

SPECIAL JOINT MEETING
STRATFORD JOINT LAND USE BOARD
AND
BOROUGH COUNCIL

January 19, 2016
7:00 p.m.

Mayor Keenan called the meeting to order.

The Borough Clerk read the meeting notice was advertised in the Courier Post and posted on the bulletin board noting the time and place.

Roll Call:

JLUB

Present

Frank Cahill, Chariman

Rich St. Maur, Vice Chairman

Josh Keenan, Mayor

Holly Tate, Councilwoman

Michael Goldin

Michael Mancini

Joel Lyons, Sr.

Anthony Santora

Michael Redfearn, late, could not vote

Joseph Hahn, Alternate #2

Stuart Platt, Solicitor

Steven Bach, Engineer

Wayne Roorda, Engineer, late 8:30 pm (prior notice given)

John Keenan, Jr., Secretary

Absent

Nick Giove, Alternate #1

Michael Redfearn, late, could not vote

Wayne Roorda, Engineer, late 8:30 pm

Governing Body

Present

Josh Keenan, Mayor

Ben Angeli, Council President

Holly Tate, Councilwoman

John Dudley, Councilman

David Gray Councilman

Frank Hartman, Councilman

Pat Green, Councilman

Albert Olizi, Solicitor

John Keenan, Jr., Borough Clerk

Pam Pellegrini, COAH Planner

Absent

None

The Borough Solicitor introduced the Borough COAH Planner Pam Pellegrini and he swore her in.

Pam Pellegrini gave an overview of the Plan which was completed to meet an obligation. She explained Stratford was involved in litigation along with some 220 other towns to gather information and respond to the court mandated timeline. The final report done by a hired consultant was not done timely for the deadlines. The first draft of the Plan was December 8, 2015 based only on past numbers. She noted an outstanding prior obligation of 70 units from the 1st and 2nd rounds prior to 1999. E-Con which is the consultant whom finalized a report on the Borough's obligation moving forward which consists of 15 units for rehab, 70 units from the prior round, and 10 years moving forward for 2015 to 2025 of 25 units. This total of 70 and 25 units is 95 affordable units. She stated rehab units were not required to be completed through new construction. She stated the County can help meet the 15 unit rehab obligation with available funding. She noted that under prior round obligations a total of 25 units required rehab.

She reported she completed a vacant land assessment of vacant properties and the only vacant and potential land for realistic development is in front of Woodmere Apartments which is currently zoned R4 which allows rental apartments of 16 units/acre and same, set aside for affordable units. She explained there are 8 acres on this site, and with removing wetlands the net is 6.9 usable acres with 16 units/acre there could be 110 units constructed on the land with a proposed 20% set aside for affordable of 22 units. This is the only realistic development potential. However, with the vacant land assessment the prior need doesn't go away. It sits in waiting for opportunities, such as redevelopment, to meet the obligation.

The only currently available other sites are Laurel Mills Shopping Center and Bradlees/Juster which are both in need of rehabilitation with redevelopment plans in place that do not include housing. We are obligated to look these sites for meeting our affordable housing obligation. These Redevelopment Plans can be amended to include housing in them.

She explained Laurel Mills has 7.4 acres with the front proposed and reserved for commercial development, leaving 5.8 acres in the rear for residential. Townhomes work for size and units at 10 units/acre giving 58 units and 20% set aside resulting in 12 affordable units. These would be 'for sale' townhomes.

Bradlees has two scenarios. It is important to maintain commercial space for rateables but there is a need to meet the court requirements. Residential and commercial can co-exist side by side. There are 22 acres on the site, and removing the wetlands the net is 20 acres usable and 60% or 12 acres would be residential and 40% would be commercial along the main highway corridor. Since density in the R4 zone which is adjacent to this site is 16 units/acre, using it on the Bradlees site you get 192 total units with a 20% proposed set aside or 38 affordable units.

The options would be vertical and horizontal build out. The horizontal option meets and the vertical exceeds the requirements as determined by EConsult. Vertical would be limited to 3 stories, with 1st floor being commercial and 2nd and 3rd floors permitted as residential. 240 units may with a proposed 20% set aside or 48 affordable units.

The three sites would total 360 units with the option 1 horizontal at Bradlees with 22 units from Woodmere, 12 at Laurel Mills, and 38 for Bradlees. With the vertical option the Bradlees site would increase to 48 units, an increase of 10 units.

She noted the rehab units sit alone and are not included with the new construction units.

The prior round is 70 units, and the calculated prospective need of 25, makes 95 units.

The Plan now has 72 units in first option and 82 with the second option. She noted you get bonus units for rentals. 25% of the 95 units give you 24 bonus credits. 24 and the 72 units in option 1 you get a total of 96 units which exceeds the 95 units by 1 extra unit. With option 2 you have 11 extra units for the future Plan.

The Borough Solicitor explained Stratford has an obligation as does everyone in the State of NJ. There are 220 other towns addressing it. We must supply affordable housing. The one site is Woodmere Apartments land, and the other 2 sites have been part of redevelopment for a long time, so we include these other 2 sites now. We are under an obligation to do this and if we do not a developer/builder will come to sue since we don't fulfill our prior rounds and future rounds, and a suit can be won, and it could be worse.

He stated Fair Share Housing wants 200 units in Stratford and if successful they could force developer to supply 200 units.

In the Plan the borough does not develop or buy the property. It's an overlay plan for redevelopment of each property to allow housing and affordable housing. It may not be built. He stated it is up to the owner/developer. It is not the borough's responsibility to supply the housing. He further explained the borough can not be sued if the Plan is in place and approved. He confirmed there has been the threat of suits.

The JLUB Solicitor stated 300 towns in NJ are feeling the stress and have to plan over the next 10 years. If approved we are immune from law suits. Stratford he stated is ahead of other communities and hopeful to get court approval. Some communities do not worry since no sites available in those towns. He stated the one site helps keep commercial and the tax base in place. He recommended the Housing Element and Fair Share Housing be marked as exhibits. He stated the public hearing would take place, then the JLUB would adopt and the Governing Body endorse the JLUB actions and hopefully be good for 10 years.

The Borough Solicitor explained the Plan had to be filed with the court by Monday, January 25, and the hearing would take place in February and the court will decide if the plan is fair or not. He stated the borough filed a declaratory judgment in July 2015 and has held meetings with the JLUB and discussions took place. The court gave a short window and all involved on this worked with no delay. He explained just trying to get a 60 day extension was not easy.

Councilwoman Tate explained Stratford is ahead of the curve compared to other towns. We don't own the sites. She noted COAH for a period was put on the back burner and in March the numbers were published by Fair Share Housing. The borough hired an expert and we are responding. She stated the one owner is worth \$700 million and we need to be prepared with a solid plan.

Councilman Angeli stated the plan doesn't mean it will be built. He said the properties could sit empty for years.

Councilman Hartman commented about the facebook users and the truth not the rumors should be used.

JLUB Alternate #2 Joe Hahn inquired about reviewing the data and if the plan is adopted is the worried about the schools and the town. The Solicitor stated its our obligation and how they effect those is we absorb it. It is not balanced by other items like students and commercial ratables, only item/discretion is number of units.

The JLUB Solicitor spoke about the original Mt. Laurel case decision of the NJ Supreme Court and how COAH may be gone but the obligation is not gone. He explained how the State has no concern on the impact the plan has on the town. He stated some towns have to build on borough owned property just to comply which requires the town to borrow and bond money to meet the obligation.

JLUB Alternate #2 Joe Hahn stated there is no gradual plan, its all at once.

JLUB Member Mike Mancini spoke about tax dollars. He questions the Planner on the land adjustment, which the Planner explained Woodmere site was the only site to meet the requirements.

JLUB Member Tony Santora questioned age restricted 55/older and the plan doesn't spell it out, if the developer wanted to build it. The Planner responded only part of the units would count. She stated only 25% of the obligation be for seniors can be counted. So 25% of 96 units equates to 24 units.

Councilman Hartman inquired to age restricted and deed restrictions. The Planner stated the age restricted can only be a portion of the units. She explained how the affordable units were deed restricted for sale and rental for 30 years. At the end of the term the borough controls if the unit continues or if it turns into a market rate unit. And if it is sold and converted to a market rate unit the profit can come to the borough.

Councilman Gray inquired to the restriction and term of 30 years. The Planner explained how the borough could buy housing to renovate and deed restrict as an affordable unit to meet the rehab obligations.

JLUB Member Mike Mancini asked to define affordable housing. The Planner gave examples and also pointed out page 29 of the plan outlines the regional income limits. The region we are in the example was provided that 1 person can make \$57,000 for moderate, and 2 people can make \$65,200. There are different levels, and various incomes based on family size. The person who applies must be able to pay the rent or mortgage. Mr. Mancini inquired if the town can choose the levels. The Planner responded there are required certain percentages of the different levels. He also spoke about the overcrowding of the Voorhees School where he works from the redevelopment.

Chairman Frank Cahill inquired to income. The JLUB Solicitor responded the income must be COAH compliant for the rental and purchase.

JLUB Alternate #2 stated 13% had to be very low which equates to 3 units.

JLUB Member Michael Redfearn suggested to the JLUB members to be careful of the effects to schools and traffic and to look everywhere because you can't change it afterwards down the line.

Chairman Cahill stated this is to satisfy the court.

Councilwoman Tate explained the numbers are from our Planner and consultant. Its an unfunded mandate. She stated this is not a plan from the owner.

JLUB Solicitor responded to Mr. Redfearn's earlier comment and said the comment related to the school overcrowding was not true. He stated 25 units were added on the site, and there was an obligation of the developer for more than 19 students and a payment to be made by the developer. He noted that after 7 years they just met the obligation. He stated the Voorhees Town Center has 25 affordable units which is not substantial.

The meeting was now open to the public for questions.

Lou Marchuk of Pennsylvania Avenue inquired about draft documents being acceptable for the court or revised and working from a draft. The Borough Solicitor stated changes would be noted in the final version. Mr. Marchuk inquired to the accuracy of the acreage noted and does it address the jug handle and flood map. The Planner responded the information comes from the GIS available at the time and NJDEP and NJDOT maps. The Planner also stated this Plan is an overlay.

Agnes Moore of Laureba Avenue inquired to the impact on the sewer, traffic, etc. The Solicitor stated if developer comes forward the applicant will have to address these items. He stated things can change.

The Planner stated if you look at the Plan like a zoning map, it does not have a plan and does not look at traffic, environmental issues, etc.

Agnes Moore inquired about how many other towns were involved.

Stuart Platt, JLUB Solicitor stated 260 towns of over 300 towns with obligations. He further explained the NJ Supreme Court begged the legislation to not leave it to the courts for years. In 1985 COAH was created, and then that office went away, and last resort courts say do the Plan. He added the 24 units of the Plan are bonus credits.

Pat Walsh of Meadow Lark Road thanked all for getting this together.

Mr. Olizi the Solicitor stated the Plan would be submitted on Monday to the courts and there is a court hearing in February. He said one judge was all the cases for Camden with about 20 towns.

Michele Shapley of Cooper Avenue expressed her concern of non-policing of the number of residents in each unit. She spoke about communication. The Solicitor stated if a developer makes an application to the JLUB it would be a public hearing where she can go and ask questions and testify.

John Gentless of Union Avenue spoke about the number of students at the Voorhees Osage School went from 500 to 700 kids and some are special needs. He then stated Councilwoman Tate sits on both committees for both sites and the owner of one has submitted a rendering and would she share it. Councilwoman Tate responded it is all in the committee and not at Council level. She reminded him this meeting was about the COAH Plan.

Mr. Olizi, the Solicitor, said if the Plan approved by the court and the owner wants more units he has to go to the JLUB for a variance. He confirmed the committees are only talking and no Plan has been submitted by either owner. He did state one owner was ready to file a suit if there was no COAH Plan.

Mrs. Tully of Winding Way Road inquired about 72 or 82 units and the percentage of very low units. The Planner stated only 3 units were very low. Mr. Platt, JLUB Solicitor added 50% of the units were low and the balance was moderate.

The Solicitor explained some of the history of past suits related to redevelopment.

Councilman Angeli explained in the past there was housing permitted on the sites and the owners did not build.

Jim Pleis of Hillside Road inquired if property were developed we would not be here.

The Solicitor explained it is not easy to force an owner to develop. Commercial is planned to be retained on both sites.

Harry Berry of Cornell Avenue started to make statements, and the Mayor reminded him this was a question session. Mr. Berry then inquired to what was affordable housing and how many towns are like Stratford. Mr. Platt, the JLUB Solicitor responded no one town is like Stratford, and each town has their own issues like sewer, pinelands, etc. Mr. Berry inquired to why were need to do this. Mr. Olizi stated because of the court.

Mike Weiss of Overhill Road inquired to the land being preserved forever. He was told then that Council can not restrict the hands of the future Council.

Agnes Moore inquired about the liquor license. Mr. Olizi responded the license is not part of the Plan. He did state Mr. Juster was informed of this liquor license prior and it did not peak his interest.

Mr. Brennan of Bucknell Avenue inquired to why on Bradlees it was limited to 3 stories, he felt it should be more stories.

Pete Marlys of Winding Way Road inquired about building all the affordable units in one place. The Solicitor explained the Plan called for the affordable units to be mixed in with the market rate units. Mr. Platt, JLUB Solicitor added the town would have to fund that type of project to build it since no developer wants to build a complex of affordable units.

Mr. Marchuk of Pennsylvania Avenue indicated about the draft copy and no professional identified or not. The Planner the map is part of the Plan and she will be the person signing the Plan. She further explained you can use NJDEP mapping prior to application and is ok for planning.

Agnes Moore of Laureba Avenue stated she has lived in Stratford since 1967 and loves her town and doesn't want it to become Lindenwold. She explained Lindenwold apartments all started beautifully but now look at them.

Jim Kay of Winding Way Road stated our hands are tied and we have to trust all the Governing Body members are working for us.

Agnes Moore expressed to those attending to come to meetings and give your opinion.

Bill Scully of Homestead Road inquired to the future after the Plan is approved.

The Solicitor explained the Plan may not work, and if the developer wants to come in they can and ask for a variance.

Harry Berry of Cornell Avenue spoke of his concern with real estate taxes.

JLUB Chairman inquired if Councilwoman Tate would be voting for JLUB and Council. It was confirmed she will vote for both.

A motion was made by Councilwoman Tate for the JLUB to adopt the Plan by Resolution 2016:08, with Vice Chairman St. Maur making the second. Alternate Joseph Hahn was voting since Mr. Redfearn was late to the meeting. All voted aye by roll call vote with the exception of Michael Goldin voting no.

A motion was made by Councilwoman Tate to adopt the Plan for the Governing Body by Resolution 2016:34, with Councilman Dudley making the second with all Council voting aye by roll call vote.

A motion was made by Vice Chairman St. Maur to adjourn the JLUB meeting with Mike Mancini making a second and all members voting aye.

A motion was made by Councilman Angeli to adjourn the Council meeting with Councilman Dudley making the second and all Council voting aye.

John D. Keenan, Jr., R.M.C.