

**MINUTES OF THE OCTOBER 17, 2023  
MEETING OF THE SOMERSET COUNTY PLANNING BOARD  
HELD AT 4:45 P.M.  
IN PERSON MEETING**

**Call to Order**

The October 17, 2023 meeting of the Somerset County Planning Board convened at 4:45 p.m. This meeting was held in person.

**Pledge of Allegiance**

**Open Public Meetings Statement**

Chairman Bernard V. 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, Chair  
Michael Giordano, Vice-Chair  
Christopher Kelly, Member  
Erika Inocencio, Member, arrived at 4:54pm  
Commissioner Paul Drake  
Matt Loper, Secretary  
Ashok Rakhit, 1<sup>st</sup> Alternate

**Absent**

Albert Ellis, Member  
Sami Shaban, Member  
Commissioner Director Shanel Y. Robinson

**Also Present from Staff:**

Walter Lane, Director, Office of Planning, Policy & Economic Development  
Tom Boccino, Supervising Planner, Preservation  
Ken Wedeen, Supervising Planner, Transportation  
Aarthy Sabesan, Manager Office of GIS Services  
Kaitlin Bundy, Manager Culture & Heritage  
Kate Katzer, Principal Planner, Farmland Preservation  
Nora Fekete, Planner

Josephine Taranto, Preservation Planner  
Stephanie Ladas, GIS Specialist  
Ben Nanna, Economic Development/Film Commission Specialist  
Sheli Daniels, Office Manager  
Marina Stinely, Esq. covering for Joseph DeMarco, Esq., Deputy County Counsel

### **Approval of the Meeting Minutes**

Chairman Navatto called for a motion to approve the September 19, 2023 Planning Board Meeting Minutes. The motion was moved by Chris Kelly and seconded by Michael Giordano. A voice vote was taken, and the motion passed unanimously. Erika Incencio was not present for the vote.

### **DISCUSSION/PRESENTATION ITEMS**

#### **Somerset County Agriculture Development Board Presentation**

Principal Planner/Somerset County Agriculture Development Board Administrator, Kate Katzer provided updates about the Influencing Ag event held on September 14<sup>th</sup> to celebrate forty years of farmland preservation. The event highlighted generational farms, unique operations in the County, and farmers' collaboration with other local businesses. Attendees heard directly from the farmers what it was like to farm in New Jersey, the support they need to be able to continue their passion of bringing locally grown food to the public, and in what ways the County can support them. The room was filled with farmers, local businesses, agricultural professionals, and governmental professionals like Assemblyman Freiman who moderated the Farm to Table panel. She also shared that there have been numerous partnerships that have come out of the event – as an example, Common Market, a local purchasing agent for the Food Pantry of New Jersey, is entering contracts with three farmers to purchase local produce directly from the farmers for families in need.

Additionally, the State Agriculture Development Committee released proposed Soil Protection Standards that would adversely impact farmers across the State of New Jersey but enforcing regulations that would not allow farmers to continue to grow and change. These regulations would control a farmer's right to develop their land for agricultural purposes, even though upon the preservation of their land only their development rights were purchased. Eleven County Agriculture Development Boards, including Somerset County, put together a joint letter outlining their concerns with the proposed rules. Additionally, the Somerset County Agriculture Development Board will be finalizing their letter to be sent after their Monday, October 23, 2023 meeting.

Office of Planning, Policy and Economic Development Director Walter Lane thanked Principal Planner Kate Katzer for all of her efforts. He told the Board that when Ms. Katzer joined the Office, he asked her to grow the farmland preservation program. Director Lane stated he thinks it is evident Kate has fulfilled his original request. He also thanked the Economic Development Office Team of Jessica Paolini and Ben Nanna for helping to organize the Influencing Ag event. Director Lane stated the success of this event is great demonstration of the benefits of having all of these different groups working together in the Office of Planning, Policy and Economic Development. He also thanked the entire Office of

Planning, Policy and Economic Development team for their great work and making the County shine every day.

### **Planning Director's Report**

Office of Planning, Policy and Economic Development Director Walter Lane reported Jessica Paolini was reappointed to the Board of Directors of the International Economic Development Council (IEDC), the largest professional organization in the world for economic developers.

He also reported Chairman Navatto, Commissioner Director Robinson, Commissioner Drake and members of the Preservation Plan Team attended NJ Future's Smart Growth Awards on October 3, 2023 to accept a Smart Growth Award for the Preservation Plan. Director Land showed the awards plaque to the Planning Board. Director Lane also reported the Office had received a Citation from the NJ Assembly signed by Assembly Frieman which extended commendations and praise to the Preservation Team for receiving the NJ Future Smart Growth Award. Director Lane also thanked the Preservation Team for their great work on this cutting-edge and groundbreaking plan.

Director Lane provided a brief summary of the September 26, 2023 Planning Partners Forum. The main presentation was given by Jef Buehler, Assistant Director of the NJ Business Action Center. His presentation discussed the range of services available to municipalities from the Business Action Center to foster business growth and prosperity in our communities. Over twenty-five people attended the forum. Representatives from eight (8) of our municipalities were in attendance.

Director Lane briefed the Board on the State Development and Redevelopment Plan Update process. He recently circulated a list of webinar discussions being held by the State Planning Commission. Each webinar focuses on one or two goals of the State Plan. A panel of stakeholders responds to a series of questions geared toward gathering comments on what has been working for the State Plan, how the Plan could improve and what new goals and strategies should be added to the State Plan. In addition, Director Lane was a panelist on a Lunch and Learn Webinar about the State Development and Redevelopment Plan hosted by the League of Municipalities. There were roughly forty-five (45) municipal representatives in attendance. Director Lane's spoke to how the County has used to the State Plan to advance the County's planning priorities and support good regional planning. Somerset County is viewed as a model for regional planning as well as implementing the goals and strategies of the State Plan.

### **ACTION/INFORMATIONAL ITEMS**

#### **October 2023 Land Development Report and Approval of the September 2023 First Time Submissions**

Planner Nora Fekete reported that at the October 11, 2023 meeting of the County Planning Board Land Development Committee, the Committee reviewed one information item as well as the first time submissions for the month of September 2023. The meeting was held via Zoom.

The Committee reviewed all first-time submissions for the month of September 2023. During the month, the County Planning Board reviewed a total of 16 submissions. There was one new lot

proposed. Of the site plans proposed during the month, there were 494,501 square feet of non-residential building space proposed as well as 26 multi-family units. There was \$7,020 in development review fees and \$1,518 in improvement value paid to the County Planning Board.

Planner Nora Fekete also reported that Supervising Planner Erika Phillips presented the proposed **AR Bridgewater II, LLC** project. The County previously received an application for a mixed used development consisting of a retail/commercial shopping center, hotel, medical office/wellness center, office space, and apartments. As a condition of the Township's approval for this previously proposed mixed-use development, the applicant was required to install a traffic signal at the intersection of Foothill Road (CR 639) and Route 202/206. As a result, a developer's agreement was prepared for the design and construction of the proposed traffic signal, however, the agreement was never executed and recorded, and the project was halted in 2020.

A new application was submitted to the County Planning Board, with a letter from Nicole E. Dory of Connell Foley, LLP, dated March 22, 2023. The letter indicated that the applicant did not execute the agreement as the applicant is no longer pursuing the previous mixed-use residential and commercial development on the property. The letter further stated that, as a result of the new site plan application, a traffic signal is no longer proposed at the intersection of Foothill Road (CR 639) and Route 202/206. Since the traffic signal at Foothill Road (CR 639) and Route 202/206 was previously a condition of the Township's approval of the former mixed-use development, the County required that the applicant provide a written confirmation that the Township is no longer requiring the traffic signal as a condition of their approval. Ms. Dory submitted the Resolution passed by the Bridgewater Township Planning Board acknowledging that the traffic signal is no longer a requirement. The County noted in their correspondence with Ms. Dory, that the applicant shall note that the resolution states "For the same reasons the Applicant is also entitled to preliminary major site plan approval for Phase 2 and 3". The Board states that "with approval, the Applicant will have to provide updated traffic studies when it returns for final major site plan approval for these phases". Therefore, the County's review letter contained that if the Township would require improvements to the intersection of Foothill Road and Route 202/206, after review of the updated traffic studies, the applicant shall submit plans showing the improvements to the County Planning Board for review and approval.

Chairman Navatto called for a motion to approve the August First Time Submissions. The motion was moved by Chris Kelly and seconded by Mike Giordano. A roll call vote was taken and the motion passed unanimously.

### Circulation Plan Update

Supervising Planner Kenneth Wedeen reported Planning staff stated that since the September Planning Board meeting the Keep Somerset Moving Transportation Plan 2045 Study consultant and county staff hosted the third Technical Advisory Committee (TAC) meeting on September 13<sup>th</sup>. At the meeting the TAC members provided feedback to draft recommended transportation projects, policies, and strategies from the Keep Somerset Moving Transportation Plan 2045 Draft Final Report. Planning staff along with County PIO and the consultant developed a press release, meeting flyer and social media posts utilized to promote the September 28<sup>th</sup> 2<sup>nd</sup> virtual public meeting.

The second public meeting was well attended with fifty people participating in Zoom meeting which included two breakout rooms for participants to share their ideas and concerns. Planning staff posted the PowerPoint presentation and the actual meeting YouTube video on the county study web page.

The County's consultant team delivered the draft final report for review by county and the North Jersey Transportation Planning Authority (NJTPA) staff on October 10<sup>th</sup>, 2023. The consultant delivered the draft final report appendices on October 16<sup>th</sup>.

### **Outside, Together! A Statewide Comprehensive Outdoor Recreation Plan for New Jersey Comment Letter**

Preservation Supervising Planner Tom Boccino reported that a letter was drafted to provide comments on the Draft 2023 NJ Department of Environmental Protection Outside Together! – A Statewide Comprehensive Outdoor Recreation Plan for New Jersey and presented to the Planning Board. The Plan is updated every 5 years at which time, public comment is solicited. The SCORP contains 6 goals and 6 principles for developing a framework for open space preservation and recreational planning in New Jersey.

The letter highlights the consistency of many of the goals and principles with the goals established in the County Open Space Preservation Plan. What the SCORP does not address are the larger open space and historic resources within Somerset County that contribute to the goals and principles of the plan. These resources include D&R Canal State Park, East Coast Greenway, Washington-Rochambeau National Historic Trail, Crossroads of the American Revolution Heritage Area and New Jersey's Scenic Byways.

The outdoor recreation assets listed all make major contributions to multiple principles described in the Draft SCORP. Specifically, the County's letter identifies consistency with Principle 1 – the need to improve maintenance, amenities, and public awareness of these existing assets; Principle 3 – encourage the economic empowerment of communities through ecotourism and heritage tourism; and Principle 5 – further equity and environmental justice.

Chairman Navatto called for a motion to approve the comments letter. The motion was moved by Chris Kelly and seconded by Michael Giordano. A voice vote was taken, and the motion passed unanimously.

### **NJ Department of Environmental Protection Draft Strategic Climate Action Plan Comment Letter**

Office of Planning, Policy and Economic Development Director Walter Lane provided a brief overview of the draft NJ Department of Environmental Protection (NJDEP) Strategic Climate Action Plan. The draft plan outlines NJDEP's proposed course of action to address and mitigate the impacts from climate change. The Plan contains a series of policies and strategies to guide the Departments work to support clean energy, climate resiliency initiatives as well as regulatory reforms to implement the provisions of the Global Warming Response Act of 2007 and its 2019 amendment.

Director Lane referred to the draft letter which was included in the Board's Meeting Packet. The letter highlights how many of the strategies contained in the draft plan are consistent with many of the County's planning and policy efforts. The draft Plan contains numerous strategies and action steps

related to land use polices. The letter suggests the draft Plan me modifies to clearly state that these action steps and strategies are consistent with and support the implementation of the State Development and Redevelopment Plan (SDRP). The current update to the SDRP provides an opportunity to ensure both these planning processes are aligned. Other suggested modifications included: adding a strategy/action step to improve the resiliency of wastewater treatment facilities; consider providing more technical assistance and increased grant funding opportunities to both counties and municipalities to advance the strategies and recommendations of the draft plan and supporting the NJDEP's new approach to land preservation to allow the implementation of carbon sequestration strategies on publicly owned or future publicly owned lands. Director Lane asked the Board to authorize him to submit the draft comment letter.

Chairman Navatto called for a motion to approve the Climate Action Plan Letter. The motion was moved by Chris Kelly and seconded by Commissioner Paul Drake. A voice vote was taken, and the motion passed unanimously.

**NJ State Agriculture Development Committee Draft Soil Protection Standards Rule Proposal Comment Letter**

Office of Planning, Policy and Economic Development Director Walter Lane reiterated Principal Planner Kate Katzer's comments regarding the proposed Soil Protection Standards released by the State Agriculture Development Committee. He referred to the draft letter which was included in the Board's Meeting Packet as well as the joint comment letter prepared by the County Agriculture Development Board (CADB) Administrators Group consisting of eleven (11) different counties. Director Lane noted Principal Planner Kate Katzer was one of three primary authors of the joint CADB. The letter highlights the County's concerns regarding the proposed rules and their impact on the County's Farmland Preservation Program. As proposed, the rules will greatly hinder the County's ability to achieve the Preservation Plan's goals and implement the various recommendations and strategies outlined in the Plan. He noted a few minor formatting and wording revisions were made to the draft letter and circulated the revised comment letter to the Board. Director Lane asked the Board to authorize him to submit the draft comment letter.

Chairman Navatto called for a motion to approve the Soil Protection Standards Letter. The motion was moved by Chris Kelly and seconded by Erika Inocencio. A voice vote was taken, and the motion passed unanimously.

**Resolution Celebrating National Community Planning Month**

Office of Planning, Policy and Economic Development Director Walter Lane reviewed the draft resolution Celebrating National Community Planning Month which was included in the Board's Meeting Packet. October is designated Community Planning month by the American Planning Association. He noted the Board of County Commissioners recently adopted a similar proclamation. Director Lane asked the Board to adopt the draft resolution Celebrating National Community Planning Month.

Chairman Navatto called for a motion to approve the Resolution Celebrating National Community Planning Month. The motion was moved by Chris Kelly and seconded by Commissioner Paul Drake. A voice vote was taken, and the motion passed unanimously.

**Wastewater Management Plan Update**

Office of Planning, Policy and Economic Development Director Walter Lane summarized the status of the County’s wastewater planning efforts. Earlier today NJ Department of Environmental Protection (NJDEP) provided a status update on the County’s Wastewater Management Plan. He stated he had spoken to the County’s NJDEP liaison and was told the Notice of Adoption for the approval of the Septic Management Plan is under review and should be posted in the NJ Register in the coming weeks. Our NJDEP liaison also reported initial comments on the draft Wastewater Management Plan, which was submitted to NJDEP in June 2021 and has been under review since that time, will be provided soon.

**Public Comments**

No members of the public were present.

**Committee Reports**


Committee Reports were included with the meeting packet.

**Next Meeting Date**

November 21, 2023 @ 4:45pm Regular In-Person Meeting

There being no further business before the Board Chairman Navatto asked for a motion to adjourn. The motion was moved by Mike Giordano and seconded by Commissioner Paul Drake. A voice vote was called and the motion passed unanimously. The meeting was adjourned at 5:35pm.

Respectfully submitted,

  
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Matthew D. Loper, Secretary