

The meeting was called to order by Mr. Lopez. Mr. Lopez made the statement adequate notice of this meeting has been published and posted in accordance with Chapter 231 of the Public Law of 1975, "Open Public Meetings Act."

COMMENTS FROM THE PUBLIC

Mr. Lopez opened the meeting to the public to speak on matters other than those on the agenda. No comments were forthcoming, and this portion of the meeting was closed to the public.

Minutes of the Regular Meeting of the Morris Plains Planning Board held on March 19, 2012 at 7:30 p.m. in the Council Chambers, 531 Speedwell Avenue. The following members were present:

Present: Mr. Andre Jensen
Mrs. Sydney Leach, Vice Chair
Mr. Ralph Lopez, Chair
Mr. Leo Nichols
Mr. Vincent Novak
Mr. Hank Sawoski
Mr. Donald Underhill
Mr. Raymond Zabihach
Mayor Frank J. Druetzler

William Denzler, Borough Planner
Christopher Falcon, Board Attorney

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Mr. Nichols moved that the minutes of the January 16, 2012 Re-Organization Meeting be approved as amended, seconded by Mr. Novak.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Nichols
Mr. Novak, Mr. Zabihach, Mayor Druetzler

Nays: None

Abstain: Mr. Sawoski, Mr. Underhill

Motion carried.

CORRESPONDENCE AND BILLS

Mr. Nichols read the vouchers presented for payment:

Maraziti, Falcon & Healey **PO#86891** **\$885.00**

For Professional Services rendered to the Planning Board, December, 2012

Maraziti, Falcon & Healey **PO#88580** **\$875.00**

For Professional Services rendered to the Planning Board, January, 2012

Maraziti, Falcon & Healey	PO#88609	\$875.00
For Professional Services rendered to the Planning Board, January, 2012		
William Denzler & Associates	PO#88581	\$287.50
For Professional Services rendered to the Planning Board, January, 2012		
Anderson & Denzler Associates, Inc.	PO#86895	\$ 72-40
For Professional Services rendered to the Planning Board, January 2012		
Anderson & Denzler Associates, Inc.	PO#88421	\$ 36.20
For Professional Services rendered to the Planning Board, February 2012		

Mr. Nichols moved that the vouchers as read be approved, seconded by Mr. Underhill.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Nichols, Mr. Novak,
Mr. Sawoski, Mr. Underhill, Mr. Zabihach, Mayor Druetzler

Nays: None

Motion carried.

**PB-3-11 – Hi-Tech Park, LLC – American Road & E. Hanover Avenue
Conversion - Block: 11 - Lot: 8**

Mr. Lopez stated this application is on tonight’s agenda for the approval of a Resolution for adjournment to August 20, 2012. Mr. Lopez read the Resolution.

Mr. Nichols moved the Board approve the Resolution, seconded by Mrs. Leach.

Roll Call

Yeas: Mr. Jensen, Mrs. Leach, Mr. Lopez, Mr. Nichols, Mr. Novak,
Mr. Sawoski, Mr. Underhill, Mayor Druetzler

Nays: None

Motion carried.

A copy of this Resolution is attached and on file in the Board Secretary’s office in the Planning Board’s Resolution Book.

Mr. Zabihach arrived 7:40pm

Committee Reports

Minor Site Plan Committee

No report presented.

Master Plan Review Committee

No report presented.

NEW BUSINESS

Zoning Officer – Modification of Approval Process for New Business Applicant

Mr. Salerno, the Borough Zoning Officer, commented on why this process is being proposed for discussion at this time. He explained that for some time now potential applicants have visited with him to obtain information about the process for bringing their business to the Borough. While some return one or even two more times to continue to discuss the process, many do not return. Tonight he wants to explain proposed revisions/modifications to the process that are intended to make the process less complicated and more attractive to prospective new business owners.

Continuing, he began by discussing the list of current procedures, providing specific explanations as necessary. These procedures included non-permitted use; permitted use (“like for like”); permitted use but a different type of business; and the business certificate of occupancy (BCO). He also provided information regarding various fees that applicants must pay as well as inspections.

Mr. Salerno commented on how the process typically occurs, including the general time frame to approval/denial and checklists. He explained that quite a number of applications do not include substantial improvements or changes to the structure, so generally in such instances only the \$100 application fee would be collected, but no escrow would be required. Permits would need to be issued as appropriate and paid for, including for signage. He stated that the Minor Site Plan Committee would be able to report on activity to the Board.

Mr. Falcon referred to and read a portion of the definition of a minor site plan as contained in the ordinance and raised a question concerning, for example, parking at the site. Would this be treated as a regular change in use? A change in use involving no building construction is currently a minor site plan.

Mr. Salerno recommended that if someone comes in with a permitted use (by Schedule C), they should not have to go to the Board for approval. They are not constructing, just moving in.

Mr. Falcon believes certain definitions should be changed in order to move forward with the proposed revisions to the process.

Mr. Salerno provided commentary regarding parking, particularly the municipal parking lots.

Mr. Lopez stated he believes the recommendations he has heard so far would simplify the process. He has no problem.

Mrs. Leach asked about a change in use that is permitted but is not identical that results in changes regarding parking requirements.

Mr. Salerno stated there would be the ability to review this; he also referred to the LDO. However, the majority of the cases he is referring to there is not any major reduction to be made along the municipal parking lots. If a parking issue was identified, he believed it would need to come before the Board.

Mr. Lopez commented that if a use is permitted in the LDO, Mr. Salerno could handle the matter. He felt this would include parking requirements.

Cross discussion concerning handling of parking issues if the proposed new process is adopted.

Mrs. Leach commented on her concerns in connection with the large shopping center stating she has not been at this site lately and is uncertain what is currently behind the stores.

Mr. Salerno commented on the property maintenance ordinance and how this ordinance helps the Borough control and address issues of this kind.

Cross discussion relating to property maintenance at the shopping center, discussions Mr. Salerno has had with the landlord, actions the landlord has taken to address complaints, and how the Zoning Officer will be able to enforce the property maintenance ordinance.

Mr. Zabihach commented that the proposed new process is not a lessening of the process, but rather a simplifying of it. For certain conditions/situations, applicants will not be asked to "go through" more hoops and more procedure than necessary. The primary goal is have all the vacant storefronts occupied.

Mr. Lopez stated that simplifying the procedure will encourage businesses to want to operate in the Borough.

Mr. Falcon commented on the issues discussed so far.

Mr. Salerno advised that he believes the property maintenance regulations have the authority to handle these matters. How stringently these regulations are enforced is another question. He believes he has adequate tools to address property maintenance issues.

Mr. Falcon raised the subject of the minor site plan definition asking Mr. Salerno what wording he thought should be retained. There was a reference to the minor site plan checklist.

Mr. Salerno explained he would like to use the BCO information.

Cross discussion about the wording of this definition, including the need for a recommendation to the Council concerning the checklist and the definition for change of use and whether the wording can be kept as it is.

Mr. Denzler advised that whatever remains in the ordinance will need to be followed. The ordinance wording would need to accurately address precisely what was required. He stated there are two Change of Use checklists and explained the differences between the two. He provided his recommendation as to what should be retained in the ordinance wording.

Cross discussion about what a revised checklist should contain versus what a revised ordinance should contain and the recommendation of combining the existing two checklists into one (keeping the one that covers everything).

Mr. Denzler advised that D-2 is the "one that goes." The Board's changes to the ordinance will need to be sent to the Council.

Mr. Zabihach offered to handle this as the Ordinance Committee Chairman.

Mayor Druetzler reviewed how the process will be reviewed prior to referring the requested to the Council.

Mr. Lopez thanked Mr. Salerno for his presentation.

Mayor Druetzler advised of information received from the County regarding a new proposed flood mitigation program. He does not believe this proposed program will affect the Borough. He distributed copies of the documentation. He also advised that Open Space funds will be used to buy properties in connection with this program. The program will begin with \$16 million, which he believes is the unused portion of Farmland Preservation.

Cross discussion about this proposed program, including applications will need to be submitted, FEMA funds would be a portion of the funding, cost caps, and whether local funds would be involved.

Mr. Zabihach commented that when property is purchased under the proposal flood mitigation program, the land then becomes open space since no building will be

permitted, thus open space inventory is enhanced. He believes unencumbered monies are being used.

Borough Planner – Census Report

Mr. Denzler presented his Census Report. He distributed a memorandum addressing the 2010 census data pertaining to the Borough. He explained the summary files process he used to develop this report. Summary File 3 (detailed specifics on housing) is expected to be released later this year, probably during the summer. He provided information on the other sources he used to complete his report.

Continuing, he provided information regarding his general observations concerning changes between 2000 and 2010: (1) the Borough increased in population by 296 people, a 5.65% increase; (2) population density in 2010 increased to 2,111 persons per square mile; (3) a decline continued in “the family age groups” for persons 25 to 44; (4) the Morris County Planning Board made population forecasts that predict a decline in the Borough population between now and 2025; (5) then a population increase beginning in 2030, which will be a much greater increase than observed in previous decades; (6) housing units increased by 176 units to 2,131 occupied; in 2000 there were 1,955; (7) household size declined slightly to 2.57 persons per household; and (8) one-person households increased by over 5%; this is important because in the Borough the primary house size is 2 person, the largest category, but one-person households are actually increasing.

Mr. Denzler then provided information pertaining to regional growth. He compared Morris County as it compares to adjoining counties (Bergen, Essex, Passaic, and Sussex). Morris County increased by 4.7%, the highest of all surrounding counties. Essex County experienced a loss in population of 1.2%. He referred to the table on Page 4 which shows various population changes from 1960 to 2010 in the Borough and adjoining municipalities. The Borough had one of the higher growth rates at 5.7%. Hanover Township is the only municipality that exceeded the Borough. The Borough’s population density was the greatest of all the adjoining municipalities. He next referred to the table on Page 5 (age composition). There was a 6.3% loss in the under five category and losses for the 25 to 34 and the 35 to 44 age groups. All other components increased, including the 65 and over groups. The largest category change was in the 15 to 19 age category which increased by 30%. Page 6 shows a breakdown of the Morris Plains population by gender. Males were more prevalent in the younger age groups while the females were greater in the age 35 and above groups. The Morris County Planning Board provided information regarding future population growth (Table 5 on Page 7). A substantial loss is projected for between now and 2015, but with a substantial gain in 2030 of more than 12%. Morris Plains has little developable land remaining.

Cross discussion of certain data presented by Mr. Denzler, including how the projections for the future were determined.

Mr. Zabihach provided information based on his experience working with the Morris County Planning Board. He believes the most important statistic in the census report is the declining household size. The future projection(s) are looking at many factors that may or may not actually happen in 20 years. There may be an assumption that those municipalities with railroad stations will experience higher densities as they years pass. He also referred to Smart Growth.

Mayor Druetzler stated he does not believe the census report is a good projection. He referenced the apartment on West Hanover Avenue and the units being built on Route 202.

Mr. Zabihach explained that population projection reports are done differently now than in the past. There is significant computer usage in the preparation of these reports; the data in the final report was dealt with in a different manner than before. There have been substantial modifications. He referred to the transportation projections, the State's projection and the Highlands projections, and all three do not necessarily agree.

Mr. Denzler continued his presentation by discussing Table 6 on Page 8 (household size). The largest category in the Borough continues to be two-person households. The next table provided information concerning housing inventory/housing units, with the majority being single-family detached. Page 9 provides a breakdown of occupied and vacant units as well as pertinent information relating to these units. The final table provides a breakdown of housing stock projections (new units, building permits and related data).

Mr. Lopez thanked Mr. Denzler for his presentation.

Mr. Zabihach commented on the removal of Eileen Swan as Director of the Highlands organization. The State is currently conducting a search for a replacement; the rumor being it may be Freeholder Gene Feyl. He believes this will result in a substantial change in the direction of the Highlands organization. Within the next year or two it is very possible there will be new information presented to Borough requiring response.

OLD BUSINESS

Escrow Report

The Board Secretary advised there is no escrow report, but Mr. Banks will have one for the Board's April meeting.

There being no further business, Mrs. Leach moved the meeting be adjourned, seconded by Mr. Underhill. Voice vote. All in favor. Motion carried.

Karen M. Coffey
Commission Secretary

Maureen Sullivan
Recording Secretary