

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

Meeting held via WebEx Videoconference

30 Schuyler Place
December 3, 2020

Morristown
New Jersey

Vice-Chairman Isobel Olcott called the Regular Meeting to order at 7:02 p.m.

OPEN PUBLIC MEETINGS LAW

Public notice has been given in accordance with the Open Public Meeting Act, published in the Newspaper of Record and the Morris County website.

FLAG SALUTE

ROLL CALL

Those present were:

Steve Rattner, Chair	Joe Barilla, Planning Director
Isobel Olcott, Vice Chair	Anthony Soriano, Supervising Planner
Everton Scott (7:16 p.m.)	Mike DiGiulio, Senior Planner
Nita Galate	Staci L. Santucci, Esq., County Counsel
Kaushik (Casey) Parikh, Alt. #1	Mary Romance, Recording Secretary
Christopher Vitz, County Engineer	Virginia Michelin, Principal Environmental Planner
Dennis Bull, Alt #2	

VIRTUAL MEETING STATEMENT

Ms. Romance read the Virtual Meetings Statement indicating that the meeting is being held remotely via WebEx and indicating the procedures necessary for participation by the public via this meeting platform.

REVIEW OF MINUTES

Mr. Rattner called for a motion to approve the Planning Board Meeting minutes of October 15, 2020. The motion was made by Ms. Olcott, seconded by Mr. Scott and approved by roll call vote:

ROLL CALL

VOTE	Aye	Nay	Abs.
Deborah Smith, Freeholder Dir.	-		
Stephen Shaw, Freeholder Liaison	-		
Thomas Mastrangelo, Freeholder Alternate	-		
Steve Rattner, Chair	X		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Christian Francioli	-		
Nita Galate	X		
Everton Scott	X		
Kaushik (Casey) Parikh, (Alt. 1)	X		
Dennis Bull, (Alt #2)			X
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, Engineering Alternate	-		

Mr. Rattner then called for a motion to approve the Planning Board Meeting minutes of October 29, 2020. The motion was made by Ms. Olcott, seconded by Mr. Parikh and approved by roll call vote:

ROLL CALL

VOTE	Aye	Nay	Abs.
Deborah Smith, Freeholder Dir.	-		
Stephen Shaw, Freeholder Liaison	-		
Thomas Mastrangelo, Freeholder Alternate	-		
Steve Rattner, Chair	X		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Christian Francioli	-		
Nita Galate	X		
Everton Scott	X		
Kaushik (Casey) Parikh, (Alt. 1)	X		
Dennis Bull, (Alt #2)			X
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, Engineering Alternate	-		

DIRECTOR'S REPORT

The Board accepted the Director's Report for October-November 2020, and it will be placed on file.

REPORT OF FUNDS RECEIVED

Mr. Rattner stated that the November Report includes funds received for October. He noted that although there's a very small amount shown for the month of November, an additional \$9,000 will be posted and will show-up in the December report and that 2020 revenues are exceeding those of 2019.

FUTURE MEETINGS

Mr. Barilla stated that meetings are scheduled throughout December in just about every aspect of the Department, naming wastewater management, stormwater management various the Preservation Trust and the NJ County Planners Association as examples. Mr. Barilla stated that the next scheduled meeting of the Morris County Planning Board will be the Annual Reorganization Meeting on January 21, 2020.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla stated that he continues to work with the County Planners Association to encourage the DEP to move faster to resolve ongoing issues.

Watershed Activities – Mr. Barilla reported that the Whippany River Watershed Action Committee met on December 2 and introduced four new interns. Mr. Barilla has not heard from the Rockaway River Watershed Cabinet; he has sent messages but has had no reply. He will continue to try and make contact.

Stormwater Activities – Mr. Barilla reported that the County Planning Board will again be reviewing all municipal stormwater management plans and municipal stormwater ordinances for compliance with DEP Regulations and that this was last done between 2005 and 2006. Mr. Barilla outlined of the process, stating that County staff will review each stormwater management plan and ordinance. Meetings will take place to discuss any issues identified, but it is anticipated that most municipalities will follow the model plans and ordinances provided by the NJDEP in the creation of their documents. Reviews will result in a finding of approval, conditional approval or disapproval by County staff. To date, Chatham Township and Denville have submitted plans. The deadline for municipalities to submit their stormwater plans/ordinances is the first week in March.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner stated that the meeting packet included written reports for the Land Development Review (LDR) Committee meetings of October and November 2020. Ms. Olcott noted that a verbal report of the October Committee meeting was given at the October Planning Board meeting. She then highlighted two projects reviewed at the November 10, 2020 Land Development Review Committee Meeting:

Montville, Juve Group, LLC Proposed Multi-Family, 2020-21-9-SP-0 (County Route 202/Main Rd.) - Ms. Olcott stated that there are various environmental considerations related to this application. This site plan is for a 70-unit multifamily development on 13 acres. There are five groups of townhomes with four to nine units per cluster and a four story 36-unit apartment building with 50 parking spaces beneath the building. There are 47 proposed surface parking spaces throughout the project and each townhome has a garage space and driveway space. Access for the site is from a single full access private road connection to Main Road. The private road has a stream crossing and wetlands crossing. The stream crossing proposes a four-foot by eight-foot concrete culvert and the wetlands crossing proposes a two-foot by six-foot concrete culvert. The County of Morris will not maintain either of these structures. There is a proposed crosswalk from this site's sidewalk across Main Road to an existing sidewalk within the Main Road right-of-way. Stormwater management includes the use of three subsurface infiltration basins and two subsurface detention basins. Several NJDEP permits will be required to allow for the development of this property including wetlands, stream encroachment, etc. A bridge maintenance easement will also be required. The existing right-of-way for Main Road will need to be clearly shown and a dedication will be required if less than a 33-foot half width (66-foot full width) is provided. County Engineering will review the proposed private road connection to Main Road and for stormwater management.

Wharton, 170 North Main Street, 2020-39-4-SP-0 (County Route 634) - This site plan is for the redevelopment of a former industrial property to a four-story mixed-use structure (11,000 square feet of retail on the first floor and 75 apartment units-15% low/moderate) on a 2.9-acre parcel. There are 167 parking spaces of which 44 will be beneath the building. Proposed access includes two full access driveways and a right in/right out only driveway. The full access driveways are proposed for connection to the new North Main Street Extension (County) and Ross Street (Municipal). The proposed right in/right out is situated between the intersections of North Main Street and the new North Main Street Extension and Ross Street. County Engineering has determined that no driveway access will be allowed directly from or to North Main Street. Stormwater management includes two subsurface detention facilities with water quality structures prior to their connection to the County system for the New Main Street Extension. County Engineering will review stormwater management and the proposed driveway connection to the Main Street Extension.

REPORT OF ACTIONS TAKEN

Mr. Rattner called for a motion to approve the Report of Actions Taken on Development Plans for October/November 2020. The motion was made by Ms. Olcott, seconded by Mr. Scott and approved by roll call vote:

ROLL CALL

VOTE	Aye	Nay	Abs.
Deborah Smith, Freeholder Dir.	-		
Stephen Shaw, Freeholder Liaison	-		
Thomas Mastrangelo, Freeholder Alternate	-		
Steve Rattner, Chair	X		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Christian Francioli	-		
Nita Galate	X		
Everton Scott	X		
Kaushik (Casey) Parikh, (Alt. 1)	X		
Dennis Bull, (Alt #2)	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, Engineering Alternate	-		

Legislative and Municipal

Recent Legislation- Mr. Soriano stated that five bills were introduced related to agriculture that support beginning farmers through loan programs, tax credits and grant programs. Two agricultural bills passed by both houses, including S1245, which permits the creation of housing for equine related farm employees in facilities with horses. He noted new housing bill A498, which would provide credit for certain dwellings used by seasonal farm workers in the determination of a municipality’s fair share obligation. He reported on A4974, which would expand opportunities for restaurants, bars and breweries to provide outdoor dining and reported on the introduction of S3093, which would establish a county-based mitigation plan to allow businesses to operate during the pandemic. This bill would allow the Governor, along with the Department of Health, to assign risk categories to counties and municipalities and base restrictions, if any, on this level of risk/category.

Master Plan & Land Use Ordinance Monthly Reports

MASTER PLAN – Mr. Soriano reported that Chatham and Rockaway Townships submitted new Housing Element and Fair Share Plans, and that Chatham Township also adopted a new Open Space Element. Denville submitted a Municipal Stormwater Management Plan with standards necessary to meet new State stormwater management rules. A Reexamination Report was received from Harding Township addressing changes since their 2013 Reexamination report.

ZONING – Mr. Soriano reported that eight proposed and 13 adopted ordinances were included in the October Zoning Report, of which a half dozen concerned affordable housing. The most significant ordinances addressed redevelopment, and include the former Whippany Paper Co. and the Pine Plaza Shopping Center in Hanover and the Redevelopment Plan of the former Charlie Browns site on Southern Blvd. in Chatham Township. He stated that the November report includes 17 proposed ordinances and four adopted ordinances, of which there were several affordable housing ordinances, including two new multi-family housing sites along Rt. 10 in Denville.

Mr. Rattner expressed concern regarding the proposed ordinance allowing for up to 95% impervious coverage for the Shop Rite Netcong Redevelopment Area, noting that flooding in this area has long been a problem. Mr. Rattner stated that it's problematic and would like to look into this further. Mr. Barilla said he would have staff take a look at the property and conduct an aerial analysis to determine impervious coverage characteristics.

Long Range Planning

Land Use Plan Element – Ms. Galate stated that the Board received a proposed resolution for approval of the new Morris County Land Use Element and asked Mr. Soriano to summarize the process to date. Mr. Soriano reported that the public hearing was held on October 29, 2020 and that no comments were received at the hearing, through email or through the County website. He said that it is now up to the Board to act on the resolution of adoption and that if approved, staff will create hard copies for distribution in accordance with the County Planning Act. Ms. Olcott commended staff for their work on this project.

Mr. Rattner called for a motion to approve Resolution No. 2020-03 to adopt the Morris County Land Use Element. The motion was made by Ms. Olcott, seconded by Ms. Galate and approved by roll call vote.

ROLL CALL

VOTE	Aye	Nay	Abs.
Deborah Smith, Freeholder Dir.	-		
Stephen Shaw, Freeholder Liaison	-		
Thomas Mastrangelo, Freeholder Alternate	-		
Steve Rattner, Chair	X		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Christian Francioli	-		
Nita Galate	X		
Everton Scott	X		
Kaushik (Casey) Parikh, (Alt. 1)	X		
Dennis Bull, (Alt #2)	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, Engineering Alternate	-		

LIAISON REPORTS

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner had nothing to report.

Lake Hopatcong Commission – Mr. Barilla reported that the next meeting of the Commission is scheduled for December 7, 2020 and that an update will be provided at the January Planning Board meeting.

Morris County Open Space Trust Fund

Ms. Galate reported that of nine applications, two have since withdrawn. Of the remaining seven applications, the Committee recommended six for funding, which were approved by the Board of Chosen Freeholders. The approvals were for a total of \$1,497,825 to preserve 69.06 acres in five municipalities. The Committee will meet on December 16 to review suggested program revisions for 2021. Ms. Galate also noted that there was a closing on a 5.43-acre property in Denville.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the Committee met on October 13, 2020 to review applications received. She stated that there were several applications that the Committee did not recommend due to various issues. The Committee recommended three projects to the Board of Chosen Freeholders, which were approved. These projects were from Roxbury Township, Hanover Township and the Borough of Wharton, totaling \$619,000. Mr. Barilla noted that any unspent funds will be rolled-over into this Project Program for next year and that the Committee was working on rule changes to avoid problems in future applications with estimating construction costs, providing a smoother process for applicants and for fund dispersal.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing to report.

REPORT OF MEETINGS

Mr. Barilla stated that this issue was covered earlier in the meeting.

OTHER BUSINESS

2019 Annual Building Permit Report – Mr. Soriano summarized the 2019 Annual Building Permit Report prepared by Mr. Sitlick. He reported that building permits for residential use dropped 53% from the previous year, due largely to a slowdown in permits for new multi-family housing. Florham Park, Morris Township and Rockaway Township accounted for about half of all new housing permits issued.

Permits for office space were off by nearly 62% from 2018, with Parsippany-Troy Hills, Roxbury and Montville Townships as the top three municipalities for new authorized square footage. Retail was down 55% from previous year, but Morris County still had the highest amount of new retail square feet authorized of all New Jersey counties, most of this due to the redevelopment of the Ledgewood Mall in Roxbury. He noted a 30% reduction in the “Other Nonresidential” category, which includes such uses as hotels, distribution centers and warehousing, but said this category still provided the greatest amount of new square feet authorized. He noted that projects in Florham Park, Randolph, and Washington topped the list of locations for permits authorized in this category.

He stated that data available for the first seven months of 2020 show improvements in permits for new housing and office space, with authorizations already exceeding 2019 totals, while authorization of new square footage for Retail and Other Nonresidential use remain below 2019 levels.

MCPB Meeting recordings and tapes destruction

Mr. Rattner called for a motion to approve the MCPB Meeting Recordings and Tapes destruction. The motion was made by Ms. Olcott, seconded by Mr. Vitz and approved by roll call vote:

ROLL CALL

VOTE	Aye	Nay	Abs.
Deborah Smith, Freeholder Dir.	-		
Stephen Shaw, Freeholder Liaison	-		
Thomas Mastrangelo, Freeholder Alternate	-		
Steve Rattner, Chair		X	
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	-		
Christian Francioli	-		
Nita Galate	X		
Everton Scott	X		
Kaushik (Casey) Parikh, (Alt. 1)	X		
Dennis Bull, (Alt #2)	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, Engineering Alternate	-		

Draft 2021 Meeting Dates - Mr. Rattner asked if there were any comments on the draft meeting dates for 2021. He noted that the dates will be voted on at the January meeting of the Planning Board.

LEGAL UPDATE

Ms. Santucci had nothing to report.

COMMENTS FROM THE PUBLIC

No members of the public were present at the time for public comment.

NEW BUSINESS/OLD BUSINESS – Mr. Barilla thanked Board Member Casey Parikh for serving on the Planning Board, noting his participation in development of the County Land Use Element, which was greatly appreciated. Mr. Parikh stated that, although he will not be returning, he very much enjoyed the opportunity to serve on the Board. Mr. Rattner then thanked the staff for their work organizing the Planning Board Meetings under current conditions.

NEXT MEETING

Mr. Rattner stated that the next regular meeting of the Morris County Planning Board will be held via videoconference on January 21, 2021 at 7:00 p.m.

ADJOURNMENT

Mr. Vitz moved to adjourn the meeting at 7:55 p.m. and the adjournment was approved by voice vote.

Respectfully submitted,

Joe Barilla, P.P./AICP
Planning Director

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