

## **SAYREVILLE PLANNING BOARD**

### **MINUTES OF April 24, 2019**

The special meeting of the Sayreville Planning Board was called to order by Thomas Tighe, Chairman and opened with a salute to the flag. The meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Chodkiewicz, Ms. Lee, Mr. Macagnone, Ms. O'Leary, Mr. Volosin, Ms. Mantilla and Chairman Tighe

Absent Members: Councilman Dalina, Mr. Davis, Mr. Kelly

Also present were: Mr. Marc Rogoff, Attorney, Mr. Cornell, Engineer and Mr. Leoncavallo, Planner.

AT THIS TIME, THE MEETING WAS OPENED:

Chairman Tighe asked the Planning Board Secretary if the board special meeting was being conducted under the Sunshine Law and if all publications were notified, the secretary had stated, yes.

#### **OLD BUSINESS/NEW BUSINESS/ADMINISTRATIVE MATTERS**

- Discuss & Consider Adoption of an Amended Housing Element & Fair Share Plan

Mr. John Barree of Heyer, Gruel & Associates was sworn in. Mr. Barree is a licensed professional planner in the State of NJ. Ms. Lee made a motion to accept his credentials, seconded by Mr. Chodkiewicz seconded.

Heyer, Gruel & Associates prepared the report April 16, 2019 summary of changes of the HEFSP made part of the record and made A-1. Mr. Barree provided an overview of the special meeting with regard to the HEFSP, was previously adopted in June of 2018. Fairness Hearing was held on June 28, 2018, and an order was issued on August 1, 2018 approving the Settlement agreements between the Borough of Sayreville and Fair Share Housing Center, as well as the agreements between Borough of Sayreville and NL and K-land. Compliance Hearing was held on November 16, 2018 and an order was issued December 20, 2018 were the Borough was granted a Conditional Judgement of Compliance and Repose. The April 2019 HEFSP implements the provision and conditions of December 20, 2018 Court order, as well as, the three (3) court approved settlement agreements.

The changes in the April 2019 HEFSP are discussed in regard to document market A1; updates on a narrative of the proposed Riverton, updates to the narratives of the 84 units in Gillette Manor to the deed restricted regarding the income distribution, updates to the proposed projects at the NL & K-land sites regarding the adopted zoning ordinances establishing inclusionary zoning on both sites, AH-1, AH-2 & AH-3 zones. Updates to the Affordable Housing Ordinances & Resolutions section of the Plan to include the newly adopted ordinances pertaining to the new zoning districts that were introduced at the Borough Council on April 8, 2019. Section 3 has been deleted and the Spending Plan is included in Appendix V. Updates to the Appendix to include newly adopted AH-1, AH-2, & AH-3, as well as, the August Court Order approving the settlement agreements and the Conditional JOR. Updated proforma of the River Road project has been included in Appendix W to reflect the conditions of the court order of December 20<sup>th</sup>. A rental rehabilitation manual was developed by CGP&H and included in Appendix X.

Thomas Biesiada  
17 Greenhill Avenue, Parlin

Wanted to know if the letter of April 16, 2019 was confidential and would like a copy of it. Chairman stated at the end of the meeting, secretary will make copies for all who would like one.

James Robinson  
No address was provided

He has hopes that the planning board adopts. He also goes on with the history of the plan about the comments of the public and governing body and the amount of housing units. He states if this was discussed openly, he feels the Borough would have saved a lot of money and time. He makes mention that the board shouldn't make these decisions in executive sessions.

Arthur Rittenhouse  
33 Delikat Lane, Sayreville

He wanted to make a comment to Mr. Robinson – he states that the council was aware of all units proposed at that time. It was a 6-0 vote. He has a comment on the Gillette Manor, the housing authority in which he is a member did not place an exact number of units required instead placed wording that they would meet the requirement, based on their attorney, Mr. Casper Boehm's recommendation.

Janice Benedetto

1 Thomas Avenue, South Amboy (Melrose Section)

She is within the 200' of NL/Cross Avenue property. She states there is many Melrose residents that are concern. They were forced to accept the settlement and over 22 acres of property are going to be destroyed and the Borough had the money to purchase the land for open space. She is upset about passed mistakes that were made. And hopes that the development is a positive development.

Thomas Biesiada

17 Greenhill Avenue, Parlin

In regard to the Ordinances, in the Master Plan, LU 25, 26 & 27 have been deleted. He Ordinances 449-19 he feels there is something incorrect. AH-3 Blk 297, Lot 1, and Blk 332, Lots 1,2,3,4 Blk 33, Lot 1. Per the registration of Trident, he discusses about transaction that there are not lot 2. Per the county clerk – transaction ID 2654092 & transaction ID 3675152 and again, he states the lot 2 is not mentioned. He discusses the height of building townhomes of 48', and he hopes that the boards will consider a lower height of 35'.

Mr. Rogoff provides a statement that the board is making only a recommendation as a referral agency to the Council.

George Potolak

48 Scott Avenue, South Amboy (Melrose Section)

He wanted to know if the Chairman knows if the contamination of the site has been remediated especially the quick sand issue. Chairman notes that the application is not in front of them now and they do not know.

Mr. Cornell is stepping away to attend the scheduled Zoning meeting.

- Review & Recommendation to COAH Ordinances
  - Ordinance #448-19 – New Affordable Housing Districts (AH-1, AH-2) changes to a deed restriction to 50 years and maximum number of units.
  - Ordinance #449-19 – New Affordable Housing Districts (AH-3). The changes are the same of the number of unit to the density and the deed restriction. Mr. Barree will be looking into the statement of Mr. Biesiada.
  - Ordinance #450-19 – Land Development of the Revised General Ordinances of the Borough of Sayreville to Permit Affordable Accessory Apartment in the

Office/Services Overlay Zone – The change shall be advertised as very low income households.

- Ordinance #451-19 – Adopting the River Road Redevelopment Plan Amendment – 2 changes to the plan 60-88 affordable that has been change to 88. Minor change is the density.

Public portion is opened for questions.

Arthur Rittenhouse  
33 Delikat Lane, Sayreville

He's question is regard to 448-19 with the change of the word of maximum, he would like to know what the number will be. Mr. Barree states the number does not change of 168 units.

The river road development is that the one that will exit at River Road. Mr. Barree reviews the documents and yes, that is correct. His concern is that we are approving section by section instead of all new develops as a whole. He refers to the Fulton's Landing and the by-pass. He wants to know if Gruel Associates looked at the roads and he stated he will be back during the Fulton's Landing Development. Mr. Rogoff states the changes to the ordinances are very minor wording and have already been approved. The Planning Board is only a referral.

Janice Benedetto  
1 Thomas Avenue, South Amboy (Melrose Section)

She refers to 449-19, she notices a difference on page 5, section E regards to lighting. She refers to the last year 414-18 ordinance by paragraph. She is concerned about the exterior lighting and what IES standards are and why that's not part of new ordinance. Mr. Barree is reviewing and he will be happy to look into it. He states they are general standard that the Borough would follow.

Ms. Lee made a motion to close public portion, Mr. Chodkiewicz seconded.

Mr. Macagnone made the motion to accept the Amended HEFSP with the changes as per the memo of April 16, 2019 from Heyer, Gruel & Associates. ROLL CALL:

YES: Mr. Chodkiewicz, Ms. Lee, Mr. Macagnone, Ms. O'Leary, Mr. Volosin, Ms. Mantilla, Chairman Tighe

NO:

ASTAIN:

RESOLUTION to be adopted, Mr. Macagnone makes the motion to accept the resolution of the Amended HEFSP and Ordinances #448-19, #449-19, #450-19 and #451-19 as discussed this evening, Ms. Lee seconded. ROLL CALL:

YES: Mr. Chodkiewicz, Ms. Lee, Mr. Macagnone, Ms. O'Leary, Mr. Volosin, Ms. Mantilla, Chairman Tighe

NO:

ASTAIN:

Chairman Tighe thanks Mr. Barree for his presentation.

Mr. Chodkiewicz makes a motion to adjourn, Ms. Mantilla seconded.

Respectfully submitted,

Beth Magnani  
Planning Board Secretary