

**MINUTES OF THE APRIL 20, 2021  
OF THE SOMERSET COUNTY PLANNING BOARD  
HELD AT 4:45 P.M.  
ZOOM VIRTUAL MEETING**

**Call to Order**

The April 20, 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  
Chris Kelly, Vice-Chair  
Al Ellis, Member  
John Lindner, Member  
Erika Inocencio, Member  
Sami Shaban, Member  
Adam Slutsky, Alternate for County Engineer  
Commissioner Director Robinson  
Ashok Rakhit, 1<sup>st</sup> Alternate

Marina Stinely, Esq. covering for Joseph DeMarco, Esq., Deputy County Counsel  
Adam Slutsky voted in place of Matt Loper, who was absent

**Absent**

Commissioner Paul Drake  
Matthew Loper, Secretary/County Engineer

**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  
Aarthy Sabesan, Senior Planner-GIS  
Christina Tricarico, Planner-GIS  
Kate Katzer, Principal Planner  
Cynthia Mellusi, Office Manager

### **Approval of March 16, 2021 Planning Board Meeting Minutes**

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

### **Discussion/Presentation Items**

#### **2020 Economic Recovery Act Update**

Chris Edwards, President and CEO, and John Maddocks, Vice President for Economic Development, from the Somerset County Business Partnership presented an update on the 2020 Economic Recovery Act of 2020 and the Suburban Disadvantage Report. The update is an analysis of Emerge, the new incentives program, meant to replace the Grow NJ program that expired in June of 2019. While the Emerge program has closed the disparity between similar projects in parts of Somerset County, the Business Partnership, Regional Center and Somerset County Board of Commissioners will be advocating for tweaks to the legislation that level the playing field for the entire County. John Maddocks reviewed a major concern which will require a legislative action to rectify.

Under the Emerge Program, the definition of "Incentive Area" includes a qualifier for Planning Area 2 (Suburban) and Designated Centers. Specifically, for a project to qualify for incentives in either of those areas, the project must be "located within a one-half mile radius of the midpoint, with bicycle and pedestrian connectivity, of a New Jersey Transit Corporation, Port Authority Transit Corporation, or Port Authority Trans-Hudson Corporation rail, bus, or ferry station, including all light rail stations, or a high frequency bus stop as certified by the New Jersey Transit Corporation." This sentence in the legislation will nearly eliminate incentives for projects in most suburban areas throughout the State. If a project is located within a Planning Area 2 or Designated Center, that project will not qualify for incentives unless it is within one-half mile of a transit center. He reported Somerset County will be seeking a legislative change to eliminate the transit qualifier. In doing so, the County feels the Emerge program will become what it is supposed to be – a statewide corporate business tax incentive, used to attract new jobs to New Jersey. There was a lengthy discussion. Chairman Navatto thanked Mr. Edwards and Mr. Maddocks for their excellent work on this effort.

#### **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:

- Director Lane introduced Tom Boccino as the newest member of the Planning Division. Mr. Boccino, previously assigned to the Engineering Division, will oversee the newly formed Open Space Section the of the Planning Division. He will continue to assist the

Park Commission and the Engineering Division. This change was made as part of series of organizational changes initiated by the new County Administrator, Colleen Mahr. This change consolidates all of the County's preservation efforts, open space, farmland and historic) in one Division and reinforces the coordinated preservation strategies outlined in the draft Preservation Plan.

- At the April 7<sup>th</sup> meeting of the State Planning Commission (SPC), Millstone Borough received Plan Endorsement designation. Millstone Borough is the first municipality in the State to receive Plan Endorsement under the new guidelines and the first of over seventy (70) municipalities who had expiring Center Designations to have their Center redesignated. He noted that the New Jersey Department of Environmental Protection (NJDEP) voted no on Millstone's Plan Endorsement Petition because the proposed center boundary contained one lot that was considered environmentally sensitive. Director Lane provided testimony as to why the Plan Endorsement Petition and proposed Center Boundary should be approved. The County Planning Board's letter of support was referred during this discussion. The SPC voted to approve the Borough's Endorsement Petition and proposed Center Boundary by a 10 to 1 vote. Director Lane suggested the County Planning Board should discuss sending a letter to the SPC affirming the County's position in regard to center boundaries, Priority Growth Investment Areas, Local Priority Areas as well as the inclusion of environmentally sensitive lands in Centers because he feels this will be an ongoing issue as the County's other municipalities move forward with Endorsement Petition and proposed Center redesignation efforts.
- The first Planning Partners Forum of 2021 was held on March 24<sup>th</sup> at 8:00 am. There were thirty-nine (39) attendees. The United Way presented their ALICE Report which led to a very productive dialogue. RideWise spoke about the formation of a coalition to support the use of electric vehicles. The next Planning Partners Forum will be on June 8<sup>th</sup> at 8am.
- Director Lane reported he has been working with Raritan Borough to advance the development of a Sustainable Economic Development Plan which is being funded by the North Jersey Transportation Planning Authority. He has been asked to serve on the Borough's Downtown Raritan Plan Implementation Working Group.
- The Borough of Bound Brook has been recommended to receive a \$1 million Transportation Alternatives Grant for the Hamilton Street Plaza project. This project was a recommendation in the Supporting Priority Investment Phase 3 Study. This is another example of the County working with our municipalities to support local planning efforts and help them secure funding to address their local planning priorities.
- Director Lane advised several letters of support had been prepared for our municipalities who applied for Livable Communities Grants being funded by AARP.
- The County Planning Division continues to support various municipal planning efforts by providing technical assistance and support.

#### **Action Items/Informational Items**

#### **Resolution Conceptually Approving a Development Agreement Between Branchburg Senior Apartments, LLC, Branchburg 202, LLC, the Township of Branchburg and the County of Somerset**

Thomas D'Amico, Supervising Planner, stated that the agreement involves four parties; Branchburg 202, LLC, Branchburg Senior Apartments, LLC, the Township of Branchburg and the

County of Somerset. Branchburg 202, LLC, which is the owner of property in Branchburg located at the intersection of U.S. Highway 202 North and Old York Road (County Route 567). The Township of Branchburg and Branchburg 202 entered into an agreement for the Transfer of Property where the property would be subdivided for affordable housing and retail service with the affordable housing portion donated by Branchburg 202 to Branchburg Township for a municipal housing project.

Branchburg Senior Apartments, LLC and Branchburg Township entered into a Development and Property Transfer Agreement for Branchburg Senior Apartments to develop, construct, own and manage the municipally sponsored development consisting of 150 age-restricted affordable housing rental units in two buildings on the affordable housing portion of the property. The Development and Property Transfer Agreement included a provision for a cross access easement agreement between the commercial and residential developments for construction, maintenance, repair and replacement of all shared road and sidewalks used for means of egress from and egress to Old York Road and U.S. Highway 202.

Branchburg Senior Apartments, LLC applied for site plan and subdivision approval for the senior affordable housing development from the Somerset County Planning Board. As part of the approval of the Branchburg Senior Apartments, the County Planning Board required the subject Development Agreement which mandates, as part of the site plan application for the retail service property, a traffic study be prepared. It should be noted the County Planning Board has not received a development application for the retail parcel. Branchburg Senior Apartments, LLC and Branchburg 202, LLC acknowledge that modifications to the shared driveway may be required based on the anticipated traffic volumes attributable to the Retail Service Property development, these modifications may include but are not limited to the widening of the shared driveway, widening of Old York Road, reconfiguring of lanes and/or striping of the shared driveway and Old York Road, installation of traffic signals, signage and ADA improvements.

County Planning Board Counsel has approved the agreement. The Land Development Committee recommends that the County Planning Board conceptually approve the agreement and transmit it to Board of County Commissions for its action.

Chairman Navatto, Jr. asked for a motion to approve the Resolution conceptually approving a development agreement between Branchburg Senior Apartments, LLC; Branchburg 202, LLC the Township of Branchburg and the County of Somerset. The motion was made by Chris Kelly and seconded by John Lindner. The Roll was called and the motion passed unanimously.

#### **April 2021 Land Development Report and Approval of the March 2021 First Time Submissions**

Thomas D'Amico, Supervising Planner, referred to the report in the Planning Board Packet.

At the April 14, 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 March 2021. The meeting was held via Zoom.

#### **Branchburg Senior Housing Agreement, Branchburg**

Thomas D'Amico stated that Branchburg 202, LLC, is the owner of property in Branchburg located at the intersection of U.S. Highway 202 North and Old York Road (County Route 567).

Branchburg Township and Branchburg 202 entered into an Agreement for the Transfer of Property where the property would be subdivided for affordable housing and retail service with the affordable housing portion donated by Branchburg 202 to Branchburg for a municipal housing project.

Branchburg Senior Apartments, LLC and the Branchburg Township entered into a Development and Property Transfer Agreement for Branchburg Senior Apartments to develop, construct, own and manage the municipally sponsored development consisting of 150 age-restricted affordable housing rental units in two buildings on the affordable housing portion of the property. The Development and Property Transfer Agreement included a provision for a cross access easement agreement between the commercial and residential developments for construction, maintenance, repair and replacement of all shared road and sidewalks used for means of egress from and egress to Old York road and U.S. Highway 202.

Branchburg Senior Apartments, LLC applied for site plan and subdivision approval for the senior affordable housing development from the Somerset County Planning Board. As part of the approval of the Branchburg Senior Apartments, the County Planning Board required a Development Agreement which mandates, as part of the site plan application for the retail service property, a traffic study be prepared. Branchburg Senior Apartments, LLC and Branchburg 202, LLC acknowledge that modifications to the shared driveway may be required based on the anticipated traffic volumes attributable to the Retail Service Property development, these modifications may include but are not limited to the widening of the shared driveway, widening of Old York Road, reconfiguring of lanes and/or striping of the shared driveway and Old York Road, installation of traffic signals, signage and ADA improvements.

County Planning Board Counsel has approved the agreement. The Land Development Committee recommends that the County Planning Board conceptually approve the agreement and transmit it to Board of County Commissions for its action.

#### **Branchburg Village, Branchburg**

Thomas D'Amico presented the Branchburg Village project which is located on U.S. Route 202 South in Branchburg. The proposed project consists of 8 apartment buildings, a mix of 475 residential units, a club house and a maintenance building. The residential units include 62 for-sale market-rate semidetached units, 113 for-sale market-rate townhouses, 40 for-sale affordable family stacked townhouses, 26 for-sale affordable age-restricted townhouses, 175 rental market-rate family apartments, 31 rental affordable family apartments and 28 rental affordable senior apartments. Items of interest to the County include County Bridge No. C0704, stormwater management and recycling.

#### **First Time Submissions**

The Committee reviewed all first-time submissions for the month of March 2021. During the month, the County Planning Board reviewed a total of 39 submissions. There were 212 new lots proposed and 43 new lots created. Of the site plans proposed during the month, 102,442 square feet of non-residential building space was proposed as well as 550 multi-family units. There was \$4,810.00 in development review fees paid to the County Planning Board.

Bernard Navatto, Jr., did not participate in any discussion or take any action on the Somerville Town Center Phase III and the Stelise's Café site plan projects in Somerville.

Chairman Navatto, Jr. asked for a motion to approve the April 2021 Land Development Report and Approval of the March 2021 First Time Submissions. The motion was made by Chris Kelly and seconded by Al Ellis. 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 Heritage Strategies to coordinate the report along with the 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.

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 reviewed the revised tourism, education and the Land Use Planning Context and have sent their comments on all three to the consultants. We expect the historic preservation maps to be completed shortly. 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 that seven municipalities have had their ordinances approved, and confirmation of such has been reported to the NJDEP. Those municipalities are as follows: Bedminster, Bernards, Bernardsville, Far Hills, Montgomery, North Plainfield, and Warren. The following four municipalities are Conditionally Approved: Branchburg, Hillsborough, Millstone, and Somerville. The following three municipalities are undergoing public hearing periods and have not yet formally submitted: Green Brook, South Bound Brook, and Watchung. The Planning and Engineering Divisions continue to offer support to the municipalities and are dedicated to reviewing the updated ordinances in a timely manner to ensure the municipalities come under compliance.

### **Somerset County Agriculture Development Board Updates**

Kate Katzer, Principal Planner reported that on March 19, 2021, the Somerset County Agriculture Development Board (SCADB) released the Somerset County Agriculture StoryMap: *Growing Our Future* during its *Scrolling through Agriculture* event. Visitors to the storymap are greeted with picturesque preserved farm photos from around the County and are able to enjoy from the safety of their couches. Readers are able to learn more about our rich, deeply rooted agricultural history, meet some of the furry friends that call these farms home, and learn about

some leading ladies that changed the industry through their inventions and practices. Not only are users able to virtually visit the many preserved farms in the County, but the SCADB's new online Farmers Market Mapping tool allows the user to locate markets, via desktop or mobile devices, to better access locally grown fresh produce nearest to them. Each market profile has imagery of the market, dates/times to access the locations, and the market's website or Facebook page for the most up-to-date information.

In addition, visitors are able to *Dig In* and get their hands active in agriculture with a series of how-to planting videos hosted by SCADB member, Laura DePrado. Viewers can join her as they get creative with items found around the home and discover the many benefits of gardening. Children's activity booklets and AG Day Trading cards were available at all Somerset County libraries for pick up; and remain downloadable on the storymap.

The AG Board expressed their excitement that viewers from not only around the State but as far as North Dakota and Alaska, joined the County as we went *Hog-wild for Agriculture* during our *Scrolling through Agriculture* celebration. The Storymap was featured during the State Agriculture Development Board's March meeting, where the Secretary of Agriculture – Douglas Fischer praised the ingenuity of Somerset County and called the map a fabulous production. Additionally, staff along with Commissioner Drake, presented the map during the New Jersey County Planners Association's April meeting.

Director Lane thanked Principal Planner Kate Katzer, Kaitlin Bundy, Manager of the Cultural and Heritage Office, Senior Planner Aarthy Sabesan and Planner – GIS Specialist Christina Tricarico for all of their work to create this story map. Commissioner Director Robinson thanked everyone for their hard work and remarked efforts such as this one is why the Somerset County Planning Board and staff are so well regarded.

### **2020 Census Update**

Ken Wedeen, Supervising Transportation Planner, reported on the Census 2020 data needed for redistricting for redrawing voting districts is going to be delayed until September 30, 2021. This date is six (6) months past the original due date. The delay is mainly due to COVID19 and delays in gathering and processing the data.

The Census Bureau must perform their quality control and assurance checks of the data prior to September 30<sup>th</sup>. An early data release is not anticipated. Several states such as New Jersey are left to scramble to prepare new redistricting for 2022. The Census Bureau needed additional time to perform quality checks on duplicate and incomplete census responses to deliver complete and accurate redistricting data to the states. All states will receive the simultaneously versus a rolling basis which had been done in prior years.

The Census Bureau is working to review the data to produce accurate information and for states having to meet early redistricting deadlines. The Census Bureau has also pushed back the release date of new state population counts that determine each states share of 435 seats in the House of Representatives and Electoral College. Those numbers are expected during from April 16<sup>th</sup>-30<sup>th</sup>.

### **Somerset County Road Corridor Safety Analysis Sub-Regional Study**

Ken Wedeen, Supervising Transportation Planner reported since the last Planning Board Meeting County Planning, Engineering and consultant staff have hosted five (5) road safety audits. Each of the five (5) audits included a one hour zoom pre-audit meeting, two (2) hours of socially distanced and masked field work on day one. On day two, the road safety audit concluded with a two (2) hour zoom post-audit meeting. All five (5) audits were well attended by county planning, engineering, roads and bridges and transportation staff. Each audit included municipal professional staff, elected officials, and municipal Police. The audits also included staff from NJDOT, NJTRANSIT, and NJTPA some of which had to work virtually and could not participate in the field work.

The consultant team is now reviewing comments provided by each participant from marked up corridor aerials, an audit survey sheet, videos, photos and post audit comments. The consultant and county staff will be working to develop the draft RSA reports for each of the five RSA. The recommended improvements from each RSA will be presented at a second public meeting most likely in the Fall. A final TAC meeting will take place during the early summer at which TAC input will be recorded on the draft study recommendations for each corridor. The draft reports will also be reviewed by Somerset County, municipalities and the public. The draft final reports will be submitted to the NJTPA for their comments in October 2021 and the final report submitted to the NJTPA by the end of November 2021.

#### **Wastewater Management Plan Update**

The Board was briefed by Director Lane on the status of the Wastewater Management Plan (WMP). He reported progress continues to be made on completing the WMP. Staff has submitted the Wastewater Capacity Analyses and Strategies for Addressing Potential Capacity Deficiencies Component to the NJ Department of Environmental Protection (NJDEP) last week. The County has not received any additional comments or status updates on the Septic Management Component or the Mapping Components which were previously submitted. Several meeting requests have been submitted to the NJDEP but the County has not received any responses to date.

Director Lane referred to the letter that was sent to the Board via email earlier today. The letter requests a meeting with NJDEP to discuss extending the approval of the County's Future Sewer Service Map which is set to expire in 2022. As previously discussed, the current WMP rule states 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. Since there will be new rules and regulations related to the forthcoming NJDEP Climate Resiliency Plan, additional time will be needed to update the Future Sewer Service Area Map. Based upon these facts, the County would like to submit a letter requesting a meeting with senior wastewater planning NJDEP officials to discuss this matter. This request was discussed with Environment and Utilities Committee and the Committee supports submitting the letter. The Planning Board authorized the submittal of the letter to the NJDEP.

Director Lane reported the NJ County Planners Association Wastewater Planning Working Group he is currently chairing, prepared a comprehensive set of comments on the draft WMP Template Document prepared by NJDEP. The NJCPA authorized the submission of the comments on the template at their April 16<sup>th</sup> Meeting. He thanked Chief of Strategic Planning



Laurette Kratina for compiling all of staff's comments and the comments from the other Counties into one comprehensive document.

**Public Comment**

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

**Committee Reports**

Committee Reports were included in the Packet.

**Next Meeting Date:** May 18, 2021@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 Chris Kelly and seconded by Commissioner Director Robinson. A Voice Vote was called, and the motion moved unanimously.

Respectfully submitted,

  
Matthew D. Loper, Secretary