

**AMENDED MINUTES OF THE MARCH 19, 2024
MEETING OF THE SOMERSET COUNTY PLANNING BOARD
HELD AT 4:45 P.M.
IN PERSON MEETING**

Call to Order

The March 19, 2024 meeting of the Somerset County Planning Board convened at 4:46 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 associated regulations, adequate notice of this meeting has been provided. The date and time for this meeting was published in the Star Ledger and the Courier News. The agenda for this meeting 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
Adam Slutsky, alternate for Matt Loper, Secretary

Absent

Erika Inocencio
Sami Shaban
Matt Loper, Recording Secretary
Commissioner Director Shanel Y. Robinson
Ashok Rakhit, 1st Alternate

Also Present from Staff:

Walter Lane, Director of Planning,
Erika Phillips, Supervising Planner, Environmental & Resiliency
Nora Fekete, Supervising Planner, Comprehensive Planning
Ken Wedeen, Supervising Planner, Transportation
Sheli Daniels, Office Manager

Marina Stinely, Esq. for Joseph Demarco, County Council

Approval of the February 20, 2024 Meeting Minutes

Chairman Navatto called for a motion to approve the February 20, 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

State Development & 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 State Development and Redevelopment Plan (SDRP) is still on schedule to be released in early April. He reported he speaks to the Office of Planning Advocacy's Executive Director on a regular basis and has provided recommendations and suggestions on how to strengthen the draft SDRP and advance the cross-acceptance process.

He reported once the joint letter from the State Planning Commission and the NJ Highlands Council is sent to the NJ Highlands Council municipalities in the County, Director Lane will reach out to these municipalities to determine who they would want to serve as the Negotiating Entity for the Cross Acceptance Process. In a recent conversation with the Mayor of Bedminster about advancing the redevelopment of the former AT&T campus, the Mayor indicated he would like the County to be the Negotiating Entity for the Cross Acceptance Process.

In addition, he reported the Master Plan Committee recommended holding the first Planning Partners Forum in April after the draft State Development and Redevelopment Plan (SDRP) is released. Director Lane asked if the full Board supported that recommendation. All board members present agreed to support the recommendation.

Commissioner Drake inquired about the SDRP Policy Map. Director Lane stated the Office for Planning Advocacy (OPA) indicated that no mapping changes were planned to be initiated during the cross-acceptance. He described the draft mapping protocol being developed by OPA and the State Planning Commission. The draft mapping protocol is intended to help determine if their proposed map changes would be consistent with the SRDP.

Planning Director's Report

Director of Planning Walter Lane informed the Board the proposed legislation to reform the affordable housing process and procedures passed both House of the Legislature on Monday, March 18, 2024. The legislation is now awaiting the Governor's signature. He then provided an 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 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 the 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.

He will provide a more detailed update on the legislation at the next Board Meeting.

Director Lane reported the update of the 2019 Hazard Mitigation Plan was launched in coordination with the Office of Emergency Management. Over the next year, there will be numerous meetings with the public and other stakeholders to identify issues and recommend projects/initiatives to be included in the plan in order to make the County more resilient. Working with Rutgers University, the Plan will include recommendations and strategies to address the health impacts from climate change. According to Rutgers, the County would be the first in the nation to begin addressing health impacts from climate change via the hazard mitigation plan.

Director of Planning Walter Lane reported he had been contacted by the Director of Planning for Greenville County, South Carolina about the County’s regional planning efforts and our work with our municipal partners. In particular, Greenville County’s Planning Director wanted more information on our County Investment Framework Map. After explaining how the County developed and used the County investment Framework, the Greenville County Planning Director said that is exactly what they want to do and said they will model their efforts off our work.

ACTION ITEMS / INFOMATIONAL ITEMS

March 2024 Land Development Report and Approval of the February 2024 First Time Submissions

The Committee reviewed all first-time submissions for the month of February 2024. During the month, the County Planning Board reviewed a total of 16 submissions. There were 3 new lots proposed. Of the site plans proposed during the month, there was 9,230 square feet of non-residential building space proposed and 68 multi-family units were proposed. There was \$4,440.00 in development review fees and \$30,917.30 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 134 East Main, LLC site plan and the Dewing Minor Subdivision applications, in Somerville.

Chairman Navatto called for a motion to approve the February, 2024 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 stated that during February and March 2024 Planning Board, County Engineering and NJTPA staff have been reviewing the draft Keep Somerset Moving: Transportation Plan 2045 Study Draft Final Report. The review process includes several rounds of reviews including Somerset County Engineering and Planning staff reviewing the draft final report and final PowerPoint along with County staff reviewing NJTPA document comments.

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 into one final document that will be reviewed by the Planning and Engineering staff. 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 both print and digital copies of the final report.

NJ Highlands Council Regional Master Plan Amendments

Director of Planning Walter Lane detailed the findings of staff's review of the proposed draft Policy Standards for Warehousing in the New Jersey Highlands Region as well as the Land Use Capability Zone Map Highlands Master Plan Amendments. Staff's review found the proposed Policy Standards for Warehousing to be consistent with many of the County planning policies and strategies. He also reviewed the changes to the Land Use Capability Zone Map which involved removing Public Water Existing Area data and adding the latest FEMA Flood Hazard Area data. This information was presented to the Master Plan Committee at their March 13, 2024 meeting. Based upon the information presented by Director Lane, the Committee recommended no action be taken on this matter.

Director Lane asked the Board to endorse the Master Plan Committee's recommendation that no action was needed. All board members present supported the recommendation that no action was needed.

Wastewater Management Plan Site Specific Amendments Consistency Letters

Cawley Crossing, 188 Mountain Avenue, Block 83, Lot 4, Warren Township

Director of Planning Walter Lane provided an overview of the project. A site-specific amendment to the County Wastewater Management Plan has been requested for the proposed Cawley Crossing project site consists of one parcel identified as Block 83 Lot 4 totaling approximately 10.2 acres located in Warren Township. The project proposes to construct a special needs housing development providing a total of thirty-six (36) bedrooms in six residential buildings, plus one building for common use. The property is currently located in the Warren Township Sewerage Authority Stage I and II Sewer Service Area. The proposed amendment will create a new sewer service area which will only include the subject property. The wastewater flow generated by the proposed development will be treated by an

on-site tertiary treatment facility discharging to groundwater. The proposed project is located within the Priority Preservation Investment Area of the County Investment Framework Map.

Since this project is located within the Priority Preservation Investment Area of the County Investment Framework Map, the Somerset County Planning Board has determined that the proposed site-specific amendment is inconsistent with the County Master Plan. However, the Somerset County Planning Board supports the proposed site-specific amendment for the following reasons. The project is already included in the current Warren Township Sewerage Authority Stage I and II Sewer Service Area. The proposed on-site tertiary treatment facility will only serve the proposed affordable/special needs housing project and will not support further development on the adjacent preserved properties. The provision of special needs housing is consistent with the goals of the Somerset County Master Plan's Housing Element.

Based upon the above information, staff recommended supporting the proposed site-specific amendment. The Master Plan Committee agreed with staff's recommendation. A consistency review letter was prepared for Planning Boards' considerations. Director Lane asked the Board to approve the draft letter which was included in the Board's Meeting Packet.

Chairman Navato asked the Board members if they agreed to send the letter as drafted, all Board members present agreed.

Fox Hollow Golf Course, Block 15, Lot 28, Readington Township

Director of Planning Walter Lane reported this project is active again and provided a brief update. The County received a copy of the agreement between Branchburg Township and Fox Hollow Golf Partners and has been asked to provide a consistency review letter for the potential site-specific amendment to the County Wastewater Management Plan.

The proposed Fox Hollow Golf Partners project site consists of one parcel identified as Block 15 Lot 28 totaling approximately 101.24 acres located in Readington Township in Hunterdon County. The proposed project entails the construction of an age restricted residential community with an affordable housing component. The project consists of 240 residential units containing 192 age restricted market rate units and 48 family affordable housing units. The wastewater flow generated by this development will connect to Branchburg Township's sanitary sewer system and then into the Somerset Raritan Valley Sewerage Authority (SRVSA) collection system for treatment at their facility.

Previously, the Somerset County Planning Board had raised concerns about this project's proposed potential expansion of the SRVSA assigned sewer service area into Readington Township. However, the Somerset County Planning Board supports the proposed site-specific amendment for the following reasons. Branchburg Township has executed an agreement with the applicant to advance this project. The agreement stipulates the applicant will make improvements at the Brandywine Pump Station in Branchburg Township as well as additional sewer system improvements associated with the proposed project at the applicant's expense. The agreement also specifies that the wastewater flow from the project will not exceed 60,000 gallons per day and expressly limits any additional sewer connections. It is the County's understanding that the 60,000 gallons per day is already included in Branchburg

Township's assigned wastewater capacity allocation. The applicant has agreed to donate the entirety of the golf course property (nearly 60 acres) in Branchburg Township as open space to Branchburg Township. The addition of this open space property creates an opportunity to potentially advance Somerset County's Lamington River Greenway initiative. The provision of affordable housing is consistent with the goals of the Somerset County Master Plan's Housing Element.

In addition, Hunterdon County is supportive of the proposed project and the associated site-specific amendment. Based upon this information, the Committee directed staff to prepare a consistency review letter outlining the County's support for this project. A consistency review letter was prepared for Planning Board's consideration. Director Lane asked the Board to approve the draft letter which was emailed to the Board yesterday.

Chairman Navato asked the Board if they approved of letter as drafted, all Board members present agreed.

Wastewater Management Plan Update

Director of Planning Walter Lane summarized the status of the County's wastewater planning efforts. The NJ Department of Environmental Protection (NJDEP) has indicated that Notice of Adoption for the approval of the Septic Management Plan (SMP) should be in the NJ Register in early April. Middlesex County had tentatively scheduled a Public Hearing on the SMP for May 15, 2024. He also reported the County has not received any initial comments on the draft Wastewater Management Plan, which was submitted to NJDEP in June 2021.

He also provided a brief summary of a recent meeting with Montgomery Township regarding needed updates (buildout and the transfer of flows from one approved sewer service area to another approved sewer service area) to the Montgomery/Rocky Hill Chapter of the County's Wastewater Management Plan (WMP). This chapter had been approved separately from the current draft WMP. It was hoped these changes could be made at the same time the County addresses NJDEP's comments on the remaining components of the draft WMP. Since the County has not received comments on the draft WMP, Montgomery Township needs to move forward with the proposed changes now. Staff meet with NJDEP and Montgomery Township officials and Montgomery will be moving ahead with a site-specific amendment to advance their changes.

Public Comments

No members of the public were present.

Committee Reports


Committee Reports were included with the meeting packet.

Next Meeting Date

April 16, 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 5:12pm.

Respectfully submitted,



Matthew D. Loper, Secretary