

Harrington Park
PLANNING BOARD
REGULAR MEETING MINUTES
Tuesday, June 11, 2019 @ 8:00PM

Chairman Capazzi called the meeting to order at 8:01PM.

Open Public Meeting Act Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

ROLL CALL

| Roll Call | PRESENT | ABSENT |
|----------------------------------|----------------|---------------|
| (JC) Chairman John CAPAZZI | X | |
| (PA) Vice-Chair Peter ARDITO | X | |
| (PH) Mayor Paul HOELSCHER | X | |
| (AN) Councilman Allan NAPOLITANO | X | |
| (JB) Member Jesse BARRAGATO | X | |
| (RM) Member Richard McLAUGHLIN | | X |
| (RW) Member Robert WALDRON | | X |
| (DV) Alt. #1 Denise VELA | | X |

Also Present:

- (JK) Jennifer Knarich, Board Attorney
- (RP) Richard Preiss, Board Planner
- (CL) Carolyn Lee, Land Use Secretary

MINUTES FOR APPROVAL

March 12, 2019 Minutes

There was no questions or discussion.

| To approve the March 12, 2019 minutes | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|--|---------------|---------------|------------|-----------|----------------|---------------|
| Chairman John CAPAZZI | | | | | X | |
| Vice-Chair Peter ARDITO | | X | X | | | |
| Mayor Paul HOELSCHER | | | X | | | |
| Councilman Allan NAPOLITANO | X | | X | | | |
| Member Jesse BARRAGATO | | | X | | | |
| Member Richard McLAUGHLIN | | | | | | X |
| Member Robert WALDRON | | | | | | X |
| Alt. #1 Denise VELA | | | | | | X |

INVOICES FOR APPROVAL

| | | |
|--|---|-------------|
| Allegro - Escrow | Price, Meese, Shulman & D'Arminio (Aug. 2018) | \$ 2,082.20 |
| General | Price, Meese, Shulman & D'Arminio (Nov. 2018) | \$ 510.00 |
| General | Price, Meese, Shulman & D'Arminio (Dec. 2018) | \$ 315.00 |
| General | Price, Meese, Shulman & D'Arminio (Feb. 2019) | \$ 210.00 |
| Bergen County United Way/Madeline Housing (Escrow) | Price, Meese, Shulman & D'Arminio (Feb. 2019) | \$ 825.00 |
| General | Price, Meese, Shulman & D'Arminio (Mar. 2019) | \$ 405.00 |
| Bergen County United | Price, Meese, Shulman & D'Arminio (Apr. 2019) | \$ 300.00 |

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|---|--|----------------------------|
| Way/Madeline Housing (Escrow) General | Price, Meese, Shulman & D'Arminio (Apr. 2019) | \$ 465.00 |
| Allegro - Escrow General | Neglia Engineering (Jan.27-Mar.2, 2019) Neglia Engineering (Apr. 2019) | \$ 2,545.00 \$ 1,100.00 |
| Affordable Housing General | Phillips Preiss Gyrgiel Leheny Hughes (Dec. 2018) Phillips Preiss Gyrgiel Leheny Hughes (Dec. 2018) | \$ 247.50 \$ 49.50 |
| General | Phillips Preiss Gyrgiel Leheny Hughes (Jan. 2019) | \$ 751.00 |
| General | Phillips Preiss Gyrgiel Leheny Hughes (Feb. 2019) | \$ 115.50 |
| Affordable Housing General | Phillips Preiss Gyrgiel Leheny Hughes (Apr. 2019) Phillips Preiss Gyrgiel Leheny Hughes (Apr. 2019) | \$ 1,342.50 \$ 1,345.50 |
| TOTAL | | \$ 12,608.70 |

| To approve invoices listed, subject to funds available. | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|--|--------|--------|-----|----|---------|--------|
| Chairman John CAPAZZI | | | X | | | |
| Vice-Chair Peter ARDITO | X | | X | | | |
| Mayor Paul HOELSCHER | | | X | | | |
| Councilman Allan NAPOLITANO | | | X | | | |
| Member Jesse BARRAGATO | | X | X | | | |
| Member Richard McLAUGHLIN | | | | | | X |
| Member Robert WALDRON | | | | | | X |
| Alt. #1 Denise VELA | | | | | | X |

OLD BUSINESS

1. Ordinance – Right of way Tree Ordinance

NEW BUSINESS

1. Ordinance 734 Repeal / Ordinance 735 Replace – Affordable Housing

Mr. Richard Preiss, Phillips Preiss Gyrgiel Leheny Hughes, the planning consultant to the borough, was sworn in. We are at the final 2 pieces of Affordable Housing, which is the adoption of 2 ordinances. One is the overlay zoning, where we have agreed to the Fair Share Housing settlement and that was set forth in the Housing Element and Fair Share Plan. The second is the repeal and replacement of the overarching affordable housing ordinance. It deals with all the general requirements for affordable housing. It doesn't change any zones, locations or re-zoning property. Harrington Park will have to comply with requirements such as bedroom, income requirements, marketing, etc. This is being done and has been part of compliance with court orders from the judge in Bergen County. There is nothing unusual or noteworthy with this ordinance. One thing that is different, Harrington Park has an accessory apartment program dating back to the second round of compliance. It requires 2 additional units to be provided. The existing portion of the Harrington Park code that deals with the accessory apartment program is being carried forward. The change that was made is the existing ordinance had a sunset clause, the apartment program would expire upon the 4th accessory apartment. That was the number from the 2nd round. The 3rd round with the addition of 2 accessory apartments, the sunset

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clause would expire with the CO for the 6th successor of the apartment. It is in compliance with other towns.

2. Amendment to Zoning Ordinance – Permitting Overlay Zoning for Affordable Housing

This is a series of properties that were identified by Michael Hakim and had been agreed to before RP became the Borough's Planner. With Fair Share Housing, they asked the borough to add an additional property owned by PSE&G, which HP had done. This indicates the underlying zoning is in the I-1 industrial zone or the B-2 Business zone for someone to use the property for business offices or develop affordable housing on the site. In the case they do that, they would have to provide an inclusionary component where 15% of the units would have to be affordable, 15% for rental, 20% in the case of sales. They came up with standard requirements based on Mr. Hakim's formulation of the requirements. Rather than coming up with new bulk requirements, they will rely on the underlying zoning requirements. The setback for B1 or B2, or I1 zones would apply to the residential project. They added some design guidelines, landscaping and parking requirements. It is all standard practice and RP doesn't feel there is anything unusual. Both were introduced by the governing body and their referral to the Planning Board is for consistency review. Asking the board if these ordinances are consistent with the master plan. In RP opinion, these are consistent with the master plan. The Board can make recommendations or changes. JK identified some typos that were in the draft and are not substantial changes. It would be placed in the record. RP will provide JK with a corrected copy and to the council. It would be the version adopted by the council. Because the changes are not substantive, it doesn't require reintroducing or re-noticing of the provision.

The question that came up, relates to the position known as the Municipal Housing Liaison. Based on the COAH rules, there is a requirement that the municipality reports the progress they make every year. It used to be to the Council of Affordable Housing. Now, it is to the court. There is a requirement that the municipality appoints someone that is the Municipal Housing Liaison. This person must be an employee of the Borough. If the borough is comfortable in having one of the employees fill that role, it would be fine. In Montvale, the Planning Board Attorney was the best person to do that. They passed a resolution making him an employee of the borough with a salary of \$1. He became the municipal housing liaison. COAH had a website and only the Municipal Housing liaison had the password to update the information. RP is not sure how it works with the court, but he feels that it should not be problematic.

RP reached out to Tom Toronto to get a progress report on the affordable housing project at 100 & 106 Schraalenburgh. They are seeking a demo permit and hope to have both buildings down by the end of the month and onto building permits. The challenge was shut offs that were not done by the prior owner. They have sewer completed and hoping

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for O&R this week. A scheduled call for TCO (Temporary Certificate of Occupancy) by March 31, 2020. So far they are on plan.

When the council adopts these 2 ordinances, the borough will have the ability to go back to the court and seek a judgment of compliance. This would indicate that the borough has met the affordable housing requirement. There will be a period of repose until 2025 (the fourth round). In the mean time, there will be reporting and monitoring by the court. The information will be shared with fair share housing.

JK reached out to Anthony Kurus (AK) and he has not received anything from the applicant. RP will relay that information to Tom Toronto.

There were no questions.

| To approve that the ordinances are consistent with the Master Plan. | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|--|--------|--------|-----|----|---------|--------|
| Chairman John CAPAZZI | | | X | | | |
| Vice-Chair Peter ARDITO | | X | X | | | |
| Mayor Paul HOELSCHER | | | X | | | |
| Councilman Allan NAPOLITANO | X | | X | | | |
| Member Jesse BARRAGATO | | | X | | | |
| Member Richard McLAUGHLIN | | | | | | X |
| Member Robert WALDRON | | | | | | X |
| Alt. #1 Denise VELA | | | | | | X |

PH asked if it is normally the attorney that fills the Municipal Liaison position. RP said that sometimes it's the zoning official or building inspector. It could be the secretary of the planning or zoning board. JK said they had a discussion with Jack Dineen. There should be one now, and see who it is.

3. New bridge on Knickerbocker Rd/Livingston St

PA mentioned that the curb was moved and a tractor trailer went over the curb and went into the newly seeded area. The design is not right. Coming from Schraalenburgh onto Livingston, there is one lane and there should two. If there is any jurisdiction with the planning board or mayor and council. JB noted that the traffic is worse and sometimes backs up onto Schraalenburgh. PH agrees. JK said that someone on behalf of the borough should write the letter.

RP said in other towns, if you call bergen county, they are very amenable to working with municipalities. The borough could invite them to a meeting or have them come to testify and they would be more than happy to do it. PA can submit a video. Eric, the county planner, will look into the issue if asked.

4. 20 Pascack Avenue – Letter to withdrawal application for subdivision (Blue Hill Estates)

JK provided an overview of the letter. The applicant is not coming back for the final.

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5. **Site Plan Application 100 & 106 Schraalenburgh – Letter from County of Bergen, Department of Planning and Engineering**
JK provided an overview. It indicates that they do not want to review unless the application was approved by the planning board. JK asked CL to forward the resolution to Bergen County Planning which has the conditions of approval.

PH thanked RP and JK and Jack Dineen for their time and effort. PH noted that he was very appreciative of their work on the Borough's behalf.

MEETING OPEN/CLOSED TO THE PUBLIC

There was no public attending the meeting.

ADJOURN

Motion: AN

Second: JB

All in Favor said "Aye". None opposed.

Adjourned at 8:26PM.

NEXT SCHEDULED PLANNING BOARD
REGULAR MEETING
Tuesday, July 9, 2019 at 8pm