

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

30 Schuyler Place
October 20, 2022

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:01 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 in accordance with the Open Public Meetings Act and invited members to join in for the pledge of allegiance to the flag.

ROLL CALL

Those present were:

Steve Rattner, Chairman	Anthony Soriano, Supervising Planner
Isobel Olcott, Vice Chair	Greg Perry, Supervising Planner
Dennis Bull, Alt. 1	Mike DiGiulio, Senior Planner
Mohamed Seyam, Alt. 2	Kevin Sitlick, Senior Planner, LRP
Christopher Vitz, County Engineer	Mary Romance, Clerk
Joe Barilla, Director, Planning and Preservation	Staci L. Santucci, Esq., County Counsel
Virginia Michelin, Assistant Director, Planning and Preservation	Alyssa Ercan, Recording Secretary

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

Ms. Ercan read the Statement Regarding Compliance with the Open Public Meetings Law.

REVIEW OF MINUTES

Ms. Olcott moved the Planning Board Meeting Minutes of September 15, 2022. Mr. Seyam seconded the motion. Mr. Rattner called for questions or comments and there being none, the motion was approved by roll call vote.

ROLL CALL

VOTE	Aye	Nay	Abstain
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Tayfun Selen, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Everton Scott	-		
Nita Galate	-		
Christian Francioli	-		
Dennis Bull, Alt.1			X
Mohamed Seyam, Alt.2	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

DIRECTOR’S REPORT

The Director’s Report for September 2022 was reviewed and accepted by the Board and will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for September were \$10,180.

FUTURE MEETINGS

Mr. Barilla noted that the Planning Board is holding a public hearing on November 2, 2022.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla reported that staff are still working with the RVRSA to resolve flow calculations and buildout analysis. Staff are also working on wastewater management plan amendments with municipalities and the county planners continue to work with the NJDEP concerning wastewater management plan procedures.

County Watershed Activities – Mr. Barilla reported that the Whippany River Watershed Action Committee is still active. He stated that NJDEP grants are being awarded for HABs (Harmful Algae Blooms) and water quality and that he anticipates that Lake Hopatcong will be applying for funding. He indicated that the grants are focused on providing support for stormwater utilities. Mr. Rattner reported that recent legislation will provide various loans and grants for water quality infrastructure projects and noted that several local congressmen are backing special appropriations on the federal level to support the Lake Musconetcong watershed area.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted the following item from the Land Development Review Committee meeting held on October 17, 2022.

Pequannock, Hillview Med, 2022-31-5-SP-0 (Hillview Road)

This site plan is for the redevelopment of an existing garden center to a cannabis cultivation and processing/manufacturing facility. All man-made improvements related to the existing garden center will be removed, while the existing single-family dwelling in the western portion of the site will remain. Proposed improvements include a 173,122 sq. ft. headhouse and greenhouse, 7,495 sq. ft. powerhouse, four cooling towers, and a JCP&L switch yard in the southern portion of the site with a 513 sq. ft. building and four generators (one for future use). There are 84 parking spaces proposed, two of which will be for the JCP&L switch yard. Site access will be from two existing, full access driveway connections to Hillview Road. Stormwater will be collected and flow into the three existing irrigation and detention ponds around the site and the central ditch to the south of the structure, which is piped underneath the driveway and outfall in East Ditch. Additionally, the parking lot will utilize porous pavement and gravel to aid in stormwater collection. The site is impacted by floodplains and wetlands. Mr. Barilla noted that this is the second cannabis growing facility in Morris County, the first being in Boonton Township.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for September 2022. Mr. Vitz seconded the motion, and it was approved by roll call vote.

ROLL CALL

VOTE	Aye	Nay	Abs.
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Tayfun Selen, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Everton Scott	-		
Nita Galate	-		
Christian Francioli	-		
Dennis Bull, Alt.1			X
Mohamed Seyam, Alt.2	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

Legislative and Municipal

Recent Legislation- Mr. Soriano reported on Assembly Bill A4527, the Warehouse Development Control Bond Act, which authorizes \$150 million in bonds to provide matching grants to municipalities to purchase development rights of proposed warehouse sites. This bill would give municipalities the option to purchase the development rights of locations proposed for conversion to warehouse. He then reported on was Assembly Bill A4475, which requires county planning boards to perform an enhanced review of a proposed warehouse applications, including a detailed impact assessment, and provide this to a municipality before a municipality could grant preliminary approval. He noted that these reviews may require planning boards to hire additional staff and/or consultants. Mr. Rattner questioned the chance of the bill being passed and Mr. Soriano noted there was no companion bill and that he expected further review of the bill by the County Planners Association. Ms. Olcott noted that Chambers of Commerce might object to these bills.

Mr. Soriano then reported on Assembly Bill A4649, which authorizes cannabis cultivation of land receiving farmland assessment and on Senate Bill S3066, which prohibits the construction of commercial or industrial buildings within 500 ft. of existing residential homes without obtaining a waiver from each homeowner within that radius. Mr. Seyam asked Mr. Soriano for clarification on Senate Bill S3116, concerning affordable housing tax credits.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that Lincoln Park submitted a Reexamination Report and an Open Space and Recreation Plan. The Reexamination Report notes changes in development within the Borough, with emphasis on flooding issues. The Open Space Plan provides an updated inventory of open space and identifies the priorities for open space planning moving forward.

Mr. Sitlick reported on the September Land Use Ordinance Monthly Report, stating that twenty-seven ordinances were processed including eleven proposed, fifteen adopted, and one defeated. Of proposed ordinances, he highlighted the Valley Road redevelopment plan in Long Hill. Mr. Sitlick also noted that Randolph had five inclusionary ordinances introduced and adopted, with three located in the Mt. Freedom area near Sussex Turnpike. Mr. Rattner voiced concern about the Randolph ordinances and the impact they could have on the flow of traffic on Sussex Turnpike through Mt. Freedom. Mr. Vitz shared that he has been receiving emails and phone calls from residents living off Sussex Turnpike regarding traffic.

Long Range Planning

Farmland Preservation Plan Update – Mr. Soriano announced that notice for the November 2nd public hearing has been placed in the daily record, individual and digital copies of the plan were sent to all municipalities via certified mail, and an announcement and link to the plan were posted to the Office of Planning and Preservation website along with instructions on how to submit a written comment. He noted that no written comments have been received to date and asked any Board member that wanted a hard copy version of the Plan to contact him. Ms. Olcott asked about the agenda for the public hearing, and he noted that it was posted to the Office of Planning and Preservation website.

Morris County Demographic Trends Report – Mr. Sitlick gave a PowerPoint presentation outlining recently released U.S. Census American Community Survey statistics for Morris County. The presentation included information on population growth, population diversity and aging,

housing types, housing value, rental rates, household income, education, poverty rates and commuting characteristics. He reported that Morris County population grew by 0.3% between 2020 and 2021, with the greatest percentage of growth in Netcong and Florham Park and that the County gained 1,039 new housing units during that same period. He noted that the 2020 Decennial Census will release additional data in May of 2023. Mr. Rattner and Ms. Olcott both shared their interest in the statistical data presented. Mr. Sitlick reported that the data and statistics page of the Planning and Preservation website has been updated to reflect this new information. The Board thanked Mr. Sitlick for his presentation.

LIAISON REPORTS

Lake Hopatcong Commission

Mr. Barilla reported that the minutes are available on OneDrive for review.

Lake Musconetcong Regional Planning Board / Musconetcong River Management Council and Musconetcong Watershed Association

Mr. Rattner stated Harmful Algae Blooms were experienced in Lake Hopatcong and all areas along the Musconetcong River down to the Delaware River due to the insufficient rain and high temperatures, noting Lake Musconetcong's water temperature often exceeded 80 degrees. He reported that new NJDEP Inland Flood Protection Rules may affect future development along ponds, streams and lakes.

Morris County Open Space Trust Fund

Mr. Rattner reported that the Open Space Trust Fund Committee had their final meeting to deliberate the 2022 grants. Five municipalities applied including the Townships of Boonton, Hanover, and Mount Olive, Wharton Borough and the Town of Boonton. All the municipalities gave their final PowerPoint presentations and the Committee deliberated in closed session. Recommendations for funding will be presented to the Morris County Board of Commissioners on November 9th at 4:30.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the Committee discussed the various merits, issues, and questions associated with trail funding applications at the October 6th meeting. Applicants will have an opportunity to respond, and the final deliberations will take place at the November 10th meeting.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla reported that the Office of Planning & Preservation received 92 public notices, 45 NJDEP notices and permits for wetlands and other issues, ten pieces of miscellaneous NJDEP correspondence, two municipal ordinances, three master plans, 59 pieces of mail related to the Preservation Trust, 24 pieces of other miscellaneous correspondence, and 60 pieces of junk mail for a total of 295 pieces of correspondence received for the months of August and September.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

Mr. Rattner reported that the draft 2023 Planning Board meeting dates were distributed to all members. Mr. Soriano explained that these were for review by the Board and that a vote on the dates would occur at the December or January meeting.

Ms. Michelin announced that the press release for the online development review application went out earlier in the day. This online option will allow applicants to submit their application digitally for staff to preview and assess the correct fees while also creating a digital database of all the applications received. Applicants can pay by credit card or e-check.

COMMENTS FROM THE PUBLIC

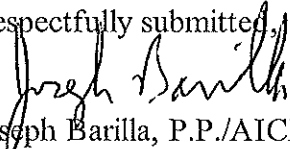
There were no members of the public in attendance.

NEXT MEETING

Mr. Barilla stated that while the next meeting is scheduled for December 8, 2022 at 7:00 p.m. a scheduling conflict will make it impossible for the Board to reach a quorum. He suggested that a new start time be established and it was determined that a start time of 3:00PM would tentatively work. Mr. Ratner, Ms. Olcott, Mr. Vitz and Mr. Seyam indicated they could make this time; Mr. Bull would not be available. The recording secretary was asked to poll members of the Board not present to determine their availability for the next meeting.

ADJOURNMENT

At 8:12 pm, Mr. Vitz moved to adjourn the meeting, seconded by Ms. Olcott. All approved by voice vote.

Respectfully submitted,

Joseph Barilla, P.P./AICP
Planning Director

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