

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

30 Schuyler Place
October 19, 2017

Morristown
New Jersey

Chairman Rattner called the Regular Meeting to order at 7:03 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 dated February 1, 2017.

Chairman Rattner invited members to join in for the pledge of allegiance to the flag.

ROLL CALL

Those present were:

Steve Rattner, Chairman	Christine Marion, Planning Director
Isobel Olcott, Vice Chair	Anthony Soriano, Supervising Planner
Christopher Vitz, County Engineer	Greg Perry, Supervising Planner
Ted Eppel, Secretary	Joe Barilla, Principal Planner
Everton Scott	W. Randall Bush, Attorney
Stephen Jones (arrived at 7:20)	Rene Axelrod, Recording Secretary
Nita Galate, Alt.1	
Anthony Abrantes, Alt. 2	

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the July 20, 2017 meeting. Mr. Eppel seconded the motion and the minutes were approved by roll call vote.

VOTE	Aye	Nay	Abs.
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

DIRECTOR'S REPORT

The Board accepted the Director's Report for September – October 2017 and it will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for July 2017 totaled \$13,270

Funds received for August 2017 totaled \$6,270

Funds received for September 2017 totaled \$2,430.

FUTURE MEETINGS

Ms. Marion reported there will be a conference call with Mine Hill Township on November 9, 2017 with regard to their wastewater management plan.

COMMITTEE REPORTS

County Wastewater Management Plan - Ms. Marion reported on calls received from Mine Hill Township and the Rockaway Valley Regional Sewer Authority (RVRSA) concerning the location of Mine Hill's existing sewer service area. She stated that Mine Hill thought that the New Jersey Department of Environmental Protection's (NJDEP) acceptance of Mine Hill's sewer service mapping meant that the mapping was approved and that an area under consideration for sewer service could be hooked up to the RVRSA. She stated that the Township never went through the formal approval process; therefore, RVRSA is unable to provide service for the area in question. She stated that because of this, the Township will have to obtain a site specific amendment to hook up the area in question. Ms. Marion reported that Ms. Michelin and she will be meeting with representatives of Mine Hill on November 9, 2017 to discuss the items they need to provide to the county in order to complete their chapter.

Ms. Marion stated that she and Ms. Michelin met with DEP staff in September regarding Morris County's build-out methodology and nitrate dilution capacity analyses. She reported that there have been staffing changes at DEP and that the present staff is unfamiliar with build-out methodologies that were understood by previous DEP staff. She stated that this situation has led to ongoing difficulties moving the WMP process forward. She indicated that post-election changes in staff are anticipated, which may further hinder the County's efforts to move this project forward.

Watershed Activities – Ms. Marion had nothing to report.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the October 19, 2017 meeting of the Land Development Review Committee. She noted the following conditionally approved applications:

1. Montville, DRA Self Storage (County Road 512) - This application concerns a minor subdivision to allow the construction of a three-story 93,000 square foot self-storage facility with 35 parking spaces. There will be a change in impervious coverage and that County Engineering will review the stormwater management plan.
2. Pequannock, Carbone Minor (County Road 660) - This application concerns a minor subdivision of a 0.96 acre residential property that will result in the creation of three conforming single family residential lots. County Engineering will review for driveway access to a County road.

Ms. Olcott then made a motion to approve the Report of Actions Taken on Development Plans for July 2017. Mr. Vitz seconded the motion it was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Ms. Olcott then made a motion to approve the Report of Actions Taken on Development Plans for August 2017. Mr. Vitz seconded the motion it was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Ms. Olcott then made a motion to approve the Report of Actions Taken on Development Plans for September 2017. Mr. Vitz seconded the motion it was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Douglas R. Cabana, Freeholder Dir.	-		
Ted Eppel, Secretary			x
Stephen Jones	-		
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes, (alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Legislative and Municipal

Recent Legislation – Mr. Soriano noted three newly introduced bills concerning renewable energy. Senate Bill S3433 would require that all electric power sold in New Jersey by each electric power supplier and basic generation provider be from Class I renewable energy sources by energy year 2050. Senate Bill S3432 would require 3,500 megawatts of offshore wind energy to be generated in New Jersey by electric power suppliers by 2030. Senate Bill S3434 would require each electric power generator in New Jersey to create and deploy an energy storage capacity of 600 megawatts by 2021 and 2,000 megawatts by 2030. He then reported on two newly introduced non-energy bills, the first being Senate Bill S3429, which would repeal the “Statewide Non-Residential Development Fee Act” retroactive to January 1, 2017 and Senate Bill S3436, which would permit municipalities to issue retail liquor licenses for certain historic taverns.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano reported that three Master Plan amendments were received. The Borough of Florham Park submitted its new 2017 Third Round Housing Element and Fair Share Plan, created in response to recent NJ Supreme Court decisions and a settlement with the Fair Share Housing Center. The Borough of Victory Gardens submitted a Reexamination Report, and identified several of the changes and recommendations noted in the Report. Randolph Township submitted an updated Mount Freedom Planning Study, which identified recent changes in land use and circulation and defined proposed land use changes in the area.

Mr. Soriano stated that there were seven proposed ordinances and five adopted ordinances totaling twelve ordinances processed for the month of September 2017. He noted two proposed ordinances, including an ordinance from East Hanover incorporating zone boundary changes made from 1982 to 2017 in a new zoning map and an ordinance from Rockaway Township that would revise the regulations pertaining to automotive fueling and service stations.

Ms. Marion also informed the Board that Mendham Township has withdrawn a proposed ordinance that would have changed the Township’s current ten acre residential zone to a five acre residential zone.

Long Range Planning – Mr. Soriano informed that Board that Chapters 1, 2 and 3 of the draft Circulation Plan Element have been revised and that he has just received Chapter 5 from MCDOT for review. He informed the Board that MCDOT is currently revising Chapter 4. Ms. Olcott suggested emailing the revised chapters to the Committee members for their review and Mr. Eppel asked that a hard copy be mailed to him.

LIAISON REPORTS

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner informed the Board that the Lake Musconetcong Regional Planning Board has received a permit for using the Hydro-rake. He stated that the terms of a federal grant require that 100 tons of vegetation be removed by the Hydro-rake and that disposal of the vegetation will be at the Tilcon site. He also reported that the drawdown of the lake is starting November 1, 2017 and that the drawdown will be two feet. He stated that refilling has to begin by November 25, 2017.

Chairman Rattner reported that the Musconetcong River Management Council has won an environmental excellence award from the American Water Resource Association, New Jersey Council for the removal of the Hughsville Dam. He stated that the 2017-2022 Water Supply Plan has been released and that the Hackettstown MUA reservoir is still included in the Plan, even though it was decommissioned and sold to a private developer. Mr. Rattner also reported that the Council purchased the historic mill near its headquarters in Asbury and that the Council just finished their first Federal Single audit.

Lake Hopatcong Commission

Ms. Marion informed the Board that she contacted Mr. Jarvis and that he reported that Lake Hopatcong is conducting a five foot drawdown this year. Chairman Rattner informed members that the Commission convinced the DEP that Lake Hopatcong and Lake Musconetcong should be subject to the same regulations.

Morris County Open Space Trust Fund

Ms. Marion stated that the next meeting is on October 23, 2017 and that the Committee will be reviewing seven applications with a request of 3.1 million dollars.

Trail Committee

Ms. Olcott reported that the Committee met, reviewed the applications and discussed the questions they will be asking the applicants as part of review process. She stated that this session will occur on October 30, 2017. Mr. Eppel indicated that Denville is putting together a Trail Plan and he wondered if the Trail Committee had been contacted by the Township. Ms. Marion explained that Denville Township is creating a Trail Plan Master Plan and that the Trail Committee mission is to fund actual trail construction.

Correspondence and Reports Received

Ms. Marion had nothing to report.

Report of Meetings

Ms. Marion had nothing to report.

Other Business

2016 New Residential Construction Sales – Mr. Soriano gave a PowerPoint presentation summarizing the annual update of newly constructed residential sales for 2016, which is based on NJ Department of Community Affairs (DCA) warranty data for first time sales of newly constructed dwellings. Mr. Soriano discussed the findings of the report related to new home sales by unit type, price paid, size and location of unit. He also reported on new rental construction approvals approved by the Morris County Planning Board in 2016 and in the first half of 2017, indicating that new rental housing is making up an increasing amount of new residential units in the County.

LEGAL UPDATE

Mr. Bush had nothing to report.

COMMENTS FROM THE PUBLIC

None

NEXT MEETING

The next meeting is scheduled for December 7, 2017.

ADJOURNMENT

At 7:58 p.m., Mr. Vitz moved to adjourn the meeting 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.