

LAND USE BOARD
BOROUGH OF ALLENDALE
Municipal Building
500 West Crescent Ave
Allendale, NJ

A Special Meeting of the Allendale Land Use Board was held in the Council Chambers in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, New Jersey 07401 on June 20, 2018. The meeting was called to order at 6:37pm by Chairman Quinn who read the Open Public Meetings Act statement and stated the requirements had been satisfied.

ROLL CALL:

The following members answered roll call:

Board member Bergen	Councilman Sasso
Secretary Daloisio	Vice Chairman Sirico
Board member Davis	Mayor White
Board member Kistner	Chairman Quinn
Board member O'Toole	Alternate Kearn

The following member was absent:

Alternate Lovisolo

The following individuals were also present:

Board Attorney Christopher C. Botta, Esq.
Borough Affordable Housing Consultant Mary Beth Lonergan
Borough/Board Planner Ed Snieckus
Deputy Municipal Clerk Michelle Ryan

PRESENTATION:

Third Round Housing Element & Fair Share Plan (June 8, 2018)

Chairman Quinn announced that the first item on the agenda was a presentation by Mary Beth Lonergan, Borough Affordable Housing Consultant, of the Third Round Housing Element & Fair Share Plan dated June 8, 2018.

Ms. Lonergan gave the board an overview of the Borough of Allendale's affordable housing obligation history. She advised the board that Allendale had a long standing, voluntary compliance with respect to addressing its constitutional affordable housing obligations, including certification by the Council on Affordable Housing (COAH) in the second round and being one of only a handful of towns to obtain certification in the third round before the Supreme Court invalidated COAH's regulations and transferred the matter to Superior Court. Last fall, Judge Toskos, Bergen County Superior Court, approved a settlement agreement between the Borough and Fair Share Housing Center (FSHC), a statewide housing advocacy group, which gave the basis for establishing the Borough's three-part third round affordable housing obligation as well as preliminary compliance measures to address its fair share obligations.

Ms. Lonergan stated that at this meeting, she was presenting the actual Housing Element and Fair Share Plan (Plan). She noted that the board members had received a copy of the Plan for review prior to the meeting, that notice requirements had been satisfied and that copies of the Plan were

appropriately on file for public inspection in accordance with Municipal Land Use Law.

Ms. Lonergan informed the board that if the Plan was approved at this meeting, it would then be referred to the governing body and placed on a future agenda for consideration of endorsement. If the governing body endorsed the Plan, it would then be submitted to Superior Court for a compliance hearing, which could be as soon as September or October. Hopefully then the judge would grant a Judgment of Compliance and Repose, protecting the Borough from a builder's remedy lawsuit. Ms. Lonergan confirmed to Chairman Quinn that, if approved, the protection would be until July 2025, the ten-year period from when the declaratory judgement was filed.

Ms. Lonergan confirmed that the Court had already approved the Borough's continued participation in the Bergen County Housing Improvement Program to satisfy its 21 unit rehabilitation obligation. Further, the Borough also addressed its rental rehabilitation portion by rehabbing its senior housing units.

Ms. Lonergan reminded the board that the Borough's prior, second round obligation of 137 affordable units had been fully addressed.

Ms. Lonergan explained that Fair Share Housing Center (FSHC) initially suggested that the Borough's third round obligation was 513 affordable units, but that after presentation of limited vacant land and other methodology by the Borough, the overall number was reduced to 308. Ms. Lonergan pointed out that the Borough of Allendale received one of the highest reductions, 40%, compared with the approximately 30% norm for other Bergen County towns. Ms. Lonergan further pointed out that the Borough had received approval for vacant land adjustment and that the Realistic Development Potential (RDP), the key number, was 54 affordable units, which had been addressed by the Borough. Regarding the unmet need of 254 units, the difference between the 308 units and the 54 unit RDP, both the Court and the FSHC accepted the Borough's proposal of overlay zones as depicted on the Aerial Map on display for the public. In addition to the three main overlay zones, the Borough agreed to a borough-wide overlay zone whereas any future multi-family developments created through municipal rezoning or "D" variance approval would be 80-85% market rate housing and the balance affordable units.

Once Ms. Lonergan concluded, Chairman Quinn asked her if there were any substantive differences in this plan from the one presented to the board in May? Ms. Lonergan replied that there were virtually no changes.

Mayor White pointed out that there are housing projections to 2025 on page 27 of the Plan. Mayor White wanted it known for the record that Allendale is under a building moratorium issued by the DEP due to water allocation restrictions. Though the Court and Court Master were aware of this, the DEP doesn't care about COAH requirements and vice versa. Ms. Lonergan replied that this Plan does have the commitment to address the affordable capacity. Mayor White further offered for the record that while the Borough is committed to addressing its affordable housing obligation, should the board approve a future development with five units or more, there must be an affordable component and currently there is a DEP-issued building moratorium in effect.

Chairman Quinn asked for further board comments. Seeing none, he opened the public hearing.

PUBLIC HEARING:

Chairman Quinn asked for comments from members of the public. Hearing and seeing none, he

brought the meeting back to the board.

Chairman Quinn asked Mr. Botta to advise of the next step. Mr. Botta replied that the board would consider the resolution that was prepared and circulated to them and that if approved, the Plan would be sent to the governing body for endorsement. If the governing body endorsed, it would be presented to the Court that the Land Use Board had reviewed and approved for consistency with the Master Plan.

Mr. Snieckus offered that he had been a part of the earlier discussions concerning this matter and that the Master Plan had been amended in December 2017 to address this as well as capture the various overlay zones. An added benefit was that the Master Plan's now good for 10 more years.

RESOLUTION:

Mr. Botta read Resolution LUB 18-13, Adoption of Third Round Housing Element & Fair Share Plan.

Motion by Secretary Daloisio, second by Vice Chairman Sirico to approve Resolution LUB 18-13, Adoption of Third Round Housing Element & Fair Share Plan. Chairman Quinn asked for discussion from board members. Mayor White offered her thanks to the board and especially to Mary Beth Lonergan and Ed Snieckus for their hard work during this process. There was no further discussion.

On a roll call, the vote was recorded as follows:

Board member Bergen - aye	Councilman Sasso - aye
Secretary Daloisio - aye	Vice Chairman Sirico - aye
Board member Davis - aye	Mayor White - aye
Board member Kistner - aye	Chairman Quinn - aye
Board member O'Toole - aye	Alternate Kearl - abstain

OPEN TO PUBLIC FOR COMMENT:

Chairman Quinn opened the meeting to the public. Hearing and seeing none he brought it back to the board.

ADJOURNMENT:

There being no further business to come before the board, on a motion by Mayor White, second by Vice Chairman Sirico, with all members present voting in favor, the meeting was adjourned at 6:57pm.

Respectfully submitted,

Michelle Ryan
Deputy Municipal Clerk