

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

30 Schuyler Place
July 15, 2021

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:02 p.m.

OPEN PUBLIC MEETINGS LAW

Mr. Rattner stated that public notice of this meeting was provided on February 3, 2021, in accordance with the Open Public Meetings Act.

ROLL CALL

Steve Rattner, Chairman	Christopher Vitz, County Engineer
Isobel Olcott, Vice Chair	Joseph Barilla, Planning Director
Ted Eppel, Secretary	Anthony Soriano, Supervising Planner
Everton Scott (@ 7:17 pm)	Greg Perry, Supervising Planner
Nita Galate	Virginia Michelin, Principal Environmental Planner
Dennis Bull, Alternate #1	Staci L. Santucci, Esq., County Counsel
Mohamed Seyam, Alternate #2	Mary Romance, Recording Secretary
Tayfun Selen, Commissioner Liaison (@ 7:29 pm)	

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

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

FLAG SALUTE

Chairman Rattner invited members to join in for the Pledge of Allegiance to the Flag.

REVIEW OF MINUTES

Ms. Olcott moved the Planning Board Meeting Minutes of June 17, 2021. Ms. Galate 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 Director	-		
Tayfun Selen, Commissioner Liaison	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	X		
Everton Scott			
Nita Galate	X		
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 June 2021 was reviewed and accepted. At the request of Mr. Rattner, Mr. Barilla described an issue concerning a preserved farm in Mount Olive, in which the Township inadvertently opened a drainage swale, damaging a farm field. He said this issue involves the DEP, State Agriculture Development Committee, property owners and the Township and is currently being resolved. Mr. Rattner also expressed interest in the State Planning Commission meeting held on July 2, 2021. Mr. Soriano stated that this will be discussed during the Report of Meetings.

REPORT OF FUNDS RECEIVED

Funds received for June were \$6,960. Year-to-date revenues totaled \$78,455.

FUTURE MEETINGS

Mr. Barilla noted forthcoming Preservation Trust Program meetings and related County Commissioner meetings coming up in August.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla reported on continued discussions between County Planners and NJDEP. Staff is working on updating the County Build-Out Analysis and identifying all designated affordable housing sites not located within existing sewer service areas.

County Watershed Activities – Mr. Barilla reported that he has received nothing from this Committee and the website does not indicate any new activities planned. Regarding the Rockaway River Watershed Cabinet (RRWC), he reported no action on their part and considers them inactive. He dropped-off remaining items that were in the Office of Planning and Preservation to one of the RRWC members and requested a contact list of current officers, which he has not yet received. As

participating municipalities are responsible for the running of this organization, Mr. Barilla stated that he is setting-aside further involvement with this group at this time.

Stormwater Ordinance and Plan Review – Mr. Barilla reported that the County has reviewed 39 Stormwater Ordinances, of which 34 have been approved, two conditionally approved and one denied. Three reviews are in progress.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted two items from the Land Development Review Committee meeting held on July13, 2021:

Chatham Township, Chatham Family Apartments, 2021-5-4-SP-0 (County Route 647):

This site plan is for the redevelopment of a former restaurant to an apartment complex with 62 affordable units and one caretaker unit on 3.2 acres. A total of 95 parking spaces are proposed. The project includes a tot lot, patio with grills & tables, and a half-court basketball court. An existing full access driveway connection to Southern Boulevard will be upgraded and used for the site access. There is no increase in impervious coverage. County Engineering will review for stormwater management and the driveway connection to Southern Boulevard. Mr. Vitz commented on the driveway connection.

Denville, The Meadows, 2021-8-5-SP-0 & 2021-8-5-P-0 (Franklin Road): This site plan and major subdivision concerns a 60-unit (12 affordable) townhome development of an 8.84-acre parcel. A single full access driveway connection to Franklin Road is proposed. Sanitary sewers and municipal water will be provided to the site. A small playground is planned. There is a small area of wetlands in the eastern portion of the site which will not be impacted by the development. A single surface detention basin is proposed for stormwater management. County engineering is reviewing for stormwater management.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for June 2021. Mr. Scott seconded the motion and it was approved by roll call vote:

ROLL CALL

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

Legislative and Municipal

Recent Legislation- Mr. Soriano stated that the legislature has gone on summer recess and that substantial activity is anticipated in the Fall, which will complete the current two-year legislative session.

He reported on three newly introduced bills: A5927, which allows equine and livestock veterinary facilities on preserved farmland, S3970 which requires certain warehouse operators to implement air pollution reduction and mitigation plans, and S4011, which directs the DEP to develop a State Water Infrastructure Investment Plan.

He reported that twenty of the bills currently being monitored passed both houses, including A5407 and A5343, both concerning the removal of residential water lead service lines. He also highlighted A4881, which prohibits the appeal of a land use decision related to holding the meeting electronically and noted two appropriation bills, A5588 and A5599, which address environmental infrastructure.

Mr. Soriano then reported on two bills signed into law. These included S3484, which allows unpreserved farmland with farmland assessment to construct and operate a dual use solar energy project on the property and continue to receive farmland assessment, and A4554, which directs the Board of Public Utilities to establish a utility-scale solar energy development program.

Ms. Olcott asked about Assembly Bill A3142, which revises certain licensure requirements to operate water supply and wastewater facilities. Mr. Soriano will further review the bill and continue tracking it during this session.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that one master plan element was received, a Housing Element and Fair Share Plan from Rockaway Borough.

He then reported on the June Land Use Ordinance Monthly Report, stating that 26 ordinances were introduced and 13 were adopted. He noted that municipalities are facing a deadline to address the new cannabis laws by August 21, 2021 so that many of the proposed and adopted ordinances concerned this issue. Based on submissions to date, a total of five Morris County municipalities will allow some level of permitted cannabis land use based on adopted or proposed ordinances received to date.

Long Range Planning

County Master Plan Review –Mr. Soriano stated that staff has begun a review of existing County Master Plan Elements for potential update. He noted that the Land Use Plan Element and Circulation Plan Element are current and that the Farmland Preservation Plan Element is being updated and that this update is being conducted by a consultant, with assistance from staff. A draft of the Farmland Preservation Plan Element should be ready for review and potential adoption by the Planning Board in 2022.

Based on staff review of remaining elements, consideration of ongoing current County activities, initiatives and anticipated need, the preliminary staff recommendation is to prioritize the County Open Space Plan Element for the next update.

Mr. Soriano then reported on related activities, noting that the Morris County Economic Development Corporation is developing a scope of work for a Morris County Economic Development Plan. Assistance is being provided by the Morris County Tourism Bureau and the Office of Planning and Preservation. A consultant will be used to develop this Plan. He also noted that staff is in the process or review and update of the County Land Development Standards. The Board noted issues experienced with a previous consultant and the importance of continued involvement by staff in the development of plans.

LIAISON REPORTS

Lake Hopatcong Commission

Mr. Barilla reported he has received copies of approved minutes up to May 2021. He anticipates receiving the approved minutes of June, 2021 after the meeting of July 19, 2021. Minutes will be posted on the Board's OneDrive site for review.

Two main tasks are prioritized this year, first to take on the weed harvesting operation from the NJDEP and second, the continued battle against the Harmful Algae Blooms. Mr. Barilla stated that the Commission is still working on repairing the weed harvester and that the Commission hopes to hire dedicated staff. Ms. Olcott noted that funding was recently provided to the Commission by the State.

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

Mr. Rattner said that neither group has meet recently due to scheduling issues and that the Morris County Municipal Utilities Authority will be requested to assist with weed harvesting by providing the means to dispose of the weeds.

Morris County Open Space Trust Fund

Ms. Galate reported that the Open Space Trust Fund Committee closed the application process on June 11, 2021. Five applications for five towns were received with a total request of \$2,366,000 covering 44.74 acres. Ms. Galate reported on the special Open Space Committee meeting held July 14, 2021, at which the Committee approved the resolution on Harding Township's Major Diversion for Glen Alpin. Parsippany-Troy Hill Township's Minor Diversion for the Smith Road Sheep Farm will be on the agenda for the meeting on September 14, 2021. Ms. Galate announced that the Committee will conduct live site visits on Saturday, October 2, 2021. Mr. Rattner asked what the Trust's fund balance was for the year and Mr. Barilla estimated the balance to be around \$1.5 million.

Trail Construction Trust Fund Committee

Ms. Olcott reported on the process whereby applicants submit a letter of intent which includes a project summary and general cost estimate. She noted that since recent approval of amendments regarding applications, interest in the program has improved. Six letters of intent have been submitted for the new Phase One Design and Permitting category; there are five applications for the Phase 2 Major Construction category, and the new category covering Minor Construction has brought in two letters of intent. The total preliminary request is for \$1,173,000. Full proposals are due July 30, 2021.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Soriano reported on the July 7 meeting of the State Planning Commission which focused on presentations relating to water infrastructure needs and smart growth, including discussion of costs, financing and work needed to upgrade the State's water supply infrastructure. The Commission discussed recently introduced Senate Bill S4011, which tasks the DEP with development of a water infrastructure plan for the State. The Commission also announced that State Plan Designated Center designations have been extended to January 11, 2022. The Commission informed all municipalities with center designations of this extension.

Mr. Barilla informed the Board of a recent meeting the with the Director of the Raritan Valley Regional Sewer Authority to discuss items related to their jurisdiction and to provide additional information to them regarding build-out and future flows.

OTHER BUSINESS

Mr. Rattner asked Mr. Vitz about the repair work necessitated by the recent truck accident that damaged a railroad overpass and forced closure of Berkshire Valley Road in Roxbury Township. Mr. Vitz reported that they reopened the road at 3:00pm, and that repairs will continue until they are complete. Mr. Rattner was interested to learn that so many businesses use this rail line, and Mr. Vitz highlighted that these businesses include Holland Manufacturing, which supplies Amazon with packing supplies. Planning Board members expressed their appreciation to the Morris County Department of Engineering for getting the road reopened so quickly. Mr. Vitz noted the help of the Railroad, and the good work of the County Road, Bridge and Shade Tree Departments that have been working together to complete the repairs as soon as possible.

COMMENTS FROM THE PUBLIC

Mr. Rattner called for comments from the public and Ms. Michelin acknowledged Cathy Wilson of Morris Township. Ms. Wilson asked which county roads were referred to in the discussion of the site plan in the Chatham Township proposal discussed by Ms. Olcott. Mr. Barilla explained that Southern Boulevard and Shunpike are county roads. Ms. Wilson then asked Mr. Barilla the name of the group he mentioned in the context of watershed activities that was in addition to the Whippany River Action Committee and Mr. Barilla said it was the Rockaway River Watershed Cabinet. Ms. Wilson then asked Mr. Soriano to review the status and intent of Assembly Bill A4881. Mr. Soriano stated that the bill passed both houses and it is on the governor's desk and that if adopted, local land use decisions would not be subject to appeal on the basis that they were approved at a meeting that was held remotely. Ms. Wilson then stated she was a fan of the Morris County Circulation Plan Element.

Mr. Rattner called for comments by any other members of the Public. There being none, he closed the public portion of the meeting at 7:44 pm.

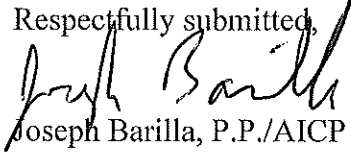
NEXT MEETING

The next meeting is scheduled for September 23, 2021 at 7:00 p.m.

Mr. Rattner closed by noting that, while the Planning Board is not meeting next month, the Land Subdivision and Zoning group will meet.

ADJOURNMENT

At 7:46 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.