

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

30 Schuyler Place  
January 20, 2022

Morristown  
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:00 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	Barbara Murray, Open Space
Isobel Olcott, Vice Chair	Brenda Haycock, Planner Trainee
Nita Galate	Staci L. Santucci, Esq., County Counsel
Mohamed Seyam, Alternate 2	Mary Romance, Recording Secretary
Christopher Vitz, County Engineer	Mary Jeanne O’Grady, Office Manager
Anthony Soriano, Supervising Planner	
Greg Perry, Supervising Planner	
Virginia Michelin, Environmental Planner	
Kevin Sitlick, Senior Planner	

**STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW**

Ms. Romance read the Virtual Meeting Statement.

Mr. Soriano then read a statement on behalf of Joe Barilla welcoming everyone to the first Planning Board meeting of 2022 and thanking all Board members for their service. Mr. Soriano also introduced new staff member Brenda Haycock, Planner Trainee, to the Planning Board.

**2022 Appointments to the Planning Board**

Mr. Soriano opened the floor for nominations for Planning Board Chairman. Ms. Olcott moved the nomination of Steve Rattner as Planning Board Chairman and Ms. Galate seconded. There being no other nominations for Chairman; nominations were closed and all voted in favor of Mr. Rattner as Chairman by voice vote. Mr. Rattner thanked the Board and stated that he is honored to lead this group of hard-working people, which help make Morris County one of the best counties in the State of New Jersey.

Mr. Rattner then called for nominations for Planning Board Vice-Chairman. Mr. Rattner moved the nomination of Isobel Olcott as Planning Board Vice-Chairman and Ms. Galate seconded. There were no other nominations for Vice-Chairman; nominations were closed by Mr. Rattner and all voted in favor of Ms. Olcott as Vice-Chairman by voice vote.

Mr. Rattner then asked for nominations for the position of Board Secretary. Ms. Galate moved the nomination of Mr. Eppel as Planning Board Secretary and Ms. Olcott seconded. There being no other nominations for Secretary; nominations were closed by Mr. Rattner, and all voted in favor of Mr. Eppel as Secretary by voice vote.

Mr. Rattner then noted the members of the Standing Committees for 2021. He recommended no changes to the Committee members and there was no objection. Ms. Olcott questioned if Dennis Bull was on any Committees and Mr. Rattner indicated he was not at this time.

**Standing Committees for 2022** are as follows:

Legislative & Municipal – Everton Scott, Chairman, Ted Eppel, Vice-Chairman, Nita Galate, Mohamed Seyam and Steve Rattner.

Land Development Review – Isobel Olcott, Chairman, Chris Vitz, County Engineer, Everton Scott, Steve Rattner.

Environmental & Watershed – Ted Eppel, Chairman, Chris Vitz, County Engineer, Christian Francioli.

Long Range Planning – Nita Galate, Chairman, Ted Eppel, Isobel Olcott, and Mohamed Seyam.

Mr. Rattner reviewed Planning Board Liaisons for 2022 as follows:

**Planning Board Liaisons**

Lake Hopatcong Commission –Eric Wilsusen

Lake Hopatcong Commission Alternate –Ryan Gilfillan

Lake Musconetcong Regional Planning Board – Steve Rattner

Musconetcong River Management Council – Steve Rattner

Musconetcong River Management Council Alternate– John Wetzel

Morris County Open Space Trust – Nita Galate and Mohamed Seyam (At-Large Member)

Morris County Trail Construction Trust Committee – Isobel Olcott, Nita Galate

## REVIEW OF MINUTES

Ms. Olcott moved the Planning Board Meeting Minutes of December 2, 2021. Ms. Galate seconded the motion. Mr. Rattner called for questions or comments and there being none, the motion was approved by a roll call vote.

### ROLL CALL

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

### DIRECTOR'S REPORT

The Director's Report for December 2021 was reviewed and accepted by the Board and will be placed on file.

### REPORT OF FUNDS RECEIVED

Funds received for December 2021 totaled \$5,900.

### FUTURE MEETINGS

Mr. Soriano reported the day-to-day staff meeting load is anticipated to mirror 2021. He foresees an uptick in meetings concerning the WQMP and the County Agricultural Development Board. Due to the recent uptick in COVID cases, it is unknown when meetings will be held in-person. Once the necessary equipment is installed, meetings will be switched to a hybrid meeting format. This will enable the same level of access the public has grown accustomed to during the pandemic and will allow staff and board members the flexibility of attending meetings in-person or virtually.

### COMMITTEE REPORTS

#### Environmental and Watershed

*County Wastewater Management Plan* – Mr. Soriano reported that due to the holiday season there hasn't been much progress with the County Planners and the N.J. Department of Environmental Protection. There have been multiple amendment requests, revisions to the plans are ongoing and updated build-out analysis is being conducted.

*Watershed Activities* – Mr. Soriano stated that Joe Barilla received an invitation from the Rockaway River Watershed cabinet for a meeting at the end of January. The Whippany River Watershed Action Committee continues to hold meetings. The 2022 event schedule will be passed along once received.

*Stormwater Ordinance and Plan Review* – Mr. Soriano stated there was nothing to report

### Land Subdivision and Zoning

*Developments Reviewed* – Ms. Olcott addressed the Development Review Committee meetings held on December 13, 2021, and January 12, 2022. Regarding the December 13 meeting, she highlighted the following application:

**East Hanover, R&O East Hanover, 2021-10-10-SP-0 (County Route 632)** – This site plan is for the redevelopment of a lot from the recently approved Novartis subdivision. All existing improvements will be removed for the construction of two warehouse buildings totaling 826,800 sq. ft. Warehouse ‘A’ will be 489,000 sq. ft. with 22,800 sq. ft. of office space and will have 377 parking spaces and 92 trailer stalls. An additional 202 parking spaces are banked for future use. Warehouse ‘B’ will be 337,800 sq. ft. with 22,800 sq. ft. of office space and will have 331 parking spaces and 113 trailer stalls. Access will be from the existing driveways to South Ridgedale Ave. (CR 632) and Route 10 on the Novartis property.

Ms. Olcott noted concern with the access due to the tractor trailer activity in and out of the complex. Mr. Perry indicated they had a call from the applicant’s traffic engineer who indicated that all truck traffic at this site will be routed on Route 10 and not the existing access. Improvements to these accessways will be submitted in a future site plan from Novartis. Mr. Vitz noted that the internal driveways will have to be redesigned so trucks won’t be able to come out onto Ridgedale Avenue. County Engineering will review stormwater management and the traffic impact study. Ms. Olcott noted the plan was conditionally approved.

As pertains to the January 12 meeting, Ms. Olcott highlighted the following application:

**Dover, 1 Towpath Square, 2021-9-8-SP-0, 2021-9-8-P-, 2021-9-8-F-0 (County Route 513)** - This site plan is for two housing types on separate lots. There is a seven-unit townhouse structure on a .157 acre parcel which will be subdivided into seven lots. The other structure will be a nine story, 95-unit apartment building with a 36 space first level parking garage, 40 space second level parking garage and a 45 space surface parking lot on .878 acres. Access for all seven townhomes will be from Prospect Street (a.k.a Towpath Square). Access from the surface parking lot will be via two driveway connections to Bassett Highway. The first level parking garage will have a full access connection to Prospect Street. The second level parking will have a right in/right out only connection to East Blackwell Street. The ninth floor will have a gym, indoor community space and an outdoor patio area. Stormwater management entails a collection system that will be connected to the existing Bassett Highway stormwater collection system. County Engineering will review stormwater management and the driveway connection to East Blackwell Street. There may be a signal box on the corner which may interfere and must be repositioned. Mr. Perry commented the right in/right out driveway on East Blackwell Street is on a municipal road. Mr. Vitz indicated that he will review these plans.

Mr. Vitz made a motion to move the Report of Actions Taken on Development Plans for December 2021 and January 2022. Mr. Seyam seconded the motion, and it was approved by roll call vote.

**ROLL CALL**

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

**Legislative and Municipal**

**Recent Legislation-** Mr. Soriano reported that the 2020-2021 legislative session ended on January 11 and the new 2022-2023 session began at noon that same day, noting that the Governor had until the 18<sup>th</sup> to sign bills that had passed both houses. Mr. Soriano noted that 55 of the bills being tracked by the Board were signed into law over the course of the two-year legislative session and that a summary report was included in the meeting materials. The majority of bills approved were appropriation bills for open space, farmland, and historic preservation funding. There were also several new rules, such as the new cannabis regulations, and laws impacting transportation, the environment and housing policy.

Mr. Soriano reported that the new session began with the reintroduction of 3,008 unapproved bills from the previous session with new bill numbers and in many cases, new sponsors. These were reviewed to reconcile with the previous watch list. So far, 197 of the bills that were being tracked by the Board have been reintroduced. Further bill reintroductions are expected in the next couple of weeks.

Mr. Soriano noted that the previously discussed bill regarding approval authority of the Planning Board over regional warehouse development has not been reintroduced. Mr. Soriano also noted that another previously discussed draft but un-introduced bill that would give the County Planning Board increased authority over development impacting county roads was also not introduced.

**Master Plan & Land Use Ordinance Monthly Report** – Mr. Soriano stated that no new municipal master plan elements/amendments were received in the reporting period.

**Land Development Ordinance Report** - Mr. Sitlick reported 13 ordinances were processed in December including two proposed and eleven adopted. The two proposed ordinances were in Chatham Borough, and they were also adopted in December.

Mr. Sitlick highlighted Ordinance 21-22 which establishes an inclusionary mixed-use overlay district called the Gateway Affordable Housing Overlay One District on 25 acres on River Road. The district permits inclusionary and multifamily residential uses at approximately 35 units per acre and various non-residential uses as part of the residential development such as offices, banks, restaurants and retail. Mr. Sitlick also noted Ordinance 21-23, which establishes the Gateway Affordable Housing Overlay Two District on 11 acres located on River Road. It has the same permitted uses as Ordinance 21-22 and permits 18 units per acre.

**Long Range Planning**

**2022-2027 Capital Budget Review** – Mr. Soriano reported that a copy of the Morris County annual capital budget was received for review by the Board. Ms. Galate informed the Board that the Long Range Planning Committee performed its annual review of the budget for relationship, if any, to the goals, objectives or recommendations of the Morris County Master Plan. Ms. Galate reported that the Committee found the budget consistent with the County Master Plan.

Ms. Olcott made a motion to affirm that the 2022-2027 County Capital Budget is consistent with the County Master Plan. Ms. Galate seconded the motion, and it was approved by roll call vote:

**ROLL CALL**

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

**2020 Census Count Question Resolution Program** – Mr. Sitlick reported on the Census Count Question Resolution (CQR) Program that allows state and local governments to review their 2020 Census counts of housing and correct any errors for specific Census blocks. If the Census Bureau agrees that errors have occurred, they will make the corrections for use in future programs. All municipalities received a letter from the Census Bureau notifying them about the program. Mr. Sitlick indicated that all municipal Administrators will be sent an email from the County offering assistance with their CQR review along with links to further information. The email will include spreadsheets that show changes to the census housing counts for the municipalities.

## **LIAISON REPORTS**

### **Lake Hopatcong Commission**

Mr. Soriano reported that Eric Wilsusen and Ryan Gilfillian will continue to serve as liaisons to the County from the Lake Hopatcong Commission. The Lake Hopatcong Commission November and December meeting minutes and a meeting schedule were included in the meeting materials.

### **Lake Musconetcong Regional Planning Board (LMRPB)**

Mr. Rattner reported an incident on Lake Musconetcong in which three people were rescued after falling through the ice. He congratulated the Stanhope and Netcong Police Departments for their quick action in the rescue. Mr. Rattner reported that a motorcycle was involved and remains at the bottom of the lake with gas and oil leaking into the water, which is also the headwaters for Lake Musconetcong. Local officials were contacted by the LMRPB Chairman who was informed that the State Police will be taking over the responsibility of removing the motorcycle from the lake.

Mr. Rattner stated there isn't enough emergency equipment for water rescue in Morris County and that needs to be changed. Mr. Rattner stated there are major incidents every winter in Morris County and that he is on a mission to raise funds for water rescue kits.

### **Musconetcong River Management Council**

Mr. Rattner had nothing to report.

### **Morris County Open Space Trust Fund**

Ms. Galate had nothing to report.

### **Trail Construction Trust Fund Committee**

Ms. Olcott reported that the County Commissioners approved their recommendation from the December meeting of six design applications and four construction applications for a total of \$926,498. The next meeting is scheduled for February 10, 2022, during which the Committee will discuss the Committee's 2021 application review process and possible revisions to the regulations.

## **CORRESPONDENCE AND REPORTS RECEIVED**

*Morris County Solid Waste Management Plan Amendment* – Mr. Soriano had nothing to report.

## **REPORT OF MEETINGS**

Mr. Soriano reported that State Planning Commission meetings were held on January 5 and January 19. The State Plan Rule updates for Plan Endorsement are still being reviewed by the Governor's Office, after which they will be sent to the Office of Administrative Law for review. Their release via the NJ Register for 60-day public comment period is anticipated in January, with the earliest possible adoption in March of 2022.

Mr. Soriano also reported that State Plan Center designations that were to end on Jan. 11, 2022 have been extended due to the recent extension of the public state of emergency. This designation condition will continue as long as the state of emergency is extended, the status of which is reviewed and renewed in 30 day increments.

Finally, Mr. Soriano noted that the State Planning Commissioner has indicated that the process of developing a new State Plan should begin this year.

**OTHER BUSINESS**

**Resolution 2022-01: 2022 Meeting Schedule Resolution** - Ms. Olcott moved approval of Resolution 2022-01 concerning the 2022 Meeting Date Schedule. Mr. Vitz seconded the motion, and it was approved by roll call vote:

**ROLL CALL**

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

**COMMENTS FROM THE PUBLIC**

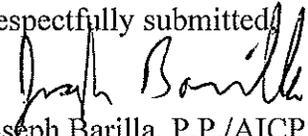
No members of the public were present.

**NEXT MEETING**

The next meeting is scheduled for February 17, 2022, at 7:00 p.m.

**ADJOURNMENT**

At 7:57 p.m., Mr. Vitz moved to adjourn the meeting, and 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.*