C

Susan Gouveia

From: Lashway, Lisa
Sent: Monday, February 24, 2014 1:54 PM
To: Canning, Sean
Cc: Susan Gouveia
Subject: FW: MCPB Minutes
Attachments: 201402240903.pdf

Correspondence

Michelle Masser
Deputy 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: Monday, February 24, 2014 9:14 AM
Cc: Marion, Christine
Subject: MCPB Minutes

Good Morning

Attached please find the minutes of the Morris County Planning Board Meeting for January 16, 2014.

Please feel free to contact me if you have any questions.

Thanks
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 — Morristown
January 16, 2014 — New Jersey

Chairman Falkoski called the meeting to order at 7:02 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
Chris Vitz, County Engineer
Ted Eppel
Annabel Pierce (arrived 7:50 p.m.)

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

Ms. Marion reported that Ms. Olcott was appointed by the Freeholders to a new 3-year term and Ms. Galate (Alternate 2) and Mr. Jones (Alternate 1) have been reappointed for one year. She informed the Board of the appointment of a new member Ms. Annabel Pierce and stated that she should be arriving shortly.

ELECTION OF OFFICERS

Ms. Marion, as Interim Chair, opened the floor for nominations for the Planning Board Chair. Ms. Olcott moved the nomination of Joseph Falkoski as Planning Board Chair and Mr. Rattner seconded. No other nominations for Chair were made; nominations were closed by Mr. Eppel and seconded by Mr. Vitz and all voted in favor of Mr. Falkoski as Chairman by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, (F. Alt)	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Chairman Falkoski took the chair and opened the floor for nominations for Vice-Chair. Mr. Eppel nominated Steve Rattner and Ms. Olcott seconded. No other nominations were made; nominations were closed by Mr. Eppel and seconded by Mr. Vitz and all voted in favor of Mr. Rattner as Vice-Chairman by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Chairman Falkoski then opened the floor for nominations for Board Secretary. Mr. Rattner nominated Ms. Olcott for Board Secretary and Mr. Vitz seconded. No other nominations were made; nominations were closed by Mr. Eppel and seconded by Mr. Vitz and all voted in favor of Ms. Olcott as Board Secretary by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

COMMITTEE APPOINTMENTS

Chairman Falkoski asked members if they would continue their Committee appointments from last year. All agreed to continue. Chairman Falkoski identified the committee members and replaced open positions left by the departure of Mr. McCarthy from the Board.

Legislative & Municipal - Everton Scott, Chairman, Steve Rattner, Vice-Chair, Annabel Pierce and Nita Galate

Land Development Review – Steve Rattner, Chairman, Christopher Vitz, Co. Engineer, Isobel Olcott and Everton Scott

Environmental & Watershed – Ted Eppel, Chairman, Christopher Vitz, Co. Engineer, Steve Rattner, and Stephen Jones

Long Range Planning – Isobel Olcott, Chairman, Ted Eppel, Annabel Pierce and Nita Galate

Planning Board Liaisons:

Lake Hopatcong Commission – David Jarvis and Brian Kincaid (Alt.)

Lake Musconetcong Regional Planning Board – Steve Rattner

Lake Musconetcong River Management Council – Steve Rattner

Morris County Open Space Trust – Ted Eppel

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the December 5, 2013 meeting. The motion was seconded by Mr. Eppel and was approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	-		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

DIRECTOR'S REPORT

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

REPORT OF FUNDS RECEIVED

Funds received for December 2013 totaled $11,625.

FUTURE MEETINGS

Ms. Marion informed the Board that Mr. Soriano will be attending the New Jersey County Planners Association Meeting on Friday, January 17, 2014. She stated that the Office of Planning Advocacy will be giving a presentation on Site Selector 2.0.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion updated members on the Chatham Township chapter of the Wastewater Management Plan and that the public comment period is over. She had received several inquiries from municipal officials who had questions about the request for a resolution of consent that was included with the public notice required by the Department of Environmental Protection (DEP). Most officials noted that the Chatham Township chapter had no effect on their municipalities.

Ms. Marion provided an update on the septic management web-based tool, which GIS is testing. Staff will be meeting in the next few weeks with Denville Township to conduct an onsite test.

Ms. Marion reported that Virginia Michelin is currently working with Jefferson Township on completion of its WMP chapter and is also beginning to work with the Rockaway Valley Regional Sewage Authority towns. Completion of the RVRSA municipal chapters will be required to accommodate an anticipated treatment plant expansion.

Watershed Activities - Ms. Marion reported she attended the Rockaway River Watershed Cabinet meeting on January 15, stating that the Cabinet is in the process of reorganization and no longer has an Executive Director. At the meeting, each member municipality was provided an opportunity to describe their current watershed-related activities and members appreciated the sharing of information. She stated the next meeting of the Cabinet will be in March 2014.

Land Subdivision and Zoning

Developments Reviewed – Mr. Rattner reported on applications reviewed at the December 18, 2013 Committee meeting including the redevelopment of an existing commercial property on Route 23 in Butler Borough to accommodate a McDonalds and a multi-tenant retail structure; a parking lot expansion at the Washington Avenue School Park in Chatham Borough; and a two lot subdivision for Wells Real Estate in Florham Park that will provide separate lots for two existing office structures. The site plan application of Johnstone Supply in Hanover Township for a 25,000 square foot wholesale/warehouse structure along South Jefferson Road will require County Engineering review for stormwater management. A site plan application, the Shops on Main, in Montville Township proposes a retail structure with three two-bedroom apartments on the second floor and will need to be reviewed by County Engineering for stormwater management and traffic.

At 7:17 pm, the Board took a moment to conduct introductions upon the arrival of Ms. Peirce.

Mr. Rattner continued to report on applications: the MCMUA in Morris Township for a minor subdivision/lot line adjustment; a site plan application for an 182,440 square foot warehouse/assembly office building for Fratelli Beretta in the Foreign Trade Zone in Mount Olive Township; Performance Ford Lincoln in Randolph Township for the redevelopment of a former car dealership; CVS in Rockaway Township for the redevelopment of an existing motel and restaurant site into a CVS Pharmacy; Cibao Meat Products site plan in Rockaway Township for an upgrade of an existing meat processing and packaging facility; and Long Valley Bagel in Washington Township for the redevelopment of a former gas station. Mr. Rattner stated there are concerns with this last application regarding the right-of-way for West Mill Road and driveway access. Mr. Perry stated approval was withheld pending the submission of additional information.

Ms. Olcott reported on applications reviewed at the January 16, 2014 Land Development Review Committee meeting. The Marveland Estates project site in Mount Olive will be subdivided into two lots and that one lot will be developed with 57 low and moderate income units, while the second lot will be developed with 227 single family age-restricted homes. Ms. Olcott reported that this development was previously reviewed by the Board in 2009 and Mr. Perry reported that the applicant has received required DEP approvals. He reported that the County has some minor requirements for the stormwater management plan. There are no County roads involved, however, a traffic light will be installed at the intersection of Flanders-Bartley and Main. Mr. Rattner then described the site plan application for Meadowview at Millington in Long Hill Township for an overall plan showing the location of natural gas emergency generators for each unit in an existing 33 unit condominium development. Mr. Rattner then reported on the site plan application for the Black Rock Plaza in Roxbury Township for the redevelopment of an existing supermarket into a multi-tenant retail center with six units. The County will require that the plan show sight lines for the driveway connection to Berkshire Valley Road and indicate that sidewalk ramps comply with ADA standards.

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

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	x		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Legislative and Municipal

Recent Legislation - Mr. Soriano informed the Board that the 2012-2013 NJ Legislative Session ended on January 14, 2014. He reported that Assembly Bill A4531, which extends the validity of the existing wastewater sewer service areas and provides an additional two year extension for completion of wastewater management plans, was signed into law. For the new 2014-2015 legislative session, over 3,000 new bills have been introduced so far. Mr. Soriano stated that he will be tracking about 250 bills for the Board. He expects many more bills to be introduced in the coming weeks and that he will keep the Board informed of new legislation. Ms. Olcott asked about Assembly Bill A4377 that would prevent county park facilities from having private commercial or personnel events as their primary purpose. Mr. Soriano stated that the bill did not pass in the last session, but that it was reintroduced in the new session.

Master Plan & Land Use Ordinance Monthly Report - Mr. Soriano reported that the Township of Long Hill submitted a 2013 Reexamination Report. The major concerns of the report included stormwater control and flooding, the need to buy out flood impacted properties, sewer capacity, the desire to increase recreation and open space lands along the Passaic River and support for "Complete Streets" transportation policies. He then reported on the Morristown Master Plan Element entitled, "Morristown Moving Forward; A Mobility and Community Form Plan." The Plan's focus is on linking land use and transportation planning and is composed of four major sections, including a Mobility and Streets Plan, Land Use and Community Form Plan, Plans for Places and Implementation Plan. Ms. Leary stated that there was significant public outreach early in development of the Plan and that the County was and continues to be involved. Mr. Soriano informed the Board that the Plan is posted online; however, the Planning Board has not received a public hearing notice.

Mr. Sitlick reported that 17 ordinances were processed in December 2013 consisting of five introduced ordinances, eleven adopted ordinances and one tabled ordinance. Chester Township adopted three ordinances related to the Highlands Act and that Netcong Borough adopted the Pocketbook Factory Redevelopment Plan, which will permit 72 multi-family units to be constructed on a 2.3 acre property formerly zoned for Commercial Business.

Presentation on New Demographic Data

Mr. Sitlick introduced his presentation on Morris County Municipal Demographics, reporting that recently released Census data provided information at a municipal level, whereas previous presentations addressed data on a county level. He then presented various slides highlighting municipal statistics and related factors on a variety of topics, including: median housing value and contract rent, median household income and poverty status, educational attainment, disability status, health insurance, commuting to work, travel time to work, number of housing units in structures, and birth rates. The Board thanked Mr. Sitlick for his presentation.

2014-2019 Capital Program/Consistency Report

Ms. Olcott informed the Board that the Long Range Committee completed its annual review of the County of Morris Capital Program Plan for consistency with the County Master Plan. Ms. Olcott, Ms. Leary and Mr. Bush provided an overview of several items in the proposed 2014-2019 Capital

Budget, including the security system at the County Courthouse, the demolition of the Ann Street Parking Garage and improvements at the County College.

Ms. Olcott stated that the Long Range Committee recommended that the Board find the 2014-2019 Morris County Capital Improvement Program consistent with the Morris County Master Plan and made a motion to approve this finding. The motion was seconded by Mr. Eppel and approved by roll call vote. The Board asked Ms. Marion to inform the Freeholder Board of the Boards' determination of consistency.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	x		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

LAISON REPORTS

Lake Hopatcong Commission

Ms. Marion received a report from on the activities of the Lake Hopatcong Commission from Mr. Jarvis. Mr. Jarvis reports that he is concerned with the drawdown of the lake and its ability to recover by spring. The Lake Hopatcong Foundation organized a lake wide clean-up in which a significant amount of debris was removed from the lake and that Jefferson Township has been very successful in cleaning, repairing and updating catch basins. She said that she should be receiving updates from Mr. Jarvis and Mr. Kincaid and will continue to report to the Board.

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Mr. Rattner reported that the Lake Musconetcong Regional Planning Board has been very active this past month and the Lake Board approved its budget that that maintains 2013 budget levels. The Lake Board received a comprehensive report from the Rutgers Agricultural Center concerning different methods of addressing the water chestnut problem. Mr. Rattner commented on how the water chestnut is spreading down the Musconetcong River and that the Board is not receiving any State help and did not appoint a representative to the Board. He reported on the volunteer actions taken to clean and maintain the lake. This is the first year that the lake will be lowered for the entire winter so that the lake can freeze over to reduce the germination of water chestnut seeds.

Morris County Open Space Trust

Mr. Eppel highlighted projects recently closed including a five acre property in Denville that will be used for a pocket park and the Frelinghuysen Fields property acquired by the Harding Land Trust. The 43 acre Harding Land Trust property is located in both Harding Township and in Morris Township and was subject to various discussions regarding access and future use He noted that the property has attractive natural features and will be used primarily for passive recreation. He then reported on three properties acquired by the Morris County Park Commission, that are located in Wharton Borough, Kinnelon Borough and Washington Township. Mr. Eppel reported on the Flood Mitigation Program and noted several properties that have been acquired and closed in Denville Township.

CORRESPONDENCE AND REPORTS RECEIVED

Ms. Marion had nothing to report.

REPORTS OF MEETINGS

Ms. Marion had nothing to report.

OTHER BUSINESS

Resolution 2014-1:2014 Meeting Schedule Resolution – Ms. Olcott moved approval of Resolution 2014-1: 2014 Meeting Date Schedule. The motion was seconded by Mr. Eppel and unanimously approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	x		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Authorization for Destruction of Planning Board Meeting Recordings (10/18/12, 12/6/12, 1/17/13, 2/21/13, 3/21/13, 4/18/13, 5/16/13, 6/20/13, 7/18/13 and 9/19/13)

Ms. Marion noted that the recordings are scheduled to be destroyed in accordance with Board policy. Ms. Olcott moved the action to destroy Planning Board Meeting Recordings, Mr. Eppel seconded and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	x		
Steve Rattner, Vice-Chair		x	
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

Chairman Falkoski informed the Board of two Resolutions of Appreciation, one for Mr. Ed McCarthy and one for Mr. Steve Hammond. Ms. Olcott moved the Resolutions of Appreciation for Mr. McCarthy and Mr. Hammond; they were seconded by Mr. Rattner and approved by voice vote.

2014 Planning Board Proposed Undertakings – Ms. Marion highlighted several Board projects anticipated for 2014. Under Land Development Review, she noted that projects will include development of the Annual Land Development Review Report. The County Land Development Standards will be revised and updated to reflect current rules, regulations and laws, to streamline the review process where possible, and to allow more flexibility in developed and historic areas. She indicated that Long Range will continue working with Preservation Trust on completion of Preservation Trust Strategy Report and open space inventory, which will lead to an opportunity to update the County Open Space Element beginning in the second half of the year. She also reported that Long Range will continue to work with the Morris County Economic Development Corporation and proposed a project to identify opportunities and strategies to assist municipalities in their economic development efforts. She identified the potential for development of best management practices and guidelines that may be considered by municipalities to help streamline the local economic development process.

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 Shop Rite litigation by Stop and Shop.

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. Eppel, and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	x		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

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

VOTE	Aye	Nay	Abs.
Ted Eppel	x		
Thomas Mastrangelo, Freeholder Dir.	-		
Isobel Olcott, Secretary	x		
Annabel Pierce	x		
Steve Rattner, Vice-Chair	x		
David Scapicchio, Freeholder	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
John Cesaro, Freeholder Alt.	-		
Stephen Jones, (Alt.1)	-		
Nita Galate, (Alt. 2)	-		
Roslyn Khurdan, (Eng. Alt.)	-		
Joseph Falkoski, Chairman	x		

LEGAL UPDATE

Mr. Bush stated he had nothing further to add.

Comments from the Public

None.

NEXT MEETING

The next meeting is scheduled for February 20, 2014 at 7:00 p.m.

ADJOURNMENT

At 9:00 p.m., Mr. Vitz moved to adjourn the meeting. Ms. Olcott seconded, and all approved by voice vote.

Respectfully submitted,

Christine Marion, P.P./AICP
Planning Director

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