

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

30 Schuyler Place
May 16, 2024

Morristown
New Jersey

Meeting Held Via WebEx

Vice-Chair Olcott called the Regular Meeting to order at 6:02 p.m.

OPEN PUBLIC MEETINGS LAW

Vice-Chair Olcott stated that the Secretary of the Board provided public notice of this meeting in a legal notice in accordance with the Open Public Meetings Act and invited members to join in for the pledge of allegiance to the flag.

ROLL CALL

Those present were:

| | |
|-----------------------------|--|
| Isobel Olcott, Vice-Chair | Joseph Barilla, Director, Planning and Preservation |
| Everton Scott | Virginia Michelin, Assistant Director, Planning and Preservation |
| Mohamed Seyam | Staci L. Santucci, Esq., County Counsel |
| Gregory Johnsen | Anthony Soriano, Supervising Planner |
| Joseph Falco, Alternate #1 | Mike DiGiulio, Senior Planner |
| Mark Venis, Alternate #2 | Alyssa Ercan, Recording Secretary |
| Chris Vitz, County Engineer | |

STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS LAW

Ms. Ercan read the Statement Regarding Compliance with the Open Public Meetings Law.

REVIEW OF MINUTES

Mr. Scott moved the Planning Board Meeting Minutes of April 18, 2024. Mr. Vitz seconded the motion. The motion was approved by roll call vote.

ROLL CALL

| VOTE | Aye | Nay | Abstain |
|--|-----|-----|---------|
| Steve Rattner, Chairman | - | | |
| Stephen Shaw, Commissioner | - | | |
| Christine Myers, Commissioner Director | - | | |
| Thomas Mastrangelo, Commissioner Alt. | - | | |
| Isobel Olcott, Vice Chair | X | | |
| Nita Galate, Secretary | - | | |
| Everton Scott | X | | |
| Mohamed Seyam | X | | |
| Gregory Johnsen | X | | |
| Joseph Falco, Alt.1 | X | | |
| Mark Venis, Alt.2 | - | | X |
| Christopher Vitz, County Engineer | X | | |
| Roslyn Khurdan, (County Engineer Alt) | - | | |

DIRECTOR’S REPORT

The Director’s Report for April 2024 was reviewed and accepted by the Board and will be placed on file. Ms. Olcott asked Mr. Barilla when the Board will be receiving an update report on Census materials. Mr. Barilla responded that he will notify the Board and post information on the county website as soon as he is given a date.

REPORT OF FUNDS RECEIVED

Funds received for April 2024 were \$2,770.

COMMITTEE REPORTS

Environmental and Watershed

County Wastewater Management Plan – Mr. Barilla reported that activity on the Mount Arlington Chapter of the Wastewater Management Plan has resumed, and staff have begun making revisions.

County Watershed Activities – Mr. Barilla reported that none of the twelve potential construction projects the Army Corp of Engineers were proposing to alleviate flooding in the Whippany River basin passed their cost-benefit analysis. The Corp will now shift to a basin-wide stormwater management study. Mr. Scott asked Mr. Barilla if there were specific areas of the Whippany River basin that were of concern to the County. Mr. Barilla responded that there was not a specific concern but instead the Corp was provided with design data for bridges and damage reports from the Morris County Office of Emergency Management. It is the task of the municipalities to key in on problem areas within their boundaries.

Land Subdivision and Zoning

Developments Reviewed – Ms. Olcott highlighted the following item from the Land Development Review Committee meeting held on May 15, 2024.

Morris Township, Hanover Estates, 2024-22-1-SP-0 (CR 650) This site plan concerns the construction of nine townhomes on 0.77 acres. The property is a former junkyard but is now vacant land. Access to the site will be from a new full-access driveway connection to East Hanover Avenue (CR 650). Mr. Vitz explained that due to the volume of traffic on East Hanover Avenue, left turns out of the property may be prohibited entirely, or possibly during peak traffic hours only. Mr. Scott asked Mr. Vitz if the same prohibition would apply for turning left into the property. He replied that left turns into the property are not a concern due to ample site distance and space.

Mr. Scott made a motion to approve the Report of Actions Taken on Development Plans for April 2024. Mr. Vitz seconded the motion, and it was approved by roll call vote.

ROLL CALL

| VOTE | Aye | Nay | Abstain |
|--|-----|-----|---------|
| Steve Rattner, Chairman | - | | |
| Stephen Shaw, Commissioner | - | | |
| Christine Myers, Commissioner Director | - | | |
| Thomas Mastrangelo, Commissioner Alt. | - | | |
| Isobel Olcott, Vice Chair | X | | |
| Nita Galate, Secretary | - | | |
| Everton Scott | X | | |
| Mohamed Seyam | X | | |
| Gregory Johnsen | X | | |
| Joseph Falco, Alt.1 | X | | |
| Mark Venis, Alt.2 | X | | |
| Christopher Vitz, County Engineer | X | | |
| Roslyn Khurdan, (County Engineer Alt) | - | | |

Legislative and Municipal

Recent Legislation- Mr. Soriano reported on Assembly Bill A3146, which would extend the special appraisal process for state funded acquisitions via Green Acres and farmland preservation programs in the Highlands Region for five years; from June 30, 2024 to June 30, 2029. Participants engaged in the special appraisal process are required to conduct two appraisals of lands proposed for acquisition, one for the value before the Highlands Act and the other based on the value as of January 1, 2004. The higher of the two values is used as the basis of negotiation with the landowner when determining the price. Mr. Soriano also reported on Senate Bill S3122 which would require a public community water system to sample and test the water supply on a quarterly basis for compliance with secondary drinking water regulations in accordance with NJDEP protocols. This Bill would require the public community water system to collect samples for testing from at least 10 percent of customer taps and require that the owner/operator of a public community water system submit quarterly and annual test results to the DEP, to the governing body of each municipality within its service area, and to customers of the system.

Master Plan & Land Use Ordinance Monthly Reports – Mr. Soriano reported that an Open Space and Recreation Plan (Plan) was received from Hanover Township. The Plan focuses on protection and stewardship of recreational and natural areas with a goal of continuing to acquire new open space, integrate trails and greenways, and protect wetlands and water resources. The Plan describes open space funds received from Morris County and the intention to meet with the Morris County Park Commission to discuss expansion and maintenance of Patriots Path.

Mr. Soriano reported on the April Land Use Ordinance Monthly Report, stating that the Office of Planning and Preservation received five proposed and seven adopted ordinances. He highlighted an ordinance from Hanover Township concerning “Warehouse/Logistics Use or Development” which defines small, medium, and large warehouses, adds requirements related to warehouses, and defines in what zones certain warehouses may be located. Mr. Soriano also noted that Pequannock Township is proposing to allow the manufacturing of cannabis products as a conditional use in their AG-1 Agricultural District, where the cultivation of cannabis is already a conditional use.

Long Range Planning

Open Space Plan Update – Mr. Soriano reported that the Long Range Committee provided comments which were incorporated into the draft sections of the Open Space Plan. That draft Plan was then provided to the Open Space Trust Fund Committee, the Flood Mitigation Committee, the Morris County Park Commission, and the MCMUA on May 6th. It was asked that comments be provided by the 22nd, which will be brought to the Long Range Committee for their evaluation.

Highlands Warehouse Standards – Mr. Soriano reported on a April 5, 2024 amendment to the Highlands Regional Master Plan incorporating special warehouse standards for the Highlands Region. He explained that the principal difference between previously adopted State Planning Commission warehouse guidelines and the Highlands Council warehouse standards is that the Highlands standards have site specific regulatory impacts throughout the region. The Highlands warehouse standards define warehouse “no-go” areas as locations where they will not approve any warehouse use, i.e., the Preservation Area, and the Protection and Conservation zones in conforming Planning Areas. The standards also identify areas where warehouses may be considered, provided a rigorous screening process is completed addressing certain environmental, infrastructure, site development standards and transportation studies. These areas include Highlands Centers, Highlands Redevelopment Areas and Existing Community Zones. Mr. Soriano then presented maps illustrating these preliminary locations. Mr. Scott asked Mr. Soriano what the hierarchy is when it comes to municipal zoning, the Highlands Council, and the State Planning Commission. Mr. Soriano responded that municipalities determine whether or not to permit warehousing by size and location, which is reflected in their local zoning. The Highlands Council standards provide an additional level of regulatory restrictions that would take precedence over local zoning in the Preservation Area and in conforming municipalities as pertains to the potential location of warehousing. The State Planning Commission guidelines are incorporated into the Highlands standards.

LIASION REPORTS

Lake Hopatcong Commission

Mr. Barilla reported that the aeration project is on hold until property can be selected to house the equipment that is necessary for the system to function. He also notified the Board that all previous minutes have been submitted and shared with them via OneDrive.

Lake Musconetcong Regional Planning Board / Musconetcong River Management Council and Musconetcong Watershed Association

Ms. Olcott reported that Mr. Rattner was not in attendance so his report will be given at the next meeting.

Morris County Open Space Trust Fund

Mr. Scott had nothing to report.

Trail Construction Trust Fund Committee

Ms. Olcott reported that the Grant Application Workshop was held on May 14th with 26 participants. A recording of the presentation can be found on the Trail Construction Grant Program website. Ms. Olcott added that, to date, the program has developed 26.3 miles of trails, reviewed 54 grants, and given out \$4,684,619 to trail development.

CORRESPONDENCE AND REPORTS RECEIVED

Mr. Barilla had nothing further to report.

REPORT OF MEETINGS

Mr. Barilla had nothing further to report.

OTHER BUSINESS

Mr. Barilla reported that the State Plan was supposed to be released at the beginning of May but it was not. Now the new deadline is apparently before the end of May, but he will keep the Board updated as soon as the Plan is released.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

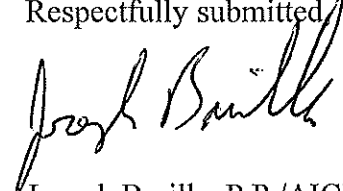
NEXT MEETING

The next meeting will be on June 20, 2024.

ADJOURNMENT

At 6:39 pm, Mr. Vitz moved to adjourn the meeting. All approved by voice vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph Barilla". The signature is written in a cursive style with a large initial "J".

Joseph Barilla, P.P./AICP
Planning Director

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