

Township of Millburn
Minutes of the Planning Board
February 28, 2018

A special meeting of the Township of Millburn Planning Board was held on **Wednesday, February 28, 2018** at 7:30 PM in Millburn Town Hall.

Chairman Kenneth Leiby opened the meeting by reading section 5 of the Open Public Meetings Act.

The following members were present:

Daniel Baer
Elaine Becker
Cheryl Burstein
Dianne Eglow
Roger Manshel
Miriam Salerno
Joseph Steinberg
Beth Zall, Vice Chairwoman
Kenneth Leiby, Chairman

Also present:

Ed Buzak, Board Attorney
Eileen Davitt, Zoning Officer/Board Secretary

APPROVAL OF MINUTES

A motion to approve the minutes of February 7, 2018 was made by Joseph Steinberg, seconded by Cheryl Burstein, and carried with a unanimous voice vote.

APPLICATIONS

There were no applications scheduled.

BUSINESS

HOUSING ELEMENT AND FAIR SHARE PLAN DISCUSSION

Township Planner, Paul Phillips gave a summary of the draft Housing Element and Fair Share Plan. He began by giving a brief history of the Supreme Court's decision, prior round need and 3rd round obligation with regard to affordable housing. He indicated that a municipal Master Plan must include a housing element as the foundation for the municipal zoning

ordinance. The housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with attention to low-and moderate income housing. The housing element must contain an inventory of the municipality's housing stock, a projection of the municipality's housing stock, and analysis of the municipality's demographic characteristics, an analysis of the existing and probable future employment characteristics of the municipality, a determination of the municipality's present and prospective fair share housing and a consideration of the lands that are most appropriate for construction of low-and moderate-income housing as well as the existing structures that are most appropriate for conversion to low-and moderate-income housing.

Paul Phillips stated that there are three components to a municipality's affordable housing obligation. They are the rehabilitation obligation, prior round obligation, and prospective need obligation. Experts estimate that Millburn has a rehabilitation obligation that ranges from 109 to 140 units. Millburn's prior round obligation was 261 units and third round prospective need obligation of between 545 and 1,373 units.

There are few sites in the municipality that have the size, shape and location necessary to accommodate residential development on a scale needed to address Millburn's prior round and third round prospective need obligations. Millburn is a built-out community of mainly detached single family houses. In addition, much of the Township's acreage is reserved for conservation land, such as the South Mountain Reservation, New Jersey American Water, and East Orange Water Commission. Millburn is seeking a vacant land adjustment (VLA) to address COAH's second round rules.

Paul Phillips continued by explaining the affordable housing overlay zones. He stated that the Township will implement a series of affordable housing zones to realistically produce a total of 299 affordable units. These overlay zone areas include the Canoe Brook Country Club, located in the Township's C (conservation) zone. This private country club consists of 129 acres and would generate a total of 774 units (6 unit per acre), with 155 units (20%) being affordable. The B-2 zone on Morris Turnpike is currently improved with office and commercial-retail uses. There are 13 lots totaling approximately 31 acres. The overlay zone will permit 10 units per acre for a potential yield of 310 units, with 47 units (15%) being affordable. The B-2 zone on Millburn Avenue is currently improved with office and retail uses totaling 17.5 acres. The overlay zone will permit 10 units per acre for a yield of 175 units, with 26 units (15%) being affordable. Finally the CMO zone is currently improved with light-industrial, warehouse and office uses totaling 47 acres. The overlay zone will permit 10 units per acre for a yield of 470 units, with 71 units (15%) being affordable.

The Township will also establish a mandatory set-aside ordinance which will apply to any multi-family or single-family attached residential development providing a minimum of five new units created.

There were several questions and comments received from interested Township residents.

Based on Board discussion, there were several areas of the plan that they requested be further evaluated. These issues included the following:

- * Should the Canoe Brook Country Club be included in the overlay zone?
- * Should the B-2 zone be retail?
- * Should the density remain as proposed at 10 units per acre?
- * Should there be a “no residential” restriction on the ground floor?
- * Should the DPW and/or Rimback areas be in an overlay zone?
- * Should any of the B-4 zone be in an overlay zone?

Chairman Kenneth Leiby indicated that a revision would be done based on the Board’s comments and a new draft copy will be circulated to Board members. The matter will be presented for adoption at the March 21, 2018 Planning Board meeting.

ADJOURNMENT

A motion to adjourn was made by Cheryl Burstein, seconded by Roger Manshel, and carried with a unanimous voice vote. (9:30 PM)

Eileen Davitt
Board Secretary

Motion: JS
Second: DB
Date adopted: 4/4/18