

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

30 Schuyler Place
May 17, 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
Isobel Olcott, Secretary
Steve Hammond, County Engineer
Ted Eppel (arrived 7:04)

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

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the April 19, 2012 meeting. 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			x
Ed McCarthy	-		
Isobel Olcott	-		x
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
Paul VanGelder (Alt 1)	-		
Stephen Jones (Alt 2)	-		

DIRECTOR'S REPORT

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

REPORT OF FUNDS RECEIVED

Funds received for April, 2012 totaled \$10,375.00.

FUTURE MEETINGS

Ms. Marion stated that she will be attending the New Jersey County Planners Association meeting on the tomorrow, May 18th. The New Jersey Association of Counties Annual Conference will be held from June 5 through June 7, 2012. Ms. Marion stated that the County Planners Association will hold a workshop at the Conference on the 6th and that she will be a speaker on a panel discussing the Wastewater Management Plan among other topics. Ms. Marion stated that Ms. Michelin will be attending the Loantaka Brook Technical Advisory Committee meeting concerning the Seaton Hackney project on May 22, 2012 and will also attend the Soil Health Conference on May 30, 2012.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan (WMP) – Ms. Marion stated that the future wastewater service area map was submitted last month to the New Jersey Department of Environmental Protection (DEP), which is conducting the final review. County staff is working with DEP staff to schedule a public hearing and to published the public notice in the New Jersey Register to solicit public comments as required by DEP rules. Ms. Marion informed members that the portions of Jefferson, Mount Arlington, Netcong and Roxbury within the Musconetcong watershed are in the Sussex County Water Quality Management Area. Since Sussex County assumed water quality management planning responsibilities, the Sussex County Freeholders have the authority to approve that portion which may require that two public hearings be held regarding the map. Staff is in discussions with Sussex County and the DEP to develop a process that would allow only one public hearing to be held. If this is not resolved, one hearing will have to be held in Morris County and one hearing will have to be held in Sussex County. The public hearing date for at least the area of Morris County outside of the Sussex County Water Quality Management Area is August 13, 2012 and will be held in the County Library Public Meeting Room. A discussion followed.

Watershed Activities – Ms. Marion reported that she attended a meeting of the Rockaway River Cabinet on the results of its annual macro-invertebrate study. Ms. Marion will share the study with Board members. She also reported that the river de-snagging effort is moving forward and municipalities have identified the locations and have taken photographs of the snags. The municipalities are requesting the assistance of the County GIS Section to map these locations. The Cabinet will use the mapping as documentation when applying for a DEP grant to offset the

cost of the desnagging. Mr. Eppel asked how de-snagging is done and Mr. Hammond described the different ways it may be handled. A discussion followed.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner reported that the Board received four small applications and provided brief descriptions. The first application is from T-Mobile for a mobile cell phone tower in Chatham Township. The second is a site plan application in Chester Borough for a 7,000 square foot commercial retail and office project, to be reviewed by County Engineering for stormwater management. The third application is the redevelopment of a restaurant site in Parsippany-Troy Hills at the intersection of Parsippany Road and Littleton Road. The applicant is seeking to modify the parking and the driveway plan that was previously approved by the County. The County Engineer will require addition information with respect to the relocated driveway. The last application proposes a new Walgreens Pharmacy in Long Hill Township that will be reviewed by the County Engineer for drainage and traffic impacts.

Mr. Rattner made a motion to approve the Report of Actions Taken on Development Plans for April 2012. The motion was seconded by Ms. Olcott and approved by roll call vote.

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

Legislative and Municipal

Recent Legislation - Mr. Soriano reported on the status of Assembly Bill A2717, which would extend by four years the time period by which municipalities must commit to expend collected affordable housing development fees. There is now a Senate companion Bill S1894 that was introduced on May 14, 2012. He also reported that on May 14th, Senate Bill S1893 was introduced that would permit affordable housing fees that have been transferred to the State to be returned to the counties of their origin for the construction of affordable housing. Also introduced on May 14th was Assembly Bill A2950, which would extend the time period for expenditure of affordable housing funds by two years, after which they would automatically be returned to established county Homelessness Trust Funds. A discussion followed.

Director Deena Cybulski reported that many municipalities are attempting to find ways to protect their affordable housing fees from imminent transfer to the State. She noted that the Planning Board and the Morris County Board of Freeholders provided resolutions in support of A2717. She also said that she is drafting a resolution on behalf of the Freeholder Board opposing S1566, which would create the New Jersey Residential Foreclosure Transformation Act. This resolution will also reinforce the County's support for A2717 and express support for newly proposed S1894 and S1893. A discussion followed.

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano reported that there were no Master Plans or Plan amendments received since the last Board meeting.

Mr. Soriano reported that staff processed seven proposed and eleven adopted ordinances for a total of 18 ordinances processed in April. He noted an ordinance from Chatham Township that allows Market Gardens as a permitted use and an ordinance from Netcong Borough that establishes maximum impervious coverage for all the zoning districts in the Borough.

Long Range Planning

Ms. Olcott had nothing to report.

LIAISON REPORTS

Lake Hopatcong Commission

Ms. Marion reported that minutes of the Lake Hopatcong Commission for March 19, 2012 were previously e-mailed to members.

Lake Musconetcong Regional Planning Board

Mr. Rattner reported a problem with a swirl chamber in the Borough of Netcong. He stated that the DEP reviewed the issue and concluded that the swirl chamber is the responsibility of the Borough of Netcong even though the chamber was installed by the New Jersey Department of Parks and Forestry as part of a State of New Jersey project.

Mr. Ratter stated the Regional Planning Board is attempting to raise money by selling obsolete items and conducting fundraising events. Mr. Rattner said that the Regional Planning Board is asking area towns and other boards to support its request for greater state funding.

Musconetcong River Management Council

Mr. Rattner reported that the Musconetcong Watershed Organization organized a Musconetcong Watershed Summit and invited the different groups with interests in the watershed. He said that the different groups agreed to meet several times a year to discuss common goals and issues and that the meeting went very well. Mr. Rattner did not attend the meeting, but was informed that he may be invited as the Morris County and Musconetcong Regional Sewage Authority representative to future Summit meetings.

Morris County Open Space Trust

Mr. Eppel stated that Phase 5 of the Pompton Riverwalk is nearing completion and that the fifth of six total properties included in this phase is scheduled to close. Mr. Eppel noted an addition to the Drakestown Preserve in Washington Township and stated that the New Jersey Conservation Foundation will post signs on the property stating that it is open to the public for passive recreation. He also reported that recent closings bring the total acreage preserved under the Trust Fund to 20,586 acres. He stated that there have been 14 grants to protect 197 acres to date for 2012.

Mr. Eppel stated he was concerned about the amount of construction/reconstruction he has seen occurring in flood areas. A discussion followed.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion informed the Board that she received responses to the Planning Board resolution in support Assembly Bill A2717. She received acknowledgments from Assemblywoman Nancy Munoz, Senator Bucco and Assemblyman David Russo and that the letters thanked the Board for sharing its views on the matter.

Ms. Marion stated that the Board was copied on letters from the New Jersey Department of Community Affairs (DCA) related to lots designated by Jefferson Township as redevelopment areas. She stated that the DCA must approve all redevelopment designations that Department approved some designations but denied others.

Ms. Marion stated that the Township of Randolph sent a copy of a resolution supporting proposed Senate Bill S-2904 and Assembly Bill A-1503. These bills would require Fire Districts, School Districts and County Governments to pay their fair share of tax appeal refunds and settlements. A discussion followed.

REPORTS OF MEETINGS

Highlands Council Meeting – Mr. Soriano reported that he attended the Highlands Council meeting today where the Council appointed Margaret Nordstrom as Deputy Director by a vote of 11 to 4. A discussion followed.

Other Business

State Strategic Plan Update and Red Line Version Report – Mr. Soriano stated that he still has not received the “redline” version of the State Strategic Plan so has nothing to report. Ms. Marion stated that she will be going to the New Jersey County Planners meeting on Friday and hopes to learn more about the changes to the Plan. Ms. Marion informed the Board that there will be another public hearing concerning the Plan once the redline version is released.

East Hanover Avenue Corridor Study Update - Ms. Marion stated that County staff reviewed the draft Alternatives Report and agreed upon a preferred alternative. She then held another technical committee meeting with the towns that are participating in the study, the New Jersey Department of Transportation (DOT) and the consultant. Ms. Marion stated that comments were very similar regarding the preferred types of improvements anticipated. Morris Township continues to request that the study be extended to Stiles Avenue/Burnham Road; however, she understands that funding from the NJDOT that would allow the study area to be extended is no longer available. Mr. Hammond noted that the study also concluded that relatively low cost improvements to the signals at Whippany Road intersection would substantially reduce delays in that area. He reported that Morris Township has arranged a meeting with NJDOT Commissioner James Simpson, neighboring municipalities, the County and the Morris County Chamber to discuss Park Avenue and Columbia Turnpike traffic issues. A discussion followed.

Ms. Cybulski informed the Board that the Morristown Airport is having an open house on June 6, 2012.

Elimination of the American Community Survey and Economic Census - Ms. Marion informed the Board that the U.S. House of Representatives voted to eliminate all funding for the Census Bureau's American Community Survey, which is the replacement for the decennial Census long form. The Senate will be voting on this matter next week. Ms. Marion stated that the American Community Survey is the only source the County has for various types of information that are critically important to various county tasks and statistical analysis. Ms. Cybulski noted that the information received from this source and provided by staff was of vital importance to the County Treasurers' office in answering questions necessary to maintain the County's bond rating. A discussion followed.

Ms. Marion asked the Board if she should draft a letter to our senators requesting that they support the continuation of funding the American Community Survey and the Board approved this action.

LEGAL UPDATE

Mr. Bush had nothing to report.

COMMENTS FROM THE PUBLIC

None.

NEXT MEETING

The next meeting is scheduled for June 21, 2012 at 7:00 p.m.

ADJOURNMENT

At 8:15 p.m., Mr. Hammond 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.