

MINUTES
Borough of Mountain Lakes
Housing Element and Fair Share Plan (HEFSP) Committee
June 12, 2018 – 8:30 AM
Borough Hall

Attendance: Mitchell Stern, Borough Manager; Blair Bravo, Committee Coordinator; Martin Kane, Planning Board Chair; Nancy DuTertre, Planning Board Member; Lauren Barnett, Mayor; Cynthia Korman, Councilmen; Stephen Shaw and Sandy Batty, Public Members; Paul Phillips, Planner; Bob Oostdyk, Borough Attorney

1) *Welcome* 8:32 AM

Blair welcomed everyone and asked that each person give a brief introduction. She reviewed the agenda.

2) *Minutes Approval*

The minutes of the July 11, 2017 and May 16, 2018 were reviewed and approved with two corrections to the May 16th minutes. On the second page “North” side of RT 46 was corrected to “South” side and “Medicare” was corrected to “Medicaid”

3) *Status of Fair Share Plan*- Planner Paul Phillips and Attorney Bob Oostdyk reported the following:

- They have had regular monthly conferences with Judge Nergaard
- Currently, we are on a path for a resolution rather than litigation
- Fair Share Housing Center (FSHC) is looking into our Vacant Land Adjustment (VLA)
- Judge Nergaard is pushing hard for settlements
- We will eventually need to meet with FSHC and discuss items they have raised
- FSHC is very busy now, so we do not need to push for a meeting
- We can learn a great deal by watching other settlements and court cases
- Planner Paul Phillips said he will eventually need specific guidance and information regarding some parcels and policies such as:
 - The two buildings near the corner of Fanny and Morris. Are they occupied? Cynthia Korman said Economic Development Committee (EDC) will look into it
 - Overlay on South side of Route 46
 - Train Station/Midvale Market Area. Cynthia mentioned that EDC has looked at this area. It was noted that there are challenges to redevelopment such as multiple owners, historic buildings, parking and potential environmental issues. EDC has looked at this area. It was noted that the area is mentioned in the master plan as a potential area for a town center and that the mixed use is currently grandfathered.

- 4) *Developer Fee Ordinance* -Attorney Bob Oostdyk reported the following:
- Recommends borough adopt an ordinance once we have an approved plan.
 - The State has a 1.5% developer fee for commercial construction
 - There was a question raised if we could collect with out having a plan in place. We cannot spend with out a plan, but it was not certain if we could collect fees without a plan.
 - Cynthia asked if we should hire a consulting attorney. Bob Oostdyk responded that that would be appropriate if we enter into litigation.
- 5) *Update of Resolution 48-18 Establishing the HEFSP Committee – Cynthia Korman*
The existing resolution and a sheet with some recommended changes (see attached) were distributed. The committee agreed with the changes and spent a great deal of time discussing the makeup of the Committee. It was agreed that the Committee should be composed of the following members: Mayor, Manager, two additional Planning Board members, two Council members, and three public members. The Committee will prepare a memo with a recommendation to the Borough Council for the changes to Resolution 48-18.
- 6) *HEFSP 2018 Goals* – Held till next meeting
- 7) *Next Meeting and Wrap Up*
Blair thanked everyone for their participation and time. Cynthia asked that add an agenda item regarding zoning for accessory apartments for a future meeting.

Next meeting will be Tuesday July 11th at 8:30 AM

Meeting adjourned at 9:40.

Submitted by: Stephen Shaw

DRAFT

Resolution 48-18 update

Recommended changes:

WHEREAS, the purpose of the ad hoc advisory committee shall be as follows:

1. [Change]: Assist Borough Planner, Attorney and Borough Council in updating and execution of the Borough's Affordable Housing Plan.
2. [Delete] #2
3. [Keep] #3
4. [Keep] #4
5. [Change]: Regularly communicate with the Borough Council the activities of the committee
6. [ADD] Provide education and information to the public on affordable housing matters

~~IMPLEMENTATION~~
IMPLEMENTATION

[KEEP]NOW, THEREFORE, BE IT RESOLVED...

[DELETE] BE IT FURTHER RESOLVED...