

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

30 Schuyler Place  
February 16, 2012

Morristown  
New Jersey

**CALL TO ORDER**

Vice-Chairman Rattner called the meeting to order at 7:04 p.m.

**OPEN PUBLIC MEETINGS LAW**

Vice-Chairman Rattner stated that the Secretary of the Board provided public notice of this meeting in a legal notice dated January 26, 2012.

**ROLL CALL**

Those present were:

Steve Rattner, Vice-Chair  
Isobel Olcott, Secretary  
Everton Scott  
Ed McCarthy  
Stephen Jones, Alt.#2

Christine Marion, Planning Director  
Anthony Soriano, Supervising Planner  
Greg Perry, Supervising Planner  
Deena Cybulski, Department Director  
Barbara Murray, Program Coordinator, OSTF

**REVIEW OF MINUTES**

Ms. Olcott moved approval of the minutes of the January 19, 2012 meeting. The motion was seconded by Mr. Scott and was approved by roll call vote.

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

## **DIRECTOR'S REPORT**

The Board accepted the Director's Report for January 2012, which will be placed on file.

## **REPORT OF FUNDS RECEIVED**

Funds received for January, 2012 totaled \$3,650.00.

## **FUTURE MEETINGS**

Ms. Marion noted the future meetings listed on the February 16, 2012 meeting agenda and provided information on two additional future meetings. She reported that there will be a NJDOT informal pre-construction public information center meeting regarding the Route 202-Passaic River Bridge replacement project in Harding Township. The meeting will be held on Tuesday, February 28, 2012 from 6:00 p.m. to 8:00 p.m. at the Harding Township Municipal Building.

Ms. Marion also reported that the Morris County Economic Development Corporation's Ninth Annual Municipal Summit will be held on Wednesday, March 14, 2012 from 5:00 p.m. to 7:30 p.m. at the County College of Morris. Members interested in attending should contact her.

## **COMMITTEE REPORTS**

### **Environment and Watershed**

***Wastewater Management Plan*** (WMP) – Ms. Marion informed members that on February 6, 2012 Ms. Michelin and she attended a meeting with Department of Environmental Protection (DEP) staff regarding the ongoing WMP development process. She stated that at this time, the DEP is only interested in adopting the sewer service area map portion of the WMP as soon as possible. Ms. Marion informed members that the County must submit the draft WMP by the end of the year pursuant to the WMP grant agreement. Since the new law permits DEP to adopt the sewer service area map as a phase of the WMP approval, Morris County will have to hold two public hearings on the WMP. A discussion followed concerning the required municipal septic management programs. Mr. Rattner asked about Washington Township's plans to adopt its wastewater management plan before the Morris County WMP is completed. Ms. Marion explained that this was a procedural move on the part of Washington Township that would facilitate the extension of sewer service to several properties in immediate need of service due to failing septic systems.

**Watershed Activities** – Ms. Marion stated that the Whippany River Watershed Committee is still working on the basin conversions at the Morris County Hill Complex.

## **Land Subdivision and Zoning**

***Developments Reviewed*** – Mr. Rattner said there were five applications reviewed at the February 16, 2012 Land Development Review Committee meeting. Mohawk Oil Company submitted a site plan application for property at the northeast corner of Route 206 and Main Street in Chester Borough. In converting a former service station to retail use, the plan proposes a new driveway that will be reviewed by the County Engineering. T-Mobile in Harding Township is proposing the placement of an additional antenna on an existing tower. The application of Ingersoll Improvements in Mendham Borough proposes the addition of a barn structure for use as an office on a residential property. Jupiter Environmental in Montville is seeking an exterior façade upgrade and parking lot expansion. Mr. Rattner stated that County Engineering will need to review the driveway configuration and site frontage of this application. The application of Fulton Bank in Parsippany is for property at the intersection of Littleton Road and Parsippany Boulevard where the county acquired property for roadway improvements. The developer is seeking to acquire a portion of excess County-owned property for the bank and has included the County’s planned intersection improvements in the site plan.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for January 2012. The motion was seconded by Mr. Scott and approved by roll call vote.

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

## **Legislative and Municipal**

***Recent Legislation*** - Mr. Rattner commented on the length of Legislative Action Report that Mr. Soriano compiled for the meeting and the effort that goes into its creation. As explained in a discussion with Mr. Soriano, Mt. Rattner stated that the report is this lengthy only once every two years with the reintroduction of bills in the new legislative session. A discussion followed.

Mr. Soriano reported on Assembly Bill A-1338 that would extend the expiration date of certain permits for two years pursuant to the “Permit Extension Act of 2008”. The bill further extends the prior extension of permits and approvals to December 31, 2014. It would also prohibit the

expiration of permits and approvals in the Highlands Planning Area, a provision that was not included in previous versions of the Act.

Ms. Olcott asked if there were any new proposals with regard to COAH. Mr. Soriano stated that the Department of Community Affairs has not proposed new affordable housing rules, but Senate Bill S-1566 titled the “New Jersey Residential Foreclosure Transformation Act” was introduced on February 9, 2012. The bill would create a new temporary entity called the “NJ Foreclosure Relief Corporation” within the NJ Housing and Mortgage Financing Agency. The purpose of this new entity would be to purchase foreclosed homes from institutional lenders, after which such homes would be dedicated for affordable housing. As proposed, the temporary agency would exist until December 31, 2017. Mr. Soriano went over additional details of this bill and a discussion followed.

***Master Plan & Land Use Ordinance Monthly Report*** - Mr. Soriano reported that two master plan amendments were received from Roxbury Township. The Reexamination Report of the Master Plan and Development Regulations focuses on renewable energy facilities and systems. The purpose of this report is to provide a basis for the creation of regulations pertaining to these facilities and systems. A Land Use Plan amendment introduces a Quarry Overlay District, which would apply to a small portion of the Rural Residential Zone located south of Route 80. He explained that this change is associated with the settlement of a lawsuit between the Township and a local property owner.

Mr. Soriano reported that staff processed three proposed ordinances and one adopted ordinance for the month of January. He noted a Jefferson Township ordinance that adds five lots to a redevelopment zone along Route 15. A discussion followed.

### **Long Range Planning**

Ms. Olcott commented on the information she received from staff showing increases in the Morris County senior population. Ms. Marion stated that at the January meeting, the Board asked for a summary of major demographic trends as shown by recent Census data. Mr. Soriano gave a PowerPoint presentation on recent Morris County data and trends on population and housing growth, median age, household types, income, housing costs, education, and employment. A discussion followed.

### **LIAISON REPORTS**

#### **Lake Hopatcong Commission**

Minutes of the Lake Hopatcong Commission for December 12, 2011 were previously e-mailed to members.

Mr. McCarthy informed members that the State has proposed assuming responsibility for the lake maintenance, including the associated machinery and personnel. He stated that one of the Commission’s concerns is that the State will not pay enough money to the qualified individuals.

He stated that the Commission is also concerned that the machinery currently dedicated to Lake Hopatcong will be used at other locations. A discussion followed.

Ms. Cybulski informed the Board that the Freeholders have been asked by the Lake Hopatcong Commission to pass a resolution supporting the State's proposal concerning the lake.

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

Mr. Rattner stated that the Board met last night and that he will provide a report at the next Morris County Planning Board Meeting.

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

Ms. Marion introduced Barbara Murray, Open Space Trust Fund Coordinator. Ms. Murray informed the Board that she creates the Morris County Preservation Trust Fund Report for the monthly Planning Board meeting. She stated that there were no closings to report since the last meeting. A discussion followed.

Mr. McCarthy asked about allocations from the Open Space Trust Fund. Ms. Cybulski explained how the monies are distributed in the Trust and discussed the proposed Flood Mitigation Program. She reported that the draft application, rules and regulation materials have been created and reviewed by a Freeholder Exploratory Committee and that these materials will be presented to the full Freeholder Board on March 14, 2012.

## **CORRESPONDENCE AND REPORTS RECEIVED**

### **REPORTS OF MEETINGS**

**Highlands Council** - Mr. Soriano informed the Board he did not attend today's Highlands Council Meeting since there were no Morris County matters on the agenda.

### **OTHER BUSINESS**

**Request for Updating the Open Space Element**- Ms. Murray referenced a letter sent to Chairman Falkoski from Ray Chang, Director of Preservation Trust. The letter asks the County Planning Board to investigate updating the Open Space Element of the County Master Plan. She provided background concerning recent activities of the Preservation Trust Open Space Subcommittee related to the Open Space Element Update. A discussion followed.

Ms. Marion recommended that the Long Range Committee meet with the Trust Fund Committee to consider the scope of the Open Space Element Update. Ms. Murray stated that this meeting should be held after the Trust Fund meeting in March, as the Preservation Trust Open Space Subcommittee membership will be changing.

**State Strategic Plan** – Mr. Soriano presented an overview of the proposed changes to the State Plan Rules proposed by the New Jersey Office for Planning Advocacy (OPA). He stated that the draft rules include information on the proposed criteria that would be used by OPA to define various growth and preservation areas in the State in accordance with the Draft State Strategic Plan. The proposed rules also include a process by which regional entities could make amendments to area designations. He presented a series of PowerPoint slides outlining these State criteria and processes.

## **LEGAL UPDATE**

Ms. Marion stated that W. Randall Bush, First Assistance County Counsel, will be advising the Planning Board at future meetings.

## **COMMENTS FROM THE PUBLIC**

None.

## **NEXT MEETING**

The next meeting is scheduled for March 15, 2012 at 7:00 p.m.

## **ADJOURNMENT**

At 9:14 p.m., Ms. Olcott moved to adjourn the meeting. Mr. Jones 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.*