MONMOUTH COUNTY PLANNING BOARD
FREEHOLD • NEW JERSEY

JOSEPH RETTAGLIATA
Board Chairman

ROBERT W. CLARK
Director of Planning
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MINUTES OF THE REGULAR MEETING OF THE MONMOUTH COUNTY PLANNING BOARD HELD ON May 17, 2010

1. CALL MEETING TO ORDER

Chairman Rettagliata called the meeting to order at 2:05 p.m.

2. PLEDGE OF ALLEGIANCE

3. OPEN PUBLIC MEETINGS ACT

Counsel Aikins read the "Open Public Meetings Act Compliance" statement.

4. ROLL CALL

Members Present: Joseph Rettagliata, Vincent Domidion II, Mollie Giamanco, Paul Kiernan, Jr., Toms Means, Joseph Ettore, Freeholder Burry and Freeholder D'Amico (arrived at 2:07 p.m.).

Members Absent: James Stuart

Alternates Present: Nancy Grbelja.

Alternates Absent: Freeholder Clifton, James Giannell and Richard Kucinski

Counsel Aikins stated that Nancy Grbelja will be a voting member in the absence of James Stuart.

Others Present: Robert W. Clark, Director of Planning
Bonnie Goldschlag, Assistant Director of Planning
Mark Aikins, Esq., Counsel to the Board (left at 3:48 p.m.)
Geraldine Elias, Secretary to the Board

MCPB Staff Present: Joseph Barris, Long Range Planning Section
Anthony Gamallo, Transportation Planning Section
Harriet Honigfeld, Environmental Planning Section
Jessica Kubida, Environmental Planning Section
Ann Waters, Environmental Planning Section

5. CORRESPONDENCE

A. Director Clark reported that we have received a letter dated April 16, 2010 from the Chairwoman of the Warren County Planning Board to the Honorable Jerry Green, Chairman of the Assembly Housing and Local Governmental Committee regarding Bill A-128. He updated the board on the bill stating that the bill is in Housing and Local Governmental Committee and has not moved. This is the second year in a row that this bill has not moved. Director Clark suggested that maybe we can get one of the county's legislators to inquire about the bill. A copy of this letter was distributed to the board and is attached to these minutes for reference.

7. COMMITTEE REPORTS

A. ENVIRONMENTAL COUNCIL

Ann Waters reported that long-time Environmental Council member Ed Pitts passed away. It was discussed and agreed upon that the Planning Board and the Board of Chosen Freeholders would prepare resolutions recognizing the accomplishments of Mr. Pitts.

Ms. Waters reported the Board on the Brookdale Rain Garden project is moving forward. NJDEP notified the council that the spending plan for the grant on this project is finally in the commissioner's office and is being reviewed. Ms. Waters stated that with this news, they are now looking at construction to begin in the fall.

In addition, Ms. Waters stated that the council discussed the June 3rd Roundtable on the topic of community gardens. The flyer will be posted on the website shortly. She stated that she has four master gardens speaking about their projects at this roundtable. The coordinator of the Freehold Borough community garden will also be speaking about planning their garden and the challenges that were faced. In addition, a Monmouth University grad student will be speaking about his experience in creating a community garden at the university.

Freeholder Director Burry stated that Wednesday evening she will be attending a Fort Monmouth Economic Revitalization Planning Authority meeting. At this meeting, there will be a discussion on the difference between an environmental assessment and an EIS and all pertinent information related to the topic. Ann Waters stated that she will also be attending and will report back to the board.

B. AMENDMENT REVIEW COMMITTEE

Jessica Kubida stated that at the last Amendment Review Committee they discussed a proposed amendment and a revision to the county's *Areawide Water Quality Management Plan.* The committee is recommending that the plan be revised to include Block 415, Lot 31 in Marlboro Township as being

located within WMUA's sewer service area. Ms. Kubida provided a draft resolution for the board's consideration. Council Aikins read the resolution into the record. Mollie Giamanco offered a motion to approve the resolution and it was seconded by Freeholder D'Amico. All present were in favor.

Ms. Kubida stated that the committee is also recommending that the *Areawide Water Quality Management Plan* and the *Draft Monmouth County Wastewater Management Plan* be amended to include Block 48, Lot 19 in Colts Neck Township as a discharge to groundwater of 14,950 gallons per day. Ms. Kubida provided a draft resolution for the board's consideration. Council Aikins read the resolution into the record. Vincent Domidion stated that in the fourth "WHEREAS"; third line - the word "to" needs to be inserted between the words "nitrates" and "10mg/L. Paul Kiernan, Jr. offered a motion to approve the resolution with the amendment and it was seconded by Mollie Giamanco. All present were in favor.

C. AGRICULTURE DEVELOPMENT BOARD

Harriet Honigfeld reported that they terminated one of their 8-year agreements because the farm was already permanently preserved during the eight year period.

In addition, Ms. Honigfeld stated that staff is starting to go out and to do their required annual monitoring of all preserved farms.

D. TRANSPORTATION COUNCIL

Anthony Gamallo reported that the Transportation Council did not have a regular meeting during May since they had their Summit on May 4th. There were approximately 70 people in attendance at the Summit. Mr. Gamallo distributed brochures from the summit to the board for their information. A copy of the brochure is attached to these minutes for reference.

E. STORMWATER TECHNICAL ADVISORY COMMITTEE

The Stormwater Technical Advisory Committee did not meet in May.

G. GREENHOUSE GAS REDUCTION ADVISORY COMMITTEE

The Greenhouse Gas Reduction Advisory committee did not meet in the month of May.

F. DEVELOPMENT REVIEW COMMITTEE

Chairman Rettagliata stated that Schedules 1104 A, B, C, and D of the Monday, March 22, 2010 meeting and Schedules 1105 A are available from Secretary Elias.

8. OLD BUSINESS

A. Update on the *Wastewater Management Plan*

Assistant Director Goldschlag reported that she has received comments back from NJDEP and they accepted all the mapping changes that we re-submitted in March 2010. In addition, NJDEP just had only one or two comments on the text. Assistant Director Goldschlag stated that once the changes are made we should be able to begin the public hearing process. Currently our office has a call into NJDEP's Assistant Commissioner, Marilyn Lennon, to find out if we need a public meeting before we have the public hearing since we submitted our plan before the new rules went into effect which added that new requirement.

In addition, Assistant Director Goldschlag stated that we cannot adopt our Plan until the municipalities pass Riparian Ordinances. We are currently negotiating with NJDEP to see if we can adopt our plan prior to the submission of all the municipal Riparian Ordinances and amend the plan as the ordinances are submitted.

B. Housing Opportunity Task Force Findings and Recommendations

Assistant Director Goldschlag distributed a copy of a press release titled, "Governor Christie Unveils Realistic and Achievable Measures to Reform New Jersey's System of Affordable Housing" released by the Office of the Governor on Thursday, May 13, 2010. A copy of the press release is attached to these minutes for reference.

Assistant Director Goldschlag reviewed the press release with the board. She stated that, in summary, the state will abolish the Council on Affordable Housing (COAH); DCA's role is only to file plans that were approved by the municipalities. The municipalities' plans for affordable housing will be located in their housing element of their master plan. This plan will give the state a minor role and all the responsibilities will be given to the municipalities. Assistant Director Goldschlag will continue to look into all the legislation that is pending regarding COAH. There was discussion on this issue.

Assistant Director Goldschlag stated that the New Jersey County Planners Association will be looking into all the different proposed legislation will develop joint comments based on a consensus of all the counties' concerns.

Vincent Domidion distributed a summary on the Housing Opportunity Task Force Findings and Recommendation that he prepared outlining his personal perspective and reviewed it with the board. A copy of his personal perspective is attached to these minutes for reference.

Chairman Rettagliata stated that the board will look at all the information provided at today's meeting and this issue will be brought up at the next

meeting for further discussion. The Board members agreed to set up a subcommittee to review all data used by the state and any new data that is available. Secretary Elias will send out meeting date notifications to all board members and those that can make it will be on the subcommittee. This subcommittee will meet between now and the next meeting and report back to the board at the next meeting.

C. Update on the *Coastal Monmouth Plan*

Joseph Barris distributed copies of the final draft of the *Coastal Monmouth Plan*. A copy of the plan is attached to these minutes for reference. Mr. Barris asked the board to set the Public Hearing date for the plan for July 19, 2010. All present agreed.

Director Clark stated that in 2006, the board adopted new guidelines our office is to follow with regards to how many hard copies and CDs should be mailed to the municipalities as per the state statute for adopted plans. At that time, the board agreed then to send each municipal governing body and planning board a hard copy of the draft plan and a CD to every member of the municipal governing body as part of the public noticing process. Director Clark brought up this issue again stating the costs of mailing and preparing the plan and CDs have increased and our office is trying to find ways to save money. He reviewed some cost estimates involved with the preparation and mailing of these plans as required by state statute. After some discussion, Tom Means offered a motion to set a policy by only supplying each municipal governing body and planning board with one hard copy of plan as required by state statute and one CD. This motion was seconded by Paul Kiernan, Jr. and all present were in favor.

D. Update on the *Corridor Management Plan* for the Upper Freeholder Historic Farmland Byway

Joe Barris distributed the final draft copy of the *Upper Freehold Historic Farmland Byway Corridor Management Plan* to the board. A copy of the plan along with the cover memorandum is attached to these minutes for reference.

Mr. Barris stated that the Upper Freehold Historic Farmland Byway Corridor Management Plan Committee is seeking endorsement of the Plan by way of a resolution of support by this board. He is looking to put this matter on the board's June 21, 2010 meeting agenda for review and consideration of a resolution of support. Mr. Barris stated that he would like any comments that the board members may have on the plan by May 31, 2010 so that he may incorporate them into the final county response. He will also draft a resolution of support for consideration at the next meeting.

E. Update on Fort Monmouth Environmental Issues

Assistant Director Goldschlag reported that staff had a meeting with Fort Monmouth representatives to discuss Mr. Dlugosz's report on environmental issues at Fort Monmouth. Frank Costentino, Rick Harrison and Diane Canterbury from Fort Monmouth were in attendance. In addition, Tom Means, representing the Monmouth County Planning Board, Mike Fedosh, representing the Monmouth County Environmental Council and planning staff Ann Waters, Linda Brennen and Bonnie Goldschlag, all were in attendance. Assistant Director Goldschlag stated that the Fort Monmouth representatives went over the report and offered some updated information. She also stated that it is to everyone's benefit that the site is clean and in good shape to encourage development of the site.

At this meeting, Ms. Goldschlag was informed that there is testing in Wampum Lake. However, there are certain areas that they are not able to test since it is located off the property and the Restoration Advisory Board (RAB) group is the only ones that can ask for a TAP grant for offsite testing. In addition, some contaminated tanks have been removed and they are in the process of removing more. For the next phase at the planning and development process, they would like to have an environmental planner to monitor the clean-up process. There was nothing new in this report that they were not already aware of and that has already been addressed. Assistant Director Goldschlag stated that the author of the report is also a member of the RAB group and received some of the new information after he wrote report.

Mr. Means stated that the committee's feeling is that most of the valid concerns contained in the report are now being addressed by the Army and NJDEP. Assistant Director Goldschlag stated that they left the meeting feeling that no stone has been unturned. They will also be bringing in the Army to answer any questions at FMERPA's next meeting. The FMERPA representatives also suggested coming to the Planning Board once the new group has been formed to give us a presentation and answer any questions.

Freeholder D'Amico stated that he still has some concerns with NJDEP's monitoring and notification process with the cleanup of the property prior to the transfer to the municipalities. He would like to have the Fort Monmouth representatives and NJDEP give a presentation at one of our Board meetings and give an update on their process and the progress to date. All present agreed.

F. Update on the TMDL Committee

Assistant Director Goldschlag is reporting on behalf of Turner Shell regarding the TMDL committee and the presentation last month. The committee met with NJDEP and they notified the committee that their legal department is now reviewing the TMDLs for Monmouth County and should be adopting it by the end of the year. The TMDL committee is moving forward with other strategies

that they discussed with the board. They are looking for potential grants to assist the municipalities in that area. Assistant Director Goldschlag stated that one of the grants they looked into was the Urban Watershed Capacity Building Grant from the USECA which they forwarded to Red Bank.

Director Clark reported that as a result of Mollie Giamanco's question on signage during last week's presentation, Turner Shell reported that they post signs by law and statute where the classification changes on shellfish. There is a sign on the middle side of the Oceanic Bridge and also at Claypit Creek in Middletown. They did not think there was any need to post signs west of Coopers Bridge/Rt. 35 Bridge, because there were only two places with public access. However, as a follow-up, they did put a sign at Chris' Deli which has public access. Director Clark stated that if any board member would like to suggest where a sign should be placed, they should contact Bill Simmons of the County's Health Department.

9. NEW BUSINESS

A. Brownfields Inventory Project

Ann Waters introduced Nicole Fagundo, an intern from NJIT working with the Planning Board on a Brownfields' Inventory in Monmouth County. Ms. Waters explained that this project entails creating an extensive database of the brownfields sites in the county. Ms. Fagundo worked on the first phase of this project which targeted the Bayshore Region. Once these sites are identified we will be looking at them for economic development and other possibilities.

Ms. Fagundo gave a PowerPoint presentation on this project and her findings on the Bayshore region. She reviewed the site listings she used to develop the inventory. In addition, Ms. Fagundo stated that she will be contacting each municipality as well for their input. Another intern will come in June and pick up where Ms. Fagundo left off and inventory other municipalities as well as prepare GIS maps.

Ms. Waters stated that our office will ultimately be able to present this information to the municipalities individually so that they will have the tools and resources available to them. Also, once we reconcile all the lists of the entire county, we will then supply it to the Site Mart webmaster to update their site for Monmouth County.

10. EXECUTIVE STAFF REPORT

A. Annual Planning Board Dinner

Chairman Rettagliata stated that this year's Annual Dinner will be held on Wednesday evening, September 29th at the Robert B. Meyner Reception Center at the PNC Bank Arts Center.

B. 2010 Planning Board Annual Photo

Director Clark stated that the photo of the 2010 Planning Board members will be taken at the June 21, 2010 meeting.

11. PUBLIC COMMENTS

There was no public in attendance.

12. ADJOURNMENT

With no further business to discuss, Vincent Domidion offered a motion to adjourn this meeting and was seconded by Freeholder D'Amico. All present were in favor. Chairman Rettagliata adjourned this meeting at 3:40 p.m.

Respectfully submitted,

Geraldine A. Elias

Geraldine A. Elias
Secretary to the Board