

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

30 Schuyler Place
September 20, 2012

Morristown
New Jersey

CALL TO ORDER

Chairman Falkoski called the meeting to order at 7:03 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
Ted Eppel
Ed McCarthy
Stephen Jones, Alt. #2 (arrived 7:15)

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
Kevin Sitlick, Senior Planner

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the July 19, 2012 meeting. The motion was seconded by Mr. Rattner and was approved by roll call vote.

| VOTE | Aye | Nay | Abs. |
|-------------------------|-----|-----|------|
| William J. Chegwidan | - | | |
| Ted Eppel | x | | |
| Ann Grossi | - | | |
| Steve Hammond | - | | |
| Ed McCarthy | | | x |
| 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 July-August 2012 which will be placed on file.

Ms. Olcott commented on the large number of projects being tracked in the Director's Report. She asked whether additional American Community Survey data is being received. Ms. Marion stated that new data is being received regularly. A discussion followed.

REPORT OF FUNDS RECEIVED

Funds received for July, 2012 totaled \$2,920.00.

Funds received for August, 2012 totaled \$3,925.00.

Mr. Rattner noted that the 2012 Year-to-Date Revenues were not compared to the 2011 Year-to-Date Revenues on the report of funds received "Monthly Revenue" chart. Ms. Marion said that the chart will be changed to include that data.

FUTURE MEETINGS

Ms. Marion had nothing to report.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion stated that the Wastewater Management Plan (WMP) public hearing was held on August 13, 2012 and that testimony was received from two municipalities and two property owners. She stated that the County can no longer make changes to the sewer service area map (map) without conducting additional public hearings. However, individuals will be able to submit site-specific amendments through the NJDEP process. Ms. Marion informed the Board that Ms. Michelin and she attended a meeting hosted by NJDEP staff who announced that the Department had received sewer service maps from all counties. The main topic of discussion was the process for submitting site specific map amendments. There is still some confusion on the part of the DEP on how to process amendments. A discussion followed.

Ms. Marion stated that she hopes to meet with the DEP shortly to discuss the remaining work program for the completion of the Wastewater Management Plan. She noted that the current grant agreement with DEP requires expenditure of grant funds by the end of the year, but that completion of the WMP is dependent on receiving direction by the DEP.

Ms. Marion also stated that the WMP was submitted to the Highlands Council as required for a determination of consistency with the Highlands Regional Master Plan. She reported that the

WMP was found to be consistent with the Highlands Regional Master Plan, conditioned upon the eventual development of a Water Use and Conservation Plan by those municipalities found to be in water deficit areas.

Ms. Marion informed the Board that the future wastewater service area map should be adopted by the end of the year. She also noted that the County received an additional WMP grant for the development of a voluntary Septic Management program for municipalities. The program will include a database to be used by municipalities to notify property owners of septic maintenance requirements. A discussion followed. The Board asked Ms. Marion to review current maintenance requirements for existing septic systems.

Watershed Activities – Ms. Marion stated the Rockaway River Cabinet met last week. She reported that the towns along the Rockaway River have had great success working cooperatively to remove tree snags along the river.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott informed the Board of the Land Development Review Committee meeting held on August 8, 2012. She reported that Dalessio Chevrolet-Buick in the Town of Boonton is upgrading its site with minor site improvements including sidewalks and signage. Site inspection by staff revealed that display cars, lights and a service sign are located within the county right-of-way. She stated that the cars and the sign will be required to be removed from the right-of-way. Due to the expense related with moving the lights relative to the proposed improvements, it was agreed to offer the dealership the opportunity to retain the existing lights if the property owner assume responsibility for the liability associated with the lights within the County right of way.. Mr. Perry stated that this issue has not yet been resolved. Mr. Rattner indicated that these types of issues are becoming more common as more applications are for redeveloping older sites.

Ms. Olcott reported on several other applications including: 1) a minor subdivision in Chatham Township (Bhee Properties) in which the county concern is the removal of an existing driveway connection and stormwater overflow; 2) a site plan for the expansion of 30 trailer parking spaces for an existing warehouse in Mount Olive (Lamtec Corp.) in which stormwater is an issue; 3) the conversion of a vacant office building in Parsippany to an orthodontics office where county concerns involve the existing right-of-way and driveway configuration; 4) a site plan for a tenancy change in Randolph (Dabal Enterprises); and 5) a site plan for the addition of a convenience store to a gas station in Roxbury (Sunoco) which involves existing driveway connections to two county roads.

Mr. Rattner noted several applications from the September 11, 2012 Land Development Review Committee Meeting. He reported on a proposed change of use of an existing hanger facility at the Lincoln Park Airport to a Bio-Fuel facility. The committee also reviewed a minor subdivision and expansion of an existing quarry operation at JC Soil & Gravel in Roxbury where the primary county concern is the truck circulation within and from the site. Mr. Rattner also noted concern with the application for a major expansion of the hospital facilities and related parking by Chilton Memorial Hospital in Pequannock.. He stated that additional traffic

information, including a study for three related intersections, will be required. The Board discussed related access and traffic issues. Mr. Rattner stated that associated stormwater management plans also require review by the County Engineer.

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

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

Legislative and Municipal

Recent Legislation - Mr. Soriano noted several bills from the report of July 12 through September 13, 2012. He provided an update on Assembly Bill A2950, which would have extended by two years the time by which municipalities would have had to expend local Affordable Housing Trust Fund monies before being subject to seizure by the State. This bill was passed, but then was vetoed by the Governor. Senate Bill S2156, concerning the “New Jersey Residential Foreclosure Transformation Act”, also passed both houses, but was also vetoed by the Governor. He informed the Board that following this veto, the text from the original bill was reintroduced in two separate bills identified as Senate Bill S2157 and Senate Bill S2156. Finally, Mr. Soriano reported the introduction of Assembly Bill A3218, which proposes to modify the definition of “inherently beneficial use” as defined in the Municipal Land Use Law. Under the proposed definition, solar and wind energy facilities would be designated as inherently beneficial uses only when located on or above a parking lot, rooftop or brownfield, and not within agricultural land or open space. A discussion followed.

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano described a Master Plan amendment received from Morris Township that changes the land use designation on 37-acres along Van Beuren Road and increases the minimum required lot size from 35,000 square feet to 87,120 square feet. The intent of the amendment is to preserve the existing character of the area and to reduce further subdivision. Additional amendments to the Land Use Element include the new maps identifying steep slopes, wetlands, flood zones, historic preservation sites, circulation, open space, community facilities and farmland. Mr. Soriano noted that the the Morris County Department of Planning and Development prepared the new maps for the Township of Morris. A discussion followed.

Mr. Sitlick discussed two items of interest from the July 2012 Ordinance Report. He first reported on the proposed rezoning of the Honeywell site in Morris Township that would permit the redevelopment of the site with 235 townhouses and 900,000 square feet of office use. Ms. Olcott commented on the reduction in intensity of the proposed development compared to the original plan proposed by Honeywell. Mr. Sitlick also reported on the proposed rezoning of a site in Montville Township currently used for auto salvage. The proposed rezoning would permit the development of big-box retail uses.

From the August 2012 Ordinance Report, Mr. Sitlick informed the Board that the proposed Montville Township rezoning identified in the July report was adopted. He also reported that a proposal for rezoning for townhouses on North Jefferson Road in Hanover Township was defeated.

Long Range Planning

Ms. Olcott informed the Board that the Long Range Committee met to discuss the New Residential Construction Sales Report. She stated that a summary of the information contained in the report was presented to the Board in March. Staff has completed the draft report that includes additional information. Ms. Olcott stated that the Long Range Committee asked the Board to approve this report and suggested that a short presentation be made to the Morris County Freeholders upon the release of the report.

Mr. Soriano described the contents of the report and the major information added since the PowerPoint presentation. He stated that the report now includes municipal level data and outlines many of the factors that may influence future housing development in Morris County.

A discussion followed and Board members decided to postpone approval of the report until the October Board meeting. Mr. Soriano said that he would provide digital and/or hard copies of the draft report to Board members and asked them to contact him with any comments or questions by October 5, 2012 so that required changes may be incorporated into the report in time for the next Board meeting on October 18, 2012.

LIAISON REPORTS

Lake Hopatcong Commission

Mr. McCarthy reported on recent efforts to remove Water Chestnut plants from the Lake. He indicated that tons of plant material has been removed and he commended both the State and volunteers for their efforts. Mr. McCarthy stated that serious funding issues will impact the continued operation of the Commission.

Lake Musconetcong Regional Planning Board

Mr. Rattner reported that the weed problem is worse than last year due to insufficient funding to purchase herbicides, despite the contributions of local homeowners during this last year. He reported that volunteers are running weed harvesters and other equipment and that reliance on volunteers is becoming problematic. He stated that the Rutgers Extension Service is studying the means of killing the Water Chestnut through freezing by lowering the water level over the winter. Mr. Rattner stated that the Board is continuing its efforts to educate the public with regard to lake issues.

Musconetcong River Management Council

Mr. Rattner stated that the Council is focusing on the removal of dams along the river and obtaining the required State permits. The Council is also working to stabilize river edges and remove old structures along the river that may eventually fall into the river. He reported that the Musconetcong Watershed Association visited industrial and sewer facilities along the river during the summer to observe their operations. He noted that the activities of the Musconetcong Watershed Association can be reviewed on its Facebook page.

Morris County Open Space Trust

Mr. Eppel informed the Board that the August meeting was cancelled and that the busy season for the Open Space Committee is about to begin. He stated that members will begin visits to eight different sites for which preservation applications have been received.

Mr. Eppel reported that the Trust closed on a 43.6 acre in property in Washington Township in July. He also reported that the Trust should close on the 188 acre "Hunters Glen" property in Jefferson Township by the end of the month.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion reported that she received correspondence from the Board of Chosen Freeholders in July regarding a Solid Waste Management Plan Amendment in Jefferson Township. She stated that the amendment concerns the development of a Class B concrete recycling center on Route 15 North.

REPORTS OF MEETINGS

Ms. Marion had nothing to report.

Other Business

East Hanover Avenue Corridor Study Update – Ms. Marion hopes to have the final draft digital copy of the report to distribute to the Technical Committee and the Long Range Committee for review and comment. Ms. Marion stated that there will be a public hearing on the report findings.

State Strategic Plan Update – Mr. Soriano stated that on September 10th and 13th there were two additional public hearings on the previously released version of the draft State Strategic Plan. Mr. Soriano met with the Director of the Office for Planning Advocacy, Mr. Gerald Scharfenberger, as part of the New Jersey County Planners Association State Plan Subcommittee. Mr. Scharfenberger anticipates that a newly revised State Strategic Plan will be released on or about October 13, 2012, and that this revised version of the Plan will be adopted sometime between November 6 and November 13, 2012. Mr. Soriano stated that Mr. Scharfenberger is not expecting any additional public hearings on the State Strategic Plan.

Investment Area Mapping Project- Mr. Soriano reported that staff has begun collecting and developing the GIS data layers needed to map the various State Strategic Plan investment area criteria contained in the current version of the plan. He reported that this effort is the first step in the process of identifying Priority Growth Investment Areas as defined by the Plan and will allow the Board to determine whether corrections, deletions or additions to the are needed. He directed the Board’s attention to four draft preliminary maps displayed on the walls. Mr. Soriano described the process for creating the maps, which display the various criteria. He anticipates additional or amended criteria to be released with the new version of the State Strategic Plan and that the mapping project will continue when the new plan is available.

LEGAL UPDATE

Mr. Bush had nothing to report.

COMMENTS FROM THE PUBLIC

None.

NEXT MEETING

The next meeting is scheduled for October 18, 2012 at 7:00 p.m.

ADJOURNMENT

At 8:40 p.m., Ms. Olcott moved to adjourn the meeting. Mr. McCarthy 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.