

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

30 Schuyler Place
April 19, 2019

Morristown
New Jersey

Mr. Rattner called the Regular Meeting to order at 7:03 p.m.

OPEN PUBLIC MEETINGS LAW

Mr. 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, Supervising Planner
Chris Vitz, County Engineer	Joe Barilla, Principal Planner
Ted Eppel	Staci L. Santucci, Esq., Planning Board Attorney
Nita Galate, Member	Anthony Soriano, Supervising Planner
	Mary Romance, Clerk

REVIEW OF MINUTES

Isobel Olcott moved the minutes of the March 21, 2019 Planning Board meeting. Mr. Vitz seconded the motion. Mr. Rattner called for Roll Call Vote:

VOTE	Not Present	Aye	Nay	Abs.
Douglas R. Cabana, Freeholder Dir. -	--			
Ted Eppel, Secretary				X
Stephen Shaw, Freeholder	--			
Isobel Olcott, Vice Chair		X		
Annabel Pierce	--			
Everton Scott	--			
Christopher Vitz, County Engineer		X		
Deborah Smith, Freeholder Alt.				
Nita Galate		X		
Christian Francioli (Alt. #1)	--			
Roslyn Khurdan, (Eng. Alt.)				
Steve Rattner, Chairman				X

The motion was approved.

DIRECTOR'S REPORT

Ms. Marion provided a written report and stated that she will report on appropriate subject headings under each of the items.

REPORT OF FUNDS RECEIVED

Funds received for March, 2019 totaled \$8,685.

FUTURE MEETINGS

Ms. Marion stated there was nothing to report at this time.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan - Ms. Marion reported that Mine Hill requested changes to their chapter of the Wastewater Management Plan at the April 12, 2019 meeting with the New Jersey Department of Environmental Protection (DEP). Mine Hill is requesting that the sewer service area map include the Irondale Mountain industrial area. The DEP stated that Mine Hill can include existing buildings; however, critical wildlife habitat must be excluded and Mine Hill must include flow information in the chapter. The DEP will assist Mine Hill with mapping. Ms. Marion stated that Morris County Planning is waiting for others to respond in order to move this chapter forward.

Mr. Rattner questioned the status of the "Flats" area of Mine Hill. Ms. Marion stated that Mine Hill is in a divide; the east portion is in the Rockaway River Basin and the other side is in the Raritan Basin. The Flats area is in the Raritan Basin and if served by the Rockaway Valley Regional Sewer Authority would result in an inter-basin transfer. Ms. Marion stated that this particular isolated area should be in what is termed an unassigned sewer service area, i.e. it can be sewered but there is currently no sewage treatment plant designated to receive this sewage. She stated that the Ajax treatment plant would have to be expanded to accept this sewage and Roxbury Township would need to agree.

Ms. Marion stated that the Parsippany chapter is on hold because of an issue with the location of the sewer service area at the County Public Safety Training Academy, noting that the DEP is removing the area planned for a proposed garage because it has been defined as critical habitat. Mr. Vitz stated that action from Parsippany will be needed concerning this matter.

Watershed- Ms. Marion stated there is nothing to report.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the Land Development Review Committee meeting held on Thursday, April 18, 2019. She noted the following:

Chatham, 246 Main Street (County Route 607) - This site plan is for the redevelopment of an existing multi-building/multi-tenant commercial property in downtown Chatham Borough with a mixed-use four story residential/commercial building on .464 acres. Eighteen apartment units are proposed with three of the units being low/moderate income units on floors 2 through 4. There is a 24 space parking lot proposed behind the building. A right-of-way dedication may be required for the site's Passaic Avenue frontage. County Engineering will review for the new site driveway.

East Hanover, KNC Fuel, Inc. (County Road 632) - This site plan is for the redevelopment of an existing gas station. The existing pump island, canopy, fuel tanks and site identification sign will be replaced. Encroachments will be removed within the County right-of-way. County Engineering will review the existing driveways.

Hanover and Parsippany Restaurants at Dryden Way (Dryden Way) - These site plans concern development of two adjacent restaurants at the Mack-Cali office park, one in Hanover and one in Parsippany. The restaurant proposal for Hanover Township will have access through the Parsippany Township site to an existing driveway connection to Dryden Way. This restaurant totals 8,630 square feet with 160 parking spaces on an 8.798 acre parcel. The restaurant proposal for Hanover Township totals 9,909 square feet with 157 parking spaces on an 11.6 acre parcel. Both properties will be served by public water and sanitary sewer. There should be an access easement provided to the Hanover Township property and consideration should be given to providing a shared parking agreement for the two properties. Stormwater management includes two surface basins, one on each site. Consideration should be given to an agreement between properties for the maintenance of both basins. County Engineering will review for stormwater management.

Jefferson, Betsy Ross Diner (County Route 699) - This site plan is for the redevelopment of a former bank to a diner. There are two small additions (844 square feet) and a reworking of the existing parking to provide a total of 61 spaces. A right-of-way dedication will be needed for this site's Berkshire Valley Road frontage.

Roxbury, Adler Roxbury Warehouse (Phillips Way) - This site is for a 470,044 square foot warehouse/office structure with 299 vehicle parking spaces and 119 trailer parking spaces on a 109.5 acre property. Access for the site will be from Phillips Way, a private roadway to an existing multi-building flex use facility. There is an existing access easement for this property. Stormwater management includes a subsurface infiltration/detention basin and a surface detention basin. This site is impacted by both wetlands and steep slopes. County Engineering will review for stormwater management.

Wharton, 365 North Main Street, (County Route 634) - This site plan is for the redevelopment of a commercial property to a three story, 24-unit apartment building of which four units will be low/moderate income. This site currently has two driveway connections to North Main Street. Both driveways will be closed and a new full access driveway will be constructed at the southern end of the property. In addition, there is a proposed exit-only driveway connection to the existing Wharton Gardens apartment complex driveway. A right-of-way dedication will be needed for a portion of the site's North Main Street frontage. A subsurface detention facility is proposed within the parking lot and will outfall to the North Main Street collection system. County Engineering will review for stormwater management and the driveway connection.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for March, 2019. Mr. Vitz 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	--		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	--		
Everton Scott	--		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	--		
Nita Galate	x		
Christian Francioli (Alt. #1)	--		
Roslyn Khurdan, (Eng. Alt.)	--		
Steve Rattner, Chairman	x		

Legislative and Municipal

Recent Legislation – Mr. Soriano reported that only one new bill was introduced, Assembly Bill 5201, which would create a new category of protection under the current Endangered Species Plant List Act of 1989. The new category is Threatened Plant Species, which is any native plant species likely to become endangered throughout all or a significant portion of its range.

Concerning bills previously tracked, Mr. Soriano reported that three bills were signed into law. The first is A4177, which allows county homelessness trust funds to be used for code blue emergency shelter services. The second is S3151, which appropriates \$1,190,349 from Corporate Business Tax (CBT) revenues to the NJ Historic Trust for historic site management preservation projects. He noted that this includes funding of \$56,000 for projects in Denville, Morristown,

Roxbury and Washington. The last bill noted was S1073, which authorizes municipalities, counties and certain authorities to establish stormwater utilities.

He also reported on the signing of the Governor's Executive Order 63, which rescinds Governor Christie's 2010 Executive Orders 1 and 2. He stated that these previous executive orders concerned the enactment of new rules, prohibitions on the state's enactment of rules which exceeded federal standards and the time-of-decision rule, which would inoculate applications from new rules changes once they were submitted and deemed complete.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano reported that Mountain Lakes submitted a Housing Element and Fair Share Plan, based on the settlement agreement between the Borough and the Fair Share Housing Center. He stated that the Prior Round and Third Round obligations would be met by a combination of credits, existing zoning, and proposed affordable housing overlay zones. The one-unit rehabilitation component will be met with assistance from the Morris County Community Development Program.

Concerning the zoning report, Mr. Soriano stated that four introduced and six adopted ordinances were received. He highlighted Phase 2 of the Morris Street Redevelopment Plan in Morristown. This plan will involve 1.6 acres on eastbound Morris St. east of Ridgedale Avenue and proposes 85 multi-family units and 10,000 s.f. of commercial space. Fifteen to 20% percent of the units will be affordable housing and not less than 30% of the units must be "live/work" units.

Long Range Planning

Ms. Galate reported that staff is working on the Land Use Plan. Mr. Soriano stated that staff is developing a new existing land use map. Currently, there are about 500 parcels remaining to be matched of the original 3,345 unmatched parcels and Mr. Sitlick continues his work on this project. Barbara Murray is updating the open space inventory, required for the master plan, with the assistance of Mary Romance. Mr. Soriano addressed the potential impact of pending affordable housing settlement agreements, an issue originally raised by Ms. Olcott. He stated that 31 inclusionary projects are currently approved or under construction that will generate 4,567 housing units of which 519 will be affordable, with a projected population impact of between 10,000 and 13,000 persons. He stated that a review of potential affordable housing represented in adopted Housing Elements, court approved settlements or otherwise contained in local zoning results in an estimate of 13,573 potential new units of which approximately 2,900 would be affordable (inclusive of the projects previously noted). This would result in a population increase of between 31,000 and 39,000 persons. He noted these estimates will change as new plans and projects are submitted regularly and that, even without affordable housing mandates, the current housing market would likely be generating similar multi-family demand, but with different densities and/or different locations.

LIAISON REPORTS

Lake Musconetcong Regional Planning Board

Mr. Rattner reported on a number of Lake Musconetcong events:

1. The annual river cleanup was held on April 13 with 400 volunteers. He noted that areas with public access contained the most garbage.
2. The Musconetcong Watershed Association will host a Native Plant Sale on April 27 between 9a.m. and 2p.m. at their offices in Asbury, Warren County.
3. The Annual Run for the River will be held on Sunday, May 5th
4. A Film Festival has been tentatively scheduled for Sept 14 at Centenary College.
5. The Stanhope Spring Festival will be held on June 19.

Mr. Rattner then provided highlights of the recent meeting of the Lake Musconetcong Regional Planning Board (LMRPB):

1. The Highland Council is offering planning grants up to \$50,000 to be used solely for planning.
2. There is pending legislation to provide a \$500,000 grant for weed cleanup/water quality improvement for Greenwood Lake, two-thirds of which is in New York State. Mr. Rattner stated that he is working towards broadening the scope of this legislation to include other bodies of water in northern New Jersey.
3. The LMRPB is reaching-out to the Lake Hopatcong Commission and the Lake Hopatcong Foundation to discuss the prospect of applying jointly for a 319(h) grant for the purpose of building a compost facility for vegetation taken from the water.
4. The Board's budget priority for 2020 is lake management.
5. Mr. Rattner reported that Pat Rector, Rutgers Extension Service, is retiring. He stated that she has been invaluable to the Board and Ms. Marion noted that she also ran the Rutgers Environmental Stewardship program.

Lake Hopatcong Commission

Ms. Marion stated that Jefferson Mayor Eric Wilsusen has been attending meetings of the Commission. Ms. Marion provided a summary of items from the minutes for the March Meeting:

1. Princeton Hydro has applied for a 319(h) Grant. The Musconetcong River Watershed is a high priority watershed for the next few funding cycles. Once the Watershed Implementation Plan is complete, it will be submitted to the Highlands Council. This grant request is intended increase their eligibility for funding to implement the recommendations in that plan.
2. Drone surveys have been conducted of the lake and the water quality stations. The surveys found that highest levels of total suspended solids and sedimentation are near Station Ten in the Woodport section. Prospect Point Cove is the highest priority for dredging due to high amounts of sedimentation. The minutes reference a water body

that feeds from the Weldon Quarry area into the Lake, as there is potentially a lot of sedimentation or erosion that's coming from the quarry. A letter is being written to the NJDEP concerning this issue.

3. Ag Choice has reduced costs for weed disposal.
4. The Commission is also in the process of updating the Water Level Management Plan.

Morris County Open Space Trust Fund

Ms. Galate reported that there is one closing at Leddell Preserve (17.8 acres) that will become part of Lewis Morris Park. She noted that June 14 is the closing date for next round of Open Space grant applications.

Trail Construction Trust Fund Committee

Ms. Olcott reported that a workshop will be held on April 23 at the Cultural Center for potential applicants to review recent program changes. Grant agreements for 2018 grantees were distributed and will be scheduled for Freeholder approval upon receipt. New application forms are posted on the website.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion noted there is no correspondence to report.

REPORT OF MEETINGS

Ms. Marion reported that she and Mr. Vitz attended a meeting today concerning the Route 24 Freeway. This meeting included Mayors of the affected municipalities (Hanover, Morris, Florham Park Madison and Chatham Borough), county representatives, representatives from DOT, Congresswoman Mikie Sherrill and a number of legislators. She reported that the recommendation of the meeting was to form a work group to examine issues and possible solutions. Mr. Vitz noted that DOT is finishing concept development on the flyover and that additional funding will also be required for the consultant to finish the project. Mr. Perry noted that Hanover anticipates that a site plan application will be submitted for a hotel within the right-of-way of the flyover.

OTHER BUSINESS

Proposed changes to the Highlands Regional Master Plan (RMP): Mr. Soriano reported that the Highlands Council is proposing an amendment to the RMP pertaining to conformance requirements. He reported on how the proposed text related to county conformance differs from the 2008 RMP. The proposed amendment indicates that county conformance will focus on provisions related to roadway improvements and stormwater systems over which the county has jurisdiction.

He reported that he spoke with a representative from Hunterdon County which had petitioned for conformance in November 2018. Based on that conversation, it appears that the conformance process for counties may be less complex than previously required. He stated he will monitor Hunterdon's conformance process.

He reported on the petition status of other counties in the Highlands region and indicated that public comments on the proposed RMP amendment are being accepted through Tuesday, May 28, 2019.

Major Employers in Morris County, 2019: Mr. Soriano presented the findings of the annual survey of major employers prepared by Mr. Sitlick for the County, stating that this data is used by credit rating agencies. He reported on the changes in ranking on the list concerning the Siemens and Wyndham companies and the addition of Teva Pharmaceuticals.

Census Update: Mr. Soriano reported that the U.S. Census Bureau released its latest population estimates and that Morris County's 2018 estimate is approximately 494,000 persons. He stated that previous years' estimates have been revised downward for Morris County and nearly all other counties in the state. He stated that the complete count from the 2020 Census will not be available until sometime in 2021.

Financial Disclosure: Ms. Marion reminded members that the deadline for filing their financial disclosure statements is April 30.

Mr. Rattner thanked Ms. Olcott for running last month's meeting. He will incorporate her call for an update from the Freeholders to the agenda as part of future meetings when a Freeholder is present. He also reported that John Wetzel from Roxbury has been appointed by the Freeholders as an alternate to the Musconetcong River Management Council.

Legal Update

Ms. Santucci had nothing to report.

COMMENTS FROM THE PUBLIC.

None.

Mr. Eppel commented on the importance of recycling and the proper marking of recyclables to improve recycling participation. Ms. Marion suggested that this would be an issue for the Morris County Municipal Utilities Authority

NEXT MEETING

Mr. Rattner stated that the next meeting is scheduled for May 16, 2019, at 7:00 p.m.

ADJOURNMENT

At 8:23 p.m., Mr. Vitz moved to adjourn the meeting, Ms. Galate 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.