

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

30 Schuyler Place
September 21, 2023

Morristown
New Jersey

Meeting Held Via WebEx

Chairman Rattner called the Regular Meeting to order at 7:03 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 Stephen Shaw	Virginia Michelin, Assistant Director, Planning and Preservation
Steve Rattner, Chairman	Staci L. Santucci, Esq., County Counsel
Isobel Olcott, Vice-Chair	Greg Perry, Supervising Planner
Nita Galate, Secretary	Anthony Soriano, Supervising Planner
Mohamed Seyam	Mike DiGiulio, Senior Planner
Everton Scott (late 7:21)	Kevin Sitlick, Senior Planner
Dennis Bull, Alt. 1	Barbara Murray, Open Space Program Coordinator
Gregory Johnsen, Alt. 2	Alyssa Ercan, Recording Secretary
Christopher Vitz, County Engineer	

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 July 20, 2023. 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	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	X		
Gregory Johnsen, Alt.2	X		
Christopher Vitz, County Engineer	X		
Roslyn Khurdan, (County Engineer Alt)	-		

DIRECTOR'S REPORT

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

REPORT OF FUNDS RECEIVED

Funds received for July 2023 were \$5,255.
Fund received for August 2023 were \$6,130.

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 – Ms. Michelin reported that the staff is currently working with Mt. Arlington Borough to complete their chapter of the County Wastewater Management Plan and that there are few more changes to be made before it can be submitted to the Department of Environmental Protection. She also noted that staff is continuing to have bi-monthly meetings with county planners and the DEP regarding wastewater management planning, processing amendments and revisions.

County Watershed Activities – Ms. Michelin had nothing further to report.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted the following item from the Land Development Review Committee meeting held on August 16, 2023.

Boonton, River Walk, 2023-1-2-SP-0 (Plane Street) Ms. Olcott reported that this site plan concerns a six story 162-unit apartment building with 35 affordable units. There will be 270 parking spaces on 3.61 acres. Access to the apartment building will be from Plane Street and there is a proposed outdoor pool with patio area. Ms. Olcott also noted that several areas within the garage floors are indicated as amenities areas. There are three subsurface detention basins which will connect to the existing municipal collection system. Mr. Perry noted that the municipal public works yard is across the street from the site as well as municipal parks to the north and west. He also explained that County Engineering looked at the stormwater management proposal numbers and determined that they were correct. Commissioner Shaw asked where this project is in the municipal approval process. Mr. Perry responded that he did not have that information.

Ms. Olcott highlighted the following item from the Land Development Review Committee meeting held on September 20, 2023.

Morris Plains, High Line Marketplace, 2023-23-2-SP-0 & 2023-23-2-M-0 (County Route 202) Ms. Olcott reported that this site plan concerns the redevelopment of an existing site with an office building and a separate commercial structure. Access for the site is from a shared driveway connection to Littleton Road with the Stop & Shop supermarket, a right-in/right-out only driveway to Route 10 east and two full access driveway connections to Johnson Road. There is a proposed minor subdivision associated with this project that will create two separate lots of 7.119 acres and 14.907 acres. The existing office building and related parking will be removed and replaced by several multitenant retail structures (totaling 152,594 square feet) and 628 parking spaces. The existing commercial structure will be renovated, and the associated parking will be reconfigured for a total of 261 spaces. Mr. Vitz noted that County Engineering will be conducting a traffic impact study.

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

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for August 2023. 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	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	X		
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 legislature is still out for the summer recess and is not likely to reconvene until after the November 4th elections. Since the July Planning Board meeting, six bills being tracked were signed into law. One bill concerns minor modifications of a tax credit program for small businesses and three of the bills concern appropriation of funds for environmental and transportation infrastructure projects. Mr. Soriano highlighted Senate bill S3444, which allows municipal water systems to use lands preserved for recreation and conservation for drinking water wells and associated treatment facilities under certain conditions.

Mr. Rattner noted that environmental appropriation bills included funding related to Superstorm Sandy remediation.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported on an Open Space and Recreation Plan received from Chester Borough. The Plan includes a summary of recreation programs, parks, historic and cultural resources. It also identifies several Borough-owned sites to be permanently preserved and recommends the development of walking trails for the Borough parks and increased connectivity between school, recreation, and residential areas.

Mr. Soriano then reported on receipt of an amendment to the Roxbury Land Use Plan goals and objectives. The amendment incorporates the warehouse policies and standards adopted by the Highlands Council for various office, industrial and research zones located in the Highlands Protection Zones within the Highlands Preservation Area in Roxbury.

Mr. Sitlick reported on the July Land Use Ordinance Monthly Report, stating that the Office of Planning and Preservation received nine ordinances including four proposed and five adopted. He highlighted Town of Morristown ordinance adopting the 2-10 Washington Street Redevelopment Plan. The three parcels subject to the Redevelopment Plan are located at the intersection of Washington Street / County Route 510 and Bank Street / US Highway 202 and total 15,515 square feet. The buildings currently on the site have been vacant since 2010 and are reported to be in dilapidated condition. The Redevelopment Plan permits 54 multi-family units and uses such as retail, coffee shop, and convenience store on the ground floor. It will also permit conditional uses such as fast-food restaurant, bar and nightclub, and breweries.

Mr. Sitlick reported on the August Land Use Ordinance Monthly Report, stating that the Office of Planning and Preservation received 19 ordinances including 13 proposed and six adopted. He highlighted a Township of Morris ordinance that would amend the Zoning Map to rezone 38.6 acres located just north of the Villa Walsh Academy from the RH-5 - Multiple Family District to the OS/GU - Open Space - Government Use District. The parcels, owned by Morris Township, are wooded, undeveloped, and in conservation use.

Long Range Planning

Building Permit Report - Mr. Sitlick gave a PowerPoint presentation concerning the 2022 Building Permit Report for Morris County. He reported that 1,578 residential building permits were authorized in 2022, noting that 36.4% were for one and two-family homes and 63.5% were for multifamily homes. Montville, Chatham Borough, and Morris Plains topped the list for residential building permits. He reported that 278,075 square feet of new office space was authorized, an increase of 24% over the previous year. A total of 62,632 square feet of retail space was authorized, an increase of 34.5% over 2021. Morris Township and Roxbury topped the list for retail building permits. He reported that 911,974 square feet of new construction was authorized in the “Other Nonresidential” category, which includes such uses as institutions and warehouses. He noted that this category of building permit authorizations was down 64.2% since 2021. Finally, Mr. Sitlick reported that in the first six months of 2023, 383 housing units, 26,546 square feet of office space, and 427,711 square feet of other nonresidential use were authorized by building permit, noting that no retail space was authorized during this period.

State Planning Commission Update – Mr. Soriano reported that the State Plan rule changes were published in the New Jersey Register on July 17 and pertain to Cross Acceptance and Plan Endorsement. He noted that they incorporate new sections related to environmental justice and climate change. Other changes related to required documentation, electronic submissions and the use of virtual meetings. Most changes pertain to Plan Endorsement, which is a voluntary process.

Mr. Soriano also reported that the Cross Acceptance Manual is expected sometime in November. The manual will detail the responsibilities and processes that must be followed by municipalities and “negotiating entities,” such as counties, when going through the Cross Acceptance process. He noted that the Office of Planning Advocacy is exploring whether counties should play an expanded role in determining State Planning mapping planning area boundaries, stating that setting planning area boundaries is a primary focus of cross acceptance since these boundaries impact state permitting activities.

State Plan Development Update – Mr. Soriano reported that the Office of Planning Advocacy’s aspirational timeline for adoption of a new State Plan includes a Preliminary Plan published by the end of this year or the very beginning of 2024, followed by 21 public hearings, one in each county. After the hearings, Cross Acceptance is planned for the first half of 2024. The Office of Planning Advocacy will then incorporate the results of Cross Acceptance into the Preliminary Plan, followed by six more public hearings and the adoption of a new State Plan by the end of 2024. He noted that this is an ambitious timeline for a process that has not been undertaken since 2001.

He reported that the League of Municipalities is sponsoring a State Planning Commission Zoom meeting on October 3. This meeting is oriented to municipalities to explain the anticipated process, local responsibilities, and schedule. He noted that he and Ms. Michelin plan on attending.

Ms. Olcott asked whether this process means that municipalities will have to change their master plans. Mr. Soriano responded that municipalities are not required to change their master plans but they are free to use the State Plan as a planning guide. Ms. Olcott then asked what the role of the counties are in the State Plan process. Mr. Soriano responded that counties have the option of acting as a negotiating entity between the municipalities and the state in the Cross Acceptance process. If the county does not take on that role, then the state works directly with the municipalities. Ms. Olcott asked whose decision it would be to determine the role of the county and Mr. Soriano responded that he was unsure. Commissioner Shaw added that from the Commissioner standpoint, they would be concerned if the Planning and Preservation staff has the bandwidth to handle that responsibility. Ms. Michelin noted that the Cross Acceptance manual expected in November should provide more guidance as to the workload of the counties.

Open Space Plan Update – Mr. Soriano reported that the Planning Board’s Long Range Committee received the draft of the goals, objectives and recommendations related to the Open Space Plan Element update. These were developed with input from staff, the Morris County Park Commission, and with consideration of comments from the Preservation Trust Open Space Committee provided by Ms. Murray. The Long Range Committee reviewed the draft and suggested amendments, which were incorporated into the final draft.

Mr. Soriano also reported that recent efforts have focused on review and update of the Public Lands Inventory (PLI) in which Open Space records are kept. The PLI has been undergoing update over the past six month through incorporation of information found in local Master Plans,

information provided by a survey to the municipalities, and the incorporation of open space data available from State GIS sources. Mr. Soriano recognized the efforts of Assistant Planner Brenda Haycock, who has been working on the PLI update.

The current open space data set has just over 5,000 records and the review is focusing on the elimination of duplicate records (over 500 already removed), confirmation of ownership, assigning open space categories, and reviewing easements. As the review continues, issues with the PLI will have to be addressed not only to get an accurate assessment of current open space conditions, but to allow for future use and update of the dataset.

LIASION REPORTS

Lake Hopatcong Commission

Ms. Michelin reported that the updated minutes will be posted once they are received. She also noted that the anticipated September meeting of the Lake Hopatcong Commission meeting regarding the aeration system has been pushed back.

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

Mr. Rattner reported that the lowering of the water level in Lake Hopatcong has begun. By the second week of October Lake Musconetcong will also begin lowering the water level by about two feet. This will cause the Musconetcong River to be flowing higher than normal and this could impact restoration projects along the waterway. Mr. Rattner also noted that Lake Musconetcong has been approved for a roughly half a million-dollar grant for a new weed harvester.

Morris County Open Space Trust Fund

Mr. Scott reported that the Open Space Trust Fund (OSTF) is continuing to conduct site visits to Drew Forest. The next committee meeting is October 12, at which time Madison Borough will give their final presentation on their application and deliberations will begin on the grant funding. Madison's application is the only one received by the OSTF for this funding round and they are asking for ten million dollars to purchase Drew Forest. Ms. Olcott added that the purchase of Drew Forest has become a very controversial issue in the southeastern portion of the county, and she hopes some agreement can be reached.

Trail Construction Trust Fund Committee

Ms. Olcott reported that there have been four construction applications submitted to the Committee for a total ask of \$878,000. The Committee will meet next month.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Michelin reported that there was a comment received from the public regarding the Open Space tax. The member of the public believes the tax should be increased to allow for enhancements and other projects.

REPORT OF MEETINGS

Ms. Michelin had nothing further to report.

OTHER BUSINESS

Mr. Rattner commended Mr. Vitz and the Engineering and Transportation Department for their hard work and efficiency. He noted that the Schooley's Mountain Road Bridge project had well maintained signage and was completed three weeks ahead of schedule. Commissioner Shaw added that the Commissioners agree with Mr. Rattner's sentiment, and that the Department always makes the county look good.

Hybrid vs. Virtual Meetings – Ms. Michelin explained that staff wants to gauge the Board's interest on keeping meetings virtual versus the introduction of hybrid meetings. After a long discussion, no consensus was reached, and it was decided that the topic will be revisited as hybrid meeting capabilities within the county meeting rooms become more widely available.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

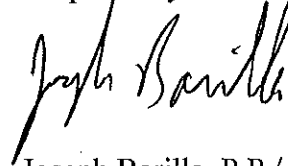
NEXT MEETING

The next meeting will be on October 19, 2023.

ADJOURNMENT

At 8:27 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.