

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

30 Schuyler Place  
October 20, 2016

Morristown  
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:07 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 dated February 1, 2016.

Chairman Rattner asked members to join in for the pledge of allegiance to the flag.

**ROLL CALL**

Those present were:

Steve Rattner, Chairman	Christine Marion, Planning Director
Isobel Olcott, Vice Chair	Anthony Soriano, Supervising Planner
Ted Eppel	Greg Perry, Supervising Planner
Christopher Vitz, County Engineer	Joseph Barilla, Principal Planner
Everton Scott	W. Randall Bush, Attorney
Nita Galate, Alt.1	Rene Axelrod, Recording Secretary
Anthony Abrantes, Alt.2	

**REVIEW OF MINUTES**

Mr. Eppel moved approval of the minutes of the July 21, 2016 meeting. The motion was seconded by Mr. Vitz and was approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Kathryn A. DeFillippo, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

## **DIRECTOR'S REPORT**

The Board accepted the Director's Reports for September 2016 and October 2016 and they will be placed on file.

## **REPORT OF FUNDS RECEIVED**

Funds received for September 2016 totaled \$10,062.

## **FUTURE MEETINGS**

Ms. Marion informed members that a New Jersey County Planners Association meeting is scheduled for October 21, 2016 at which there will be a presentation on "Stranded Assets." She reported that there will be a meeting for county planners on October 26, 2016 at the New Jersey Department of Environmental Protection (NJDEP) concerning the newly adopted Water Quality Management Planning Rules. Ms. Marion reported that Ms. Michelin will be lecturing at a class at Cook College on October 26, 2016. She also reported that the Morris County Chamber is holding their annual Economic Outlook Luncheon on October 28<sup>th</sup> and that Mayor Frank Druetzler will be honored at this meeting. She stated that the League of Municipalities Annual Conference is being held between November 15, 2016 and November 17, 2016.

## **COMMITTEE REPORTS**

### **Environment and Watershed**

***Wastewater Management Plan*** – Ms. Marion reported that the NJDEP is organizing meetings and workshops concerning the newly adopted Water Quality Management Rules. Ms. Marion stated that Ms. Michelin is still working with RVRSA municipalities on completing their chapters of the Wastewater Management Plan and that the work completed so far will not have to be redone. She stated that work on the Mount Arlington Borough chapter is on hold until we are directed by the municipality to move forward.

***Watershed Activities*** – Ms. Marion reported that the Freeholders adopted a resolution to initiate a new community rating assistance program that will help municipalities to lower flood insurance rates. Ms. Marion stated that more information will be released in coming months pertaining to this program.

### **Land Subdivision and Zoning**

***Developments Reviewed*** – Ms. Olcott reported on the October 14, 2016 Land Development Review Committee meeting and noted the following applications:

1. Cedar Village, Hanover, County Road 650 – Ms. Olcott reported that this application is for an 89,770 sq. ft. BJ's Wholesale Club with motor fuel service and two additional retail structures with 608 parking spaces on an 18.8 acre property located across from the County

Park Commission's Mennen Arena. She stated that access to East Hanover Avenue is proposed via three driveway connections including a signalized shared driveway intersection with the Mennen Arena. She reported that County Engineering will review for proposed driveways, signalization of driveways, East Hanover Avenue frontage improvements and compliance with County stormwater management standards. Ms. Olcott stated that information was also sent to Dave Helmer, Executive Director of the Morris County Park Commission.

2. Lucciola, Harding Township, County Road 663 - Ms. Olcott reported that this application is for a three-lot minor subdivision. Site distance lines will need to be provided for the new driveway access to Lee's Hill Rad and the existing private road.
3. Giralda Farms, Madison – Ms. Olcott reported that this application is for a parking expansion of an existing 133,878 sq. foot office building and two separate structures located at 5 Giralda Farms. She reported that 550 new surface and structured parking spaces are proposed. Ms. Marion reported on the need for more parking as more offices increase the number of employees per square foot. Ms. Olcott stated there is a driveway located off Loantaka Way that will have to be identified on the plan as emergency access only.
4. Whole Food Market, Morristown, County Route 510 – Ms. Olcott reported that this application is for the removal of the existing vacant structure and replacing it with twelve parking spaces. Mr. Vitz stated that he will be asking for a site triangle easement on site.
5. Mountain Ridge Estates, Mount Olive – Ms. Olcott reported that this application is for a 269-unit multi-family development with direct access to Route 46 east via a right-in, right-out only driveway and an emergency access driveway to Chamberlain Lane. She stated that 54 rental COAH units and 215 units for sale townhomes are proposed and that the County will review stormwater management for this project. Chairman Rattner informed the Board that in an earlier age-restricted version of this project reviewed ten years ago, there were issues of concern regarding the internal roadway's ability to accommodate fire trucks and other large vehicles. He advised staff to review this matter and issue an advisory comment if necessary.
6. Goddard School, Long Hill – Ms. Olcott reported that this application is for an 8,611 sq. ft. child care center with 33 parking spaces on a one acre parcel and that access is from a single driveway connection to Plainfield Road. She stated that stormwater management includes the use of a subsurface detention facility with an outfall to the existing County stormwater collection system for Plainfield Road. County Engineering will review the driveway connection and Plainfield Road frontage in addition to the stormwater management plan. Ms. Olcott stated that the applicant has agreed to the proposed right-of-way dedication for Plainfield Road. Mr. Perry stated that he received the stormwater plan and that it is deficient.
7. BARC Properties, LLC, Roxbury – Ms. Olcott reported that this application is for the conversion of a vacant structure to a dental office. She stated that there are currently two existing driveway access points to Route 10 west and a driveway to Hillside Avenue. County Engineering will review the Hillside Avenue frontage and determine whether stormwater management improvements are warranted.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for July 2016. The motion was seconded by Mr. Eppel and approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Kathryn A. DeFillippo, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Mr. Eppel made a motion to approve the Report of Actions Taken on Development Plans for August 2016. The motion was seconded by Mr. Eppel and approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
Kathryn A. DeFillippo, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

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VOTE	Aye	Nay	Abs.
Kathryn A. DeFillippo, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, ( alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

### **Legislative and Municipal**

**Recent Legislation** – Mr. Soriano noted significant bills from his Legislative Activity Report. Assembly Bill A10, revising the “New Jersey Transportation Trust Fund Authority Act”, was signed into law. The new law reauthorizes the Transportation Trust Fund with an 8-year program and will raise the gas tax by 23 cents a gallon. Mr. Soriano identified the percentages of the local portion of the fund that will be going to various programs. Assembly Bill A4097 had been introduced as a companion bill to S2389, which will establish a Lake Hopatcong Fund that would dedicate \$500,000 annually from certain power vessel operator license fees to the fund. Senate Bill S2440 exempts construction, expansion or renovation of buildings or structures owned and used by a municipality or volunteer fire department from the “Highlands Water Protection and Planning Act.” Mr. Soriano asked the Board if they would like to provide comment on this bill concerning the inclusion of county structures. Ms. Olcott and Chairman Rattner asked Mr. Soriano to review what changes might be requested by the Board concerning this bill. Chairman Rattner noted Senate Bill S2696, which requires a municipal agency under MLUL to notify prospective applicants of potential need for additional governmental approvals. Mr. Soriano stated that he will continue to monitor this bill.

**Master Plan & Land Use Ordinance Monthly Report** – Mr. Soriano reported that a new Housing Element and Fair Share Plan was received from the Borough of Chatham. He stated that Chatham is using the Fair Share Housing Center obligation figures prepared by Dr. Kinsey. Ms. Olcott asked for a copy of the Chatham Borough Housing Element and Fair Share Plan to be forwarded to her.

Mr. Soriano reported that the County received twelve proposed ordinances, two adopted ordinances and one defeated ordinance for a total of 15 ordinances processed in September. He summarized an ordinance amendment from Hanover Township pertaining to gasoline stations and motor vehicle repair establishments. The Borough of Mountain Lakes submitted an ordinance to establish regulations applicable to pipelines and the Township of Mount Olive is rezoning several

lots in the vicinity of the Foreign Trade Zone to increase the number of permitted uses on these lots.

### **Long Range Planning**

**Morris County Circulation Element** – Mr. Soriano reported that he is restructuring and revising the background sections of the draft Plan and that John Hayes is revising the Goals, Objections and Recommendations section of the document. He stated that Gerald Rohsler is also reviewing the proposed changes.

### **LIAISON REPORTS**

#### **Lake Hopatcong Commission**

Ms. Marion reported that the Lake Hopatcong Commission met on September 19, 2016 and that they have, to date, harvested over 3000 cubic yards of weeds. She reported that the current NJDEP representative on the Commission will be leaving and that a new representative has not yet been appointed. The Commission discussed the Water Level Management Plan and the possible reduction of the annual drawdown. Ms. Marion informed the Board that the meeting of the Commission was held on October 17, 2016.

#### **Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council**

Chairman Rattner reported that Lake Musconetcong has received approval to lower the lake level by two feet from November 1, 2016 to December 15, 2016. He stated that dam repairs are scheduled. Chairman Rattner informed the Board that the NJDEP has determined that the Musconetcong River is impaired with “normally occurring arsenic” and that the NJDEP will be proposing rules to address point and non-point pollutants.

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

Ms. Marion informed the Board that a closing occurred on September 29, 2016 for 4.9-acre property in Roxbury Township related to the Morris Canal Greenway. Ms. Marion stated that the Committee will meet again on October 25, 2016; applicants will be giving presentations at that time and subsequent recommendations will be made to the Morris County Freeholders.

#### **Correspondence and Reports Received**

Ms. Marion had nothing to report.

## **Report of Meetings**

Nothing to report.

## **Other Business**

**Census Update** - Mr. Soriano presented highlights from the recent United States Census 2015 American Community Survey summary that was compiled by Mr. Sitlick. He summarized information on income, poverty, housing values, rents and education levels. He noted that Morris County remains one of the wealthiest counties in the state, ranking second in median household income and that the County is also ranked 11<sup>th</sup> in median household income for the United States. Mr. Eppel discussed an article in the paper about the number of registered votes in Morris County and asked whether the County population had reached 500,000. Mr. Soriano stated that the new data did not include a population update, but that new population data should be released later in the year. He and Ms. Marion discussed the potential of preparing this update once every two or three years instead of every year to better reflect trends and allow for the margin of error in the data.

## **LEGAL UPDATE**

Mr. Bush had nothing to report.

## **COMMENTS FROM THE PUBLIC**

None.

Ms. Olcott informed the Board that the Trails Committee will be meeting on November 3<sup>rd</sup> and 4<sup>th</sup> to review applications and recommend which applications should be funded. The Committee will present the recommendations for funding to the Morris County Freeholders later in November.

Ms. Marion stated that she will add the Trails Committee under Liaison Reports for future meetings.

## **NEXT MEETING**

The next meeting is scheduled for December 1, 2016.

There is no meeting in November 2016.

**ADJOURNMENT**

At 8:07 p.m., Mr. Vitz moved to adjourn the meeting. Chairman Rattner 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.*