

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

30 Schuyler Place
December 5, 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 for 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	Anthony Soriano, Supervising Planner
Everton Scott	Greg Perry, Supervising Planner
Chris Vitz, County Engineer	Mike DiGiulio, Senior Planner
Nita Galate	Mary Romance, Clerk/Recording Secretary
Annabel Pierce	

REVIEW OF MINUTES

Vice-Chair Isobel Olcott moved the minutes of the October 17, 2019, Planning Board Meeting. Secretary Ted Eppel seconded the motion. Chairman Rattner called for a vote:

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

The motion was approved.

Chairman Rattner welcomed new staff member Mike DiGiulio. Mr. DiGiulio provided his educational and employment background. Ms. Marion noted that Mike DiGiulio is working in Development Review, reporting to Greg Perry, and is reaching out into other areas, including Preservation Trust. He has been working with Principal Environmental Planner Virginia Michelin and has already been out in the field with Assistant Planning Director Joe Barilla to conduct farmland preservation monitoring.

DIRECTOR'S REPORT

Planning Director Christine Marion noted that the County is waiting for the New Jersey Department of Environmental Protection (NJDEP) to publish the Mine Hill Chapter of the Wastewater Management Plan in the New Jersey Register. She stated that Ms. Michelin has been working with Mr. DiGiulio on an interactive map showing sewer service areas by parcel. Mr. DiGiulio stated that the map will allow the public to search their properties and determine their sewer service area status and that this interactive map provides the means to find a particular property without knowing the Parcel ID Number. Ms. Marion added that one can also browse the map to determine the status of any parcel.

The Board accepted the Director's Report for October - November 2019 and it will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for October 2019 totaled \$9,850. Funds received for November 2019 totaled \$10,785.

FUTURE MEETINGS

Ms. Marion informed the Board that she would be attending the County Planners Meeting on December 6, 2019, with Senior Planner Kevin Sitlick. Ms. Olcott noted that this meeting would be a good opportunity for Ms. Marion to discuss the Complete County Committee to elicit ideas the Committee may consider regarding communication strategies. Ms. Marion reported that the Complete Count Committee received a grant for just over \$100,000 to assist with the program. Ms. Olcott reported that the next meeting of the Committee is on December 16, 2019.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Ms. Marion had nothing further to report.

Watershed Activities – Ms. Marion reported on the meeting of the Rockaway River Watershed Cabinet (RRWC) held earlier in the day, and stated that the year is ending well with potential new projects. She reported that new watershed signage has arrived and is available to any municipality that would like to replace their existing signage. The Cabinet is also moving ahead with a potential project for stream assessments with the assistance of high school and college students.

Ms. Marion also reported that the Whippany River Watershed Action Committee is looking for a new facilitator and wants to collaborate with other watershed groups.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the Land Development Review Committee meeting on December 5, 2019. Ms. Olcott noted the following applications:

Montville, Alpine Development, 2019-21-5-M-0 (County Route 202) - This minor subdivision is for a lot line transfer to create two single-family residential lots from two existing vacant lots. The two lots will access a municipal road and each new home will have drywells to infiltrate rooftop stormwater runoff. Ms. Olcott noted that a sight triangle will be requested.

Parsippany, 1209 Littleton Road, 2019-29-10-SP-0 (County Route 202) - This site plan is for the redevelopment of an existing single-family residential lot into a mixed-use structure with 2,304 square feet of retail on the first floor and four apartment units (two on the 2nd floor, two beneath the first floor) along with 19 parking spaces on a .8 acre parcel. A single full access driveway connection to Littleton Road is proposed. Stormwater management entails the use of a subsurface infiltration system with an overflow outfall directed to the rear of the property. County Engineering will review the proposed driveway connection to Littleton Road and the proposed stormwater management.

Developments Reviewed – Ms. Olcott then reported on the Land Development Review Committee meeting held on December 5, 2019. Ms. Olcott noted the following applications:

East Hanover, Quick Chek East Hanover, 2019-10-9-SP-0 (County Route 610) - This site plan is for the redevelopment of a multi-tenant commercial property into a Quick Chek convenience store with motor fueling facilities on a 2.3 acre property. All existing site improvements will be removed and a 5,869 square foot convenience store will be constructed in addition to eight fuel dispensers and 64 parking spaces. The site will have a stormwater collection system with a manufactured water quality structure prior to its connection to the Mount Pleasant Avenue stormwater collection system. Proposed access for this site includes a full access driveway connection to Mount Pleasant Avenue and this proposed driveway will be situated across from the existing Hanover Park High School driveway. Dedicated left turn lanes will be provided. Ms. Olcott noted that bus stops are provided on three of the adjacent road frontages. County Engineering will review stormwater management.

East Hanover, 500 Ridgedale Avenue, 2019-10-8-SP-0 (County Route 632) - This site plan application is for the conversion of a single-family residence with home occupation into a dental office. The existing driveway will be expanded to accommodate parking for employees and patients. Five parking spaces are proposed, including one ADA accessible spot. Additional external improvements as well as internal structural improvements are included. Due to the low volume commercial use of a home dental office, the expansion of the driveway to conform to the required minimum 24' for a commercial structure will not be required; the applicant will request a waiver from County standards and increase the width to 18 feet.

Jefferson, Jefferson Market, 2019-14-6-SP-0 (County Route 615) - This site plan application is for the redevelopment of the Jefferson Market property on Espanong Road (CR 615). The

existing 1,711 sq. ft. convenience store will be demolished to allow for the construction of a new 4,147 sq. ft. convenience store, associated parking, and a drainage collection and conveyance system. The site plan includes 23 parking spaces, including a required van accessible ADA parking space. Four employee parking spaces are provided atop reinforced turf behind the eastern wall of the proposed structure. The curb line needs to be extended out towards the existing stormwater inlets along Espanong Road (CR 615). There is an existing County drainage easement across the property. A new drainage pipe will need to be constructed. County Engineering will need to review for stormwater management and site frontage improvements. More intensive development and rearrangement of this site plan is needed so that construction is not blocking the County drainage easement. County approval is being withheld pending rearrangement of the site plan to address this issue.

Madison, Central Avenue School Minor, 2019-17-10-M-0 (County Route 608) - This minor subdivision will create two lots from the Central Avenue School property (Block 1601, Lot 1) along Central Avenue (CR 608). The proposed 0.55-acre lot will be located at the western corner of the lot, adjacent to lots 20, 21, and 23 at the end of Community Place. The Borough of Madison will retain ownership of the proposed lot and will use the vacant land to build affordable housing as part of the Green Village Road School Land Transfer Contract dated May 2014. The proposed lot will be deed restricted to limit the number of units on the land. The applicant must clearly show the existing half width right-of-way for Central Avenue. There is no impact upon County structures or facilities.

Montville, Modera Montville, 2019-21-7-SP-0 (County Route 621) - This site plan application is for the redevelopment of Lots 5.01 and 5.02 of Block 159. The existing structure on Lot 5.01 will be demolished, while the existing structure on Lot 5.02 will remain in place. Major site improvements for Lot 5.01 consist of a 4-story multi-family residential apartment building (three stories residential, one story for under building parking) containing a total of 295 residential units, of which 47 will be designated as affordable housing. Parking for this site, which will include 296 parking spots in the garage below the primary structure, 264 exterior parking spots, and an additional 53 parking spots located on Lot 5.02 shared between both property owners. Of the 556 parking spots located on Lot 5.01, 13 will be designated as ADA accessible. Additional site amenities include three courtyards with mixed outdoor uses for the residents and a fenced dog park. There will be no significant change in impervious coverage. Stormwater runoff from the rooftop and parking lots will be conveyed to a drainage basin to the south of the structure with an outflow to an existing pipe that flows northeast towards Hook Mountain Road. County Engineering will review stormwater management, the existing signalized intersection of Changebridge Road and the site access driveway. Sidewalk extensions are recommended due to the presence of schoolchildren.

Parsippany, The Morrison, 2019-29-11-SP-0 (County Route 654) - This site plan is for the redevelopment of a former BASF office building site with two 4-story apartment buildings with a lower level for under-building parking with 268 spaces. An additional 340 surface spaces and 31 surface banked spaces are proposed for a project total of 639 spaces. There will be a total of 325 residential units of which 65 will be low and moderate income. A subsurface detention facility and several rain gardens are proposed. An outdoor pool will be associated with one building. Access for the site will be to an existing common access road known as Upper Pond Road that serves the Morris Corporate Center. Upper Pond Road intersects Cherry Hill Road (County Route 654) at a

recently improved signalized intersection. County Engineering will review the stormwater management report and the submitted traffic impact assessment.

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

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

Legislative and Municipal

Recent Legislation – Mr. Soriano reported that several new bills have been introduced. He noted that the current legislative session will end by January 14, 2020 so the new bills may require reintroduction if they are not passed by then. Mr. Soriano highlighted the following bills:

A5790 “*Adopt a Stormwater Management Basin Act*” would permit nonprofits and business entities to adopt responsibilities related to stormwater management basins by entering into agreement with the stormwater management agency that owns or controls the basin. Qualified watersheds in Morris County include Lake Hopatcong, Budd Lake, and Lake Musconetcong. All participating entities must demonstrate the ability to maintain basins in accordance with agreed upon terms. Benefits to the participating entity include advertising rights and tax credits.

A5794 would amend the Municipal Land Use Law to designate an authorized medical cannabis dispensary as a permitted use in any commercial or business district within which a pharmacy, drugstore or retail business is a permitted or conditional use.

S606 was signed into law as P.L.2019, c.267 and amends the Municipal Land Use Law to make consideration of public electric vehicle charging infrastructure a part of any Green Building and Environmental Sustainability Element of a local master plan. Consideration of public electric vehicle charging infrastructure would also be included in all Reexamination Reports. Mr. Scott noted issues associated with the different commercial and residential charging station tariffs.

Master Plan Report

Mr. Soriano stated that seven items were received, which included:

Hanover 2019 Reexamination Report - This report outlines issues and recommendations from the previous reexamination report and the status of those recommendations. The report addresses the decommissioned Route 24 extension, and recommends an update of the stormwater management plan element and the housing element and fair share plan.

Hanover 2019 Housing Element and Fair Share Plan - This plan addresses the Third Round affordable housing settlement with the Court and Fair Share Housing Center.

Hanover Land Use Plan. The primary focus of this plan are the proposed land use changes related to the 2019 housing element and fair share plan.

Morris Plains Land Use Plan amendment - This amendment proposes a land use change associated with a single 35-acre lot with frontage on Route 10 and Route 202, the Briarcliff Common Shopping Center, currently split between business and residential zoning. The amendment recommends the entire parcel be zoned for business.

Rockaway Twp. Reexamination Report - This report addresses changes in local demographic, housing and economic conditions. Recommendations include, but are not limited to, the expansion of permitted uses in nonresidential zones to promote economic development and revitalization.

Parsippany Troy Hills 2019 Master Plan - This is a comprehensive master plan update including an assessment of existing conditions, goals and strategies and a new land use plan. Proposals include, but are not limited to: adoption of the latest NJDEP stormwater regulations, taking steps to conform with the Highlands Regional Master Plan, development a new Circulation Plan Element, development a Community Facilities Plan, update the Historic Preservation Plan Element and development of a digital zoning map.

East Hanover -2019 Housing Element and Fair Share Plan - This plan addresses the Third Round affordable housing settlement with the Court and Fair Share Housing Center.

Land Use Ordinance Report

Mr. Soriano reported on the October and November Zoning Reports:

October Report - This report includes 18 proposed, 32 adopted and one defeated ordinance. Approximately half of the proposed ordinances were from Hanover Township, most for implementation of recent Housing Element and Fair Share Plan requirements. Of the 32 adopted ordinances, 18 were from Parsippany, all to implement their new Housing Element and Fair Share Plan.

November Report – This report includes 13 proposed, 11 adopted and two withdrawn ordinance of which more than half address affordable housing. Mr. Soriano noted that Hanover adopted an ordinance for the redevelopment of the former Whippany Paper Board Company site. The redevelopment includes a parcel owned by the Morris County Park Commission that Hanover wants to purchase.

Long Range Planning – Land Use Plan Element

Ms. Galate stated that the Long Range Committee members received draft copies of the revised Summary of Trends and of the new Housing and Population sections of the draft Land Use Plan from Mr. Soriano. Mr. Soriano reported that work continues on the section addressing existing

land use and regulatory conditions. Ms. Galate stated that the Committee will meet next in the new year to review this section.

LIAISON REPORTS

Lake Musconetcong Regional Planning Board

Chairman Rattner provided minutes of the LMRPB meeting of October 16, 2019. He anticipates minutes of the most recent meeting to be forthcoming and will pass them along to the Morris County Planning Board.

Musconetcong River Management Council

Chairman Rattner stated that the most recent meeting of Council was attended by the alternate representative, and that information on this meeting will be forthcoming.

Lake Hopatcong Commission

Ms. Marion reported on the minutes of the Lake Hopatcong Commission. She stated that the Commission has a drafted their Watershed Implementation Plan, funded by the Highlands Council, which identifies 27 project sites. The Commission is focused on shovel-ready projects, and is working with their consultant to identify and prioritize these projects. She reported that a presentation by Louise Davis of the Morris County Soil Conservation Service was given at the Commission's meeting, which focused on the Lake Management Plan of Lake George. The Lake George Fund is willing to fund 50% of a Boat Washing Station at Lake Hopatcong to help mitigate contamination from entering Lake George from Lake Hopatcong.

Ms. Marion reported that Lake Hopatcong has applied for a 22-inch draw-down this year, which Mr. Rattner stated has been approved. She also reported that Governor Murphy's visit was discussed, at which he announced that \$10.5 million dollars has been made available to address water issues. Ms. Galate noted that correcting the problem of Harmful Algae Blooms (HABs) is a priority.

Morris County Open Space Trust Fund

Ms. Galate reported that the Board of Chosen Freeholders approved the 2019 grant recommendations for six applications and that the combined applications totaled \$1,963,150 to preserve 164.08 acres in six municipalities. Ms. Marion informed the Board that the Committee met for its end-of-year assessment on December 4, 2019 to review suggested program and rule revisions for 2020. One proposal would be to replace the Historic Preservation liaison with the Trail Committee liaison. Ms. Marion reported that there had been a discussion of properties acquired through tax liens, also an issue of interest for flood mitigation.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the Committee sent its funding recommendations to the Board of Chosen Freeholders at their work session of November 25, 2019. These recommendations concern the request by six municipalities to construct 2.6 miles of trails at a cost of \$827,412. Ms. Olcott noted

that the press is already publicizing these proposed recommendations as formalized, but the County Freeholders will not be voting on the recommendations until their meeting of December 11, 2019.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion had nothing to report.

REPORT OF MEETINGS

Ms. Marion had nothing to report.

OTHER BUSINESS

Authorization for Destruction of 2018 Planning Board Meeting Recordings – Chairman Rattner asked for a motion for the destruction of the 2018 Planning Board meeting recordings, as per details provided. Ms. Olcott made the motion, seconded by Mr. Vitz and approved by roll call vote:

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

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.

Morris County Complete Count Committee – Ms. Olcott reported that the Committee reviewed a sample copy of the 2020 Census questionnaire at its October meeting. The questionnaire consists of ten questions and will be available online, in print and via telephone, and will be published in multiple languages. The Committee discussed how it would be handling communications. Ms. Olcott noted that the participation of Director of the Morris County Department of Human Services Sharon Yoo is vital to this effort as she is in touch with the underserved community. She also noted that Assistant County Administrator Deena Leary is leading the efforts of the Committee. Ms. Olcott reported that the Census Bureau offers materials to support efforts to increase awareness and motivate residents to respond to the 2020 Census. She stated that the Committee focus is now on how best to organize and utilize this information moving forward. The next Committee meeting is scheduled for December 16, 2019.

Ms. Marion announced that the Morris County Complete Count Committee was awarded a grant in the amount of \$100,774 to assist with this initiative. She stated that the Committee is in the process of preparing paperwork to execute the grant agreement and that she anticipates that it will be formalized at the Freeholder Meeting of December 11, 2019. Ms. Marion also noted that everyone is getting the same short form Census Survey for the decennial census. The long form will only be provided as part of the American Community Survey, and is being sent out to a sample population.

LEGAL UPDATE

There was no legal update.

COMMENTS FROM THE PUBLIC

None. Ms. Marion noted that today is the last meeting for Morris County Planning Board member Annabel Pierce. The Board thanked her for her service and wished her the best in all her future endeavors.


NEXT MEETING

The next meeting is scheduled for January 16, 2020 at 7:00 p.m.

ADJOURNMENT

At 8:45 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.