



Borough of Woodbury Heights Planning/Zoning Board  
500 Elm Avenue Woodbury Heights, New Jersey 08097

JULY 8<sup>TH</sup> MINUTES OF THE COMBINED MEETING OF  
MAYOR/COUNCIL AND PLANNING/ZONING BOARD

Mayor Elton called the meeting of Mayor & Council to order at 7:03 pm and Vice Chairman Conley called the Planning/Zoning Board meeting to order at 7:05 pm. Roll call ensued for both boards, Barry Lozuke, Solicitor for Council and Gerald Sinclair, Solicitor for the Planning/Zoning Board read Resolutions to enter into closed/executive sessions respectfully. They having passed by roll call votes the Boards went into closed session at 7:10pm. Chairman Phalines entered at approximately 7:23 pm.

Chairman Phalines banged the gavel and announced that at this time 7:56 pm on July 8 2010 I would like to reopen the special combined meeting. Mr. Sinclair announced that Brian Slaugh will give a synopsis of the amended Third Round Housing Element. Mr. Slaugh recommended that Mr. Sinclair swear in Kathleen Grady and himself for the record, which Mr. Sinclair did. For the record they both announced their names and their address of 100 Barracks Street, Trenton, NJ 08608. Mr. Slaugh asked that he be permitted to do a brief introduction to the plan. The new plan has three options to it which will comply to any changes with legislation. He then turned it over to Ms. Grady to explain the numbers and options. Ms. Grady stated that there are three components which make up our fair share obligations; the first is rehab which compromise 10 units, one of which is covered under the County Program, leaving us with 9. The second component is the prior round obligation of 55 units and the third component is the third round obligation of 18 units. The 18 units would be pending the exclusion of affordable/market rate units from the Heights Development and Woodbury Heights Development Projects. Ms. Grady gave detailed information as to the unit numbers for each option. The last option of the amended plan comes into effect if S1 is signed into law. (The handouts provided give great detail). Chairman Phalines questioned that if S1 is signed into law what would happen to the law suit of BPG. Mr. Surenian said it would put a moratorium on future Builders' Remedy Lawsuits not existing ones. Mr. Slaugh then reviewed the amendments to the Housing and Fair Share Plan. He stated that there are a few corrections that need to be made and some typos that will be corrected.

Chairman Phalines opened the meeting to the public on behalf of both Boards with a motion made by Councilman Scull, seconded by Mr. Conley and signified by a unanimous 'Aye'. He asked if there was anyone present who would like to comment on the Third Round Fair Share Plan or if they had any questions for the Board or Council or the professionals. Wilma Belcher of 615 Lake Avenue stated that she knows that "all you guys will do what is best for the Borough and that I'd like to see COAH done away with". There being no further questions or comments, Chairman Phalines closed the public portion on a motion made by Mr. Conley, seconded by Councilman Scull and signified by a unanimous 'Aye'. A motion was then made by Mayor Elton, seconded by Councilman Scull (as members of the planning/zoning board) to adopt Resolution 2010:13. Chairman Phalines asked Mr. Slauch if it is his recommendation that we adopt this Resolution being presented tonight and Mr. Slauch stated, "Yes it is". Secretary, Anne Deeck, asked the Chairman if the Resolution could be read to the members of the Board as they did not receive a copy. Mr. Deeck asked that it be read by Title only. Chairman Phalines stated that he hated to get into a family squabble, but Anne is right, the members should hear what they are voting on. Mr. Sinclair proceeded to read Resolution 2010:13: A Resolution of the Planning/Zoning Board of the Borough of Woodbury Heights adopting the Borough's Amended Housing Element and Fair Share Plan, and expounded that the Borough had previously past a Resolution in 2009 but this is more detailed to include out options that were discussed this evening. Mr. Surenian stated that this would supersede the previous Resolution. Mr. Slauch added that if adopted tonight the document would no longer be a draft as noted on the front page; but changed to 'Adopted July 8, 2010'. The roll call vote was as follows; Mr. Conley, yes, Mr. Flynn, yes, Mr. Packer, yes, Councilman Scull, yes, Mr. Deeck, yes, Mayor Elton, yes, Mr. Holmstrom, yes, Mr. Baresich, yes and Chairman Phalines, yes. Mr. Sinclair then stated he another resolution for action by the Board tonight for action; that being Resolution 2010:14: A Resolution of the Borough of Woodbury Heights Planning/Zoning Board granting amended site plan approval and sign variances to American Commercial Development, LLC. A motion was made by Mr. Conley, seconded by Mr. Deeck and the roll call vote was as follows; Mr. Conley yes, Mr. Flynn yes, Mr. Packer yes, Councilman Scull yes, Mr. Deeck yes, Mr. Baresich yes, Mr. Holmstrom yes, Mr. Hart yes, and Chairman Phalines yes with the Mayor abstaining, the Resolution was adopted. There being no further business for the Board, Chairman Phalines entertained a motion to adjourn. A motion was made by

Councilman Scull, seconded by Mr. Conley and signified by 'Aye'. The Planning/Zoning Board adjourned at 8:35 pm.

Mayor Elton then asked Council for their consideration of Resolution 83-2010 which Mr. Lozuke read by Title only being; Resolution of Mayor and Council of the Borough of Woodbury Heights endorsing the Borough's Amended Housing Element and Fair Share Plan and directing the Amended Plan be file with the Superior Court and requesting that the Superior Court grant a Judgment of Compliance and Repose. A motion was made by Councilman Scull, seconded by Councilman Pheasant and passed by a unanimous roll call vote. Mayor Elton then opened the public portion of the meeting for any questions or comments and there being none closed it. A motion was made by Councilman Pheasant, seconded by Councilman Scull to adjourn; all being in favor the meeting closed at 8:38 pm.

Submitted by,  
Anne L Deeck, Secretary