

Lawrence Township Planning Board  
Regular Meeting  
Monday, May 16, 2016

Present: Maria Connolly  
Philip Duran  
James Kownacki, Councilman  
Richard S. Krawczun, Municipal Manager  
David Maffei, Councilman  
Stephanie Pangaldi  
Diego Samuel  
Kim Y. Taylor, Vice Chairperson  
Edward Wiznitzer

Excused Absence: Doris Weisberg, Chairperson  
Neil Yoskin, Planning Board Attorney

Absent: Terrence Leggett

Also Present: James F. Parvesse, Municipal Engineer  
Philip B. Caton, Clarke Caton & Hintz, Planning Consultant  
Susan Snook, Recording Secretary

1. **Statement of Proper Notice**

Adequate notice of this meeting of the Lawrence Township Planning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law, and by filing this agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times.

2. **Public Participation (for items no on the agenda)**

None

3. **Minutes for Approval**

Monday, March 7, 2016 and Monday, April 18, 2016 minutes were unanimously approved.

4. **Appointments:**

Resolution of Memorialization 14-16 appointing Electrical Substation Design Consultant of a General Nature for the period from April 5, 2016 through January 14, 2017 was approved per unanimous vote.

5. **Resolutions**

Resolution of Memorialization 15-16 approving Minor Site Plan Application No. SP-3/16; **Lawrenceville School (Crescent Carless Core and Landscaping)**; Main Street, Lewisville Road and Franklin Corner Road; Tax Map Page 58.03, Block 5801, Lot 1.02 was approved per unanimous vote.

6. **Applications**

None

7. **Amendment to the Land Use Ordinance:**

**Referral from Council – Adoption of Floodplain Ordinance Amendment Chapter A8.** Mr. Parvesse stated this amendment will include the new FEMA map into the Administrative Code. This will enable the Township to participate in the National Flood Insurance Program since we have done since 1973.

Richard Krawczun made the motion and seconded by Councilman Kownacki. It was approved per unanimous vote.

**Referral from Council – Adoption of Floodplain Ordinance – Amend Section 26, Flood Plain Overlay District (Lawrence Township Land Use Ordinance).** Mr. Parvesse stated that this will replace the existing flood plain in the overlay district in the Lawrence Township Land Use Ordinance and replacing with the new data.

Richard Krawczun made the motion and seconded by Councilman Kownacki. It was approved per unanimous vote.

**Referral from Council – Adoption of Floodplain Ordinance – Amend Section 1202, Zoning Permit (Land Use Ordinance).** Mr. Parvesse stated this established the zoning permit for the developments in the flood hazard areas.

Richard Krawczun made the motion and seconded by Councilman Kownacki. It was approved per unanimous vote.

8. **Old Business / New Business / Correspondence**

**Affordable Housing Plan:** Mr. Caton stated there was a meeting last week with the Township's court appointed special master. However, the representation from the Fair Sharing Housing Center, which is the public advocate, had an emergency and it was postponed. The meeting has not been rescheduled. This is going to be the first face to face where the Consultants will be talking to the Fair Share Housing Center directly about what they see as Lawrence's obligation and the discussion will be mediated by a representative of the court. There is a wide variation in the possible obligation, on one hand the Fair Share Housing Center expert has the Townships' obligation at almost 1,800 units; the municipalities retained a firm out of Philadelphia who had done this before and their estimate for the Townships obligation is 283 units; the Court's expert who is supposed to be independent and his number was at 339 units, nowhere near the advocate's expert.

Our record is that we met our obligation for the prior round which was 1987 to 1999 and that was 891 units and that was met. There is 539 units in credits in addition to that and that we are entitled to carry forward into the current round which started in 1999 and goes to 2025. The 529 is the high estimate from the advocate's expert and the low estimate from the Municipal expert. They will be talking with the representatives of the Builders Association and the Fair Share Housing Center and the League and the Court in the coming weeks and will report back and keep the Board posted.

Mr. Wiznitzer asked what the underling cost for recalculating these numbers, is it shifts in income or were the original numbers wrong. Mr. Caton remarked that the Fair Share Housing Center brought a law suit claiming that Council on Affordable Housing it was creating by Statute by Fair Sharing Housing Center, to manage this whole process and it claimed they were not doing their job. The Court looked at that and over a year ago on March 10, 2015, the Supreme Court decided that COAH was not doing their job and has not been doing their job since 1999 and the Courts had to take it over. The people working in COAH started doing something else and the Courts jumped in to try to interpret what continuing responsibility the municipalities had and how to meet that responsibility.

Mr. Wiznitzer asked if the Township has any plan or strategy or thought what the Township will do if the result that if the additional housing is needed. Mr. Caton stated we do have a strategy and there does not need to be a match between what the mathematic say we are responsible for and the ability to accommodate that number. There is this methodology that the Court will eventually decide on that cranks out numbers for Towns. They are not engaged on the size of the Township or its capacity necessarily. In those cases where there is a mismatch, the Towns are permitted to make a case to the court that while the obligation maybe x and the best the Town can do with the vacant land available to them for this kind of purpose is y. If the court decided that the methodology is the high estimate of 1,800 units and we will be making the case to the court.

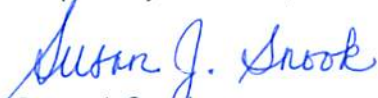
Mr. Krawczun stated those numbers are 20% of that number which means that is what our affordable units have to be. If there was some twisted fate that we had to build 1,800 units that is 20% of a higher total. Mr. Wiznitzer asked is that what the Township is now trying to come up with that number. Mr. Krawczun stated some of this is also addressed through methods that are not just built and we have an active rehabilitation program which we get credits for. We are active in the foreclosure market to keep houses in our inventory that are already designated as affordable. So we are taking other actions and extending price controls on existing units in order to just building houses.

9. **Adjournment:**

There being no further to come before the Board, the meeting was adjourned at 7:19 p.m.

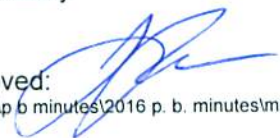
Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook  
Recording Secretary

Minutes Approved:



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