

**Special Meeting
Of the Mayor and Council of Princeton
May 20, 2015**

**Joint Open Session with Princeton Planning Board Committee
7:00 P.M.**

Present: **Princeton** Council President Bernard Miller, Councilwoman Jo Butler, Councilwoman Jenny Crumiller, Councilman Lance Liverman, Councilman Patrick Simon, and Mayor Liz Lempert

Planning Board Chairperson Wanda Gunning, Marvin Reed, Gail Ullman, Cecilia Birge, Julie Capozzoli, Liz Lempert, Jenny Crumiller, David Cohen (Alt 1) and Timothy Quinn (Alt 2)

Absent: **Princeton** Councilwoman Heather Howard

Planning Board Mildred Trotman and Fern Spruill

Staff Present: **Princeton** Administrator Marc Dashield, and Assistant to the Clerk Delores A. Williams

Planning Board Director Lee Solow, Gerald Muller, Esq., Planning Board Attorney, and Administrative Coordinator/Assistant to Planner Ilene Cutroneo

Also Present: Edwin Schmierer, Esq., Affordable Housing Attorney and Shirley Bishop, PP, Affordable Housing Consultant

Mayor Lempert called the meeting to order at 7:08 P.M. and read the open public meetings statement as follows:

“This meeting is called to order pursuant to the provisions of the Open Public Meetings Law. This meeting of May 20, 2015, was included in a list of meetings sent to and advertised in the Princeton Packet and Trenton Times, posted on the bulletin board in the Princeton municipal building and has remained continuously posted as the required notices under the statute. In addition a copy of this notice is and has been available to the public and is on file in the Office of the Clerk. Proper notice having been given, the Clerk is directed to include this statement in the minutes of this meeting.”

Mayor Lempert stated that tonight’s meeting is an opportunity to embark on what is needed for the Affordable Housing Plan. It was noted that no decisions will be made at this meeting but to provide background information of the third round plans of the former Borough and Township for preparation for compliance.

Mr. Solow and Ms. Bishop presented a power point presentation to educate the public and the new members of council on the third round plan, what was the recent court decision, and what the next step would be for the third round. The review included a discussion of filing for declaratory judgment and seeking immunity from future law suits and what would be included as part of the filing. Mr. Solow provided an overview of the Princeton Community Master Plan’s Housing Element and discussed what steps are needed 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, 2015 to seek the judgment. Ms. Crumiller raised a concern in filing the prior plan when new governing members did not participate and things may have changed. Mr. Muller, Planning Board Attorney, stated that the purpose of the filing of the judgment is to preclude any litigation by developers or public interest groups and to receive a grant of immunity from the court. The filing is to show that the community has previously participated in the COAH and therefore is eligible for this protection. Mr. Reed added that COAH is on the affordable plan and 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 the Fair Share Plan, how credits are applied to allow the community to meet its future obligation, how the types of affordable housing units 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, and noted that two sites that were recommended in the third round plan have not been zoned to provide affordable housing. The two 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 adopted an ordinance providing for an affordable housing fee and spending plan, which will be included in the declaratory judgment filing to the court for approval. Currently a number has not been given for compliance and the number established by the Fair Housing was not validated. Ms. Bishop advised that Council would need to decide how it wishes 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 would happen to the portion of the 2008 plan that has been completed, as well, as the portion that was not addressed. Ms. Bishop stated 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 Princeton's 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 timeline 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 adjustment expanded into both communities after consolidation. Mr. Solow stated that it only applied to the former Borough, but does not preclude a policy discussion as to applying the adjustment with the third round for the entire community.

Mr. Solow suggested that an ad hoc committee be established regarding the Fair Share Plan to work with Princeton Council and the Planning Board. Mayor Lempert indicated that she would coordinate the creation of the committee with Planning Board Chair, Wanda Gunning. Mayor Lempert 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 and formal meetings where decisions need to be made will not be held in August.

Mayor Lempert opened the meeting for public comments

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

Kate Warren addressed members of Council and the Planning Board, asked that the numbers be fair and sustainable. She also asked that the Affordable Housing Commission and municipal staff be included in the process.

Ann Neumann requested that the full development at Franklin Avenue be 100% affordable. Mayor Lempert indicated that it can be on the list for consideration but needs to be reviewed. Mr. Reed stated that caution needs to be taken with the Franklin Avenue lot, and reminded the group that 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 the requirement. Mr. Muller stated that the community's fair share obligation does not necessarily mean to build out, but to include zoning to make affordable housing possible.

Valerie Haynes commented that over 15 years of litigation taken place to correctly address the affordable housing obligation it still is not in place. Ms. Haines stated that 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 would like to see a 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, and the meetings will be open to the public.

There being no further business, Mayor Lempert adjourned the meeting at 8:30 P.M.

Respectfully submitted,

Delores A. Williams
Assistant to the Clerk