

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

30 Schuyler Place  
June 16, 2011

Morristown  
New Jersey

**CALL TO ORDER**

Chairman Falkoski called the meeting to order at 7:00 p.m.

**OPEN PUBLIC MEETINGS LAW**

Chairman Falkoski stated that the Secretary of the Board provided public notice of this meeting in a legal notice dated February 2, 2011.

**ROLL CALL**

Those present were:

Joseph Falkoski, Chairman	Christine Marion, Planning Director
Steve Rattner, Vice-Chair	Anthony Soriano, Supervising Planner
Isobel Olcott, Secretary	Greg Perry, Supervising Planner
Steve Hammond, County Engineer	Rene Axelrod, Recording Secretary
Ed McCarthy (arrived late)	
Ann Grossi, Freeholder (arrived late)	
Paul Van Gelder Alt.#1	
Stephen Jones, Alt #2 (arrived late)	

**REVIEW OF MINUTES**

Ms. Olcott moved approval of the minutes of the May 19, 2011 meeting. The motion was seconded by Mr. Rattner and was approved by roll call vote.

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abs.</b>
William J. Chegwidden	-		
Ted Eppel	-		
Ann Grossi	-		
Steve Hammond	x		
Ed McCarthy	-		
Isobel Olcott	x		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
Gene Feyl (Alt.)	-		
Paul Van Gelder (Alt 1)	x		
Stephen Jones (Alt 2)	x		

## **DIRECTOR'S REPORT**

The Board accepted the Director's Report for May 2011, which will be placed on file.

## **REPORT OF FUNDS RECEIVED**

Funds received for May, 2011 totaled \$15,406.80.

Ms. Marion said that the increase in funds received was attributable to payments received for the last quarter of work on the Wastewater Management Plan.

## **FUTURE MEETINGS**

Ms. Marion informed the Board that the New Jersey Brownfields Redevelopment Task Force will meet in Trenton on June 21, 2011. Linda Kellner, Acting Executive Director of the Business Action Center and Gerard Scharfenberger, Acting Director of the Office for Planning Advocacy will give presentations.

## **COMMITTEE REPORTS**

### **Environment and Watershed**

***Wastewater Management Plan*** – Ms. Marion informed the Board that the New Jersey Department of Environmental Protection (DEP) approved the grant extension to December 31, 2011. Ms. Marion distributed a draft letter addressed to Morris County legislative representatives and Senator Sarlo concerning the lack of progress on the Wastewater Management Plan (WMP) and unresolved issues. Ms. Marion said that there has been no decision by the DEP as to how to proceed with completing the WMP and that Senator Sarlo is working on legislation that would extend the WMP deadline another year. Ms. Marion said the letter recommends the legislation that would allow these plans to be approved in phases and she asked for the Board's input on the matter. A discussion followed. The Board decided that the letter should be sent as recommended.

Ms. Marion reported that the DEP also has additional grant money available for counties to implement various requirements of the Wastewater Management Plan. Staff determined that the grant for the Septic System Maintenance Management Program would be of most benefit to the County and municipalities. She stated that the Morris County Department of Planning and Development may use this new grant funding to assist local municipalities in implementing the septic management program requirements by preparing an updated database of septic systems that would be used to notify property owners and monitor compliance. A discussion followed.

***Watershed Organization Activities*** – Ms. Marion stated the Rockaway River Watershed Cabinet planted vegetation and removed invasive plants at the County Department of Public Works site in Wharton. Cabinet members noticed changes in drainage flows caused by the removal of a concrete barrier at the site and reported the drainage problem to the County Engineering Department. Finally, Ms. Marion reported that the Rockaway River Cabinet submitted a letter

of intent to the Watershed Institute to apply for a \$10,000 grant for the purpose of reviewing and addressing elevated water temperatures in the Rockaway River.

### **Land Subdivision and Zoning**

***Developments Reviewed*** – Mr. Rattner reported that a total of seven (7) new applications were reviewed and he noted two applications in Montville Township. The first concerned a site plan for a three-sided ground mounted sign. The second concerned a facility upgrade at Romola Auto Refinishing, which includes reconfiguration of its parking lot and access to a county road. Engineering is reviewing access and stormwater management issues associated with this application. Mr. Rattner also reported on an application to put in a liquefied natural gas refueling facility at a garbage truck depot on Howard Blvd. in Mount Arlington. Engineering will also review access..

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for May 2011. The motion was seconded by Mr. McCarthy and approved by voice vote.

### **Legislative and Municipal**

***Recent Legislation*** –Mr. Soriano stated that many of the farmland and open space appropriation bills noted at the previous Board meeting had moved out of committee. He discussed two newly introduced bills. Senate Bill 2847 would extend the expiration date of certain permits pursuant to the “Permit Extension Act of 2008” from 12/31/2012 to 12/31/2014. He noted that the bill would not apply to the Highlands Region or areas designated as State Planning Area 4A or Planning Area 5. Assembly Bill 4108 would clarify the intent of P.L.2007, c.340 regarding New Jersey’s participation in Regional Greenhouse Gas Initiative (RGGI). The 2007 law refers to the Global Warming Response Act and the bill notes that the RGGI was passed as part of implementation of the Act. Assembly Bill 4108 was introduced in response to Governor’s recent decision to withdraw from the ten state carbon trading agreement.

***Master Plan & Land Use Ordinance Monthly Report*** – Mr. Soriano reported that the office did not receive any local master plan amendments over the past month.He gave an alternate report on the State release of the 2011 draft Energy Master Plan. Mr. Soriano described some of the changes from the 2008 version, including a reduction in the amount of energy proposed to be generated by renewable sources by 2021; an emphasis on the use of natural gas for energy production; and a de-emphasis on the use of solar for residential projects in favor of larger scale commercial and industrial solar projects on landfills and brownfields. A discussion followed.

Concerning local zoning, Mr. Soriano reported that the office processed eight proposed ordinances and three adopted ordinance for a total of eleven ordinances processed for the month of May 2011. Mr. Soriano highlighted Netcong Borough ordinance 2011-5, which would prohibit Tattoo Parlors and Financial Service Centers in the B–C Borough Center District. A discussion followed.

### **Long Range Planning**

Ms. Olcott stated the committee did not meet.

## **LIAISON REPORTS**

### **Lake Hopatcong Commission**

Mr. McCarthy informed the Board that the NJDEP approved the Lake Hopatcong Water Level Management Plan. The plan addresses protection of the environment, health, natural and scenic resources of the Lake Hopatcong/Lake Musconetcong river system. Mr. McCarthy asked Mr. Rattner if the Lake Musconetcong Regional Planning Board was satisfied with the plan and the revised water level requirements. Mr. Rattner stated that provisions in the plan addressing water levels and health of the downstream ecosystem were acceptable by the Lake Board

Mr. McCarthy stated that the Commission still lacks adequate funding. He also informed the Board of a situation concerning Mr. David Jarvis, Morris County's liaison on the Lake Hopatcong Commission. Mr. Jarvis had resigned from the Commission and now wants to be reinstated. A discussion followed. It was unclear whether Mr. Jarvis had submitted a letter of resignation to the Lake Commission and the Morris County Board of Chosen Freeholders. The Board determined that this was an issue to be resolved by Mr. Jarvis, the Freeholder Board, and the Lake Board.

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

Mr. Rattner stated that the Lake Musconetcong Board has similar problems to those experienced by the Lake Hopatcong Commission with the lack of funding, but on a smaller scale. He described recent events to promote lake awareness, such as a children's fishing competition, which was very successful. He said that recent samples of fish and vegetation indicated that the health of the lake was good. He also reported that the Regional Planning Board is hoping to raise \$60,000 for lake maintenance, and has spent \$20,000 to date for herbicides to kill water chestnut in areas unreachable by weed harvesters.

### **Musconetcong River Management Council**

Mr. Rattner had nothing to add.

### **Morris County Open Space & Farmland Preservation Trust Fund**

Ms. Marion informed the Board that the Fox Hill Farm closed on Tuesday and Farrand Farm 5 and Farrand Farm 6 are scheduled to close on Monday. The two new closings will bring the Trust Fund total preserved acreage to just over 20,000 acres. She said that staff is working with the Park Commission to plan a Freeholder event to mark this milestone. This year, Open Space Trust Fund applicants are preparing their 2011 submissions using Morris County GIS online application. Based on the information submitted to date, the County is anticipating a "robust" application year. A discussion followed.

## **CORRESPONDENCE AND REPORTS RECEIVED**

Nothing to report

## **REPORTS OF MEETINGS**

**Highlands Council** – Mr. Soriano reported on today’s Highlands Council meeting, which was the first meeting attended by the newly approved Highlands Council members. The Mayor of Roxbury, Jim Rilee, is the new Council Chairman. Former Freeholder Jack Schrier remains on the Council as Vice-Chair, because his replacement has not yet been confirmed. Mr. Soriano informed the Board that, for the first time, a municipal petition for conformance was rejected. The Council rejected the Hackettstown petition by a vote of seven to four. An affirmative vote of eight members was needed to approve the petition. Mr. Soriano report that only Council member Alstede stated his reason for voting against approval, which was because Hackettstown declined to be a TDR receiving community. Mr. Alstede felt that Hackettstown provided a location for growth and TDR applicability, and that the Council had an obligation to encourage growth and TDR receiving areas in appropriate locations. A discussion followed.

## **OTHER BUSINESS**

**Updated Website** - Ms. Marion informed the Board that the morrisplanning.org website has been updated and described recent changes, including the posting of Planning Board agendas, minutes, current projects, publications and forms. A discussion followed.

## **LEGAL UPDATE**

Nothing to report.

## **COMMENTS FROM THE PUBLIC**

None.

## **NEXT MEETING**

The next meeting is scheduled for July 21, 2011 at 7:00 p.m.

## **ADJOURNMENT**

At 8:10 p.m., Mr. Hammond moved to adjourn the meeting. Mr. McCarthy 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.*