

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

30 Schuyler Place
April 19, 2012

Morristown
New Jersey

CALL TO ORDER

Chairman Falkoski called the meeting to order at 7:02 p.m.

OPEN PUBLIC MEETINGS LAW

Chairman Falkoski stated that the Secretary of the Board provided public notice of this meeting in a legal notice dated January 26, 2012.

ROLL CALL

Those present were:

Joseph Falkoski, Chairman
Steve Rattner, Vice-Chairman
Ted Eppel
Ed McCarthy
Everton Scott (arrived 7:10)
Paul VanGelder, Alt #1
Stephen Jones, Alt #2

Christine Marion, Planning Director
Anthony Soriano, Supervising Planner
Greg Perry, Supervising Planner
Deena Cybulski, Department Director
W. Randall Bush, Esq., First Assistant County Counsel
Joseph Barilla, Senior Planner
Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Mr. Jones moved approval of the minutes of the March 15, 2012 meeting. The motion was seconded by Mr. McCarthy and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
William J. Chegwiddden	-		
Ted Eppel	x		
Ann Grossi	-		
Steve Hammond	-		
Ed McCarthy	x		
Isobel Olcott	-		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair			x
Gene Feyl (Alt.)	-		
Paul VanGelder (Alt 1)	x		
Stephen Jones (Alt 2)	x		

DIRECTOR'S REPORT

The Board accepted the Director's Report for March 2012 which will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for March, 2012 totaled \$3,820.00.

FUTURE MEETINGS

Ms. Marion stated that she will be attending a New Jersey County Planners Association meeting tomorrow. She informed the Board that the New Jersey State Planning Commission will meet on April 25, 2012 and that the State Plan may be adopted on that date. She reported that the New Jersey Department of Transportation will be hosting a Complete Streets workshop on April 30, 2012 from 8:30 a.m. to 12:00 p.m. at the Public Safety Academy. Ms. Marion also stated that she will be convening a technical committee for discussion of the East Hanover Avenue Corridor Study on Thursday, May 3, 2012 at 2:00 p.m. at the Morris County Library Public Meeting Room. Ms. Marion reminded members of the invitation that was forwarded to them for the dedication of BASF Headquarters in Florham Park on May 4, 2012.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan (WMP) – Ms. Marion stated that the draft sewer service maps were submitted to the New Jersey Department of Environmental Protection (DEP). Staff is now working with the DEP on revising the way information is displayed on the map. She stated that the paperwork on the grant for the Septic Management Program has yet to be finalized. She reported that the Morris County Freeholders approved another resolution concerning execution of the grant agreement since the prior resolution did not meet the required DEP format. The Freeholder Board approved the NJDEP resolution at its April 11, 2012 meeting.

Ms. Marion stated that Morris County was the only county invited to participate in a Water Quality Management Rules Stakeholder Meeting last week to discuss potential changes to the Water Quality Management rules. She stated that there were representatives of various groups in attendance and the discussions at these meetings tended to focus on land use and zoning as a means to protect water quality.

Watershed Activities – Ms. Marion informed the Board that she is secretary of the Rockaway River Cabinet this year. The Cabinet wants to assist the towns along the Rockaway River in preparing a grant application for de-snagging the river. She stated that the Executive Director of the Cabinet and one of the officers went out in a canoe to survey the river for snags and discovered that there are large numbers of tires in the river that appear to be the result of

deliberate dumping. Ms. Marion stated that she contacted the County MUA and Health Office to investigate the illegal tire dumping.

Ms. Marion informed the Board that the Whippany River Watershed Action Committee conducted a Whippany River clean up near the Bethel A.M.E. Church. The Committee has also completed the conversion of the basins at Morris View and the Public Safety Academy into recharge basins. Ms. Marion stated that gates are presently being installed to allow for maintenance of the converted basins.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner stated that several small applications for change of use or renovations were received for this period. He noted the Heights at Florham Park, a seven lot subdivision of a nine acre lot on which five new single family residential lots are proposed. The County Engineering Division will review this project for potential traffic issues. Mr. Rattner also reported on the Garcia & Garcia site plan in Rockaway Township which proposes the construction of a 10,500 square foot flex use building on a two acre lot. Approval is being withheld pending submission of a drainage study and corrective details concerning curbing and traffic flow.

Mr. Rattner made a motion to approve the Report of Actions Taken on Development Plans for March 2012. The motion was seconded by Mr. Eppel and approved by voice vote.

2011 Land Development Activity Report – Mr. Rattner introduced Joe Barilla, Senior Planner, who gave a presentation on the Morris County 2011 Development Activity Report. Mr. Barilla discussed the highlights of the report. During the last two years, the number of applications has been stagnant, but that they are now starting to increase. He noted that there is a market trend for multi-family rental units rather than condominium (ownership) units. He discussed various proposed and potential redevelopment projects along East Hanover Avenue. Ms. Marion informed the Board that the cover of this year's report highlights the East Hanover Avenue Corridor Study and that Mr. Cass created the graphics for the cover. She stated that future reports will have a greater focus on site plans and redevelopment projects and less on subdivision activity, which has decreased substantially due to the lack of vacant developable land.

Legislative and Municipal

Recent Legislation - Mr. Soriano reported that there has been little new legislative activity in the last month as the Legislature is currently focused on the State budget. He stated that there has been no movement on Assembly Bill A-2717, which would extend the time period for municipalities to commit to expend collected development fees and payments-in-lieu of constructing affordable units. Under the current law, 21 million dollars collected by Morris County municipalities for affordable housing will be forfeited to the state if not expended or committed to be expended by June 17, 2012. A-2717 would extend the time for expending the funding for another four years. He stated that the Board of Freeholders passed Resolution No. 28 on April 11, 2012 in support of this bill. Mr. Soriano stated that he prepared a draft resolution for Planning Board consideration in support of A-2717. A discussion followed.

Mr. Rattner moved approval of the resolution in support of A-2717. The motion was seconded by Mr. Eppel and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
William J. Chegwiddden	-		
Ted Eppel	x		
Ann Grossi	-		
Steve Hammond	-		
Ed McCarthy	x		
Isobel Olcott	-		
Steve Rattner	x		
Everton Scott	x		
Joseph Falkoski, Chair	x		
Gene Feyl (Alt.)	-		
Paul VanGelder (Alt 1)	x		
Stephen Jones (Alt 2)	x		

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano reported that he received two master plan amendments and he distributed copies of the summary reports to the Board members. He informed the Board that the Borough of Chatham updated its Environmental Resource Inventory (ERI). The ERI is intended to be adopted as an element of the Chatham Borough Master Plan. The Township of Mount Olive submitted a Periodic Reexamination Report of the Master Plan and Development Regulations. The report focused on Highlands Plan Conformance in the Preservation Area, the Draft State Strategic Plan, the intent of the Township to identify the International Trade Center as a Priority Growth Investment Area in accordance with the Draft State Strategic Plan, and the Township’s wastewater management planning efforts.

Mr. Soriano reported that staff processed twelve proposed and seven adopted ordinances in March. He noted a Township of Mount Olive ordinance that would modify the submission requirements for developments within the Highlands Preservation Area to ensure that applicants comply with the Highlands Regional Master Plan standards.

Long Range Planning

Ms. Marion had nothing to report.

LIAISON REPORTS

Lake Hopatcong Commission

Minutes of the Lake Hopatcong Commission for February 21, 2012 were previously e-mailed to members.

Mr. McCarthy stated that the Lake Hopatcong Commission is resolving equipment and salary issues with the state. He informed the Board of recent problems with lake water levels. He stated that water levels are down two feet from their normal levels due to lack of rain and DEP policies on water release. Mr. Rattner provided further commentary on the water level issue. A discussion followed.

Lake Musconetcong Regional Planning Board & Musconetcong River Management Council

Mr. Rattner informed the Board that the DEP has announced an intention to reduce or cut the flow of water from Lake Hopatcong into the Musconetcong River. The flow was reduced last Friday in accordance with the approved Lake Hopatcong Water Level Management Plan. He noted that this temporary reduction could be reversed based on changing conditions, including water temperature. The Musconetcong Watershed Association is installing four additional monitoring stations in the river just below Lake Musconetcong and between Lake Musconetcong and Lake Hopatcong to provide better information on changing conditions. A discussion followed.

Mr. Rattner informed the Board that several marina owners voiced their objections to county plans to install docks at Lees' County Park Marina as they feel this will negatively affect their businesses. Mr. Rattner said he received a call from a Star Ledger reporter concerning this issue. Mr. Rattner asked Mr. Bush to report this issue to the Board of Freeholders.

Morris County Open Space Trust

Mr. Eppel commented on several recent closings. He noted the 130-acre Dixons Pond property in Boonton Township and Rockaway Township, which will provide connectivity between Copper Beech and the Wildcat Ridge Management Area. He also noted the Shale Pits Preservation and Restoration Project in Mendham Township that will preserve 45 acres adjacent to existing Schiff Natural Lands Trust property. He stated that two more properties of Pequannock's 2011 Pompton Riverwalk have closed and that only two more remain under the 2011 grant. Mr. Eppel stated that 20,581.96 acres have now been preserved by the Preservation Trust Fund and he anticipates an uptick in activity next year.

Ms. Cybulski stated that the new Flood Mitigation Committee had its first meeting on Monday night and that Jennifer McCulloch and Barbara Murray are leading this effort. She stated that FEMA has provided funding to four municipalities in Morris County. Staff has met with three of the municipalities: Denville, Lincoln Park and Pequannock, and presented their projects to the Committee on Monday night. A meeting with the fourth municipality, Parsippany, is scheduled

for next week. The Freeholders will meet next Wednesday to take action on the recommendations of the Flood Mitigation Committee to provide 25% matching funds that FEMA doesn't cover. A discussion followed.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion stated that she received notification from the Department of Transportation stating that the state agency has applied for Wetland and Flood Hazard Area permits from the Department of Environmental Protection to undertake emergency repairs on Southbound I-287 in Hanover Township near the Route 24 interchange.

Ms. Marion informed the Board that she was copied on notification sent to Freeholder Director Chegwiddden by Washington Township concerning the the Washington Township Wastewater Management Plan. She stated Washington is pursuing approval of their Plan independent of the county effort. There is an understanding that the Township plan will be incorporated in the County Wastewater Management when adopted by the NJDEP.

REPORTS OF MEETINGS

Ms. Marion stated that Virginia Michelin is attending an American Water Resources Association meeting this evening. She informed Ms. Marion via text message that a NJDEP Assistant Commissioner announced that the agency will be holding public hearings on the sewer service area mapping starting in June.

Highlands Council Meeting – Mr. Soriano informed the Board that he attended the Highlands Council meeting today and that the Council approved Freeholder Gene Feyl as the new Highlands Council Executive Director. Ms. Marion stated that once this action is approved by the Governor, the Morris County Planning Board will need a new Freeholder Alternate to the Board.

State Strategic Plan Update and Red Line Version Report – Mr. Soriano said that he had hoped to receive the anticipated “redline” version of the State Strategic Plan so that he could provide the Board with a report of the changes, but the Office for Planning Advocacy has not yet released it. He and Ms. Marion will be attending a New Jersey County Planners meeting on Friday where he hopes to learn more about the changes to the Plan. He informed the Board that the statutory requirements of the State Planning Act require the State Strategic Plan to be adopted within 60 days of the last public hearing, which is May 1, 2012.

LEGAL UPDATE

Mr. Bush had nothing to report.

COMMENTS FROM THE PUBLIC

None

Ms. Marion reminded members to turn in their Financial Disclosure Forms. The forms are due to the County Clerk's office no later than April 30, 2012.

Ms. Cybulski informed the Board of the Morris County Green Table Forum being held on Wednesday, May 2, 2012 from 8:00 a.m. to 10:00 a.m.

NEXT MEETING

The next meeting is scheduled for May 17, 2012 at 7:00 p.m.

ADJOURNMENT

At 8:05 p.m., Mr. VanGelder moved to adjourn the meeting. Mr. Eppel 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.