

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
November 14, 2016**

APPROVED

CALL TO ORDER Meeting was called to order at 7:35

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 12, 2016 on the Township bulletin board and sent to the Township Clerk, Echoes Sentinel and Courier News per the Open Public Meetings Act. All Board members are duly appointed volunteers working for the good and welfare of Warren Township. We plan to adjourn no later than 10:00 p.m.*

ROLL CALL

Mayor Lazo (excused)
Committeeman DiNardo
Mr. Toth
Mr. Kaufmann
Mr. Lindner
Mr. Argiro

Mr. Pasi
Mr. DiBianca
Mr. Scuderi (excused)
Mr. Gallic (excused)
Mr. Villani

- **Announcements:**
None

- **APPROVAL OF MINUTES:**

September 12, 2016

Roll Call

Motion was made by Mr. Toth, seconded by Mr. DiBianca to approve.

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, and Mr. Villani

Against: None.

- **CORRESPONDENCE**

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- **PROFESSIONAL STAFF REPORTS:**

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Alan Siegel, Esq., Planning Board Attorney
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Clerk
No reports.

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■ **CITIZEN'S HEARING:** (Non-Agenda Items Only)

No one came forward and this portion was closed.

■ **MEMORIALIZATION OF RESOLUTION/S:**

- Memorialization of Resolution PB 15-07.1 Ext, Palmer J. Ferrara, 41 Old Stirling Road, block 88, Lot 26 to approve extension of minor subdivision, extension approved August 22, 2016. Extension to March 31, 2016 was granted.

Roll Call

Motion was made by Committeeman DiNardo, seconded by Sal DiBianca

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Villani

Against: None.

- Memorialization of Resolution PB 15-13, John and Lisa Walters, Hillcrest Road and Northridge Way, Block 207, lot 5 to approve Minor Subdivision

Roll Call

Motion was made by Mr. Villani, seconded by Mr. Toth to memorialize resolution.

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, and Mr. Villani.

Against: None.

■ **AGENDA Items:**

- Warren Construction Co., Inc. Request for 180-day Extension of Minor Subdivision 25 Stiles Road, Block 212, lot 16

The applicant is asking for a six month extension. There was discussion on the timing of the extension. A letter was read from their attorney asking for the extension which the minor subdivision is currently set to expire on December 20, 2016. There was discussion of a six month extension to June 20, 2017. The board agreed that June 20, 2017 is a good date.

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Roll Call

Motion was made by Committeeman DiNardo, seconded by Mr. Argiro to extend.

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. DiBianca, and Mr. Villani.

Against: None.(Mr. Lindner and Mr. Gallic were not present at initial approval)

Redevelopment Area Studies discussion with the Planning Board

Mt. Bethel Road, Block 78, lots 15.01 and 15.02

Flag Plaza, Block 88.04, lot 15

Lindbergh Avenue, block 114, Lot 22.03 and conservation portion of 22.04

Mr. Chadwick spoke to the board about redevelopment in general; that it is a tool that permits a contract developer to propose what they will build. The color of the building, the size of the windows, many details could be discussed and suggested by the board. Warren Township may use this Redevelopment to advance their affordable housing plan. There is still litigation on the affordable housing. There are four objectors currently. The obligation of Warren has still not been determined. It is tied to a Supreme Court decision. There is a gap period from 1999 to 2015 when COAH was not active with rulings. Fair Share Housing, a well-financed nonprofit organization, has been part of the COAH process since the 1980s, and is participating in the different arenas and making deals to allow municipalities to achieve their certification.

The Township is considering the redevelopment sites for affordable housing, although the numbers are from 648 to 1064, a large spread. Many of the towns that have been certified, have reduced the numbers. If Supreme Court rules that during that gap period more housing affordable needs arose, Fair Share will not make any deals with anyone.

Mr. Chadwick went over the "in need" requirement for Redevelopment areas. The Township Committee passed a resolution requesting the Planning Board to examine these three locations, prepare a report, and put on a hearing (which is scheduled for November 28, 2016). After the hearing, the Planning Board will report back to the Township Committee

These properties are being considered. The redevelopment process allows the municipality to have a contract with the designated redeveloper, in this case, it would be the current property owners. There would be a specific number of

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affordable units, and whether they are rental or for sale, the number of bedrooms, as well as board review for the site plan process when it would come to the Planning Board.

The criteria are the same for the three properties. Mr. Chadwick's recommendation is that each of the three properties meets at least one of the criteria (and only one is required). This is not approving a plan-- it is suggesting a process. More may be necessary for affordable housing. The Township Committee makes the decisions for how to go forward with affordable housing.

The township has continued to accumulate affordable units since 1999, about 500 units. There were RCAs and assisted living, the apartment building with Chelsea which was transferred to Mt. Bethel Village, and there are 42 units in the Promenade. They all count against the requirements to be determined.

If towns run out of land then towns may be required to put overlays zones in areas. Some towns are putting in high rises. Some towns have ignored affordable housing in general. If a judge decides that a town needs to rezone, it will happen, and then the town may lose their power to zone.

Mr. Toth asked if a town is required to rezone, do the residents have any recourse. Mr. Chadwick said no. Town's should retain the ability to zone and work towards affordable housing requirements.

It is the start of the process as to what can be done in these sites. Warren has been maximizing the rental unit position because the COAH rules are a 2 for 1 credit for rentals. The Township has 60 rentals units off of Mountain Blvd and have spent money to keep them in affordable housing, it was a 20 year control. The affordable rents are much less than market. The units needed to be kept as affordable units and the Township bought a 30 year extension. So 60 units are back in place and the town receives the credits.

If someone buys a property with a restriction on it and then the restriction expires, the owner could sell it for a higher value.

There is a financial reward to the Township. There is also the ability to do a PILOT program, payment in lieu of taxes. The tax dollars mostly go to the Township with a PILOT. Mr. Toth asked what if these properties do not qualify. Mr. Chadwick stated they do qualify. It can be challenged. There are many court cases and they have clarified the criteria. There may be other sites in town that qualify.

These sites have been discussed at least for a year, along with other sites that have been discussed. The Township Committee has been working at the affordable housing issues.

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Mr. Kastrud asked about the numbers 648 to 1064 since 1999 and Warren has already obtained units during that time. So the number possibly needed is 148 to 564 units needed. These sites may handle the worst case situations.

The first step in the Redevelopment process is to verify that the property meets the criteria, and that is what the hearing will be about. It is not what it will be used for. The next stage will be what it will be used for, and that would be a Redevelopment Plan, and it is the same process. It is a zoning ordinance that gets introduced by the Township Committee, and will be referred to the Planning Board to determine if it is not inconsistent with the Master Plan. The ordinance would not occur until a sign off for it by sign off from Fair Share and the court on the plan.

One of the properties Warren owns, the others are private property.

Mr. Chadwick went over the three sites on a map. The owners of the other sites have brought proposals to the town in the past. They will stay in the owner's name, and those owners are experienced in development. The town has to allow profitability for the developer. The Town has been successful in managing its affordable issues. Warren is desirable for developers, especially if the development is more dense than permitted currently.

Mr. Lindner asked if this comes close to satisfying the requirements for affordable housing, does it discourage developers coming and looking to sue the town for permitting developments and helping with the affordable numbers. If Warren meets its obligation, they don't have a case to pursue that.

Mr. Chadwick stated that if gets certification you are presumed to meet the obligation, but must follow through. Warren has met and exceeded their obligation, which is helpful going forward. Some towns have settled on a number, all of Ocean County has been certified.

In two weeks, we will put on record about the properties and the criteria that they meet, etc. Mr. Chadwick will go over it and the public will be asked for comments. The Planning Board can make the recommendation that night that the properties meet the criteria, etc.

Mr. Pasi asked about the PILOT program and what the town does with the taxes. The taxes go into the general fund to help pay the budget, including the capital projects. The Town has grown substantially and the town has been catching up.

Committeeman DiNardo spoke about the Dubois Road Redevelopment project and the PILOT program there. The town will get a larger portion of the tax and it has been earmarked for the municipal capital projects. A PILOT program can only be created within a redevelopment district. The formula has a lot of

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variations. It could be less for the town than this program and can limit the local school board share, but you have to give the county 5%. There are many variations. There are 15 to 30 year programs. The taxes are also fixed for the 15 to 30 years.

There was discussion on the budget and the tax bills. Mr. Chadwick looks at the open space lands and possible developments, or acquiring as open space. If the price (values) goes up or down the PILOT property stays the same in the way of taxes.

Mr. Toth is concerned with the seniors who are living on a fixed income and can't afford property taxes to be climbing. They bought the houses a long time ago and there was a low tax rate. It forces people out.

Mr. Chadwick said the town has been looking for step down houses for seniors, and thought Promenade would help. Sometimes when selling a house, then they don't meet the lower income requirements. The Promenade has been going up in value. They are looking for senior housing and even the young couple for housing. The land itself is too valuable for easy solutions.

Mr. DiBianca went over that the Redevelopment Program and the PILOT program will allow that the developer benefits from a change in zoning, and benefits the town to collect more of the taxes. It helps with the affordable housing needs and balances the dynamics of the Township.

■ SCHEDULE OF NEXT MEETING:

November 28, 2016-- Redevelopment Public Hearing, and WCC Investors, Warren Corporate Center

December 19, 2016 -- 88 Round Top Road Final Major Subdivision

ADJOURNMENT

A motion was made by Mr. Toth, seconded by Mr. DiBianca to adjourn. All in favor. Meeting adjourned at 8:30.