

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

30 Schuyler Place
March 21, 2024

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 6:03 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 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 Director Christine Myers	Chris Vitz, County Engineer
Steve Rattner, Chairman	Joseph Barilla, Director, Planning and Preservation
Isobel Olcott, Vice-Chair	Virginia Michelin, Assistant Director, Planning and Preservation
Nita Galate, Secretary	Staci L. Santucci, Esq., County Counsel
Everton Scott	Anthony Soriano, Supervising Planner
Mohamed Seyam	Kevin Sitlick, Senior Planner
Gregory Johnsen	Mike DiGiulio, Senior Planner
Joseph Falco, Alternate #1	Alyssa Ercan, Recording Secretary
Mark Venis, Alternate #2	

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 February 15, 2024. Ms. Galate seconded the motion. 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			X
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	X		
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnsen	-		
Joseph Falco, Alt.1	X		
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

DIRECTOR'S REPORT

The Director's Report for February 2024 was reviewed and accepted by the Board and will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for February 2024 were \$2,275.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla reported that activity regarding the Plan continues to move slowly but there is a new Department of Environmental Protection (DEP) representative for the area that handles permitting and he hopes that will create some momentum.

County Watershed Activities – Mr. Barilla reported that one of the Army Corp of Engineer de-snagging projects for the Whippany River Watershed in East Hanover is set to begin in June. He also reported that the drainage study for the Whippany River basin is ongoing.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted the following items from the Land Development Review Committee meeting held on March 13, 2024.

Rockaway Borough, 200 E. Main Street, 2024-34-1-SP-0 (CR 644)

This site plan concerns the redevelopment of an office building to a 14-unit multi-family residential building. There are two studios, seven one-bedroom units, four two-bedroom units, and

one three-bedroom unit proposed. The existing parking area will be reduced to 39 parking spaces, of which four will be EV Make Ready. Access will be from the existing driveway connection to E. Main Street (CR 644). Mr. Vitz explained that County Engineering would like to see the existing driveway moved closer to the center of the property to allow for better turning ability in and out of the site.

Mr. Scott made a motion to approve the Report of Actions Taken on Development Plans for February 2024. Mr. Seyam 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			X
Thomas Mastrangelo, Commissioner Alt.	-		
Isobel Olcott, Vice Chair	X		
Nita Galate, Secretary	X		
Everton Scott	X		
Mohamed Seyam	X		
Gregory Johnsen	X		
Joseph Falco, Alt.1	-		
Mark Venis, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

Legislative and Municipal

Recent Legislation- Mr. Soriano reported on three newly introduced bills. He noted Senate Bill S2347, which would permit the development of accessory dwelling units on property zoned for single, or two-family residential use and would require a municipality to adopt one of two model ordinances promulgated by the Department of Community Affairs. He then highlighted Assembly Bill A3914 which would permit agriculture-related events on preserved farmland if the owner obtains a permit from the County Agriculture Development Board and finally Assembly Bill A4041 which would direct the State Agricultural Development Committee to establish a grant program allowing municipalities and nonprofits to acquire development easements on privately held woodlands to support preservation and stewardship of agricultural and horticultural production.

Mr. Sitlick reported on Assembly Bill A4, which was signed into law on March 20, 2024. It replaces the existing system of managing municipal affordable housing obligations in anticipation of the start of the Fourth Round of affordable housing obligations on July 1, 2025. Under the new law, preliminary obligations will be calculated by the New Jersey Department of Community Affairs and compliance will be managed by a new Affordable Housing Dispute Resolution Program. He identified several highlights related to the new affordable housing law, e.g., the amount of obligation that can be satisfied by senior housing, changes to affordability controls and

bonus credits associated with 100% municipally sponsored affordable developments and changes to municipal immunity from exclusionary zoning lawsuits.

Mr. Falco asked Mr. Soriano what was meant by the term “agricultural event” in reference to Assembly Bill A3914. Mr. Soriano reported that the bill defines the term as an “a festival or other event taking place once or a few times in a year on a specific day or specific consecutive days featuring an activity or group of activities highlighting an agricultural or horticultural practice or product, e.g., hay bale races, flower shows, pumpkin tossing festivals, tractor pulls, and similar.

Mr. Falco then asked Mr. Sitlick to clarify his statement concerning municipal immunity from challenges. Mr. Sitlick responded that municipalities complying with the new law would now be protected from both builders remedy lawsuits and lawsuits accusing a municipality of exclusionary zoning.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that East Hanover prepared an Open Space and Recreation Plan update that supports meeting continued demand for recreation, connecting preserved lands, expanding trails, and managing parks to improve the resiliency of rivers and riparian corridors. He noted that the Plan references funding provided by the County Preservation Trust for open space, trail construction and historic preservation.

Mr. Sitlick reported that the Office of Planning and Preservation received six proposed and eight adopted ordinances in February. He highlighted East Hanover ordinance 1-2024 which amends the land use regulations relating to the SED - Special Economic Development Industrial District by adding several permitted uses such as product development activities, and light manufacturing in the field of science or technology and also reduces the minimum lot size from 100 acres to 15 acres. Mr. Sitlick also highlighted Morristown ordinance O-4-2024, which adopts the North Park Place Redevelopment Plan and allows for 160 units of multi-family housing, retail, restaurants, and supermarkets and hotels as a conditional use.

Long Range Planning

Open Space Plan Update – Mr. Soriano reported that all draft chapters of the Morris County Open Space Plan have been sent to the Long Range Committee for their review and that several comments have been received and incorporated into the drafts. The Long Range Committee has been asked to provide comments by the end of the month, after which complete hard copy drafts will be produced for final review. Once final review has been completed by the Long Range Committee, the Open Space Plan will be submitted to the entire Planning Board and Open Space Committee for review. Mr. Soriano thanked staff members Brenda Haycock and Alyssa Ercan for their assistance reviewing the drafts. Mr. Soriano asked Ms. Galate if she had any comments regarding the Plan and she commended the staff for their hard work, noting the amount of information and detail provided in the Plan.

County Population Update – Mr. Sitlick reported that the Census Bureau released its county population estimates for July 1, 2023. Morris County’s population is estimated to have increased 0.6% from 2022 to 2023. By comparison, New Jersey’s population increased by 0.3% during the same period. He reported that net migration to Morris County from July 1, 2022 to July 1, 2023

was 2,148. This increase is the result of international migration of 2,013 persons and domestic migration of 135 persons.

Ms. Olcott asked Mr. Sitlick what is meant by international migration and Mr. Sitlick explained that international migration is defined as people coming into the county from outside of the United States whereas people coming into the county from other parts of the United States is defined as domestic migration. Ms. Olcott then asked Mr. Sitlick how these international migration figures compare to past figures for the county. Mr. Sitlick responded that the figures are higher.

LIASION REPORTS

Lake Hopatcong Commission

Mr. Barilla reported that the aeration project is underway, and the design is ongoing. He noted that the Committee wants to meet with the Department of Environmental Protection (DEP) to finalize the onshore location of some of the equipment for the aeration system. Mr. Barilla also reported that the Committee will be applying for a grant from the National Fish and Wildlife Service to complete a water quality project on a parcel of land that is in Hopatcong Borough in Sussex County.

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

Mr. Rattner reported that the River Administrator, Dr. Allen Hunt, is leaving for the National Park Service, so the Watershed Association is advertising for a Policy Manager who will also be the River Administrator. The interim River Administrator is Thomas Dallessio. He then noted that Chief Mann, Turtle Clan Chief of the Ramapough Lenape Nation, is now a member of the Musconetcong River Management Council. He then reported that there is a project ongoing for the Musconetcong Vision Plan for the entire watershed and that the next meeting is March 25th. Lastly, he reported that five out of thirteen dams have been removed from the river with noticeable improvements in water quality.

Morris County Open Space Trust Fund

Mr. Scott reported that the Open Space Trust Fund Committee had its re-organization meeting on March 4th. He reported on one closing, Jean Drive Preserve in Montville Township. This acquisition concerns a 20.21-acre lot that received a \$465,000 grant in 2021. The proposed short and long-term use will be for passive recreation, with the newly preserved lands being an addition to the existing Township owned open space lands across Old Lane. Montville envisions the lands will be used for hiking, walking and bird watching. Mr. Scott noted that Open Space Trust Fund applications and appraisals are due June 14th.

Mr. Scott asked if Mr. Barilla was aware of any statewide market study concerning the need and potential location of new warehouses. Mr. Barilla stated that he was unaware of any such study but said that he would reach out to the New Jersey Transportation Planning Authority. He noted that some of the warehousing being constructed is not being fully occupied. Mr. Falco asked about the dissemination of information concerning warehouse development and Mr. Barilla stated he would be reporting on the issue as part of his presentation of the Land Development Report to the Board of County Commissioners.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the Committee met on March 14th and that changes are being made to the rules and procedures for the trail grant application process, for example, there is a need for the technical review of projects by a consulting engineer at an earlier stage in the application round. Ms. Olcott also reported that there will be a required disclaimer or indemnification to protect the county after the trail projects are completed since there have been issues regarding stewardship in the past. She also reported that members of the Committee will not be allowed to vote by-proxy if they are unable to attend a meeting. Applications for new trail grants are due on July 31st and the letter of intent to apply is due on June 28th.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

State Plan Update- Mr. Barilla reported that the Office of Planning and Preservation has been provided a State intern who is helping staff by reviewing municipal Master Plans. He also reported that there has been a delay in the release of the mapping tool for the Plan, which was supposed to be released in February; he is now hoping it will be out by April. The written part of the Plan is still scheduled to be released in April, but Mr. Barilla stated that the map is the feature that will draw the most attention from municipalities. He also reported that Morris Township has asked permission from the State to have the County as their negotiating entity rather than the Highlands Council.

2023 Land Development Review Annual Report- Mr. Barilla presented the 2023 Annual Development Activity Report for Morris County, which provides data and statistics about the status of development throughout Morris County. He noted information included in the report such as the number of submissions reviewed by the Board, the number of units included in applications, trends in the number of units being proposed and floor area proposed in non-residential site plans. He highlighted the role of redevelopment in recent activity and identified the Township of Randolph as the leading municipality in the number of new submissions and the Township of Harding as leading the County in proposed multi-family housing units with 250 units proposed in 2023. Mr. Barilla reported that a total of 1,022 multi-family units were proposed in the County in 2023 and that the Board reviewed the second-highest amount of non-residential new floor area in over 10 years. The largest new development in 2023 was for the redevelopment of the former BASF site in Mount Olive to a 585,000 square foot warehouse. Other key findings from the report:

- The Morris County Planning Board continues to review multiple multi-family residential developments as municipalities try to fulfill their affordable housing obligations. The cumulative number of new proposed units was 1,022 included in 11 applications.
- Housing affordability remains an issue. In 2022, the median sales price for newly constructed single-family attached homes in Morris County was \$815,832, while the median sales price for newly constructed single-family detached homes was \$957,750. This information was obtained through NJDCA data from home warranty companies.
- There has been a slight decrease from 2022 in submissions for new warehousing with office space reviewed at just over 2 million new square feet proposed in 2023. The County continues to see a trend in proposed redevelopment of former Office Building sites to a mixed-use combination of residential/retail/office use and or warehousing.

The Board members discussed the impact that the continued warehouse growth in Morris County might have on traffic and utilities.

COMMENTS FROM THE PUBLIC

Daisha Tucker, 31 Walnut Valley Road, Columbia, NJ: Ms. Tucker works in Morris County for Caring Partners and is attending Rutgers University. She explained that an assignment for one of her classes was to attend a Planning Board meeting. Ms. Tucker was happy to see the Planning Board identifying issues and challenges she sees while working with children and families in Morris and Sussex Counties.

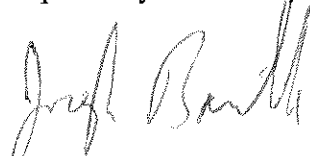
NEXT MEETING

The next meeting will be on April 18, 2024.

ADJOURNMENT

At 7:24 pm, Mr. Vitz moved to adjourn the meeting. 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.