

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

30 Schuyler Place
June 15, 2023

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:01 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	Joe Barilla, Director, Planning and Preservation
Steve Rattner, Chairman	Virginia Michelin, Assistant Director, Planning and Preservation
Isobel Olcott, Vice-Chair	Staci L. Santucci, Esq., County Counsel
Everton Scott (late 7:05)	Greg Perry, Supervising Planner
Nita Galate, Secretary	Anthony Soriano, Supervising Planner
Mohamed Seyam	Mike DiGiulio, Senior Planner
Dennis Bull, Alt.1	Kevin Sitlick, Senior Planner
Gregory Johnsen, Alt. 2 (late 7:05)	Barbara Murray, Open Space Program Coordinator
Christopher Vitz, County Engineer	Alyssa Ercan, Recording Secretary

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 May 18, 2023. Mr. Scott 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	X		
Everton Scott	X		
Ted Eppel	-		
Mohamed Seyam	X		
Dennis Bull, Alt.1	X		
Gregory Johnsen, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

DIRECTOR'S REPORT

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

REPORT OF FUNDS RECEIVED

Funds received for May 2023 were \$6,280.

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 on wastewater management plan amendments and buildout analysis and noted work being performed by Virginia Michelin regarding a capacity analysis for Mount Arlington. He reported that the process has continually been delayed and that the Highlands Council, which planned to work on some chapters of the plan, has dropped out of the wastewater management plan development process due to constant changes in NJDEP procedures and rules.

County Watershed Activities – Mr. Barilla reported that the Whippany River Watershed group hosted a presentation about a rain garden in Mountain Lakes.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted the following item from the Land Development Review Committee meeting held on June 14, 2023.

Harding, Estates at Hurstmont, 2023-13-2-SP-0 (State Route 202)

Harding, Estates at Hurstmont, 2023-13-2-M-0 (State Route 202)

This site plan concerns a 210-unit, four-story senior care facility and 40 townhomes on 19.7 acres near the intersection of State Route 202 and Tempe Wick Road. The 210-unit, four-story senior care facility will be situated on 10.9 acres and includes memory care as well as assisted and independent living. Twenty-eight townhomes are indicated as carriage homes and will be situated on a separate lot (8.7+ acres) that will include the on-site package sewage treatment plant. The remaining 12 townhomes (stacked units) will be on the same lot as the care facility. Access for all 250 residential units will be from a single boulevard-style driveway connection to Mount Kemble Avenue (US Route 202). The package sewage treatment plant will have a separate driveway connection to Mount Kemble Avenue. Stormwater management will be handled through a system of seven surface small-scale bioretention basins, two large-scale surface bioretention basins, and two subsurface detention basins. This site is impacted by moderate to steep slopes. County Engineering will review for compliance with County Development Standards.

Ms. Olcott reported that the Land Development Review Committee has concerns regarding fire department access the site in an emergency due to the single driveway. Mr. Barilla added that if the sewage treatment plant is not approved, the site layout will drastically change, and this will trigger another review by the Committee. He also noted that the Committee discussed the possibility of a fire access road around the four-story building. Mr. Scott asked what body of water is in the vicinity of the site and Ms. Olcott responded that it is Primrose Brook, a category one stream that empties into the Great Swamp. Ms. Olcott also added that the Great Swamp Watershed Association has been made aware of this proposed development and they intend to communicate with the local development review board.

Commissioner Shaw noted that the process to get the sewage treatment plant approved can take at least two years and asked Mr. Barilla where the developers are in that process. Mr. Barilla responded that he believes they are still in the beginning stages. Commissioner Shaw asked about the size of the treatment plant and Mr. Barilla responded that it is sized at 35,000 gallons. Mr. Rattner voiced his concern that the gallon amount is not sufficient for the size of the development. Mr. Rattner then asked if the site will have water storage to accommodate the large number of residents and fire management. Mr. Barilla responded that this will be included in the advisory comments. Mr. Rattner explained to the Planning Board members that this site will include affordable housing and help Harding fulfill some of their affordable housing obligation.

Vice-Chair Olcott made a motion to approve the Report of Actions Taken on Development Plans for June 2023. Mr. Vitz 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	X		
Everton Scott	X		
Ted Eppel	-		
Mohamed Seyam	X		
Dennis Bull, Alt.1	X		
Gregory Johnsen, Alt.2	-		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

Legislative and Municipal

Recent Legislation- Mr. Soriano reported on Assembly Bill A5485 which would repeal the Global Warming Response Act and Regional Greenhouse Gas initiative and on Senate Bill S3863 which would allow the NJDEP to establish a new woodlands protection fund to acquire easements to protect privately owned woodlands from development. He then reported on Senate Bill S3932 which would require municipal clerks to post all municipal documents online, unless prohibited by federal or state law. Mr. Soriano then reported that Senate Bill S3337 was signed into law, which will require the NJDEP to publish on its website each mitigation plan, annual certification, and asset management plan report submitted by water purveyors under the Water Quality Accountability Act.

Mr. Soriano also reported the new Inland Flood Protection Rule will take effect upon their publication in the New Jersey Register in July. He noted that the new rule incorporates updated precipitation data and briefly summarized the major impacts of the rule on construction.

Mr. Rattner commented on the legislation regarding PFAS and PFOS, indicating that he thought local notification requirements concerning this issue had been resolved several years ago. Mr. Soriano said he would have to research this issue.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that Chester Township submitted a Reexamination Report (Report) of the Master Plan. He noted that the last Master Plan update was in 2000 and that the Report found the previous goals to remain valid. The Report identified various demographic changes and recommended updates to the land use and historic preservation plans, and changes to the Business and Limited Business districts, among others.

Mr. Sitlick reported on the May Land Use Ordinance Monthly Report, stating that the Office of Planning and Preservation received nine ordinances including six proposed and three adopted. He highlighted an ordinance from Morris Township placing 15 Lindsley Drive into the MF-10/AH - Multi-Family Affordable Housing Overlay District and increasing the maximum density permitted

in this district from 10 units per acre to 12 units per acre, with a 15% set-aside for affordable units. Mr. Sitlick explained that the ordinance is intended to implement the terms of the Global Settlement Agreement between Morris Township and the Fair Share Housing Center, which settles the litigation involving the rezoning of the site of the future Red Bulls soccer training facility off Columbia Road.

Long Range Planning

Demographics Update – Mr. Sitlick gave a presentation on the latest data and statistics for Morris County. He provided the following highlights:

- Morris County's population increased by 707 or 0.1% from 2021 to 2022, to 511,151.
- Morris County's total housing units increased by 236 or 0.1% from 2021 to 2022, with a current total of 198,987.
- Morris County's median age increased from 41.3 in 2010 to 42.6 in 2020. Median age in ranged from 34.0 in Morristown to 50.4 in Harding in 2020.
- From 2010 to 2020, owner-occupied housing units decreased as a percentage of occupied housing units from 75.0% to 72.2% in Morris County. Renter-occupied housing units increased as a percentage of occupied housing units from 25.0% to 27.8% in Morris County during the same period. In 2020, owner-occupied housing units as a percent of occupied units ranged from 31.3% in Morristown to 94.7% in Mendham Township. Renter-occupied housing units ranged from 5.3% in Mendham Township to 68.7% in Morristown.
- In Morris County, 29% of all households were below the ALICE Threshold in 2021. Morris County was tied with Monmouth County as having the second lowest percent below the threshold. Hunterdon, Somerset, and Sussex counties were tied as having the lowest percent below the threshold at 26% while Cumberland County had the highest percent at 56%.
- Total enrollment in Morris County school districts was 72,776.5 in Fall 2022, up 441 or 0.6% from Fall 2021.

Mr. Sitlick noted that the Office of Planning and Preservation's 'Data and Statistics' section of the website has been updated with the latest census data. Ms. Olcott commented that Morris County continues to have an aging population and Commissioner Shaw noted that the many rental units being built throughout the County will change the rental statistics moving forward.

LIASION REPORTS

Lake Hopatcong Commission

Mr. Barilla reported that staff members visited the lake to view the progress on the current grant project and observe water sampling at different depth levels. He noted that when the project is complete, the challenge will be locating electrical infrastructure on land for the aeration units.

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

Mr. Rattner reported that the Lake Musconetcong Regional Planning Board had its annual fishing contest.

Morris County Open Space Trust Fund

Mr. Scott reported that there was one closing in the Township of Mount Olive for the Budd Lake Dock Extension of 9.14 acres. The Township currently owns two adjacent lots on each side totaling 30 acres with very little frontage along Sand Shore Road. This property will connect both Township properties and create 340 feet of combined frontage along Sand Shore Road. He noted that the property will be used to expand the Township owned boat dock and install a fishing pier.

Ms. Murray reported that there was one Open Space application received. It is a 10-million-dollar grant request for the Drew Forest property in Madison Borough. This amount matches the highest ever requested in the 30-year history of the Open Space Trust Fund program.

Trail Construction Trust Fund Committee

Ms. Olcott reported that a new brochure has been created for the Committee and that 2023 Trail Construction Grant applications are due in July. Mr. Barilla added that all the brochures for the Preservation Trust programs have been updated and are available for staff and Commissioners to utilize when visiting municipalities. Commissioner Shaw noted that the Trail Construction Trust Fund Committee continues to be popular and that he was able to attend a ribbon cutting for the newest accessible trail in Madison Borough.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

Planning Board Historical Information – Mr. Barilla reported that the staff has been reviewing the Planning Board archives and created a historic membership list of all Morris County Planning Board Members. He noted that many of the same issues discussed at the first Planning Board meeting are still being discussed today. The roster, as well as a historical fact sheet and map, are available on the Morris County Office of Planning and Preservation website.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

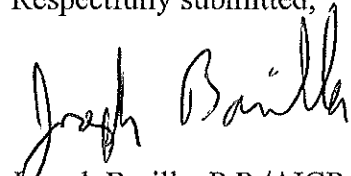
NEXT MEETING

The next meeting will be on July 20, 2023.

ADJOURNMENT

At 8:01 pm, Mr. Vitz moved to adjourn the meeting. Commissioner Shaw 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.