

HIGHLAND PARK PLANNING BOARD
HIGHLAND PARK SENIOR/YOUTH CENTER
220 South 6th Avenue
Highland Park NJ
SPECIAL MEETING
MINUTES - - December 20, 2017

Call to Order

The December 20, 2017 special meeting of the Highland Park Planning Board was called to order in accordance with the rules for the Open Public Meetings Act by Chairperson Kim Hammond at 7:35 pm; Ms. Hammond indicated the location of the fire exits.

Roll Call:

Present	Kim Hammond, Scott Brescher, Rebecca Hand, Alan Kluger, Paul Lanaris, Padraic Millet arrived at 7:48 pm, Judi Shade Monk, Stephen Nolan, Susan Welkovits, Allan Williams, Roger Thomas, Esq., Jim Constantine, Board Planner
Absent	Bruce Koch, Engineer
<u>Board</u>	Roger Thomas, Esq. Board Attorney, Jim Constantine, Board Planner
<u>Professionals</u>	Bruce Koch, Borough Engineer

Ms. Hammond indicated that Jeffrey R. Surenian, Esq. of Jeffrey R. Surenian and Associates, LLC, was also present.

Memorization of Resolutions

Resolution P2017-04 Authorizing Executive Session

It was MOVED by NOLAN and seconded by WELKOVITS that Resolution P2017-04, be approved.

ROLL CALL: Ayes – Brescher, Hand, Kluger, Lanaris, Monk, Welkovits, Williams, Hammond
Nays – None

There being eight (7) ayes and no nays, Resolution P2017-04 was approved.

Resolution P2017-05 Authorization to Execute a Settlement Agreement with the Fair Share Housing Center Regarding a Mount Laurel Fair Share Obligation

Mr. Thomas indicated that as a part of the discussion in executive session the Board is being called upon to authorize the Chair to execute the settlement agreement. The settlement agreement has already been reviewed. The Resolution will include authorization of the Chair to execute the settlement agreement subject to non- substantive changes that may occur through Special Counsel. Adding a whereas clause as suggested by a Board member. This has already been adopted by Borough Council on December 19, 2017 and referred to the Planning Board as required by law.

Mr. Nolan indicated that the motion is to add a whereas, the Planning Board of the Borough of Highland Park approves this Resolution with the understanding that nothing in this settlement shall constitute any element of approval of the proposed inclusionary developments and that such proposals, if they are submitted, are subject to all public notice, and hearing, zoning and other planning requirements including the reasonable bulk, height, environmental and design standards, and that the Planning Board will be required to adopt a Housing Element and Fair Share Plan.

Jeffrey R. Surenian, Esq. said that it was important to note that the real issues are the proposed inclusionary developments on Exhibit A. The first two projects are well along the way and the other projects are in process. The agreement is very careful in saying that the obligation is to make up 11

units through those projects and the operative language or other mechanisms that provide credits for affordable housing in accordance with applicable law which means that the 11 units could be satisfied through other projects which have not yet been identified . He asked that everyone read paragraph seven in coordination with paragraph eighteen of the agreement. After the agreement is signed and assuming it is approved by the Court, after a dully-noticed fairness hearing, the Board then has to prepare an Affordable Housing Plan otherwise known as a Housing Element and Fair Share Plan that would then be subject to a compliance hearing. The language in paragraph eighteen says that within 180 days of approval of this agreement by the Court, after a fairness hearing, Highland Park will adopt a Housing Element and Fair Share Plan along with a spending plan and adopt all Ordinances required to be adopted as a part of this agreement. He said that gives the Board until August 1 to decide how to make up the seven unit short fall if you take into account that two of the redevelopment projects are so far along.

Mr. Surenian said that paragraph eight concerning JSM was a subject of negotiations with Fair Share Housing and we were very careful not stating that we are relying on this site to satisfy the plan. It is entirely possible that JSM will challenge this agreement and try to persuade the Court not to approve it because it prevents them from demanding more of the Borough. The JSM site is being handled as an overlay, not taking away their existing rights; they cannot make arguments about the sufficiency's or insufficiencies whether it is going to create affordable housing or not because it is an overlay. He said that it also contemplates that we will be adopting reasonable bulk standards and environmental standards. There is a lot of protection for the community under paragraph eight under this agreement.

Mr. Surenian said that Mr. Kluger indicated that the math did not seem to work on why 11 units are needed when looking at Exhibit A it looks as if there are more than enough. The reason the Borough is 11 family units short and that is number the Borough needs to meet. He said that he wants to add language to show where that number comes from.

It was MOVED by NOLAN and seconded by MILLET that Resolution P2017-05 with amendments as stated be approved.

ROLL CALL: Ayes – Brescher, Hand, Lanaris, Millet, Monk, Nolan, Williams, Hammond
Nays – Kluger
Abstention - Welkovits

There being seven (7) ayes and one (1) nay and one (1) abstention, Resolution P2017-05 with amendments, was approved.

Mr. Roger indicated that he would be forwarding a new resolution and agreement with the amendments as discussed.

Ms. Hammond thanked Mr. Surenian for attending and all the work he has done for the Borough.

Correspondence and reports: None

Action of any other business and work session: None

Public comment on any item not on the agenda: None

Ms. Hammond opened the floor to the public. There being no one present Ms. Hammond closed the public discussion.

Adjournment

There being no further business a motion was made to adjourn from Mr. Millet with a second from Mr. Williams and at 9:55 PM, the meeting was adjourned.

Respectfully submitted,

Jennifer Santiago, Board Clerk