

**TOWNSHIP OF MORRIS  
PLANNING BOARD  
REGULAR MEETING MINUTES  
SEPTEMBER 11, 2023**

Call to Order

The regular meeting of the Township of Morris Planning Board was called to order on Monday, September 11, 2023, at 7:00 P.M. in the Municipal Building, 50 Woodland Avenue, Township of Morris, N.J. in person and via Zoom.

The Pledge of Allegiance was led by Mr. Joseph Alesso, Vice-Chairman

Statement of Adequate Notice: The Chairman issued the following statement:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Planning Board by preparing a notice dated September 5, 2023, specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee. I hereby hand a copy of such notice to the Secretary of the Planning Board for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

Roll Call of Planning Board Members and Professionals

Members Present

Mr. Joseph Alesso  
Mr. William Ravitz, Deputy Mayor  
Ms. Linda Murphy  
Mr. Edward Benoit  
Ms. Catherine Wilson, Township Committee  
Mr. Jesse Flowers, Alternate #1  
Mr. William Barrett, Alternate #2  
Mr. Richard Bye – via zoom

Members Absent

Mr. Michael Nunn  
Mr. George Quillan  
Ms. Tanya Van Order

Professionals Present

Mr. Steven Warner, Board Attorney  
Mr. Paul Phillips, Board Planner  
Mr. James Slate, Board Engineer  
Ms. Sonia Santiago, Board Secretary

Consideration for approval of the following regular and special meetings minutes:

June 5, 2023, moved by Ms. Wilson, seconded by Mr. Benoit, on a voice vote all eligible members were in favor.

November 7, 2022, moved by Ms. Wilson, seconded by Ms. Murphy, on a voice vote all eligible members were in favor.

November 14, 2022, moved by Ms. Wilson, seconded by Mr. Benoit, on a voice vote all eligible members were in favor.

November 21, 2022, moved by Ms. Wilson seconded by Mr. Barrett, Ms. Murphy abstain, on a voice vote all eligible members were in favor.

December 5, 2022, moved by Mr. Benoit, seconded by Ms. Wilson, on a voice vote all eligible members were in favor.

**Public Hearings**

PB-04-23. Morris Marketplace Urban Renewal, LLC

Minor Subdivision

Block 10401, Lot 3.01, 191 E. Hanover Avenue, RDP zone.

Applicant proposes to subdivide the property to create one additional lot for the LIDL supermarket.

Mr. Linda Herlihy, attorney for the applicant, entered her appearance and presented the application to the Board.

The following professionals sworn in by Board attorney appeared to be heard.

Anand Bhatt, Professional Engineer

Paul Phillips, Twp. Planner

James Slate, Twp. Engineer

No exhibits were submitted during testimony.

**Summary of Testimony** – Anand Bhatt, Professional Engineer

Mr. Bhatt stated that the goal is to subdivide the LIDL property from the rest of the property. Mr. Bhatt testified that the LIDL lot will consist of 1.860 acres and the balance of the Shopping Center would be comprised of 16.882 acres.

He proceeded to review the TCC report dated July 31, 2023 and testified that new lot 3.06 would include 104 parking spaces of the 146 spaces that LIDL would require if it were a stand-alone site without shared parking and cross access and related easements and agreements, which would leave a “short fall” of 42 spaces. However, substantially more than 42 additional parking spaces are located proximate to the Lidl building and Lot 3.06, and also Section 4(a) and 4(f) of the proposed Declaration and Reservation of Reciprocal Easements, Covenants, Conditions, and Restrictions for Morris Marketplace provides for cross-access and cross-parking easements as between the permitted users, including Lidl, of the shopping center and provides certain parking requirement protections to Lidl as to its proposed Lot 3.06. As such, sufficient shared parking would remain in place post-subdivision to mitigate any concern regarding the 42 space “short fall”, and the shopping center as a whole would remain in compliance with the site plan approval parking requirements. A discussion was carried among the Board members and applicant’s professionals regarding parking, EV charging and other related improvements.

Ms. Herlihy stated that there will be an access easement agreement among the new owner that will allow cross sharing for the parking throughout the site.

The meeting was opened to the public for questions and or comments; no one appeared to be heard.

Public portion closed at 7:33 pm.

Ms. Murphy moved, seconded by Mr. Ravitz that approval be granted to the application of Morris Marketplace Urban Renewal, LLC thereby permitting the minor subdivision to create one additional lot on Block 10401, Lot 3.01 with conditions stipulated and that the Board Attorney be authorized to

prepare a formal resolution memorializing action taken by the Board, same to be presented for consideration at the October Board meeting.

**Roll Call (voting members)**

Mr. Alesso	YES
Mr. Flowers	YES
Mr. Ravitz	YES
Ms. Wilson	YES
Ms. Murphy	YES
Mr. Benoit	YES
Mr. Barrett	YES

**Other Matters**

Legislative Committee Report (if any) Mr. Ravitz inform the Board that Ordinance 18-23 is to rezone some of Jones Woods parcels from RH-5 to the OSGU zone. The Township purchased in July a property on Old Turnpike Road. We have also had two meetings with the Cannabis Board our next meeting will be on the 19<sup>th</sup> of September. There will be three more meetings and then Mayor Gyorfy will write a report which will be submitted to the Township Committee based on the findings. We are still in the fact-finding mode. A lot of towns have heard about collecting 2% of gross revenues but the reality might be different from what we been hearing, at the next meeting we will be hearing from a professional to talk more about what to expect if we do allow a license or more for the Township. The public is encouraged to attend and we will have a public commentary.

2024 Calendar Review – Discussion was carried with the Board no changes were made to the calendar.

Ordinance 18-23 amending Chapter 95, Article II, Section 6, Zoning Map of the Township of Morris to Redesignate several RH-5 Zoned Properties to OSGU zone for Master Plan Consistency. Mr. Slate informed the Board that there are a couple of parcels on the zoning map that still carry the designation of RH-5 and there are two other parcels that are zoned RH-5 and they should be in the OSGU zone. It's a correction to the zoning map, one of the lots is already on the Open Space ROSI.

Mr. Phillips informed the Board that the Land Use map still shows the property as RH-5 in at least two of the three parcels which is not consistent with the Master Plan which means that we would need to do an amendment or the governing body would have to state reasons why in a resolution at the time they would adopt at the second public hearing. My recollection is like this was never cleaned up from the Land Use Element. A discussion was carried regarding the governing body carrying the ordinance to the October meeting until the Board researches the Housing Element of the Master Plan prior to rendering an opinion.

The Board decided to carry the ordinance to the next Board meeting.

- Master Plan Recommendation List Review (discussion) Mr. Ravitz informed the Board that we had reviewed the matrix at the last meeting and we should continue with the matrix. The Board carried the Master Plan Recommendation review to the next meeting.


**Public Commentary**

The meeting was opened to the public for any questions or comments not related to any application; no one appeared to be heard.

Adjournment

With no further business for consideration by the Township of Morris Planning Board, on motion duly made seconded and unanimously carried the meeting was adjourned at 8:00 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sonia Santiago".

Sonia Santiago, Secretary  
Township of Morris Planning Board  
Approved: October 2, 2023