

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

30 Schuyler Place
October 20, 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
Steve Rattner, Vice-Chair
Isobel Olcott, Secretary
Ted Eppel
Steve Hammond, County Engineer
Everton Scott

Christine Marion, Planning Director
Anthony Soriano, Supervising Planner
Greg Perry, Supervising Planner
Deena Cybulski, Department Director
Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the September 15, 2011 meeting. The motion was seconded by Mr. Eppel and was approved by roll call vote.

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

DIRECTOR'S REPORT

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

Mr. Rattner questioned the Director's Report activity concerning challenges to the 2010 Census numbers. Ms. Marion explained that the Count Question Resolution (CQR) Program of the US Census is currently underway. Under this program, municipalities can challenge the Census population and housing figures based on incorrect placement of housing units. The County Department of Planning and Development has offered assistance to local municipalities in reviewing this data as part of the Census CQR Program. A discussion followed.

REPORT OF FUNDS RECEIVED

Funds received for September, 2011 totaled \$17,991.18.

Ms. Marion stated that the significant rise in the September figure is due to grant money received as part of the NJDEP Wastewater Management Grant. She also anticipated an increase in funds for October due to recent applications received.

.FUTURE MEETINGS

Ms. Marion informed the Board that the NJDOT was holding a public information meeting this evening on a Parsippany Troy Hills Roadway Improvements Project. The project involves repaving portions of Route I-80 and making several ramp improvements that will facilitate mergers on I-80 eastbound. She also reported that Virginia Michelin will be attending a New Jersey American Water Resources Association Section Meeting on October 21, 2011 and a Ground Water Protection meeting on October 27, 2011.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion reported that Virginia Michelin and she met with Elizabeth Semple, Clay Sherman and Nick Angarone of the New Jersey Department of Environmental Protection (DEP) on Friday, November 14th. December 31, 2011 is the target date for submission of the County Wastewater Management Plan. The submission will include the draft final sewer service area map and the results of the County build-out and capacity analysis.

Ms. Marion informed the Board that the DEP approved a \$45,000 grant to the County to develop an interactive web-based tool to help local health departments meet septic management plan requirements. Ms. Cybulski asked about the DEP rules associated with this project and Ms. Marion explained DEP requirements as pertains to septic system monitoring. A discussion followed.

Watershed Organization Activities – Ms. Marion stated the Whippany River Watershed Action Committee is implementing the basin conversion project at the Morris County Hill Complex.

She also stated that the Whippany River Watershed Action Committee received a grant to complete a detailed study of river erosion problems associated with the AME Bethel Church property in Morristown. Ms. Marion informed the Board that the Rockaway River Watershed Cabinet cancelled its last meeting due to the flood disaster recovery efforts still underway at the Denville Township municipal building.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner briefly described the three applications reviewed by the committee. The Wilmerding Trust Subdivision in Mendham Township is part of an open space application and requires bridge maintenance easements. Next, he described a site plan for installation of a substation sound wall associated with an existing JCPL substation in Montville Township.

Mr. Rattner then described the proposed Morris Commons development in Rockaway Township. The site plan is for a 362 unit residential development and includes 73 low and moderate income units. The project is in an industrial zone off Green Pond Road and requires a use variance. Mr. Rattner noted significant issues with access and parking as shown on the plans. Ms. Olcott stated that this plan is an affordable housing “builders remedy” project and she also noted various problems with the application. Mr. Perry stated that the site plan also has drainage issues and Ms. Marion stated that lack of water and sewer capacity is constraining development in Rockaway Township. Mr. Rattner said the committee and staff will keep track of this application.

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

Legislative and Municipal

Recent Legislation –Mr. Soriano reviewed Senate Bill 3078, which would allow municipalities to use part of their open space trust fund for purchase of flood-prone properties. The bill, however, would not change the law regarding county open space trust expenditures. He noted that this omission could result in conflicts since county funding is often used in conjunction with municipal funding for property acquisition. Ms. Cybulski described other options being discussed by the Freeholders for preservation of flood prone properties. A discussion followed.

The Board decided not to take a position on the bill at this time, but requested that staff send a letter to the sponsor of the bill asking why counties were not included as part of the proposed amendment to the trust fund law.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano reported that the Township of Hanover and Borough of Florham Park both submitted open space and recreation master plan updates prepared by the Land Conservancy of New Jersey. He described their contents briefly. He noted that the Township of Hanover plan recommends exploring the Morris County Department of Transportation Safe Routes to School Program and that the Borough of Florham Park Plan recommends working with the Morris County Preservation Trust to preserve property.

Mr. Soriano reported that staff processed nine proposed ordinances and eleven adopted ordinances in September 2011. Mr. Soriano described the ordinance from the Town of Morristown concerning the revised Speedwell Avenue Redevelopment Plan.

Long Range Planning

Ms. Olcott stated the committee did not meet.

LIAISON REPORTS

Lake Hopatcong Commission

Minutes of the Lake Hopatcong Commission for September 19, 2011 were e-mailed to members. There was no report.

Lake Musconetcong Regional Planning Board

Minutes of the Lake Musconetcong Regional Planning Board meetings held on July 20, 2011 and August 17, 2011 were e-mailed to members.

Mr. Rattner reported that the Department of Environmental Protection denied the permit for lowering the lake because of the fish kill resulting from low oxygen content in the beginning of the year. He told the Board that the lake was much cleaner this year even though fewer chemicals were used. He stated that the IRS sent a letter concerning employee taxes to the Lake Board, which subsequently informed the IRS that it has no employees. A discussion followed.

Musconetcong River Management Council

Mr. Rattner said that he attended a Council meeting on Wednesday where the Council discussed damage resulting from the recent storms. The Council is concerned that the recent flooding disbursed water chestnut seeds from Lake Hopatcong into Lake Musconetcong and down river. He said the effect of the flooding would not be known until next spring. The Council is considering plans on lowering water temperature in the river to increase fish production.

Morris County Open Space & Farmland Preservation Trust Fund

Mr. Eppel stated that the committee completed tours of the 16 properties proposed for funding and that presentations of the applications will start next week. He stated that many of the properties are in flood zones. He also informed the Board that the 20,000 Acres Event will take place next Wednesday at Ayers/Knuth Farm in Denville, NJ.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion stated that she received a letter dated October 11, 2011 from Mr. Geneslaw of Gibbons P.C., which represents the Stop & Shop Supermarket. Mr. Geneslaw requested that he be given notice of any proceeding, hearings, meetings or decisions and be copied on any correspondence issued by the Morris County Planning Board concerning Hanover and Horsehill

Development LLC's application for property located at the intersection of Ridgedale Avenue and Hanover Avenue in Hanover Township. Ms. Marion stated she has already spoken to Mr. Marell on this matter. A discussion followed.

REPORTS OF MEETINGS

Ms. Marion reported that the East Hanover Corridor Study Kick-Off Meeting was held on October 5, 2011. Thirty-one people attended the meeting, including two mayors, engineers, administrators and police from the three municipalities. Ms. Marion stated that the meeting was very productive. At the meeting, the consultant described the scope of work and presented aerial photographs of segments of the roadway and asked participants to identify any issues along each segment. Ms. Cybulski informed the Board that the Park Commission was also involved in the study because the Mennen Sports Arena and the Frelinghuysen Arboretum are in the corridor study area. A discussion followed.

Ms. Marion stated the Township of Hanover announced that Bayer will be the new occupant of the Alcatel-Lucent property in Hanover Township, which will bring in about 2,500 employees. She noted that the County should be receiving an application soon. Mr. Hammond and she discussed the issue of the current driveway on Whippany Road and the ideal realignment with Parsippany Road. A discussion followed. Mr. Perry stated he will contact the municipal engineer to find out how the Township will proceed with this plan.

Highlands Council –Mr. Soriano informed the Board that the Highlands Council discussed a proposal for the Fenimore Landfill in Roxbury Township at its October 13, 2011 meeting. The site received a redevelopment area designation from the Council, which will allow the landfill applicant to proceed to the DEP for additional approvals. He said the plans for the site include capping the former landfill and constructing solar panels on about 50 acres of the approximately 100 acre site. Under the proposal, the remaining 50 acres will be preserved as open space.

OTHER BUSINESS

State Plan Draft- Mr. Soriano announced that the Office for Planning Advocacy (OPA) just released the proposed draft State Strategic Plan and he distributed a brief summary that he prepared for the Board. He said that he and Ms. Marion would attend the New Jersey County Planners Association meeting on Friday where OPA staff will explain the plan in more detail. Mr. Soriano described the major goals and policies found in the new draft Plan. A discussion followed.

LEGAL UPDATE

Nothing to report.

COMMENTS FROM THE PUBLIC

None.

NEXT MEETING

The next meeting is scheduled for December 1, 2011 at 7:00 p.m.

ADJOURNMENT

At 8:43 p.m., Mr. Hammond moved to adjourn the meeting. Mr. 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.