

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

30 Schuyler Place
January 21, 2021

Morristown
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:02 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	Deena Leary, Assistant County Executive
Isobel Olcott, Vice Chair	Joseph Barilla, Planning Director
Ted Eppel, Secretary	Anthony Soriano, Supervising Planner
Everton Scott	Greg Perry, Supervising Planner
Nita Galate	Virginia Michelin, Environmental Planner
Dennis Bull, Alternate 1	Staci L. Santucci, Esq., County Counsel
Mohamed Seyam, Alternate 2	Mike DiGiulio, Senior Planner
Christopher Vitz, County Engineer	Kevin Sitlick, Senior Planner
Stephen H. Shaw, Commissioner Director	Mary Romance, Recording Secretary

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

Ms. Romance then read the Virtual Meeting Statement

Mr. Rattner congratulated Commissioner Shaw as the first Director of the Morris County Board of Commissioners.

2021 Appointments to the Planning Board

Mr. Rattner welcomed new Planning Board Member Mohamed Seyam, and Mr. Barilla noted the reappointment of both Mr. Rattner and Mr. Eppel.

Mr. Barilla then opened the floor for nominations for Planning Board Chairman. Ms. Olcott moved the nomination of Steve Rattner as Planning Board Chairman and Mr. Eppel seconded. There were no other nominations for Chairman; nominations were closed by Mr. Barilla and all voted in favor of Mr. Rattner as Chairman by voice vote. Mr. Rattner stated that he appreciated the vote of confidence and said that it is an honor to be part of such a hard-working group of people.

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

Chairman Rattner praised the good work of the committees, with special thanks to Ms. Galate and Ms. Olcott for their work on various committees.

Chairman Rattner then addressed the appointment of standing committees, asking members if they would continue their appointments from last year and all agreed. Chairman Rattner asked Mr. Seyam if he would serve in place of former member Casey Parikh on the Legislative & Municipal Committee and Long-Range Committee. Mr. Seyam said he would like to learn more about each committee before making a commitment.

Standing Committees for 2021 are as follows:

Legislative & Municipal – Everton Scott, Chairman, Ted Eppel, and Nita Galate,

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

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

Long Range Planning – Nita Galate, Chairman, Ted Eppel, Isobel Olcott

Chairman Rattner reviewed Planning Board Liaisons for 2021 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

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

Chairman Rattner noted the good work done by the Morris County Complete Count Committee in 2020. Commissioner Shaw highlighted the fact that Morris County had the highest Census count in the state.

LEGAL UPDATE

Ms. Santucci provided an overview of the Open Public Meetings Act. She stated and all meetings must be properly noticed and then reviewed procedures which protect the public’s right to access public meetings, as well as the decision-making processes of the public body, noting limitations that apply to closed sessions.

Ms. Santucci reminded Board members that they cannot informally communicate as a group in any way (including email), as this would constitute a meeting and therefore be subject to the Open Public Meeting regulations, including proper public notice.

Ms. Santucci addressed voting procedures, indicating that if a member has not attended a Planning Board meeting, they are usually precluded from voting on the minutes of that meeting. With regard to citizen alternate members 1 and 2, she stated that the citizen alternate votes only in the absence or disqualification of a regular citizen member. Ms. Santucci stated she is always available to address any questions from any member of the Board.

REVIEW OF MINUTES

Ms. Olcott moved the Planning Board Meeting Minutes of December 3, 2020. Mr. Vitz seconded the motion. Mr. Rattner called for questions or comments and there being none, the motion was approved by voice vote with Mr. Eppel and Mr. Seyam abstaining.

DIRECTOR'S REPORT

The Director's Report for December 2020 was reviewed and accepted by the Board and will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for December 2020 totaled \$28,025.

FUTURE MEETINGS

Mr. Barilla noted that the next meeting of the Morris County Planning Board is February 18, 2021 via WebEx..

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – With regard to the County Wastewater Management Plan (WMP), Mr. Barilla reported that the N.J. Department of Environmental Protection (DEP) is restructuring again, so further delays in the process are anticipated. The County Planners Association is continuing to work with DEP staff to tighten-up this process. Mr. Barilla reported that Mine Hill and the Rockaway Valley Regional Sewer Authority (RVRSA) continue to discuss gallonage allotment and that staff continues to work on map amendments and build-out analysis.

Watershed Activities - There was nothing to report

Stormwater Ordinance and Plan Review – Mr. Barilla reported that Stormwater Management Plans and Ordinances continue to filter in and three reviews have been conducted to date. He noted that a resolution of approval from the Board is not required, but correspondence must be sent to the municipality and to the State.

Mr. Rattner asked if any changes in the relationship between the DEP and U.S. Environmental Protection Agency (EPA) are anticipated due to the new administration in Washington, D.C. Mr.

Barilla noted that the general consensus is that there may be more communication between agencies. Mr. Barilla noted that there is a strong science background among DEP and EPA staff, and an interest in moving projects forward to completion while continuing to keep processes as streamlined as possible.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott addressed highlights of two reports, the Development Review Committee meetings held on December 15, 2020 and January 21, 2021. Regarding the December 15 meeting, she highlighted the following application:

Parsippany, Ballantine Greens, 2020-29-16-SP-0 (County Route 202) -This site plan is for the redevelopment of the former Glaxo Smith Kline property (25.95 acres) for a 370-unit age-restricted and assisted living development. There are 250 age restricted units propose, of which 50 will be for affordable units. In addition, there is a separate 120-unit assisted living building with a total of 572 parking spaces, of which 254 spaces will be beneath the three age-restricted buildings. Additionally, there is a proposed 4,560 square foot fitness center, the remodeling of Ballantine Barn/carriage house to a community center and an 877 square foot maintenance garage. The existing full access driveway connection to the signalized intersection with Littleton Road will be retained in addition to the existing right-only exit driveway. A new 20-foot emergency access driveway to the assisted living portion of the development is proposed which will be constructed with grass pavers. She noted that a maintenance easement will be required for a County structure beneath Littleton Road. County Engineering will review for stormwater management and the existing and proposed driveways. Mr. Vitz noted that traffic signal timing will need to be changed from office to residential use. Mr. Eppel expressed concern about potential traffic bottlenecks in this area, citing the need for a flyover. Mr. Vitz reported that the state would be responsible for major improvements at this location.

As pertains to the January 21 meeting, Ms. Olcott highlighted the following two applications:

Florham Park, The Meadows at Florham Park, 2020-11-7-SP-0 (County Route 510) - This site plan is for a 560-unit apartment complex, of which 112 units will be reserved for low- and moderate-income households. The 81-acre property is broken up into two sites, 200 units in 12 buildings in the southwestern portion of the property and 360 units in 18 buildings in the southeastern portion of the property. Access for the 200 units will be from an improved existing jug-handle with existing traffic signal to Columbia Turnpike. The 360 units will access Columbia Turnpike from an improved existing driveway connection with a proposed traffic signal. There are two proposed surface recharge basins, one for each section. There are several existing detention facilities located throughout the property which were constructed for a previously approved office park (Triumph Square). The existing basins will be utilized as part of the stormwater management for this project. A bridge/culvert maintenance easement for a County structure will be required. County Engineering will review for the Columbia Turnpike improvements and access in addition to review of stormwater management. Mr. Vitz discussed past approvals for the site which anticipated a greater number of trips from the site and included additional lanes at Columbia Turnpike. Mr. Rattner noted a recent accident in the area and Mr. Vitz stated that his office would review the details when released.

Mount Olive, 700 International Drive, 2021-27-1-SP-0 (International Drive) -This site plan is for a 121,872 square foot manufacturing & warehouse structure on 11.13 acres with 74 parking spaces. Access will be from a single full access driveway connection to International Drive. Stormwater management for this proposal entails the use of a subsurface detention basin with a manufactured water quality structure prior to the outfall to the basin from the collection system. County Engineering will review for stormwater management. Mr. Rattner and Ms. Galate commented on their observations of work being done in this area. Mr. Vitz and Mr. Rattner noted that traffic is generally light in this area.

Mr. Eppel requested information on voting on the Report of Actions Taken which was resolved by Ms. Santucci and Mr. Perry.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for December 2020. Mr. Vitz seconded the motion and it was approved by roll call vote.

ROLL CALL

VOTE	Aye	Nay	Abs.
Stephen Shaw, Commissioner Director	X		
Thomas Mastrangelo, Commissioner Alt.	-		
Steve Rattner, Chairman	X		
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			X
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

Legislative and Municipal

Recent Legislation- Mr. Soriano highlighted new Senate Bill S3296, which would allow affordable housing providers to give a preference to veterans for not less than 50% of all affordable housing produced. He noted that there is an Assembly version of this bill and there is bipartisan support. Of bills tracked that have passed both houses, Mr. Soriano noted S2607, which requires the land use plan element of a municipal master plan to include a climate change-related hazard vulnerability assessment. Of bills adopted, Mr. Soriano noted that S1245 was signed into law, permitting the creation of housing for equine related farm employees in facilities with horses under certain conditions as a “Right to Farm” permissible activity.

Mr. Rattner noted SCR17 from the legislative report, which would place a ballot question at the next election concerning the creation of a water consumption and diversion user fee to fund water infrastructure projects.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano stated that four master plan elements were received, three of which were from the Borough of Madison:

- Madison submitted a new Comprehensive Master Plan, a Housing Elements/Fair Share Plan, and an Amendment to their Stormwater Management Plan. The Master Plan includes new goals and objectives focusing on a strong downtown and connecting residential neighborhoods. It includes Land Use, Historic Preservation and Community Mobility Elements. The Housing Element identifies 21-unit Rehabilitation need, a Prior Round obligation of 86 units and a 500-unit Prospective Need (reduced to a Realistic Development Potential of 147 units). The Stormwater Management Plan amendments address recent changes in DEP rules.
- Harding submitted an Open Space and Recreation Plan, updating their open space inventory. The Plan includes goals and proposed actions for continued preservation of new open space and natural resources, stressing linkages between these resources, the preservation of farming, and the stewardship and maintenance of public and private lands.

December Land Use Ordinance Report - Mr. Sitlick stated that a total of 21 ordinances were processed and reviewed, including three proposed, 19 adopted and two tabled ordinances. He highlighted Parsippany Ordinance #2020-34, which amends a Redevelopment Plan for a site on Route 10, increasing the number of permitted residential units from 441 to 498, and decreasing the amount of permitted non-residential use from 102,050 square feet to 60,000 square feet.

Long Range Planning

Land Use Plan Element. Ms. Galate reported that, following the December approval of the Land Use Plan Element, copies were distributed in accordance with the County Planning Act to each municipality (via certified mail), the Morris County Park Commission and the Morris County Board of County Commissioners. Copies were also sent to all Planning Board members. This project is now complete.

2021-2026 County Capital [Facilities] Program Consistency Review - Ms. Galate informed the Board that the Long Range Planning Committee performed its annual review of the County Capital Budget wherein Committee members reviewed various line items for relationship, if any, to the goals, objectives or recommendations of the Morris County Master Plan. She reported that the Committee found the budget consistent with the County Master Plan. Ms. Olcott asked Commissioner Shaw if he had any comment, and the described various actions being funded in accordance with the budget. He noted that courthouse renovations have been put on hold during the pandemic.

Ms. Galate made a motion to affirm that the 2021-2026 County Capital Budget is consistent with the County Master Plan. Ms. Olcott seconded the motion and it was approved by roll call vote:

ROLL CALL

VOTE	Aye	Nay	Abs.
Stephen Shaw, Commissioner Director	X		
Thomas Mastrangelo, Commissioner Alt.	-		
Steve Rattner, Chairman	X		
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			X
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)			

LIAISON REPORTS

Lake Hopatcong Commission – Mr. Barilla reported on matters included in the minutes of the last meeting of December 7, 2020. The topic of weed harvesting was a primary focus, particularly in light of the fatal accident in which a maintenance worker drowned. He noted that the DEP approved \$255,000 for weed harvesting this forthcoming season. Additional topics discussed included Harmful Algal Blooms (HABs) and water draw-down. The next meeting is scheduled for February 7, 2021.

Lake Musconetcong Regional Planning Board (LMRPB)

Chairman Rattner reported that the LMRPB is still working on obtaining a legal opinion as to whether the Board can sell the hydro-rake purchased with Federal funds for \$350,000, noting the Board was subsequently told the rake cannot be used. He stated that there is a market for this equipment.

With regard to the process of lake lowering, which traditionally is done a few weeks before winter sets in, he noted recent debate over whether or not this lowering of the lake contributes to environmental issues. He stated that the DEP issued rules inconsistent with the lake lowering plan that were ultimately overruled by an Assistant State Commissioner in the interest of regulating the invasive water chestnut; lake lowering will now be allowed in November and filling will begin in April.

Musconetcong River Management Council

Chairman Rattner had nothing new to report.

Morris County Open Space Trust Fund

Ms. Galate reported that there was one closing in Jefferson concerning 96.377 acres on the Treadwell-Russia Brook Headwaters in the Mahlon-Dickerson Reservation. She reported that since 1992, the Trust has closed on a combined 12,542 open space acres in 39 municipalities. She

also reported that on December 30th, Open Space Program Coordinator Barbara Murray provided the Committee with an electronic demonstration of an improved, web-based application process offered through the newly restructured website for the Office of Planning & Preservation.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the next meeting is scheduled for February 3, 2021, during which the Committee will discuss whether there should be adjustments to regulations for the Trail Construction application. If so, the Committee would then bring recommendations to the County Commissioners for their consideration.

CORRESPONDENCE AND REPORTS RECEIVED

Morris County Solid Waste Management Plan Amendment – Mr. Barilla reported on correspondence received related to an amendment of the Morris County Solid Waste Management Plan concerning a contract for the operation of the two County transfer stations. Ms. Leary noted that the contract was a renewal for the current operators and Commissioner Shaw stated that a public hearing had been held on this matter at the Commissioner’s meeting.

NJCPA-LTR Policy Document – Mr. Barilla reported that the New Jersey County Planners Association, in response to the challenges caused by the pandemic, created a document ([Creating a Healthier, Prosperous and More Equitable Future for All New Jersey Residents](#)) to support economic recovery through the identification of various planning principles. He stated that it was a comprehensive document and noted that the number one factor highlighted throughout the document is the utilization of public engagement.

REPORT OF MEETINGS

Mr. Barilla reported on forthcoming meetings regarding the Wastewater Management Plan and a meeting in February of the County Planners Association. He also noted upcoming meetings for various Preservation Trust Programs, including Historic Preservation, Trail Construction, and Open Space.

OTHER BUSINESS

Resolution 2021-01: 2021 Meeting Schedule Resolution - Ms. Olcott moved approval of Resolution 2021-01 concerning the 2021 Meeting Date Schedule. Ms. Galate seconded the motion, which was approved unanimously by voice vote.

U.S. Census- American Community Survey – Update - Mr. Sitlick gave a brief presentation highlighting some of the latest demographic and economic statistics for Morris County from the U.S. Census Bureau and the New Jersey Department of Labor and Workforce Development. Topics included housing values, rents, household income, poverty rates, education, health insurance coverage and commuting preferences. He indicated that a separate PowerPoint document including various charts and tables further detailing the topics discussed was provided to Board members for their review.

OneDrive – Ms. Michelin reported on the use of Microsoft OneDrive as the new location for Board members to review meeting materials. She stated that the previous distribution method was no longer available and that the OneDrive application could be used by staff to directly input materials without the need for assistance from the County web administrator. She indicated that Board members could contact her if they had any questions regarding use of this new application.

Commissioner Shaw suggested a reorganization of meeting folders as one would organize a physical meeting packet and Ms. Romance suggested that materials be named and organized for greater consistency with the Agenda.

COMMENTS FROM THE PUBLIC

No members of the public were present.

NEXT MEETING

The next meeting is scheduled for February 21, 2021 at 7:00 p.m.

ADJOURNMENT

At 8:19 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.