

Borough of Kinnelon

Planning Board

March 17, 2016

The special meeting of the Kinnelon Planning Board was called to order by Chairperson Mrs. Roselius 7:19 p.m., Thursday, March 17, 2016 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 March 16, 2016 and by sending the meeting date to the Daily Record and Herald News.

Present and answering roll call in addition to Mrs. Roselius were Mayor Collins, Councilman Yago, Mr. Larson, Mr. Sisco, and Mr. Kline. Absent from this meeting were Mr. Carpenter, Mr. Savino and Mr. Gadhavi.

Mrs. Roselius stated that the reason for the special meeting was for the Planning Board to approve an amendment to the December 17, 2015 HEFSP Resolution.

Mrs. Roselius stated that Mr. Buzak was here tonight to answer any questions the Board might have.

Mr. Sisco asked where the information came from because on table #8 it talks about facilities without kitchens. Mr. Sisco stated he wasn't aware there were so many housing units without those facilities.

Mr. Buzak stated that all the data is taken from the census for the planner to come up with the information. He also stated that the Borough has the ability to do their own survey to find out if the numbers are correct but most towns don't like to because it's very costly.

Mr. Sisco asked in table #6 how in after 2005 and after the Highlands went into effect there has been 115 new units.

Mr. Buzak stated that some were probably approved before that and grandfathered in.

Mayor Collins asked if the discrepancies in housing stock numbers will affect anything because Table #6 Total Number of Units is understated when compared to Total Dwelling Units in Table #2.

Mr. Buzak said he wasn't really sure of that answer and that Mr. Burgis would know.

Mayor Collins asked if we are going to be tied to these numbers if we approve this plan.

Mr. Buzak said that any changes can be made until there is a public hearing and this all should be brought to Mr. Burgis's attention.

Mr. Kline stated that in the Environmental Resource Inventory Update there are two different numbers reflecting the acres in Kinnelon 14,600 vs 12,309 and would this effect the number of our fair share housing.

Mr. Buzak said that there wouldn't be a change of the number because of that.

Mrs. Roselius said that we will reach out to Mr. Burgis to clarify the Numbers.

Mr. Buzak said that on page 3 of the report Econsult and Kinsey both say that there is no present rehabilitation obligation needed and the prior round obligation is the same number for both. Mr. Buzak said where you start to see a discrepancy is in the prospective obligation. Econsult says that in 1999-2025 there is no number because that time has passed and you can't create housing for people who have now found housing. Kinsey says that the obligation should be 300. Econsult says moving forward 2015-2025 the obligation should be 62 units. Mr. Buzak said that some courts are moving faster than others. The Ocean County Judge has ruled there is a gap period and it can be calculated. This only effects Ocean County but so goes Ocean County Judge so goes other Judges. They will all follow suit and that Judges determination is on appeal now. Mr. Buzak said that has to be resolved and Kinnelon's number may increase. Judge Hansbury was going to assign numbers to Municipalities but decided not to and this is why we have this report. Mr. Buzak said this will be filed with the Judge by April 4<sup>th</sup> and we will have to wait to see what will happen. Mr. Buzak said that this report addresses that Kinnelon doesn't have adequate land to put up 62 units. On page 27 our Vacant Land Adjustment number is 21 units. This number has increased from 9 units to 21 units.

Mr. Larson asked how we accommodate 21 units.

Mr. Buzak said that you are able to do accessory apartments which is the conversion of a house. The only down side to that is you don't control the tenants of that apartment. That tenant is drawn from a pool of low income families and you can have up to 10 units like that. Mr. Buzak said that the Borough isn't under any obligation to build anything. The Borough has to create a realistic opportunity and the things that are under your control. You have to provide zoning and land use regulations that would encourage the construction of those units.

Mrs. Roselius said that area would be zoned low and moderate income zone.

Mrs. Buzak said yes.

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

A motion to approve the resolution was offered by Mr. Larson, second by Mr. Sisco with the affirmative "yes" vote of all on roll call.

A motion to adjourn at 7:55 pm was offered by Mr. Sisco, second by Mr. Larson 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