

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

30 Schuyler Place
April 15, 2021

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:04 p.m.

OPEN PUBLIC MEETINGS LAW

Chairman Rattner stated that the Secretary of the Board provided public notice of this meeting on March 29, 2021 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

Stephen Shaw, Commissioner Director	Christopher Vitz, County Engineer
Tayfun Selen, Commissioner Liaison	Joseph Barilla, Planning Director
Steve Rattner, Chairman	Anthony Soriano, Supervising Planner
Isobel Olcott, Vice Chair	Greg Perry, Supervising Planner
Ted Eppel, Secretary	Virginia Michelin, Principal Environmental Planner
Nita Galate	Staci L. Santucci, Esq., County Counsel
Dennis Bull, Alternate 1	Mike DiGiulio, Senior Planner
Mohamed Seyam, Alternate 2	Mary Romance, Recording Secretary

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

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

REVIEW OF MINUTES

Ms. Olcott moved the Planning Board Meeting Minutes of March 18, 2021. Mr. Vitz seconded the motion. Mr. Rattner called for questions or comments and there being none, the motion was approved by voice vote, with abstentions by Commissioners Shaw and Selen and Citizen Member Bull.

DIRECTOR'S REPORT

The Director's Report for March 2021 was reviewed and accepted. Ms. Olcott asked Mr. Barilla to comment on the anticipated timetable for 2020 Census population estimates. Mr. Barilla said that the State provided dates when specific information is being released, indicating that the timetable has been moved up. He anticipates that information will be available to disperse at the July Planning Board meeting.

Mr. Olcott asked about the activities of the State Planning Commission and Mr. Soriano noted that this would be addressed later in the agenda.

REPORT OF FUNDS RECEIVED

Funds received for March were \$11,365. Year-to-date revenues totaled \$35,370.

FUTURE MEETINGS

Mr. Barilla reported that meetings for the Preservation Trust are scheduled for May and June and these meetings will address the current grant cycles for open space, trails, and historic preservation programs.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla reported that the N.J. County Planning Association (NJCPA) is continuing to work with the N.J. Department of Environmental Protection (DEP). He reported that the Association provided a draft template for Wastewater Management Plans (WMPs) to the DEP.

County Watershed Activities – Mr. Barilla reported that work continues behind the scenes with regard to the WMP build-out effort. He reported that the Silver Jackets project in Lincoln Park is complete and that a copy of this report will be sent to all members. The report includes a preliminary concept design, which shows two areas in Lincoln Park designated for restorative plantings and nature trails. The next step is for Lincoln Park or another related group to receive additional funding for final design and construction costs.

Stormwater Ordinance and Plan Review – Mr. Barilla reported that 26 stormwater ordinances have been received and that of those reviewed, 21 have been approved and five have been conditionally approved. He noted that staff continues to work with municipalities and anticipates that this review process will be complete within the next two months.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the meeting of the Land Development Review Committee held on April 13, 2021. She stated that the Committee continues to be busy, noting substantial residential projects fueled by affordable housing mandates. Ms. Olcott highlighted the following applications:

Chatham, Chatham River Road Urban Renewal, 2021-4-1-SP-0 (County Route 646): This site plan is for the redevelopment of several industrial lots (4.57 acres) to accommodate a multi-story 245-unit apartment building with a 474 space two-story parking garage. Access will be from two River Road driveway connections for residents. The existing driveway connection to Watchung Avenue will be reconstructed to provide access to an onsite loading area. There are several exterior bike racks in addition to a bike storage area within the parking garage along with five proposed electric vehicle charging spaces within the garage. An exterior 1,080 square foot dog park is proposed for this project in addition to a dog wash room also located within the garage. Stormwater management measures involve an onsite collection system which outfalls to the collections systems for River Road and Watchung Avenue. County Engineering will review for stormwater management and Watchung Avenue frontage improvements. Mr. Vitz addressed issues concerning the turning radius for larger trucks within the area of Watchung Avenue and potential

signalization issues that may require a small timing change to ensure that traffic volume will not increase delays in that area.

Mr. Eppel asked what is going to be removed from the existing site to make way for this project and Mr. Barilla noted that the site currently hosts several small industrial buildings. Mr. Rattner added that there are currently medium-sized oil tanks at that location, and that there is no drainage on the existing site. Ms. Olcott noted that removal of these tanks should benefit the nearby Passaic River.

Chester, Larison's Chester Town Center-Comm. & Larison's Town Center-Res., 2021-6-2-SP-0 & 2021-6-3-SP-0 (County Route 513): This mixed-use redevelopment plan is for the Larison's Farm Restaurant property (26.93 acres) at the intersection of West Main Street and Route 206. There is an existing organic farm toward the rear of the property and an existing cellular facility on-site that will remain. A portion of the existing restaurant structure will be retained with an expansion proposed for a total of 6,500 square feet. Additionally, there is a proposed 15,000 square foot CVS Pharmacy, a 20,000 square foot medical office building, a 5,000 square foot office building and a relocated 1,160 square foot country store structure. The residential portion of the project includes two 18-unit apartment structures with a community building and an outdoor playground. There are three proposed access driveways for this project. There is an existing right-in/right-out connection to Route 206 south, a proposed full access driveway and a right-in/right-out driveway connection to West Main Street. There are two proposed surface detention basins and a one subsurface infiltration basin for stormwater management. Potable water will be supplied via a connection to the existing NJ American Water main within the West Main Street right-of-way. An on-site sanitary treatment facility will be used for wastewater management. County Engineering will review for stormwater management and site frontage. Mr. Vitz noted that the driveways will line-up with the driveways at the strip mall across the street, and that Engineering will consider the possibility of reallocating lanes in the roadway to provide an exclusive left-turn lane into the site.

In other Committee business, Ms. Olcott reported that the Committee reviewed a draft revision of the County's development application procedure. Mr. Barilla noted that this revision includes a new option for electronic payment for various fees and services. The Committee will bring the completed draft for Planning Board review and consideration.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for March 2021. Mr. Eppel seconded the motion and it was approved by roll call vote:

ROLL CALL

VOTE	Aye	Nay	Abs.
Steve Rattner, Chairman	X		
Stephen Shaw, Commissioner Director	X		
Tayfun Selen, Commissioner Liaison	X		
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Ted Eppel, Secretary	X		
Everton Scott	-		
Nita Galate	X		
Christian Francioli	-		
Dennis Bull, Alt.1	X		
Mohamed Seyam, Alt.2	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

Legislative and Municipal

Recent Legislation: Mr. Soriano reported on proposed Assembly Bill A5474, which would amend the Farmland Assessment Act to allow the minimum five-acre requirement needed for farmland assessment to apply to noncontiguous land, provided it is under the ownership of one person and located in one municipality. He noted that this could help in areas where larger farmland parcels are becoming increasingly scarce.

He then reported on a draft, but not yet introduced bill that would amend the County Planning Act to expand the Board’s review and approval authority. The proposed changes would give a county approval authority over any subdivision that “in any way impacts” a county road and allow a county to require improvements that specifically include “intersection and roadway improvements,” provisions not currently included in the County Planning Act. He stated that the draft bill would also allow Board to review site plans for land development along “or affecting” county roads. Local approvals would no longer be given without projects first having been approved by the County Planning Board, where applicable.

The bill would also amend the Municipal Land Use Law “to authorize municipalities to require a developer to pay all costs of improvements to county roads, intersections and drainage facilities that are determined to be necessary by the county engineer.” The developer would have the right to pass on some costs to other private parties that benefit from the required improvements on a pro-rata basis.

Mr. Barilla reported that he provided written comments on this draft legislation to the NJCPA, which were forwarded to the New Jersey Association of Counties. He stated that that this bill would provide enhanced review capability for site plans and subdivisions, noting that at present,

if a large project is just one lot away from a county road, a county cannot require the developer to make needed improvements. The proposed changes would allow a county to require a developer to pay for their pro-rata share of county road improvements on projects that affect county roads.

He reported that there are some problems with the language in the draft bill, noting that the language is overly broad and may allow a developer to access fees on existing landowners in a manner which is not proportional to associated improvements. He reported that other proposed language could unfairly impact developers.

Commissioner Shaw asked why this legislation is being drafted at this particular time. Mr. Barilla reported that county planners have been working for years to have the standards changed, but said that the current proposal might be in reaction to the large-scale warehouse developments occurring along the Turnpike corridor, noting that the first project into an area is responsible for all the improvements. He said he would attempt to find out more about what may have initiated this new draft legislation. Commissioner Shaw stated that he would touch base with the Builder's Association to see if they might have further information.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that one Master Plan was received from Mendham Township that includes sections on Future Land Use and Housing. The Land Use section references a new nitrate dilution study and, based on these results, the Plan recommends that future development be limited to very low densities. The Land Use Plan also included was a resiliency and environmental sustainability section, thus meeting the new MLUL requirement for local land use elements.

With regard to the Housing Plan section, Mendham Township is not proposing a Fair Share Plan to meet a specific COAH / court appointed target, noting a lack of sewers and multi-family housing. The Housing Plan focuses on existing conditions and changes in housing preferences, noting the current preference for suburban living and telework. The Plan proposes marketing the municipality on the basis of its qualities and also recommends reexamining options for accessory unit expansion to make aging in place more possible for residents.

Regarding the March Land Use Ordinance Monthly Report, he stated that 23 proposed ordinances and 28 adopted ordinances were processed. Proposed ordinances included six affordable housing ordinances from Roxbury, which he noted have since been adopted. He estimated that, in theory, the rezoned sites could generate a maximum of about 1,400 units, however he did not think this total is likely due market and environmental to conditions. Adopted ordinances include seven stormwater and 14 affordable housing ordinances, ten of which are from Rockaway Township. He noted that the Rockaway Township ordinances were addressed in last month's report, but reintroduced and readopted because they did not originally meet notice requirements.

Mr. Eppel inquired about the land that is being accumulated to support development of the housing proposals in Roxbury. Mr. Soriano said the various locations included vacant and/or redevelopment sites, some previously zoned industrial and all with different restrictions and/or constraints. Mr. Eppel expressed his concern about water contamination, noting that these lands may provide recharge areas for wells. Mr. Soriano noted that these rezonings were in response to the Township's affordable housing obligations as mandated by the courts.

Mr. Bull wanted to know whether the Roxbury affordable housing site at Route 10 and Hillside Avenue was zoned as commercial or residential. Mr. Barilla said that this site is currently zoned commercial but the new zoning is for mixed senior care facilities similar to Merry Heart. Access to the site was also discussed.

Long Range Planning

Morris County Major Employer Update - Mr. Soriano reported on the update to the annual Survey of Major Employers in Morris County conducted by Mr. Sitlick. He stated that results are provided yearly to County Administration and used in the annual bond rating analysis. He noted that the top three employers are the same as last year, these being Atlantic Health, Picatinny Arsenal and Novartis. There is no change in the top ten employers, although there has been some repositioning on the list. Although not in the top ten employers, he reported one of the largest employment changes was for Windham Hotels and Resorts, where the number of employees dropped from 1000 to 620. He also highlighted Avis Budget Group, where the number of employees fell from 900 to 470. Mr. Eppel wanted to know where the County of Morris stands and Mr. Soriano responded that it is currently number ten in the ranking.

LIAISON REPORTS

Lake Hopatcong Commission

Mr. Barilla stated that Harmful Algae Blooms continue to be a main focus of the Commission. He also reported that the fountain located in the state park will be running again, thanks to a grant award. Mr. Rattner reported that the bathrooms will finally be hooked-up to the sewer system.

Lake Musconetcong Regional Planning Board (LMRPB)

Chairman Rattner said the Board did not meet.

Musconetcong River Management Council and Musconetcong Watershed Association

Chairman Rattner had no report at this time.

Morris County Open Space Trust Fund

Ms. Galate reported that there was one closing for April for the Watnong Brook Greenway, which is 3.29 acres in the Borough of Morris Plains on Mountain Way. She reported that all open space applications are due on June 11, 2021, by 4:30 pm. She also reported that Harding Township has scheduled an open meeting on April 19, 2021 for anyone interested in the diversion at Glen Alpin. Further information is available on the Harding Township website.

Trail Construction Trust Fund Committee

Ms. Olcott reported that staff were incorporating proposed rule changes into formal recommendations. Mr. Barilla reported that these proposed changes have been incorporated into a revised application draft that will be presented at the next Commissioners work session. He said that the Committee coordinator will get a copy out to Committee members.

CORRESPONDENCE AND REPORTS RECEIVED

NJCPA Comments on Draft County Planning Act Legislation – Mr. Soriano noted that the letter included with the Board materials concerns the draft legislation he had reported on earlier in the agenda and he had nothing further to report.

REPORT OF MEETINGS

Mr. Soriano stated that he has been attending State Planning Commission (SPC) meetings via video conference. He reported that the SPC recently endorsed the Highlands Regional Master Plan, that the SPC is working on municipal plan endorsement guideline updates and is working to coordinate submission materials with Sustainable New Jersey. He reported the development of resiliency planning guidelines was discussed at the meeting of April 7th. Ms. Olcott asked about the status of the State Plan and existing planning areas. Mr. Soriano said that there is no immediate effort to update the State Plan, but that planning area and center designation modifications can be requested by municipalities.

OTHER BUSINESS

2020 Development Activity Report – Mr. Barilla summarized activity reviewed by the Morris County Planning Board in 2020 with a the PowerPoint presentation. He reported that subdivision activity in 2020 was very similar to that experienced in 2019, and that municipalities at the eastern end of the County continued to have the most submissions and the most growth due to highway access, water and sewer availability. He noted that submissions were high in 2020, despite the pandemic.

He stated that there was substantial activity in the multi-family housing category. Over the last nine years, applications with a total of approximately 11,000 units were reviewed. Municipalities with access to mass transit and highways, sewer and water infrastructure had the most growth in this category, with Parsippany-Troy Hills leading the County with nearly 2,000 units. He said a concern is that these proposed units are wholly in one area, where Route 10 goes through the western edge of the Township and there is a large concentration of vacant office buildings. He noted that, while residential development will require greater community services than office buildings, the potential impact on schools may be not be that significant. He stated that that most units will be one- and two-bedroom luxury units, likely generating fewer than 100 children spread throughout Parsippany's school system.

He reported that 3,232 townhouse and multi-family units were reviewed by the Board in 2020, more than double any of the previous nine years and the highest number of such units reviewed in the past 10 years. Continued growth is expected due to current market demands and affordable housing mandates, although some sites that may not generate the amount of development anticipated.

Summarizing key points, Mr. Barilla noted that housing affordability in the County is getting out of reach for much of the middle-class, particularly with the recent real estate boom. The median new single-family attached home sale price in the County in 2019 was \$567,500, while the median home price for a new single-family detached home was over \$750,000.

He stated that the recent increase in commercial office development is an anomaly generated by the proposed "M" station project in Morristown; there is currently a glut on office space, which is resulting in the redevelopment trend of former office building sites to a mixed-use.

While the number of lots from subdivisions remained low in 2020, the strong real estate market spurred an uptick in major subdivision plans, something not seen in close to a decade. As larger legacy projects such as Del Webb in Florham Park and Marveland in Flanders are completed, a downward trend in reported lots is anticipated, despite current increases in minor subdivisions.

Mr. Barilla noted how the COVID-19 pandemic has impacted the real estate landscape, citing the mass-exodus from New York City (NYC). He reported on a recent presentation by NYC planners in which they blamed lower housing costs in suburbia for the mass-exodus from NYC, while a representative from Zillow contradicted this notion, saying that very high rents and crime were major factors in this move. In addition, the pandemic is causing many NYC residents to abandon the city's expensive high-rise apartments for the luxury multi-family and single-family homes found in Morris County. Mr. Barilla indicated that there is currently a seller's market, with no shortage of people moving to Morris County, which will generate support for local businesses.

Commissioner Shaw reported that the median sale price in Morris County has gone up 25% from last February. Millennials who had been in Hoboken and Jersey City are moving back because the quick commute into the city is no longer required. He noted that this new dynamic has been especially beneficial in the western part of the County and that large lot single-family homes are popular again.

Ms. Olcott expressed concern regarding how Morris County would handle the potential increase in social service needs from the large amount of anticipated multi-family and lower-income housing. Mr. Barilla stated that proposed development will provide better housing stock for existing lower income households, which have always existed in the County, noting that many County and other public sector employees would qualify for this housing. He reiterated that only a small portion of this new housing could be considered affordable; most of the new housing proposed will be luxury units.

Ms. Olcott said that she expects that County demographics will change with the anticipated influx of new multi-family, which will attract more singles and younger people, which would be positive for the County, but also noted that changing demographics may impact County income levels. Commissioner Shaw stated that he believed the County will remain one of the wealthier counties in the state and in the nation, noting its proximity to Manhattan. Mr. Barilla noted that many of those moving from Manhattan to Morris County work in high income financial sector positions.

Mr. Barilla also stated that the highly educated and skilled workers in Morris County continue to attract many Fortune 500 companies, noting pharmaceutical financial sector companies in particular. Commissioner Shaw reported that the Commissioners are making considerable investments in education, citing investments at the County College of Morris (CCM) Engineering Technology and Manufacturing building and the approval of a grant to the School of Technology to adapt training needs to the work force that's needed in the County. Commissioner Shaw noted that the business community is defining needs, especially in areas of health care and technology, and educators are responding to these needs. He stated that these investments in education are beneficial to the local workforce, industry and the County and represent an investment in the future. Ms. Olcott said that she's noted CCM and School of Technology investments in the Capital Budget and that these actions are very forward looking.

COMMENTS FROM THE PUBLIC

Chairman Rattner asked if there were any comments from the public and Virginia Michelin acknowledged Cathy Wilson on behalf of Chairman Rattner. Ms. Wilson introduced herself as a resident of 20 Beechwood Drive, Morris Township and said that she wanted to comment on affordable housing as related to the draft legislation expanding the authority of County Planning Boards. Ms. Wilson stated that there is concern about the affordable housing obligations related to overdevelopment, traffic, and pressure on the schools and services. She stated that the County planning perspective is very important in overseeing County-wide development. She noted that Morris Township is surrounded by four of the five towns with the highest number of development applications, noting that that it is common for towns to located such development where it has the least impact for the residents and the most impact on surrounding neighbors. She said there is a need for a more regional approach to development.

Chairman Rattner called for any other members of the Public. There being none, he closed the public portion at 8:16 p.m.

NEXT MEETING

The next meeting is scheduled for May 20, 2021 at 7:00 p.m.

ADJOURNMENT

At 8:21 p.m., Mr. Vitz moved to adjourn the meeting, Ms. Galate seconded the motion and all approved by voice vote.

Respectfully submitted,



Joseph Barilla, P.P./AICP
Planning Director

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