

**MINUTES OF THE MARCH 16, 2021 MEETING OF THE SOMERSET COUNTY PLANNING BOARD
HELD AT 4:45 P.M.
ZOOM VIRTUAL MEETING**

Call to Order

The March 16, 2021 meeting of the Somerset County Planning Board convened at 4:45 p.m. This meeting was held as a virtual meeting.

Pledge of Allegiance

Open Public Meetings Statement

Chairman Navatto, Jr. reported the meeting had been duly advertised in accordance with Open Public Meetings Act as follows:

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*, and the Emergency Remote Meeting Protocol for Local Public Bodies N.J.A.C. 5:39-1.1 through 1.7, adequate notice of this meeting has been provided. The date, time and virtual meeting information for this meeting was published in *The Star-Ledger* and the *Courier News*. The agenda and the virtual meeting information was also posted on the County Planning Board website.

The Roll was called, and the following were in Attendance:

Bernard V. Navatto, Jr., Chairman
Al Ellis, Member
Erika Inocencio, Member
Matthew Loper, Secretary/County Engineer
Commissioner Paul Drake
Sami Shaban, 1st Alternate
Ashok Rakhit, 2nd Alternate

Sami Shaban, 1st Alternate voted in place of Chris Kelly, who was absent.
Ashok Rakhit, 2nd Alternate voted in place of John Lindner, who was absent.

Marina Stinely, Esq. covering for Joseph DeMarco, Esq., Deputy County Counsel

Absent

Chris Kelly, Vice-Chair
John Lindner, Member
Jeffrey A. Wright, Sr., Member
Commissioner Director Robinson

Also Present from Staff:

Walter Lane, Director of Planning
Anthony McCracken, Assistant Director
Thomas D'Amico, Supervising Planner
Laurette Kratina, Chief of Strategic Planning
Ken Wedeen, Supervising Transportation Planner
Adam Bradford, Senior Transportation Planner

James Ruggieri, Principal Community Planner
Nora Fekete, Planner
Christina Tricarico, Planner-GIS
Kate Katzer, Principal Planner
Cynthia Mellusi, Office Manager

Approval of February 16, 2021 Meeting Minutes

Chairman Navatto, Jr. asked for a motion to approve the minutes of February 16, 2021 Planning Board Meeting. The motion was made by Al Ellis and seconded by Sami Shaban. A Voice Vote was called, and the motion moved unanimously.

Discussion/Presentation Items

Amendment to the Somerset County Land Development Review Resolution, Chapter 8, Section V

Thomas D'Amico, Supervising Planner, presented the proposed recycling amendments, recommended by County Counsel, to Chapter 8, Section 5 of the *Somerset County Land Development Review Resolution*.

There are two proposed amendments to Chapter 8 Section V of the *Somerset County Land Development Review Resolution*. The first involves new single-family home developments. The current resolution requires a contribution of \$10.00 per dwelling unit for single-family detached residential use for recycling containers. These were the old recycling buckets. In order to more accurately reflect the costs of the new recycling totes, provided by the county, it is recommended that the fee be changed from \$10.00 to \$75.00 per dwelling unit.

The second amendment involves multi-family developments. There are currently no fees charged for required dumpsters provided by the County for multi-family developments. Therefore, it is recommended that the developer of a multi-family development make a cash contribution in the amount of \$2,000.00 per set of required dumpsters to reflect the costs to the county for these dumpsters. The Land Development Committee recommended that both of these amendments be endorsed by the County Planning Board and transmitted to the Board of County Commissioners for their approval.

Chairman Navatto asked for a motion to approve the Amendment to the Somerset County Land Development Review Resolution, Chapter 8, Section V. The motion was made by Matt Loper and seconded by Erika Inocencio. The Roll was called and the motion passed unanimously.

Planning Director's Report

Director of Planning Walter Lane provided an overview of work underway in the Planning Division. He briefed the Board on the following items:

- As part of the preparations for County Government Month, Commissioner Drake interviewed Director Lane for a short video that will feature the Planning Division and will highlight the wide range planning initiatives and projects the Division supports and advances. This video will showcase the great work done by the Board and staff.

- The first Planning Partners Forum of 2021 will be held on March 24th at 8:00 am. To date, over thirty people have registered to attend. The United Way will present their ALICE Report. Additional agenda topics include an update on our wastewater planning efforts and our partnership with RideWise to support the use of electric vehicles.
- Director Lane advised our municipalities of a grant opportunity from AARP. This grant will fund projects that are consistent with AARP's Livable Communities Initiative. He encouraged the municipalities to apply for these funds and leverage the County's Age Friendly Community designation. He noted several towns have expressed an interest to advance projects consistent with the Walk, Bike, Hike Study. Letters of support will be prepared for our municipalities that are applying for this grant funding.
- Progress continues to be made working with the Somerset County Business Partnership and the Regional Center Partnership of Somerset County to analyze the 2020 Economic Recovery Act regarding economic development incentives. A presentation will be made to the Regional Center Partnership of Somerset County at their regular meeting tomorrow night. Director Lane will request the Somerset County Business Partnership provide an update to our Board at the April meeting.
- The Greening Economy Task Force continues to meet and make progress.
- As part of the AT&T Land use Study, the consultant team and County Staff met with representatives of Met Life (owners of the site). The meeting was very productive. The input gathered at this meeting, along with the input of the Bedminster Township Land Use Board's Master Plan Sub-committee will help shape the draft recommendations for the AT&T site. This study will be completed by the end of this summer.

Action Items/Informational Items

March 2021 Land Development Report and Approval of the February 2021 First Time Submissions

Thomas D'Amico, Supervising Planner, referred to the report in the Planning Board Packet. At the March 10, 2021 meeting of the County Planning Board Land Development Committee the Committee reviewed a number of items as well as the first-time submissions for the month of February 2021. The meeting was held via Zoom.

40 Mountain Boulevard Waiver Request - Warren

Thomas D'Amico, Supervising Planner, stated that the developers wish to construct a 26-unit multi-family building on Mountain Boulevard just east of the Warren Township municipal complex. Eight (8) units of the development would be affordable. The County Planning Board, in its report of December 28, 2020 noted that the property in question is located in the Mountain Boulevard Corridor Study Area Transportation Improvement District. It also noted that this project had an obligation toward improvements in the district in the amount of \$24,648.

The applicants have requested a waiver from the above noted obligation due to the fact that there was a previous gasoline service station on the subject site (the site is currently vacant). However, it was noted from the Site History and Operation information provided by the applicant that the gasoline service station has not been in operation for over 30 years. The Committee requested, based on county engineering staff recommendations prior to making a decision on the waiver request that additional traffic generation information be provided for the auto repair business, which was the last use on the site.

Somerset County Land Development Review Resolution Recycling Fees Amendments

Thomas D'Amico presented the proposed recycling amendments, recommended by County Counsel, to Chapter 8, Section 5 of the *Somerset County Land Development Review Resolution*. The current resolution requires a contribution of \$10.00 per dwelling unit for single-family detached residential use for recycling containers. In order to more accurately reflect the costs of the new recycling totes provided by the county it is recommended that the fee be changed to \$75.00 per dwelling unit.

There are currently no fees charged for required dumpsters provided by the County for multi-family developments. It is recommended that the Land Development Review Resolution be amended to reflect the costs to the county of these dumpsters. Therefore, it is recommended that the developer of a multi-family development make a cash contribution in the amount of \$2,000.00 per set of required dumpsters. The Land Development Committee recommended that the above noted amendments be endorsed by the County Planning Board and transmitted to the Board of County Commissioners for their approval.

First Time Submissions

The Committee reviewed all first-time submissions for the month of February 2021. During the month, the County Planning Board reviewed a total of 19 submissions. There was one new lot proposed and three new lots created. Of the site plans proposed during the month there was 80,519 square feet of non-residential building space proposed as well as 256 multi-family units. There was \$1,570 in development review fees paid to the County Planning Board.

Chairman Navatto asked for a motion to approve the 2021 March Land Development Report and Approval of the February 2021 First Time Submissions. The motion was made by Al Ellis and seconded by Sami Shaban. The Roll was called and the motion passed unanimously.

Preservation Update

Thomas D'Amico, Supervising Planner, reported that the County is updating the County Parks, Recreation and Open Space Master Plan, the Comprehensive Farmland Preservation Plan and developing a new Historic Preservation Plan. The County has contracted with Preservation Strategies to coordinate the development of all the plans.

The County previously received drafts of the Open Space Master Plan, the Historic Preservation Master Plan and the Farmland Preservation Plan which have all been reviewed by the Steering Committee. Staff has reviewed the revised tourism and education chapters and introduction chapter and has sent comments on all three documents to the consultants. Staff has also completed some minor editing to the Historic Preservation Plan chapter along with some additional editing of the historic preservation maps. The County Planning Board's GIS section transmitted some additional farmland data to the consultants to complete the Farmland preservation maps.

We expect the Introduction, Tourism and Education chapters to be submitted shortly. Staff is completing its review of the Land Use Planning context. After their review and all recommended changes are made to the Plans they will be posted on the County website and distributed for public review. The Plans will be submitted to the County Planning Board for adoption as part of the County Master Plan.

We have coordinated this report with the County Walk, Bike, Hike Connecting Vibrant Communities Plan, the County Hazard Mitigation Plan and the County Investment Framework.

Municipal Stormwater Plans and Ordinances Review

Kate Katzer, Principal Planner, reported as of the March Planning Board meeting, the County had approved five (5) municipal Stormwater Ordinances, and is continuing to review newly received ordinances. Staff has returned comments back to four (4) additional municipalities and are hopeful to approve those ordinances soon. At this time, the County still has not received submissions from the remaining twelve (12) municipalities.

Somerset County Energy Council Update

Laurette Kratina, Chief of Strategic Planning, reported on the key projects the Energy Council will be working on in 2021, several of which are a continuation of work underway during the past few years. Their work on these initiatives is supported by the Board of Commissioners. Her presentation focused on the priority initiatives that that the Council is focusing its efforts on at the current time:

EMP Support Resolutions: At the request of the Board of Commissioners, a resolution that identifies ways the State Energy Master Plan is being implemented at the County Level is being drafted by the Energy Council for potential adoption in April in honor of Earth Day. A sample resolution template is also being developed for potential use by the County's municipalities that encourages them to identify steps they can take at the local level to improve energy efficiency, support renewable energy and reduce greenhouse gas emissions. Many potential municipal actions align with Sustainable Jersey's Energy Actions through which they can earn points toward Sustainable Jersey (SJ) certification.

County Greening Economy Work Group: In late 2020, the Board of Commissioners called upon the Energy Council to assist in the establishment of a County Greening Economy Work Group. Its mission is to Position Somerset County as a leader in the green technology sector by growing a skilled workforce, attracting green industry jobs and supporting research and innovation. The group is comprised of the Director Lane and two additional members of the Energy Council, leaders from the Somerset County Business Partnership, RVCC, and Somerset County Vo-Tech. Commissioner Marano and Commissioner Drake and the County Administrator are also part of this group. They are currently working on the expansion of the green workforce development curriculum and related certification programs at RVCC and the County Vo-Tech.

Energy Benchmarking of Existing County Facilities and Energy Audits for County Facilities: The Council recommends using the US Dept. of Energy's Energy Star Portfolio Manager Tool to identify which of the County's buildings are the least efficient and most costly to operate then using these results to identify which facilities should be audited first and should be prioritized for energy saving investments. The Council recommends that the County participate in the NJ Board of Public Utilities' Clean Energy Program, through which it can obtain up to \$100,000 worth of free Level 2 Energy Audits per year. In addition to identifying specific improvements that can be made and how much savings they will achieve, the audits identify the incentive programs that are available. As a first step, the County's utility bills were provided to the Clean Energy Program Staff who agreed to help determine which of its programs are the best fit for the County.

Enhancement of the County's EV Readiness Plan: The County adopted a concise EV Readiness plan back in 2018 that set the stage and is now ready to be expanded upon as a result of the recent new EV policies and programs that are advancing at the state and national levels. An update of this plan will help the County and its municipalities take the steps needed to facilitate the transformation of the transportation system at the local level. The NJTPA approved the County's grant application to update its Circulation Element, which will commence in July. The EV Readiness Plan will be updated and adopted as part of the Circulation Element. The Energy Council is already working on pulling together background information, including the identification of potential policies, criteria and standards for locating and phasing-in new EV Charging Stations by public, private and semi-public entities throughout the County. An EV Charger Location Plan for the County is needed to help us tap into the new utility investments approved by the Board of Public Utilities. These grid investments will be strategically located to support the installation of charging stations in high-demand areas.

Other projects include:

- Potentially issuing a Clean Power Purchasing RFQ to determine potential cost benefits to the County.
- The development of Sustainability Policies for designing and operating existing and future County facilities.
- Expansion of the Draft Somerset County Energy Resiliency Framework to align with the State Energy Master Plan.

Somerset County Road Corridor Safety Analysis Sub-Regional Study

Kenneth Wedeen, Supervising Transportation Planner reported since the February Planning Board meeting, Planning and Engineering staff have been working with the Somerset County Roadway Corridor Safety study consultant team to prepare, review and finalize the road safety audit invitations, pre- and post-audit PowerPoint presentations, fact sheets, aerials and field work audit sheets for the five road safety audits.

The audits will be hosted over the last two weeks in March and the first week in April with the following order, Millstone Borough and Franklin Township the week of March 22nd; Raritan Borough the week of March 29th and Bridgewater Township and North Plainfield Borough the week of April 5th.

Each RSA audit will include a 1-hour pre-audit Zoom meeting and two hours of field work on day one and a two-hour post audit zoom meeting on day two. After the five (5) RSAs are completed, the consultant team will compile the safety recommendations and prepare draft final reports for each of the five RSA corridors. Each report will be reviewed by the NJTPA, county planning and engineering staff, the Study Technical Advisory Committee, the municipalities and the public.

The five (5) RSA studies will be shared and reviewed at one last TAC meeting and one last public meeting. All the comments collected from the NJTPA, county staff, the TAC, the public and municipalities will be reviewed and finalized by the county and one set of revisions will be submitted to the consultant team in order to finalize the five (5) RSA final reports prior to submitting it to the NJTPA for their final approval. The study should be completed during the fall of 2021.

Director Lane commended Kenneth Wedeen, Adam Bradford and members of the Engineering Division for developing a process to conduct the RSA during the COVID-19 Pandemic. Normally, Road Safety Audits are done in person with a large group of stakeholders which was not possible. They were able to develop a process that met all the COVID-19 Safety Protocols and complete the work that needed to be done.

Proposal Site-Specific WQMP Amendment- Block 512: Lots 5.05 and 5.06, 2303 and 2291 Amwell Road, Franklin Township, Somerset

Director of Planning Walter Lane discussed the draft letter which was sent to the full Board earlier today. The draft letter communicates the County Planning Board's position on a proposed Wastewater Management Plan (WMP) Amendment to provide sewer service to roughly twenty (20) acres of land on Amwell Road in Franklin Township for two (2) residential dwelling units who have reported their septic systems are failing. The proposal was discussed at length at February's Environment and Utilities Committee Meeting as well as the March Master Plan Committee Meeting.

The draft letter outlines our position at this time on the proposed WMP Amendment. In the past, the Board has not supported amendments that add lands in our Priority Preservation Investment Area to the sewer service area unless the applicant can show there is a health and public safety issue (such as a failing septic system) that must be addressed. The Board has supported amendments if the applicant can demonstrate there is a failing septic system as well as limit the new sewer service to the area surrounding only the existing structures and not the entire lot. This position had previously been communicated to the applicant with a request for documentation of the failing septic systems from the Health Department. This information has not been provided.

The draft letter stated the County does not support the amendment at this time since we do not have information to substantiate the failing septic systems but if the information requested is provided the County will reconsider its position. The County's position was discussed with Franklin Township's Planning Director Mark Healy and he supports the County's position. Director Lane stated our position is consistent with past Board actions. Since the application was received in early January, the County must respond now to ensure we are following our WMP Amendment Review Procedures. Director Lane asked the Board to send him any suggested changes to the letter by Friday so he can send the letter by the end of the day Friday, March 19th. The Planning Board authorized Director Lane to send the letter. Director Lane reminded the Board, there will be additional opportunities to act on the proposed amendment if NJDEP takes an action in the coming months.

Wastewater Management Plan Update

Director of Planning Walter Lane reviewed the recommendations from the NJ County Planners Association Wastewater Planning Working Group led by Director Lane. This working group has been meeting on a regular process and working collaboratively with staff members from the New Jersey Department of Environmental Protection (NJDEP) for more than a year. The document outlines a series of recommended changes to the current Water Quality Management Planning rules. Director Lane thanked Chief of Strategic Planning for pulling together all of the group's comments into this document.

Director Lane highlighted several of the suggested revisions. Based on the current rule when the Future Sewer Service Map is submitted to the NJDEP for review and adoption, a ten (10) year clock starts for the Future Sewer Service Map. The ten (10) year period for our Future Sewer Service Map started in 2012 even though the Map was not approved until 2013. This means our Future Sewer Service Map may not be valid after 2022. The document suggests that the ten (10) year period begins when the Map is officially adopted by NJDEP. It also requests that for any County with maps expiring in the next year or two, there should be a several year extension granted until after the NJDEP adopts new rules and regulations related to the forthcoming Climate Resiliency Plan so the new maps can be consistent with this plan and any additional rule provisions related to climate change adaptation. In recent discussions with NJDEP Staff, they indicated they would be supportive of this change.

Other changes suggested related to the review periods for NJDEP staff. Changes to make it easier for farming operations to navigate the wastewater planning process were also recommended. The rules should place a greater emphasis on being consistent with the State Development and Redevelopment Plan. Several other changes were also discussed by Director Lane. The NJ County Planners Association will act on these recommendations at their March 19th Meeting. Director Lane said he is cautiously optimistic that these recommendations will be addressed and implemented by NJDEP.

Director Lane advised the Board the mapping component of the County's WMP had been submitted to NJDEP for adoption. The Build Out Analysis and Capacity Constraints Analysis Component was shared with our municipalities and wastewater treatment facilities for review and comment. Comments were due back at the end of March. Any necessary changes will be made to the Build Out Analysis and Capacity Constraints Analysis Component. Once the changes are complete, the document will be submitted to NJDEP for review and comment. Once this component has been submitted, all the necessary components of the WMP will be at NJDEP for review and adoption. The Septic Management Plan is being revised based on recent comments from NJDEP. Once these changes are made, it is our understanding the NJDEP will begin the process to adopt the Septic Management Plan. Director Lane raised concerns to NJDEP Senior Management about requesting non substantive changes (size of dots on our maps).

Public Comment

Chairman Navatto opened the meeting to the Public. Terry Callahan from Branchburg, NJ addressed the Chairman Navatto regarding property on the corner of Old York Road and Route 202 regarding zoning that would allow a gas station and/or commercial stores to be built. Chairman Navatto asked Director of Planning Walter Lane to respond to her comments. Director Lane provided a brief overview of the plans that had been submitted for a portion of the site and explained the plans for the commercial uses had not been submitted to the County for review at this time. He offered to meet with her following the meeting to discuss the matter in greater detail. She thanked Mr. Lane for the offer to meet and will reach out to schedule a meeting.

Committee Reports

Committee Report were included in the Packet.

Next Meeting Date: April 20, 2021 at 4:45pm (virtual)

Adjournment:

There being no further business before the Board, Chairman Navatto asked for a motion to Adjourn. The motion was made by Erika Inocencio and seconded by Matt Loper. A Voice Vote was called, and the motion moved unanimously.

Respectfully submitted,



Matthew D. Loper, Secretary