

**MINUTES OF THE JUNE 21, 2022
MEETING OF THE SOMERSET COUNTY PLANNING BOARD
HELD AT 4:45 P.M.
ZOOM VIRTUAL MEETING**

Call to Order

The June 21, 2022 meeting of the Somerset County Planning Board convened at 4:50 p.m. This meeting was held as a virtual meeting.

Pledge of Allegiance

Open Public Meetings Statement

Vice-Chairman Giordano 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:

Michael Giordano, Vice-Chair
Christopher Kelly, Member
Erika Inocencio, Member
Sami Shaban, Member
Commissioner Director Shanel Y. Robinson
Commissioner Paul Drake
Ashok Rakhit, 1st Alternate
Adam Slutsky, voting for Matt Loper
Marina Stinely, Esq. covering for Joseph DeMarco, Esq., Deputy County Counsel

Absent:

Bernard V. Navatto, Jr, Chairman
Albert Ellis, member
Matthew D. Loper, Secretary
Maria Tapia-Burch, 2nd Alternate

Also Present from Staff:

Walter Lane, Director, Office of Planning Policy & Economic Development
Angela Knowles, Deputy Director, Office of Planning, Policy & Economic Development
Aarthy Sabesan, Manager, Office of GIS Services

Thomas D'Amico, Supervising Planner
Ken Wedeen, Supervising Transportation Planner
Adam Bradford, Senior Transportation Planner
Tom Boccino, Supervising Planner, Preservation
Nora Fekete, Planner
Sheli Daniels, Office Manager

Approval of the Meeting Minutes: May 17, 2022 and March 30, 2022 Special Meeting (revised)

Vice-Chairman Giordano called for a motion to approve the minutes of the May 17, 2022 Planning Board Regular Meeting and the revised minutes of the March 30, 2022 planning board regular meeting. The motion was made by Chris Kelly and seconded by Ericka Inocencio. The motion was passed unanimously by roll call. Commissioner Director Robinson abstained from voting on the March 30, 2022 revised minutes and Member Sami Shaban arrived after the roll call.

Discussion/Presentation Items

New Jersey Department of Environmental Protection Emergency Flood Hazard Rules Proposal

Office of Planning, Policy and Economic Development Deputy Director Angela Knowles discussed the New Jersey Department of Environmental Protection Emergency Flood Hazard Rules Proposal, which the NJDEP is proposing to adopt sometime later this summer. In January of 2020 the Governor signed EO100 which set in motion the NJPACT or the NJ Protecting Against Climate Threats rules. The rules require, among other things, that new state rules integrate climate change considerations, such as sea level rise, into its regulatory and permitting programs. Following Ida, the NJDEP looked at case studies on the Neshanic River, Millstone River, and Raritan River, the NJDEP recorded flood elevations 3.1 ft. above FEMA's 100-year elevation, providing the impetus for the agency to increase Design Flood Elevations using Emergency Rulemaking.

The Key Points of the Emergency Flood Hazard rules are that they will:

- Raise fluvial (non-tidal) design flood elevations by 2 feet.
- Require use of future projected precipitation when calculating design flood elevation.
- Ensure that permits and authorizations under the Flood Hazard Area Control Act (FHACA) rules meet minimum National Flood Insurance Program (NFIP) standards and relevant sections of the Uniform Construction Code (UCC).
- Require stormwater BMPs to be designed to manage runoff for both today's storms and future storms; and
- Removes use of Rational and Modified Rational methods for stormwater calculations.

These new rules will apply to new development and reconstruction, not to existing development. Also, towns must amend their municipal stormwater ordinances within one year of the emergency rulemaking; and projects covered by the Residential Site Improvement Standards (RSIS) must meet the new standards immediately. The planning office will continue to monitor the status of these impending

rules and when they are available for public comment, we will bring it to the appropriate committee for review.

New Jersey Department of Environmental Protection Environmental Justice Rules Proposal

Office of Planning, Policy and Economic Development Director Walter Lane provided an overview of NJDEP's Draft Environmental Justice Rules, which were published in the NJ Register on June 6, 2022. Public comments on the rule proposal are due September 4th. These new rules establish the requirements for applicants seeking permits for certain pollution-generating facilities located, or proposed to be located, in overburdened communities. In addition, the rules are intended to ensure applicants engage in meaningful discussions with members of the host overburdened communities and community's participation in the Department's decision-making process.

- major sources of air pollution
- incinerators and resource recovery facilities
- large sewage treatment plants that process more than 50 million gallons per day
- transfer stations and solid waste facilities
- recycling facilities that receive at least 100 tons of recyclable material per day
- scrap metal facilities
- landfills
- medical waste incinerators, except those part of hospitals and universities.

The Act and proposed rules also apply to the Department's permits or approvals related to solid waste and recycling, land resource protection, water supply and pollution control, air pollution control and pesticide regulation. Staff will continue to review the proposed rules and prepare comments for the Board's consideration and discussion at upcoming Board and Committee meetings.

Planning Directors Report

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

- Director Lane reported the Office of Planning, Policy and Economic Development has two new staff members. Jessica Paolini, Economic Development Manager and Naghma Malik, GIS Coordinator have joined the planning team and he will formally introduce both of them to the Board at the next meeting.
- He stated that Angela Knowles and Kate Katzer were panelists at the APA-NJ/NJ Future Statewide Planning Conference and gave great presentations. He cited this is another example of how well regarded the County's planning efforts are in New Jersey.
- Director Lane reported he presented at the NJ Advocates for Aging Well Conference on the County's Age Friendly Planning Efforts.
- He reported he continues to assist Bedminster Township to advance the recommendations from the AT&T Land Use Study. He attended their Land Use Board meeting on June 9th and

provided technical support and guidance during the Board's deliberations. He is also assisting the Township with their Plan Endorsement efforts.

- The State Planning Commission released a draft guidance document regarding planning considerations for warehouse developments. Comments on the draft guidelines are due at the end of July. Director Lane and Deputy Director Knowles are reviewing the guidelines and will prepare draft comments for the Board to review at the July Planning Board meeting.

Action Items/Informational Items

June 2022 Land Development Review Report

Supervising Planner Tom D'Amico reported that there was no quorum for the June 15, 2022 meeting of the Somerset County Planning Board Land Development Committee. Therefore, there were no official actions taken. Action on the Rica Waiver Request, Warren was deferred until next month's Land Development Committee meeting.

Somerset County Circulation Plan Project Update

Supervising Transportation Planner Ken Wedeen reported that on May 4th Somerset County received three (3) proposals in response to the Somerset County Circulation Element Update Study Request for Proposals (RFP). On May 20th, Somerset County Planning and Engineering, NJ Transit, North Jersey Transportation Planning Authority (NJTPA) and New Jersey Department of Transportation (NJDOT) representatives hosted a zoom call to review and rank the three proposals. The proposals were scored, reviewed and one proposal with the highest average score was recommended to be awarded a professional services contract to undertake the above-mentioned study. Staff prepared a meeting memorandum summarizing the consultant selection committee's review of the three (3) proposals. Planning staff also prepared a County Commissioner resolution along with a resolution cover sheet and certification of funds for the County Commissioners vote to award a professional services contract at the June 28th Board of County Commissioners Meeting.

Somerset County has been working with the NJTPA to address the County's formal request for a twelve (12) month extension so that the study would be completed in June 2024. Staff is awaiting a response from the NJTPA.

Somerset County Traffic and Travel Advisory GIS Application

Office of GIS Services Manager Aarthy Sabesan discussed relying on "crowd sourcing" to obtain information regarding accidents, potholes, road flooding, etc. Heres Dynamic Traffic Service and Waze Traffic Alerts are also being utilized to obtain various data layers. At present, this application is not open to the public and is for internal county use only. She presented maps and pointed out what the different colors and symbols represent. An advantage is that we can accumulate information over time as well as showing situations in real time. At this time questions were welcomed. Director Lane stated how this will be useful for many applications such as storms or accumulating data regarding nuisance flooding areas, etc. Commissioner Drake asked if the data layers can be added over time and does it

include a sidewalk data layer. Ms. Sabesan suggested that data layers could be added, however the sidewalk data layer might be provided by resident crowd sourcing.

Wastewater Update

Office of Planning, Policy and Economic Development Director Walter Lane reported there are no updates from the New Jersey Department of Environmental Protection (NJDEP) regarding the various submissions for the County's Wastewater Management Plan. He will be reaching out to NJDEP for an update in the coming weeks. He also reported the County has received a request Sewer Service Area Transfer application from the Warren Township Sewerage Authority (WTSA). This request is to transfer one parcel (Block 85, Lot 71 a.k.a. 31 Geiger Lane) from the WTSA's existing Stage IV Sewer Service Area (SSA) to the WTSA/ Somerset Raritan Valley Sewerage Authority (SRVSA) Middlebrook SSA. Staff is reviewing the request and will be reaching out to the NJDEP to discuss how to handle and process this request.

Public Comments

Vice-Chairman Giordano opened the meeting to the public. Director Lane stated there were no members of the public present at the meeting.

Committee Reports


Committee Reports were included in the Packet.

Next meeting Date July 19, 2022 @ 4:45 Regular Meeting (Virtual)

Adjournment

There being no further business before the Board, Vice-Chairman Giordano called for a motion to adjourn. Member Christopher Kelly motioned to adjourn. The motion was seconded by Commissioner Paul Drake. A voice vote was called, and the motion passed unanimously. The meeting was adjourned at 5:28pm.

Respectfully submitted,



Matthew D. Loper, Secretary