

**MINUTES OF THE OCTOBER 19, 2021
MEETING OF THE SOMERSET COUNTY PLANNING BOARD
HELD AT 4:45 P.M.
ZOOM VIRTUAL MEETING**

Call to Order

The October 19, 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
John Lindner, Member
Sami Shaban, Member
Commissioner Director Shanel Robinson
Commissioner Paul Drake
Matthew Loper, Secretary/County Engineer
Ashok Rakhit, 1st Alternate
Marina Stinely, Esq. covering for Joseph DeMarco, Esq., Deputy County Counsel

Absent

Erika Inocencio, Member
Al Ellis, Member

Also Present from Staff:

Walter Lane, Director
Thomas D'Amico, Supervising Planner
Ken Wedeen, Supervising Transportation Planner
Adam Bradford, Senior Transportation Planner
James Ruggieri, Principal Community Planner
Tom Boccino, Principal Planner, Open Space Preservation
Kate Katzer, Principal Planner
Aarthy Sabesan, Senior Planner-GIS
Michael Stepowyj, GIS Coordinator
Cynthia Mellusi, Office Manager

Approval of September 21, 2021 Planning Board Meeting Minutes

Chairman Navatto, Jr. asked for a motion to approve the minutes of September 21, 2021 Planning Board Meeting. The motion was made by Chris Kelly and seconded by Commissioner Drake. A Voice Vote was called, and the motion moved unanimously.

Discussion/Presentation Items

Somerset County Agriculture Development Board Update

Office of Planning, Policy and Economic Development Director Walter Lane introduced Kate Katzer and stated the Somerset County Agriculture Development Board has been very active and Ms. Katzer has been supporting the Board's efforts.

Kate Katzer, Principal Planner, presented the program's 2020 Annual Report which showcased the efforts made by the program to support both the agricultural community as well as the general public. In March of 2020, Ag Day was cancelled due to the pandemic. What was thought to be a short-term inconvenience remained far longer than anyone had imagined and caused staff to reimagine the Farmland Preservation program. It became evident that the program needed a stronger online presence, thus the development of the storymap "Growing Our Future" began. The intention behind the new site was to bring attention to the deep-rooted history that agriculture plays in the County, while giving residents the ability to 'tour' the farms from the comfort of their own home through images and video.

Initially staff developed a map highlighting preserved farmland properties as well as farmer's markets throughout the County. The hope was to provide the public a swift method of identifying local markets that provided fresh food during the height of national food shortages. Since the original creation of the storymap, staff has continued to develop the market map further – adding the ability to enter a location or address to find nearby farms. These farms are categorized by their offerings/market type i.e.: vegetables, produce, Christmas trees, and nursery.

During the height of the pandemic, the County Board of Commissioners and Planning Division staff hosted agricultural roundtables to discuss the areas in which our local farmers needed support. The roundtables provided a way to identify how the County and agricultural community could better serve residents. Staff developed a three-part document series that served as a 'one-stop-shop' for how to safely operate a market, host a "pick your own" event, and drive-thru markets.

In addition to the development of the market documents, staff created multiple lesson plans to support parents and teachers. The curricula were designed for both the classroom, remote learning as well as at home instruction and varied from one class period to expanding to multiple days. The curricula covered topics such as: threatened/endangered species, wetlands, local habitat, and turbidity. The curricula are housed on the County website, as well as the Growing Our Future storymap.

Even with the hurdles of broadening our online presence and designing market documents from scratch, staff was able to work with landowners to preserve property in Franklin and Hillsborough Townships. The Gund Property in Franklin Township closed in June of 2020 adding 100 acres of preserved farmland to the program. Mill Lane Farm located in Hillsborough Township was comprised of two parcels (North and South) adding a combined total of 140.6 acres to the County's preservation totals. The County continues their dedicated support to our farming community and is working toward preserving an addition 1,200 acres over 13 applications for farmland preservation.

Resolution Concerning a Proposed Site-Specific Water Quality Management Plan (WQMP) Amendment for Errico Acres (aka Residences at Overleigh) (NJDEP Program Interest No. 435434; Activity No. AMD200009)

Director Lane provided a brief overview of the proposed Site-Specific Water Quality Management Plan (WQMP) Amendment for Errico Acres (aka Residences at Overleigh) project in Far Hills Borough.

This project was discussed numerous times over the course of the last year and consists of one hundred thirty-four (134) housing units of which thirty (30) units will be affordable units as part of their Fair Share Housing Center Settlement. He referred to the Board's November 20, 2020 letter which outlined the County's position on the proposed amendment. Even though the project is in the County Investment Framework's Priority Preservation Investment Area, the proposed affordable housing project is part of the Borough's Settlement Agreement therefore the County will not oppose the amendment.

In addition, the County has requested the proposed treatment facility is sized to serve only this project. The proposed amendment will limit the sewer service area to only serve this project and not induce any additional growth. Based upon these factors, staff recommends adoption of the proposed resolution.

Chairman Navatto, Jr. asked for a motion to approve the resolution. The motion was made by John Lindner and seconded by Chris Kelly. A Voice Vote was called, and the motion moved unanimously.

Planning Director's Report

Director Walter Lane provided an overview of work underway in the Office of Planning, Policy and Economic Development. He briefed the Board on the following items:

- Director Lane stated staff briefed the Environmental and Utilities Committee on several potential wastewater plan amendments. He reported he received a status update from the New Jersey Department of Environmental Protection (NJDEP) regarding the review status of the various components of our Wastewater Management Plan (WMP).
- A Complete Count Committee Meeting was held on Thursday, October 7th and was well attended. The meeting featured a presentation by the U.S. Census Bureau on the latest Census data including redistricting data.

- He reported several staff members have participated in the Healthier Somerset's County Health Improvement Plan planning sessions. Director Lane, James Ruggieri and Adam Bradford have been attending these meetings.
- The County continues to work with Bedminster Township and the team of consultants to finalize the AT&T® Land Use Study Final Report. It is expected the draft final report will be delivered shortly.

Action Items/Informational Items

October 2021 Land Development Report and Approval of the September 2021 First Time Submissions

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

The October 13, 2021 meeting of the County Planning Board Land Development Committee was held in the County Commissioners 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 September 2021. It was noted that there was no quorum for the meeting. Therefore, there were no official actions taken.

97 Main Street, South Bound Brook

Thomas D'Amico presented the waiver request for the 97 Main Street project located at the intersection of Main Street (County Route 527) and Jackson Street in South Bound Brook. The applicant is proposing nine (9) apartment units with nine (9) individual driveways on Jackson Street. The plan indicated that the proposed driveway closest to Main Street is 20 feet from the right-of-way line of Main Street. The Somerset County Planning Board review letter for this project stated that since the proposed site occupies a corner of two (2) intersecting roads, the plan must be revised so that no driveway entrance or exit is located within 35 feet of the extension of the right-of-way line. The applicant's engineer requested a waiver from the aforementioned County driveway setback requirement.

Since there was not a quorum present at this meeting, the Committee members in attendance deferred the decision until the next Committee meeting. The Committee requested County staff ascertain the status of the project at the municipal level.

CGR LLC, Raritan

The applicant CGR, LLC submitted an application involving two (2) non-contiguous parcels in Raritan Borough. The primary property is located at 5 First Avenue (County Route 567) and consists of an existing two-story building previously used as an HVAC contractor's office with shop and storage space with a very short driveway access to First Ave. The applicant proposes to renovate the building to use the first floor as a general contracting office with a storage area and convert the second floor into three (3) apartments. The second parcel, located at 93 West Somerset Street, will provide parking for the three (3) new apartments. The 2-family house at 93 West Somerset Street will continue as is.

On April 12, 2021 the County issued the County Planning Board review letter deeming the application incomplete pending resolution of various requirements. In response to the County's letter at the applicant's request Ken Yanga of the County Engineer's office met with the applicant and David A. Stires Associates LLC on May 10, 2021 to clarify the County's requirements. After the May 10th meeting, there was no other response from the applicant and revised plans were not submitted. In September, County Planning Board staff noticed new siding being applied to the exterior of the two-family house at 93 West Somerset St. Staff inquired with the Borough if any action had been taken on the application. In response, the Borough gave staff a resolution adopted on August 25th granting conditional approval to the project.

Staff reviewed the resolution and found that there was no mention of needing County approval nor any reference to the County Planning Board Review Board's April 1, 2021 review letter. Staff issued the October 5th follow-up letter to the applicant's attorney, Mr. John Sullivan, as a reminder to address all the County's requirements before obtaining County Planning Board approval and requesting the Borough not issue a building permit until they receive a letter from County Planning Board approving the project.

In the letter staff also called attention to the resolution indicating David A. Stires Associates testified during the public hearing that the County Engineer's Office had "accepted" the "site lines" and that the County is not aware of having accepted any such site lines including lines of sight at the driveway on West Somerset St. In response, Stires emailed a reply explaining his reasoning and tied it back to the May site meeting. Ken Yanga confirmed via email that, while ADA and sight distance requirements were discussed, no revised plans have been received, reviewed or approved since the initial plat set submission and that only upon formal resubmission and the issuance of a County Planning Board review letter will it be deemed feasible to say: "sight lines have been accepted by the County Engineer's office."

Principal Community Planner James Ruggieri stated that the applicant's attorney John Sullivan and David A. Stires Associates confirmed by email that plans are being revised and will be submitted to the County. On October 8th, Borough Engineer Stan Schrek confirmed in an email that "The Borough is still awaiting documents as related to Resolution compliance review. All conditions of approval, including Somerset County Planning Board, must be addressed to enable "final sign-off." County Counsel stated they will send a letter to the developer's attorney that there will be no road opening permits issued until final County Planning Board approval.

Mr. Ruggieri suggested that a letter be sent to Raritan requesting that going forward all their resolutions for land development applications contain standard requirements that all applicants shall obtain approval from any other governmental agencies with jurisdiction relating to the property, if necessary and that the applicant shall comply with all rules, regulations, statutes and ordinances of the United States of America, State of New Jersey, County of Somerset, and the Borough. It was also suggested that a letter be sent to all municipalities in the County concerning this issue at the beginning of the new year. The Committee members in attendance agreed with this recommendation.

First Time Submissions

The Committee reviewed all first-time submissions for the month of September 2021. During the month, the County Planning Board reviewed a total of twenty-three (23) submissions. There were 203 new lots proposed and two (2) lots created. Of the site plans proposed during the month there were 5,429 square feet of non-residential building space proposed as well as 304 multi-family units. There were \$23,896.00 in improvement value and \$5,429.00 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 87 West End Avenue site plan in Somerville. As indicated earlier herein, since a quorum was not present at the scheduled meeting of the Land Development Committee, the full County Planning Board must approve the first-time submissions for the month of September.

Chairman Navatto, Jr., asked for a motion to approve the October 2021 Land Development Report and approval of the September 2021 First Time Submissions. The motion was made by Chris Kelly and seconded by John Lindner. The roll was called, and the motion passed unanimously.

Preservation Plan Update

Thomas D'Amico, Supervising Planner, reported that the County is currently in the process of updating the County Open Space Preservation Plan, the Farmland Preservation Plan and developing a new historic preservation plan.

The final draft of the complete Preservation Plan, including all mapping, has been finished. A copy of the complete Plan has been available online and hard copies of the Plan are available at fifteen (15) County libraries. Comment sheets were available both online and at the fifteen (15) libraries. The County held four (4) virtual public meetings to discuss the plan. Staff reported an estimated 70 people attended the meetings. Staff also received some excellent comments from both the virtual public meetings and from submission of written comments.

The next step is for County professional staff to enter all comments into a database, review the comments, and making appropriate changes to the various plan elements based on those comments. The revised plans will be submitted to the Preservation Plan Steering Committee for their review and comment. After any recommended changes from the Steering Committee are incorporated into the Plan, the revised plan will be submitted to the County Park Commission, Agricultural Development Board and the Cultural and Heritage Commission for their endorsement. The final draft will be submitted to the County Planning Board for review and adoption as part of County Master Plan. Staff expects that it will be adopted in February 2022.

Somerset County Road Corridor Safety Analysis Sub-regional Study

Kenneth Wedeen, Supervising Transportation Planner, reported since the September Planning Board meeting, Somerset County hosted the second and final public meeting on Wednesday, September 29th. The consultant made a presentation highlighting the main safety recommendations for each of the five (5) road safety corridors. The public meeting then hosted seven (7) breakout rooms so meeting attendees could provide direct feedback on proposed

safety recommendations for each of the five (5) RSA corridors. One (1) breakout room was available for Spanish-speaking attendees and one (1) room was available for general transportation questions.

Somerset County posted the Zoom video of the presentation on the study web page on September 30th and encouraged those wishing to provide any additional comments to do so by Wednesday, October 20th. The consultant is preparing the meeting summary from second Public Meeting which County staff will review. The consultant will provide the draft RSA report so county staff may review the document by Friday, October 29th. The final document will be submitted to the NJTPA by Tuesday, November 30th.

Planning for Electric Vehicles Update

Kenneth Wedeen, Supervising Transportation Planner, reported that the Planning Board Staff held three (3) meetings during September and October with County interdepartmental staff, NJDEP and PSE&G to discuss electric vehicle charging station feasibility efforts. These efforts include two NJDEP grant timeline requirements, PSE&G infrastructure upgrades and the total cost and the total time needed for charger installations from start to finish.

Planning Board staff met with PSEG last week to discuss the application process for the PSE&G Clean Energy Future - Electric Vehicle Program. The PSE&G grant helps offset the costs of "Make Ready" infrastructure which is the work on the utility side of the meter (aka Pole to Meter utility service upgrades) and customer side of the meter (aka Behind the Meter costs to hook up to a charger). Staff is currently working on nine (9) charging station applications to submit to PSE&G with a tentative goal of qualifying for one to three proposed locations.

Public Comment

Chairman Navatto, Jr., 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: Tuesday, November 16, 2021 @4:45pm (virtual)

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 Lindner. A Voice Vote was called, and the motion moved unanimously.

Respectfully submitted,



Matthew D. Loper, Secretary