

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

30 Schuyler Place  
March 17, 2022

Morristown  
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:01 p.m.

**OPEN PUBLIC MEETING 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	Joseph Barilla, Director of Planning and Preservation
Stephen Shaw, Commissioner	Anthony Soriano, Supervising Planner
Isobel Olcott, Vice Chair	Greg Perry, Supervising Planner
Everton Scott (7:24PM)	Virginia Michelin, Principal Environmental Planner
Nita Galate	Staci L. Santucci, Esq., County Counsel
Christian Francioli (7:03PM)	Mary Romance, Recording Secretary
Mohamed Seyam, Alternate #2	Barbara Murray, Open Space Program Coordinator
Christopher Vitz, County Engineer	Mary Jeanne O’Grady, Office Manager

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

Ms. Romance read the Virtual Meeting Statement.

**REVIEW OF MINUTES**

Mr. Vitz moved the Planning Board Meeting Minutes of February 17, 2022. Ms. Olcott seconded the motion. Mr. Rattner called for questions or comments. He requested a correction on page five, concerning the Lake Musconetcong Regional Planning Board. The motion was approved by voice vote. Mr. Seyam and Mr. Francioli abstained.

## **DIRECTOR'S REPORT**

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

## **REPORT OF FUNDS RECEIVED**

Funds received for February 2022 totaled \$7,235.

## **FUTURE MEETINGS**

Mr. Barilla reported that Mr. Sitlick will be giving a review of Census materials at the next meeting of the Planning Board and that the Development Review Annual Report will be presented at the May Planning Board meeting. A copy of the Annual Report will be sent to the Planning Board members beforehand for their review and comment. Mr. Barilla reported that a public hearing concerning adoption of the new Farmland Preservation Element is anticipated later in the year.

## **COMMITTEE REPORTS**

### **Environmental and Watershed**

*County Watershed Management Plan* – Mr. Barilla reported that county planners continue to meet with NJDEP officials. Revisions to plans are ongoing and an updated build-out analysis is being conducted.

*County Watershed Activities* - Mr. Barilla reported that the Whippany River Watershed cleanup in Morristown by Bethel Church has been delayed until March 26, 2022 due to the St. Patrick's Day Parade. He also reported that the Rockaway River Watershed Cabinet is becoming active again and that due to scheduling conflicts, Mr. Barilla will delegate a county staff member to attend on his behalf. Commissioner Shaw reported that he attended a Rockaway River Watershed meeting on March 16, 2022 at which there were only three attendees.

### **Land Subdivision and Zoning**

*Developments Reviewed* – Ms. Olcott reported that the Land Development Review Committee met on March 16, 2022. She noted that the Committee is receiving applications each month related to solar panel installations, mostly for parking lots. She reported on the following item from the March 16 meeting:

#### **Dover, Proposed Residential Development, 2022-9-1-SP-0 (County Routes 513 & 665)**

This site plan is for the redevelopment of a 3.93-acre multi-lot commercial/industrial area, located on County Route 513 (East Blackwell St.) and County Route 665 (South Salem St.), with 252 multi-family apartment units with related site improvements. The units will be contained in two five-story structures with a 332-space ground floor parking garage. There is a full access driveway connection proposed to East Blackwell Street and a full access driveway connection proposed to South Salem Street. There is also a one-way driveway connection to East Blackwell Street in front

of the residential structures. That driveway is intended to be used for drop off at the residential lobby and access to two internal loading areas. Stormwater management entails the use of a subsurface infiltration basin and porous pavement for part of the parking lot. County Engineering will review for stormwater management and all proposed driveway connections.

Mr. Vitz commented on the location of the one-way pick up and drop off driveway located in front of the building opposite Dover Senior Housing, noting there are also several different driveways on the opposite side of the street which are not shown on the proposed plans. New plans will be requested to show all driveways. He reported that there is also an emergency connection to South Salem Street shown on the plan as a two way access, noting that this will not be permitted; the plan will have to be amended to show only an emergency access, which is needed in case of flooding.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for February 2022. Mr. Seyam seconded the motion, and it was approved by voice vote.

### **Legislative and Municipal**

***Recent Legislation*** – Mr. Soriano reported that approximately 1,500 bills have been reintroduced since the last Planning Board meeting, noting that about 300 bills are being tracked, of which only eight are not reintroductions from the previous legislative session. Concerning new bills, he highlighted Senate Bill S1173, which would modify the Municipal Land Use Law to permit electric battery storage equipment as a permitted accessory use for all residential properties and identify this as an inherently beneficial use. He also highlighted Senate Bill S790, which requires the DEP to establish maximum water levels for reservoirs and require owners of reservoirs with a record of downstream flooding to implement certain flood control measures.

***Master Plan & Land Use Ordinance Monthly Reports*** - Mr. Soriano reported that no new municipal master plan elements/amendments were received during the reporting period. He reported eight proposed ordinances were received and seven ordinances were adopted. He highlighted an ordinance in Morris Plains that would include microbreweries as a permitted use in several business and highway districts and also reported on the adoption of an ordinance rezoning the 118-acre McNear Tract in Roxbury to allow warehousing.

### **Long Range Planning**

***Farmland Preservation Plan Element*** – Mr. Soriano reported that the County Agricultural Development Board (CADB) approved the draft Farmland Preservation Plan Element on March 3, 2022, which was released to all municipalities and posted on the County website. He reported that the State Agricultural Development Committee has already approved of the plan. The CADB is expecting comments no later than April 6, 2022. Assuming no revisions in response to public comment, he reported the CADB could approve the plan by April 7, 2022 or May 7, 2022 at the latest.

Following CADB approval, the Board will get the draft Plan for their review. Once the Board approves the draft Plan, it will have to be sent to the municipalities at least 20 days prior to a public hearing concerning its adoption as an Element of the Morris County Master Plan.

Commissioner Shaw noted a spelling error in the draft plan credits and Mr. Soriano indicated he would correct the error.

***Morris County Apartment Database*** - Mr. Soriano reported that staff is conducting a review of multi-family rental housing, which has dominated new housing construction in the County in recent years. The effort includes review of tax assessment data and apartment websites, review of county approvals and calls to business offices to determine the location, number of units, type of structures, bedroom type available, range of rental prices, phone number, web address and names of projects where applicable. The intent is to provide an overall picture of the rental apartment market in the county in detail not provided by Census data or other sources, integrating information on affordable and senior housing sites that is currently being tracked. Staff intend to produce a map and associated table of information for posting on the County website, similar to what is currently provided on the County website for affordable and senior housing.

***U.S. Census – American Community Survey Data*** – Mr. Soriano reported that the American Community Survey Five Year estimates for the period 2016-2020 would be released shortly and will include municipal data on such items as median housing value, median rents, housing types, median household income, poverty rates, educational attainment, commuting time, and health insurance coverage. He reported that Mr. Sitlick will create a summary of highlights and will be giving a presentation at the April Planning Board meeting on the findings.

***Highlands Regional Economic Sustainability Plan*** - Mr. Soriano reported that the Board's meeting materials include a summary of the Highlands Economic Sustainability Plan, which was the subject of a PowerPoint presentation made by Highlands Council staff at last month's meeting. He reported that the summary includes additional detail not included in the PowerPoint, particularly as concerns the various goals and objectives included in the Plan.

## **LIAISON REPORTS**

**Lake Hopatcong Commission** – Mr. Barilla noted continued concerns regarding Harmful Algae Blooms and water quality. He will provide the Commission's meeting minutes to the Planning Board once they become available.

### **Lake Musconetcong Regional Planning Board**

Mr. Rattner reported that the Board's electric bill had gone up approximately 40%.

### **Musconetcong River Management Council**

Mr. Rattner had nothing to report.

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

Ms. Galate reported that the reorganization meeting was held on March 16, 2022 and that the program is funded at approximately \$2 million. She noted two recent closings, one in Mendham Township and one in Washington Township, which she will report on at the April Planning Board meeting. She reported that applications for 2022 are available with a deadline of June 9, 2022. Final deliberations are scheduled for October 19, 2022 and recommendations will be made to the County Commissioners on November 21, 2022. The next meeting of the Trust will be Wednesday, September 7, 2022.

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

Ms. Olcott had nothing to report but asked Mr. Barilla to report upcoming changes. Mr. Barilla reported rule changes were discussed at the first Committee meeting of the year and that recommendations are scheduled for discussion at the next Board of County Commissioners meeting.

## **CORRESPONDENCE AND REPORTS RECEIVED**

Ms. Dede Murray from Morris County Engineering gave a presentation on the summary she developed for the Board concerning the "Transit Friendly Planning Guide" published by NJ Transit. She reported that the new guidance document covers the fundamentals of transit friendly planning and provides guidance for communities across New Jersey. NJ Transit is encouraging people to make public transportation a part of their daily lives. The guidance document is designed primarily for communities that have transit facilities like train stations and bus stops. The Guide makes recommendations that reflect five different "Place Types" which recognize the diversity of New Jersey's communities. She noted that the Guide emphasizes increased residential density near transit facilities, high quality public spaces, complete streets, parking and curbside management.

Mr. Barilla had nothing further to report.

## **REPORT OF MEETINGS**

Mr. Barilla had nothing to report.

## **OTHER BUSINESS**

Commissioner Shaw reported that the County Budget was introduced on March 9, 2022 and is posted on the county website. He reported that the open space tax remains the same and there will be no increase in County taxes. Commissioner Shaw also reported that the capital plan is extra-large this year since it includes a \$25 million building expansion of the Morris County School of Technology, of which \$18 million will be funded by the State. He noted that the project is in the planning stages with plans for building completion in 2026, adding capacity for an additional 500 students. Commissioner Shaw also commented on the new voting machines that will be used throughout the County that will provide a hardcopy paper back-up ballot.

**COMMENTS FROM THE PUBLIC**

Mr. Rattner opened the meeting for public comment. There being none, he closed the public comment portion of the meeting.

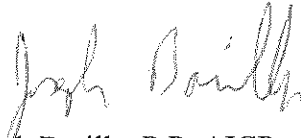
**NEXT MEETING**

The next Planning Board meeting is scheduled for April 21, 2022, at 7:00 p.m.

**ADJOURNMENT**

At 7:51 p.m. Mr. Vitz moved to adjourn the meeting, which was seconded by Ms. Olcott. All approved by voice vote.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Joseph Barilla".

Joseph Barilla, P.P. AICP

Planning Director

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