

**MINUTES**  
Borough of Mountain Lakes  
Housing Element and Fair Share Plan (HEFSP) Committee  
December 9, 2015 – 6:00 PM  
Borough Hall

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

1) *Welcome*

Blair thanked Rich for the dinner sandwiches and gave an overview of the agenda (attached)

2) *Approval of Minutes*

The minutes of the 11/16/15 meeting were approved as submitted.

3) *Update from Planner Paul Phillips*

Paul gave the group an update including the following comments/statements:

- Council introduced an inclusionary zone for the King of Kings property permitting up to 40 units with a 15% set aside that would provide 6 affordable housing units
- The preliminary numbers are available from Econsult but due to contractual obligations, the numbers cannot be disclosed at this time
- We should anticipate a number between a high of the Fair Share number of 256 and our old growth share calculation of 6
- An accurate vacant land inventory is necessary to determine realistic development potential
- Our focus should be on prospective need
- We will need to provide for more affordable housing than the units generated at the King of Kings property
- Regional Contribution Agreements (RCA) are not coming back
- Unmet need never goes away
- Using vacant land adjustment is a threshold question

4) *Summary of Committee's Activities*

The committee gave Paul Phillips an outline of our work since our last meeting with him. Paul has copies of all the committee minutes and the work sheet we were developing listing possible ways to develop affordable housing.

5) *Discussion on Committee's Questions from 11/16 meeting*

Following are questions we had from our last meeting (answers in bold):

- Exactly what is supposed to be in the plan-are specific properties called out?  
**There is an expectation that the plan will be implemented and units built. The more specificity to a plan the better. Properties should be identified**
- What is our number going to be?  
**As noted earlier our number will be between 6 and 256**

- Do we have a present need-should we be doing a survey?  
**Should be focusing on prospective need**
- If we designate a property for affordable housing, does it have to be available/for sale?  
**No, but it is probably a good idea to have conversations with owners as part of the process**
- Can a PILOT program be used for residential development?  
**Yes**
- What happens to low/mod housing after the 30 year deed restriction is lifted – can municipality buy it back?  
**You do not lose the credit for those units. If controls are extended the municipality receives credit for those units. Some municipalities pay owners to extend controls. To go from market to affordable costs money**
- What is our planning horizon?  
**10 years - July 1, 2015 – June 30, 2025. The plan does not have to be fully implemented in that timeframe but as stated before, it cannot be a “shadow plan” that is put on a shelf**
- What is the concern utilizing a blanket 20% overlay zone?  
**Overlay is a mechanism used to address the unmet need. Our current overlay ordinance does not include a compensatory benefit mechanism**

6) *Other Discussions*

Some general discussion took place with the following points made:

- We only have \$25,000 - \$35,000 in our affordable housing trust fund
- Courts will be accepting Housing Plans from municipalities and they will determine the actual number for that municipality
- A court Special Master could look to the Rt. 46 corridor for an overlay zone
- MAC CALI has filed a federal anti-discrimination law suit over conversion of old commercial space to residential with an affordable housing component
- We should look to our second round plan for guidance on mix of housing
- There is a 45 day appeal period for the King of Kings zoning ordinance

7) *Status of Memo to Council*

Memo to be discussed by Council before the end of the year. Formal appointments will probably be made at re-org meeting. Sandy and Jim will go to meeting to answer any questions

8) *Timeline/Next Meeting*

Once we have a number to work with we should be able to pass a recommendation on to the Planning Board and Council before the end of the first quarter of 2016.

Next two meetings scheduled for Tuesday January 12, 2016 and Tuesday January 26, 2016 at 6:00 in Borough Hall

Meeting adjourned at 7:50 PM

Submitted by: Stephen Shaw

## **Agenda**

### **Mtn. Lakes Housing Committee Meeting**

**December 9, 2015**

**6:00 p.m. – 8:00 p.m.**

**Invited:** Rich Sheola, Borough Manager; Paul Phillips, Planner; Jim Bailey, Planning Board Chair; Sandy Batty; Stephen Shaw, Community Volunteer, Community Volunteer; Blair Schleicher Bravo; Committee Coordinator.

1. Welcome – Blair Bravo
2. Review and vote on 11/16 minutes – Steve Shaw
3. Update from Planner – Paul Phillips
4. Summary of Committee's activities – All
5. Discussion on Committee's questions from 11/16 meeting (see minutes) – Paul/All
6. Memo to Council – Rich
7. Next steps/timeline/next meeting- Blair

Next Steps

Next Meeting: TBD

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality's low and moderate income housing needs.

The statutorily required contents of the housing element are:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
- f. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.