## Gouveia, Susan

**From:** Masser, Michelle
**Sent:** Tuesday, January 26, 2016 9:44 AM
**To:** Harris, Laura; Natafalusy, Catherine
**Cc:** Gouveia, Susan
**Subject:** FW: MCPB Minutes
**Attachments:** 201601251103.pdf

Correspondence

*Michelle Masser*
*Township Clerk*
PO Box 450
204 Flanders Drakestown Road
Budd Lake, NJ 07828
clerk@mtolivetwp.org
973-691-0900 X7291

---

**From:** Axelrod, Rene [mailto:raxelrod@co.morris.nj.us]
**Sent:** Monday, January 25, 2016 11:13 AM
**Cc:** Marion, Christine <cmarion@co.morris.nj.us>
**Subject:** MCPB Minutes

Good Morning

Attached find the minutes of the December 3, 2015 Morris County Planning Board Meeting.

Please contact me if you have any questions.

Thank you.

Rene

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

30 Schuyler Place — Morristown
December 3, 2015 — New Jersey

Chairman Falkoski called the Regular Meeting to order at 7:09 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 26, 2015.

## ROLL CALL

Those present were:

Morris County Planning Board:

Joseph Falkoski, Chairman
Isobel Olcott, Secretary
Annabel Pierce
Ted Eppel
Christopher Vitz, County Engineer
Nita Galate, Alternate #2

Christine Marion, Planning Director
Deena Leary, Department Director
Anthony Soriano, Supervising Planner
Greg Perry, Supervising Planner
Joseph Barilla, Principal Planner
Virginia Michelin, Principal Planner
W. Randall Bush, Planning Board Attorney
Rene Axelrod, Recording Secretary

## REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the October 15, 2015 meeting. The motion was seconded by Mr. Eppel and was approved by roll call vote.

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

## DIRECTOR'S REPORT

The Board accepted the Director's Report for October/November 2015 and it will be placed on file. Ms. Marion stated that Ms. Michelin will discuss the Wastewater Management Plan (WMP) later in the meeting. She reported that Mr. Sitlick will give a presentation on newly released Census data at the next meeting. She also informed the Board that Mr. Sitlick is maintaining a spreadsheet on COAH/Affordable Housing activities.

Ms. Michelin reported on the Soil Health Webinar that she conducted on September 21 and October 30, 2015. She stated that the series received positive reviews and may be viewed on the Morris Planning website. She stated that she anticipates conducting follow-up seminars in the future.

## REPORT OF FUNDS RECEIVED

Funds received for October 2015 totaled $12,427.

Funds received for November 2015 totaled $4,005.

## FUTURE MEETINGS

Ms. Marion had nothing to report.

## COMMITTEE REPORTS

### Environment and Watershed

***Wastewater Management Plan*** – Ms. Michelin stated that the Department of Environmental Protection (DEP) released draft revisions to the 2007 Water Quality Management Planning Rules on March 19, 2015 and that the revisions will have implications concerning development of Wastewater Management Plans. She noted various pros and cons related to the rule amendment proposal. She reported that various requirements included in the current rules that are unrelated to wastewater planning have been removed, thereby creating a greater focus on actual wastewater issues. She stated that the rule amendments also support greater cooperation and data sharing between state, regional and county entities. Ms. Marion stated that the proposed amendments will refocus the intent of the plans so that they function as planning documents rather than regulatory documents. Ms. Michelin stated that there remain concerns and questions related to the interrelationship between local and regional plans, the updating of future wastewater service area maps, data gaps in proposed rule documents, the time frame in which counties will have to complete plan documents and various other issues which require greater clarification.

### Land Subdivision and Zoning

***Developments Reviewed*** – Ms. Olcott reported on the October 15, 2015 Land Development Review Committee meeting. Ms. Olcott noted the following applications:

1. The Green at Florham Park, Florham Park – This subdivision is for a lot line transfer involving 2.622 acres. There are no County concerns.

2. Kings Super Markets, Inc. in Mendham – This site plan is for a new vestibule for the existing Kings Super Market within the Mendham Shopping Center. There are no County concerns.

3. 15 West Main Street in Mendham - This site plan is for the redevelopment of an existing three story commercial/residential structure and the addition of three townhome units on a .8 acre site within the municipal historic business district. Engineering will review the proposed driveway and stormwater management calculations.

4. Port Oram Village in Wharton – This site plan is for a 49-unit, four story apartment building with 96 parking spaces. It was previously reviewed as a concept plan and involves the redevelopment of a commercial site within downtown Wharton. There are two driveway access connections to municipal roads and a proposed subsurface infiltration basin for rooftop stormwater runoff. The applicant requested two waivers from County Land Development Standards that were discussed at the August 6th Land Development Review Committee Meeting. County Engineering will review stormwater management and the North Main Street frontage improvement. The Committee gave unconditional waiver approval on the right-of-way and sight distance request. The Committee placed a conditional approval on sight triangle with the stipulation that the municipality not request that the County allow on street parking from the intersection of Kossuth Avenue and North Main Street in the northerly direction for minimum of 250 feet along the site's North Main street frontage.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for October 2015. The motion was seconded by Mr. Vitz and approved by roll call vote.

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

Ms. Olcott reported on the November 9, 2015 Land Development Review Committee meeting. Ms. Olcott noted the following applications:

1. Chatham Church of Christ, Chatham Township – This application concerns a minor subdivision. The application includes a proposed dedication to the County right-of-way for Fairmount Avenue and Southern Boulevard. The County Surveyor will review.

2. Gulf Gas Station and Convenience Store, Jefferson Township – This site plan is for the conversion of an existing structure from a repair facility to a convenience store at an existing Gulf gas station. County engineering will review for the continued utilization of the driveway

access to Berkshire Valley Road. Ms. Olcott stated that the application was conditionally approved.

3. Roxiticus Golf Club, Mendham Borough – This site plan is for club house and parking additions and other property alterations. Two County structures are within the Pleasant Valley Road site frontage and the County is requiring bridge maintenance easements. County Engineering will review for stormwater management. Ms. Olcott stated that the project was conditionally approved.

4. Denville Line Painting, Rockaway Township – This site plan is for expansion of 19 parking spaces and the plan shows an easement for the County railroad property. County records show the County is the fee simple owner of the railroad property, not an easement holder as shown on the site plan. Ms. Olcott stated that this legal issue will need to be resolved before the application is reviewed and that the Committee is therefore withholding consideration of the application at this time.

5. H&H Mack, in Rockaway Township - This site plan is for a new monument sign within the County right-of-way of Green Pond Road. The County Engineer does not see an issue with allowing the new sign placement. The waiver was conditionally approved. County Engineering will review the current driveway layout.

6. Honeywell, Morris Township - Ms. Olcott stated that the application for the Honeywell site on Columbia Turnpike came back to the Board because the applicant has proposed a Stormwater Management Plan that encompasses the entire site. She stated that Honeywell agreed to grant an extension so the Board can review the entire stormwater plan for the overall Honeywell site rather than reviewing individual plans for each of the project's individual properties. Mr. Vitz stated that a review of traffic issues has been completed.

Ms. Olcott made a motion to approve the Report of Actions Taken on Development Plans for November 2015. The motion was seconded by Mr. Eppel and approved by roll call vote.

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

## Legislative and Municipal

***Recent Legislation*** – Mr. Soriano informed the Board that the current two- year legislative session ends on January 12, 2016 and any bill that is to become law will have to be signed by the Governor by January 19, 2016. He noted that he is tracking about 400 bills at present. He noted two new bills. Senate Bill S3197 would provide automatic farmland assessment for owners of permanently preserved farmland and Assembly Bill A4745 would deem a dispute between a local government and pipeline operator as a contested case, allowing municipalities to call for hearings under the provisions of the Administrative Law Act.

***Master Plan & Land Use Ordinance Monthly Report*** – Mr. Soriano reported on two master plan submissions. The Borough of Mount Arlington Master Plan Amendment includes new goals and objectives, updated demographics, a new land use plan and a recycling plan element. The second document was a Master Plan Re-examination Report from Butler Borough, which includes updated demographics and revised goals and objectives.

Mr. Soriano reported that seven proposed ordinances, and eight adopted ordinances for a total of fifteen ordinances were processed in October 2015. He noted an ordinance from East Hanover which amended permitted uses in the I-1 and I-13 Light Industry Zones. He stated that East Hanover also proposed an ordinance prohibiting certain pipelines, similar to the ordinance that several towns have adopted in response to the proposed Pilgrim Pipeline.

Mr. Soriano reported that five proposed ordinances and six adopted ordinances for a total of eleven ordinances were processed in November 2015. He noted a Borough of Mountain Lakes ordinance concerning an affordable housing site behind the King of Kings Church. He also reported on a Parsippany-Troy Hill ordinance that will permit 153,000 sq. ft. retail development at the intersection of Waterview Boulevard and Route 46.

## Long Range Planning

Ms. Olcott stated that the Long Range Committee met to discuss the Circulation Plan Element with the consultant and to review over 100 goals, policies and objectives contained in prior Morris County circulation plans and reports. Mr. Soriano stated that the new plan will consolidate, summarize and organize the goals, policies and objectives under three major topic areas: transportation safety; support for local land use planning/economic development; and coordinated/comprehensive planning. He informed the Board that the Long Range Committee instructed the consultant to identify in the new plan the precise role of the County in transportation planning and to identify past Morris County transportation planning initiatives. Mr. Soriano stated that the draft summary plan document is scheduled to be delivered by the end of the year. He anticipates providing a preliminary review of the draft plan at the next Planning Board Meeting.

# LIAISON REPORTS

## Lake Hopatcong Commission

Ms. Marion stated that she received a report from Mr. Jarvis Mr. Kurzman and that the Water Level Management Plan (WLMP) remains the chief issue of concern. She stated that Mr. Jarvis

and Mr. Kurzman gave a PowerPoint presentation at the last meeting on the WLMP history and current impact. She reported that Mr. Larry Baier of the Department of Environmental Protection (DEP), who worked on the WLMP, is now a representative to the Commission and that a review of the Plan may be undertaken. She stated that funding for weed harvesting is still an issue and the Committee is still looking for a Chairman.

**Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council**

No Report.

**Morris County Open Space Trust Fund**

Ms. Pierce informed the Board that six Open Space Projects were recommended to the Freeholder Board totaling approximately one million dollars and 113 acres in five towns. She stated that the projects are located in Boonton Township, Hanover Township, Jefferson Township, Mendham Borough, Washington Township and Mountain Lakes. She stated that the application for Mountain Lakes was not funded. Ms. Pierce stated that the next meeting is scheduled for March 2016.

**Correspondence and Reports Received**
Ms. Marion had nothing to report.

**Report of Meetings**
Ms. Marion had nothing to report.

**Other Business**

***Letter on Proposed NJDEP Water Quality Management Planning Rules***

Ms. Marion stated that staff drafted a letter for the Morris County Planning Board supporting the revised Water Quality Management Planning (WQMP) Rules as proposed by the New Jersey Department of Environmental Protection (NJDEP) on October 19, 2015. Ms. Marion asked for a vote to approve the letter. Ms. Olcott moved the transmittal of the letter, seconded by Mr. Eppel.

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

**LEGAL UPDATE**

Mr. Bush had nothing to report.

**Comments from the Public**

None.

Chairman Falkoski thanked the Board for all the acknowledgements he received and commended the members for all their wonderful work on the Board that he was part of for twenty years.

**NEXT MEETING**

The next meeting is scheduled for January 21, 2016.

Ms. Marion stated that the Freeholders Re-Organization Meeting will be on January 3, 2016 at 2 o'clock.

**ADJOURNMENT**

At 8:05 p.m., Mr. Vitz 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.*