

April 17, 2014

A meeting of the Allendale Planning Board was held in the Municipal Building on April 17, 2014. The meeting was called to order at 8:05PM by Mr. Quinn, Chairman, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered to roll call: Mr. Quinn, Mr. Sasso, Ms. Sheehan, Mr. O'Connell, Mr. Zambrotta, Mr. Barra, Mr. Walters, and Ms. Checki. Mr. Sirico arrived at 8:13PM. Mr. Scherb was absent.

Mr. Dunn swore in Ms. Checki as a Class 4 Planning Board member because she wasn't present at the January meeting and her term had expired.

On a motion from Mr. O'Connell, seconded by Ms. Sheehan, the minutes from March 20, 2014 were approved. Mr. Walters and Mr. Zambrotta abstained from voting as they weren't present at the meeting.

The matter before the Board that evening was for the ML-8 and ML-4 Zoning Ordinance Amendments. Mr. Dunn said that the Board was already familiar with the changes to the Zones as the Board revised the Master Plan back in 2011. The ML-4 Zone and the ML-8 Zone were both considered potential COAH properties back when Allendale was trying to locate places to provide COAH housing. The Town Council and Planning Board revised the Master Plan to include these sites for the third round of affordable housing approval. These properties are the Orchard Commons special needs housing which has been rezoned as ML-4 and the Foreit property located on Block 904 Lots 10-14 which have been rezoned as ML-8. Mr. Dunn reviewed page sixteen of the Master Plan with the Board which encourages the town to use a range of housing types and densities according to the Fair Housing Act. Mr. Dunn said the Town prepared a New Housing Element and Fair Share Plan dated December 20, 2008 which was submitted to the Council on Affordable Housing and accepted in 2009. The Crescent Commons has been rezoned as multifamily. The Zones were never changed on the Zoning Map. Mr. Dunn told the Board that Mr. Yakimik had recently revised and updated the Zoning Map.

Mr. Yakimik said that he met with Dave Bole who is the Borough Attorney and Ed Snieckus who is the Borough Planner and they formulated the Zone changes. Mr. Yakimik testified that he updated the ML-8 Zone on the map and made changes to the Zoning at the back of Hillside School and on the old farm property on East Crescent Avenue. Mr. Yakimik wanted the Zoning Map to be current and to reflect the changes the Board had made over the last couple of years. He also digitized the map in order to make it easier to access. He told the Board that the old Zoning Map dated back to 2001-2002.

Mr. Quinn summarized that the Zoning map is now in line with the Master Plan and Mr. Yakimik agreed. Mr. Dunn added that the ML-4 is the same zoning district but the ML-8 is a

new district. Mr. Dunn said they were reviewing these Ordinances this evening because the Mayor and Council sent them to the Board for final approval. Mr. Quinn asked if a Resolution was needed and Mr. Dunn concurred. There was some discussion between Mr. Barra, Mr. Yakimik, and Mr. Dunn on when the Council would be meeting to read and discuss the Ordinances. Mr. Yakimik said that according to the website the Ordinance had a final passage date of May 8th. Mr. Barra said that the Land Use Committee suggested that it go to the Planning Board before it went to the Council for any comments that the Board might have on the Ordinances. Mr. Barra stated that Mr. Dunn had written a letter supporting the Ordinances saying that it was compliant and consistent with the Master Plan and Mr. Dunn agreed. He also shared the letter with the Board. Mr. Dunn added that the Board has forty-five days to respond and if the Board doesn't respond then the Council can act upon adopting an Ordinance with a two thirds majority vote.

Mr. Dunn dictated the Resolution since he didn't have one ready for that evening. The Resolution stated that the Ordinances were consistent with the Master Plan of the Borough of Allendale and that the Ordinances were reviewed and recommended by the Planning Board for adoption by the Mayor and Council.

Mr. Quinn opened the meeting up to the public. Mr. James Thomas from 30 Arlton Avenue approached and said that he wanted the Planning Board to send the Ordinance to the Council but amend it to remove all references to COAH. He stated that the purposes of the Ordinance would be the same without references to COAH. He mentioned that page two of the Ordinance indicates that the residential district be reserved for low or moderate income households which is another way of saying COAH. Mr. Thomas said that because COAH was in court that it was difficult to anticipate what was going to be done with Rounds three and four which are under consideration now. Mr. Barra commented that the Planning Board was just reviewing the Ordinance to make sure that it was consistent with the Master Plan. Mr. Barra explained to the Board that there are references to COAH because of the requirements under the Housing Elements and the commitments already made to COAH. Housing has already been built with COAH money rather than tax payer money. Mr. Barra added that there are some deed restrictions for these properties and the Borough has to comply with these restrictions because of the money given by COAH. He suggested that Mr. Thomas approach the Council at the next meeting and make his comments to the Council members as the Ordinance was written by them and not the Planning Board. Mr. Dunn asked Mr. Thomas whether he was talking about just ML-8 or about ML-4 as well. Mr. Thomas said that he was more familiar with ML-8 than ML-4 but he was concerned whether a precedent would be set if COAH was mentioned and the agency in charge of future affordable housing changed due to what happens in court. Mr. Dunn told the Board that they should keep the Ordinance the way it was written. Mr. Quinn said that page two was very specific to the ML-8 District and they did the whole Master Plan under the COAH rules at the time. Mr. Quinn noted that the Town was quite proud that it received the third round approval of our housing plan. Mr. Dunn declared that the Board was only supposed to make sure

that the Ordinance was compliant to the Master Plan and that any suggestions of changes should be addressed to the Mayor and Council. Mr. Walters asked where COAH stood today and Mr. Barra replied that COAH is ongoing and that the main issues are how many units of affordable housing each town in the state needs to provide. Mr. Barra remarked that there will always be an obligation for affordable housing but it is just a matter of determining numbers. Mr. Walters said from a realtor perspective he feels Allendale should be commended for being so far ahead of so many towns when it comes to the COAH obligations. Mr. Quinn closed the meeting to the public and brought the meeting back to the Board.

On a motion from Mr. Sasso, seconded by Ms. Sheehan, the Resolution for the Zoning Ordinance Amendments to ML-8 and ML-4 were approved.

Mr. Quinn asked if there were other matters before the Board. Mr. Dunn sent a letter to the Superintendent of Allendale Public Schools and the Department of Education saying that the Board recommended the plans for the security vestibules at both Hillside and Brookside Schools. The letter was requested at last month's meeting. Mr. Barra said that he and Councilwomen Liz White attended a ceremony where Allendale Public Schools were awarded \$380,000 for the security upgrades.

Mr. Sasso reported what the Land Use Committee was discussing. The house next to Northern Highlands Regional High School will be sold to the school in July. As of now Northern Highlands plans on razing the house and keeping it as open space. Mr. Walters and Mr. Sirico questioned whether the school would incorporate the new land into their overall plat and Mr. Barra remarked it is up to Northern Highlands because right now the lot is considered residential. Mr. Sirico asked if that happened would the application come before the Planning Board and Mr. Barra said they would have to wait to see what happens in the future.

Mr. Yakimik reported that Trinity Episcopal Church had final plans in front of the Board ready for the Board's signatures. The application has been in front of the DEP because of the wetlands on the property. The DEP suggested placing a split rail fence or markers around the wetlands. The Church decided to do the split rail fence but Mr. Dunn and Mr. Yakimik both felt that the decision changed the application to the point that it would have to come back in front of the Planning Board. After discussing the situation the Church decided to place markers around the wetlands instead of the fence.

On a motion from Mr. Walters, seconded by Mr. O'Connell, the meeting was adjourned at 9:05PM.

Respectfully submitted,
Diane Knispel