

Borough of Pine Hill
Special Meeting
Planning and Zoning Board of Adjustments
December 2, 2015

- Call to order:** Call to Order by Mr. Felix James 7:37pm
- Pledge of the Flag:** Led by Mr. James
- Sunshine Law:** This is a Special meeting of the Pine Hill Planning and Zoning Board. This meeting has been duly advertised and is in full compliance with the Sunshine Law.
- Roll Call:** Mr. Felix, Mr. Castor, Mr. Shultz, Mr. Hagy, Mayor Green, Councilmen Robb, Mrs. Ciotto
Absent: Mr. Waddington, Mr. Ford, Mrs. Bruno, Mr. Greer
Professionals: Solicitor: Mr. Sitzler, Engineer: Mr. Dougherty
- Correspondence:** VOL. 76, No.5 of the New Jersey Planners was given to members present
- Approval of Minutes:** Motion made by Mr. Castor to approve the minutes of the October 8th; seconded by Mr. Hagy
Roll call: "aye" Mr. Shultz, Mr. Castor, Mr. Hagy, Mayor Green, and Mrs. Ciotto. "Abstain" Mr. James and Councilman Robb
- Approval of Minutes:** Motion made by Mr. Castor to approve the minutes of the SUB Committee minutes of November 9th; seconded by Mayor Green
Roll Call: "aye" Mr. James, Mr. Hagy, Mr. Castor and Mayor Green
"Abstain" Mr. Shultz, Councilman Robb and Mrs. Ciotto
- Overview of COAH:** Testimony on the Housing Element and Fair Share Plan For the Third Round: 1999-2025; Presented by George R. Stevenson, Jr.,P.P., AICP From Remington & Vernick Engineers, Inc.

Mr. Sitzler: Mr. Stevenson would you like to make a presentation about the plan you prepared for the board?

Mr. Stevenson: Yes

Mr. Sitzler: I think it would be good for him; Mr. Stevenson to at least summarize the plan before we have any questions. What we could then do if there are any questions from the public it would be easier to answer as well if the board has any questions at that time.

Mr. Sitzler: Mr. Stevenson are you ready? If so step to the microphone and be sworn in.

Mr. Stevenson: Yes

Mr. Sitzler: Raise your right hand; do you swear that your testimony given before the board this evening will be the truth?

Mr. Stevenson: I do!

Mr. Stevenson: Mr. Chairman, Members of the Board good evening my name is George Stevenson I'm a Planner with the firm Remington & Vernick Engineers. I'm here tonight to give an overview of the Housing Elements and the Fare Share Plan which is a check if you will of the Master Plan. Basically when you are talking about a housing element fare share plan the real guts of it if you will apart from census data that gives you a snap shot of housing is for you as a community to acknowledge what you believe your numeric obligations are it terms of providing affordable housing. Part two of that indicating the way by which you will address your affordable housing obligations. There are basically just to digress slightly to give you a little bit of background. When you talk about encumbered complications for your affordable housing from an affordable housing standpoint you are looking at 3 things. The first aspect the name has changed over the years at one point of time it was called an indigenous need then in another time it was called rehabilitation at this particular time it is referred to as present need; so if you hear the term as present need that equities to rehabilitation. I will indicate to you that according to the fair share housing center which this document suggest that the Borough adopt the fair share housing obligations that were produced in conjunction with the Dr. Kinsey which is referred to as the Kinsey report; that rehabilitation or present need components known and referred to as 19 units. Now there are also something called the prior

land obligation; the prior land obligation relates to an obligation for affordable housing that accrued from 1987 thru 1999 that is indicated as being 22 units by the fair share housing center. Then there is what is referred to as the third round and that is an obligation going from 1999 going forward thru 2025 and that as being indicated by the fair share housing as being 0 and I will come back to that just to explain why.

Mayor Green:

Mr. Stevenson if I can just interrupt you for a second just for the boards understanding. What Mr. Stevenson is talking about this COAH obligation, Mount Laurel decision and the fair share housing has been in the courts for the last 25 years and recently this past year the Supreme Court finally null and voided I guess where everybody was playing under the rules of various phases. The Borough actually had a 3 round certification probably about 2010 and of course that does not count anymore; they dumped it in the legislature's hands. The legislature failed to act so then came June so the first step is I guess that there is none; so everyone is fair game for builder remedy law suites for obligations and things of this nature. Certain towns were given a 5 month stay of execution if you will that is why they developed a plan and we took advantage of that since we had a prior certification. At that point we contacted Mr. Stevenson to redo all the information and to look at our fair share housing plan and the resin this is before the board is based on Mr. Stevenson's recommendation to the board council will have to act and we have to be in front of the judge the middle of December to present our plan and at that point various agencies will be able to comment on and or possibly file suit against us. That is where we are at today and it all starts from 25 years ago.

Mr. Stevenson:

That is great Mr. Mayor

Mayor Green:

I just figured before we get started we should catch the board up on Fair Share Housing because I know a lot of the members of the board are not familiar with COAH and the Fair Share Housing

Mr. Stevenson:

Well Mr. Mayor it is always a good idea to understand what it is you are doing and why you are getting together so thank you very much. The one thing I would add to what the Mayor had indicated is that the fair share housing center had altered these obligations some months ago. There was a Rutgers Professor that was retained by a number of communities to prepare an alternate set of numbers; regretfully he actually had a stroke and was unable to complete his work. There was an agency that was hired to pick up that assignment; those numbers while they are in draft a confidential draft at this point the final

numbers are not expected till perhaps the end of December. The long and the short of it is there may be a requirement at some point in time to make an amendment to that which we may adopt this evening once there has been some adjustment to the numbers because the numbers that the Fair Share Housing Center has proffered are not court approved. It is at least a set of numbers that work to this communities' advantage that is why those numbers are suggested. The three Components: the present need or re-rotation component, remember that your task as a community is to at least provide the opportunity for the rehabilitation and completion element of the affordable units. In terms of the rehabilitation component you are able to meet that obligation through application of 19 since the obligation is identified as 19 units you are able to claim credit for 19 of the Mansion's units and that zeros out that obligation so it is a very easy obligation to satisfy. I should also indicate that many municipalities encourage as does this one resident participation in the county home loan improvement program, it is something we just need to encourage. The only thing we don't have is the rules do call for the rehabilitation of rental units and the county program does not provide for the rehabilitation of rental units, so what I have dropped into the plan which is very typical for many communities is to agree to contract with an agency that will operate a program for you planned again for 5 units. Because the rules do not indicate a certain percentage of units just that they have to be rental units so I just said 5 units and that is very typical. I think that is basically it; so the good news for modern management is on the first one is it zeros out the obligation by virtue of the Mansion's, subscribe to the county program in terms of encouraging it and indicate you are willing to enter into a contract or rehabilitation of 5 rental units. By the way 5 rental units is an easy number to work with and to my understanding you have to have about that number to have a qualified firm to actually undertake rehabilitation activity in town you have to give them a couple of units to work on.

Resolution 2015-11

Adoption of the revised Housing Element and Fair Share Plan for the Third Round: 1999-2025

Open meeting to Public:

Close meeting to Public:

Old Business:

New Business:

Mr. James does anyone have any new business, reminder the next meeting is January 14th, 2016 at 7:30

Motion to Adjourn:

motion made by Mr. Castor, second by Mr. Hagy, all others "aye"
motion carried.