

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

30 Schuyler Place
December 7, 2023

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:00 p.m.

OPEN PUBLIC MEETINGS 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:

Commissioner Stephen Shaw	Virginia Michelin, Assistant Director, Planning and Preservation
Steve Rattner, Chairman	Staci L. Santucci, Esq., County Counsel
Isobel Olcott, Vice-Chair	Greg Perry, Supervising Planner
Everton Scott	Anthony Soriano, Supervising Planner
Mohamed Seyam	Kevin Sitlick, Senior Planner
Dennis Bull, Alt. 1	Mike DiGiulio, Senior Planner
Roslyn Khurdan, Engineer Alternate	Alyssa Ercan, Recording Secretary
Joseph Barilla, Director, Planning and Preservation	

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

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

REVIEW OF MINUTES

Vice-Chair Olcott moved the Planning Board Meeting Minutes of October 19, 2023. Commissioner Shaw seconded the motion. The motion was approved by roll call vote.

ROLL CALL

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

DIRECTOR'S REPORT

The Director's Report for October-November 2023 was reviewed and accepted by the Board and will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for October 2023 were \$1,800. Funds received for November 2023 were \$12,490.

Mr. Rattner asked Mr. Barilla if staff is seeing a downturn in development. Mr. Barilla responded that they are not, but that the projects coming in are not large redevelopments with greater fees and therefore the revenue is down. Mr. Barilla added he believes the County will be seeing more multi-family residential projects in the coming year.

Mr. Rattner commented on warehousing projects throughout Morris County and New Jersey and their impact on traffic. Ms. Olcott asked Mr. Barilla whether the Planning Board's fees are meeting current needs. Mr. Barilla explained that Morris County's fees have historically been a fraction of what municipalities charge, however, there will be discussion on the fees next year. He noted that having Commissioner Shaw as a liaison to the Board is appreciated as he can provide a developer's perspective on the amounts being charged. Mr. Barilla also explained that there is possible state legislation regarding environmental reviews of warehouse projects that would involve the department obtaining a subcontractor as there is currently no one on staff capable of conducting the proposed reviews. This would in turn require a review of the current fee schedule as it would be unfair for the citizens of Morris County to pay for those studies.

Mr. Rattner suggested a subcommittee be formed to explore the fee schedule further and Mr. Barilla added that it could be handled through the Development Review subcommittee. Mr. Barilla also reminded the Board that the fees charged should not be a hinderance to responsible development within the County. Mr. Shaw noted that many municipalities currently require

voluminous environmental studies for development projects and that cost is covered by the developer. Mr. Barilla explained that some of the preliminary drafts of legislation are calling for a separate report conducted by the County to act as a regional nonpartisan entity.

FUTURE MEETINGS

Chairman Rattner noted that all future meetings were listed in the Director's Report.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla reported that staff continues to work with Mount Arlington Borough and Long Hill Township to complete their chapter of the County Wastewater Management Plan.

County Watershed Activities – Mr. Barilla reported that staff have done a tremendous amount of buyout work in Lincoln Park. Next month they will meet with a professor from Rutgers University and the Lincoln Park town administrator to work on ideas for natural restoration to aid in absorption during storms and flood events and help the municipality with long-term maintenance. He added that the goal is to secure grant funding so the town can implement the project.

Mr. Barilla also reported that he attended a meeting with a representative from the Army Corps of Engineers and municipalities within the Whippany River Watershed about their drainage study project. Municipalities will be providing further information to the Army Corps, and County Engineering will be providing information about all the bridges and culverts to help facilitate the overall study.

Land Subdivision and Zoning

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

Denville, Vanderhoof Warehouse, 2023-8-7-SP-0 (Vanderhoof Avenue)

This site plan concerns a 119,706 square foot warehouse on a 16.3-acre parcel. There are 18 loading docks and 13 trailer storage spaces proposed, along with two proposed driveway connections to Dock Road. The site has four bioretention basins and porous pavement for stormwater management. Ms. Olcott noted that there is a stream and freshwater wetlands on the property, but development will not be near them. Mr. Barilla added that staff made multiple advisory comments on their report due to the amount of truck traffic that will be going through local roads.

Parsippany, 5 Wood Hollow Road, 2023-29-8-SP-0 (Wood Hollow Road)

This site plan concerns the redevelopment of an office building site to warehouse use on a 23-acre parcel. The layout of the warehouses is unique since they are facing each other with parking in between. There are a total of 76 parking spaces and 90 loading docks. Access will be from single, full-access driveway connections to Smith Road and Jefferson Road and two full-access driveway

connections to Wood Hollow Road. An existing surface detention facility will be retained, and a new surface small scale bioretention basin will be constructed. Mr. Barilla added that staff advisory comments dealt with site circulation and the cumulative effect of multiple office buildings being converted to warehouse projects in this area of Parsippany.

Ms. Olcott asked Mr. Barilla if municipalities ever reach out for help after receiving the staff's advisory comments. Mr. Barilla responded that this happens very rarely and depends on the municipality. Commissioner Shaw added that residents will sometimes reach out regarding a development within their municipality that they see as unfit, but he has to remind them that the County's authority is limited to county roads and drainage.

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

ROLL CALL

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

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for November 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	X		
John Krickus, Commissioner Director	-		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	-		
Everton Scott	X		
Ted Eppel	-		
Mohamed Seyam	X		

Dennis Bull, Alt.1	X		
Gregory Johnsen, Alt.2	-		
Christopher Vitz, County Engineer	-		
Roslyn Khurdan, (County Engineer Alt)	X		

Legislative and Municipal

Recent Legislation- Mr. Soriano reported that the Legislature has come back into session and is now trying to get bills passed before the end of the year, which is also the end of the legislative session. He highlighted Assembly Bill A5735, which would establish a ‘Highlands Preservation Area Municipal Property Tax Relief Fund.’ This permanent fund would provide property tax relief to taxpayers in the Preservation Area. Municipalities that would qualify for this fund must have at least 60% of their property in the Preservation Area and be conforming to the Highlands Regional Master Plan. Mr. Soriano also highlighted Assembly Bill A5715, which would limit the use of the Local Redevelopment and Housing Law to municipalities with lower credit ratings. Specifically, an A- or lower by S&P or Fitch credit ratings.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that no Master Plans have been received since the last Planning Board meeting.

Mr. Sitlick reported on the October Land Use Ordinance Monthly Report, stating that the Office of Planning and Preservation received seventeen ordinances including eight proposed and nine adopted. He highlighted Parsippany-Troy Hills Ordinance 2023-23. This ordinance adopts the 2 & 3 Campus Drive Redevelopment Plan. The 2 Campus Drive parcel features a recently demolished office building and will permit 172 units of multifamily housing. The 3 Campus Drive parcel will permit 238 units of multifamily housing. There will be a 20% affordable set-aside.

Mr. Sitlick reported on the November Land Use Ordinance Monthly Report, stating that the Office of Planning and Preservation received thirteen ordinances including seven proposed and six adopted. He highlighted Parsippany-Troy Hills Ordinance 2023-22. This ordinance adopts the Sylvan Way Redevelopment Plan. The plan will divide the property into two parcels for redevelopment. The north parcel will permit 280 units of multifamily housing as well as open space and recreation use with a 20% affordable set-aside. The south parcel will permit health and fitness centers.

Mr. Barilla commented that staff have received plans for warehouses in the same area as the redevelopment plans and that their coexistence in such close proximity may present challenges. Mr. Rattner brought up concerns about the Route 10 and Route 202 intersection, and Mr. Barilla commented that he will be meeting with County Engineering to brainstorm ideas for improvement.

Long Range Planning

State Plan Cross Acceptance Update – Mr. Soriano reported that the Cross Acceptance manual from the State Planning Commission has been received. The manual includes overall requirements for comparing the State Plan to local and county plans, and guidance on the responsibilities of the Negotiating Entity.

The Negotiating Entity would be the County or another regional body, such as the Highlands Council, and is responsible for developing and carrying out a work program consistent with cross acceptance requirements. Requirements include, but are not limited to, comparing the Preliminary State Plan with all municipal Master Plans and with the County Master Plan, coordinating cross acceptance activities, identifying stakeholders, conducting public outreach, overseeing data submissions, meeting with each municipality and conducting meetings with municipal officials, compiling and summarizing municipal cross acceptance reports, preparing a county cross acceptance report, defining areas of agreement and disagreement with the Preliminary State Plan between local and county governments, identifying planning area map changes, and negotiating potential changes to the Preliminary State Plan for municipalities seeking changes in policy or mapping.

Mr. Barilla stated that the County would like to be part of the process in some way, but the hope is that the municipalities within the Highlands Region would have the Highlands Council as their Negotiating Entity. This would leave the seven remaining municipalities in the County with Planning and Preservation as their Negotiating Entity. Mr. Barilla noted that seven municipalities would be a manageable workload for current staff, but they would not be able to handle the workload if the state requires the County to be the Negotiating Entity for all municipalities. He added that he will be attending a meeting next month with the Highlands Council and State representatives to determine who will be the Negotiating Entity for which municipalities.

LIASION REPORTS

Lake Hopatcong Commission

Mr. Barilla reported that the county has multiple water quality programs going on around the lake, such as storm sceptors, dredging, and tire removal. He also added that some of the studies for the aeration project are complete and he will be learning more about the findings in the future.

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

Mr. Rattner had nothing to report.

Morris County Open Space Trust Fund

Mr. Scott reported that the Open Space Trust Fund recommended a grant amount of five million dollars to the County Commissioners for Madison Borough's Drew Forest application. Commissioner Shaw added that the Commissioners approved the grant as recommended by the Committee and wanted to thank them for their diligence in their decision making. Ms. Olcott asked

whether the Borough of Madison will be looking for other funding sources, such as Green Acres. Mr. Scott responded that the Committee hopes that Madison will explore other funding options.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the Committee recommended funding for a project in Madison Borough and Morristown; Commissioner Shaw reported that the Commissioners approved the grant as recommended. Mr. Barilla explained that the rigorous application process is to help protect public safety and to ensure that County-funded trails will not cause public complaints. He also noted that the process has been educational for municipalities, helping them to realize that trails need to be well planned and engineered for long-term sustainability. Mr. Barilla believes the 2024 grant round will see seven or eight applications for construction based on previous requests for the funding of construction documents.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

Mr. Rattner asked the Board for any comments regarding the proposed 2024 meeting dates. Mr. Barilla also asked the Board to determine which dates would be best for in-person meetings and to email him with their responses. He noted that this meeting was the last for Dennis Bull and Greg Perry and wanted to thank them for all their years of service to the Planning Board. Commissioner Shaw echoed Mr. Barilla's statement and noted how all the advisory committees are mostly volunteers and are a great asset to Morris County.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

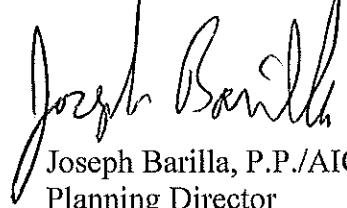
NEXT MEETING

The next meeting will be on January 18, 2024.

ADJOURNMENT

At 8:09 pm, Ms. Khurdan moved to adjourn the meeting. 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.