

**TOWNSHIP OF MORRIS
PLANNING BOARD
SPECIAL MEETING MINUTES
DECEMBER 15, 2008**

Call to Order

Meeting of the Township of Morris Planning Board was called to order on Monday, evening December 15, 2008 at 7:30 P.M. in the Municipal Building, 50 Woodland Avenue, Township of Morris.

Statement of Adequate Notice: The Chairman issued the following statement:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Planning Board by preparing a notice dated December 8, 2008, specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee, and forwarding, by mail, the said notice to all persons on the request list, and I hereby hand a copy of such notice to the Secretary of the Planning Board for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

Pledge of Allegiance was led by Mr. Haan, Chairman

Roll Call of Planning Board Members and Professionals

Members Present

Mr. Rick Haan, Chairman
Mr. Laurence Bobbin
Mr. Jeremiah Loughman
Mr. Craig Goss
Mr. Scott Rosenbush
Mr. Leigh Tucker Doxsee
Mr. Anthony Romano
Mr. Jeffrey Grayzel
Ms. Linda Murphy, Alternate #1
Mr. Kevin McNally, Alternate #2

Member Absent

Mr. Franz Vintschger

Professionals Present

Adrian Humbert, Board Planner
Steve Schaffer, Board Attorney
James Slate, Board Engineer
Sonia Santiago, Secretary

Professionals Absent

Brian Burns, Board Attorney

Public Hearings

Resolution - Housing Element & Fair Share Plan – The goal of this Housing Element and Fair Share Plan is to continue compliance with the Mt. Laurel fair housing mandate and obtain substantive certification of the Township's third round fair share plan.

Proof of publication and affidavit of service filed and approved by the Board attorney.

Summary of Testimony – Adrian Humbert, Board Planner

Mr. Humbert reviewed the base layer of the zoning map of the Township of Morris and showed the Board the different locations throughout the Town where low and moderate housing are located. He proceeded by reviewing the third round compliance plan which consists of three components; (1) rehabilitation share-This is something that COAH says that the municipality has based on the 2000 census; these are units that have some type of deficiency with respect to heating, plumbing or some other non compliant facility. Somewhere in the Municipality the census says there are 37 units. They have not been identified to the municipality by COAH but they say the municipality has the responsibility between now and 2018 to rehabilitate those units so that they can be brought to code standards. Some municipalities have rehabilitated units and have been provided funds to do that through the Morris County Community Development program others have provided Municipal funds, and they have provided other mechanisms to rehabilitate the units. (2) Prior round obligations – this number is 293 units. This number is based upon the new construction obligation that the municipality had. This covers the entire period from 1987 to 1999 which was when COAH first came to be. That number goes back more than 20 years. (3) Projected growth share number for the Township is 224. That's the number that COAH says is needed based on the statewide allocation of 115,000 low and moderate income housing according to the Governor and the Department of Community Affairs. It is based on a certain amount of growth in residential and non residential development. In residential development for every five units that are built one has to be an affordable unit. For non residential development the ratio is for every 16 jobs there must be one affordable unit. What has happened is that the State has said that those jobs are going to occur. This is a projection that COAH has made and those are the numbers that we must go with or we can go by their vacant land analysis and with the number of units that COAH says we have to provide and with the density they are using, even a small amount of vacant land can generate a large number. Mr. Slate has looked at those numbers and stated that it doesn't make any sense. The total amount of units is 554 units. This is only a projection. To those 554 units you apply all the credits that we have built; our credit count is 398 units. That is broken down by all the sites that have been identified in the Township. We are hoping to receive bonuses from the prior round plan. When you apply all the bonuses to the 293 prior round obligations we end up with a prior round surplus of 105 units. We are taking that surplus and saying that we are going to apply that surplus to the growth share along with the existing zoned sites, we still have a number of 43 units that the Township theoretically is projected to need by the year 2018. A lengthy discussion was carried regarding the growth share and the amount of units that will be needed to comply with COAH requirements.

Mr. Schaffer stated that even if we had problems with the specifics it is recommended that we adopt the plan; you can always make changes later. From a legal stand point the importance of adopting is that if you do not adopt by the December 31st date you loose the

ability to tap on the affordable funds that are provided by the State; second is the builders remedy, if you don't have the substantive certification on your fair share plan then you are not protected by COAH; if you have been certified then the developer would have to go to court. Brian has stressed in regard to specifics that there can always be changes as we go along, but that is important to adopt.

The meeting was opened to the public; the following person appeared to be heard.
Lynn Siebert 178 Hillside Avenue

Mr. Slate, Township Engineer stated that they had met with the Housing Authority and discussed our proposal on the project and they agreed to the proposal to build affordable units west of the existing housing units on West Hanover Avenue. The proposal is to build three buildings of 30 units each. We have looked at extending the existing driveway; we will have to reconfigure the recreation parking lot. We will need permits from the Department of Environmental Protection in order to construct the road since there is a stream nearby. A letter is being submitted by the County and the Housing Authority director in support of the project to be submitted to COAH. We need to develop some type of spending plan, we anticipate to utilize some of the development fee funds that are being collected from the developments in Town and other sources of funding that might be available out there. We will ask Hatch Mott to review the sanitary sewer capacity. A discussion was carried regarding the housing development project at Hanover Avenue and Ketch Road.

The meeting was opened to the public; the following person appeared to be heard.
Lynn Siebert 178 Hillside Avenue

I have three letters that I would like to share with the Board in regard to the Jones Woods property and a little of the history and some of our concerns that this property not be developed. We actually are supportive of the initiative to utilizing the County land because of the characteristics that will make it a much easier and better development by having the infrastructure, water and sewer lines, and access to major roads that the Jones Woods doesn't have. The letters are from Burnham Park Association dated November 12, 2003 that was sent to the Open Space Commission, the other dated December 15, 2000 sent to the Planning Board, and one from December 15, 2000 from the friends of Jones Woods.

Mr. Rosenbush moved seconded by Ms. Murphy and roll call as indicated that the Housing Element and Fair Share Plan be adopted as amended and referred to the Township Committee for consideration and submission to COAH by December 31, 2008 and that resolution of approval, amending the Township of Morris Master Plan incorporate the Housing Element and Fair Share Plan attached hereto and by reference made part of the official minutes of this meeting, be adopted as circulated, memorializing the action taken by the Planning Board at the December 15, 2008, meeting.

Roll Call (Voting Members):

Mr. Bobbin	YES
Mr. Loughman	YES
Mr. Goss	YES
Mr. Rosenbush	YES
Mr. Doxsee	YES

Mr. Romano	YES
Ms. Murphy	YES
Mr. Grayzel	YES
Mr. Haan	YES

Mr. Rosenbush thanked Mr. Humbert for all his effort in developing the plan and he also thanks Mr. Nace for his effort in meeting with the County for the proposed housing project on Hanover Avenue.

Other Matters

Tree Removal Ordinance Update – James Slate informed the Board that the TCC had reviewed the language on the draft ordinance, Brian had suggested to wait until the Town of Jackson ruling is made because it could change the language in our ordinance.

Citizen Guideline - Mr. Slate stated that Mr. Rosenbush has developed an outline for the citizens to give them an idea of how meetings are conducted. This will be placed in the dais next to the agenda so that the public can take a copy to help them with the meeting procedures. I feel it is a good idea for the public and we would like to keep it as short as possible. He asked the Board to review and give their input. Sonia was instructed to email all Board members.

Hanover Township Zone Change – Mr. Slate stated that we have received a letter from the County regarding Hanover Townships Zone Change I didn't know if the Planning Board wanted to reach out to Hanover Township to get some specifics. Mr. Rosenbush recommended the Board to read the letter from the County. He feels that the Board should send a letter to the Mayor of Hanover asking them to hold any action they may have on ordinance 33-08 until next year and until they have addressed all questions by the County Planning Department and also give the Township of Morris the opportunity to review any plans and reports related to the zone change.

Ms. Murphy moved seconded by Mr. Doxsee and unanimously carried the board recommended that a letter be sent to the Hanover Township Committee.

With no further business for consideration by the Township of Morris Planning Board, on motion duly made, seconded and carried, the meeting was adjourned at 9: 12 pm.

Respectfully submitted,

Sonia Santiago, Secretary
Township of Morris Planning Board