(c)

Susan Gouveia

From: Lashway, Lisa
Sent: Wednesday, January 22, 2014 10:33 AM
To: Susan Gouveia; Canning, Sean; Natafalusy, Catherine
Subject: FW: MCPB Meeting
Attachments: 201401211406.pdf

Lisa Lashway
Mt. Olive Twp. Clerk
973-691-0900 Ext. 7291
FAX 973-691-2080
PO Box 450
Budd Lake, NJ 07828

From: Axelrod, Rene [mailto:raxelrod@co.morris.nj.us]
Sent: Tuesday, January 21, 2014 2:18 PM
Cc: Marion, Christine
Subject: MCPB Meeting

Good Afternoon

Attached please find the minutes of the December 5, 2013 Morris County Plannng Board Meeting.

Sorry for the pervious Email with no attachment.

Rene

Rene Axelrod, Principal Planning Aide
Department of Planning and Public Works,
Division of Planning and Preservation
30 Schuyler Place, 4th Floor
P.O. Box 900
Morristown, New Jersey 07963-0900
(973)829-8120
http://www.morrisplanning.org
raxelrod@co.morris.nj.us

MINUTES OF THE REGULAR MEETING
MORRIS COUNTY PLANNING BOARD

30 Schuyler Place
December 5, 2013

Morristown
New Jersey

Chairman Falkoski called the meeting to order at 7:01 p.m.

OPEN PUBLIC MEETINGS LAW

Chairman Falkoski stated that the Secretary of the Board provided public notice of this meeting in a legal notice dated January 29, 2013.

ROLL CALL

Those present were:

Joseph Falkoski, Chairman	Christine Marion, Planning Director
Steve Rattner, Vice-Chair	Deena Leary, Department Director
Isobel Olcott, Secretary	Anthony Soriano, Supervising Planner
Chris Vitz, County Engineer	Greg Perry, Supervising Planner
Ted Eppel	Joe Barilla, Principal Planner
Ed McCarthy (arrived 8:04 p.m.)	Christopher Vitz, Assistant County Engineer
Ann Grossi, Freeholder (arrived 7:06 p.m.)	W. Randall Bush, Esq., First Assistant County Counsel
Nita Galate, Alternate #2	Rene Axelrod, Recording Secretary

Ms. Marion announced that Chris Vitz, County Engineer and Roslyn Khurdan, Assistant County Engineer, were appointed to the Morris County Planning Board.

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the October 17, 2013 meeting. The motion was seconded by Mr. Eppel and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	-		
Christopher Vitz, County Engineer	x		
Thomas Mastrangelo	-		
Ed McCarthy	x		
Isobel Olcott	x		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
John Cesaro, (F. Alt)	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng.Alt)	-		

DIRECTOR'S REPORT

Ms. Marion stated she had one correction to the Director's Report. She state that on page 2, under the heading Development Applications, the totals should read: 26 applications, 15 reports issued, 11 exemptions.

The Board accepted the Director's Report for October - December 2013 with Ms. Marion's correction. It was approved by voice vote and will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for October 2013 totaled $11,195. Funds received for November 2013 totaled $4,810.

FUTURE MEETINGS

Ms. Marion informed the Board that she will be attending the New Jersey County Planners Association Meeting on Friday, November 6, 2013 along with Mr. Sitlick. She stated there will be a discussion on wastewater. Ms. Marion informed the Board that Ms. Michelin will be attending a New Jersey American Water Resources Association Meeting, her last as President of that organization. Ms. Marion also informed members that the Morris County Economic Development Corporation will be holding a meeting on December 10, 2013 and that she, Ms. Leary and Mr. Soriano will be attending.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion updated members on the Wastewater Management Plan. She stated that GIS staff has met with Denville Township, Harding Township, Jefferson Township and Rockaway Township officials at their respective municipalities to test the application of the County Resource for the Administration of Private Septics. Ms. Marion stated that the Chatham Township chapter of the Wastewater Management Plan and the county-wide summary/overview of the WMP have been submitted to the Department of Environmental Protection (DEP). The Public Hearing Notice from the DEP was received and the chapter is moving ahead for approval. Ms. Marion reported that all notifications as required by the DEP requirements to move forward have been completed.

Watershed Activities - Ms. Marion reported she attended the Rockaway River Watershed Cabinet meeting, which was the first meeting with the new Executive Committee. The organization intends to model itself after the Whippany River Watershed Action Committee. Ms. Marion then informed the Board of a DEP grant for snagging and de-shoaling of waterways in the Passaic Basin to reduce future flooding. She stated that that the County was very involved with coordinating and facilitating Letters of Interest for grant applications to the DEP on behalf of multiple county municipalities. She stated the deadline for submission was November 30, 2013 and that the submissions are currently under review by the DEP. Morris County also partnered with Union County and Somerset County on a fifth application involving two municipalities in Morris County, three from Union County and two from Somerset County. She reported that the Morris County Park Commission is

also included in this fifth application, having identified over two hundred park related snags along the County park portion of the Passaic River.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner reported on applications reviewed at the November 13, 2013 Committee meeting. The application from Wladimar Chorew in Boonton Township proposes a minor subdivision of a 2.84 acre property into two parcels. The retaining wall located within the County right-of-way will need modification. The Estling Village, LLC application in Denville proposes the redevelopment of a vacant 6.29 acre industrial site into a 100-unit multi-family development. Mr. Rattner stated that the Committee will provide advisory comments related to the traffic report and that the application was withheld due to missing information. Novartis Pharmaceuticals Corporation site plan application in Hanover Township is for the installation of two above ground storage tanks and there are no County concerns. There are County concerns with regard to drainage and the driveway connection to James Street for a minor subdivision at 521 James Street in Harding Township. The Sparkle Car Wash application in Morris Township would separate two commercial uses currently on a single lot. Mr. Rattner noted that issues concerning driveway access to East Hanover Avenue and the proposed landscaped island located with the County right-of-way. There are also concerns with the Rockaway Valley Supply site plan application in Rockaway Township where the site driveway does not conform to County standards. He noted that this application has been reviewed before and that certain requirements of its prior approval were not completed. Mr. Barilla stated that the Engineering Inspection is involved and that a meeting with the property owner is scheduled for Monday.

Ms. Olcott asked what the Development Review Committee's position is on new or revised applications where the conditions of prior project approvals were never completed. Mr. Rattner asked if the Development Review Committee can withhold and/or reject an application until the applicant completes the terms of the prior approval. Mr. Bush stated that if there are pending issues on an application, the Committee can identify them as part of subsequent reviews, making them current as part of the new application. Mr. Bush and Ms. Marion also indicated that the municipality in question may incorporate the county conditions into the local resolution of approval concerning the subject application.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for October 2013. The motion was seconded by Mr. Eppel and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi			x
Christopher Vitz, County Engineer	x		
Thomas Mastrangelo	-		
Ed McCarthy	x		
Isobel Olcott	x		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
John Cesaro, (F. Alt)	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng.Alt)	-		

Mr. Rattner made a motion to approve the Report of Actions Taken on Development Plans for November 2013. The motion was seconded by Ms. Olcott and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi			x
Christopher Vitz, County Engineer	x		
Thomas Mastrangelo	-		
Ed McCarthy	x		
Isobel Olcott	x		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
John Cesaro, (F. Alt)	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng.Alt)	-		

Legislative and Municipal

Recent Legislation - Mr. Soriano informed the Board that the current NJ Legislative Session ends the second Tuesday in January and that the new session begins at 12:00PM on that same day. He then noted several newly introduced bills. S533, 'Common Sense Shared Services Act" was signed into law. Chairman Falkoski asked if this bill is restricted to certain counties. Mr. Soriano said he was not sure, and would look into matter. A4457 would reinstate the moratorium on collection of statewide non-residential development fees until January 2015. A4377 would prevent county park facilities from having the hosting private commercial or personnel events as their primary purpose. The purpose of the bill was to prevent county facilities from competing with banquet halls and

catering halls. Freeholder Grossi suggested speaking to someone from the New Jersey Association of Counties to inform them of this bill to see what they can do. Mr. Bush agreed.

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano reported that Chatham Borough is holding a public hearing on a Land Use Plan Amendment that recommends expanding permitted uses in their M-1 and M-3 industrial zoning districts to revitalize these areas by increasing the number of allowable uses. He stated that standards are also proposed to provide the Borough with better control over outdoor storage in these areas. Mr. Soriano then reported that the Township of Hanover is proposing amendments to the Land Use Plan, Circulation Plan and Open Space Plan. The Circulation and Open Space Plans were being amended to incorporate the findings of the Pedestrian and Bicycle Connectivity Framework Plan. The Land Use Plan amendments incorporate a new Whippany Center Mixed-Use Planned Development District at the intersection of Route 10 and Troy Hills Road.

Long Range Planning

2013 State of the County Report – Mr. Soriano informed the Board that the 2013 State of the County Report has been posted to the website. He also stated that municipal administrators, clerks, planning board secretaries and planners were notified that the new report is available and were directed to the website. Ms. Marion stated that the feedback has been very positive.

LAISON REPORTS

Lake Hopatcong Commission

Mr. McCarthy reported that the NJDEP five year drawdown plan is of concern due to the recent drought. He reported that the State is taking a more active role in running the Lake and that that is also of concern to many people. He informed the Board that a volunteer group of about 200 people were able to remove many tons of debris from the lake and he said those volunteers should be commended.

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner reported that the Musconetcong River is very low and bare in some areas even though the Lake Hopatcong Water Level Management Plan is being followed. He stated the cause is the ongoing drought. Mr. Rattner stated that Steve Ellis, the Regional Superintendent of Parks and Lakes came to the Regional Planning Board to answer questions on the water chestnut. He reported that the State is working on a regional plan to address this spreading problem. Mr. Rattner gave an update on the weed harvesting, stating that there were 588 volunteer hours spent during last year using the harvester and 150 hours spent on its maintenance. He reported that four million pounds of weeds were removed from the lake.

Morris County Open Space Trust/Flood Mitigation Committee

Mr. Eppel had nothing to report.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion had nothing to report.

REPORTS OF MEETINGS

Ms. Marion had nothing to report.

OTHER BUSINESS

Proposed 2014 Meeting Dates – Ms. Marion handed out the draft of the Morris County Planning Board Meeting Dates for 2014 for Board review. She stated that there will be a vote on the dates at the January meeting.

Mr. Rattner asked about the Flood Mitigation Program and the length of time it was taking from approval of an application to closing on a property. Ms. Leary summarized the program for Mr. Rattner, describing the steps from preliminary to final approval, and highlighted some of the unique issues associated the process in various municipalities.

Chairman Falkoski read the following resolution:

RESOLUTION TO ENTER INTO CLOSED SESSION

WHEREAS, pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act, the Morris County Planning Board may exclude the public to discuss matters as are provided under the Act; and

WHEREAS, said Act provided that this Board may exclude the public from the discussion of such matters,

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Planning Board hereby excludes the public in order to discuss such matters. The general nature of the subject to be discussed is current litigation involving the Morris Commons site plan and litigation involving the Hanover and Horsehill site plan approval.

Chairman Falkoski requested a motion to approve the following resolution to go into closed session to discuss the matter of current litigation. The motion was made by Ms. Olcott, seconded by Mr. Rattner, and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	x		
Christopher Vitz, County Engineer	x		
Thomas Mastrangelo	-		
Ed McCarthy	x		
Isobel Olcott	x		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
John Cesaro, (F. Alt)	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng.Alt)	-		

The motion was made to go back to open session by Mr. Rattner, seconded by Mr. Eppel, and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	x		
Christopher Vitz, County Engineer	x		
Thomas Mastrangelo	-		
Ed McCarthy	x		
Isobel Olcott	x		
Steve Rattner	x		
Everton Scott	-		
Joseph Falkoski, Chair	x		
John Cesaro, (F. Alt)	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	x		
Roslyn Khurdan, (Eng.Alt)	-		

LEGAL UPDATE

Mr. Bush stated he had nothing further to add.

Comments from the Public

Mr. Perry congratulated. Freeholder Grossi on becoming the new County Clerk for Morris County, Ms. Leary on her new position as Director of Planning & Public Works and Ms. Marion as the Director of Planning & Preservation. Mr. Perry also stated that Jeff Biggs, Engineer for the Parks Commission is retiring January 31, 2014. Mr. Perry then informed the Board that he got married in Brazil on November 11th.

Ms. Olcott thanked Freeholder Grossi for her participation on, and valuable contributions to the Board. Freeholder Grossi stated she would miss being a Freeholder and being part of the Morris County Planning Board and attending the meetings.

NEXT MEETING

The next meeting is scheduled for January 16, 2014 at 7:00 p.m.

ADJOURNMENT

At 7:55 p.m., Mr. Vitz moved to adjourn the meeting. Ms. Olcott seconded, and all approved by voice vote.

Respectfully submitted,

Christine G. Marion

Christine Marion, P.P./AICP
Planning Director

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