

**MINUTES OF THE MAY 21, 2019
MEETING OF THE SOMERSET COUNTY PLANNING BOARD
HELD AT 4:45PM
FREEHOLDERS MEETING ROOM
COUNTY ADMINISTRATION BUILDING**

Following the Pledge of Allegiance, the May 21, 2019 meeting of the Somerset County Planning Board convened at 4:45pm in the Freeholders Meeting Room. The meeting was held in compliance with the Open Public Meetings Act.

Pledge of Allegiance

Open Public Meetings Statement

The Roll was called and the following were in Attendance:

Bernie Navatto, Jr., Chairman
Christopher Kelly, Vice Chairman
Marian Fenwick, Member
Al Ellis, Member
John Schneider, Member
John Lindner, Member
William Ziegler, 2nd Alternate Member
Matthew Loper, Secretary/County Engineer

John Lore, Esq., Deputy County Counsel

Absent

Brian Gallagher, Freeholder Liaison
Dennis Quinlan, 2nd Alternate

Also Present:

Walter Lane, Director of Planning
Anthony McCracken, Assistant Director
Thomas D'Amico, Supervising Planner
Ken Wedeen, Supervising Transportation Planner
James Ruggieri, Principal Community Planner
Nora Fekete, Planner
Andras Holzmann, Senior Planner
Cynthia Mellusi, Office Manager

Approval of April 16, 2019 Regular Meeting Minutes

Chairman Navatto, Jr. asked for the motion to approve the minutes of April 16, 2019 Planning Board Meeting. The motion was made by John Lindner and seconded by John Schneider. A Voice Vote was called and the motion moved unanimously.

Approval of April 30, 2019 Special Meeting Minutes

Chairman Navatto, Jr. asked for the motion to approve the minutes of April 30, 2019 Special Meeting. The motion was made by Marian Fenwick and seconded by John Schneider.

DISCUSSION/ PRESENTATION ITEMS:

2018 Somerset County Planning Board Land Development Summary Report

Tom D'Amico, Supervising Planner, informed the Planning Board the information he will be presenting is from a PowerPoint presentation from the Planning Division's Land Development Access Data Base, most of which is from first time submission and final plats which are stamped and signed by the County Planning Division and recorded at the County Clerk.

ACTION ITEMS/ITEMS INFORMATION ITEMS:

Resolution Conceptually Approving an Access and Trail Easement Between Raritan Orlando Drive Associates, LLC and the County of Somerset to Provide Public Access Across Lots 3 and 4 in Block 116.02, Borough of Raritan

James Ruggieri, Principal Community Planner, reported to the Board, that the Raritan River Greenway is one of the major open space initiatives of the Somerset County Parks, Recreation and Open Space Master Plan, an element of the County Master Plan. The purpose of the Raritan River Greenway is to preserve and provide public access along the main stem of the Raritan River in Somerset County and to develop a linked network of trails that provide pedestrian and bicycle linkages between recreational uses, neighborhoods and commercial areas.

Over the past two decades, the County has been developing a paved bikeway within the Raritan River Greenway and has recently been focusing attention on the Orlando Drive corridor in Raritan Borough to connect existing portions of the aforementioned bikeway and to access Duke Farms across the Nevius Street Bridge. Raritan Orlando Drive Associates, L.L.C. is the owner of a property known as Block 116.02, Lot 3 and Lot 4, Borough of Raritan. In 2015 the owner made application to the County Planning Board to develop the property into a mixed-use project consisting of forty apartments and 2,000 square feet of retail space and on-site parking. The property consists of 2.06 acres located adjacent to the Duke Estate Pump house.

The County determined that it would be desirable to obtain, as part of the Raritan River Greenway, an access and trail easement from the owner to provide public access in, on and over a portion of the Property for use by members of the general public free of charge. The owner has acknowledged the importance of the subject property in relation to the access and trail easement and has depicted the access and trail easement on the site plans for said project. The owner will construct and maintain an 8-foot wide bike path using porous paver material; the bike path will be located behind the apartments. In addition, the applicant also agreed early in the process to resurface the existing county-owned parking area which will provide better access to the proposed path.

The applicant has satisfactorily addressed all County Planning Board requirements including the County's requirements pertaining to the access and trail easement. The owner has signed the easement agreement. James Ruggieri requested the Board to conceptually approve the agreement and send it to the Freeholders for execution.

Chairman Navatto, Jr., asked for a motion to approve the resolution Conceptually approving An Access and Trail Easement Agreement Between Raritan Orlando Drive Associates LLC and the County of Somerset to Provide Public Access Across Lots 3 & 4 in Block 116.02 Borough of Raritan. The motion was made by Chris Kelly and seconded by John Lindner. The Roll was called and the motion passed unanimously.

Resolution Conceptually Approving a Development Agreement Between Tuladhar Education Services, Inc and the County of Somerset County

Nora Fekete, Planner, reported that Tuladhar Educational Services has submitted an application for a 8,925 square foot school (and other related improvements) located on Georgetown-Franklin Turnpike (CR #518) in Montgomery Township. The project is located within the 518 Corridor Improvement Area which location triggers a pro rata monetary contribution obligation for improvements in this project area.

In connection with the traffic improvements along County Route 518, the applicant shall submit a performance guarantee in the amount of \$73,219 along with a 4% non-refundable inspection fee of \$2,929. A development agreement has been drafted formalizing the assessment and has been signed by the applicant. Nora Fekete requested the Board to conceptually approve the agreement and send it to the Freeholders for execution.

Chairman Navatto, Jr. asked for a motion to approve the Resolution approving a development agreement between Tuladhar Education Services Inc and the County of Somerset County. The motion was made by Chris Kelly and seconded by Marian Fenwick. The Roll was called and the motion passed unanimously.

May 2019 Land Development Report and Approval of the April 2019 First Time Submissions

Thomas D'Amico, Supervising Planner, referred to the report in the Planning Board Packets. The Committee acted upon all first time submissions for the month of February as follows:

The May 15, 2019 meeting of the County Planning Board Land Development Committee was held in the Engineering Conference Room, County Administration Building in Somerville. The Committee reviewed a number of projects as well as the first time submissions for the month of April.

Goddard School, Warren

Nora Fekete reported that Tuladhar Educational Services has submitted an application for a 8,925 square foot school (and other related improvements) located on Georgetown-Franklin Turnpike (CR #518) in Montgomery Township. The project is located within the 518 Corridor

Improvement Area which location triggers a pro rata monetary contribution obligation for improvements in this project area.

It has been determined that in lieu of a cash contribution to satisfy the developer's obligation to the 518 Corridor Improvement Plan, the developer shall install curbing along Georgetown-Franklin Turnpike approximately 700 feet west of the subject site. In connection with the traffic improvements along County Route 518, the applicant shall submit a performance guarantee in the amount of \$73,219 along with a 4% non-refundable inspection fee of \$2,929.

A development agreement has been drafted formalizing the assessment and has been signed by the applicant. County Planning Board Counsel has reviewed and approved the agreement. The Committee recommended that the full County Planning Board conceptually approve the agreement and transmit it to the Board of Chosen Freeholders for their action.

Somerset Station Urban Renewal, Somerville

James Ruggeri stated that in March 2018 applicant Somerset Station Urban Renewal, LLC submitted a transit-oriented development application involving a major subdivision and site plan proposing 371 apartments, 156 townhouses, 4,000 square feet of commercial space, a 2,600 square foot "assembly area" and two parking garages. The project is located where the existing commuter parking lot is located adjacent to the Somerville train station off South Bridge Street. The Somerville Planning Board is requiring that an access road be extended to Route 206 to provide a second access driveway.

In April 2018 the County issued its review report deeming the application "incomplete" and outlining the information needed and the requirements pertaining to the subdivision and site plan aspects of the application. On April 24, 2019 the applicant submitted a letter requesting if the County would allow the applicant to bifurcate the site plan aspect of the application from the subdivision so that the applicant can proceed towards obtaining site plan approval independent of addressing the requirements pertaining to the subdivision.

The subdivision will ultimately be perfected by filing a plat but that will be done at a later time while the applicant works with NJ Transit (the owner of the lands in question) to resolve certain administrative aspects involving the subdivision. Since such a request is beyond the purview of the County's professional staff, the applicant's request to bifurcate the site plan from the subdivision aspect of the application has been brought to the Land Development Committee to decide. The applicant who was present at the meeting noted the subdivision does not have the urgency like the site plan has and that they are striving to get site plan approval to meet an impending deadline with NJ Transit and so they can begin construction as soon as possible. The applicant's attorney, Michael Bruno, confirmed the subdivision will be perfected by filed plat. John Lore noted the decision before the County Land Development Committee is procedural not substantive.

The Land Development Committee recommends that the request to bifurcate the project be approved. Bernard Navatto Jr. did not participate in any discussion or take any action on the aforesaid project.

Raritan River Apartments Access and Trail Easement Agreement, Raritan

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Raritan Orlando Drive Associates, L.L.C. is the owner of a property known as Block 116.02, Lot 3 and Lot 4, Borough of Raritan. In 2015 the owner made application to the County Planning Board to develop the property into a mixed-use project consisting of forty apartments and 2,000 square feet of retail space and on-site parking. The property consists of 2.06 acres located adjacent to Duke Estate Pump house.

The County determined that it would be desirable to obtain, as part of the Raritan River Greenway, an access and trail easement from the owner to provide public access in, on and over a portion of the Property for use by members of the general public free of charge. The owner has acknowledged the importance of the subject property in relation to the access and trail easement and has depicted the access and trail easement on the site plans for said project. The owner will construct and maintain an 8-foot wide bike path using porous paver material; the bike path will be located behind the apartments. In addition, the applicant also agreed early in the process to resurface the existing county owned parking area which will provide better access to the proposed path.

The applicant has satisfactorily addressed all County Planning Board requirements including the County's requirements pertaining to the access and trail easement. An easement agreement has been prepared for the access and trail easement which Deputy County Counsel has reviewed and found to be in acceptable form. The owner has signed the easement agreement. The Committee recommended that the full County Planning Board conceptually approve the agreement and transmit it to the Board of Chosen Freeholders for their action.

Chase Partners Concept Plan, Warren

Tom D'Amico presented the Chase Partners concept plan project which is located on the east side of King George Road (County Route 651) just south of the I-78-King George Road interchange. The proposed project includes 335 residential units, a 130 room four-story hotel and an 8,000 square foot restaurant. Included in this total are 115 townhomes and 220 apartment units. Eight units are proposed to be affordable. Issues include the proposed access to the County road, frontage requirements and County Bridge K1005 which is located on Mountain Avenue.

Janssen Pharmaceuticals Inc., Raritan

James Ruggieri presented the following informational item. This proposed Janssen Pharmaceutical project is located in Raritan Borough on the northerly side of U.S. Route 202. The project will add a 5,800 square foot addition to an existing building ("Building 1000- L") for R&D use and demolishing a separate 76,225 square foot building ("Building 1000-A") also used for R&D resulting in an overall net decrease of R&D space by 70,425 square feet and reducing existing impervious surface from 2.3 to 0.07 acres. The project also involves replacing the existing roofs over Buildings 1000-B, 1000-C and 1000-F designed for rooftop detention with new standard roofs that will not detain rooftop runoff.

The Learning Experience, Raritan

James presented the final informational item which is a proposed 10,000 square foot child care center known as the Learning Experience located in Raritan Borough on the U.S. Route 202 off ramp and Frelinghuysen Avenue (CR 644) adjacent to recently constructed QuickChek. All vehicular access is to the U.S. Route 202 ramp with no access to Frelinghuysen Ave. There will be some pedestrian-access work within County right-of-way. This was site of former Ivory Tower motel and 3 restaurants which were demolished in late 2017 for the QuickChek convenience store and gasoline pumps

First Time Submissions

The Committee reviewed all first time submissions for the month of April 2019. During the month, the County Planning Board reviewed a total of 33 submissions. There were seven new lots proposed and no new lots created. Of the site plans proposed during the month there was 38,274 square feet of non-residential building space proposed and 565 multi-family units proposed. There was \$21,897 in improvement value paid and there was \$8,965 in development review fees paid to the County Planning Board. Bernard V. Navatto, Jr did not participate in any discussion or take any action on the 54 Fairview Avenue site plan in Somerville.

Chairman Navatto, Jr. asked for a motion to approve the April 2019 Land Development Report. The motion was made by Al Ellis and seconded by Chris Kelly. The Roll was called and the motion passed unanimously.

Preservation Plan Update

Tom D'Amico, Supervising Planner, stated that the County is undertaking an update of the County Parks, Recreation and Open Space Master Plan, the Comprehensive Farmland Preservation Plan and the development of a new Historic Preservation Plan.

The County has contracted with Preservation Strategies to coordinate the report along with New Jersey Conservation Foundation to develop the Open Space plan, Land Stewardship Solutions to develop the Farmland Preservation Plan and Barton Ross and Partners to develop the Historic Preservation Plan. The GIS mapping is being handled by Washington College with assistance from the Planning Division's GIS section.

Mr. D'Amico stated that the consultants continue to make progress from our last meeting. The county has received the revised Open Space Goals and Objectives chapter and two revised Historic Preservation Plan chapter - Historic Preservation Issues and the Historic Resources chapter. Most significantly we have received eight revised chapters for the Farmland Preservation Plan. Staff also had a conference call with Elizabeth Watson on May 14th and have scheduled the next Steering Committee meeting for June 6th. The next public hearing is June 26th at 7:00 p.m. Staff has coordinated this project with the ongoing Walk, Bike, Hike Somerset County Connecting Vibrant Communities Plan and the recently completed County Hazard Mitigation Plan.

2020 Census Update

Ken Wedeen, Supervising Transportation Planner, provided the Board with an update on recent Somerset County Census 2020 activities. The Board of Chosen Freeholders adopted a resolution establishing Somerset County Complete Count Committee at the end of April 2019. County staff and the Public Information Office developed a press release announcing the launch of complete count committee. On May 17th County staff met with representative from United Way to discuss their involvement in jointly working with the county to reach hard to count communities, working with faith based and community trusted voices. The Planning Division invited the US Census Bureau Partnership specialists to speak at the May 22nd Planning Partners Forum about Census 2020 and the importance of establishing municipal and county complete count committees to encourage residents to complete the 2020 census form. County staff drafted invitations to municipalities and stakeholders to request their participation in the Somerset County Complete Count Committee. The County developed draft work program and will be developing a tool kit. County working to submit PSAP geography program census tract changes to Census Bureau by June 14th.

Walk, Bike, Hike Somerset County Study Update

Somerset County staff is reviewing the draft Walk, Bike, Hike Somerset County Connecting Vibrant Communities draft final report and draft Design Pattern Book. County staff also submitted a draft version of the final report to its funding agency the NJTPA to review. The report must be finalized by June 30th and the submitted to the NJTPA in early July 2019.

Director Lane commended Ken Wedeen and Andras Holzmann for their excellent work on this planning initiative.

Overview of Federally Designated Opportunity Zones in Somerset County

Director of Planning Walter Lane gave a brief overview of the Federal Opportunity Zone Program. The Opportunity Zone program was created by legislation related to new Federal Tax Code and allows the investment of capital gains to be invested in projects or programs in designated opportunity zones and if the funds are kept in these projects or programs for a set amount of time, the investments pay little or no capital gains tax on the investment.

The State had designated 169 opportunity zones throughout the state and there is at least one opportunity zone in each county. There are three opportunity zones in Somerset County, two in Bound Brook and one in North Plainfield. The County did not have a role in this process.

Director Lane report that he and John Maddocks have been monitoring this program since its inception to identify ways the County can assist our towns to benefit from this program. He noted that this program would help advance the goals of the County Investment Framework. Director Lane reported that he facilitated a meeting with North Plainfield, Bound Brook, the NJ Economic Development Authority, NJ Redevelopment Authority and the NJ Department of Community Affairs to discuss how these state agencies could assist these municipalities. Representatives from the State Agencies stated at this meeting Somerset County was the first County to reach out to their agencies in an effort to assist their municipalities. Director Lane stated this was another example of how Somerset County is a planning leader in the State.

Wastewater Management Plan Update

Director of Planning Walter Lane reported that progress is continuing to be made on the completion of the Wastewater Management Plan (WMP). A contract was awarded to Maser Consulting to assist with the GIS work for the WMP. Data development is on-going. He reported a meeting with the NJ Department of Environmental Protection (NJDEP) to discuss the WMP is scheduled for May 23rd. NJDEP has not provided an update on the status of the review of the Montgomery/Rocky Hill WMP Chapter and will be one of the agenda items for the May 23rd meeting. Director Lane also reported work is continuing on the revising a draft set of procedures related to sewer service transfers.

State Plan Update

Director Lane reported on a recent meeting with Vin White from the Governor's Office. He briefed Mr. White on the County's various planning efforts as well as the County's long standing support for regional planning and the State Development and Redevelopment Plan (SDRP) and how the SDRP has been implemented at the County and local level. The County Investment Framework and the Supporting Priority Investment Framework were discussed in detail. Mr. White stated he was impressed with Somerset County's planning efforts and that the County is a model for the rest of NJ. Mr. White recommended that supporters submit letters urging that all vacancies on the State Planning Commission be filled, and that more resources be allocated to the Office for Planning Advocacy (OPA). Director Lane asked for the Board's concurrence to send a letter urging that all vacancies on the State Planning Commission be filled, and that more resources be allocated to the Office for Planning Advocacy (OPA). The Board approved the submission of the letter.

Director of Planning Walter Lane reported that he attended the State Planning Commission (SPC) Meeting on May 15th to provide testimony in support of an amendment to extend center designations and plan endorsements set to expire before December 31, 2019 until June 30, 2020. He reported the Somerset County Planning Board was among the four entities that submitted a letter concerning the extension of Designated Centers. Several of the letters were not supportive of extending center designations. He noted that he spoke in support of extending center designations at the SPC meeting on behalf of both Somerset County and the NJ County Planners Association. The changes to State Planning Rules were acted upon favorably by the SPC at this meeting.

Director Lane reported that he had sent a letter to all of the Somerset County municipalities who had potentially expiring center designations and plan endorsements offering the County's assistance to continue their center designations. He stated that most municipalities are interested in continuing to being designated centers and moving towards achieving plan endorsement. Mr. Lane described the multiple County initiatives that municipalities have been engaged in that advance the State Plan's smart growth principles for which they should be credited. During initial conversations with the Office of Planning Advocacy, they were receptive to this concept.

Public Comments

Chairman Navatto opened the meeting to the public. There being no comments, the meeting was closed to the public.

Committee Reports


The Committee Reports were included in the meeting packet. Chairman Navatto reported there will be a Planning Partners Forum Meeting on May 22nd. Director Lane stated the Planning Awards Ceremony was very successful and he continues to receive compliments about the event. He thanked Tom D'Amico and Cindy Mellusi for all their work to make the event a success.

Next Meeting Date: June 18, 2019 @4:45pm

Adjournment:

There being no further business before the Board, Chairman Navatto, Jr., asked for a motion to Adjourn. The motion was made by Chris Kelly and seconded by John Schneider. A Voice Vote was called and the motion moved unanimously.

Respectfully submitted,



Matthew D. Loper, Secretary