

Mtn. Lakes Affordable Housing Advisory Committee Meeting

June 5, 2019

Committee members present: Mitchell Stern, Borough Manager; Bob Oostdyk, Borough Attorney; Marty Kane, Planning Board chair; Kelly Holliday, Planning Board member; Sandy Batty, Community Member; Blair Schleicher Bravo, Committee Chair; Mayor Lauren Barnett; and Cynthia Korman- Council member.

Public: George Jackson

1. Approval of the Minutes of the May 8, 2019 meeting was postponed, to give all members a chance to review.
2. Bob Oostdyk gave an update from the Borough Council meeting of May 29. All six affordable housing ordinances were passed. The court hearing on the Borough's compliance will be at the end of June. In the future, the Council will be discussing two ordinances, the Development Fee and Accessory Apartments, which might need modifications, but they should be acceptable to the court as adopted.

The Committee discussed the Development Fee Ordinance. Bob stated that the fee on new commercial development is set by the state, so this part of the ordinance should remain as passed. The Borough can determine the residential fee, as the state does not have a model to adopt. The committee agreed that a fee should be imposed on new home construction, but discussed whether fees should be on residential additions and/or renovations. There was concern that a fee on renovations might discourage people from improving their properties. In particular, demolition of historic structures might happen because the fee could inhibit renovation. George Jackson pointed out that if we don't get funding from the fees for the accessory apartments and program administration, we will have to get it from the general revenue. He stated this might be a fairer way to fund the program. We should look at the spending plan to see how much revenue was forecast from the fees.

The committee felt that additions and new construction should have the fee, but that these terms, as well as renovations, should be well defined in our ordinance. The Planning Board members will draft a definition.

The suggestion was made to have a threshold amount for the renovation, and under this amount the fee would not apply. The committee decided to contact some other Morris County towns, including Madison (Kelly), Chatham (Marty) and Mendham (Sandy) to find out what their ordinance says and what their experience has been. We will report back for the Council to discuss at its July 22 meeting.

3. Cynthia reported on the Subcommittee on Accessory Apartments. The Subcommittee met on June 3 and will meet again on June 17. They discussed the open issues with the Accessory Apartment ordinance, which will be addressed primarily through rules adopted by the Borough. Cynthia said that the subcommittee would like to check with an organization that administers a rental program. Housing Partnership, which administers the program at the Legacy development, might not do rentals, but Homeless Solutions might. Blair will get a list of possible administrators to Mitchell.

The subcommittee will be reaching out to other towns with accessory apartment programs to find out how it has worked there.

The subcommittee had talked about sending a letter to the whole town to alert residents to the program, so they could consider whether they want to have an apartment in their home. The apartments created under the affordable housing program will be in conformance with our zoning, an exception to the current single-family zoning for the rest of the town. It was agreed that we need the rules and regulations before we send out such a letter, as people might start calling with questions. The subcommittee asked if existing tenants in a non-conforming apartment might be able to stay if the apartment becomes part of this program and the tenant was income-qualified. Bob said he would check, but thought this might be allowed.

The subcommittee had also discussed tenant rights – could they be evicted and if so, for what reasons. The committee wondered what apartments were grandfathered – we will research when our single-family zoning was adopted.

4. No other business came before the committee and the comments from the public were incorporated into the discussion topics
5. Next meeting- July 10 8:30 a.m. – 9:30 a.m. (2nd Wed.)

Respectfully submitted

Sandy Batty,

Secretary