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Melissa Velez-Morales

From: Masser, Michelle
Sent: Friday, June 17, 2016 10:54 AM
To: Harris, Laura
Cc: Natafalusy, Catherine; Melissa Velez-Morales
Subject: FW: MCPB Minutes
Attachments: 20160617104449033.pdf

Correspondence

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From: Axelrod, Rene [mailto:raxelrod@co.morris.nj.us]
Sent: Friday, June 17, 2016 10:52 AM
Cc: Marion, Christine <cmarion@co.morris.nj.us>
Subject: MCPB Minutes

Good Morning:

Attached please find the minutes of the April 21, 2016 Morris County Planning Board 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 — Morristown
April 21, 2016 — New Jersey

Chairman Rattner called the Regular Meeting to order at 7:04 p.m.

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

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.

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
Christine Meyers, Freeholder	Joseph Barilla, Principal Planner
Christopher Vitz, County Engineer	Barbara Murray, Principal Planner
Nita Galate, Alt.1	Rene Axelrod, Recording Secretary

REVIEW OF MINUTES

Ms. Olcott moved approval of the minutes of the March 17, 2016 meeting. The motion was seconded by Mr. Eppel and was approved by roll call vote.

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

DIRECTOR'S REPORT

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

Ms. Marion informed the Board of the many Housing Element and Fair Share Plans being received by the County and of the pending adoption of the revised Wastewater Management Rules.

REPORT OF FUNDS RECEIVED

Funds received for March 2016 totaled $7,000.

FUTURE MEETINGS

Ms. Marion had nothing to report.

COMMITTEE REPORTS

Environment and Watershed

Wastewater Management Plan – Ms. Marion reported that she and Ms. Michelin attended a meeting at the Department of Environmental Protection (DEP) on the proposed Wastewater Management Plan rules. She stated that the DEP is attempting to respond to the many comments they received and that the adoption of the rules is scheduled for early summer. Ms. Marion reported that the DEP is trying to make it simpler for counties to submit their plans and that the DEP is developing templates to assist in determining what information is needed in the WMP chapters. She stated that the DEP is also going to provide additional grant funding in hopes of enticing those counties that have not participated in WMP development process to do so. She also stated that grants will also be made available to currently participating counties and that these grants will be provided on a tiered basis that will reflect the level of past county participation in the WMP development process.

Ms. Marion reported that the proposed DEP rules require the inclusion of septic management plans from all municipalities. She also stated that the DEP does not appear to understand that counties have no enforcement authority over municipalities concerning the implementation of such plans.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott reported on the April 21, 2016 Land Development Review Committee meeting. Ms. Olcott highlighted the following:

1. The Enclave at Mountain Lakes, Mountain Lakes - This application is for a 40-unit multi-family residential development on 7.7 acres, which includes six units of low and moderate income housing. The property had been considered for open space preservation but that local efforts to preserve the property were unsuccessful.

The site has steep slopes, wetlands and contains an unnamed tributary of Troy Brook along the western boundary of the parcel. Access will be from an extension of Sherwood Drive, which is also the main access for two existing single family housing developments. Ten feet high retaining walls will be necessary to provide access to the site. County Engineering will review for stormwater management and DEP approval is required for stream encroachment and a transitional area waiver. Ms. Olcott reported this application is conditionally approved.

2. Waterview Marketplace, Route 46, Parsippany –This application is a site plan for a 153,510 square foot retail center with 680 parking spaces on a 26.6 acre undeveloped wooded parcel within the Waterview Corporate Campus. The anchor store will be Whole Foods and that the back of the property has been dedicated by the developer to the town for open space. Access will be from Waterview Boulevard and Route 46 West and that County Engineering will review for drainage and stormwater management.

   Mr. Rattner questioned the amount of parking spaces proposed and suggested existing standards may be resulting in more parking than is needed.

3. TUT Renovations, Long Hill – This application concerns a site plan for a 450 square foot addition to an existing commercial property and expansion of the parking lot from 18 spaces to 24 spaces on a one acre property. County Engineering will review the plan to assess stormwater management.

Ms. Olcott made the motion to approve the Report of Actions Taken on Development Plans for March 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	-		
Christine Meyers, Freeholder			x
Isobel Olcott, Vice Chair	x		
Annabel Pierce	-		
Everton Scott	-		
Christopher Vitz, County Engineer	x		
Deborah Smith, Freeholder Alt.	-		
Nita Galate (alt. 1)	x		
Anthony Abrantes,(alt. 2)	-		
Roslyn Khurdan, (Eng. alt.)	-		
Steve Rattner, Chairman	x		

Legislative and Municipal

Recent Legislation – Mr. Soriano reported that Senate Bill S969, concerning the dedication of a portion of corporate business tax revenue for the purpose of environmental protection, open space and farmland protection, passed both the Assembly and the Senate. Mr. Soriano then reported on newly introduced Assembly Bill A3612 which would require all counties to have at least one

"inclusive" playground within their park system as a prerequisite to obtain future Green Acres funding for recreation and conservation purposes. Such playgrounds are designed to be wheelchair accessible and that the bill would allow Green Acres funding to be requested for the construction of such facilities. Mr. Soriano stated that he contacted the Park Commission with information on the bill. Ms. Marion stated that Morris County already has a wheelchair accessible playground and most likely the County is already complying with this requirement if the bill would be enacted.

Master Plan & Land Use Ordinance Monthly Report – Mr. Soriano reported that the County received one master plan amendment, a Housing Element and Fair Share Plan prepared in response to the 2015 New Jersey Supreme Court decision concerning affordable housing, from the Borough of Mountain Lakes.

Mr. Soriano stated that, at the last Planning Board meeting, the Board requested further information concerning Morris County affordable housing obligations. In response, Mr. Sitlick prepared a summary indicating the variety municipal obligations proposed. Mr. Soriano distributed a handout listing the obligation figures proposed by COAH, the Fair Share Housing Center, municipal consultant "Econsult" and the municipalities. He reported that none of the proposed obligation figures have as yet been approved by the Court and that updates will be provided to the Board concerning this ongoing issue.

Concerning municipal land use regulations, Mr. Soriano reported that there was one proposed ordinance, five adopted ordinances for a total of six ordinances processed for April 2016. The proposed ordinance was from Mine Hill Township concerning an amendment to its Land Use Regulation increasing the maximum permitted size of storage sheds.

Long Range Planning

Morris County Circulation Element – Mr. Soriano reported that the Morris County Division of Transportation & Engineering (MCDET) requested that the consultant rewrite portions of the latest version of the draft Morris County Circulation Plan Element. The MCDET decided that the Goals, Objectives and Recommendations sections provided by the consultant were not adequate and will require substantial revision by MCDET staff. He stated that MCDET intends to incorporate various recommendations found in the existing MCDOT Bulletins released between 2006 and 2009. Mr. Soriano stated that it will be another four to six weeks before a revised version is available for review by the Long Range Committee. Ms. Olcott thanked staff for their work on this project.

Highlands Annual Report 2015 - Mr. Soriano reported that the Highlands Council has released its 2015 Annual Report. The report addresses yearly activities, including various statistics and summaries concerning open space, progress in meeting planning goals, local planning grants, conformance, development rights and the use of TDR, which he noted has not yet been adopted by any conforming municipality. He provided the Board with a list of Morris County municipalities and their status regarding Highlands conformance.

LIAISON REPORTS

Lake Hopatcong Commission

Ms. Marion stated that the Lake Hopatcong Foundation provided a meeting summary of the March 16, 2016 meeting and she provided an overview. The Commission did not have a quorum and there are three vacant seats on the Commission. The Commission no longer has insurance due to lack of funds, although at least one member is covered by local municipal insurance.

The Commission is still running the weed harvesters and is looking for weed harvester employees. The weed harvester budget is $430,000 and the state will be providing $155,000. The DEP and the Lake Hopatcong Foundation are hoping to hold a dredging workshop. The refill of the lake started on March 1st and the Water Level Management Plan was discussed. The DEP said they would not make any changes to the Plan, but would continue to monitor and evaluate water levels. The Commission will be installing four filtration devices in Jefferson Township and starting work on a bathometric survey of the near-shore areas to help guide dredging discussion. The Commission is conducting a 2015 Water Quality Report and that meetings are once again being recorded thanks to a donation of a recorder. The next meeting is scheduled for April 18, 2016.

Lake Musconetcong Regional Planning Board/ Musconetcong River Management Council

Chairman Rattner reported that there is more algae in the lake due to the recent warm weather. He stated that the use of microbes to help clean the lake has increased lake depth by a foot. Lake Musconetcong is the largest lake to receive this treatment and that there has been substantial public interest in the process.

Morris County Open Space Trust Fund

Ms. Murray stated there was one closing in Washington Township; the Patriot's Path Coleman's Road Trailhead property totaling 10.3 acres.

Correspondence and Reports Received

Ms. Marion had nothing to report.

Report of Meetings

Mr. Soriano stated that he, Ms. Marion and Ms. Michelin attended a DEP informational meeting about the new Highlands Preservation Area Septic Density Rules to be published in the New Jersey Register on May 2, 2016. The proposed rule will change the amount of allowable septic systems per acre in the Highlands Preservation Area. He summarized the current septic density standards, which permit one septic per 88 acres of forested area and one septic per 25 acres in non-forested areas in the Highlands Preservation Area. He stated that the original standards were adopted in 2005 and were based in part on nitrate dilution data available from 52 wells. He said the DEP now has data on approximately 19,000 wells, which is providing nitrate background data not previously available. He reported that the NJDEP, using this new data, reexamined background nitrate levels and determined that a lower number of acres may be required per septic. He also reported that the DEP intends to abandon the "forested/non-forested" criteria and base the new nitrate metrics on

the Protection, Conservation and Existing Community zones identified in the Highlands Regional Master Plan. He reported that the number of new septic systems allowed would be amended to one per 23 acres in the Protection Zone, one per 12 acres in the Conservation Zone and one per 11 acres in the Existing Community Zone.

Mr. Soriano reported that, within the Highlands Preservation Area, there are approximately 70,000 acres that may be impacted by the proposed rule change and that a DEP review of existing parcels and Highlands Act exemptions concluded the rule change may add a maximum of 1,145 new septics in the entire Preservation Area, of which 206 would be added to Morris County. He noted that this represents only potential maximum additional development, since site specific environmental constraints are not included in the calculations; therefore, the number in Morris County and elsewhere would likely be lower. He noted that the new rule would result in a potential increase in allowable septics in only seven Morris County municipalities.

Mr. Soriano stated that the Highlands Council is in the process of considering amendments to the Highlands Regional Master Plan and he anticipates that this new information will be considered in this reexamination. Ms. Marion stated that some Morris County municipalities may be concerned about the changes to potential development as this may factor into future affordable housing obligations.

Ms. Marion informed the Board that she recently spoke at a Hunger Forum at Drew University. She reported that other participants included Jennifer Carpinteri of the Morris County Department of Human Services and representatives from the Inter-Faith Food Pantry, who organized the forum. Ms. Marion presented a demographic and economic development overview which focused on the characteristics of the population living earning below $50,000. She reported that around 40,000 households in Morris County have significant difficulties meeting their basic daily needs. Ms. Olcott asked how this relates to Morris County's low unemployment rate and Ms. Marion explained that the overall unemployment rate does not reflect concentrations of poverty within certain segments of the population associated with age, race and ethnicity, and that poverty conditions within these concentrations are not immediately evident when reviewing the overall unemployment rate.

Other Business

2015 Annual Development Activity Report – Mr. Barilla provided an overview of the 2015 Development Activity Report through a brief PowerPoint presentation. Mr. Barilla stated that this year's report cover features the Honeywell redevelopment project, located at its former corporate headquarters site at the intersection of Park Avenue and Columbia Road in Morris Township. He described the previous use of the site and the uses approved as part of the redevelopment project.

Reporting on overall development in Morris County, Mr. Barilla stated that there was a six percent increase in applications between 2014 and 2015. He presented residential growth statistics concerning the number of residential building lots, single family lots, townhomes and multi-family units approved during 2015. He reported that townhome and multi-family developments are providing the greatest residential growth, noting that millennials and baby boomers are the key demographic groups fueling this growth. Mr. Barilla stated that around 95% of these townhomes

and multi-family units are being marketed as luxury units with rents starting at around $1,800 and ranging up to $3,500 and more per month.

Concerning new nonresidential development, Mr. Barilla stated that the amount of new development has remained fairly constant since 2010 and he expects current trends to continue for the near future. He informed the Board that he is beginning to see more rehabilitation of older buildings, which are being reconstructed to meet the specifications for today's Class A office space standards, which is necessary to attract or retain businesses. He also reported that developers are including various amenities in these projects, such as walking trails, fitness clubs and restaurants in response to millennial expectations for live, work, play environments. Mr. Barilla reported that, due to the scarcity of vacant developable land, most new non-residential development is occurring on redevelopment sites or on existing nonresidential properties.

Mr. Rattner noted how the annual report ties into the report on Hunger in Morris County presented by Ms. Marion, stating that very little housing is being built that would be affordable to many families working full time but with jobs at the lower end of the pay scale. He asked Mr. Marion about SNAP (Supplemental Nutrition Assistance Program) and the income levels associated with this program. Mr. Rattner asked whether adjustments could be made to the program to better serve County residents and it was suggested that questions on this issue be directed to Ms. Carpinteri of Morris County Human Services.

The Board thanked Mr. Barilla for his presentation.

FEMA Preliminary Flood Insurance Rate Maps- Ms. Marion reported that FEMA distributed Preliminary Flood Insurance Rate Maps (pFIRM) and Flood Insurance Study (FIS) on February 26, 2016. She reported that community coordination meetings with municipal officials were held in March and that these focused on the process by which new maps could be appealed and amended. She credited Flood Mitigation Program Coordinator Jenifer McCullough with helping to coordinate these meetings between FEMA and municipal officials, for providing information on the county website summarizing the complex process, and for working with County GIS staff to create municipal maps illustrating the changes between the old and new FIRM maps, thereby saving municipalities the effort and expense in comparing the two map sets.

LEGAL UPDATE

There was no legal update.

COMMENTS FROM THE PUBLIC

None.

NEXT MEETING

The next meeting is scheduled for May 19, 2016.

ADJOURNMENT

At 8:25 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.