

OPEN SESSION

Hightstown Borough Planning Board meeting August 8, 2005

Call to order

Vice-Chairman Mr. Misiura called the Planning Board meeting to order at 7:38 p.m.

Mr. Misiura read the open public meetings act.

Flag salute

Roll Call

Name	Present	Absent			
Mayor Patten	X				
Mr. Montferrat		X			
Mr. Sikorski	X				
Mr. Searing	X				
Mr. Cuddy	X				
Mr. Jurgens	X				
Mr. Pratt	X				
Mr. Stults		X			
Mr. Misiura	X				
Alternates					
Mr. Emigholz	X				
Mr. Byrne	X				

Members present: Mayor Patten, Mr. Sikorski, Mr. Searing, Mr. Cuddy, Mr. Jurgens, Mr. Pratt, Mr. Stults, Mr. Misiura, Mr. Byrne and Mr. Emigholz.

Members absent: Mr. Montferrat and Mr. Stults.

.

Approval of Agenda

A motion was made by Mr. Sikorski, seconded by Mr. Pratt, to approve the agenda. Roll call vote was all in the affirmative. Motion carried.

Approval of Minutes

A motion was made by Mr. Sikorski, second by Mr. Cuddy, to approve the minutes of the May 17, 2005 Planning Board as amended showing Mr. Misiura being present, and Mr. Stults as being absent. Roll call vote was all in the affirmative with the exceptions Mr. Searing and Mr. Byrne, who abstained. Motion carried.

Adoption of Resolutions

- A. Resolution #2005-06 – Dalal Development Corporation – Block 27, Lot 39, Maxwell Avenue, denial of request for a two lot minor subdivision.**

A motion was made by Mr. Sikorski, seconded by Mr. Cuddy to adopt Resolution #2005-06. Roll call vote was all in the affirmative with the exceptions of Mr. Jurgens and Mr. Byrne who abstained. Motion carried.

- B. Resolution #2005-07 – Peacock Inn Associates – Block 48.01, Lot 21, 303 Morrison Avenue, granting approval for a minor subdivision with a variance request for impervious coverage on existing lot, and the construction of a single family dwelling on a newly created lot.**

A motion was made by Mayor Patten, seconded by Mr. Cuddy to adopt resolution #2005-07. Roll call vote was all in the affirmative with the exceptions of Mr. Jurgens and Mr. Byrne who abstained. Motion carried.

Informal Presentation

Randy Gottesman of Community Grants and Planning presented to the board, the Master Plan Housing Element and review COAH requirements.

Mr. Gottesman advised the board that in late 2004, the Borough Council asked Mr. Gottesman to update the Borough Housing Element and Fair Share Plan in order to get certified by C.O.A.H. December 20, 2004, C.O.A.H. came out with round III, which incorporates new guidelines for C.O.A.H. It was decided to come into compliance with round III, which is not required at this time. In round III, an allowance is made to collect a 2% fee from commercial projects in lieu of a 1% fee. Round III lasts until 2014. If the Borough had chosen to only comply with Round II, in 2004 they would be hit with a C.O.A.H. obligation retroactive to 2004.

Mr. Gottesman advised board that he is in the final draft stage of the process. Will be necessary to meet with the Planning Board several more times in order to complete.

Mr. Gottesman outlined the two aspects of the Housing Element and Fair Share Plan.

The first half is the housing element, which is a traditional component of a Master Plan.

The second half, which is the more creative and challenging element, is the strategy and the plan for how the Borough is going to achieve the projected obligation.

Mr. Gottesman reviewed the preliminary draft for the Housing Element dated August 1, 2005. Mr. Gottesman then provided a copy of "Municipal Options for Providing Affordable Housing", provided by C.O.A.H., which addresses a number of ways in which affordable housing can be provided.

The first part of the second half is the Fair Share Plan. Mr. Gottesman stated that the Fair Share Plan under C.O.A.H.'s round III involves the municipality projecting its own housing obligation, adding that the municipality is only required to project to the year 2014.

The second part of the second half is coming with a plan that C.O.A.H. will certify, which must be met down to the last unit.

Mr. Gottesman advised that a good way to obtain credits is through group homes, and would like to address the Borough Council on this matter. Mr. Gottesman explained that group homes are given one rental credit for each bedroom as opposed to one credit per unit. Adding that 25% of the Borough's C.O.A.H. obligation must be in rental credits.

Mr. Jurgens asked Mr. Gottesman who would handle the administrative and qualification process. Mr. Gottesman advised that his firm could; however the municipal is ultimately responsible.

Mr. Jurgens asked Mr. Gottesman if Section 8 would qualify, and Mr. Gottesman advised that permanent Section 8 would qualify, but not those with housing vouchers because the vouchers are transferable from town to town.

Ordinances

Ordinance 2005-27 entitled "Collection of Fees, of Section 26-10 "Mandatory Development Fees", of the Revised General Ordinances of the Borough of Hightstown.

Mr. Rosensweig advised the board that this ordinance is the same as Subsection 26-10-6 with the exception that some language was stricken from the original ordinance to make a technical change to match the C.O.A.H. requirement for the collection of the fees.

A motion was made by Mr. Cuddy, seconded by Mr. Jurgens to accept Ordinance 2005-27 with the recommend changes, and recommend said ordinance to Borough Council for adoption. Roll call vote was all in the affirmative. Motion carried.

Ordinance 2005-28 entitled "An Ordinance of the Borough of Hightstown Establishing Growth Share Affordable Housing Requirements, and Amending and Supplementing Chapter 26, "Land Use Procedures," of the "Revised General Ordinance of the Borough of Hightstown, County of Mercer, New Jersey," in order to establish a new section thereof to be known as Section 26-11".

Mr. Gottesman explained that he recommended this Growth Share Ordinance be created to protect the Borough from getting behind in its Affordable Housing Obligation. This ordinance contains two main components. The first is all residential project containing 9 units or greater, the developer must address their affordable housing obligation of one affordable unit for every eight market rate units, having the option to provide the units on or off site, but must within the Borough. The second component is those project containing 8 or less units, in which the developer would have the option of building an affordable unit, or paying an in lieu fee. The in lieu fee was calculated from on line research looking at advertised housing prices in Hightstown, looking at homes that seemed to be in standard condition or entry level houses, which priced out around \$300,000 plus or minus. Randy then calculated that \$126,000 is what an average price of affordable housing in Hightstown, based on taxes, etc. The difference of \$174,000 is the gap between \$300,000 and \$126,000. He then divided \$174,000 by 8, because 8 market rate units need to contribute to that gap, and that is where he gets the \$21,750 per market rate unit, which is the amount needed to contribute to the affordable unit obligation.

Mr. Cuddy asked Mr. Randy if it is advisable to include an administration cost in to the \$174,000, adding that the agreement with the Mill includes administrative costs.

Mr. Gottesman states that is a good idea and will be considered should these numbers change. Randy also stated that these numbers should be reviewed annually.

The board raised the concern asked if a developer were building 11 units, what would be the obligation? Would it be one unit and an in lieu fee, or are they forgiven? Mr. Cuddy advised he would like to see a clarification in the ordinance.

A motion was made by Mr. Cuddy, seconded by Mr. Searing, to recommend for adoption Ordinance #2005-28 as amended to include clarifications on 11.3A. Roll call vote was all in the affirmative. Motion carried.

Discussions

A discussion lead by Mayor Patten to change the sign ordinance to allow “sandwich” signs in the Commercial and Highway Districts.

Mayor Patten advised the board that Mr. Wetterskog, Zoning Officer for the Borough of Hightstown, has recommended that “sandwich board signs” be allowed in the commercial districts of CC-1 and CC-2. They are already allowed, by ordinance, in the Highway Commercial zoning district.

Mayor Patten added that business establishments in the CC-1 and CC-2 are already utilizing “sandwich board signs”, which is prohibited by ordinance, and feels the ordinance should be changed. Mayor Patten proposed a size of 3’ high and 2’ wide.

The board raised concerns about having multi-tenant commercial buildings with each tenant having a sign and possibly crowding the sidewalk. The board also said there should be some restrictions written into the ordinance such as hours, number of signs, etc.

The board discussed the possibility of limiting the allowance of the signs to certain types of businesses. Mr. Misiura suggested placing an annual permit fee on these signs in order to maintain better control.

The board asked Mr. Rosensweig, Planning Board Attorney, to put together language for the board to review at next month’s meeting.

A discussion lead by Mr. Pratt and Mr. Cuddy regarding the environment, ecology, storm-water runoff and utilizing our natural resources.

Mr. Pratt provided a handout to the board, and advised that he would like to postpone this discussion until next month's meeting when Ms. Roberts, Borough Engineer, will be present.

Adjournment

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Debra Bodine-Kolo