

Borough of Kinnelon

Planning Board

June 7, 2018

The regular monthly meeting of the Kinnelon Planning Board was called to order by Chairperson Mrs. Roselius at 7:30 p.m., Tuesday, June 7, 2018 in the Municipal Building.

It was reported that adequate notice of this meeting had been given in accordance with the Sunshine Law by posting a notice on the municipal bulletin board, by publication of a legal notice in the Suburban Trends on January 2018 and by sending the meeting date to the Daily Record and Herald News.

Mayor Collins swore in new member Mr. Robert Schwartz.

Present and answering roll call in addition to Mrs. Roselius were Mayor Collins, Councilman Yago, Mrs. Smialek and Mr. Schwartz. Mr. Boorady, Ms. Keli Gallo and Mr. Burgis were present at this meeting.

A motion to approve the January 16, 2018 minutes was offered by Mayor Collins, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call.

Mrs. Roselius stated that over the last 2 years the Ordinance Committee has been meeting regularly to discuss the adoption of the Fair Share Housing Plan.

A motion to approve Resolution #813 was offered by Councilman Yago, second by Mayor Collins with the affirmative "yes" vote of all on roll call. Mr. Schwartz obtained.

Mr. Burgis stated that we have a signed settlement agreement from the Fair Share Housing Center and that we are about 1 of the 210 municipalities in the state that have accomplished that. Mr. Burgis stated that the housing element is broken up into three components. The first is the rehabilitation (1987-1999) the second is the gap period (1999-2015) and the third is the future (2015-2025). Mr. Burgis said that the numbers are very large and Kinnelon is entitled to a vacant land adjustment because Kinnelon is 97% in the Highlands Preservation. The number of units have been reduced to 97 and the realistic development is 2 units. Mr. Burgis stated that the way Kinnelon is addressing the 2 unit obligation and the unmet need is by 3 components. The first component would be the Accessory Apartment Ordinance (up to 10 credits), the second component is the Overlay Ordinance on the Kinnelon Shopping Center (if ever redeveloped would be retail with apartments above) and the third is an Ordinance that says if the Zoning Board would grant a use variance to allow apartments or the governing body would amend the zoning ordinance to allow apartments there would be a 20% set aside for low and moderate income households. Mr. Burgis stated that this will protect the Borough of any Mount Laurel or affordable housing litigation.

Mrs. Roselius if recreation requirements could be put in the ordinance if it's not too late.

Ms. Keli Gallo stated that the ordinance could be amended to add the recreation component.

Mrs. Roselius also asked about the signs on the property and if something should be added to the ordinance.

Mr. Burgis stated that they would have to follow this codes sign requirements. Mr. Burgis stated that if they knock everything down they lose the rights to the old signs. Mr. Burgis stated that if they decide to put up a 2<sup>nd</sup> floor they wouldn't be able to add additional signage.

Mr. Yago asked if we decided on 42 feet as the maximum building height and Mrs. Roselius said that we went with the 42 feet because that's what our firematics could handle.

Mrs. Roselius opened the meeting to the public.

Mr. Randal Charles from 69 Greenhill Road came forward.

Mr. Charles stated that this was a fabulous joint effort and was very well done. Mr. Charles asked if the older resident's would have first shot at the units. Mr. Charles said that we have residents looking to down size.

Mr. Burgis stated that Fair Share Housing Center objects to preference you can't get credit for affordable housing units. Princeton is setting aside 12 units but you don't get housing credits for it.

Mr. Charles stated that it was hypocritical and not right for our long term residents.

Mrs. Roselius closed the public portion and opened it back up to the board.

Mayor Collins stated that all the professionals did an outstanding job putting this plan together. Mayor Collins stated that Mrs. Roselius and Councilman Yago did an incredible job on this.

Mr. Burgis stated that it was a pleasure working with everyone.

Mrs. Roselius stated that when you look at Kinnelon being in 97% of the preservation area, water and sewer issues you think where are you going to put these units and it's disturbing. Mrs. Roselius stated that they need to look at these towns that have too many restraints and reevaluate how they do this methodology. Mrs. Roselius also said that the 20% set aside should be state wide.

Mrs. Roselius thanked everyone for all their efforts and said that is was a pleasure working with everyone.

Mayor Collins thanked Tom for all his efforts and that he brought historical prospective to the table as well.

A motion to approve the resolution adopting the Housing Element & Fair Share Plan of the Master Plan was offered by Mayor Collins, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call.

Mrs. Roselius opened the meeting to the public and hearing no one opened it back up to the board.

Mr. Boorady stated that the DEP is requiring all governing bodies and land use boards to watch storm water videos by June 30<sup>th</sup>. Mr. Boorady stated that you only have to watch them once per term and after you have watched them to send an email to Jenn stating you have.

A motion to approve the bills was offered by Mrs. Smialek, second by Councilman Yago with the affirmative “yes” vote of all on roll call.

Mrs. Roselius stated that Tom Kline has resigned from the board and that he had a lot to add to the board and misses him terribly. Mrs. Roselius wanted to recognize Tom’s service to the board.

A motion to adjourn the meeting at 8:16 pm was offered by Mayor Collins, second by Mrs. Smialek with the affirmative “yes” vote of all on roll call.

Respectfully submitted,

Jennifer Highers, Secretary

cc: Planning Board Members  
Planning Board Attorney  
Planning Board Engineer  
Borough Clerk  
Board of Health  
Fire Prevention Bureau  
Zoning Official  
Construction Official  
Environmental Commission  
Tax Collector  
Assessor  
Department of Public Works  
Police Department  
Morris County Planning Board

