

**MINUTES OF THE APRIL 16, 2024  
MEETING OF THE SOMERSET COUNTY PLANNING BOARD  
HELD AT 4:45 P.M.  
IN PERSON MEETING**

**Call to Order**

The April 16, 2024 meeting of the Somerset County Planning Board convened at 4:51 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  
Adam Slutsky, alternate for Matt Loper, Recording Secretary

**Absent**

Albert Ellis, member  
Sami Shaban  
Matt Loper, Recording Secretary  
Commissioner Director Shanel Y. Robinson  
Commissioner Paul Drake  
Ashok Rakhit, 1<sup>st</sup> Alternate

**Also Present from Staff:**

Walter Lane, Director of Planning,  
Tom Boccino, Supervising Planner, Open Space Preservation  
Erika Phillips, Supervising Planner, Environmental & Resiliency  
Nora Fekete, Supervising Planner, Comprehensive Planning  
Ken Wedeen, Supervising Planner, Transportation

Katie Himics, Program Coordinator, Cultural & Heritage  
Sheli Daniels, Office Manager  
Marina Stinely, Esq. for Joseph Demarco, County Council

### **Approval of the March 19, 2024 Meeting Minutes**

Chairman Navatto called for a motion to approve the March 19, 2024 Planning Board Meeting Minutes. The motion was moved by Chris Kelly and seconded by Erika Inocencio. A voice vote was taken, and the motion passed unanimously.

### **DISCUSSION / PRESENTATION ITEMS:**

#### **Open Space Update – Hillsborough Country Club Acquisition**

Supervising Planner Tom Boccino reported that Somerset County is under contract for the acquisition of the Hillsborough Country Club properties owned by the Estate of Bryce Thompson for \$6,750,000. The acquisition is being funded through the County's Open Space Trust Fund, the NJDEP Green Acres Program and a contribution from Hillsborough Township. The funding breakdown includes \$2,550,000 from Green Acres, \$1,450,000 from Hillsborough Township, and \$2,700,000 from the County Open Space Trust Fund.

The properties consist of 5 tax parcels on the north and south sides of Wertsville Road in Hillsborough Township at the Hunterdon County boundary. The properties are located within the County's Sourland Mountain Preserve and will add 402 acres to the existing 6,000-acre Preserve. This is the County's largest single open space acquisition in the last 20 years.

The northern portion of the property consisting of 326.95 acres, has approximately 1 mile of frontage on the Neshanic River and is developed with a golf course and polo field. Structures are located on these parcels and include 3 residences, a motel and clubhouse, and 3 storage barns. The southern parcel consists of 75.26 acres and is vacant, with areas of mature woodland and open farm fields and slopes up from Wertsville Road to the south.

Benefits of the acquisition include:

- Continuing to preserve and protect the Neshanic River corridor and Sourland Mountain,
- Expanding on the existing Sourland Mountain Preserve,
- Maintaining scenic views of the Neshanic River and Amwell Valley,
- Providing the opportunity to restore a golf course to its natural state, and opportunities for other environmental education and restoration projects.
- Continuing to expand on the existing passive uses in the Sourland Preserve such as hiking, bird watching and equestrian uses,
- Providing a trailhead connection to the recently dedicated Rainbow Hill Sourland Preserve.

There are many ideas for the restoration and use of the property and buildings. Once the property closes, the County and Park Commission will begin a process to prepare a master plan for the property that will help guide the development, restoration, and use of the property, including any potential uses

for the existing buildings. The master plan process will also include public engagement to solicit thoughts and ideas from residents and partner nonprofit and government organizations.

### **Update on Affordable Housing Legislation**

Director of Planning Walter Lane informed the Board the proposed legislation to reform the affordable housing process was signed into law on March 20, 2024. He then provided a few highlights of the legislation:

- The Council on Affordable Housing (COAH) would be abolished. Its duties and functions would be split between the DCA and the Administrative Office of Courts (AOC).
- The DCA is tasked with calculating regional need and municipal present and prospective obligations in accordance with the methodology outlined in legislation with reference to the methodologies and datasets within the March 8, 2015, unpublished decision from the Superior Court; *In re Application of Municipality of Princeton*, also known as the “Jacobson opinion.”
- DCA must calculate municipal affordable housing obligations by December 1, 2024. Municipalities can calculate their own affordable housing obligations numbers using this methodology. Municipalities must adopt its Round 4 affordable housing obligations numbers via resolution by January 31, 2025, in order to have protection from builders’ remedies.
- Interested parties may challenge a municipality’s affordable housing obligations calculations and plans via the new dispute resolution plan.
- The bill expands the number of credits a municipality can receive but the number is capped. The rental bonus is eliminated.
- Municipalities must have their plans in place by March 31, 2025.

Director Lane stated staff continues to analyze the new law and will report their findings at the next Housing and Demographics Committee meeting. He also stated staff has started preparing a scope of work to update the Somerset County Housing Element. The draft scope of work will be shared with the Housing and Demographics Committee as well as the Master Plan Committee in the coming months. Lastly, he referred to the Board Packet which contained an article in the widely circulated ArcNews that featured the County’s Housing Navigator Application. He thanked Aarthy Sabesan, Naghma Malik, Stephanie Ladas for their excellent work on this valuable tool to share information about housing opportunities in the County.

### **Planning Director’s Report**

Director of Planning Walter Lane introduced the newest member of the Planning Division Staff, Samantha Quan who joined the team on April 8, 2024. Samantha will serve as a Planner in the Land Development Review Section. He welcomed Samantha to the team.

The first Planning Partners Forum of 2024 will be held virtually on April 23, 2024. The main agenda item will be an overview of the Cross Acceptance process and the roles and responsibilities of the County as well as the municipality. Director Lane encouraged the Board to attend the forum meeting. The 2024 Planning Partners Forum meeting dates were included in the Board Packet.

Director Lane reported he will be a panelist on a webinar about the State Development and Redevelopment Plan (SDRP) being hosted by the New Jersey Association of Counties. He will be presenting with the Office of Planning Advocacy's Executive Director Donna Rendeiro on the benefits of the SDRP and how Somerset County is the model of how to integrate the SDRP into local and County plans.

Director Lane reminded the Board that their 2024 Financial Disclosure Forms are due on April 30, 2024.

#### **ACTION ITEMS / INFORMATIONAL ITEMS:**

##### **Adoption of the Somerset County Cultural & Heritage Long Range Plan**

Program Coordinator Katie Himics stated the Somerset County Cultural & Heritage Commission Staff presented the draft Long Range Plan at the February Planning Board Meeting with the hope that after the public comment period ended the Planning Board would move to adopt this plan into the County's Master Plan at tonight's meeting. After the February Planning Board Meeting, public comment remained open for 30 days. During this time, staff received three comments.

The first requested the addition of an Indian cultural and heritage section to the plan, if not already included. This required no change as this falls within the broad scope of the plan's strategies related to collaboration with, and inclusion of, the County's many diverse residents and organizations.

The second comment came about in a meeting with the individual in which they asked various questions about the Cultural & Heritage Commission's progress on the plan's goals and shared their impressions of the plan. No specific changes were requested of us. The third comment required a change. Due to the County's recent restructuring, all instances of "The Office of Planning, Policy, and Economic Development" shall be changed to "The Office of Engineering and Planning".

It should be noted that this plan was approved and adopted by the Cultural & Heritage Commission in October 2023, and it also went through a public comment period, in which we received nearly 50 public comments and made changes in response.

Chairman Navatto called for a motion to approve the adoption of the Somerset County Long Range Plan. The motion was moved by Chris Kelly and seconded by Mike Giordano. A roll call vote was taken, and the motion passed unanimously.

##### **Resolution Conceptually Approving a Development Agreement between Hillcrest Crossing, LLC and the County of Somerset**

Supervising Planner Erika Phillips reported that the developer has proposed to construct a multi-family residential project consisting of 176 residential units which include 44 affordable units on the property.

The Development Agreement specifies any areas of concern by our County engineers and also outlines specifics as to what the Developer will provide and agree to and also what the County will provide as well. In addition, the draft Planning Board Resolution conceptually approving the Development Agreement was reviewed and approved by the Land Development Committee at their April 10, 2024 meeting. Chairman Navatto called for a motion to approve the Hillcrest Crossing Development

Agreement. The motion was moved by Mike Giordano and seconded by Chris Kelly. A roll call vote was taken, and the motion passed unanimously.

### **April 2024 Land Development Report and Approval of the March 2024 First Time Submissions**

Supervising Planner Nora Fekete reported that Engineer Jonathan Blank gave an introduction for the 229 Adamsville Road project in Bridgewater. The site is currently developed with an existing one-story vacant office building and a parking lot comprised of approximately 75 parking spaces with driveway access off Adamsville Road. With the exception of an existing Verizon vault located within the building, the project proposes to demolish the existing building and improvements and construct a new medical office building. The parking lot will be expanded, with additional parking provided under the building, and the existing driveway access point off Adamsville Road will be maintained.

As the project is classified as a major development and as per NJDEP rules, stormwater management is required to be provided onsite to address stormwater quantity, stormwater quality, and groundwater recharge requirements. The plans propose an underground detention basin consisting of 20 rows of 30" perforated HDPE pipes that will attenuate runoff generated from the proposed building and parking lot, and discharge to an existing wetlands area in the southwestern corner of the property. Runoff ultimately drains to County Bridge No. G0804 under Adamsville Road to the south of the site; thus, the stormwater management plan must be reviewed to ensure compliance with County requirements. The County Public Works Handbook requires underground detention basins to have a minimum pipe diameter of 36". The applicant's engineer, Stires Associates, has requested a waiver from the 36" requirement. Stires Associates has requested to keep the size of the pipe, which is 30", as currently proposed, to provide the maximum amount of cover over the pipe as well as to provide additional separation from any groundwater beneath the pipe. Increasing the size of the pipe will reduce the amount of cover over the pipe or reduce the separation to the groundwater table.

The applicant was also required to submit an application to NJDEP for freshwater wetlands permits, including the construction of an outfall within the existing wetlands buffer area. If an application is classified as a major development, the applicant must also submit their stormwater management plan to NJDEP for review with their permit application to ensure that all of its criteria are met prior to issuing a permit. NJDEP recently issued a permit on December 5, 2023 to permit the construction of the proposed improvements, including the construction of the 30" underground detention basin.

As the proposed 30" underground detention basin was previously approved by NJDEP and since maintenance of the basin will be the responsibility of the property owner, Engineering staff noted they have no objection to this waiver request. Based on the above, the Committee considered the request and agreed to grant the waiver request.

The Committee reviewed all first-time submissions for the month of March 2024. During the month, the County Planning Board reviewed a total of 20 submissions. There were no new lots proposed. Of the site plans proposed during the month, there was 27,080 square feet of non-residential building space proposed and 200 multi-family units were proposed. There was \$2,260.00 in development review fees and \$149,139.51 in improvement value paid to the County Planning Board. Bernard V. Navatto, Jr., did not participate in any discussion or take any action on the Root 22 Dispensary – 1062 Rt. 22 East application, in Somerville.

Chairman Navatto called for a motion to approve the March 2024 First Time Submissions. The motion was moved by Chris Kelly and seconded by Erika Inocencio. A roll call vote was taken, and the motion passed unanimously.

### **Circulation Plan Update**

Supervising Planner Kenneth Wedeen reported that over the last two months, County staff and North Jersey Transportation Planning Authority (NJTPA) staff have been reviewing the draft Keep Somerset Moving: Transportation Plan 2045 Study Draft Final Report. The review process includes reviews by the County Engineer and Planning Director reviewing the draft final report, final PowerPoint along with NJTPA comments on these documents. At this point the planning and engineering staff are in the process of compiling our final comments on the draft final report. Planning staff will compile one final set of comments that will be transmitted to the consultant who will make the final revisions and create a digital copy of the final report. After the final draft of the Circulation Plan is finalized, a public hearing will be held as part of adoption process for inclusion of the Circulation Plan as part of the County Master Plan.

### **Local Safety Action Plan**

Senior Planner Jonathan Eagle stated that Kickoff Meeting for Somerset County's Local Safety Action Plan (LSAP) was held earlier in the day. This meeting was led by the consultant team FHI Studio with support from Kieth Hamas and Lois Goldman from the NJTPA. The meeting went well and included a lot of input from the group using interactive polls. Aside from presenting general information, the main focus of this meeting was to identify who in Somerset County would be best to reach out to in order to receive input and best help advance the group's goals, as well as what types of outreach efforts the group thinks would work best to engage the public. Developing a Local Safety Action Plan is important because it gives the County the ability to access Federal Funds that are not available to us without having an LSAP in place.

### **State Development and Redevelopment Plan Update**

Director of Planning Walter Lane reported on the status of the update to the State Development and Redevelopment Plan. He stated the draft Preliminary State Development and Redevelopment Plan (SDRP) was scheduled to be released in early April and was pushed back to early May. The draft Preliminary SDRP is tentatively scheduled to be released on May 1, 2024. The Public Hearing on the draft Preliminary SDRP that was scheduled for June 12, 2024, has been rescheduled to July 10, 2024 at 6pm in the Commissioners Meeting Room at the County Administration Building.

On April 3, 2024, the Office of Planning Advocacy sent letters to the five municipalities in the County which are under the jurisdiction of the New Jersey Highlands Council regarding the NJ Highlands Council's intention to serve as the Negotiating Entity for the Cross Acceptance Process. Director Lane stated he emailed the Administrators of these five municipalities on April 4, 2024, regarding the County's request to serve as the Negotiating Entity for the Cross Acceptance Process. He asked for the municipalities to respond in writing with the municipalities preference as to who would serve as the

Negotiating Entity by April 30, 2024. The Mayor of Bedminster verbally told Director Lane the Township wants the County to serve as their Negotiating Entity.

Director Lane reported the work program for Cross Acceptance is being drafted. The Cross Acceptance Work Program will be presented to the Master Plan Committee at their next meeting. Like previous rounds of Cross Acceptance, the County will host numerous public meetings, regional and individual meetings with our municipalities and provide technical assistance to our planning partners. The resolution designating the Somerset County Planning Board as the Negotiating Entity for the County will be brought to the Board of County Commissioners shortly. He stated the entire Planning Staff is gearing up to undertake Cross Acceptance.

**Wastewater Management Plan Site Specific Amendment Consistency Letter: JSM at Basking Ridge, LLC, Block 11301, Lot 7, Bernards Township**

Director of Planning Walter Lane reported the County was contacted by a consultant firm representing the developer of a redevelopment site in Bernards Township regarding a potential Site-Specific Amendment to the County's Wastewater Management Plan.

The project is located at 477 Martinsville Road (Block 11301, Lot 7) in Bernards Township. The site contains an existing office building and the applicant proposes to add a parking garage, 320 multi-family units of which 54 will be affordable housing units, a 120-room hotel and 8,000 square feet of retail space. Only a portion of the lot is in the Harrison Brook Sewer Service Area. Staff has reviewed the initial documentation provided by the applicant and found the entire site is located within the i-78 Exit 33 (Bernards) Local Priority Area (LPA) of the County Investment Framework Map. Staff stated adding the remainder of the lot to the sewer service area would be consistent with the County Master Plan. The proposed Site-Specific Amendment to the County's Wastewater Management Plan was reviewed by both the Master Plan and Environment and Utilities Committees. Both Committees found the proposed amendment consistent with the County Master Plan. Director Lane referred to the consistency review letter included in the Board's meeting packet. He asked the Board to authorize sending the letter to the New Jersey Department of Environmental Protection.

Chairman Navatto asked the Board if they were in agreement to send the letter. The board responded unanimously approved sending the letter.

**Wastewater Management Plan Update**

Director of Planning Walter Lane reported he has officially heard that New Jersey Department of Environmental Protection (NJDEP) has approved the Septic Management Plan (SMP) for publication in the NJ Register. Once the notice is published, a public hearing will be held in Middlesex County at which Middlesex County will approve the SMP. After approval by Middlesex County, the NJDEP will approve the SMP. The approval process should start sometime in May. He stated the County has not received any initial comments from NJDEP on the draft WMP Plan, which was submitted to NJDEP in June 2021. He will reach out to NJDEP for an update.

He also informed the Board the adoption notice for the proposed site-specific amendment to the County's Wastewater Management Plan for the Glen Gery site in Hillsborough Township was published

in the New Jersey Register by the New Jersey Department of Environmental Protection (NJDEP) on April 15, 2024. The Board will be asked to take action on resolution of consent for the project at the May Planning Board meeting.

**PUBLIC COMMENT**

No members of the public were present.

**COMMITTEE REPORTS**

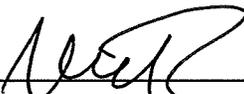
Committee Reports were included with the meeting packet.

**NEXT MEETING DATE**

May 21, 2024 @ 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 Chris Kelly. A voice vote was called and the motion passed unanimously. The meeting was adjourned at 5:31pm.

Respectfully submitted,

  
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Matthew D. Loper, Secretary