Susan Gouveia

From: Lashway, Lisa
Sent: Tuesday, October 22, 2013 2:56 PM
To: Canning, Sean; Susan Gouveia; Natafalusy, Catherine
Subject: FW: MCPB Minutes
Attachments: 201310221127.pdf

Lisa Lashway
Mt. Olive Twp. Clerk
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From: Axelrod, Rene [mailto:raxelrod@co.morris.nj.us]
Sent: Tuesday, October 22, 2013 2:41 PM
Cc: Marion, Christine
Subject: MCPB Minutes

Good Afternoon

Attached please find the Morris County Planning Board Minutes for the September 19, 2013 meeting.

Feel free to contact me if you have any questions.

Thank you.
Rene

Rene Axelrod, Principal Planning Aide
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MINUTES OF THE REGULAR MEETING
MORRIS COUNTY PLANNING BOARD

30 Schuyler Place
September 19, 2013

Morristown
New Jersey

Chairman Falkoski called the meeting to order at 7:03 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
Steve Rattner, Vice-Chair
Isobel Olcott, Secretary
Steve Hammond, County Engineer
Ted Eppel (arrived late)
Nita Galate, Alt. #2

Christine Marion, Planning Director
Deena Leary, Department Director
Anthony Soriano, Supervising Planner
Greg Perry, Supervising Planner
Joe Barilla, Senior Planner
Kevin Sitlick, Senior Planner
W. Randall Bush, Esq., First Assistant County Counsel
Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the July 18, 2013 meeting. The motion was seconded by Ms. Galate and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	-		
Ann Grossi	-		
Steve Hammond	x		
Thomas Mastrangelo	-		
Ed McCarthy	-		
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		

DIRECTOR'S REPORT

The Board accepted the Director's Report for July through September 2013, which will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for July 2013 totaled $10,960.

Funds Received for August 2013 totaled $10,185.

FUTURE MEETINGS

Ms. Marion stated she will be attending a Pipeline Safety session at the Knoll Country Club on October 23, 2012. The session will provide information on the location of pipelines and emergency response procedures in the event of a pipeline breach.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion stated that Chatham Township's final draft chapter of the Wastewater Management Plan was submitted to the Department of Environmental Protection (DEP) for its review and approval. She stated that Jefferson Township will be the next chapter to be completed.

Ms. Marion stated that she forwarded the draft Wastewater Management Plan amendment and revision procedures to the Environmental and Watershed Committee. She stated that the County has no approval authority but that it can make recommendations through the consent resolution process. She stated that when an amendment is processed, the Board of Chosen Freeholders will be requested to provide a consent resolution. The draft procedures will provide a means by which the County Planning Board can provide recommendations to the Freeholder Board for their consideration. Ms. Marion stated that she would meet with the Environmental and Watershed Committee to discuss this matter.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner stated that the Committee reviewed several applications in August including the application for a new Wegmans to be located at the intersection of Ridgedale Avenue and Sylvan Way in Hanover Township. Mr. Rattner stated the Committee has concerns regarding a proposed left hand turn on Route 10. Mr. Rattner also reported on two Parsippany-Troy Hills Township applications: the Forge Pond Luxury Townhome project for 52 townhomes and the Wildlife Preserve, Inc. residential subdivision project. He stated that approval or these applications were withheld pending the submission of additional information.

Next, Mr. Rattner noted several applications that were reviewed at the Committee meeting held prior to tonight's Planning Board meeting. The Boonton Opera House in the Town of Boonton is making site improvements, however Mr. Rattner stated that there are no impacts of county concern. The Exxon Station in Florham Park Borough submitted a site plan application for a canopy and that the County Engineer will review the existing driveways. He then reported on the site plan application of the Peck School in Morristown that includes the addition of 38 parking spaces. He stated that the County Engineer will review the application with regard to stormwater management and existing driveway connections to South Street. Mr. Rattner stated that the largest application received this month is a site plan for the Hebrew Academy in Randolph Township. The application is for the removal and redevelopment of all existing improvements with the exception of the existing access driveway to Dover-Chester Road and the existing detention basin. He stated that County Engineering will need to review stormwater management and the existing access driveway to Dover-Chester Road.

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

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	-		
Steve Hammond	x		
Thomas Mastrangelo	-		
Ed McCarthy	-		
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		

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

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	-		
Steve Hammond	x		
Thomas Mastrangelo	-		
Ed McCarthy	-		
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		

Legislative and Municipal

Recent Legislation - Mr. Soriano informed the Board that Senate Bill S2608 was signed into law. He reported that this bill modifies the Municipal Land Use Law and concerns the use of cluster and noncontiguous cluster development. Mr. Soriano then reported that Senate Bill S3680, the New Jersey Economic Opportunity Act, has also been signed into law and he briefly summarized the Act.

Mr. Soriano then reported on Senate Bill S2580 which would designate Route 53 as the Alex DeCroce Memorial Highway. He stated that the Senate bill passed and that there will be a hearing on the corresponding Assembly Bill on September 23, 2013.

Ms. Marion reported that a draft resolution was received from the Borough of Morris Plains concerning Senate Bills S2511 and S2512, which propose amendments to the Open Public Meeting Act. She distributed copies of draft resolution to the Board.

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano reported that staff processed five (5) master plan amendments since the last Planning Board meeting. He gave an overview of the plan amendments. Harding Township is updating its Housing Element and Fair Share Plan to incorporate revisions reflecting 2010 Census figures. Rockaway Township submitted a 2013 Periodic Reexamination Report and Master Plan Amendment to address Highlands Conformance. Denville submitted a 2013 Periodic Reexamination Report that focuses on the need to modify current zoning regulations for motels and hotels and Montville Township submitted a 2013 Natural Resource Inventory that updates its 1992 Inventory.

Mr. Sitlick summarized the July 2013 Zoning Ordinance Report, reporting that eleven proposed ordinances and seven adopted ordinances for a total of 18 ordinances were received. He noted a Denville Township ordinance adding a new Estling Lake Rehabilitation Area (ELA) zone. He also described a Parsippany-Troy Hills Township ordinance that would establish a new PRD-3 Planned Residential Development and Open Space District that will permit the development of 52 townhouses.

Mr. Sitlick then summarized the August 2013 Zoning Ordinance Report, stating that there were six proposed ordinance received, three adopted ordinances and one ordinance withdrawn for a total of ten ordinances. He noted the Parsippany-Troy Hills Township ordinance that would establish a new RCR Planned Retail/Commercial Residential Overlay District which would permit mixed-use retail and townhouse development.

COAH *and Status of Municipal Affordable Housing Trust Funds* – Mr. Sitlick handed out a September 2013 report with an update of COAH's demands for the return of transfer of uncommitted trust funds to the State. He stated that Morris County has received copies of letters from Denville and Washington Townships in response to COAH's request for forfeiture of NJ Affordable Housing Trust Funds. He stated that both Townships are reporting that they have spent or committed all of their monies in accordance with COAH requirements.

Long Range Planning

State of the County Report - Ms. Olcott stated that Long Range Committee met and reviewed the drafts for Wastewater and Education/Cultural Facilities chapters. Mr. Soriano told the Board that a compilation of the trends and issues in the report will be available for the next meeting and that there will be a short presentation at that time. Ms. Marion stated that she would like to put the report on a secure/password protected site for access by Planning Board members only. Ms. Olcott requested that paper copies of the Trends and Issues report be sent to Board members.

Investment Area Mapping Update - Mr. Soriano reported to the Board that the parcel matching for the Investment Area Mapping project has been completed. He said that maps now will be printed along with corresponding lists of all identified industries of statewide importance as defined in the draft State Plan and that this information will be provided to the MCEDC, which will use the data to help attract new economic development to Morris County.

MCEDC Director Jim Jones then introduced Lindsey Santamaria as the new Economic Development Manager at the MCEDC. Ms. Santamaria gave the Board a brief summary of her career. Mr. Jones then thanked Mr. Soriano for agreeing to present the new mapping tool at the MCEDC Municipal Summit meeting in December 2013.

LAISON REPORTS

Lake Hopatcong Commission

Ms. Marion stated she did not receive a report but informed the Board that the press has reported on a challenge to the drawdown of the lake. Ms. Leary reported that she had read that all elements of the lawsuit noted in the press had been dismissed.

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner reported that the Musconetcong River Partnership was given an award in recognition of their dam removal efforts along the river. Mr. Rattner informed the Board that Lake Musconetcong is still dealing with weed problems and that the local property owner's association has contributed $16,711 for herbicides. He stated Lake Musconetcong has trained about a dozen volunteers qualified to run the weed harvester and that the Lake Hopatcong Commission will take a vote at their next meeting to lend a weed harvester to Lake Musconetcong.

Mr. Rattner then reported that the Delaware River Basin Commission has changed the parameters of their reporting requirements and now wants all data sent to them electronically. He stated that the information the Commission wants is more detailed than the information sent to the Department of Environmental Protection.

Morris County Open Space Trust/Flood Mitigation Committee

Open Space Trust /Flood Mitigation Committee

Mr. Eppel reported that there have been three recent Trust Fund project closings. He noted the closing in Jefferson Township on Shawnee Meadow, a 94.15 acre property that adjoins the 800 plus acre Hunter's Glenn project to the east. Mr. Eppel reported that 21,433.99 acres have been preserved by the Trust Fund to date. Mr. Eppel stated that the number of applications have fallen for the current year. Ms. Leary stated that the Open Space Committee is considering changing to either a rolling application process or introducing a two cycle per year application process. She stated that applicants have indicated difficulty in meeting the current application deadline.

Ms. Leary updated the Board concerning the Preservation Trust Fund Analysis and Strategy Report and stated that the consultant will be selected next week. She stated that the consultant will conduct a ten month study that will include inventory and outreach tasks and will involve municipalities and non-profit organizations. She stated that the analysis will assess present and future needs and identify potential changes to current trust fund spending priorities.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion reported on a letter from the New Jersey Highlands Council announcing that Mr. Cory Piasecki has been made the County's new Highlands staff liaison. She also informed that Board she received correspondence from the Highlands Council permitting modification to the County's Plan Conformance Grant to fund development of the Highlands Septic Web-tool. Ms. Marion also reported that the Board's letter in support of the Mount Olive Redevelopment designation along Route 46 was sent to the Highlands Council

REPORTS OF MEETINGS

Ms. Marion reported on the reorganization meeting of the Rockaway River Cabinet on September 11, 2013. While there was a quorum, not all the municipalities were present. She reported that two of the three officers have resigned from the Cabinet and the members decided to postpone the election of officers until a special meeting to be held on October 30, 2013. She informed the Board that she was made interim-chair. She asked the Board to let her know if they knew anyone who would like to be the Executive Director.

OTHER BUSINESS

New Construction Residential Sales – 2012 Update Summary

Mr. Sitlick gave a PowerPoint presentation summarizing New Construction Residential Sales in Morris County for 2012. He presented data showing the total number of new homes sold between 2003 and 2012 and how those homes varied by type, reporting a rise in the number of attached and multi-family housing units sold and a decline over the period of new single family detached homes sold. He outlined where most new residential construction sales occurred in 2012 and the median prices for new construction sales between 2003 and 2012. Mr. Sitlick also described how the median size of different types of units changed over the 2003-2012 period.

Mr. Sitlick then discussed residential rental projects approved by the Morris County Planning Board, stating that 1,423 rental units were approved during 2012 and the first eight months of 2013, and that this number of rental units was greater than the total number of units approved during the nine years between 2003 and 2011. He then summarized new construction residential sales conditions for 2012, indicating that, while activity was up, it was still far below the level of activity seen a decade earlier. He noted a doubling of new single family attached unit sales, the overall lower median prices for new construction sales for 2012 and the modest change in housing sizes across all unit types. Mr. Sitlick reported that almost one third of new single family detached sales in 2012 involved lots where a previous unit was torn down and replaced by the new unit. He stated that this activity offered an opportunity for new construction, even in areas where there was limited undeveloped land. The Board commended Mr. Sitlick on his report.

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 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.

	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	-		
Steve Hammond	x		
Thomas Mastrangelo	-		
Ed McCarthy	-		
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		

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

	Aye	Nay	Abs.
Ted Eppel	x		
Ann Grossi	-		
Steve Hammond	x		
Thomas Mastrangelo	-		
Ed McCarthy	-		
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		

LEGAL UPDATE

Mr. Bush had nothing to report

Comments from the Public

There were no comments from the public.

NEXT MEETING

The next meeting is scheduled for October 17, 2013 at 7:00 p.m.

ADJOURNMENT

At 8:15 p.m., Mr. Hammond moved to adjourn the meeting. Mr. Eppel 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.