

Borough of Mountain Lakes
Housing Element and Fair Share Plan (HEFSP) Committee
January 12, 2016 – 6:00 PM
Borough Hall

Attendance: Blair Bravo, Committee Coordinator; Jim Baily, Planning Board Chair; John Lester and Bill Barrett, Councilman; Stephen Shaw and Sandy Batty, Community Volunteers; Paul Phillips, Planner; Rich Sheola, Borough Manager

1) *Welcome*

Blair thanked Rich for the dinner sandwiches and welcomed Councilmen Barrett and Lester to the committee. She gave a brief overview of the committee's work to date.

2) *Approval of Minutes*

The minutes of the 12/09/15 meeting were approved changing the word "adopted" to "introduced" under the first bullet point item #3.

Stephen will email Barrett and Lester minutes from the prior meetings.

3) *Update from Planner Paul Phillips*

Paul reported that the Econsult Report is available for distribution and Rich distributed copies dated December 22, 2015. Paul noted that there is an update dated December 29, 2015. Paul summarized the pertinent portions of the report including the following comments/statements:

- As stated before, we need to focus on prospective need
- Our capped prospective need number in the December 22 report is 50
- Our Capped Present Need number is 1 (rehab)
- Unmet need can be addressed with an overlay zone
- A vacant land analysis is necessary to seek a vacant land adjustment
- Based on his preliminary analysis taking into account environmental constraints there is a realistic development potential (RDP) of approximately 17 acres. Assuming a density of 6DU/acre and a 20% set aside that we would need to plan for approximately 20 units. Subtracting the 6 units planned at King of Kings leaves us with 14 units.
- Fair Share numbers are so much higher because they argue that the period from 1999-2015 must be included

4) *Managing the Affordable Housing Obligation*

A great deal of discussion ensued after Paul finished reporting. The following questions and comments were made:

- The report states that municipalities can adjust the numbers if they have better data. It was noted that the report was commissioned by the Borough. The report and the professionals who authored the report will be used in court to substantiate our plan. We would be contradicting our own expert if we changed the numbers.
- All agreed that we should put a report together using the Econsult numbers with a vacant land adjustment that will afford the Borough protection from a builder's remedy suite through 2025

- Lester noted that the numbers are derived from a state wide need and then drilled down to a region and ultimately a municipality. He asked what happens if the sum of the numbers of each municipality in a region do not add up to the number for the region. It was felt that the court would just be looking at the plan for each municipality and there would be no exposure as long as the plan was sanctioned by the court.
- Any plan needs a reliable funding source
- Barrett expressed his reluctance to put the funding burden on the tax payers
- We need to develop a realistic plan that is in the best interest of Mountain Lakes
- Plan needs to be balanced, 25% can be rental, no more than 25% can be aged restricted
- 10% Medicare beds in assisted living
- We should look at redevelopment opportunities along the Rt 46 corridor
- We need to be proactive and move as quickly as possible

5) *Timeline*

The committee discussed the procedural process moving forward. The steps are as follows:

- The planner with input from the HESP Committee finalizes a draft Housing Element and Fair Share Plan (The boiler plate is done)
- The plan is forwarded to the Planning Board for discussion and comment
- Revisions if necessary
- Planning Board holds public hearing and adopts plan
- Council seeks declaratory judgement from the court
- Council enacts enabling ordinances

Based on the above the following dates recommended:

- Next HESP meeting to review preliminary work product from planner - January 26th
- HESP meeting to finalize report – February 9th
- Plan done by February 23rd
- Special PB meeting to discuss plan – March 10th
- PB public hearing- March 24th

Meeting adjourned at 7:30 PM

Submitted by: Stephen Shaw