

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

30 Schuyler Place
February 21, 2019

Morristown
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:00 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 3, 2019 and invited members to join in the Pledge of Allegiance to the Flag.

ROLL CALL

Those present were:

Steve Rattner, Chairman	Christine Marion, Planning Director
Isobel Olcott, Vice Chair	Greg Perry, Principal Planner
Ted Eppel, Secretary	Joe Barilla, Principal Planner
Stephen Shaw, Freeholder Liaison	Staci L. Santucci, Esq., Planning Board Attorney
Chris Vitz, County Engineer	Barbara Murray, Program Coordinator
Nita Galate, Member	Rene Axelrod, Recording Secretary
Christian Francioli, Alternate #1	
Everton Scott, Member	

Chairman Rattner expressed the Board’s great appreciation for Ms. Rene Axelrod, who is retiring from the County. Ms. Marion presented Ms. Axelrod with a Resolution of Appreciation from the Board commending her for 18 years of service. Ms. Olcott moved adoption of the resolution and Mr. Eppel seconded the motion. The motion was approved by voice vote. Chairman Rattner then introduced Ms. Mary Romance, who is in process of being hired as Ms. Axelrod’s replacement.

REVIEW OF MINUTES

Ms. Olcott moved the minutes of the January 17, 2019 Planning Board meeting. Mr. Eppel seconded the motion and the motion was approved by voice vote.

DIRECTOR’S REPORT

Ms. Marion reported that adoption of the Parsippany Wastewater Management Plan Chapter is on hold pending further review. She reported that staff has been busy. Ms. Michelin has been working on items to be discussed under Environmental and Watershed and that Long Range staff are working on the Land Use Element. The Board accepted the Director’s Report for January 2019 and it will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for January 2019 totaled \$5,415.

FUTURE MEETINGS

Ms. Marion had nothing to report.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan- Ms. Marion stated Ms. Michelin is managing the Flood Mitigation Program and is also coordinating the Community Rating System (CRS) Committee. She reported that Ms. Michelin is working with Lincoln Park and the Army Corp of Engineers to obtain a grant to help restore properties acquired as part of Flood Mitigation Program to increase flood retention capability. Mr. Barilla described that restoration would improve maintenance of properties and increase flood protection. Mr. Scott asked whether Pequannock was involved with Lincoln Park in their efforts to restore protected flood mitigation properties. Ms. Marion stated that she did not know if Pequannock has contacted Lincoln Park concerning the grant program, noting that they have been pursuing their own plans.

Chairman Rattner reported that the New Jersey Department of Environmental Protection (DEP) may be increasing its list of Category 1 and Outstanding Natural Resource Waters (ONRW). He stated that a Surface Water Quality Standards Stakeholder meeting was held on January 17 concerning this issue and proposed changes may be announced in the New Jersey Register this Spring. He reported that final changes may be adopted by the end of year. He stated that the changes might affect waterways in Jefferson, Harding, Mendham Twp., Morris, Chester Borough, Chester Township and Washington.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the Land Development Review Committee meeting held on February 21, 2019. She noted the following:

Chester Township, Age Restricted Housing (County Route 510) - This site plan is for the redevelopment of an existing multi-tenant retail structure into ten age-restricted townhomes (one affordable unit) on 2.88 acres. Each of the five structures will be served by onsite septic system and onsite well. County Engineering will review the driveway and stormwater management.

East Hanover, Hilton 2 Hotel (State Route 10) - This site plan is for the redevelopment of an existing fence company property to a four-story 122 room hotel on a 3.19-acre parcel. Access would be from a shared driveway connection to Route 10 west. County Engineering will review stormwater management.

Hanover, Double Tap Brewing, (County Route 511) - This site plan is for the conversion of the former Whippany Post Office to a brewery with retail sales. In 2018, Hanover Township received an County open space grant to acquire the property.

Morris Plains, Warehouse Industrial Dev. (State Route 53) - This site plan is for the redevelopment of the former Warner Lambert property from office/research to office and warehousing/industrial on a 66.6-acre property located on Route 53. The site previously contained 801,201 square feet of office/research in two buildings and a daycare center and that 205,792 square feet of the office will remain including an 824 space multi-level parking structure. Of the 1,651 existing surface parking spaces, 1,475 will be removed and replaced by 904 spaces interspersed spaces around five new warehouse/industrial buildings. The buildings will total 587,790 square feet. Access will be from two existing traffic signalized intersections with Tabor Road (State Route 53) and the northern driveway will be improved to include a right turn lane from 53 north to the site driveway. County Engineering will review for stormwater management.

Mount Olive, Mile Square Roofing Co (Waterloo Road) - This site plan is for the addition of 13,805 square feet of warehousing and 39 parking spaces to an existing 15,000 square foot warehousing/office structure. There is a proposed subsurface infiltration basin and a surface infiltration basin proposed for stormwater management. County Engineering will review stormwater management.

Wharton, DiPiano Enterprises (County Route 634) - This site plan is for an addition to an existing restaurant with an ancillary 2nd floor apartment on a 0.114-acre parcel. The addition will almost double the size of the restaurant and add a second apartment. All parking will be on the street.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for January 2019 Mr. Eppel seconded the motion and it was approved by roll call vote.

ROLL CALL

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

Legislative and Municipal

Recent Legislation - Ms. Marion reported on five new bills. S3296, called The Green Building and Infrastructure Credit Act, would provide new tax credits for various energy efficiency certifications and allow a tax credit for the installation of new utility poles. S3462 would establish the NJ Affordable Housing Internet Portal Study Commission to examine the feasibility of creating an affordable housing internet portal to provide up to date accounting of available affordable housing, including public and private housing, housing supported by nonprofits and religious groups. The portal would include information to streamline the process of applying for subsidized housing and include FAQ “chatbot” to direct inquires to the appropriate locations.

A4985 concerns parking reserved for charging plug-in electric vehicles and would prohibit non-electric vehicles from parking in a spot that is an electric vehicle charging location. S3425 would require a railroad operator to destroy or remove obstructive vegetation on its ROW at each intersection with a public road or highway for a distance of 300 feet or such other distance from the public road or highway that the DOT determines to be safe. If not done within 10 days of written notice, the DOT or governing body with jurisdiction over the intersection will destroy or remove vegetation and railroad operator will be responsible for costs.

S3391 would require public water systems to provide customer with information regarding lead in drinking water. and S3392 would require the public water systems to develop lead service line inventories and schedules for replacement of lead service lines.

Concerning bills currently being tracked, she reported that S1057 concerning the EDA and Department of Agriculture establishment of a loan program for vineyard and winery capital expenses was approved as Public Law 2019 c.32. She also reported that multiple appropriations bills for environmental infrastructure, farmland preservation, recreation and conservation previously discussed have been approved.

Ms. Marion also stated that S1073 concerning stormwater utilities is on the Governor’s desk awaiting signature. Ms. Rattner questioned the tax implications of the bill. Ms. Marion stated that most likely municipalities with combined sewer systems would utilize stormwater utilities.

Master Plan & Land Use Ordinance Monthly Report – Ms. Marion stated that two housing elements were received, one from Riverdale and one from Mine Hill, both developed with input from the Fair Share Housing Center.

Ms. Marion stated that Riverdale is reporting a rehabilitation share of two units, a prior round obligation of 58 units and a prospective need of 243 units. She stated that the municipality will participate in the Morris County Community Development Program for rehabilitation, and met its prior round obligation with existing credits. Concerning the 243-unit prospective need, she stated that this obligation will be satisfied from existing credits, with surplus units from Riverwalk, a 30 unit Habitat for Humanity Project, adoption of a new Community Redevelopment District and the adoption of an ordinance requiring 15 to 20% set-asides on all new multi-family development of 5+ units.

Ms. Marion reported that Mine Hill has a one-unit rehabilitation need, a prior round obligation of 61 and a prospective need of 136. She stated that the Morris County Community Development

Program will be relied on to meet the rehabilitation requirement and that the prior round obligation will be met with existing units. She stated that the prospective need will be addressed through a variety of existing credits, the rezoning of three sites to allow inclusionary housing and the adoption of an ordinance requiring 15 to 20% set-asides on all new multi-family development of 5+ units.

Regarding zoning, Ms. Marion stated that five introduced ordinances and seven adopted ordinances were received in January. She stated that the most significant proposed ordinance concerns the establishment of two new affordable housing overlay zones in the Township of Harding that will be located on Mount Kemble Avenue. The new zones include a five-acre township-owned wooded tract, a tract including several residential lots and an architectural office, and three lots currently developed with office. Ms. Marion noted that one of the sites included is Glen Alpin and Ms. Olcott noted that site will be developed with an age-restricted, assisted living nursing center complex.

Long Range Planning

Ms. Galate stated that the Long Range Committee did not meet and that staff is working on the Land Use Element.

LIAISON REPORTS

Chairman Rattner reported that Ms. Olcott attended a meeting at the MCEDC concerning real estate trends and asked Ms. Olcott give a report on the findings from that meeting. Ms. Olcott reported that the Morris County vacancy rate for Class A office space is now 29 percent, down from a recent high of 32 percent. About 70 percent of rental transactions involved smaller offices and that pharmaceutical and life science businesses made up 70 percent of the rental transactions. She stated that the inventory of vacant office space would continue to decline, particularly when the BASF Mt. Olive site is repurposed. Areas with available transit are proving to be attractive as office locations, with the vacancy rate for office in Morristown at only twelve percent. She stated that industrial use had less than a two percent vacancy rate in 2018. Warehousing and distribution business is growing, with the average size in demand at 35,000 to 50,000 square feet. The International Trade Zone in Mt. Olive is fully occupied. She said that many former office/industrial locations are being repurposed for medical use, but that parking is a problem.

With regard to retail space, Ms. Olcott reported that Morristown has only a seven percent vacancy, with many sites rented for fitness, beauty products, restaurants and urgent care clinics type uses. She reported that internet retailers are finding that a brick and mortar street presence helps increase internet sales of their products, resulting in a demand for smaller retail spaces.

Concerning residential markets, Ms. Olcott reported that 66 percent of New Jersey residents own homes and that 70 percent of homes in New Jersey do not have children under 18 years of age. She stated that most Morris County sales are made at 97 percent of list price, with the majority of housing being sold in the \$300,000 to \$500,000 price range. She stated that homes are selling fastest in Madison and Chatham Boroughs due to the presence of train stations and good schools, but that sales in Harding and Mountain Lakes Townships are selling at the lowest pace due to home size and price.

Mr. Scott asked whether more people are moving back to the suburbs. Freeholder Shaw observed that there is a shift of people starting families and moving back to the suburbs, but likely to smaller homes. Ms. Marion noted that over half of the housing units in Morris County are occupied by just one or two people and that municipalities may need to review their zoning to address housing size demands.

Lake Musconetcong Regional Planning Board

Chairman Ratner reported that three of the last four meetings were cancelled due to lack of a quorum and weather. He stated that the Board supports the protection of surface waters upstream from Category 1 waters and reported on a study concerning road salt and its impacts on drinking and recreational waters and rivers. He stated that the use of road salt doubled in last 25 years and that 70 percent of drinking water supplies have higher levels of salt. He cited studies predicting higher future salt levels and discussed the issue of increased salt levels at the bottom of lakes, which restricts the normal turnover of water from bottom to the top, impacting lake-dependent wildlife.

Chairman Ratner announced a Northwest Jersey River Conference to be held at Centenary Collage March 30, 2019 and that this is approved for CEU's.

Lake Hopatcong Commission

Ms. Marion stated that she did not receive a report from the Commission. Chairman Rattner stated that the Commission continues to study the issue of lake levels.

Morris County Open Space Trust Fund

Ms. Galate reported that the rules and regulations are being reviewed. She stated that there will be a kickoff meeting on March 19, 2019 and a workshop on March 28, 2019.

Trail Construction Trust Fund Committee

Ms. Olcott stated that the Freeholders approved funding of \$790,713 to construct 3.38 miles of trails. She stated that the Committee met on February 19th to discuss whether changes were needed to any rules, grant agreements or other aspects of the program. She reported that the staff works hard to make sure the application process goes smoothly and that new applications will be available in the Spring. She stated that applications are due in July and that the Committee will meet to review applications on October 2, 2019.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion had nothing to report.

REPORT OF MEETINGS

Ms. Marion had nothing to report.

OTHER BUSINESS

Low and Moderate Income and Inclusionary Development Map - Ms. Marion reported that Mr. Sitlick prepared an update to the Low and Moderate Income and Inclusionary Development map. She stated that he keeps track of projects that have municipal approval, are under construction or completed and that he surveys the municipalities to make sure it is as accurate as possible. She described the map and accompanying tables and reported that the current inventory identifies 21,211 units, of which 5,676 are low and moderate. She stated that affordable housing resource agencies and providers, and support organizations are also included. When the update was posted on the website, the County received positive response from the public.

Municipal Profiles - Ms. Marion stated that Meghan Hunscher of the Morris County Economic Development Corporation had requested municipal informational sheets suitable for marketing. She stated that Mr. Soriano subsequently prepared municipal profiles for all Morris County municipalities, which are to be posted on the Office of Planning and Preservation website. Each profile contains 17 charts concerning demographics, land values, housing occupancy, property taxes, economic indicators, housing affordability and poverty, workforce employment, mean travel time, education and crime, for sale housing prices, residential property tax and crime rates.

Ms. Marion reported that Mr. Sitlick will be working with the Census Participant Statistical Area Program to analyze census geography. She stated that the program allows for review and update of statistical area boundaries for 2020.

Legal Update

Ms. Santucci had nothing to report

COMMENTS FROM THE PUBLIC

NEXT MEETING

Chairman Rattner stated he next meeting is scheduled for March 21, 2019 at 7:00 p.m. He also thanked Ms. Axelrod again for her service and wished her a happy and healthy retirement.

ADJOURNMENT

At 8:20 p.m., Mr. Vitz 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.