

BRIDGEWATER TOWNSHIP PLANNING BOARD
SPECIAL MEETING
Tuesday, November 11, 2008
—MINUTES—

CALL MEETING TO ORDER:

Chairman Fross called the regular meeting of the Bridgewater Township Planning Board to order at 7:00 pm at the Bridgewater Township Municipal Court, 505 Route 202/206 North, Bridgewater, New Jersey.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

In accordance with the requirements for the Open Public Meetings Act, this special meeting was noticed on October 30, 2008. Notice was sent to the Courier News and was posted in the Bridgewater Township Municipal Building at least 48 hours prior to the meeting. All requirements of the Sunshine Law have been met.

Please be aware of the Planning Board policy for public hearings: no new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm.

SALUTE FLAG:

There was salute to the flag.

ROLL CALL:

Mr. Rodzinak – present

Mrs. Knapp – present

Councilman Scaglione – present

Chairman Fross – present

Mrs. Joanne Kane - present

Mr. Leven – present

Mayor Flannery – present

Ms. Barbara Kane, Alt. #1 - present

Mr. Hayes, Alt. #2 - present

Others present: Board Attorney Thomas Collins, Township Planner Scarlett Doyle, Township Engineer Robert Bogart, Grace Karanja, Assistant Planning Board Secretary

TOWNSHIP COUNCIL NOTICE OF COMPLIANCE

In accordance with the Open Public Meetings act of New Jersey, adequate notice of this meeting was provided on November 7, 2008, by sending written notice and electronic notice to the Courier News and The Reporter; posting the notice on the website and bulletin board in the Municipal Building and filing same with the Township Clerk

TOWNSHIP COUNCIL ROLL CALL:

Councilman Hsing - Present

Councilman Moench - Present

Councilman Scaglione - Present

Council President Norgalis – Present

Councilman Albano - Absent

It was confirmed that Grace Karanja, would be the Acting Secretary for Township Council.

To mark the observance of November 11, which is Veteran's Day, there was a moment of silence for the men and women, past and present, who have graciously served the United States of America.

Mayor's Speech:

Mayor Flannery stated that the Open Space referendum passed, which allows up to 25% of our Open trust fund to be used for capital projects. She added that a subcommittee is needed in order to put together a Recreation open space component of the Master Plan. Bridgewater developed a plan in the year 2000, but it needs to be updated. The subcommittee will include 2 members of the Parks and Recreation and Open Space committees. The Mayor requested volunteers from the Planning Board. Meetings for the public will be included as well.

APPROVAL OF BOARD MINUTES:

October 27, 2008 Regular meeting minutes – Motion by Mrs. Joanne Kane, second by Mr. Leven, the October 27, 2008 regular meeting minutes of the Planning Board were adopted, as presented, on a unanimous voice vote of those present and eligible to vote:

PUBLIC HEARING ON MASTER PLAN AMENDMENT:

Background:

Chairman Fross gave the public some background on how we got to where we are tonight. He noted that about 3 months ago, the Planning Board, knowing it was going to be faced with amending the Master Plan formed 3 subcommittees each comprising of 3 Board members with the charter to resolve a specific matter as follows:

Economic Development sub-committee:

1. Andy Leven
2. Barbara Kane
3. Elizabeth Knapp

Impervious Coverage sub-committee:

1. Councilman Scaglione
2. Steve Rodzinak
3. Chairman Fross

Housing Element and Fair Share Plan sub-committee (COAH):

1. Mayor Patricia Flannery
2. Dan Hayes
3. Joanne Kane

The COAH sub-committee was charged with the responsibility for better understanding COAH, our Obligation under its ruling, and to determine how Bridgewater is going to meet the requirements. The impervious coverage sub-committee was charged with assessing our impervious coverage ordinances for each residential zone to determine if they are still relevant for today's housing requirements. The

Economic Development sub-committee was charged with the Township's Economic Development committee headed by John Schmitt, to ensure compatibility between the working of that committee and the Planning Board. Township Planner Doyle, Township Engineer Bogart and Board Attorney Collins met with the subcommittees when necessary to lend a hand with their expertise. Chairman Fross noted that the Impervious Coverage and COAH Subcommittees will be leading discussions tonight with the objective of discussing their findings and recommendations that will ultimately serve as the foundation to amend the Master Plan and comply with the COAH time tables. Adopting resolutions on these 2 elements is expected

Chairman Fross also discussed the Planning Board procedure with regard to the appropriate times for the public to speak, question and comment.

Land Use Element of the Master Plan

Chairman Fross noted that the Impervious Coverage subcommittees met several times, during the course of 3 months, looking at the percentages allowable for each residential zone. Currently, the impervious coverage percentages are as follows:

- R-10 = 35%
- R-20 = 25%
- R-40 = 15%
- R-50 = 15%

Chairman Fross noted that in its analysis, the committee looked at typical building sizes or each zone, setbacks to determine driveway and walkway lines, accessory structures that are routinely added to lots like patios, sheds, and pools. They also reviewed the applications that were submitted to the Board of Adjustment to see what the builders are asking for and their sizes. The committee came up with sample home layouts which included the necessary walkways and driveways and accessory structures. They then calculated the square footage of each to determine the total layouts of impervious coverage.

The analysis concluded that for the R-10 and R-20 zones, the impervious coverage rates were appropriate and did not impede the wants and needs for those who reside in them. However, the committee's analysis concluded that the impervious coverage limits in the R-50 and R-40 zones should be raised to 18% maximum. This is based on the finding that the models showed a typical layout in these zones consistently exceeded the 15% rate. He added that the 18% level would provide a more proper rate in keeping with current and anticipated development patterns and will not present a hardship for builders and/or residents. Conversely, the 18% will still be low enough to discourage overdevelopment in these zones. Chairman Fross added that those wishing to exceed these maximums can still make an application to the Zoning Board of Adjustment for relief.

Chairman Fross opened the hearing to the Council members and the public for questions:

Mary Sullivan, 6 Northern Drive was present and she was sworn in. She asked whether the committee considered the residents that live in ranches. She also noted the condition of her ranch home adding

that she has a substandard lot. Chairman Fross noted that the committee had to more or less plan for the typical layout. After discussion, Ms. Sullivan was advised to visit the Municipal building for further assistance.

Councilman Matthew Moench, 1000 Papen Rd. was present and he was sworn in. He questioned whether the impervious coverage applications that are made out to the Board of Adjustment are typically approved. Planner Doyle confirmed affirmatively then added that making an application to the Board can be costly. It is the Board's intent to be considerate to the homeowners.

Councilman Michael Hsing, 104 Warren Ave. was present and he was sworn in. He questioned the impact the impervious coverage increase will have on the stormwater runoff. Township Engineer Bogart noted that under the new Stormwater Management Regulations, no problems are foreseen.

After careful consideration and discussion, the Planning Board recommended that the Bridgewater Township Council adopt ordinance amendments which will modify the Zoning Ordinance of the Township of Bridgewater to reflect that the impervious coverage limitation is amended to a maximum of 18% coverage from the existing 15% in the residential zones of R-40 and R-50.

Motion by Mr. Rodzinak, second by Councilman Scaglione, the Planning Board approved the Land Use Element of the Master Plan, as discussed above. Further, the Planning Board adopted the resolution approving the Land Use Element of the Master Plan. The motion carried on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mrs. Joanne Kane, Mrs. Knapp, Councilman Scaglione, Mr. Leven, Mayor Flannery, Chairman Fross
OPPOSED:	None
ABSTENTIONS:	None
ABSENT:	None
NOT ELIGIBLE:	Mr. Hayes, Mrs. Barbara Kane

Housing Element and Fair Share Plan

Mayor Flannery provided the public with some background. She noted that the public meeting is in an attempt to present the Township's plan which is intended to comply with the requirements of the COAH rules, legislations known as A500 and the rulings of NJ Supreme Court. She added that while the concept of affordable housing is a commendable one, the implications of its implementation are not. She also added that as co-chair of the NJ League of Municipality's Mayor's committee on Housing Reform, she has been at the forefront of fighting the negative component of this obligation. The following is a list of what the Mayors agreed on:

- ✗ It has punitive property tax impact
- ✗ It uses flawed methodology
- ✗ The retro active assessment of the 3rd round growth and obligation are impractical
- ✗ There is a decrease in the flexibility of tools available for compliance
- ✗ There is inadequate funding
- ✗ There are inconsistencies with smart growth and environmental protection policies

- ✘ There are litigation and implementation cost impacts and;
- ✘ There is a limited time frame to put together an appropriate plan.

Mayor Flannery noted that she believes that there is logic in concentrating housing in urban centers, where there is mass transit and affordable accessibility to jobs, recreation, shopping, dining and education. She however noted that one of the huge downsides of living in NJ is the lack of vibrant cities for entertainment, which many, especially young people, are looking for. She noted that she is currently sponsoring resolution with the League of Municipalities and hosting organizing meetings of mayor's and state legislatures all around NJ to generate the interest needed to draft legislative change.

Mayor Flannery noted that, as distasteful as it may be, the Board and its professionals have worked to create a plan that will bring Bridgewater into compliance with the new 3rd Round rules and continue to protect the Township against massive dense residential overdevelopment. Mayor Flannery commended the subcommittee and Board for the work they have done in this pursuit.

Board member Dan Hayes was called forward for his presentation. He discussed the Housing Element and Fair Share Plan Overview & Called for Adoption. The focus of this presentation is as follows:

1. Provide context for Master Plan Amendment Housing Element and Fair Share Plan

- COAH and the importance of COAH Compliance
- The Planning Board's Strategy, Requirements and Process
- Township COAH requirements – The numbers
- The Housing Element and Fair Share Plan – Key points
- Summation of future flexibility

2. Agenda recap - Responsibilities

a) COAH

- Implement new rules
- Achieve maximum compliance "buy-in"
- Minimum backlash

b) Township Administration/ Governing Body

- Overall response accountability
- Minimize impact on "Home Rule"
- Minimize growth impact
- Minimize tax burden
- Avoid uncontrolled growth

c) Planning Board

- Responsible for COAH compliance via Master Plan
- Support Administration and Taxpayer agenda

d) Builders / Developers

- Maximum development (market units)
- Minimum constraint

e) Taxpayers

- Fair approach to housing issue
- Minimum quality of life impact
- Minimum tax impact

3. Planning Board Focus - A Compliant Plan by 12/31

- Filing a COAH compliant Housing Element and a Fair Share Plan to the Master Plan is of paramount importance to the township and is the Planning Board's primary responsibility
- Failure to file a compliant plan by 12/31 will result in unacceptable community risk and forfeit housing trust fund
- Additionally, the Planning Board supports the concurrent activities of others aimed at:
 - Resisting new rule implementation
 - Reforming "fairness" concerns of COAH requirements
 - Reforming NJ approach to the Housing issue

4. Overall Strategic Requirements (compliance with minimal impact at lowest cost)

- Must be compliant with COAH 2008 requirements
- Must minimize impact on Township quality of life
- Must minimize cost impact to residents

5. Planning Board Actions

- Understand the rules
- Understand the Township situation
- Weigh impact minimizing strategies
- Make every effort to lower Township target and deficit
 - Challenge assumptions and identify credits
- Establish a compliant Housing Element and Fair Share Plan
- File the endorsed plan by 12/31 for substantive certification

6. Steps to Substantive Certification

- Planning Board adopts a Master Plan Housing element and Fair share plan
- Governing body endorses the Fair Share Plan
- Governing body petitions COAH for substantive certification
- Public comment (period of 45 days) for comment or objection
- COAH staff reviews plan after public comment period, requests info, and if any, presents objections
- COAH objections resolved through mediation within 90 days
- Report recommends re-petition by municipality or moving forward
- COAH certifies, certifies with conditions, or denies municipality petition

- Municipalities have 45 days to adopt any required ordinances need for plan
- Implementation of Housing plan begins or continues
- COAH conducts annual reviews of progress
 - **Substantive certification lasts the sooner of 10 years or until 12/31/2018**

7. Planning Board Requirements for establishing a Housing Plan

- Adopt a process
 - Subcommittee established and working sessions held
- Challenge assumptions, maximize credits and adjust target
- Establish a zoning compliance plan
 - Planning Decision – Funding strategy (minimize taxpayer cost)
 - Lowest development impact and lowest cost requires minimizing growth share projects and maximizes municipal land control
 - Planning Decision – Density (minimize Quality of Life impact)
 - Plan will vary ratio to fit specific project location fit
 - Identify parcels and projects to satisfy COAH target
- Write Housing Element and Fair Share Plan
- Make recommendations for supporting ordinances

8. The Township Target

- COAH sets the target aka “Projected Fair Share Number”
 - Based on housing projection, employment projection, vacant land and COAH “formula”
- Bridgewater’s Projected Fair Share Number (PFSN) is 891
- Housing Plan must show how PFSN is achieved.
- Actual construction is not required in advance of actual growth
- Every actual residential project and commercial development contributes to actual Fair share obligation (FSO)
 - COAH has a set of rules to calculate FSO from specific projects.
- Mix matters – COAH requires a specific unit allocation
 - Income : Moderate, Low and Very Low
 - Ownership: Rental and Sales
 - Age: Family and Age restricted (Senior)
 - Unit Size: Number of bedrooms
- COAH has an elaborate schedule of credits
- Mix matters:
 - 50% min Family
 - 50% Low Income or Very Low income
 - 50% Moderate
 - 13% min Very Low Income
 - 25% min Rental
 - 25% max Age Restricted
 - Open Low Income

- Bonus points are available for certain projects
 - 1:1 bonus for projects approved between 12/20/04 and 6/2/08
 - 1:¼ bonus for every group home bedroom
 - 1:1 bonus for Family or special needs rentals in excess of 25% obligation
- COAH has no market unit requirement
 - Market unit requirements are related to growth calculations and funding

9. Housing Element and Fair Share Plan Key Points

- Document represents substantial effort
- Format and content largely dictated by COAH
- Key requirements:
 - Statement of target
 - Identification of projects to meet the target
 - Administrative support and documentation consistent with targeted plans

10. COAH Funding Options and Impact

- Municipal funding
 - COAH units are funded through Federal, State, Local and non-profit partnership funds
 - No market unit addition
 - Lowest municipality quality of life impact.
 - Lowest long term tax impact
 - Sources include (must be implemented by ordinance):
 - Federal tax credits, State Development fees,
 - Local
 - housing trust fund Development fees 1.5% equalized assessed value (EAV) for residential and 2.5% of EAV for commercial
 - Payments in lieu of construction
 - Taxpayer subsidies
- Growth Share funding
 - Builders fund COAH units for right to build market units and are “rewarded” with zoning exceptions to increase density (inclusionary).
 - Biggest impact on growth and services burden

11. Housing Element and Fair Share Plan Key element – Establishing the Target

- COAH sets the Township target aka “Projected Fair Share Number” at 891 units
 - Note: Based on housing projection, employment projection, vacant land and COAH “formula”
- Township undertook a detailed vacant land analysis (in accordance with State (COAH) methodology and regulation. The result is an adjusted Projected Fair Share Number of 509.
 - Note: COAH has not yet commented on the adjustment. Petition for adjustment is part of the submission package.

- Township has Total credits carried forward from prior COAH rounds; existing units approved and extended projects of 441.
 - Note: because of COAH mix requirements, application of credits is limited
- The COAH Plan Target - **891**
- Adjusted Target (vacant land analysis and demo) - **509***
- Total Credits for existing units and approved projects - **441**
- Because of mix matters:

	<u>Target</u>	<u>Credit</u>	<u>Deficit</u>
– 50% min Family	255	415	0
– 25% max Age Restricted	128	70	0
– 50% Moderate	255	415	0
– 50% Low or Very low	255	9	246
– 13% min Very Low Income	67	0	67
– 25% min Rental	128	0	128

- **While a unit deficit appears to be 68, because of the category requirements actual deficit requires 246 Low, 67 VLI units and 128 rentals.**
- **NOTE: * = to be petitioned**
- **NOTE: Values are subject to revision**

12. Housing Element and Fair Share Plan Key element – Project Identification

- COAH requires the Housing Element and Fair Share Plan identify and prioritize projects and locations sufficient to meet current and projected unit requirements (by category.)
- Project identification objectives:
 - Meet COAH requirements
 - Minimize impact on Township quality of life
 - Minimize cost impact to residents
- Implementing the identification objectives
 - Identify existing units, available but not in program
 - Exercise extension of affordability controls
 - Execute a preference for Township purchased or controlled land
 - Distribute burden and density as much as possible
 - Limited by land availability and unit requirements
 - Prioritize projects that meet current obligations
 - Construct as needed
 - Remain flexible for superior future alternatives

13. Project and Credit Identification

Description	Units	Priority	Comment
Credits	241	Immediate	2 nd round credits
Credits	114	Immediate	2 nd round Family units
Credits	54	Immediate	2 nd round age restricted
Credit	7 +7	Immediate	Route 28 assoc.
Credit	9+9	Immediate	Habitat for Humanity
Extension of Affordability	148	As available	No additional impact
Alternatives	10	1	V. Low income
Allies	5	2	Special needs
United Cerebral Palsy	2.5	3	Special needs credit
N. Branch Reformed Church	2.5	4	Special Needs credit
Passages	8	5	Special needs
Market to affordable	2	6	Existing two family
Villages	8	7	V. Low Rental vac. land redvlp. zone
Whitney Court	4	8	Special Needs vac. land redvlp. zone
Lot 519 and 517 /various	8+3	9	Hobbstown redevelopment area 8 units

- **Note: Priorities are approximate for planning purposes only. Actual projects, order and timing are subject to change.**
- **Note: Units are listed to indicate approximate project size. Actual contribution to Obligation requires a mix analysis**

14. Housing Element and Fair Share Plan Key points – Maximum Flexibility

- The plan is designed to maintain maximum flexibility for the Township.
 - Required ordinances to collect development fees are instituted
 - Inclusionary development options remain an option
 - Project timing can be considered against current obligations
 - Superior options if presented can be included while compliance is maintained.

15. Housing Element and Fair Share Plan Recommendation for Adoption

- COAH is a burden, but compliance by 12/31 is crucial.
- Compliance requires adoption of a compliant Housing Element and Fair Share Plan
- The Plan before us meets the objectives of compliance with minimal impact, planning for success while forestalling development and expenditure until needed, and allows for the possibility of project improvement if superior alternatives are presented.
- Its endorsement by the board is recommended.

16. Next steps.....

- PB Public Hearing and adoption of Housing PlanNov 11
- Plans to forward to CouncilNov 26
- Governing Body adopts resolutions
 - Endorsing Fair Share Plan
 - Development fee spending plan
 - Appointment of plan administrators
 - Petitioning COAH approval of vacant land adjustment
 - Requesting substantive certification
 -Dec 1

AMENDMENTS TO THE MASTER PLAN

Planner Doyle discussed and read into the record amendments to the Housing Element and Fair Share Plan as follows:

Phasing of Affordable Units - Page 38

The "Phasing of Affordable Units" portion of the Plan reflects a specific policy regarding the priority for implementing projects identified in meeting Bridgewater's fair share obligation.

At the end of the section entitled "Rendering Units More Affordable - Page 52)

Bridgewater, like the rest of New Jersey, is facing a very dynamic and unpredictable real estate market and regulatory environment. The Township is committed to satisfying its fair share obligation by, among other things, using municipally-owned lots in the manner described in this Fair Share Plan. Bridgewater does note, however, that Plan modifications are both permitted and expected in response to changing conditions, and states that if a better use of the municipal lots identified in the Plan arises then the Township may consider that better use, so

long as it does not impair Bridgewater's ability to meet its actual COAH obligation. For example, if additional funds were needed for affordable housing rehabilitation, then the Township may consider selling one or more identified lots at fair market value to generate those funds. Alternatively, if the Township's actual growth obviated the need to use the identified municipal lots for COAH purposes, then the Township may elect to retain those lots or to sell them at fair market value for any appropriate purpose.

At Page 36 after the Implementation Schedule

The Fair Share Plan intends to make it clear that the 409 credits originating from an excess of units in Round 2 will first be used to satisfy its obligation going forward into Round 3. These Round 2 credits were achieved without the obligation for Very-Low Income housing because that income parameter was only recently introduced into the COAH rules. It is Bridgewater's intent to meet the Round 3 requirements of Moderate/Low/Very Low housing and bedroom mix after the 409 credits are exhausted. If it is determined that this approach requires a waiver from COAH, we are hereby seeking such a waiver.

At the bottom of Page 20

The COAH obligation numbers for Round 3 are based, in part on historical data for Certificates of Occupancy, are misleading; tracking Certificates of Occupancy back to the 1990's should not be used as statistical support for Bridgewater projections. While the single-family construction numbers (Certificates of Occupancy) are very high in the 1990's, these figures reflect an artificially-created market activity. This activity was largely due to the fact that COAH Rounds 1 and 2 obligated Bridgewater to certain specific numbers. While certain target numbers were the circumstance throughout the state, there are facts that distinguish Bridgewater:

- Bridgewater put COAH-compliant Zoning Ordinances in place to actually exceed these required numbers. Therefore, more market units were constructed than were needed to comply with Round 1 and 2 rules.
- While many communities took advantage of the 50% RCA option, Bridgewater did not. Bridgewater constructed all of its COAH units, and exceeded that number, based on zoning which had a 20% set-aside. This also contributed to a larger number of market unit activity than would have been experienced by those municipalities that participated in the RCA option.

Had Bridgewater under-zoned for affordable units and used the 50% RCA option, to make up the shortfall, the historical numbers for issuance of CO's would be greatly reduced. The unique 'blip' in construction activity occurred as a result of state mandate. Since Bridgewater over-zoned to meet that number, and did not use the RCA option, the high construction numbers in the 1990's should not be used for direct statistical projections.

Throughout Document, Adjust References, with Block and Lot numbers as necessary:

Delete Reference: Foch, Delta,

Add Data for: Eastern Star, Passages, Eden Woods, Allies, Whitney Court

Place after Table VII.iv Page 38 Fair Share Plan

COAH Compliance Summary

	AFFORDABLE UNITS	
Project with Total Obligation of 509 Affordable Units	Potential Afford. Units	Credits Group .25 Redvel .33
2nd Round Credits (Undefined Surplus)	241	
2nd Round Credits Family Units Loft & Stratton	114	
2nd Round Credits Age-Restricted	54	
Route 28 Assoc.	7	7
Habitat for Humanity	9	9

Extension - Affordability	148	
Bendetti	2	

Passages	6	1.98
Allies	4	1
Alternatives	8	2
United Cerebral Palsy	2	0.5
N. Branch Reformed	2	0.5

Eden Woods (inclsionary)	-	-
Villages	6	1.98
Whitney Court	4	1.32
Eastern Star	-	
517-519/various- Hobbstown	8	3
Twp Land East Main	108	

TOTAL	719	26.96
--------------	------------	--------------

Replace Table shown in Fair Share Plan

Table VII.iv
 Implementation – Phasing of Affordable Units

Description	Units/ Credits Avail.	Priority	Comments
2nd Round Credits (Unspecified Surplus)	241	Immediate Credit	See details in this document.
2nd Round Family Units Loft & Stratton	114	Immediate Credit	See details in this document.
2nd Round Credits Age-Restricted	54	Immediate Credit	See details in this document.
Route 28 Assoc.	7+7	Immediate Credit	See details in this document.
Habitat for Humanity	9+9	Immediate Credit	See details in this document.
Extension Affordability Controls	148	As Available	This offers low and moderate sales units
Bendetti-Market to Affordable	2	6	Existing two-family (3 bedrooms each)
Passages	8	5	Special needs
Allies	4	2	Special needs
Alternatives-	10	1	This will offer 10 units, incl. credits, for very low income.
United Cerebral Palsy	2.5	3	Special needs
N. Branch Reformed	2.5	4	Special needs
Eden Woods	-	10	* Inclusionary Devl. (See following Ordinance below).
Villages	8	7	Very low income rental
Whitney Court	4	8	Special needs
Eastern Star	-		
519/various- Hobbsdown	11	9	Redevelopment area with 8 dwelling units
Twp Land East Main	108	11	Twp. Purchase from County

* Inclusionary Ordinance

The Board endorsed all of the above referenced amendments to the Housing Element and Fair Share Plan of the Master Plan.

Chairman Fross opened the hearing to the Council members and public for questions and/or comment:

Aleta Fischer, 465 Steeple Chase Lane was present and she was sworn in. She had questions regarding the COAH numbers and how those numbers will affect Bridgewater.

Francis Linnus, Esq., 21 Clyde Rd. in Somerville was present and he was sworn in. He confirmed that he is attorney for Eden Wood, which is a matter of discussion with regard to providing rental units to Bridgewater for COAH purposes. He confirmed that his client is still willing to work with the Township regarding this matter.

Marga Davidson, 100 Papen Rd. was present and she was sworn in. She wondered whether COAH cared about recession and the current economic status. Board Attorney Collins confirmed that they did not.

Nancy Gladfelter, 1869 Mountain Top Rd. was present and she was sworn in. She thanked the Board for taking COAH seriously and working towards being in compliance with their rules. She had questions regarding COAH numbers and how those numbers will affect Bridgewater.

Lucy Gingora, 536 Union Ave was present and she was sworn in. She noted her concerns of how the COAH rules will affect the Finderne area.

Resident Jack from 373 Hannah Way was present and he was sworn in. He wondered whether the Bridgewater Open Space preserved land is protected from development under the COAH rules.

Ray Marino, 124 Miller Lane was present and he was sworn in. His questions were regarding the four (4) million dollars that have been set aside for COAH purposes.

Councilman Matthew Moench, 1000 Papen Rd. was present and remained under oath. He expressed his overall impressions of the COAH plan.

There were no further questions. Chairman Fross closed the public portion of the meeting.

After careful consideration and discussion, the Planning Board approved the amendment to the Housing Element and Fair Share Plan of the Master Plan, with amendments and recommended its adoption by Bridgewater Township Council.

Motion by Mrs. Joanne Kane, second by Mr. Rodzinak, the Planning Board approved the Housing Element and Fair Share Plan, with the proposed amendments, as discussed above. Further, the Planning Board adopted the resolution approving the Housing Element and Fair Share Plan of the Master Plan. The motion carried on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mrs. Joanne Kane, Mrs. Knapp, Councilman Scaglione, Mr. Leven, Mayor Flannery, Chairman Fross
OPPOSED: None
ABSTENTIONS: None
ABSENT: None
NOT ELIGIBLE: Mr. Hayes, Mrs. Barbara Kane

OTHER BOARD BUSINESS:

The Board did not conduct any other business

MEETING OPEN TO THE PUBLIC

Chairman Fross opened the meeting to public for non-agenda items.

Robert Berlant was present. He spoke to the Board about Beyond MedSpa, an application that was approved by the Planning Board at the beginning of the year. The resolution specifically prohibited manicures and pedicures. Mr. Berlant noted that the business was not doing well and wondered whether the Board would consider lifting the restriction. Mr. Berlant was advised to file an amendment application at the Planning Department.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 10:30pm.

Respectfully submitted,

Grace Karanja,
Assistant Planning Board Secretary

ADOPTED 11/24/08