

Section 700

**Relationships with other County Plans,
Programs and Policies**

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701 Adopted County Plans

When an adopted plan prepared pursuant to either State or Federal statute requires the County to implement best management practices, minimum standards or other requirements relating to land development, the provisions of this section shall apply. In cases where these plans involve traffic and drainage considerations, Planning Board approval shall not be granted unless the application is in conformance with the requirements of the adopted plan. In all other cases, the Planning Board shall forward comments to the appropriate regulatory agencies stating that the proposed development is in conformance with or in conflict either in whole or in part with the adopted plan.

In order to achieve the goals and objectives of certain adopted County plans and to fulfill the purpose stated in Sections 103B, D, and E of these Standards, land development applications will be reviewed in accordance with the following provisions:

A. Morris County Master Plan.

The Master Plan presents a long range comprehensive plan for the orderly and efficient development of the County. It is prepared pursuant to the provisions of the New Jersey County Planning Act, (N.J.S.A. 40:27-1 et seq., as amended). The Master Plan recommends appropriate types and intensity of land use in areas suitable for additional development, seeks to protect the County's environmental resources from inappropriate development, achieve economic development, housing and other regional planning goals and provide a basis for infrastructure and capital improvements planning.

Land development applications will be reviewed for consistency with the land use, open space, and other development policies of the Master Plan in accordance with following provisions:

1. Applications which are substantially inconsistent with the Master Plan will be noted as such in the review report of the Planning Board and forwarded to other appropriate municipal, county, regional and state review agencies.
2. Applications shall be required to conform to the Master Plan recommendations for roadways, drainage facility, easements and/or rights-of-way for County facilities designated in the Plan.

B. Morris County Official Map

The Official Map lists and shows the location of existing property, or rights-of-way under the ownership or jurisdiction of the county of Morris and its agencies. Also shown and listed on the Official Map are properties and rights-of-way proposed for acquisition or to come under jurisdiction of the County and its agencies in the future. It is prepared pursuant to the provisions of the New Jersey County Planning Act, (N.J.S.A. 40: 27-5 et seq., as amended). The Official Map identifies those properties and rights-of-way needed to effectuate and implement certain proposals of the County Master Plan.

Land development applications will be reviewed for conformity with the Official County Map in accordance with the following provisions:

1. Upon receiving an application for land development, the County Planning Board may reserve land, in the manner provided in Sections 500 and 600 of these Standards, for the public areas and facilities shown on the official county map that

are under County jurisdiction, or that the County, in whole or in part, may in the future acquire, finance or construct.

2. No approval of land development shall be issued by any approving authority, except as provided in Sections 500 and 600 of these Standards or other applicable law, for the sites of public areas and facilities shown on the Official County Map.

C. Areawide Water Quality Management Plans (WQMP) of Morris County

There are four WQMPs which cover Morris County:

Study Area	Prepared by
Upper Raritan	NJDEP
Northeast New Jersey	NJDEP
Upper Delaware	NJDEP
Sussex County	County of Sussex

These Areawide WQMP's present land use and environmental recommendations to preserve and protect the County's water resources from growth-related sources of pollution. They are prepared pursuant to the provisions of Section 208 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1251) and the New Jersey Water Quality Planning Act (N.J.S.A. 58:11A-1). The plans have been conditionally certified by the Governor of New Jersey and approved by Region II of the United States Environmental Protection Agency.

All sewerage facility plans must be in conformance with the Areawide WQMP's and all permits issued under the New Jersey Pollution Discharge Elimination System must also conform to the plans. In addition, all other federally funded plans and projects must be consistent with its requirements. The Plans also require the control of point and non-point sources of pollution through the development and implementation of Best Management Practices.

The Planning Board and Engineering Division are designated by the Plans as management agencies responsible for control of stormwater runoff and other non-point sources of pollution. Toward this end, the County has adopted the Morris County Stormwater Management Technical Guide, other stormwater management plans and improvement projects for certain drainage basins of the County and developed a computer model to evaluate the design requirements of drainage facilities from a watershed perspective. Also, both structural and nonstructural approaches to improving the quality of urban runoff have been developed to prevent the degradation of the County's water resources.

Land development applications will be reviewed for consistency with the requirements of the Areawide WQMPs of Morris County in accordance with the following provisions:

1. Land development applications shall conform to the sewerage facilities requirements of the Areawide WQMP. Where it is determined that an application is inconsistent with these requirements, a statement of inconsistency including the basis for this determination shall be included in the Planning Board report and forwarded to the applicant and appropriate state and federal review agencies.

2. Land development applicants shall be required to incorporate Best Management Practices for the control of non-point sources of pollution in the preparation of stormwater management plans and the design and location of drainage facilities. Alternative means for meeting Best Management Practice requirements are included in the Stormwater Management Technical Guide.

D. Morris County Transportation Program.

The Transportation Program is a comprehensive planning program for transportation facilities and activities in Morris County. Its programs are conducted pursuant to the provisions of the Intermodal Surface Transportation Efficiency Act and the Clean Air Act, as amended.

The overall purpose of the program is to advance high priority transportation projects toward implementation in accordance with adopted plans and programs as required by the Federal Highway Administration, Federal Transit Administration the New Jersey Department of Transportation, and the North Jersey Transportation Planning Authority. The planning program may recommend the need for new facilities and services in order to implement the overall transportation plan for Morris County.

Relevant elements of this program which deal with planning, procedural and funding requirements are:

1. Circulation Element of the County Master Plan - a plan that concisely identifies and addresses transportation issues in Morris County and recommends a coordinated multi-faceted approach in dealing with transportation problems into the twenty-first century. The proposals generally recommend encouraging the use of innovative transportation system management strategies, maintaining and improving existing transportation facilities and infrastructures, and improving the accessibility and efficiency of public transportation.
2. Transportation Improvement Program - a five year capital improvement program adopted by the Board of Chosen Freeholders and approved by the North Jersey Transportation Planning Authority. This program lists all transportation projects eligible for federal funding assistance during the five year period.
3. Transportation System Management Element - an alternative program to high-cost capital investments by making short-term improvements to existing transportation resources. Increased efficiency is achieved through traffic engineering and regulation, short range planning solutions and public transportation improvements.
4. Air Quality Planning Program - the Air Quality Control Plan is the local component of the federally required State Implementation Plan. The County must develop and implement reasonable, balanced plans to provide for the reduction of transportation system and stationary source emissions necessary to demonstrate attainment of National Ambient Air Quality Standards by the statutory deadlines. Effective air pollution control strategies, primarily related to ozone must be implemented for the entire County; and in the case of carbon monoxide, must be implemented for identified non- attainment areas. The implementation plans must demonstrate the full development and evaluation of control measures and integration with on-going planning processes, particularly emphasizing the continuing, cooperative and comprehensive process administered by the Department of Transportation and Department of Environmental Protection.

5. Development Review - land development applications will be reviewed for consistency with the requirements of the Transportation Program in accordance with the following provisions:
 - a. Land development applications shall permit the construction or implementation of all projects listed in the Transportation Improvement Program and the Circulation Element of the County Master Plan. Where it is determined that the applicant will be specially benefited from the construction of a listed project he may be required to participate in the construction of such projects under the applicable provisions of these Standards.
 - b. Land development applications shall consider the air quality control strategies contained in the Air Quality Plan in the design and location of roadways and other transportation facilities. In identified non-attainment areas, the applicant shall be required to conform to reasonably available control measures contained in the Plan in order to achieve mandated National Ambient Air Quality Standards.

E. Morris County Solid Waste Management Plan

The Board of Chosen Freeholders has adopted a Solid Waste Management Plan (Plan) that provides for the management and disposal of solid waste in Morris County. This Plan was adopted pursuant to the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 131E-1).

The Plan established source reduction and recycling goals. These include the stabilization and eventual decrease in county-wide solid waste generation as well as 60 percent recycling goal. For the most part, Morris County has achieved these goals through a variety of recommended waste management techniques. These include, but are not limited to, the mandating of specific materials to be source separated and recycled. These mandated materials include newspaper, corrugated cardboard, mixed paper (junk mail, office paper, magazines, etc.), aluminum containers, (steel and tin cans), yard waste (grass leaves and brush), tires, batteries, white goods (appliances), used motor oil, oil contaminated soil, and stumps. All new development in the County must be designed to provide for the storage and collection of recycled materials.

The Plan also identifies the Morris County Municipal Utilities Authority (MCMUA) as the agency in charge of implementing the Plan. As such, the MCMUA acts as a liaison to amend the Plan as needed to include any proposed solid waste facilities. NJDEP requires Plan inclusion prior to reviewing any solid waste facility permit application.

The Plan amendment process to include a new facility starts with the Morris County Solid Waste Advisory Council (SWAC). The SWAC is required to make a recommendation to the Board of Chosen Freeholders prior to amending the Plan. The SWAC typically does not entertain proposals until the letter of support from the host municipality is obtained by the proposed facility. In addition to the SWAC, the Board of Chosen Freeholders usually seeks a recommendation of the MCMUA prior to conducting a public hearing and amending the Plan.

Land development applications will be reviewed for consistency with the Solid Waste Management Plan in accordance with the following provisions:

1. Applications for land development on or adjacent to designated or operating solid waste management facilities shall be reviewed for consistency with the plan's land use recommendations. If an application is found to be substantially inconsistent

with the plan's requirements it shall be so stated in the review report and forwarded to municipal, County state and federal review agencies.

2. Applications for solid waste facilities not contained in the plan as adopted by the Board of Chosen Freeholders shall require the approval of the Board of Chosen Freeholders.
3. Applications for development shall be reviewed for consistency with recommendations of the Solid Waste Management Plan with respect to on-site separation, storage, and pickup of solid waste.

F. Morris County Farmland Preservation Program

The Morris County Board of Chosen Freeholders has established the County Agriculture Development Board (CADB) for the purpose of implementing the State Agriculture retention and Development Act (N.J.S.A. 4:1C-11). The CADB identifies areas of the County where agricultural uses should be retained and enhanced. Specific farm sites are also identified by the CADB for voluntary inclusion in Eight Year Farmland Preservation Programs and/or Permanently Preserved Easement Purchase Programs. Land development applications shall be reviewed for the consistency and compatibility with the Farmland Preservation Programs in accordance with the following provisions:

1. The CADB shall be notified of any land development application on a farmland site for which an application has been made to the CADB for participation in a Program.
2. Development applications on land adjacent to or within the general area of deed restricted farms will be reviewed to determine if any impacts will be caused by the proposed development which would be incompatible with existing and future agricultural operations and practices.
3. When necessary, the Planning Board shall consult with the CADB and shall identify, in its report, any conflicts between the proposed development and the County Farmland Preservation Program. Where conflicts seem to exist, the Planning Board will offer recommendations to the applicant and municipality with regard to their resolution.

702 Regulatory Requirements of County Agencies and Coordinated Review

To provide for consistent and coordinated review procedures, standards and requirements of the Planning Board and other County agencies with statutory authority affecting land development within Morris County, and to fulfill the purpose of Section 103E of these Standards, land development applications will be reviewed for compliance with the requirements of the following County agencies:

- A. Morris County Soil Conservation District: soil erosion and sediment control pursuant to the Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39).
- B. Morris County Mosquito Commission: control of mosquito populations and breeding areas pursuant to the New Jersey Department of Health Act (N.J.S.A. 26:9-1).
- C. Morris County Department of Public Works:
 1. Driveway permits and road opening permits in County roads pursuant to "Rules, Regulations Governing Road Openings and Storage Permits" adopted by the

Morris County Board of Chosen Freeholders, December 5, 1985, Amended December 21, 1988.

2. Stream encroachment permits for watersheds of less than 150 acres pursuant to the New Jersey Flood Control Facilities Act (N.J.S.A. 15:16A-1).
3. Regulation of bridge and culvert construction pursuant to the "Bridge and Culvert Policy of Morris County", adopted by the Morris County Board of Chosen Freeholders, April 14, 1993.

D. Morris County Shade Tree Commission: regulation of planting, maintenance, and removal of shade trees within the County road right-of-way pursuant to the provisions of the County Shade Tree Commission Act (N.J.S.A. 40:37).

These agencies will be notified by the Planning Board of a potential conflict or apparent inconsistency between their requirements and the land development application prior to the Planning Board taking action on the application. The applicant must still receive all applicable permits from the appropriate County agencies.

703 Relationship to Future County Plans and Regulatory Requirements

Any plan adopted by Morris County pursuant to state or federal law subsequent to the adoption of this Resolution assigning to the Planning Board implementation or review coordination responsibilities will be implemented through the applicable provisions of Sections 103, 701 or 702 of these Standards.