



TOWNSHIP OF LONG HILL
COUNTY OF MORRIS
Gillette, Homestead Park, Meyersville, Millington, Stirling

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PLANNING BOARD
MINUTES OF THE MEETING
June 23, 2020

The Long Hill Planning Board met for a Regular Meeting/Hearing via online virtual meeting format using Zoom Webinar.

At 7:32 pm, Chairman Hands made the following announcements:

- (1) **Call to Order and Statement of Compliance**
- (2) **Standard Board Procedures**
- (3) **Meeting Cut-Off**

- (4) **Pledge of Allegiance** – Recited by all in attendance

- (5) **Roll Call** – Board Secretary Coonce called the roll:

Present:	David Hands, Chairman	Recused:	Don Richardson
	Thomas Jones, Vice Chairman		
	Brendan Rae, Mayor		
	Victor Verlezza, Committeeman		
	John Falvey		
	Tom Malinousky		
	Alan Pfeil		
	Dennis Sandow		
	Debra Coonce, Board Secretary		
	Jolanta Maziarz, Esq., Board Attorney		
	Michael Lanzafama, Board Engineer		
	Elizabeth Leheny, Board Planner		

Chairman Hands requested the Board review Ordinance #460-20 (out of sequence from Agenda).

Ordinance #460-20 – Master Plan Consistency Review (attached)
Revising Bulk Standards in the R-MF Zone and Amending Section 122 of the Township Land Use Ordinance Entitled “Zone Districts and Use Regulations”

Upon motion made and seconded, the Board unanimously agreed by the votes of all members present and eligible to vote that the ordinance is not inconsistent with the Master Plan.

(6) Application –

Major Preliminary & Final Site Plan

Blocks 12301 / 10100 Lots 1 / 7.01 / Zone MU-O

50 Division Avenue

Application No. 19-13P

Prism Millington, LLC

Applicant proposes to construct fourteen 10-unit multi-family rental buildings containing 140 total units, a 1,800 SF community building and a 4,992 SF retail building and related site improvements.

Chairman Hands reviewed the Zoom Webinar format and noted the Applicant must coordinate with Board Secretary Coonce in order to make sure all documents on the website are current.

Board Engineer Lanzafama and Board Planner Leheny remain sworn in to offer testimony on behalf of the Township from the previous meeting.

Francis Regan, Esq. appeared on behalf of the Applicant.

Witnesses that remain sworn in to offer testimony on behalf of the Applicant:

Edward Sullivan, as LSRP

Witnesses that were sworn in to offer testimony of behalf of the Applicant:

Robert Fourniadis, as Applicant

Members of the public with questions for the Applicant's witnesses:

Terry Carruthers, Chairman of the Long Hill Environmental Commission

Charles Arentowicz, of Millington

Joe Caprio, of Millington

Frank McGrath, of Millington

Bonnie Stocker-McGrath, of Millington

Jon Caputo, of Millington

Pam Ogens, of Millington

Christina Berquist, of Millington

The Board was in recess from 9:34 pm to 9:44 pm.

Members of the public with questions for the Applicant's witnesses (Continued):

Kathy O' Leary, of Millington

Upon motion made and seconded, the Board agreed to extend the meeting to 11:00 pm.

At the end of questioning, Mr. Fourniadis (Applicant) stated if members of the public have additional questions regarding any of the environmental issues on the site they should be submitted for review and if necessary at the end of the hearing process, the LSRP may return. Board Secretary Coonce noted the public should email questions directly to her to be forwarded to the Applicant's attorney accordingly, and the Applicant agreed.

Upon agreement by the Applicant and motion made and seconded, the Board carried the application to July 7, 2020 with no further notice required by the Applicant.

- (7) **Old Business** – None.
- (8) **New Business** –
- a.) **Ordinance #460-20 Master Plan Consistency Review** – Approved as stated above.
 - b.) **Township Committee** – Nothing to report at this time.
 - c.) **Pre-Application Review Committee** – Nothing to report at this time.
 - d.) **Ordinance Review Committee** – Nothing to report at this time.
 - e.) **Standard Operating Procedures Committee** – Nothing to report at this time.
 - f.) **Master Plan Committee** – Nothing to report at this time.
 - g.) **Update and/or Information from Board Secretary** – Nothing to report at this time.
- (9) **Adjournment** – The Regular Meeting/Hearing was adjourned at 11:03 pm.

Respectfully submitted,



Debra Coonce
Planning Board Secretary
Planning & Zoning Coordinator

Videos of Planning Board meeting(s) are available on the Township website at www.longhillnj.gov. Audio recordings of the meeting(s) are available for purchase by filing an OPRA (Open Public Records Act) request through the Municipal Clerk's office. All documents relating to applications may be examined by the public in the Planning & Zoning Office located in the Township of Long Hill Municipal Building.

**TOWNSHIP OF LONG HILL
ORDINANCE 460-20
REVISING BULK STANDARDS IN THE R-MF ZONE AND AMENDING SECTION 122 OF THE TOWNSHIP
LAND USE ORDINANCE ENTITLED
“ZONE DISTRICTS AND USE REGULATIONS”**

WHEREAS, Long Hill Township filed an affordable housing declaratory judgment action in the Superior Court of New Jersey, Morris County, on July 6, 2015 at Docket No. MRS-L-1660-15; and

WHEREAS, the Township thereafter settled its declaratory judgment action with the Fair Share Housing Center (“FSHC”) and the terms of that settlement were memorialized in an agreement dated September 27, 2017 and which were incorporated in a Final Judgment of Compliance and Repose entered by the Court on June 15, 2018; and

WHEREAS, the settlement agreement with FSHC provides that:

“13. The Township . . . shall propose and adopt any new or modified ordinances required to implement this agreement . . .

“14. The Township as part of its HEFSP shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied.”; and

WHEREAS, in accordance with the terms of the settlement agreement, the Township Planning Board has prepared and submitted to the Township Committee for its consideration ordinances creating a new R-MF 4 - Multi Family Residential Zone 4, R-MF4 O Multi Family Residential 4 Overlay Zone, RAHO Redevelopment Affordable Housing Overlay Zone and MU-O Mixed Use Overlay Zone; and

WHEREAS, the Township Committee adopted that ordinance as Ordinance No. 413-18 on May 9, 2018; and

WHEREAS, minor modifications are needed to the bulk standards in the R-MZ 4 zone;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that section 122.3A of the Township Land Use Ordinance entitled “Zone Districts and Use Regulations” is hereby amended as follows:

Section 1. Section 122.3A entitled “R-MF 4 - Multi Family Residential Zone 4” which reads as follows:

“122.3AR-MF 4 - Multi Family Residential Zone 4

a. Purpose

The purpose of the R-MF 4 zone district is to provide zoning for affordable housing which allows a realistic opportunity for the construction of very low, low and moderate income housing.

b. Location

The location of the R-MF 4 zone applies to a lot on the south side of Valley Road, east of Mountain Avenue. This lot is known as Block 10801, Lot 3.

c. Permitted Uses

Multi-family dwelling units for the provision of inclusionary affordable housing pursuant to the “Low- and Moderate-Income Housing Requirements” below shall be permitted uses in the R-MF 4 zone district.

d. Low and Moderate Income Housing Requirements

1. This property shall be used for inclusionary affordable housing multi family dwelling units.
2. The minimum lot area shall be not less than five (5) acres.
3. The maximum density for residential development shall not exceed twelve (12) dwelling units per acre, unless a higher number is set forth in the Township's September 27, 2017 settlement agreement with the Fair Share Housing Center.
4. Not less than 9 units or fifteen (15%) percent of the total number of units shall be affordable to very low, low and moderate income households for rental units and not less than 12 units or twenty (20%) percent of any for sale units shall be affordable to very low, low and moderate income households. Any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of more than or equal to 0.5 shall be rounded up.
5. The affordable units must meet the income and bedroom distribution requirements of N.J. Stat. § 52:27D-329.1 and N.J.A.C. 5:80-26.3. Not more than 20% of the affordable units and not more than 10% of the market units may have 3 or more bedrooms.
6. These bulk standards shall apply to development in the R-MF 4 zone:
 - a. Minimum lot size: 5 acres.
 - b. Minimum lot width: 250 feet.
 - c. Maximum building height ~~3 stories or 45 feet~~ for pitched roof structures: 3 residential stories over parking or 50 feet, whichever is less. "Height" shall mean the vertical distance from a plane representing the average ground elevation around the foundation to a point 1/2 the distance between the top of the uppermost plate and the highest point of a pitched roof. ~~(1) Buildings facing Valley Road may not exceed 2.5 stories or 35 feet.~~
 - d. Maximum building height for non-pitched roof structures: 3 residential stories over parking or 45 feet, whichever is less. "Height" shall mean the vertical distance from a plane representing the average ground elevation around the foundation to the top of the highest beams for a flat roof or to the deck level of a mansard roof.
 - d. Minimum front yard: 50 feet.
 - e. Minimum side yard: ~~30~~ 20 feet.
 - f. Minimum rear yard: 50 feet.
 - g. Maximum building coverage: 20%.
 - h. Maximum lot coverage: 40%.
 - i. Floor Area Ratio: 0.5.
 - j. Buffer: 10 feet."
 - k. Parking: 1.5 spaces per unit

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance

except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST

Megan Phillips, RMC
Township Clerk

Brendan Rae, Mayor

1st Reading and Introduction: June 10, 2020

1st Publication: June 18, 2020

Referral to Planning Board: June 12, 2020 (PB agenda 6/23/2020)

Notice to County Planning Board Prior to Adoption: June 12, 2020

Notice to Clerks of Adjoining Municipalities (if required): June 16, 2020

Notice to Affected Property Owners (if required): June 16, 2020

2nd Reading and Adoption: July 15, 2020

2nd Publication: July 23, 2020

Filing with County Planning Board: July 23, 2020