattner stated that the swirl chamber was not maintained because of issues preventing lowering of lake levels.

Musconetcong River Management Council

Mr. Rattner stated that there will be a meeting of the Council next week. He reported that there was a tour of the Musconetcong Sewer Authority facility for the Management Council and that it went very well. He stated that one result of the tour was that the Council will obtain the part time services of an intern who will work on safety issues.

Lake Hopatcong Commission

Ms. Marion reported on the Lake clean-up efforts with the Lake Hopatcong Foundation, noting many of the items pulled from the lake, such as plastic bags, toys, clothing and approximately 800 tires. She stated that the Commission is expecting to receive \$500,000 in funding for 2019. She reported that members of the Commission inspected all docks along the lake and found that 55

were dilapidated. The Commission notified the associated municipalities concerning the need for repairs.

Morris County Open Space Trust Fund

Ms. Marion reported that the Board of Chosen Freeholders approved the 2018 grant recommendations for five applications. She stated that the combined applications totaled \$1,930,000 to preserve 47 acres in five municipalities. Ms. Marion also informed the Board that the Committee met on December 5, 2018 to review suggested program and rule revisions for 2019. Ms. Galate reported that there was a discussion concerning the possibility for County funding for demolition on some open space sites.

Trail Construction Trust Fund Committee

Ms. Olcott stated that the Committee presented funding recommendations to the Board of Chosen Freeholders concerning the request by six municipalities to construct 3.38 miles of trails at a cost of \$797,713.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion reported on the Solid Waste Management Plan Amendment dated September 2018 for the Inclusion of KDS Aggregates, LLC Class “B” Recycling Center for the Storage and Processing of Source Separated Recyclable Concrete, Brick, Block and Asphalt in the Township of Mount Olive, New Jersey. She also reported that she received a letter from the New Jersey Office of Planning Advocacy concerning the extension of Center Designation for the six State Plan designated centers in Morris County. She reported that the Center designations for Dover, Lincoln Park, Mendham Borough, Morristown, Mount Arlington and Netcong have been extended to June 30, 2019.

REPORT OF MEETINGS

Ms. Marion had nothing to report.

OTHER BUSINESS

2017 New Construction Residential Sales Report – Mr. Sitlick gave a PowerPoint presentation summarizing the annual update of newly constructed residential sales for 2017, which is based on NJ Department of Community Affairs warranty data for first time sales of newly constructed dwellings. Mr. Sitlick discussed the findings of the report related to new home sales by unit type, price paid, size and location of unit. He also reported on new rental construction approvals approved by the Morris County Planning Board in 2017 and the first half of 2018, indicating that new rental housing is making up an increasing amount of new residential units in the County.

Draft of 2019 Meeting Dates – Ms. Marion stated that proposed meeting dates have been provided for Board review and that these will be voted on at the January Board meeting.

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

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

LEGAL UPDATE

Nothing to report.

COMMENTS FROM THE PUBLIC

None.

NEXT MEETING

The next meeting is scheduled for January 17, 2019 at 7:00 p.m. Ms. Marion informed the Board that she will not be at this meeting.

ADJOURNMENT

At 8:45 p.m., Ms. Khurdan moved to adjourn the meeting, Ms. Olcott 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.