

Harrington Park
PLANNING BOARD
REGULAR MEETING MINUTES
Tuesday, April 10, 2018 @ 8:00PM

Vice-Chair Ardito called meeting to order at 8:02PM.

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
Chairman John CAPAZZI		X
Vice-Chair Peter ARDITO	X	
Mayor Paul HOELSCHER	X	
Councilman Allan NAPOLITANO		X
Member Richard McLAUGHLIN		X
Member Philip LEE	X	
Member Robert WALDRON		X
Alt. #2 Denise VELA	X	

Also Present

Jennifer Knarich, Borough Attorney
 Richard Preiss, Borough Planner
 Carolyn Lee, Land Use Secretary

ADMINISTRATION OF OATH OF OFFICE

Jesse Barragato – Alternate (#1)

Ms. Knarich swore in Jesse Barragato and congratulated him back to the Planning Board.

ROLL CALL

Roll Call	PRESENT	ABSENT
Chairman John CAPAZZI		X
Vice-Chair Peter ARDITO	X	
Mayor Paul HOELSCHER	X	
Councilman Allan NAPOLITANO		X
Member Richard McLAUGHLIN		X
Member Philip LEE	X	
Member Robert WALDRON		X
Alt. #1 Jesse BARRAGATO	X	
Alt. #2 Denise VELA	X	

MINUTES FOR APPROVAL

Mr. Ardito asked if there were any comments or corrections for the January 9, 2018 minutes. Ms. Knarich noted that a change was made from “master” to “fair share” in the discussion section on page 5.

Vote to approve the January 9, 2018 minutes with the change.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Chairman John CAPAZZI						X
Vice-Chair Peter ARDITO			X			
Mayor Paul HOELSCHER	X		X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN						X
Member Philip LEE		X	X			

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Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO					X	
Alt. #2 Denise VELA			X			

INVOICES FOR APPROVAL

Allegro - Escrow	Neglia Engineering – review services (Dec.2-31, 2017)	\$ 1,800.00
Allegro - Escrow	Neglia Engineering – review services (Jan.1-27, 2018)	\$ 1,350.00
Allegro - Escrow	Price Meese (Aug. 2017)	\$ 70.40
Allegro - Escrow	Price Meese (Dec. 2017)	\$ 631.20
Allegro - Escrow	Price Meese (Jan.2018)	\$ 1,495.80
Allegro - Escrow	Phillips Preiss Grygiel (Nov. 2017)	\$ 224.00
Allegro – Escrow	Phillips Preiss Grygiel (Dec. 2017)	\$ 48.00
Allegro – Escrow	Phillips Preiss Grygiel (Jan. 2018)	\$ 231.00
223 Lynn Street - Escrow	Neglia Engineering – review services (Jan.1-27, 2018)	\$ 165.00
223 Lynn Street - Escrow	Price Meese (Oct. & Nov. 2017)	\$ 1,397.80
223 Lynn Street – Escrow	Price Meese (Jan. 2018)	\$ 547.00
223 Lynn Street - Escrow	Phillips Preiss Grygiel (Nov.2017)	\$ 617.50
20 Pascack Avenue - Escrow	Neglia Engineering – review services (Jan.1-Mar.13, 2018)	\$ 1,538.00
20 Pascack Avenue - Escrow	Phillips Preiss Grygiel (Jan. 2018)	\$ 198.00
347 Parkside - Escrow	Price Meese (Nov. 2017)	\$ 160.00
347 Parkside – Escrow	Phillips Preiss Grygiel (Nov. 2017)	\$ 48.00
COAH	Price Meese (Dec. 2017)	\$ 345.00
COAH	Price Meese (Jan. 2018)	\$ 1,371.54
COAH	Phillips Preiss Grygiel (Dec. 2017)	\$ 400.00
COAH	Phillips Preiss Grygiel (Jan. 2018)	\$ 3,454.50
SUEZ – First Street - Escrow	Neglia Engineering – services rendered (Oct.28-Dec.1, 2017)	\$ 350.00
SUEZ – Parkhill - Escrow	Neglia Engineering – Water Main Replacement services (Jan.28-Mar.3, 2018)	\$ 356.00
PSE&G – Harriot Avenue - Escrow	Neglia Engineering – Gas Main Improvements services (Jan.28-Mar.3, 2018)	\$ 170.00
General	Price Meese (Aug. 2017)	\$ 194.35
General	Price Meese (Dec. 2017)	\$ 150.20
General	Price Meese (Jan. 2018)	\$ 1,116.76
TOTAL		\$ 18,430.05

To approve invoices that are primarily professional services contingent on the boroughs funds.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Chairman John CAPAZZI						X
Vice-Chair Peter ARDITO			X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN						X
Member Philip LEE	X		X			
Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO		X	X			
Alt. #2 Denise VELA			X			

AFFORDABLE HOUSING - UPDATE (1/25)

Ms. Knarich swore in Richard Preiss. Mr. Preiss handed out two documents, the settlement agreement between the Borough of Harrington Park and Fair Share Housing (a public document) and a document labeled “For Deliberative and Consultative Purposes only (DRAFT) Housing Element and Fair Share Plan Borough of Harrington Park”. The

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draft document is subject to comments from the Planning Board before adoption. The Borough has 120 days to adopt a plan for the settlement agreement. Mr. Preiss hoped that there would be an agreement today between Allegro, Bergen County United Way, but he has not seen the plans yet. Harrington Park will, in all likelihood, request an extension. Other towns have been granted an extension provided the town has shown due diligence towards implementing the plan. Unless the Planning Board has any concerns in next couple of weeks, there can be a hearing in May. This would be step 1 of 2 in complying with the judge's order.

Mr. Preiss described the documents as the settlement agreement and the Housing Element and Fair Share Plan are similar where the Housing Element and Fair Share Plan documents the implementation of the settlement agreement.

Settlement Agreement - review

Mr. Preiss reviewed the Proposed settlement agreement. Judge Harris endorsed the settlement agreement. The section, where there number of units is listed, is on page 2, item #3. Dr. Kinsey, the consultant, calculated the numbers. Rehabilitation Share is 4 units; Prior Round Obligations is 56 units (1987-1999) - the Borough has met that obligation; Third Round, prospective need, is 163 units (1999-2025). Settlement document on the first page indicates that the Borough does not agree with this number and method of calculation. For the purposes of settlement alone, the Borough agreed to it and the Fair Share Housing was willing to lower the obligation to give a reduced settlement number. In the second round, the Borough has been able to demonstrate that there is not sufficient land to handle the units. Through the vacant land analysis, Mr. Preiss has been able to lower the number of units from 163 to 12 units.

Bergen County Housing Improvement Program typically provides funding for rehabilitation. If they are ownership units, all the units can be provided through that program. If someone is in a rental unit, the Borough may have to set aside some money to assist those to meeting their obligation. Typically, the amount is \$10,000/unit.

The lawsuit was instituted in early 2000, which was settled. Judge Harris agreed to lower the obligation to 8 units. The Borough was able to satisfy the obligation by doing a Regional Contribution Agreement (RCA) with Fairview to use the money to either rehabilitate or build affordable housing. That was available in the first 2 rounds. RCA is no longer available. 4 units were provided through an Accessory Partner Program that allowed someone to create an accessory apartment in the home provided it met certain standards then rent out to people who qualified as lower income households. This is how the 8 units were satisfied.

Although the Borough only has the ability to provide 8 units based on the land, the difference between the obligation and the unmet need, is the aspirational number. If an opportunity arises that additional affordable housing could be provided, then that is a way the community could meet the unmet need.

Third round, Mr. Hakim started the effort and Mr. Preiss continued. Mr. Preiss looked at all available land that was vacant and suitable land for affordable housing in the community (attached to the settlement, page 11). There was an agreement to provide 12 units. That is the number where the Borough has to provide mechanisms to meet that obligation.

Page 3, item #8, the mechanism to satisfy that obligation are as follows:

Allegro project – 10% of the units to be set aside for Medicaid purposes. There are 177 assisted living units; 9-10 units are provided for Medicaid patients. The income numbers from Medicaid patients are the same for low-income or affordable housing. These units can be credited against the Borough's the Fair Share obligation. We have only credit for 3 of the units because the current rules only allow you to meet 25% of the RDP. The others can be utilized in future rounds or against the unmet need. The remaining 5 supportive units and 3 family units will be provided by an agreement between Allegro and Bergen County United Way (BCUW). We are waiting for details on conceptual site and architectural plans. BCUW would require \$900,000 fee from Allegro Project and another money from developer, Ray Reduce, to redevelop 12 market rate apartment units at the boarding house and gas station location. This money will provide a 4-bedroom group home and additional 2 units 2 bedroom supportive living units. Each bedroom is eligible for 2 units of credit for a total of 5 credits. They will also provide 3 family rental units (1, 2 and

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3 bedroom units). Under the COAH 2nd round rules, up to 25% of RDP, the family units get a 2 for 1 credit. This is the reason for the 6 units listed. We would have met the obligation in number through the mechanisms. Because we didn't have half the units available to families we agreed to add 2 additional accessory apartments available rental to the Borough's program. This would bring the total units to 16. This will meet all requirements for accreditation.

Additional explanation of the numbers is on page 3. Most are in place except Fair Share Housing in the master request to include the Rockland Electric site. Half the site is vacant and available for affordable housing. We have agreed for an overlay zone there for affordable housing.

Allegro has been approved that takes care of the 10% requirement for Medicaid units. In the agreement, this will allow BCUW funds to acquire gas station site. A private developer will acquire the boarding house site and redevelop 9 townhouses units and provide additional source of funding for BCUW. The 2 sources of funding provide a great guarantee that the funding will be in place for BCUW to build that project.

A contingency plan if BCUW can't do the project, then Allegro will purchase the gas station and will develop 9 affordable rental units. 3 of the units will be eligible for 2 for 1 bonus, for a total of 12 units.

Question: Mr. Lee asked if \$900,000 is a realistic cost to build the units.

Discussion: Mr. Preiss said that the acquisition of the site is substantial. BCUW has the option to purchase the property. BCUW was counting on utilizing NJ Mortgage finance administration fees to fund the rest of the project. There are tax credits available. A 3rd party developer would purchase the boarding house site, build 9 townhouse units and provide a contribution to BCUW. That may take the place for the financing. If this does not happen, then Allegro would have to build the 9 units.

Question: Mr. Lee asked if Allegro's obligation would be limited to \$900,000?

Discussion: Allegro would need to develop the 9 units on the gas station site if BCUW is not developing townhouses. Ms. Knarich said that there is a 3-way agreement that will be put in writing. We are confident that either way Allegro or BCUW will be developing the site. Mr. Preiss added that it is very neat package and satisfactory way of addressing the fair share obligation.

Question: Mr. Ardito indicated that 20 Pascack Avenue is on the list, but a developer is planning to build 4 houses on the property. Based on what was said, this property would not fall under the fair share housing and would it be obligated for affordable housing?

Discussion: Mr. Preiss replied that you need to determine how much of the property is vacant and not environmentally constrained that would allow for development and at some reasonable density. Would it produce 5 or more units? In this case, the answer was no and the property was excluded. It was identified as a potential site, but in the end it did not generate any RDP.

Questions: Mr. Barragato said that 100 Schraalenburg is not a large property and is narrow and deep. It doesn't have great access because it isn't a corner lot.

Discussion: As part of the negotiation, we required BCUW to develop a series of concept plans with layout and produce some elevations. In the combined project, everything will be demolished. It will be two different developers, but they will be integrated. There will be access from Schraalenburg and Elm and some shared parking. The boarding house site will have 9 townhouse units. On the BCUW site, there will be the 4-bedroom group home, the additional 2 bedroom supportive living unit and 3 apartments. It will be a dense project. There will be a subcommittee to review the designs.

Question: Mr. Barragato asked if they will be able to review both plans at the same time?

Discussion: Mr. Preiss is anticipating and may require that the BCUW application and private developer application be filed at the same time because they are integrated. Ms. Knarich agreed. The contingency will be in place.

These are 2 bedroom market rate units for sale. These are not affordable housing units.

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Question: Mayor Hoelscher asked if we would be required to go back to the Court.

Discussion: Jack Dineen will write a letter to provide status update and request for more time. There is a lot of work to be done, the judge has granted an additional 90 days to everyone who has requested it. Mr. Preiss does not see any issue about time. Ms. Knarich said that they want to develop the property the right way. It is not a delay on the Borough's part.

Mayor Hoelscher thanked Mr. Preiss, Ms. Knarich and Mr. Dineen for their work and said that the Borough is well represented by them.

Housing Element and Fair Share Plan (DRAFT) review

Ms. Knarich asked if the document could be emailed to the absent members to review before the next meeting. Mr. Preiss will forward the document to Carolyn Lee for distribution.

This document will be open to the public at the hearing, but this is currently a draft.

There are some additional parts will be added to the document:

- The vacant land analysis will be an appendix
- The settlement agreement will be part of the appendix
- There will be a detailed spending plan
- There will be a suitability analysis

Pages 5-14 is demographic information describing houses in the community, number of rentals or owned, single family, if they are occupied or vacant, rental costs, number of rooms, etc. using the 2010 census.

Starting page 12, is growth trends and projections utilizing information available through to 2016. It is provided for certificate of occupancy.

Page 15 is a repeat of the settlement. The 3 numbers of rehabilitation, prior round obligation and third round prospective need. It provides a description of how each is met in more detail. It indicates where the overlay zones are. Ms. Knarich asked if it is consistent with the settlement agreement. Mr. Preiss agreed that it mimics the settlement agreement.

Ms. Knarich said that the Borough is required to adopt the Housing Element and Fair Share Plan. Mr. Preiss indicated that this is two-part role, where the Planning Board approves the plan. When the zoning is introduced for the boarding house and gas station side, the overlays are for additional Rockland Electric side, we will amend the ordinance. All will be introduced to implement the plan. Once they are introduced, the proposed amended ordinance will come back to the Board for a consistency review.

Mr. Preiss provided timeline for adoption of the plan. This has to be a noticed hearing so it has to be done 10 days before the meeting. Ms. Knarich will work with Carolyn Lee. We will let everyone a week to review the plan for comments, questions or changes. This will give Mr. Preiss time to update the plan. Copies will be given to all those parties listed on the service list per the Declaratory Judgment action. The subcommittee will be working on the concept site plans and elevations. If that is put in place, the 3-way agreement could be signed and the proposed ordinance could be drafted. Mr. Preiss had hoped that the proposed ordinance would be an appendix to the plan, but the Borough must move forward.

Ms. Knarich asked the Board to thoroughly review the document. It will take time and effort on the Boards part to move smoothly. She mentioned that they are making an effort to the proactive.

The Board thanked Mr. Preiss.

MEETING OPEN TO THE PUBLIC

Motion: Jesse Barrgato

Second: Philip Lee

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Vote: All in Favor
Public had no comments or questions.

MEETING CLOSED TO THE PUBLIC

Motion: Mayor Hoelscher
Second: Jesse Barragato
Vote: All in Favor

Mr. Ardito asked that everyone review the plan and provide comments and questions to Mr. Preiss. Mr. Preiss will send the document for Carolyn Lee to deliver.

ADJOURN

Motion: Mayor Hoelscher
Second: Philip Lee
Vote: All said "Aye". None opposed.
Meeting adjourned at 9:00PM.

NEXT SCHEDULED PLANNING BOARD
REGULAR MEETING
Tuesday, May 8, 2018 at 8pm