

**MINUTES OF THE MAY 21, 2024
MEETING OF THE SOMERSET COUNTY PLANNING BOARD
HELD AT 4:45 P.M.
IN PERSON MEETING**

Call to Order

The May 21, 2024 meeting of the Somerset County Planning Board convened at 4:49 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
Albert Ellis, Member
Christopher Kelly, Member
Commissioner Paul Drake

Absent

Erika Inocencio, Member
Sami Shaban, Member
Matt Loper, Recording Secretary
Commissioner Director Shanel Y. Robinson
Ashok Rakhit, 1st 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
Jonathan Eagle, Senior Planner
Samantha Quan, Planner

Sheli Daniels, Office Manager
Marina Stinely, Esq. for Joseph Demarco, County Council

Approval of the April 16, 2024 Meeting Minutes

Chairman Navatto called for a motion to approve the April 16, 2024 Planning Board Meeting Minutes. The motion was moved by Chris Kelly and seconded by Mike Giordano. A voice vote was taken, and the motion passed unanimously.

DISCUSSION / PRESENTATION ITEMS:

Reimagining Circulation in Somerset County, NJ Studio Class Presentation

Tom Dallessio from the Bloustein School of Planning & Public Policy at Rutgers University and several students presented results of the Reimagining Circulation in Somerset County, NJ Studio Class Presentation. The Studio Class developed several recommendations to improve transit service, bicycle and pedestrian improvements and emerging transit-related technologies. A summary of the findings of the Studio Class and the Storymap developed for this class can be found here: <https://bloustein.rutgers.edu/reimagining-circulation-in-somerset-county-nj/>

Planning Director's Report

Director of Planning Walter Lane informed the Board the next Planning Partners Forum Meeting will be on June 11th at 8am and will be held via Zoom. The tentative agenda will include an overview of the NJ Department of Environmental Protection's Brownfield Development Area Program as well as an update of the State Development and Redevelopment Plan. Over thirty-five people attended the April Planning Partners Forum.

He reported he continues to work with Bedminster Township to advance the redevelopment of the former AT&T site. Conversations with the NJ Economic Development Authority and other planning partners continue to be had to discuss legislative changes to the ASPIRE Program (an economic development incentive program, to ensure this site is eligible for the program.

Director of Planning Walter Lane provided a brief update of the Somerset County Master Plan Housing Element. He reported the scope of work is still being drafted by Staff. After reviewing the timelines associated with the new affordable housing legislation which became law in March 2024, the draft plan would have to be ready to start the adoption public hearing process, the draft plan would have to be complete by September 2024. This leaves only a few months to hold outreach meetings, research and draft an updated plan. This would also be occurring during the Cross-Acceptance process of the State Development and Redevelopment Plan. The timeline of this project was discussed with both the Master Plan and Housing and Demographics Committee. He suggested the County host a series of workshops in the fall that would highlight best affordable housing practices that could be included on the updated plan. This would allow the County to highlight strategies the towns could use while developing their fair share plans. An updated Housing Element could be adopted in mid-2025. Both Committees supported this approach.

Planning Director Walter Lane informed the Board of the proposed amendments to the Highlands Affordable Housing section of the NJ Highlands Council Regional Master Plan. He stated the amendments appear to be limited in nature. Staff will continue to review the proposed changes and prepare comments, if needed, for the Planning Board's consideration at the June Planning Board meeting.

ACTION ITEMS / INFOMATIONAL ITEMS:

May 2024 Land Development Report and Approval of the April 2024 First Time Submissions

Supervising Planner Nora Fekete reported the County Planning Board's Land Development Committee met on May 15, 2024. The Committee reviewed one item on the agenda and the first-time submissions for the month of April 2024. The meeting was held in the Commissioners Meeting Room.

Bonnie Burn Redevelopers Urban Renewal, LLC, Watchung – Waiver Request

Supervising Planner Nora Fekete reported Principal Engineer Jonathan Blank gave an overview of the Bonnie Burn Redevelopers Urban Renewal, LLC project in Watchung. The site is located on Bonnie Burn Road approximately 1,400 feet south of its intersection with Valley Road and directly across the street from the existing Weldon quarry. The site contains an existing dwelling and driveway off Bonnie Burn Road, however the great majority of the site is vacant and consists of existing wooded areas.

The project proposes to demolish the existing building and improvements and clear the wooded area on the property to construct a multi-family housing development consisting of six buildings containing 230 residential units along with a 2-story clubhouse and pool. The project proposes to construct a new access road off Bonnie Burn Road with a full-movement ingress lane and right-turn only egress lane. Bonnie Burn Road in the area of the proposed driveway will also be re-stripped in order to install a left turn lane to allow westbound traffic to complete left turns into the site and flashing intersection control beacons are proposed to be installed at the intersection of the proposed access road and Bonnie Burn. Regarding stormwater management, the project proposes to construct an underground detention basin consisting of 2 rows of 48" HDPE pipes and two above-ground bioretention basins to attenuate and treat stormwater before discharging runoff to Bonnie Burn Road.

The County Planning Board issued a review letter dated January 31, 2024 containing review comments regarding the proposed project. The applicant resubmitted to the County Planning Board on February 29, 2024 and included written waiver requests of one traffic requirement and three stormwater requirements from the review letter. The aforesaid waiver requests were the first item on the agenda.

In regard to traffic, Bonnie Burn Road contains existing shoulders approximately 6'-wide along the road and the proposed left turn lane will reduce the shoulder width along the frontage of the site in the area of the proposed improvements. The review letter indicated that the plans were to be revised to widen Bonnie Burn Road in order to maintain the existing shoulder width along the road. The revised plans propose 3'-wide shoulders in the area of the proposed improvements and the applicant is requesting a waiver from maintaining the existing shoulder width along Bonnie Burn Road.

In regard to stormwater, Bioretention Basin 1 was proposed with an emergency spillway depth of 1.35' as measured from the spillway elevation to the top of berm elevation, a top of berm width of 6 feet, and the spillway is proposed in a fill area (or an area that is proposed to be filled above existing grades), but the spillway is not proposed to be gabion-lined. As per the County Public Works Handbook, emergency spillways are to be designed to provide a minimum spillway depth of 1.5 feet, the top of berm must be at least 10 feet wide, and the emergency spillways proposed in fill areas must be gabion lined with the gabions extending 10 feet downslope from the toe of the proposed embankment. The applicant's engineer is requesting waivers from these three stormwater requirements.

Four waivers were considered by the Committee: three for stormwater and one for shoulder width. Testimony was heard from Nicole Dory, Esq., Paul Winters, PE, Bill Butler, Esq., Hal Simoff, PE, Kevin Coakley, Esq.

The committee will consider the testimony presented and will make its recommendation at their next meeting on June 12th. The recommendation will be presented to the full Planning Board at its June meeting. The full Planning Board will then approve, disapprove, or modify the recommendation.

April First Time Submissions

The Committee reviewed all first-time submissions for the month of April 2024. During the month, the County Planning Board reviewed a total of 31 submissions. There were 3 new lots proposed. Of the site plans proposed during the month, there was 43,135 square feet of non-residential building space proposed and 18 multi-family units were proposed. There was \$4,170.00 in development review fees and \$0 in improvement value paid to the County Planning Board. Michael Giordano, Jr., did not participate in any discussion or take any action on the Yeshiva Tiferes Borough, Inc. – New Academic Building application, in North Plainfield.

Chairman Navatto called for a motion to approve the April, 2024 First Time Submissions. The motion was moved by Chris Kelly and seconded by Mike Giordano. The roll was called, and the motion passed unanimously.

Circulation Plan Update

Supervising Planner Ken Wedeen reported that since the last Planning Board meeting Planning and Engineering staff have been reviewing the draft Keep Somerset Moving: Transportation Plan 2045 Study Draft Final Report. The review process includes Somerset County Engineering and Planning staff reviewing the executive summary, draft final report and final PowerPoint. At this point the planning and engineering staff finished compiling final comments on the draft final report. Those final comments will be shared with the County Administrator.

Once the final set of comments has been approved, Somerset County planning staff will transmit one final set of revisions to the consultant who will make the final revisions and create the final report, executive summary and PowerPoint presentation. Once the final report is received, planning staff will make a presentation at a regularly scheduled County Planning Board meeting after which the public adoption process will begin leading to adopting of the Circulation Master Plan Element during summer 2024.

State Development and Redevelopment Plan Update

Planning Director Walter Lane provided a brief update on the status of the update of the State Development and Redevelopment Plan (SDRP). The release of preliminary SDRP had been delayed until May 22, 2024 due to state agencies needing additional time to provide comments on the draft document. The release of the SDRP has been delayed again to allow additional State Agency comments. The draft plan may be released sometime in July. The public hearing on the draft plan hosted by Somerset County that was postponed to July 10, 2024 will not be rescheduled until the draft plan is released.

He also reported an overview of the SDRP Cross-Acceptance process was the main topic of the April 23, 2024 Planning Partners Forum. Both Bernards and Bedminster Townships have provided a letter to the State Planning Commission requesting the County Planning Board serve as their Negotiating Entity instead of the NJ Highlands Council. The three other NJ Highlands Council municipalities in the County have indicated they will be indicating their preference in the coming weeks.

He also reported he was a panelist on a webinar about the State Development and Redevelopment Plan (SDRP) being hosted by the New Jersey Association of Counties. He presented 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. Over fifty people were in attendance. After this presentation several counties reached out for more information and guidance on how to approach the Cross-Acceptance process.

Resolution Concerning a Proposed Upper Raritan Water Quality Management (WQM) Plan Amendment for the Hillsborough Glen Gery (AKA M&M Realty), Hillsborough Township (New Jersey Department of Environmental Protection Program Interest No.4356434; Activity No. AMD190005)

Supervising Planner Erika Phillips provided a brief overview of the project. The development is located at 95 Hamilton Road in Hillsborough. The Planning Board had previously determined that the proposed project was located within the Priority Preservation Area of the Somerset County Investment Framework Map, which is an element of the County's Master Plan. The County found the proposal to include this site in the sewer service area of the County Wastewater Management Plan was inconsistent with the County Master Plan.

In addition, a request was made to the Somerset County Planning Board by the Planning Director of Hillsborough to change the subject property to one of the growth areas of the Somerset County Investment Framework Map based on the rezoning of the site by the Township. This was done to support the development of affordable housing within Hillsborough and so that this site could be part of the township's overall affordable housing development plan. Based on the information the County will include the properties in this proposed site-specific Wastewater Management Plan Amendment in either the Glen Gery Local Priority Area or to the Alternate Growth Area of the County Investment Framework Map during the next update of the map making the proposed amendment with the County Master Plan. Staff recommends the approval of this resolution by the County Planning Board

Chairman Navatto called for a motion to approve the resolution. The motion was moved by Chris Kelly and seconded by Mike Giordano. The roll was called, and the motion passed unanimously.

Wastewater Management Plan Site Specific Amendment Consistency Letter: Haven at Princeton, Block 37003, Lot 7, Montgomery Township

Director of Planning Walter Lane provided an overview of a Site-Specific Amendment for the Haven at Princeton Project in Montgomery Township. The site-specific amendment is being proposed by Montgomery Township. The project proposes to construct a 154-unit multi-family development of which 32 units would be affordable housing units. The majority of the site is located within the Montgomery Township Stage II Wastewater Treatment Plant Sewer Service Area (SSA). To avoid impacts to the wetlands transition area, the Township is proposing to shift the SSA to the north on this property and reduce its size from 18.71 to 11.77 acres. The Township is proposing the addition of 1.92 acres to the north, and the removal of 8.86 acres to the south, resulting in a net reduction of 6.94 acres in the SSA. A portion of the proposed sewer service area is located within the Priority Preservation Investment Area of the County Investment Framework. The undeveloped land outside of the proposed SSA will be dedicated by the developer to the Township for open space. The proposed Site-Specific Amendment is inconsistent with the County Master Plan. However, since the project is providing affordable housing units and the undeveloped land will be dedicated as open space, staff recommended supporting the proposed Site-Specific Amendment. Both the Master Plan and Environment and Utilities Committees agreed with the staff recommendation. Director Lane asked the Board to approve the release of the consistency letter as presented.

Chairman Navatto called for a motion to approve the Letter. The motion was moved by Al Ellis and seconded by Chris Kelly. A voice vote was taken, and the motion passed unanimously.

Wastewater Management Plan Update

Director of Planning Walter Lane reported he has officially heard that New Jersey Department of Environmental Protection (NJDEP) has scheduled the approval of the Septic Management Plan (SMP) in the NJ Register for June 17, 2024. 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. Staff have not received any comments on the other draft components of the County Wastewater Management Plan.

PUBLIC COMMENT

No members of the public were present.

COMMITTEE REPORTS


Committee Reports were included with the meeting packet.

NEXT MEETING DATE

June 18, 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 Al Ellis. A voice vote was taken and the motion passed unanimously. The meeting was adjourned at 5:34pm.

Respectfully submitted,



Matthew D. Loper, Secretary