

CHATHAM BOROUGH PLANNING BOARD
May 26, 2022 7:30 p.m.

Chairman Susan Favate called this Special Meeting of the Chatham Borough Planning Board to order at 7:30 p.m. This was a hybrid meeting, half in-person and half Zoom. Chrmn. Favate stated that notices for this Planning Board meeting were given as legally required.

Names	Present	Absent
Mayor Thaddeus Kobylarz	X	
Council Member Frank Truilo	X	
Steve Williams	X	X
Vice Chrmn. Matt Wagner		X
Chrmn. Susan Favate	X	
Bill Heap		X
Torri Van Wie		X
Curt Dawson	X	
Gregory Xikes	X	
Thomas Belding	X	
Vincent K. Loughlin, Esq.	X	

Kendra Lelie, the Planning Board's Planning Consultant, was also present.

Our thanks to Borough Administrator Steve Williams for serving as the Zoom host for tonight's meeting.

Public Comment

There was none.

Resolution #PB 2022-01

The minutes of the March 16, 2022 Planning Board meeting were approved as submitted.

Public Hearing on the Adoption of the 2022 Amendment to the Chatham Borough Housing Element and Fair Share Plan

(Am sorry, the recording machine wasn't working in the very beginning of the presentation. – L. Holler, secretary)

Ms. Kendra Lelie gave a brief history of affordable housing in Chatham Borough. On the Zoom screen she displayed the presentation contents of her report tonight: "May 2022 Amended Third Round Housing Element and Fair Share Plan – Chatham Borough, Morris County, New Jersey."

With her first slide, Ms. Lelie reviewed the history of the Borough's Fair Share Plan. In 2021, the Borough had expressed a concern about maintaining the historic character of the town. This concern became one of the goals of the 2021 amendment to the Settlement Agreement with FSHC. Other goals were to promote smart growth and to provide public improvements in the Borough. Regarding smart growth, the Borough would like to channel any redevelopment in

appropriate areas in town. Also any development should be consistent with surrounding neighborhoods.

Ms. Lelie explained that a new Settlement Agreement should be executed by the Borough. Borough representatives will then take this Settlement Agreement before the court system for a fairness and compliance hearing. This hearing will probably be scheduled in July. If the Judge finds that the Borough's Settlement Agreement is fair to the low and moderate households, as well as having the Borough's Compliance Plan is in keeping with the COAH rules and regulations, a JOR (Judgement of Repose) will then be issued.

Ms. Lelie reviewed who would qualify for Affordable Housing. She put up a slide displaying a chart of Maximum Household Income for Medium, Moderate, Low, and Very Low incomes for 1, 2, 3 and 4 persons. This chart is the latest version of income levels established last month. On the next slide, Ms. Lelie clarified what would currently be the Affordable House Sale Prices ranging from Low to Moderate. Also shown were current Affordable Rents, ranging from Very Low to Moderate.

Ms. Lelie reviewed what would be the Borough's Affordable Housing Obligation, broken down into three parts. The Rehab obligation is currently at zero. The Prior Round obligation (1987-1999) consists of the new construction obligation. The Third Round has the numbers for the years 1999-2025. Ms. Lelie stated that Chatham Borough is known as a "vacant lot town" with regard to real estate development potential. This means that the Borough has a scarce resource of land. The Borough does not have enough vacant land to meet their obligation for affordable housing.

Ms. Lelie explained the Realistic Development Potential (RDP). This would be the downward adjustment of the Borough's overall requirement for development. Ms. Lelie explained the vacant land analysis and capacity analysis that were done in the Borough. She noted that the town's "Unmet Need" is 320 units. Chatham Borough has to still show that they are implementing zoning and other mechanisms to address that number. That number will not be going away.

Answering Mayor Kobylarz's inquiry, Ms. Lelie gave a basic explanation of how the total obligation itself is calculated.

Ms. Lelie brought up a slide concerning the Borough's Realistic Development Potential (RDP). In the year 2016 the Borough RDP was 36 units. In 2022, the RDP became 71 units. This increase is because of the recent River Road Redevelopment area which produced an increased density. As a result, the Borough's RDP then had to be adjusted.

Ms. Lelie discussed the matter of satisfying the obligation. This would involve inclusionary zoning, municipality sponsored 100% Affordable Housing. Ms. Lelie explained the Prior Round RDP, the 23 unit obligation.

Ms. Lelie explained the difference between the Third Round RDP of 2016 (36 units) and the Third Round of 2021 (71 units).

Regarding the Unmet Need of 2016, Ms. Lelie noted that Prior Round and the Third Round yields 320 units. She explained how these 320 units came about. Ms. Lelie also explained what a Mandatory Set Aside Ordinance requires.

Ms. Lelie discussed satisfying the obligation's Unmet Need for 2022. The Gateway over-lay zoning in the Borough was in existence at that time. If any redevelopment were to occur on River Road, a minimum of 75 affordable units will have to be created. Also, the redevelopment of Bowers Lane will be producing 15 Affordable Housing units.

Council Member Truilo asked when the Borough had declared Post Office Plaza as an area in need of redevelopment, were the bulk requirements relaxed to allow developers to construct 4 to 5 stories high?

Ms. Lelie answered that the Redevelopment Plan allows for 4 stories on the west side of Bowers Lane.

Council Member Truilo asked if there will be a change back to the prior zoning which allowed up to 3 stories.

Ms. Lelie answered yes, that's the plan.

Ms. Lelie put the final slide on the Zoom screen. This slide explained what items go into a Fair Share Plan. She asked for any questions from the Board.

Regarding AFD-4, Chrmn. Favate asked, in terms of bulk, is that assumed to be apartments?

Ms. Lelie answered yes. The AFD-4 Zone allows for townhomes, single family homes, and apartment buildings. Three-story buildings would be permitted.

Chrmn. Favate said she would like to see in the future, more town homes that are affordable. Perhaps 12 town home units could fit some day on Bowers Lane.

Ms. Lelie brought up the need for Special Needs Housing.

Chrmn. Favate discussed the Special Needs Housing that currently exists in Parsippany.

Mayor Kobylarz asked if there is senior housing opportunities within the affordable housing frameworks.

Ms. Lelie answered yes, senior housing is certainly an option for the Borough.

Mr. Belding asked if any other units come on line between now and 2025, will they be allocated to "Unmet Need" as well. Also, what happens in 2025?

Ms. Lelie answered she didn't have a handle on what will actually happen in 2025, but she was sure there would at least be a new round and new obligations assigned.

Mr. Belding asked whether it would be feasible to amend the Borough's Master Plan to indicate a preference for a certain type of development for a particular need, like town homes or age-restricted units.

Ms. Lelie answered yes. She pointed out its almost time for municipalities to think about the next round. A Master Plan Reexamination Report could be done to include housing for a particular sector.

Mayor Kobylarz informed Mr. Belding that the Planning Board is already holding discussions about that situation.

Chrmn. Favate asked if the public had any questions for Ms. Lelie or comments for the Board.

There were none.

Mayor Kobylarz made a motion to adopt the amended housing element third round as presented by Kendra Lelie and her submission and summary of the 2022 Amended Housing Element and Fair Share Plan Element and it have it become an Element of the Chatham Borough Master Plan and authorizing the Officer of the Board to execute a resolution confirming these actions this evening. Mr. Dawson seconded the motion. A roll call vote was taken:

Mayor Kobylarz	-	yes
Mr. Williams	-	yes
Council Member Truilo	-	yes
Mr. Belding	-	yes
Mr. Dawson	-	yes
Chrmn. Favate	-	yes
Mr. Xikes	-	yes

The motion passed.

Mayor Kobylarz thanked Ms. Lelie for her excellent presentation tonight.

Before adjourning, Mr. Belding indicated some corrections may be needed on the presentation title page regarding his and Mr. Xikes' class of membership on the Planning Board. This will be looked into.

At 8:30 p.m. the meeting adjourned.

The next Chatham Borough Planning Board Meeting will be the Regular Meeting scheduled for Wednesday, June 15, 2022, 7:30 p.m. The June 1, 2022 Planning Board meeting was recently cancelled.

Respectfully submitted:

Elizabeth Holler
Recording Secretary