

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

30 Schuyler Place  
July 18, 2019

Morristown  
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:03 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	Joe Barilla, Assistant Planning Director
Ted Eppel, Secretary	Greg Perry, Supervising Planner
Everton Scott	Staci L. Santucci, Esq., Planning Board Attorney
Anthony Soriano, Supervising Planner	Mary Romance, Clerk/Recording Secretary
Christopher Vitz, County Engineer	

**REVIEW OF MINUTES**

Ms. Olcott moved the minutes of the June 20, 2019 Planning Board meeting. Mr. Vitz seconded the motion. Chairman Rattner called for a vote:

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary			X
Stephen Shaw, Freeholder	-		
Isobel Olcott, Vice Chair	X		
Annabel Pierce	-		
Everton Scott			X
Christopher Vitz, County Engineer			X
Deborah Smith, Freeholder Alt.	-		
Nita Galate	-		
Christian Francioli ( Alt. #1)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Steve Rattner, Chairman	X		

The motion was approved.

**DIRECTOR'S REPORT**

Ms. Marion stated that she would highlight particular items under the  
..... appropriate category.

## **REPORT OF FUNDS RECEIVED**

Funds received for June 2019 totaled \$5,560.

## **FUTURE MEETINGS**

Ms. Marion had nothing to report.

## **COMMITTEE REPORTS**

### **Environmental and Watershed**

*County Wastewater Management Plan* - Ms. Marion reported that Virginia Michelin is preparing the Mine Hill Chapter of the Wastewater Management Plan (WMP), for submission and incorporating correspondence pursuant to New Jersey Department of Environmental Protection (NJDEP) in response to her communications with NJDEP.

*Watershed* - Ms. Marion reported that the Rockaway River Watershed Cabinet (RRWC) will be represented at the 4-H Fair being held July 19 through 21, and that she will be staffing the booth, along with other volunteers.

### **Land Subdivision and Zoning**

*Developments Reviewed* – Ms. Olcott reported on the Land Development Review Committee meeting of July 18, 2019. She noted the following:

#### **Florham Park, Flo Park Associates, 2019-11-6-SP-0 (County Route 608)**

This site plan is for a parking lot expansion to provide 20 addition spaces for a multi-tenant commercial building on a 1.94-acre parcel. The existing driveway connections to Ridgedale Avenue will remain as a right-in-only driveway. There is a small decrease (263 square feet) in impervious coverage. County Engineering will review the existing driveway connection to Ridgedale Avenue.

#### **Hanover, Rehab RW 5-23 Morristown Airport, 2019-12-3-SP-0 (County Route 510) and Florham Park, Rehab RW 5-23 Morristown Airport, 2019-11-5-SP-0 (County Route 510)**

These site plans are for improvements to an existing maintenance access driveway from Columbia Turnpike and a multi-phase reconstruction and safety upgrades for runway 5-23 at the Morristown Airport (150 acres+/-). County Engineering will review proposed construction signage for the driveway. Ms. Olcott stated that runway closing during construction will have an economic impact on the area.

#### **Hanover, AC Hotel by Marriot, 2019-12-4-SP-0 (County Route 623)**

This site plan is for the redevelopment of a former bank/office use to a proposed 5-story, 160 room hotel on a 3.3 acre parcel. The site plan proposes a full access driveway connection to Park Avenue. The proposed stormwater management plan includes the use of a subsurface detention basin with

a manufactured water quality treatment device prior to the outfall towards the rear of the property. Ms. Olcott noted that the proposal is situated within the preferred alignment for the Park Avenue/Columbia Turnpike Intersection Improvement. County Engineering will review the Stormwater Management Plan and the proposed driveway connection to Park Avenue.

Morristown, 171-175 Morris Street, 2019-24-5-SP-0 (County Route 510)

This site plan is for the redevelopment of a former commercial property to a four story mixed use commercial/apartment building on 1.58 acres. The first floor will have approximately 2,700 sq. ft. of retail space with 85 units dispersed within floors 2 through 4. A total of 112 surface and under-building parking spaces are proposed. Access will be from a single full access driveway connection to Morris Street. An existing municipal drainage structure will be relocated along the western and northern property boundaries and connect to the existing County stormwater collection system within Morris Street. Stormwater management for this project entails a site collection system, which will connect to the Morris Street system. County Engineering will review the proposed stormwater management and the access driveway.

Mr. Vitz made a motion to approve the Report of Actions Taken on Development Plans for June 2019. Ms. Olcott seconded the motion. The motion was approved by roll call vote.

**ROLL CALL**

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary			X
Stephen Shaw, Freeholder	-		
Isobel Olcott, Vice Chair	X		
Annabel Pierce	-		
Everton Scott	X		
Christopher Vitz, County Engineer	X		
Deborah Smith, Freeholder Alt.	-		
Nita Galate	-		
Christian Francioli ( Alt. #1)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Steve Rattner, Chairman	X		

**2018 Annual Development Review Activity Report**– Mr. Barilla began by noting the cover done by Gene Cass before he retired as Supervising Cartographer. Mr. Barilla stated the County remains attractive for new development, noting various amenities including its park system, mass transit system, walkable downtown areas, high quality medical facilities, and extensive highway and roadway network system. Mr. Barilla then presented highlights from the Report:

- Submissions reviewed for 2018 were spread-out geographically, led by Montville, Roxbury, Florham Park, Parsippany-Troy Hills, Morris Plains and Morris Township.
- There was an upward trend in new building lots generated from major subdivisions. In 2018, review included 105 new building lots, 96 of which were from “The American” project in Morris Plains. Legacy projects have driving these numbers and that once complete, he anticipates the number of new lots created to return to 50 lots or under per year.

- In 2018, site plans included 1,411 townhouse and multi-family units; the second highest figure for this category in the past ten years. Continued growth is expected due to current market demands and affordable housing mandates.
- Most new housing construction is for higher-end units, with a small amount of low-income housing inserted. A significant future consideration is the potential impact of new affordable housing development.
- Between 2010 and 2018, approximately 7,500 units of multi-family housing were reviewed by the County. Municipalities with access to mass transit and Interstate highways saw the highest growth and in 2018, Morris Plains led the County with 715 proposed multi-family units, the bulk of which came-in within the past two years.

Mr. Barilla highlighted several projects currently under construction, including the Meridia Transit Plaza mixed-use redevelopment site in Dover, the Calaloo Café residential redevelopment project in Morristown and the new Lowe’s home improvement center in Hanover. Concerning overall nonresidential construction, he reported that 1.8 million square feet of proposed new non-residential floor area was reviewed in 2018, with the overwhelming majority located on redevelopment sites. The largest contributors of new floor area were from light industrial and warehouse/logistics uses. He reported that 1.3 million square feet of new nonresidential square feet have been reviewed year-to-date for 2019.

In summary, he noted that:

- The number applications received in 2018 and 2017 is similar, but many of the projects reviewed in 2018 were of larger scale and intensity.
- Multi-family and flex/light industrial uses are driving development in the County.
- Commercial office development remains flat. No new Class A office buildings were proposed.
- With the exception of large legacy projects, the number of single-family lots created by major subdivisions continues to decline, a trend that will continue due to lack of available space.
- Housing affordability continues to be a major issue. Median rent for a two-bedroom apartment is \$1,600 and the median home price for new construction is about \$676,000; in many cases new housing is replacing what had been starter homes. Workforce housing is becoming an issue. A majority (90%) of the 1,411 multi-family units reviewed in 2018 are proposed to be “luxury” units and have expected rent levels that are double the existing median rent for the County.

Ms. Olcott noted that the mandated affordable housing being built may balance some of the luxury housing under construction, with a resulting downward impact on median rents. However, Mr. Rattner noted that new construction apartments are renting for \$3,000 in Mount Olive and that even with 15 to 20% set-asides for low/moderate units, 2-bedrooms rents are still at the \$1,600 level. Ms. Marion noted that affordable housing authorities sometimes find it difficult to find the proper family size with the proper income to fill the various required ranges of available affordable housing.

Mr. Scott expressed interest in organizations such as Morris County Economic Development Corporation (MCEDC), which are looking at future workforce needs and requirements. Ms. Marion noted that the County is looking to develop an economic development plan with the Morris County Chamber of Commerce and the MCEDC.

Mr. Vitz made the motion to accept and release the *2018 Annual Development Review Activity Report* as presented. Ms. Olcott seconded the motion. The Planning Board unanimously agreed via voice vote.

### **Legislative and Municipal**

**Legislative Action** – Mr. Soriano reported that, pending any emergency session, the New Jersey Legislature has left Trenton until after Labor Day. The current two-year legislative session ends on January 14, 2020. He anticipates significant legislative action when the legislature returns in the fall.

He highlighted two newly introduced bills from his monthly legislative report, the first being S3941/A5692, which would provide a 50% sales tax reduction on certain retail sales made in municipalities located wholly or partly in the Highlands Preservation Area. This would apply to all retail sales except motor vehicles, alcoholic beverages, digital products and cigarettes. The second is S5598, which would require the Edward J. Bloustein School of Planning and Public Policy to undertake strategic forecasting of the impact on each municipality fulfilling court ordered affordable housing obligations for the current round ending in 2025. This analysis is to address the impact of affordable housing construction on local infrastructure, transit, environment, municipal/county services, emergency services, educational infrastructure and commerce.

He also reported that two tracked bills were recently signed into law, including S362, adopted as P.L. 2019, c.132. This law provides that deed restrictions on affordable housing units are not extinguished by foreclosure proceedings. Senate Bill S2920 was also signed into law as P.L. 2019, c.136. This law amends the *Preserve New Jersey Act* approved in 2016 concerning the allocation of a portion of the Corporate Business Tax (CBT) as a stable source of open space, farmland and historic preservation funding. The law establishes funding allocations for constitutionally dedicated CBT revenues of 6% for the State's open space, farmland, and historic preservation programs for Fiscal Year 2020 and beyond. The original bill covered the period of 2016 – 2019 and had dedicated 4% of the CBT to this purpose.

**Master Plan & Land Use Ordinance Monthly Report** – Mr. Soriano reported that no master plan elements or amendments were received for the reporting period.

**Zoning** – Mr. Soriano reported that three proposed and 14 adopted ordinances were processed and reviewed. Of the 14 adopted ordinances, 11 concerned affordable housing.

### **Long Range Planning**

**Land Use Plan Element** – Mr. Soriano reported that he is continuing to work on various Land Use Plan sections and recently sent a draft of the introduction segment to the Long Range Planning Committee. He is continuing to develop other data and mapping, summarize trends and develop preliminary goals and objectives and recommendations. He anticipates meeting with Committee in August.

## **LIAISON REPORTS**

### **Lake Musconetcong Regional Planning Board (LMRPB)**

Chairman Rattner reported that the County Board of Freeholders supported the Musconetcong Watershed Association application for the National Park Service funding to develop a brochure concerning the Musconetcong National Wild and Scenic River by providing both a letter and resolution of support. Mr. Rattner expressed appreciation for all those who turned this project around on a tight deadline, including the Freeholders, Ms. Santucci, and Ms. Marion, who provided substantial and detailed information for the project. He also thanked other staff for their assistance over the years on various projects.

Mr. Rattner reported that he has been fielding calls regarding the new Stormwater Utilities legislation because of his position as chair of the Musconetcong Sewage Utility. He has discussed this issue with the Lake Musconetcong Regional Planning Board (LMRPB) and other groups. Mr. Rattner anticipates continued interest in this subject by a number of groups.

Mr. Scott initiated a discussion concerning establishment of a Stormwater Utility. Ms. Marion explained that, in areas with a combined sewer system such as Hoboken, Jersey City and Newark, the Environmental Protection Agency (EPA) has requirements that must be satisfied and that creating a Stormwater Utility would provide a structure in which to satisfy these issues in those locations. Ms. Marion noted that Morris County is not coping with these types of issues.

Mr. Rattner stated that he will contact the Lake Hopatcong Commission to discuss the stormwater utility issue. Mr. Rattner noted that, without having a Stormwater Utility as a regional entity, he does not see how it could possibly work.

### **Lake Hopatcong Commission**

Ms. Marion reported on the issue of the cyanobacteria, a.k.a. blue-green algae. The State is monitoring the situation and reports are being issued Tuesdays and Thursdays online. Ms. Marion shared the most recent report of July 17, 2019 with the Board. Mr. Rattner also reported that the State is also monitoring the lake through automated buoys. She reported that Greenwood Lake is also experiencing this problem as are several other lakes in New Jersey.

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

Ms. Marion reported that the County received seven applications requesting \$2,770,350 covering 166.23 acres. Staff is reviewing applications and appraisals in preparation for a presentation of the applications at the next committee meeting on September 4, 2019.

### **Trail Construction Trust Fund Committee**

Ms. Marion reported that eight municipalities submitted a letter of intent for the 2019 Morris County Trails Construction Grant Program. The applications are due Wednesday, July 31, 2019. She noted that there are enough funds available to address all current letters of intent if they move forward and all applications are approved. Mr. Eppel asked about the nature of the trails and whether the trail committees in various communities are coordinating their efforts. Ms. Marion

reported that there is no official mechanism to address this issue, but that Ms. Murray is working to increase coordination between municipalities.

### **CORRESPONDENCE AND REPORTS RECEIVED**

Ms. Marion had nothing to report.

### **REPORT OF MEETINGS**

Ms. Marion had nothing to report.

### **OTHER BUSINESS**

Ms. Marion announced that Mr. Joe Barilla has been promoted to Assistant Director of Planning and Preservation. She also announced that she will be retiring on May 31, 2020. The Planning Board expressed appreciation for the good work Ms. Marion continues to do on behalf of the County as well as their congratulations and support of Mr. Barilla.

### **LEGAL UPDATE**

Ms. Santucci reported that there has been no movement on the proposed legislation concerning public meeting requirements. She will continue to monitor the situation and put together a plan to address the issue.

### **COMMENTS FROM THE PUBLIC**

None

### **NEXT MEETING**

Chairman Rattner stated that the next meeting is scheduled for September 19, 2019 at 7:00 p.m.

## **ADJOURNMENT**

At 8:11 p.m., Mr. Vitz moved to adjourn the meeting, Mr. Eppel seconded, and all approved by voice vote.

Respectfully submitted,

Christine Marion, P.P./AICP  
Planning Director

*Original is signed and on file at the office of the Morris County Planning Board.*