(c)

Melissa Velez-Morales

From: Masser, Michelle
Sent: Friday, April 22, 2016 11:46 AM
To: Harris, Laura
Cc: Natafalusy, Catherine; Gouveia, Susan; Melissa Velez-Morales
Subject: FW: MCPB Minutes
Attachments: 20160422105225983.pdf

CORRESPONDENCE

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From: Axelrod, Rene [mailto:raxelrod@co.morris.nj.us]
Sent: Friday, April 22, 2016 11:05 AM
To: Marion, Christine <cmarion@co.morris.nj.us>
Subject: MCPB Minutes

Good Morning

Attached find the minutes of the Morris County Planning Board Meeting for March17, 2016.

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

Thank you.

Rene

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MINUTES OF THE REGULAR MEETING
MORRIS COUNTY PLANNING BOARD

30 Schuyler Place — Morristown
March 17, 2016 — New Jersey

Chairman Rattner called the Regular Meeting to order at 7:00 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 dated February 1, 2016.

Chairman Rattner asked members to stand for the pledge of allegiance to the flag.

ROLL CALL

Those present were:

Steve Rattner, Chairman	Christine Marion, Planning Director
Isobel Olcott, Vice Chairman	Anthony Soriano, Supervising Planner
Ted Eppel, Secretary	Greg Perry, Supervising Planner
Stephen Jones	Joseph Barilla, Principal Planner
Christopher Vitz, County Engineer	Barbara Murray, Principal Planner
Everton Scott	W. Randall Bush, Planning Board Attorney-left at 7:13
Anthony Abrantes, Alt. 2	Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the February 18, 2016 meeting. The motion was seconded by Mr. Eppel and was approved by voice vote. Mr. Jones abstained.

DIRECTOR'S REPORT

The Board accepted the Director's Report for February 2016 and it will be placed on file.

REPORT OF FUNDS RECEIVED

Funds received for February 2016 totaled $19,965. Mr. Perry stated that the figure was the third highest monthly amount received in the last eight years, largely attributable to multi-family development proposals.

FUTURE MEETINGS

Ms. Marion stated she had nothing to report.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion reported that the revised New Jersey Department of Environmental Protection (DEP) Wastewater Management Rules will be adopted in June or July. She reported that Ms. Michelin is working with the DEP to address how proposed rule changes will impact the development of the remaining Morris County Wastewater Management Plans.

Watershed Activities - Ms. Marion informed the Board that the Rockaway River Watershed Cabinet met on March 16th at the Rockaway Regional Sewerage Authority where a tour of the plant was conducted. She stated that there was a discussion on the yearly macro-invertebrate study which provides information on water quality within the streams and the river. Ms. Marion stated that the Cabinet is considering whether the study should be conducted every year or every other year and that they will be asking their new consultant to address this matter.

Ms. Marion stated that, as secretary of the Rockaway River Watershed Cabinet, she will be helping them to set up a website to enable the organization to share information.

Land Subdivision and Zoning

Developments Reviewed – Mr. Jones reported on the March 17, 2016 Land Development Review Committee meeting. Mr. Jones noted there were twelve applications reviewed and that most were subject to conditional approval. He noted that one of the more significant applications was 700 Mountain Way Associates in Parsippany that involves a subdivision and site plan for the development of a 98 unit multi-family residential project with townhomes and apartments on 13.16 acres. The Committee was concerned with site access, the maintenance of a county culvert and stormwater management, requiring further review. He stated that the Committee voted to withhold approval of the application.

Mr. Jones next reported on the application for Del Web at Florham Park, which is a 425-unit residential subdivision that is part of the Green at Florham Park. The project will consist of single family homes, townhomes and multifamily units and is part of a larger redevelopment plan first presented to Florham Park about ten years ago. Mr. Jones stated that this particular application has not yet come before the Florham Park Planning Board and, as a municipal official with Florham Park, he asked Mr. Bush whether his participation in review of this application may present a conflict of interest. Mr. Bush informed Mr. Jones that he will have to recuse himself from participation on this application, but he can report to the Board on behalf of the Committee.

Ms. Olcott made the motion to approve the Report of Actions Taken on Development Plans for February 2016. The motion was seconded by Mr. Vitz and approved by roll call vote.

VOTE	Aye	Nay	Abs.
Kathryn A. DeFillippo, Freeholder Dir.	-		
Ted Eppel, Secretary	x		
Stephen Jones			x
Christine Meyers, Freeholder	-		
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	x		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	-		
Anthony Abrantes,(alt. 2)	x		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Legislative and Municipal

Recent Legislation – Mr. Soriano stated that there were about fifty new bills introduced and that almost all were reintroductions of bills that did not become laws in the previous legislative session. He noted several bills: 1) Assembly Bill A3032, which would authorize subdivision of certain preserved farms into smaller preserved farms under certain circumstances; 2) Assembly Bill A3372, which would establish a Main Street Assistance Program to encourage business development in small municipalities; 3) Senate Bill S1376, which would change the membership of Lake Hopatcong Commission; and 4) Assembly Bill A1219, which would allow for certain variances, exemptions and waivers under "Highlands Water Protection and Planning Act." He also informed the Board of Senate Concurrent Resolution SCR66, which would prohibit adoption of DEP's proposed revisions to its Flood Hazard Area Control Act Rules, Coastal Zone Management Rules and Stormwater Management Rules. He noted that, in response to SCR66, the DEP has withdrawn its proposed revisions for further review and amendment.

Chairman Rattner asked Mr. Soriano to monitor future legislation that may concern contaminated water issues. Ms. Olcott asked Mr. Soriano to provide more information regarding Senate Bill 1370 concerning the Highlands Act and Mr. Soriano said he would send her additional information. Ms. Olcott asked Mr. Scott about Senate Bill S1779, which requires electric distribution lines in areas affected by severe weather or natural disasters to be located underground. Mr. Scott identified issues associated with the bill.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano stated that eleven master plan amendments were received since the last meeting, all Housing Element and Fair Share Plans prepared in response to the New Jersey Supreme Court 2015 decision. He stated that these amendments were received from the townships of Washington, Parsippany Troy-Hills, Boonton, Montville, Mount Olive, Hanover and Mendham, the boroughs of Florham Park, Netcong and Mendham, the Town of Boonton and Morristown. Mr. Soriano stated that the biggest issue for the municipalities is determining their affordable housing obligations. He stated that Mr. Sitlick will discuss these obligations and other Mount Laurel issues later in the meeting.

Mr. Sitlick reported that there were five ordinances introduced and five ordinance adopted for a total of ten ordinances processed for the month of February 2016. He noted an ordinance from Boonton Township that would permit multi-family age-restricted housing as a conditional use in the Retail Business Zone.

Long Range Planning

Morris County Circulation Element - Ms. Olcott reported that work is being conducted on the final draft of the Circulation Plan Element and asked Mr. Soriano to give an update. Mr. Soriano stated that the draft originally reviewed by the Long Range Committee was sent back to the consultant to be revised and was returned with amendments last week. He stated that the writing was slightly improved but much of the requested content was missing and other issues were not properly addressed. Mr. Soriano informed the Board that the North Jersey Transportation Planning Authority (NJTPA) will continue to provide the funding for the project provided they receive a draft plan by June 2016. However, due to problems with the consultant, the NJTPA will no longer require this draft to be the final public hearing copy, thereby giving staff the opportunity for further revisions as necessary. Mr. Soriano stated that Transportation and Long Range staff will continue to request needed revisions and that Transportation staff will work with the consultant to resolve outstanding issues.

LIAISON REPORTS

Lake Hopatcong Commission

Ms. Marion stated that the Lake Hopatcong Commission has not met this year and that they are scheduled to meet on March 21, 2016. She stated that the Commission is looking for a volunteer to transcribe the meeting minutes.

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Chairman Rattner stated that the hand weed pull for the water chestnut is scheduled for July 16, 2016. He stated the Council will be issuing a larger press release due to recent decrease in volunteers. He reported that the Council will continue to explore options for reducing weed growth in the Lake.

Morris County Open Space Trust Fund

Ms. Murray stated there was no report.

Correspondence and Reports Received

Ms. Marion stated that she received correspondence to the Board of Chosen Freeholders concerning an approved amendment to the Morris County District Solid Waste Management Plan. She stated that the amendment concerned the contract for the operation of the two Morris County solid waste transfer stations located in Parsippany-Troy Hills and Mount Olive Townships.

Report of Meetings

Ms. Marion had nothing to report.

Other Business

Affordable Housing Activity Update – Mr. Sitlick summarized the recent move of affordable housing jurisdiction from the Council on Affordable Housing (COAH) to the trial courts in response to the NJ Supreme Court decision of March 2015. He reported that 31 Morris County towns filed to participate in the court process and 30 were granted temporary immunity from builders remedy law suits. Mr. Sitlick stated the trial court set an initial deadline of October 2015 to submit obligation reports, which was to be followed by the January 2016 submission of Third Round Plans. He reported that this deadline was extended to April 2016 for many towns due the illness of Dr. Burchell of Rutgers, who was preparing obligation reports for most of Morris County's participating communities. He stated that a new consultant, Econsult, was hired to replace Dr. Burchell. Econsult prepared new affordable housing obligation figures, which many municipalities are using as the basis for their Housing Element and Fair Share Plans.

Mr. Sitlick reported that the Econsult analysis identified a prospective need of 4,109 units in Morris County, a figure far lower than the 20,124 units identified by the non-profit Fair Share Housing Center (FSHC) in its analysis of affordable housing obligations. He reported that 17 Morris County towns have submitted new Third Round Plans so far, and others are expected before the April deadline. Mr. Sitlick informed the Board that developers and the FSHC are filing challenges to the municipal obligation reports and the Third Round Plans developed on the basis of those reports.

LEGAL UPDATE

There was no legal update.

COMMENTS FROM THE PUBLIC

Mr. Perry informed the Board that Morris County has finalized the Wetlands Mitigation for the County Jail site by restoring the wetlands at the former Pigeon Hill swim club site located on Route 53 near Route 10 in Parsippany.

NEXT MEETING

The next meeting is scheduled for April 21, 2016.

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 Marion, P.P./AICP
Planning Director

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