

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

30 Schuyler Place
July 20, 2023

Morristown
New Jersey

Meeting Held Via WebEx

Vice-Chair Olcott called the Regular Meeting to order at 7:03 p.m.

OPEN PUBLIC MEETINGS LAW

Vice-Chair Olcott 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
Nita Galate, Secretary	Greg Perry, Supervising Planner
Mohamed Seyam	Anthony Soriano, Supervising Planner
Gregory Johnsen, Alt. 2 (late 7:05)	Mike DiGiulio, Senior Planner
Christopher Vitz, County Engineer	Kevin Sitlick, Senior Planner
	Barbara Murray, Open Space Program Coordinator

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

Mr. Soriano read the Statement Regarding Compliance with the Open Public Meetings Law.

REVIEW OF MINUTES

Vice-Chair Olcott moved the Planning Board Meeting Minutes of June 15, 2023. Commissioner Shaw 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	-		
Ted Eppel	-		
Mohamed Seyam	X		
Dennis Bull, Alt.1	-		
Gregory Johnsen, Alt.2	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

DIRECTOR'S REPORT

Ms. Olcott asked Mr. Barilla what occurs at the State Planning Commission meetings. Mr. Barilla responded that Mr. Soriano attends on his behalf and that he would discuss this matter later in the meeting. Commissioner Shaw asked for clarification on the Rowan University statewide zoning database. Mr. Barilla stated that the university is attempting to compile electronic data from all municipalities in order to make statewide mapping more cohesive. This effort is partly due to the anticipated update of the State Plan. Commissioner Shaw also noted that the Director's Report included a follow-up on the Army Corp of Engineers' Whippany River Watershed Study, and shared that a working group based out of Hanover and East Hanover has been meeting regularly and is looking for additional funds to further the de-snagging project. Mr. Rattner asked about the Picatinny Arsenal RAB meeting on June 28 and Mr. Barilla explained that it concerned the cleanup of Picatinny Arsenal.

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

REPORT OF FUNDS RECEIVED

Funds received for June 2023 were \$10,820.

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 attended a meeting with county planners and a Department of Environmental Protection (DEP) representative concerning the Highlands Council decision to withdraw from their prior commitment to prepare wastewater management plans for Highlands communities. Mr. Barilla said the DEP was unable to address this issue at the meeting and that he would keep the Board updated on any future decisions. He shared that staff continues to work on wastewater management plan amendments and buildout analysis and that progress is being made, despite ongoing problems with the DEP.

County Watershed Activities – Mr. Barilla had nothing further to report.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted a single item from the Land Development Review Committee meeting held on July 19, 2023.

Randolph, Newman Turf, LLC, 2023-32-9-SP-0 (CR 617)

This site plan concerns the redevelopment of the Mt. Freedom Golf facility on Sussex Turnpike (County Road 617). The site is adjacent to a Morris County Open Space Trust Fund project. All existing improvements for Mt. Freedom Golf will be removed except for a portion of the existing parking area. The applicant is proposing four synthetic turf recreation fields and a 7,572 square foot athletic building with offices, locker rooms and storage space. There are 186 parking spaces proposed, including 37 existing spaces. The site's stormwater management will be provided by subsurface infiltration basins under each field and porous pavement under the new parking area.

Ms. Olcott noted that there are restrictions on site due to it being the subject of an open space grant, and asked Ms. Murray to comment. Ms. Murray stated that the project site received a \$337,500 grant from the Morris County Open Space Trust Fund in 2016 for the preservation of property that has since been added to Brundage Park. The portion of the property that encompasses the former miniature golf course is covered by a recorded easement, covenant and restrictions between the owner and the Township of Randolph. This easement remains in effect unless formally relinquished by the Township of Randolph and requires that the property may only be used exclusively for recreation and conservation purposes. Commercial recreational uses must remain open to the general public.

Commissioner Shaw asked whether the proposal is in compliance with the deed restriction and Ms. Olcott responded that it is still under legal review. She noted that the Development Review Board deemed the project conditionally approved pending the legal review.

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

Legislative and Municipal

Recent Legislation- Mr. Soriano reported that the State Legislature is out for the summer recess but that many bills were passed by both houses before the recess began. He noted that ten of the bills he has been tracking were signed into law, highlighting Senate Bill S3110, which requires sellers of real property and landlords to notify potential buyers and renters whether a property is in a flood zone, has incurred flooding damage or is at risk of flooding, and how often the property has been flooded. He noted that this new requirement may lead to more activity in Morris County’s flood buyout program. He also highlighted Assembly Bill A3615, concerning new agritourism grants and Senate Bill S3780, which provides a zero-interest forgivable loans of \$15,000 for first generation or first-time homebuyers under certain conditions.

Mr. Soriano reported on newly introduced Assembly Bill A5681, which would amend the Right-To-Farm Act by allowing housing for full-time year-round farm employees on a commercial farm as a permissible activity with Right-To-Farm protections, notwithstanding local health or zoning ordinances to the contrary.

Mr. Soriano also notified the Board that the Inland Flood Protection rules that he discussed at a previous Planning Board meeting took effect on July 17th, noting that these rules update the existing flood hazard and stormwater regulations and will require the elevation of habitable first floors for new construction in certain areas defined on DEP and FEMA flood maps. As a result of the amended rules, he anticipates the submission of new stormwater management ordinances that will be subject to county review.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported on receipt of a Riverdale Reexamination Report. The report recommends retention of the goals of the 2008 Master Plan and inclusion of additional goals to address topics such as the retention of community character, and the advancement of commercial use, economic growth, redevelopment, transportation and environmental sustainability. The report updates current demographic, housing

and economic changes and changes in the regulatory environment. Recommendations focus on a review of the land use element to incorporate various redevelopment plans.

Long Range Planning

Affordable Housing Update – Mr. Sitlick presented the Low and Moderate Income and Inclusionary Affordable Housing Development Map, recently updated and posted to the County website. He outlined the contents of the map and the associated data and reference tables. He discussed changes that had occurred since the map was last updated in 2021, noting that since that time 36 affordable developments, (approved, under construction or completed) and 1,186 affordable units were added. He reported that during this same period, total market and affordable residential units combined rose by 6,497 units and that of these units, 5,476 were rental and 1,021 were for sale units. The Board thanked him for his presentation.

LIASION REPORTS

Lake Hopatcong Commission

Mr. Barilla reported that the updated minutes will be posted once they are received. He also noted that staff will be attending a Commission meeting in August or September.

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

Mr. Rattner commended the Lake Hopatcong superintendent and staff for managing the lake levels and outflow during this summer's heavy rains.

Morris County Open Space Trust Fund

Ms. Murray reported on one closing in the July report, that being the Bee Meadow Greenway – Phase II in Hanover Township. The property is 1.64 acres and received a \$220,000 grant in 2022. Ms. Murray explained that the property adjoins Bee Meadow Park, a busy recreational facility in the heart of the Township, and connects preserved lands located on both sides of the site. She also reported that the Open Space Trust Fund Committee will meet in September to review this year's applications.

Trail Construction Trust Fund Committee

Mr. Barilla reported that there were six letters of interest received for the current grant period and that a more accurate tally would be available at the end of the week. He noted that most of the proposals were for construction.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

Update of the New Jersey State Plan – Mr. Barilla reported that the NJ Office of Planning Advocacy has presented an aggressive plan and time frame for completion of an update to the State Plan. He reported that between now and the end of 2023 there will be stakeholder meetings, agency group work meetings, and other county meetings, the development of infrastructure assessments, a preliminary plan and related mapping protocols. In the first half of 2024, the State intends to publish the preliminary plan and mapping. During this period, cross acceptance will begin, including public hearings and negotiations; the first phase of infrastructure needs and assessment will be completed, and they will begin impact assessment activities. In the second half of 2024, the state anticipates completing phase two of the infrastructure needs assessment, incorporate the cross-acceptance results, finalize the preliminary draft State Plan, and adopt it.

Mr. Barilla reported that he attended a meeting earlier in the day with the Director of the Office of Planning Advocacy. He stated that the State Plan should have been updated many years ago, but is concerned with the cross-acceptance process and the demands it will place county staff. Mr. Barilla feels that the counties will play a large role in planning meetings, facilitating stakeholder participation, and reviewing and providing data as necessary. He noted that the State has promised a simplified cross-acceptance process, but that the details will not be released until late fall.

Ms. Olcott asked Mr. Barilla about planning area designations. He anticipates that the State will retain some type of planning area designations, although the present planning area categorizations may be altered.

Reporting on County business, Commissioner Shaw reported that the new courthouse project will be ready for bidding by the end of the year, and that this project is the largest capital project the county will have ever undertaken. He also commended the Office of Planning and Preservation on the publication of the “Morris County in the American Revolution” StoryMap. Mr. Barilla stated that the project gives credit to all veterans from Morris County, educates and informs current residents about the history of their county, and will help bolster the economy through tourism.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

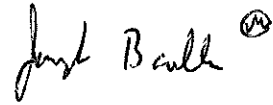
NEXT MEETING

The next meeting will be on September 21, 2023.

ADJOURNMENT

At 7:59 pm, Mr. Vitz moved to adjourn the meeting. Commissioner Shaw seconded the motion, and all approved by voice vote.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joseph Barilla" with a circled "M" to the right of the name.

Joseph Barilla, P.P./AICP
Planning Director

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

