

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

30 Schuyler Place  
January 19, 2024

Morristown  
New Jersey

Meeting Held Via WebEx

Mr. Barilla called the Regular Meeting to order at 7:03 p.m.

**OPEN PUBLIC MEETINGS LAW**

Mr. Barilla 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	Joe Barilla, Director, Planning and Preservation
Isobel Olcott, Vice-Chair	Virginia Michelin, Assistant Director, Planning and Preservation
Everton Scott	Anthony Soriano, Supervising Planner
Nita Galate	Kevin Sitlick, Senior Planner
Mohamed Seyam	Staci L. Santucci, Esq., County Counsel
Christopher Vitz, County Engineer	Alyssa Ercan, Recording Secretary
Joseph Falco, Alt. 1	Barbara Murray, OSTF Coordinator
Mark Venis, Alt. 2	

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

Ms. Ercan read the Statement Regarding Compliance with the Open Public Meetings Law.

**2024 Appointments to the Planning Board**

Mr. Barilla opened the floor for nominations for Planning Board Chairman. Ms. Olcott moved the nomination of Steve Rattner as Planning Board Chairman and Mr. Vitz seconded. There were no other nominations for Chairman. All voted in favor of Mr. Rattner as Chairman by voice vote.

Mr. Rattner then called for nominations for Planning Board Vice-Chair. Mr. Rattner moved the nomination of Isobel Olcott as Planning Board Vice-Chair and Ms. Galate seconded. There were no other nominations for Vice-Chair. All voted in favor of Ms. Olcott as Vice-Chair by voice vote.

Mr. Rattner then asked for nominations for the position of Board Secretary. Ms. Olcott moved the nomination of Ms. Galate as Planning Board Secretary and Mr. Scott seconded. There were no other nominations for Secretary. All voted in favor of Ms. Galate as Secretary by voice vote.

Mr. Rattner then noted the members of the Standing Committees for 2024 and asked that the members of the Board who are currently serving on a committee to please continue doing so. Mr. Rattner then asked Mr. Falco and Mr. Venis which committees they would like to serve on. As these members were new to the Board, Mr. Rattner asked Ms. Ercan to send Mr. Falco and Mr. Venis the list of standing committees so they could make an informed decision.

**REVIEW OF MINUTES**

Mr. Vitz moved the Planning Board Meeting Minutes of December 7, 2023. Ms. Olcott seconded the motion. Mr. Rattner called for questions or comments and there being none, the motion was approved by roll call vote.

**ROLL CALL**

VOTE	Aye	Nay	Abstain
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Christine Myers, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary			X
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnson	-		
Joseph Falco, Alt.1			X
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

**DIRECTOR’S REPORT**

Mr. Barilla discussed the upcoming State Plan Cross Acceptance process, noting that it will be a stressful process and that staff are still trying to determine their potential roles and responsibilities. He reported that county staff met with representatives from the state and the Highlands Council to determine each group’s responsibility as potential negotiating entity; specifically with regard to municipalities within the Highlands region and whether the Highlands Council will serve as their negotiating entity during the State Plan process. He explained that if the Highlands Council were to take on this role, county staff would be the negotiating entity for the remaining seven municipalities outside of the Highlands jurisdiction. He also noted that municipalities have the right to decide who they want to negotiate for them: the state, the county, or the Highlands Council. Mr. Barilla stated that next month he should have a better grasp as to what the county’s role will be.

The Director’s Report for December 2023 was reviewed and accepted by the Board and will be placed on file.

## **REPORT OF FUNDS RECEIVED**

Funds received for December 2023 were \$5,610.

## **FUTURE MEETINGS**

Mr. Barilla had nothing further to report.

## **COMMITTEE REPORTS**

### **Environmental and Watershed**

*County Wastewater Management Plan* – Mr. Barilla reported that staff continue to work on amendments and buildout activities and that staff recently attended a related meeting with the Department of Environmental Protection and county planners. He stated that the current municipalities of focus are Mount Arlington and Long Hill.

*County Watershed Activities* – Mr. Barilla reported that the recent storms were timely as they allowed the Army Corps of Engineers conducting the Whippany River Watershed drainage study to clearly note problem areas along the river. He noted that this study will take nine or ten years to complete.

Mr. Barilla reported that the Flood Mitigation Committee has been focusing on recent flood areas to encourage residents to utilize the buyout program. Mr. Scott asked if there is a large discrepancy between what residents are asking for their property versus what the county is offering through the program. Mr. Barilla explained that people often show initial interest in the program but then choose not to go through with the sale. Ms. Michelin explained other challenges such as new homeowners being unaware of how bad the flooding can get and the fact that, through the buyout program, they are only eligible to receive up to what they paid for the property. She stated that the program does not include items such as closing costs. Mr. Scott asked whether staff are actively engaged with municipalities regarding the program and Ms. Michelin responded that staff send out letters and contact local officials to remind them about the program and what it has to offer.

Mr. Rattner asked Ms. Michelin whether there are funds to elevate homes. Ms. Michelin responded that she could not speak to elevation projects, but that the Department of Environmental Protection's Blue Acres can fund them. Mr. Venis stated that he heard the Army Corp of Engineers may be working to elevate homes and inquired as to whether that was true and who people should speak to regarding that program. She said she would investigate it further and report back. Mr. Barilla added that the best person for residents to contact would be their municipal administrator's office.

### **Land Subdivision and Zoning**

*Developments Reviewed* – Ms. Olcott highlighted the following item from the Land Development Review Committee meeting held on December 20, 2023.

**Roxbury, Thrive Senior Living Community, 2023-36-6-SP-0 (County Route 619)** - This application concerns a 175-unit senior living structure on approximately 8.7 acres. Two lots will be merged as part of the site plan, and the existing office building on one lot will be removed. The breakdown of the unit types is: 42 studios; 72 one-bedroom; 52 two-bedroom; and nine Medicaid units. There are several proposed courtyards with outdoor amenities, including a pool and grilling area. Access to the site will be from a full-access driveway connection to Hillside Avenue and the stormwater management entails the use of five bioretention basins and porous pavement. The stormwater management report also notes that there will be approximately 38.6% less groundwater recharge post-development. Mr. Barilla added that traffic is a concern for this application due to its proximity to the Route 10 intersection.

Ms. Olcott then highlighted the following item from the Land Development Review Committee meeting held on January 11, 2024.

**Parsippany, 3 Century Drive, 2024-29-1-SP-0 (Century Drive) & Parsippany, 9 Sylvan Way, 2023-29-11-SP-0 (Sylvan Way)** – Ms. Olcott discussed two redevelopment projects along Route 10. The applications concern the removal of two office buildings to be replaced by two warehouses. The traffic throughout the site will be different as the roadways were originally intended for car traffic. She also stated that this property mixes residential projects with warehouses and that the Committee is concerned with the traffic movement on to Route 202. Mr. Barilla explained that this site used to be known as the Prudential Business Campus and was majority office use and that the pandemic, as well as the age of the structures, made these properties less attractive to prospective tenants. Therefore, property owners would rather raze the building, create a structure with a different use, such as a warehouse, and begin collecting full rent. He noted that warehousing changes the traffic flow of the area from heavily single-use cars to various trucks and delivery vehicles. Mr. Barilla stated that the impact that this will have on the Route 202 corridor needs to be examined. He also explained that the original campus had one drainage system that emptied out into a pond on the property but, due to changes in stormwater regulations since that time, both the warehouses will have additional infiltration basins and some detention that ties into the existing system. He noted that a requirement for this application is that the turning radius on to Sylvan Way be widened to accommodate fire apparatus.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for December 2023. Mr. Scott seconded the motion, and it was approved by roll call vote.

**ROLL CALL**

VOTE	Aye	Nay	Abstain
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Christine Myers, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	X		
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnson	-		
Joseph Falco, Alt.1	X		
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

**Legislative and Municipal**

**Recent Legislation-** Mr. Soriano reported that the 2022-2023 legislative session ended on January 9th and the new session began immediately after. He explained that bills that had been passed by both houses, but not yet signed, had until the 16th to be signed or they would be pocket vetoed. He reported that several bills have been signed into law since the Board’s last meeting. He highlighted Assembly Bill A4729, which adopted a new formula for appraisals to establish the value of development easements to be acquired for farmland preservation purposes and also reported on Assembly Bill A4125, which prohibits the use of PFAS chemical substances in firefighting foam. He explained that a complete list of bills that have been tracked by the Planning Board and signed into law were included in the meeting materials.

Mr. Soriano then brought up Assembly Bill A4, which was introduced last session. This bill would reform municipal responsibilities concerning the provision of affordable housing and abolish COAH. It did not make it through the last session, but was immediately reintroduced in the new session, on January 9<sup>th</sup>. Mr. Soriano stated that Mr. Sitlick reviewed the 70-page bill to determine major changes from the current method being used to determine affordable housing obligations and asked Mr. Sitlick to summarize his review.

**Assembly Bill A4 -** Mr. Sitlick noted that Assembly Bill A4 was introduced in anticipation of the start of the Fourth Round of affordable housing obligations set to begin on July 1, 2025 and is intended to replace the system that has been in place since 2015, when the New Jersey Supreme Court transferred responsibility for managing municipal compliance with the affordable housing obligations from COAH to the trial courts. He stated that highlights from the bill were included in the Board’s meeting materials, and noted several changes that would occur under the proposed bill:

- Preliminary obligations will be calculated by Special Masters. Compliance will be managed by an Affordable Housing Dispute Resolution Program.

- Obligations adopted by the special master would act as guidance for the municipality. Municipalities could diverge from these calculations due to local factors.
- A maximum of 33% of the Prospective Need may be satisfied by age-restricted units, up from 25% under existing rules.
- A sliding scale for affordable housing deed restrictions is established.
- The 1,000-unit / 20% of housing stock cap on municipal Prospective Need continues as before.

He noted that the bill, originally expected to be passed during the lame duck session, has been reintroduced.

Mr. Scott asked Mr. Sitlick if a municipality and the DCA have different calculations, which one is utilized. Mr. Sitlick responded that there is a dispute resolution program. Ms. Olcott asked who would participate in the dispute resolution and Mr. Sitlick responded that he believed it would likely be those appointed by the Chief Justice of the state Supreme Court, noting further review of the bill was necessary.

Mr. Soriano then explained that at the start of the new legislative session, 5,925 bills not adopted in the last session were immediately reintroduced; he will be reviewing those bills and putting together a new database to create a legislative report for the next meeting. Mr. Rattner stated that the tracked bills report included in the meeting materials was very informative.

***Master Plan & Land Use Ordinance Monthly Reports*** – Mr. Soriano stated that there was no Master Plan report.

Mr. Sitlick reported on the December Land Use Ordinance Monthly Report, stating that eleven ordinances were processed, eight were adopted, two were proposed, and one was tabled. He highlighted Parsippany-Troy Hills ordinance 2023-26, which adopts the 7 Campus Drive Redevelopment Plan. Mr. Sitlick explained that the 10-acre redevelopment area is located at the corner of Campus Drive and Hilton Court and currently includes a vacant office building. The plan will allow for warehouses and fulfillment centers.

### **Long Range Planning**

**2024-2029 Capital Budget Review** – Mr. Soriano stated that the County Planning Act requires the County Planning Board to advise the Board of County Commissioners with respect to the budget, which is done by reviewing its consistency with the Master Plan. He explained that a brief summary review was made of budget items as to their relationship to the Morris County Master Plan, noting that the review noted items related to the MAPS program, Information Technology, Fire and Police Academy, Buildings and Grounds, Engineering, Park Commission, and the County College. Ms. Olcott and Mr. Rattner both shared their support for the capital budget. Ms. Galate reported that the Long Range Committee reviewed the summary review and found the 2024-2029 Capital Budget consistent with the County Master Plan.

Ms. Olcott made a motion to approve that the 2024-2029 Capital Budget Review is consistent with the County Master Plan. Ms. Galate seconded the motion, and it was approved by roll call vote.

**ROLL CALL**

<b>VOTE</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Christine Myers, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	X		
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnson	-		
Joseph Falco, Alt.1	X		
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

**U.S. Census American Community Survey Summary** – Mr. Soriano reported that new data was released by the Census American Community Survey and that Mr. Sitlick prepared a short summary of highlights as an information item that was included with the meeting materials. He explained that corresponding updates have been made to the Data and Statistics section of the Planning and Preservation website. Mr. Sitlick noted the following highlights:

- Median housing values ranged from \$224,500 in Victory Gardens to \$1,262,400 in Harding. Harding had the 13th highest median housing value in New Jersey.
- All 39 municipalities experienced an increase in median housing values in Morris County between the 2013-2017 and 2018-2022 periods. For Morris County and New Jersey, median housing values increased by 21.4% and 25.0% respectively.
- Median contract rents ranged from \$1,189 in Victory Gardens to \$3,500+ (the reporting limit) in Mountain Lakes.
- Median household incomes ranged from \$55,000 in Victory Gardens to \$250,000+ (the reporting limit) in Chatham Borough and Mountain Lakes. At \$250,000+, Chatham Borough and Mountain Lakes were tied with Ho-Ho-Kus in Bergen County, Millburn in Essex County and Rumson in Monmouth County as having the highest median household income in the state.

## **LIAISON REPORTS**

### **Lake Hopatcong Commission**

Mr. Barilla reported that Eric Wilsusen has been appointed as the Planning Board liaison and Ryan Gilfillan will most likely be the alternate after going through the application process. He also added that the water quality projects the County is involved with are progressing nicely.

### **Lake Musconetcong Regional Planning Board / Musconetcong River Management Council and Musconetcong Watershed Association**

Mr. Rattner reported that the Council is working on obtaining a weed harvester with grant funding. He also noted that both Lake Hopatcong and Lake Musconetcong performed draw-downs of the lake's water level, but due to the recent rain, the lakes quickly filled back up.

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

Ms. Murray reported that once the full Committee has been appointed by the Commissioners, they hope to have their first meeting at the end of February or the beginning of March.

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

Mr. Barilla reported that there are trail construction projects taking place and that the Committee is eager to see the continued growth of the program.

## **CORRESPONDENCE AND REPORTS RECEIVED**

Mr. Barilla had nothing further to report.

## **REPORT OF MEETINGS**

Mr. Barilla had nothing further to report.

## **OTHER BUSINESS**

2024 Planning Board Meeting Schedule- Mr. Barilla reported on the results of the meeting survey sent out to Board members. Most responding favored a 6:00 PM start time for virtual meetings and a 7:00PM start time for in-person meetings. Mr. Barilla also reported that the months chosen for in-person meetings would most likely be April and July. He will have to check with Commissioner Shaw before any formal meeting time changes can be enacted to ensure there are no conflicts with his schedule. Mr. Soriano asked Ms. Santucci whether the draft resolution regarding the 2024 meeting schedule should be voted on given the potential changes to times and venue. The Board chose to pass the resolution solely for the February 2024 meeting date and agreed to pass another resolution at the next meeting for the remainder of the 2024 meeting dates.

Ms. Olcott made a motion to approve Resolution 2024-01 as amended. Ms. Galate seconded the motion, and it was approved by roll call vote.



## ROLL CALL

VOTE	Aye	Nay	Abstain
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Christine Myers, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	X		
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnson	-		
Joseph Falco, Alt.1		X	
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

Ms. Olcott made a motion to approve the 2022 Destruction of Recordings. Mr. Vitz seconded the motion, and it was approved by roll call vote.

## ROLL CALL

VOTE	Aye	Nay	Abstain
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner	-		
Christine Myers, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	X		
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnson	-		
Joseph Falco, Alt.1		X	
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

## COMMENTS FROM THE PUBLIC

There were no comments from the public.

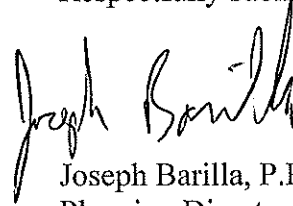
## NEXT MEETING

The next meeting will be on February 15, 2024.

**ADJOURNMENT**

At 8:18 pm, Mr. Vitz moved to adjourn the meeting. Ms. Olcott seconded the motion, and all approved by voice vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph Barilla". The signature is written in a cursive style with a large initial "J".

Joseph Barilla, P.P./AICP  
Planning Director

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