

**PRINCETON PLANNING BOARD
(JOINT MEETING WITH PRINCETON COUNCIL)**

MINUTES OF THE SPECIAL MEETING

**Thursday, May 20, 2015
PRINCETON – Monument Hall – Main Meeting Room
Princeton, NJ**

PRESENT: Cecilia Birge, Julie Capozzoli, Jenny Crumiller, Wanda Gunning, Liz Lempert, Marvin Reed, Gail Ullman, David Cohen, Timothy Quinn

ABSENT: Fern Spruill, Mildred Trotman

ALSO PRESENT: Gerald Muller, Esq., Board Attorney; Lee Solow, Planning Director; Ilene Cutroneo, Board Secretary; Shirley Bishop, PP – Affordable Housing Consultant; Edwin Schmierer, Esq., - Affordable Housing Attorney

Mayor Lempert opened the meeting at 7:08 pm having the Board Secretary acknowledge that the meeting was properly noticed. Mayor Lempert stated that tonight's meeting is an opportunity to be to address the Community's affordable housing plan. It was noted that no decisions are being made at this meeting and the material presented is to provide background information in preparation for compliance with the Third Round obligation.

Mr. Solow and Ms. Bishop used a PowerPoint presentation (made part of the minutes herein) to provide background and to outline areas that will need to be addressed for third round affordable housing plan. The review included a discussion of filing for declaratory judgment and seeking immunity from future law suits (builder's remedy) and what would be included as part of that filing. Mr. Solow provided an overview of the Princeton Community Master Plan's Housing Element and discussed what steps need to be taken for the Planning Board to adopt the new element. It was noted that the intent was to file the prior third round plan (from 2008) with the court no later than July 8 to seek the judgement. Ms. Crumiller raised a concern in filing a prior plan when new governing members did not participate and perhaps things have changed. Mr. Muller advised that the purpose of the filing of the judgment is to preclude any litigation by developers or public interest groups and receive a grant of immunity from the court. The purpose of the filing is to show that the community has previously participated in COAH and therefore is eligible for this protection. Mr. Reed added that COAH is only the affordable plan, the community may still look for opportunities in providing housing.

Mr. Solow and Ms. Bishop discussed the responsibilities of Council and the Planning Board in the process of adopting its Fair Share Plan, how credits are applied to allow the community to meet its future obligation, how the types of affordable housing units (ownership, rentals, rehabs) fit into the calculations and how credits can be obtained towards a future obligation. Mr. Solow reviewed the sites where affordable units were counted towards the 2008 plan. He noted that two sites recommended in the third round plan have not been zoned to provide affordable housing. These sites include the existing S2 Zone on State Road/Route 206 and an expansion at the Princeton Community Village.

Ms. Bishop advised that Princeton has already adopted an ordinance providing for the affordable housing fee and spending plan which will be included in the declaratory judgment filing for the court to approve. Currently the community has not been given a number for compliance and she noted that the number established by the Fair Housing was not validated. Ms. Bishop advised that Council would need decide how it wished to proceed in determining its fair share obligation number by utilizing the vacant land adjustment or working with a consortium who would use a consultant to calculate the number.

Mayor Lempert questioned what happens to the portion of the 2008 plan that the community has completed as well as the portion that was not yet addressed. Ms. Bishop advised that Princeton will be given a need to be met from 1999 to 2025 and everything done starting in 1999 to the current may be incorporated into the third round plan. Mr. Muller added that Judge Jacobson will be overseeing our submission and will be determining the number based upon what we state is our number using either a consortium or the vacant land adjustment to support our submission.

Ms. Bishop continued with the presentation by discussing the drafting of the Housing Element utilizing the 2010 census and reviewed the time line for action. Mr. Muller added that the five month date will be determined by the judge and staff will request the date as part of its filing for the declaratory judgment and immunity request.

Mr. Reed questioned if the former Borough's vacant land adjustment expanded into both communities after consolidation. Mr. Solow advised that it only applied to the former Borough but this does not preclude a policy discussion as to applying the adjustment with the third round for the entire community.

Mr. Solow recommended that an ad hoc committee regarding the Fair Share Plan be established to work with Princeton Council and the Planning Board. Mayor Lempert indicated that she would coordinate the creation of such a committee with Mrs. Gunning. Mayor Lempert also acknowledged the tight time frame in which the community must act and advised that working meetings of the committees will be held throughout the summer, but formal meetings where decisions need to be made will not be held in August.

Public comments were permitted throughout the presentation, this is a summary of those who spoke:

Sam Hammad, expressed concern that traffic considerations were not included in the rezoning of the Franklin Avenue parcel. Mayor Lempert advised that the meeting was not to debate issues and whether parcels should or should not be considered but to understand what is need to be compliant with the affordable obligation.

Kate Warren (spoke several times during the presentation) asked that the number be fair and sustainable. Ms. Warren asked that the Affordable Housing Commission and staff be included in the process.

Anne Neumann, requested that the full development at Franklin should be 100% affordable. Mayor Lempert indicated that it can be on the list for consideration but needs to be reviewed. Mr. Reed advised that caution needs to be taken with the Franklin Avenue lot, and reminded the group at the time of the rezoning a commitment was made to the adjacent residents that the zoning for that parcel would be similar to the existing residential zoning and would not permit an expansive development given the zone change in the density for the Hospital parcel. Mr. Solow added that the municipality will soon own the parcel and may want to revisit the zoning that is currently in place.

Peter Marks, questioned the obligation and how lands can be mandated to meet this requirement. Mr. Muller advised that the community's fair share obligation does not necessarily mean to build out, but to include zoning to make affordable housing possible.

Valerie Haines commented that over 15 years of litigation has taken place to correctly address the affordable housing obligation and it still is not in place. Ms. Haines stated it was her opinion that the obligation does not address the regional fair share obligations and that there are questions which need to be answered before determining the number and its placement. She asked that everyone take a step back and ask where do we want to be; what kind of a town do we want to have; where do we want to be as a community and what do we want?

Mary Clurman stated that she wants neighborhood resident representation on the ad hoc committee. Mayor Lempert advised that due to the deadlines imposed by the court, the ad hoc committee will be comprised of members of Council and the Planning Board, but the meetings will be open to the public.

Motion was made by Mr. Cohen to adjourn, seconded by Ms. Capozzoli. Meeting was adjourned at 8:30 pm.

Respectfully submitted,

Dated: 5/22/15

Ilene Cutroneo, Board Secretary
PRINCETON PLANNING BOARD

Approved: 6/4/15
as amended

Wanda Gunning, Chairperson
PRINCETON PLANNING BOARD