

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

30 Schuyler Place
April 21, 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	Greg Perry, Supervising Planner
Stephen Shaw, Commissioner	Mike DiGiulio, Senior Planner
Isobel Olcott, Vice Chair	Barbara Murray, Open Space
Everton Scott	Kevin Sitlick, Senior Planner
Nita Galate	Virginia Michelin, Principal Environmental Planner
Christopher Vitz, County Engineer	Staci L. Santucci, Esq., County Counsel
Joseph Barilla, Director of Planning and Preservation	Mary Romance, Recording Secretary
Anthony Soriano, Supervising Planner	Mary Jeanne O’Grady, Office Manager

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETING LAW

Ms. Romance read the Virtual Meeting Statement.

REVIEW OF MINUTES

Ms. Olcott moved the Planning Board Meeting Minutes of March 17, 2022. Mr. Vitz 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		
Tayfun Selen, Commissioner Director	-		
Stephen Shaw, Commissioner	X		
Thomas Mastrangelo, Commissioner	-		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Everton Scott	X		
Nita Galate	X		
Christian Francioli	-		
Dennis Bull, Alt. 1	-		
Mohamed Seyam, Alt. 2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

DIRECTOR’S REPORT

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

REPORT OF FUNDS RECEIVED

Funds received for March 2022 totaled \$11,365.

FUTURE MEETINGS

Mr. Barilla reported that NJ County Planner Association meetings will be held in a hybrid format within the next few months. The Historic Preservation Program will begin with site visits starting in May. There are also pending meetings concerning Wastewater Management Planning (WMP) with the county planners and WMP meetings with various towns.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla had nothing to report.

County Watershed Activities - Mr. Barilla reported that the Whippany River Action Committee is becoming active again. One of their scheduled stream cleanup dates was postponed but another date is being planned. Their sessions are focusing on environmental education. He will send the board a meeting and activity list.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported that the Land Development Review Committee met on April 18, 2022. She reported on the following item from the April 18, 2022 meeting:

Montville, Brookside, 2022-21-2-SP-0 (County Route 202): This site plan is for a 266-unit age restricted development on 28.785 acres. There are three proposed apartment structures with a total of 90 one-bedroom units and 164 two-bedroom units. Each of the structures will have two levels of beneath-building parking for a total of 455 spaces. There are four townhome structures with a total of 12 units, four two-bedroom units and eight three-bedroom units. Each townhome will have two garage spaces and two driveway spaces. In addition, there are 100 surface parking spaces. Amenities for this site include a two-story clubhouse with an outdoor pool, a relocated historic structure (to be utilized as a community center), two patio/grilling areas for each of the three apartment structures, a gazebo, a proposed nature trail with benches, 28 garden plots, a pavilion with grill stations, two pickle ball courts, tennis court, a sports court with wall, a playground, a flat field area and a putting green and chipping area. Access for the site is from a boulevard style full access driveway connection to Route 202 (Main Road).

Proposed stormwater management includes four bioretention basins, which ultimately will discharge towards Crooked Brook. There is an abandoned bridge on the property which will be utilized for the crossing of Crooked Brook for the nature trail. A bridge will be constructed for the internal roadway crossing of Crooked Brook. This site is impacted by freshwater wetlands and floodplain from the Crooked Brook and a NJDEP permit was obtained. The site's existing right-of-way for Route 202 will need to be shown to determine whether a dedication is required. A request has been made that an emergency access be provided on the River Road side of the property. County Engineering will review for compliance with County Land Development Standards. This subdivision has been conditionally approved.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for March 2022. Mr. Rattner seconded the motion, and it was approved by roll call vote.

ROLL CALL

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

Legislative and Municipal

Recent Legislation – Mr. Soriano reported since the last meeting, over 700 items of legislative activity have been reviewed. Activity on bills tracked are included in the report, but of those, there is only one entirely new item, that being Assembly Bill A3584, which would authorize an owner/occupant of property zoned and used for single-family or two-family residential use to develop an accessory dwelling unit on their property. This could be internal to an existing dwelling or detached on the same lot and would be considered a permitted use in all single-family and two-family zones.

He noted that this bill is similar to another bill introduced at the end of last session and reintroduced in January. A major difference is that the reintroduced older version did not include two-family dwellings. The previous bill also allowed a municipality to opt out of permitting accessory dwellings with a 2/3 vote after a public hearing. The new bill has no opt out provision. The old bill would also permit municipalities to restrict such units to those who qualify for low- and moderate-income housing, which is not allowed in the new bill.

Master Plan & Land Use Ordinance Monthly Reports - Mr. Soriano reported no local master plans or master plan amendments have been received since the last meeting of the Planning Board.

Mr. Sitlick reported a total of fourteen ordinances were processed including nine proposed and six adopted. He highlighted one ordinance in Hanover Township, which will create a new overlay zone in the AH-2 - Affordable Housing Overlay District on North Jefferson Road, located on the undeveloped portion of the Cambrex pharmaceutical manufacturing and packaging facility. It is 100 percent affordable which accommodates the off-site affordable housing obligation generated by the Redevelopment Plan for the Pine Plaza Shopping Center. Mr. Rattner questioned an ordinance change in Chester Township, which was briefly discussed.

Long Range Planning

Farmland Preservation Plan Element – Mr. Soriano reported that he edited the most recent draft Plan and submitted changes to the consultant. The County Agricultural Development Board (CADB) deadline for municipal and public comments was extended to April 14. The consultant is preparing a summary which may be provided for the CADB May 5 meeting. Depending on the summary, the CADB may adopt the Plan at the May meeting or wait until June. Once the final version is approved by the CADB, there will be a final review by staff and then it will go to the Long Range Committee review for recommendation to the Board. A public hearing will have to be scheduled, possibly for late summer or early fall.

U.S. Census – American Community Survey Data – Mr. Sitlick gave a PowerPoint presentation on recent Morris County demographic trends based on recent information released by the U.S Census Bureau. Mr. Sitlick presented slides on a variety of topics, including population growth, domestic migration, median age, household size, housing values, rents, household income, poverty rates, educational attainment and population working from home. In his summary of findings, he reported that county population continues to rise and that the County is experiencing in-migration. Median age is rising while average household size is declining. Median housing values, rents and incomes have been rising, but so are poverty rates. He reported that the percentage of persons with a bachelor's degree or higher is rising, and so has the number of persons working from home. He reported that the newly released Census data can be found on the County of Morris website "Data and Statistics" section. The Board thanked Mr. Sitlick for his presentation.

Mr. Rattner noted the high un-insurance rates for some municipalities and the potential impact this might have on residents. Ms. Olcott brought up the issue of rising poverty rates in some communities and asked Commissioner Shaw about the potential impact on social services being provided by the County. Commissioner Shaw noted the activity of the Morris County Department of Health and Human Services in providing meals on wheels, veterans assistance, etc. He noted that the figures presented were developed pre-pandemic and may change as new data is provided reflecting the impacts of the pandemic.

LIAISON REPORTS

Lake Hopatcong Commission – Mr. Barilla noted he received the minutes which were posted on the Planning Board's OneDrive folder. He reported on an announcement by the NJDEP that it will be providing \$10 million in grant funds for lake management and lake restoration, which would be useful in combating harmful algae blooms (HABs) and improving water quality. He is hopeful

the Lake Hopatcong Commission will be applying for a grant. Mr. Rattner commented that \$10 million won't go very far since New Jersey has many lakes with problems.

Lake Musconetcong Regional Planning Board (LMRPB)

Mr. Rattner reported that a representative from the NJDEP attended the LMRPB meeting and that she brought some materials to aid the Board in their work. She is planning to attend each meeting and would like to be appointed to the Board as the state representative member.

Musconetcong River Management Council

Mr. Rattner reported the Musconetcong River Management Council is receiving grants to assist with studies and dam removal and that more work is being done in the Morris County portion of the Musconetcong watershed. He noted that several dams have been eliminated and that dam removal will continue.

Morris County Open Space Trust Fund

Ms. Galate reported that there were three closings including one in Washington Township for 36.6 acres, one in Mendham for 1.6 acres and one in Kinnelon for 8.17 acres. The closing date for new applications is June 9, 2022. The next meeting of the Trust will be Wednesday, September 7, 2022.

Trail Construction Trust Fund Committee

Ms. Olcott reported there were minor changes to the Trails Program rules and regulations for applicants that were presented to the Commissioners. Mr. Barilla reported that the changes clarified issues identified by applicant's questions concerning the program during the prior year. The main item of clarification was that the program did not pay permit application fees.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

Mr. Barilla reported that the Flood Protection Program was in its tenth year and that, to date, 84 properties have been acquired in eight municipalities across the County, and that \$9.6 million has been expended for these buyouts. Commissioner Shaw noted that the program has been widely successful with positive results.

COMMENTS FROM THE PUBLIC

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

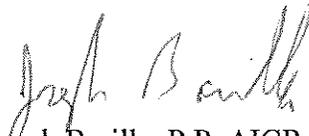
NEXT MEETING

The next Planning Board meeting is scheduled for May 19, 2022, at 7:00 p.m.

ADJOURNMENT

At 8:01 p.m. Mr. Vitz moved to adjourn the meeting, which was seconded by Ms. Galate. 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.