

**Borough of Hamburg**  
**Land Use Board Meeting Minutes of June 11, 2018**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m by Chairman Adams in accordance with the Open Public Meeting Act, with regard to notices then delayed by an issue with the recording device. The meeting commenced at 7:08 p.m.

Chairman Adams invited all those present to participate in the flag salute.

Chairman Adams read the Statement of Certification: This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Those in attendance were Chairman Adams, John Haig, Daniel Hall, Guy Harby, Rich Krasnomowitz, Mayor Marino, Jeannette Tempe, Sam Villagomez and Thomas Watts. Absent: George Alakpa. Board Attorney Glenn Kienz and Board Planner Ken Nelson were in attendance.

**MINUTES:**

Haig made a motion to approve the minutes of May 14, 2018. Seconded by Tempe. Aye: Hall, Harby, Krasnomowitz, Mayor Marino, Villagomez, Watts and Chairman Adams. Nay: None.

**BILLS/VOUCHERS:**

- a. Mott MacDonald (IV00268318) – \$437.00 - Fox (Escrow)
- b. Nelson Consulting Group - \$996.00 – Master Plan Reexamination Report
- c. Weiner Law Group (215083) - \$79.20 – Fox (Escrow)
- d. New Jersey Herald - \$44.10 –Master Plan Reexamination Report

Board Secretary indicates additional vouchers were added. The escrow account for the Fox application is delinquent. As such, the invoices presented for payment are pending receipt of the additional escrow required for payment.

Mayor Marino made a motion to approve payment of the following bills/vouchers. Seconded by Villagomez. Aye: Haig, Hall, Harby, Krasnomowitz, Tempe, Watts and Chairman Adams. Nay: None.

**CORRESPONDENCE:**

Chairman Adams asked the members if they had questions or comments regarding the following correspondence items.

- a. May 16, 2018 correspondence from Borough of Franklin re: Ordinance 20-2017 amending Chapter 161
- b. June 6, 2018 Zoning Permit Denial for 19 Route 23 South (Block 3 Lot 4)

Board Secretary indicates an additional item was added to correspondence, specifically, the Zoning Officer's denial of the zoning permit application for the former Merry Go Round property.

**NEW BUSINESS: PUBLIC HEARING ON MASTER PLAN REEXAMINATION REPORT AND HOUSING PLAN ELEMENT**

At 7:12 p.m., Attorney Kienz indicates that hearings for the Report do not need to be public. However, since the Board will take action at this meeting, Notice of this public hearing was provided. Notice was published in the New Jersey Herald on June 1, 2018 and June 3, 2018 and on the Borough's website.

Nelson indicates that there are no members of the public in attendance at this hearing. As such, he will not provide a detailed presentation since the draft document has already been discussed at prior Board hearings. This report updates the Goals and Objectives and Land Use Plan Element.

The Board reviews the Existing Zoning Map and Land Use Plan prepared by Nelson.

At 7:15 p.m., Haig stepped out of the meeting.

The proposed Land Use Plan with the inclusion of the R1 and R2 (formerly RR) zones presents a more realistic approach to development of vacant lands that have environmental constraints.

Nelson thanks those involved with the process of reviewing the Borough's zoning in advance of the preparation of the report including the committee, Attorney Kienz and the staff at Mott MacDonald.

At 7:18 p.m., Haig returns to the meeting.

Adams asks the Board members if they have any questions for discussion. There are none.

Adams indicates that there are no members of the public in attendance and therefore no need to open to the public at this time.

At 7:20 p.m., a motion is made by Krasnomowitz, second by Chairman Adams to adopt the 2018 Master Plan Reexamination Report prepared by Nelson Consulting Group. Aye: Haig, Hall, Harby, Tempe, Villagomez and Watts. Nay: None.

Nelson and Kienz discuss the need for the Borough to adopt the Housing Plan Element and Land Use Plan in order for the Borough to have valid zoning. The Housing Plan Element was already in draft form from the recent COAH litigation. The Housing Plan Element presented is dated May 21, 2018.

The 2007 Housing Plan Element was adopted but not sanctioned by COAH. The Borough did not receive certification for the Plan. In 2015 COAH was disbanded. The New Jersey Supreme Court assumed responsibility for certifying housing plans. The Borough withdrew

from the process. The Borough has not indicated an unwillingness to comply with affordable housing obligation. The Borough has legally deed restricted units in the form of group homes.

This Housing Plan Element is an addendum to the 2007 Housing Plan. Nelson reviews the housing obligations on page 12 of the prepared Plan, specifically, a total of 73 units under the prior, present and prospective needs requirements to the year 2025.

New residential development would be required to provide affordable housing units.

The Housing Plan Element provides limited protection through presenting a framework for addressing the Borough's obligation.

Mayor discusses the Borough's interest in complying and coming up with ways to comply but the lack of development and available land hindered that. The Borough is 98% developed.

Nelson discusses the Fair Share Housing Center which was to come up with a middle ground but their numbers escalated the affordable unit requirement.

Kienz said the number was around 250 affordable units. The Borough was willing to comply if an interested developer presented. The Fair Share Housing Center was not taking into account changes in the Borough.

Nelson explains the process from this point. If the Board approves the Reexamination Report, there is no further action required. However, the Council should be provided with a copy of the Report and Housing Plan Element.

Kienz states that Nelson is requesting authorization to prepare the recommendations contained in the Master Plan Reexamination Report.

At 7:30 p.m., a motion is made by Chairman Adams, second by Harby to open the meeting to the public with all Board members in favor.

No members of the public were in attendance.

At 7:30 p.m., a motion is made by Harby, second by Haig to close the meeting to the public with all Board members in favor.

At 7:35 p.m., a motion is made by Chairman Adams, second by Harby to adopt the Housing Plan Element consistent with the Master Plan. Aye: Haig, Hall, Krasnomowitz, Tempe, Villagomez and Watts. Nay: None.

### **CHAIRMAN'S AGENDA**

Chairman Adams has no items for his agenda. Mayor Marino discusses potential property owners and the amount of time spent on answering their questions. Informal meetings have occurred in the past. He would prefer to not entertain potential property owners until they own the property and then encourage them to begin the application process guided by a professional.

Brief discussion on fencing requirements in the Borough.

**ADJOURN**

A motion was made at 7:44 p.m. by Haig, second by Tempe to adjourn the meeting with all other Board members in favor.

Respectfully submitted,

A handwritten signature in blue ink that reads "Wendy Brick". The signature is written in a cursive style with a large initial "W".

Wendy Brick  
Secretary to the Land Use Board