

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING - SEPTEMBER 7, 2016

The Council of the Township of Monroe met in the Municipal Building, 1 Municipal Plaza, for a Regular Meeting.

The Regular Meeting was Called to Order at 7:00 p.m. by Council President Leslie Koppel with a Salute to the Flag.

UPON ROLL CALL by the Township Clerk, Patricia Reid, the following members of Council were present: Councilman Blaise Dipierro, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Stephen Dalina and Council President Leslie Koppel.

ALSO PRESENT: Mayor Gerald W. Tamburro, Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Christine Robbins.

There were approximately twenty (20) members of the Public present in the audience.

Council President Koppel requested the Township Clerk to read the following **SUNSHINE LAW** into the record:

In accordance with the Open Public Meetings Act, it is hereby announced and shall be entered into the Minutes of this meeting that adequate notice of this meeting has been provided by the following:

1. Posted on January 5, 2016 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **STAR LEDGER** on January 8, 2016;
3. Posted on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

In accordance with Chapter 3, Section 17 of the Monroe Township Code, Public Comment shall be limited to five (5) minutes unless further time is granted by the Council President.

A moment of silence was held to remember Joe Harvie.

Mayor Tamburro swore in the new Township Clerk, Patricia Reid.

A five-minute recess was taken for pictures.

The meeting was reconvened at 7:10PM.

The following **PROCLAMATIONS** of Mayor Gerald W. Tamburro were read into the record by title:

CHILDHOOD CANCER AWARENESS MONTH
SEPTEMBER

Jonathan Volpe, a student at Monroe Twp. High School, spoke of receiving the diagnosis of pre b cell lymphoblastic lymphoma just two after his 7th birthday and treatment he has endured to fight the disease. His mother Carla thanked everyone who helps to raise awareness for this cause and for all of the children who are continuing to battle this disease.

OVARIAN CANCER AWARENESS MONTH
SEPTEMBER

UPON MOTION made by Councilwoman Schneider and seconded by Councilman Dipierro, the **CLAIMS** per run date of **08/25/2016** were approved for payment as presented.

ROLL CALL:	Councilman Blaise Dipierro	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Stephen Dalina	Aye
	Council President Leslie Koppel	Aye

UPON MOTION made by Council Vice-President Dalina and seconded by Councilwoman Schneider, the **MINUTES** of the **June 27, 2016 Special and Agenda Meeting** were approved as written and presented.

ROLL CALL:	Councilman Blaise Dipierro	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Stephen Dalina	Aye
	Council President Leslie Koppel	Aye

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE NO. O-7-2016-026 AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "LAND DEVELOPMENT"**. (Tabled at the **August 1, 2016 Meeting**)

ORDINANCE as follows: (O-7-2016-026)

WHEREAS, by Resolution R-7-2016-283, the Council approved The Housing Element and Fair Share Plan of the Monroe Township Master Plan; and

WHEREAS, that Plan contemplated certain amendments to Chapter 108; and

WHEREAS, the Planning Board, the Township Planner and Township Counsel recommend the adoption of these amendments; and

WHEREAS, the Council believes the amendments to be in the public interest;

WHEREAS, pursuant to N.J.S.A. 40:55D-62, *et seq.*, the Township Clerk has notified persons affected by the zoning district changes contemplated hereby;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Chapter 108 of the Code of the Township of Monroe entitled "Land Development" be and is hereby amended as follows:

SECTION 1.

§ 108-6.28. PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District.

The PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District is repealed in its entirety.

§ 108-6.7. R-3A Residential – Agricultural District.

The overlay zone PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District in the R-3A Residential-Agricultural District is removed from Lots 2, 4, 5, 10, 11.05, 13, 14, 15, 16.01 and 32 in Block 36 and Lot 1 in Block 36.02 and said lots shall be zoned strictly R-3a Residential Agricultural District

§ 108-6.30. R-ARAF Residential-Age Restricted Affordable Housing District.

Lots 1.09, 3, 6, 9.01, 9.02 and 11.01 in Block 36, which were formerly zoned R-3A Residential-Agricultural District with an overlay PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District, are changed to a R-ARAF Residential-Age Restricted Affordable Housing District.

- A. The purpose of this section is to establish the standards and requirements for developments that include a mix of market-priced housing and housing affordable to low- and moderate-income age-restricted households. The affordable housing will assist the Township in meeting its constitutional and statutory obligations to provide a realistic opportunity for the construction of its fair share of its region's needed low and moderate income housing.
- B. The following shall be requirements of the R-ARAF District, in addition to other provisions, not inconsistent with this Article. In case of conflict with the provisions of other ordinances, this section shall govern.
- C. Permitted Uses:
- (1) Inclusionary housing development consisting of affordable age-restricted housing as defined by this Article and the current rules of the New Jersey Council of Affordable Housing and market-rate housing. All housing shall comply with the provisions set forth herein this section. Permitted residential dwellings include:
 - (a) Market-rate multi-family townhouse and apartment dwelling units that are deed restricted to limit the number of bedrooms to two (2) per dwelling units and to prohibit the conversion of basements, dens, offices, lofts and other non-bedroom spaces and rooms into a new bedroom. The maximum amount of market-rate multi-family townhouse and apartment dwelling units shall not exceed two-hundred-thirteen (213).
 - (b) Affordable multi-family age-restricted rental apartment dwelling units that are provided at a minimum twenty percent (20%) set aside of total dwelling units and thirteen percent (13%) of the total affordable dwelling units are for very low-income households. The minimum amount of affordable multi-family age-restricted rental apartment dwelling units shall be fifty-three (53).
 - (2) No building, structure or land shall be used for and no building structure shall hereafter be erected, structurally enlarged or maintained except for the permitted affordable age-restricted and market-rate housing to be used by the residents of the Inclusionary housing development, their guests or other authorized users.
- D. Permitted Accessory Uses:
- (1) Decks and patios for use by the residents on the premises, located in the rear yard within the building envelope. No deck shall be larger than ten (10) feet by twenty (20) feet.
 - (2) Open space and recreational facilities for use by the residents on the premises.
- E. Development, area, yard and building requirements. No building permit shall be issued for construction or other improvement in an R-ARAF Residential-Age Restricted Affordable Housing District development except in accordance with a general development plan for the overall site and an engineering and improvement plan for each section that has been approved by the Planning Board. The following development requirements shall apply to the R-ARAF Residential-Age Restricted Affordable Housing District:
- (1) Minimum site area. The minimum site area for an inclusionary development in the R-ARAF Residential-Age Restricted Affordable Housing District shall be at least sixty-six (66) acres contained in one (1) parcel that is not bisected by existing streets, roads, rights-of-way or railroads.
 - (2) Gross residential density. The gross residential density shall not exceed four (4) dwelling units per acre.
 - (3) Site bulk requirements:
 - [1] Minimum site frontage shall be one thousand one hundred (1,100) feet.
 - [2] Minimum site width shall be one thousand one hundred (1,100) feet.

[3] Minimum site depth shall be one thousand (1,000) feet.

(4) Yard and setback requirements:

<u>Description</u>	<u>Tract Boundary</u>	<u>Internal Lots</u>	<u>To Curb Line of Internal Road, Townhouses</u>	<u>To Curb Line of Internal Road Apartments</u>
Minimum Front Yard	50 feet	--	25 feet; 25 feet to front façade with driveway	15 feet; 25 feet to front façade with driveway and garage
Minimum Side Yard	50 feet	10 feet	--	--
Minimum Rear Yard	50 feet	20 feet	--	--

(5) Minimum separation between facades of residential buildings on lot with multiple residential buildings:

<u>Description</u>	<u>Requirement</u>
Side of building to side of building	20 feet
Rear of building to rear of building	50 feet
Rear of building to side of building	40 feet

(6) Building coverage. Not more than twenty percent (20%) of the gross area of the total property tract shall be covered by buildings.

(7) Maximum building height.

(a) Townhouses shall not exceed three (3) stories or forty-five (45) feet.

(b) Apartment flats shall not exceed three (3) stories or forty-five (45) feet.

(8) Sidewalks and walkways shall comply with § 108-6.21.I. of this Article.

(9) Buffers and landscaping, shade trees and tree preservation shall comply with § 108-6.30.I. of this Article.

F. Affordable Housing.

(1) Required percentage of affordable age-restricted dwelling units built on-site. The developer shall designate and set aside twenty percent (20%) of the age-restricted dwelling units to be built on-site to have rents that are affordable to low- and moderate-income households and at least thirteen percent (13%) of the total affordable dwelling units shall be affordable to very low-income households.

(2) Required bedroom distribution for age-restricted affordable dwelling units. Low- and moderate-income units that are age-restricted may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of senior citizen low- and moderate- income units within the Inclusionary development. The standard can be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit. Applications to waive this standard shall be made in accordance with N.J.A.C. 5:93 and shall be referred by the Council on Affordable Housing (C.O.A.H.) to the DCA Division of Aging for review and recommendations.

(3) Low- and moderate-income split. At least fifty percent (50%) of all units designated for low- and moderate-income households shall be affordable to low income households. Thirteen percent (13%) of the total affordable dwelling units shall be affordable to very low-income households, which very low-income units shall be counted as part of the low-income housing requirement.

- (4) The construction phasing of market-priced and low- and moderate-income units shall comply with following table:

Minimum Percentage of Low and Moderate Units Completed	Percentage of Market-Housing Units Completed
0	25
10	25, plus 1 unit
50	50
75	75
100	90

A unit is deemed complete when its certificate of occupancy has been issued. This schedule shall apply unless an accelerated schedule has been agreed to by the Township and developer.

- (5) Age restrictions shall be placed on the occupants of the designated affordable housing dwelling units.
- (6) The location and design of affordable housing shall comply with the following requirements:
- (a) The low- and moderate-income units shall be sited on the tract in locations at least as accessible to common open spaces and community facilities as market-priced dwellings.
 - (b) The exterior design of the low- and moderate-income units shall be harmonious in scale, texture and materials with the market priced units on the tract.
- (7) Affordable housing shall comply with the Monroe Township Affordable Housing Ordinance and current New Jersey Council on Affordable Housing rules.
- (8) Establishing rents of units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (9) Affordability controls shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (10) General provisions concerning uniform deed restriction liens and enforcement through certificates of occupancy or re-occupancy on sold units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (11) Application procedures for Inclusionary housing development shall comply with § 108-6.21.M of this Article.

G. Signage as permitted in Article X of this Chapter.

H. Parking as required in Article IX of this Chapter.

I. Landscaping and buffering as required by the following standards and in Article VIII of this Chapter:

- (a) Buildings shall be set back a minimum of fifty (50) feet from the property lines of the tract. At least thirty (30) feet of this setback area shall either be preserved with its natural vegetation or landscaped to provide a reasonable visual buffer from adjacent property.
- (b) Buffering shall provide a year-round visual screen in order to minimize adverse impacts on a site from adjacent areas. Buffering shall also ensure privacy for dwelling units and minimize adverse impacts from traffic, noise and glaring light.
- (c) Buffering shall consist of a six (6)-foot high, sculptured, undulating, landscaped berm that has a top width of at least ten (10) feet. The top and side slopes of the berm shall be planted with massing of evergreen trees with an average height of

eight (8) feet to create a natural pattern that achieves a full screening effect. Ornamental deciduous trees and large- and medium-growing evergreen and deciduous shrubs shall be added to the buffer area to improve screening at various growth heights of plant material. Fencing and walls may be added to the buffering to enhance screening and aesthetics. Natural woodlands may be retained in the buffer area. Such natural woodlands shall be evaluated by the reviewing board to determine whether additional plantings are needed to achieve the stated buffering objectives.

J. Fences are permitted in accordance with Article VIII of this Chapter.

K. An eight (8)-foot wide meandering path that consists of permanent pavement, such as concrete or bituminous concrete, shall be provided along Spotswood-Englishtown Road.

§ 108-6.31. HD-R-AH Highway Development-Residential-Affordable Housing District.

Block 1.14 consisting of Lot 13.02, which was formerly zoned as HD Highway Development District, is changed to a HD-R-AH Highway Development-Residential-Affordable Housing District.

A. The purpose of this section is to establish the standards and requirements for developments that include a mix of highway commercial uses, market-priced housing and housing affordable to low- and moderate-income households. The affordable housing will assist the Township in meeting its constitutional and statutory obligations to provide a realistic opportunity for the construction of its fair share of its region's needed low and moderate income housing.

B. The following shall be requirements of the HD-R-AH District, in addition to other provisions, not inconsistent with this Article. In case of conflict with the provisions of other ordinances, this section shall govern.

C. Permitted Uses:

(1) All non-residential uses permitted in the HD District as provided in § 108-6.18.A. Only HD permitted uses shall be developed within four hundred (400) feet from the right-of-way line of New Jersey State Highway Route 33.

(2) Inclusionary housing development consisting of affordable housing as defined by this Article and the current rules of the New Jersey Council of Affordable Housing and market-rate housing. All housing shall be developed beyond four hundred (400) feet from the right-of-way line of New Jersey State Highway Route 33 and shall comply with the provisions set forth herein this section. Permitted residential dwellings include:

(a) Market-rate multi-family townhouse and apartment dwelling units that are deed restricted to prohibit the conversion of basements, dens, offices, lofts and other non-bedroom spaces and rooms into a new bedroom. The maximum amount of market-rate multi-family townhouse and apartment dwelling units shall not exceed one hundred twenty (120).

(b) Affordable multi-family family rental apartment dwelling units that are provided at a minimum twenty percent (20%) set aside of total dwelling units and thirteen percent (13%) of the total affordable dwelling units are for very low-income households. The minimum amount of affordable multi-family family rental apartment dwelling units shall be thirty (30).

(3) No building, structure or land shall be used for and no building structure shall hereafter be erected, structurally enlarged or maintained except for the permitted affordable and market-rate housing to be used by the residents of the inclusionary housing development, their guests or other authorized users.

D. Permitted Accessory Uses:

(1) Common swimming pools and clubhouses for use by the residents on the premises as per the requirements of Article XII of this Chapter.

(2) Open space and recreational facilities for use by the residents on the premises.

(3) Decks and patios for use by the residents on the premises located in the rear yard within the building envelope, except for decks and patios facing Butcher

Road when compliant landscape buffer and berm are provided to create an effective screen from said road. No deck shall be larger than ten (10) feet by twenty (20) feet.

- (4) Off-street parking areas and loading areas.
- (5) Signs.
- (6) Fences and walls.
- (7) Satellite antennas.
- (8) Public utility installations.

E. Conditional uses requiring a conditional use permit subject to the provisions of Article VII of this Chapter:

- (1) Automotive gasoline stations, automotive repair garages, automotive service stations, automotive sales and service facilities.

F. Development, area, yard and building requirements. The following development requirements shall apply to the HD-R-AH Highway Development-Residential-Affordable Housing District:

- (1) Minimum tract area for a mix of non-residential and inclusionary residential uses shall be thirty (30) acres.
- (2) Permitted non-residential uses shall comply with the development, area, yard and building requirements of the HD District as set forth in § 108-6.4 of this Chapter, except for minimum lot area which shall be four (4) acres and minimum lot depth shall be four hundred (400) feet.
- (3) Inclusionary housing development shall comply with the following development, area, yard and building requirements:
 - (a) Minimum site area. The minimum site area for an inclusionary development in the HD-R-AH Highway Development-Residential-Affordable Housing District shall be at least twenty-five (25) acres contained in one (1) parcel that is not bisected by existing streets, roads, rights-of-way or railroads, exclusive of the area of the parcel of land that will be developed with permitted non-residential uses.
 - (b) Gross residential density. The gross residential density of the entire tract shall not exceed five (5) dwelling units per acre, and the maximum number of residential units shall not exceed one hundred fifty (150) dwelling units of which one hundred twenty (120) dwellings may be market-rate dwelling units and thirty (30) dwelling units shall be affordable dwelling units.
 - (c) Residential sections may be subdivided into separate lots. Regardless of whether a residential section has been subdivided into a separate lot, a townhouse residential section shall not exceed a net residential density of eight (8) dwelling units per acre and an apartment residential section shall not exceed a net residential density of twelve and five tenth (12.5) dwelling units per acre.
 - (d) Bulk requirements for subdivided lots containing a residential section:
 - [1] Minimum lot area shall be four (4) acres.
 - [2] Minimum lot frontage shall be two hundred (200) feet.
 - [3] Minimum lot width shall be two hundred (200) feet.
 - [4] Minimum lot depth shall be five hundred (500) feet.

(e) Yard and setback requirements:

<u>Description</u>	<u>Tract Boundary</u>	<u>Internal Lots</u>	<u>To Curb Line of Internal Road, Townhouses</u>	<u>To Curb Line of Internal Road Apartments</u>
Minimum Front Yard	50 feet	--	25 feet; 25 feet to front façade with driveway	15 feet; 25 feet to front façade with driveway and garage
Minimum Side Yard	50 feet	10 feet	--	--
Minimum Rear Yard	50 feet	20 feet	--	--

(f) Minimum separation between facades of residential buildings on lot with multiple residential buildings:

<u>Description</u>	<u>Requirement</u>
Side of building to side of building	20 feet
Rear of building to rear of building	50 feet
Rear of building to side of building	40 feet

(g) Lot coverage by buildings. Not more than thirty percent (30%) of the gross area of each residential section shall be covered by buildings.

(h) Maximum building height.

- [1] Townhouses shall not exceed three (3) stories or forty-five (45) feet.
- [2] Apartment flats shall not exceed three (3) stories or forty-five (45) feet.

(i) Sidewalks and walkways shall comply with § 108-6.21.I. of this Article.

(j) Buffers and landscaping, shade trees and tree preservation shall comply with § 108-6.31.J. of this Article.

(4) All residential, including market-rate housing sections and affordable housing sections, and non-residential sections shall be interconnected with free flowing, non-barricaded roads and sidewalks. Cross access easements shall be provided on all subdivided residential and non-residential lots to ensure the free flow of pedestrian, bicycle and vehicular traffic.

G. Affordable Housing.

(1) Required percentage of affordable family rental dwelling units built on-site. The developer shall designate and set aside of twenty percent (20%) of the dwelling units to be built on-site to have rents that are affordable to low- and moderate-income households and at least thirteen percent (13%) affordable to very low-income households.

(2) Required bedroom distribution for affordable family rental dwelling units.

- (a) At a minimum, thirty percent (30%) of all low- and moderate-income units shall have two (2) bedrooms.
- (b) At a minimum, twenty percent (20%) of all low- and moderate-income units shall have three (3) bedrooms.
- (c) The combination of efficiency and one-bedroom units shall be at least ten percent (10%) and no greater than twenty percent (20%) of the total low- and moderate-income units.

- (3) Low- and moderate-income split. At least fifty percent (50%) of all units designated for low- and moderate-income households shall be affordable to low income households. Thirteen percent (13%) of the total affordable dwelling units shall be affordable to very low-income households.
- (4) The construction phasing of market-priced and low- and moderate-income units shall comply with following table:

Minimum Percentage of Low and Moderate Units Completed	Percentage of Market-Housing Units Completed
0	25
10	25, plus 1 unit
50	50
75	75
100	90

A unit is deemed complete when its certificate of occupancy has been issued. This schedule shall apply unless an accelerated schedule has been agreed to by the Township and developer.

- (5) The location and design of affordable housing shall comply with the following requirements:
 - (a) The low- and moderate-income units shall be sited on the tract in locations at least as accessible to common open spaces and community facilities as market-priced dwellings.
 - (b) The exterior design of the low- and moderate-income units shall be harmonious in scale, texture and materials with the market priced units on the tract.
- (6) Affordable housing shall comply with the Monroe Township Affordable Housing Ordinance and current New Jersey Council on Affordable Housing rules.
- (7) Establishing rents of units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (8) Affordability controls shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (9) General provisions concerning uniform deed restriction liens and enforcement through certificates of occupancy or re-occupancy on sold units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (10) Application procedures for Inclusionary housing development shall comply with § 108-6.21.M of this Article.

H. Signage as permitted in Article X of this Chapter.

I. Parking and loading as required in Article IX of this Chapter.

J. Landscaping and buffering as required by the following standards and in Article VIII of this Chapter

- (1) Permitted non-residential uses shall comply with the buffer requirements of the HD District as set forth in § 108-6.18.H.
- (2) Inclusionary housing development shall comply with the following buffering requirements:
 - (a) Minimum width of buffer area along Butcher Road and the property lines of the tract shall be fifty (50) feet.

- (b) Buildings shall be set back a minimum of fifty (50) feet from the property lines of the tract. At least thirty (30) feet of this setback area shall either be preserved with its natural vegetation or landscaped to provide a reasonable visual buffer from adjacent property.
 - (c) Minimum width of buffer area between the permitted non-residential uses and inclusionary development shall be twenty (20) feet. The buffer may include a berm of at least two (2) in height as is feasible given good engineering practices.
 - (d) Buffering shall provide a year-round visual screen in order to minimize adverse impacts on a site from adjacent areas. Buffering shall also ensure privacy for dwelling units and minimize adverse impacts from traffic, noise and glaring light.
 - e) Buffering shall consist of a six (6)-foot high, sculptured, undulating, landscaped berm that has a top width of at least ten (10) feet. The top and side slopes of the berm shall be planted with massing of evergreen trees with an average height of eight (8) feet to create a natural pattern that achieves a full screening effect. Ornamental deciduous trees and large- and medium-growing evergreen and deciduous shrubs shall be added to the buffer area to improve screening at various growth heights of plant material. Fencing and walls may be added to the buffering to enhance screening and aesthetics. Natural woodlands may be retained in the buffer area. Such natural woodlands shall be evaluated by the reviewing board to determine whether additional plantings are needed to achieve the stated buffering objectives.
- K. Fences are permitted in accordance with Article VIII of this Chapter.
- L. A ten (10)-foot wide meandering path that consists of permanent pavement, such as concrete or bituminous concrete, shall be provided along the frontage of the entire tract along Butcher Road and Route 33 and along the perimeter of stormwater management basins and connected to the internal pedestrian walkway system of the site.

§ 108-6.32. POCD-AR-AH Planned Office Commercial Development-Age Restricted-Affordable Housing District.

Block 25 consisting of Lots 2.10, 2.11, 2.12, 2.13 and 2.14, which was formerly zoned as PO/CD Planned Office Commercial District, is changed to a POCD-AR-AH Planned Office Commercial Development-Age Restricted-Affordable Housing District.

- A. The purpose of this section is to establish the standards and requirements for developments that include a mix of office and commercial uses, market-priced age-restricted housing and housing affordable to low- and moderate-income age-restricted households. The affordable housing will assist the Township in meeting its constitutional and statutory obligations to provide a realistic opportunity for the construction of its fair share of its region's needed low and moderate income housing.
- B. The following shall be requirements of the POCD-AR-AH District, in addition to other provisions, not inconsistent with this Article. In case of conflict with the provisions of other ordinances, this section shall govern.
- C. Required Uses:

Mixed-use building that consists of non-residential uses as permitted in this section and residential uses as required in this section. Non-residential uses shall be required to be provided on the first floor of the mixed-use building that faces Applegarth Road. Inclusionary housing development consisting of affordable housing as defined by this Article and the current rules of the New Jersey Council of Affordable Housing and market-rate housing shall be required to be provided within the mixed-use building. All housing shall comply with the provisions set forth herein this section. Permitted residential dwellings include:

- (a) Market-rate multi-family apartment dwelling units that are deed restricted to permit only senior citizen residents as regulated in this Chapter and to prohibit the conversion of basements, dens, offices, lofts and other non-bedroom spaces and rooms into a new bedroom. The maximum amount of market-rate multi-family age-restricted apartment dwelling units shall not exceed one hundred nine (109).
- (b) Affordable multi-family age-restricted rental apartment dwelling units that are provided at a minimum twenty-three-and-twenty-four-hundredths percent (23.24%) set aside of total dwelling units and thirteen percent (13%) of the total affordable dwelling units are for very low-income households. The minimum amount of affordable multi-family age-restricted rental apartment dwelling units shall be thirty-three (33). The affordable rental apartments shall be deed restricted to prohibit the conversion of basements, dens, offices, lofts and other non-bedroom spaces and rooms into a new bedroom.

D. Permitted Uses:

- (1) All non-residential uses permitted in the PO/CD District as provided in § 108-6.16.A. and the NC Neighborhood Commercial District as provided in § 108-6.17.A.
- (2) No building, structure or land shall be used for and no building structure shall hereafter be erected, structurally enlarged or maintained except for the permitted affordable and market-rate housing to be used by the residents of the inclusionary housing development, their guests or other authorized users.

E. Permitted Accessory Uses:

- (1) Off-street parking areas and loading areas.
- (2) Signs.
- (3) Fences and walls.
- (4) Satellite antennas.
- (5) Public utility installations.
- (6) Open space and recreational facilities for use by the residents on the premises.
- (7) Customary and accessory uses and buildings which are clearly incidental to permitted principal non-residential uses and buildings.

F. Development, area, yard and building requirements. The following development requirements shall apply to the POCD-AR-AH Planned Office Commercial Development-Age Restricted-Affordable Housing District:

- (1) Minimum tract area for mixed-use inclusionary housing and non-residential development in the POCD-AR-AH District shall be seventeen (17) acres.
- (2) Permitted non-residential uses shall comply with the development, area, yard and building requirements of the PO/CD District as set forth in § 108-6.4 of this Chapter.
- (3) Inclusionary housing development shall comply with the following development, area, yard and building requirements:
 - (a) Minimum lot area. The minimum site area for an inclusionary development in the POCD-AR-AH Planned Office Commercial Development-Age Restricted-Affordable Housing District shall be at least four (4) acres contained in one (1) parcel that is not bisected by existing streets, roads, rights-of-way or railroads, exclusive of the area of the parcel of land that will be developed with permitted non-residential uses.
 - (b) Gross residential density. The gross residential density of the entire tract shall not exceed eight and two-tenths (8.2) dwelling units per acre, and

the maximum number of residential units shall not exceed one hundred forty two (142) of which one hundred nine (109) may be market-rate age-restricted dwelling units and thirty three (33) dwelling units shall be affordable age-restricted dwelling units.

- (c) Bulk and yard requirements:
- [1] Minimum lot frontage shall be three hundred (300) feet.
 - [2] Minimum lot width shall be three hundred (300) feet.
 - [3] Minimum lot depth shall be three (300) feet.
 - [4] Minimum front yard setback shall be fifty (50) feet.
 - [5] Minimum side yard setback to the tract boundary shall be fifty (50) feet.
 - [6] Minimum side yard setback to an internal lot shall be twenty [20] feet.
 - [7] Minimum rear yard setback shall be one hundred (100) feet.
- (d) Maximum building height. Mixed-use building shall not exceed four (4) stories or fifty-eight (58) feet.
- (e) Building Separation Requirement:
- | <u>Description</u> | <u>Requirement</u> |
|--------------------------------------|--------------------|
| Side of building to side of building | 40 feet |
| Rear of building to rear of building | 50 feet |
| Rear of building to side of building | 50 feet |
- (f) Lot coverage by buildings. Not more than thirty percent (30%) of the gross area of each residential section shall be covered by buildings.
- (g) Sidewalks and walkways shall comply with § 108-6.21.I. of this Article.
- (h) Buffers, landscaping, shade trees and tree preservation shall comply with § 108-6.32.I. of this Article.

G. Affordable Housing.

- (1) Required percentage of affordable family rental dwelling units built on-site. The developer shall designate a set aside of twenty-three-and-twenty-four-hundredths percent (23.24%) of the dwelling units to be built on-site to have rents that are affordable to low- and moderate-income households and at least thirteen percent (13%) of the total affordable dwelling units shall be for very low-income households.
- (2) Required bedroom distribution for age-restricted affordable dwelling units. Low- and moderate-income units that are age-restricted may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of senior citizen low- and moderate- income units within the Inclusionary development. The standard can be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit. Applications to waive this standard shall be made in accordance with N.J.A.C. 5:93 and shall be referred by the Council on Affordable Housing (C.O.A.H.) to the DCA Division of Aging for review and recommendations.
- (3) Low- and moderate-income split. At least fifty percent (50%) of all units designated for low- and moderate-income households shall be affordable to low income households. Thirteen percent (13%) of the total affordable dwelling units shall be affordable to very low-income households.

- (4) The construction phasing of market-priced and low- and moderate-income units shall comply with following table:

Minimum Percentage of Low and Moderate Units Completed	Percentage of Market-Housing Units Completed
0	25
10	25, plus 1 unit
50	50
75	75
100	90

A unit is deemed complete when its certificate of occupancy has been issued. This schedule shall apply unless an accelerated schedule has been agreed to by the Township and developer.

- (5) Age restrictions shall be placed on the occupants of the designated affordable housing dwelling units.
- (6) The location and design of affordable housing shall comply with the following requirements:
- (a) The low- and moderate-income units shall be sited on the tract in locations at least as accessible to common open spaces and community facilities as market-priced dwellings.
 - (b) The exterior design of the low- and moderate-income units shall be harmonious in scale, texture and materials with the market priced units on the tract.
- (7) Affordable housing shall comply with the Monroe Township Affordable Housing Ordinance and current New Jersey Council on Affordable Housing rules.
- (8) Establishing rents of units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (9) Affordability controls shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (10) General provisions concerning uniform deed restriction liens and enforcement through certificates of occupancy or re-occupancy on sold units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (11) Application procedures for Inclusionary housing development shall comply with § 108-6.21.M of this Article.
- H. Signage as permitted in Article X of this Chapter.
- I. Parking and loading as required in Article IX of this Chapter.
- J. Landscaping and buffering as required by the following standards and in Article VIII of this Chapter:
- (1) Permitted non-residential uses shall comply with the buffer requirements of the PO/CD District as set forth in § 108-6.16.H.
 - (2) Inclusionary housing development shall comply with the following buffering requirements:
 - (a) Minimum width of buffer area fifty (50) feet.
 - (b) Buildings shall be set back a minimum of fifty (50) feet from the property lines of the tract. At least thirty (30) feet of this setback area shall either be preserved with its natural vegetation or landscaped to provide a reasonable visual buffer from adjacent property.

- (c) Minimum width of buffer area between the permitted non-residential uses and inclusionary development shall be thirty (30) feet.
- (d) Buffering shall provide a year-round visual screen in order to minimize adverse impacts on a site from adjacent areas. Buffering shall also ensure privacy for dwelling units and minimize adverse impacts from traffic, noise and glaring light.
- (e) Buffering shall consist of a six (6)-foot high, sculptured, undulating, landscaped berm that has a top width of at least ten (10) feet. The top and side slopes of the berm shall be planted with massing of evergreen trees with an average height of eight (8) feet to create a natural pattern that achieves a full screening effect. Ornamental deciduous trees and large- and medium-growing evergreen and deciduous shrubs shall be added to the buffer area to improve screening at various growth heights of plant material. Fencing and walls may be added to the buffering to enhance screening and aesthetics. Natural woodlands may be retained in the buffer area. Such natural woodlands shall be evaluated by the reviewing board to determine whether additional plantings are needed to achieve the stated buffering objectives.

K. Fences are permitted in accordance with Article VIII of this Chapter.

§ 108-6.33. MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing District.

Block 3 consisting of Lots 12.01, 13, 14, 26 and 27, which was formerly zoned as LI Light Industrial District, is changed to MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing District.

- A. The purpose of this section is to establish the standards and requirements for developments that include a mix of highway commercial uses, market-priced housing and housing affordable to low- and moderate-income family households. The affordable housing will assist the Township in meeting its constitutional and statutory obligations to provide a realistic opportunity for the construction of its fair share of its region's needed low and moderate income housing.
- B. The following shall be requirements of the MU-HD-R-AH District, in addition to other provisions, not inconsistent with this Article. In case of conflict with the provisions of other ordinances, this section shall govern.
- C. Required Uses:
 - (1) Inclusionary housing development consisting of affordable housing as defined by this Article and the current rules of the New Jersey Council of Affordable Housing and market-rate housing. The inclusionary housing development shall be provided on the eastern two-thirds of the tract of land facing Route 33. All housing shall comply with the provisions set forth herein this section. Permitted residential dwellings include:
 - (a) Market-rate multi-family townhouse and apartment dwelling units that are deed restricted to prohibit the conversion of basements, dens, offices, lofts and other non-bedroom spaces and rooms into a new bedroom. The maximum amount of market-rate multi-family townhouse and apartment dwelling units shall not exceed one thousand two hundred seventy-three (1,273).
 - (b) Affordable multi-family family rental apartment dwelling units that are provided at a minimum eight-and-fifteen hundredths percent (8.15%) set aside of total dwelling units and thirteen percent (13%) of the total affordable dwelling units are for very low-income households. The minimum amount of affordable multi-family family rental apartment dwelling units shall be one hundred thirteen (113). The affordable rental apartments shall be deed restricted to prohibit the conversion of basements, dens, offices, lofts and other non-bedroom spaces and rooms into a new bedroom.

- (c) Pursuant to a court settlement, the inclusionary development in the MU-HD-R-AH District shall be phased with the development of a one hundred percent (100%) affordable family rental project that consists of one hundred (100) dwelling units, which will be developed on Block 53, part of Lot 24 and shall set aside fifteen percent (15%) of the total one hundred percent (100%) affordable family rental dwelling units for very low-income households, and a one hundred percent (100%) affordable family rental project that consists of one hundred seventy-one (171) dwelling units, which will be developed on Block 6, Lots 12.06, 15.01, 23.01 and 27.01 and shall set aside fifteen percent (15%) of the total one hundred percent (100%) affordable family rental dwelling units for very low-income households. When the two (2) one hundred percent (100%) affordable family rental projects are combined with the affordable multi-family family rental apartment dwelling units of the MU-HD-R-AH district, the total affordable housing set aside is twenty-three and seventeen hundredths percent (23.17%), which is calculated by dividing a total of three hundred eighty-four (384) affordable dwelling units by one thousand six hundred fifty-seven (1,657) total dwelling units consisting of the market-rate and affordable dwelling units in MU-HD-R-AH District and the one-hundred percent (100%) affordable dwelling units on Block 53, part of Lot 24 and Block 6, Lots 12.06, 15.01, 23.01 and 27.01. The overall phasing of market-rate dwelling units in the MU-HD-R-AH District and the affordable dwelling units in the MU-HD-R-AH District and the two hundred-seventy-one (271) one hundred percent (100%) affordable dwelling units shall be provided as set forth in subsection G.(6) below.

D. Permitted Uses:

- (1) All non-residential uses permitted in the HD Highway Development District as provided in § 108-6.18.A. Non-residential development shall be provided on the western one-third of the site facing Route 33.
- (2) No building, structure or land shall be used for and no building structure shall hereafter be erected, structurally enlarged or maintained except for the permitted affordable and market-rate housing to be used by the residents of the inclusionary housing development, their guests or other authorized user.

E. Permitted Accessory Uses:

- (1) Off-street parking areas and loading areas.
- (2) Signs.
- (3) Fences and walls.
- (4) Satellite antennas.
- (5) Public utility installations.
- (6) Open space and recreational facilities for use by the residents on the premises.

F. Development, area, yard and building requirements. The following development requirements shall apply to the MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing District:

- (1) Minimum tract area for mixed-use inclusionary housing and non-residential development in the MU-HD-R-AH District shall be two hundred thirty (230) acres.
- (2) Permitted non-residential uses shall comply with the development, area, yard and building requirements of the HD District as set forth in § 108-6.4 of this Chapter.
- (3) Inclusionary housing development shall comply with the following development, area, yard and building requirements:
 - (a) Minimum area. The minimum site area for an inclusionary development in the MU-HD-R-AH District shall be at least one hundred (100) acres

contained in one (1) parcel that is not bisected by existing streets, roads, rights-of-way or railroads, exclusive of the area of the parcel of land that will be developed with permitted non-residential uses.

(b) Gross residential density. The gross residential density of the entire tract shall not exceed five and six tenths (5.6) dwelling units per acre.

(c) Bulk and yard requirements:

- [1] Minimum lot frontage shall be five hundred (500) feet.
- [2] Minimum lot width shall be five hundred (500) feet.
- [3] Minimum lot depth shall be seven hundred (700) feet.
- [4] Minimum front yard setback shall be one hundred (100) feet.
- [5] Minimum side yard setback shall be one hundred (100) feet.
- [6] Minimum rear yard setback shall be one hundred (100) feet.

(d) Setback requirements:

<u>Description</u>	<u>Tract Boundary</u>	<u>Internal Lots</u>	<u>To Curb Line of Internal Road, Townhouses</u>	<u>To Curb Line of Internal Road, Apartments</u>
Minimum Front Yard	50 feet	--	25 feet; 25 feet to front façade with driveway	15 feet; 25 feet to front façade with driveway and garage
Minimum Side Yard	50 feet	10 feet	--	--
Minimum Rear Yard	50 feet	20 feet	--	--

(e) Minimum separation between facades of residential buildings on lot with multiple residential buildings:

<u>Description</u>	<u>Requirement</u>
Side of building to side of building	20 feet
Rear of building to rear of building	50 feet
Rear of building to side of building	40 feet

(f) Maximum building height.

- [1] Townhouses shall not exceed two-and-one-half (2-1/2) stories or thirty-five (35) feet
- [2] Apartment flats shall not exceed three (3) stories or forty-five (45) feet

(g) Lot coverage by buildings. Not more than thirty percent (30%) of the gross area of each residential section shall be covered by buildings.

(h) All residential, including market-rate housing sections and affordable housing sections, and non-residential sections shall be interconnected with free flowing, non-barricaded roads and sidewalks. Cross access easements shall be provided on all subdivided residential and non-residential lots to ensure the free flow of pedestrian, bicycle and vehicular traffic.

- (i) Sidewalks and walkways shall comply with § 108-6.21.I. of this Article.
- (j) Buffers and landscaping and shade trees and tree preservation shall comply with § 108-6.32.I, of this Article.
- (k) Establishment of an open space organization shall comply with § 108-6.32.J. of this Article.
- (l) Recreation facilities shall comply with § 108-6.32.K. of this Article.

G. Affordable Housing.

- (1) Required percentage of affordable family rental dwelling units built on-site in the MU-HD-R-AH District. The developer shall set aside eight-and-fifteen hundredths percent (8.15%) set aside of the dwelling units to be built on-site to have rents that are affordable to low- and moderate-income households and at least thirteen percent (13%) of the total affordable dwelling units shall be for very low-income households.
- (2) Required percentage of affordable family rental dwelling units in the one hundred percent (100%) affordable family rental projects set aside for very low-income households shall be fifteen percent (15%).
- (3) Required bedroom distribution for affordable family rental dwelling units for MU-HD-R-AH District and one hundred percent (100%) affordable family rental projects.
 - (a) At a minimum, thirty percent (30%) of all low- and moderate-income units shall have two (2) bedrooms.
 - (b) At a minimum, twenty percent (20%) of all low- and moderate-income units shall have three (3) bedrooms.
 - (c) The combination of efficiency and one-bedroom units shall be at least ten percent (10%) and no greater than twenty percent (20%) of the total low- and moderate-income units.
- (4) Low- and moderate-income split. At least fifty percent (50%) of all units designated for low- and moderate-income households shall be affordable to low income households. Thirteen percent (13%) of the total affordable dwelling units shall be affordable to very low-income households, which very low-income units shall be counted as part of the low-income housing requirement.
- (5) The construction phasing of market-priced and low- and moderate-income units shall comply with following table:

Minimum Percentage of Low and Moderate Units Completed	Percentage of Market-Housing Units Completed
0	25
10	25, plus 1 unit
50	50
75	75
100	90

A unit is deemed complete when its certificate of occupancy has been issued. This schedule shall apply unless an accelerated schedule has been agreed to by the Township and developer.

- (6) The project phasing of the inclusionary development in the MU-HD-R-AH District and the one hundred percent (100%) affordable family rental projects shall comply with the following table:

Market-Rate Units in MU-HD-R-AH District To be Completed	Affordable Units to Be Completed by Development
318	0 in MU-HD-R-AH District
319	38 cumulative in MU-HD-R-AH District
637	92 cumulative in MU-HD-R-AH District and 100 cumulative in 100% Affordable Project in Block 53, part of Lot 24.
955	113 cumulative in MU-HD-R-AH District And 76 cumulative in 100% Affordable Project Block 6, Lots 12.06, 15.01, 23.01 And 27.01.
1,273 total	171 cumulative 100% Affordable Project Block 6, Lots 12.06, 15.01, 23.01 and 27.01

- (7) The location and design of affordable housing shall comply with the following requirements:
- (a) The low- and moderate-income units shall be sited on the tract in locations at least as accessible to common open spaces and community facilities as market-priced dwellings.
 - (b) The exterior design of the low- and moderate-income units shall be harmonious in scale, texture and materials with the market priced units on the tract.
- (8) Affordable housing shall comply with the Monroe Township Affordable Housing Ordinance and current New Jersey Council on Affordable Housing rules.
- (9) Establishing rents of units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (10) Affordability controls shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (11) General provisions concerning uniform deed restriction liens and enforcement through certificates of occupancy or re-occupancy on sold units shall comply with the Monroe Township Affordable Housing Ordinance and the New Jersey Council on Affordable Housing rules.
- (12) Application procedures for Inclusionary housing development shall comply with § 108-6.21.M of this Article.

H. Signage as permitted in Article X of this Chapter.

I. Parking and loading as required in Article IX of this Chapter.

J. Landscaping and buffering as required by the following standards and in Article VIII of this Chapter:

- (1) Permitted non-residential uses shall comply with the buffer requirements of the HD District as set forth in § 108-6.18.H.

- (2) Inclusionary housing development shall comply with the following buffering requirements:
 - (a) Minimum width of buffer area one hundred (100) feet.
 - (b) Buildings shall be set back a minimum of one hundred (100) feet from the property lines of the tract.
 - (c) Minimum width of buffer area between the permitted non-residential uses and inclusionary development shall be fifty (50) feet.
 - (d) Buffering shall provide a year-round visual screen in order to minimize adverse impacts on a site from adjacent areas. Buffering shall also ensure privacy for dwelling units and minimize adverse impacts from traffic, noise and glaring light.
 - (e) Buffering shall consist of a six (6)-foot high, sculptured, undulating, landscaped berm that has a top width of at least ten (10) feet. The top and side slopes of the berm shall be planted with massing of evergreen trees with an average height of eight (8) feet to create a natural pattern that achieves a full screening effect. Ornamental deciduous trees and large- and medium-growing evergreen and deciduous shrubs shall be added to the buffer area to improve screening at various growth heights of plant material. Fencing and walls may be added to the buffering to enhance screening and aesthetics. Natural woodlands may be retained in the buffer area. Such natural woodlands shall be evaluated by the reviewing board to determine whether additional plantings are needed to achieve the stated buffering objectives.

K. Establishment of open space organization required.

- (1) The developer shall provide for an organization or organizations for the ownership and maintenance of any common open space and recreation facilities, landscaped areas and internal roadways for the benefit of owners and residents of the development.
- (2) The establishment and operation of the open space organization(s) shall be governed by applicable law N.J.S.A. 40:55D-43.

L. Recreation facilities.

- (1) The areas within the common open space reserved for recreation shall be developed with appropriate recreation facilities for all age groups.
- (2) The common open space and recreation facilities of the tract shall be available on an equal basis to residents of all parts of the tract.
- (3) The recreation facilities shall include a central recreation complex with a minimum of one (1) swimming pool, two (2) tennis courts, one (1) basketball court and a picnic area. If feasible within the natural environmental constraints of the site, this central recreation complex shall also include multi-purpose fields for soccer and baseball. In addition, at least fifteen percent (15%) of the developed open space of the tract shall include equipped playgrounds within the open space system.
- (4) The recreation facilities shall include a meandering open space and trails system linking residential clusters with the tract's principal recreation complex.

M. Fences are permitted in accordance with Article VIII of this Chapter.

N. A ten (10)-foot wide meandering path that consists of permanent pavement, such as concrete or bituminous concrete, shall be provided along the frontage of the entire tract along Route 33 as is permissible given environmental constraints and regulations.

SECTION 2.

All other ordinances or parts of ordinances contained in said Chapter shall remain in full force and effect.

SECTION 3.

If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4.

This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid

Public Hearing - **ORDINANCE O-7-2016-026:**

Michele Arminio, 9 Nathaniel Street – Commented that the 4th whereas on this ordinance says that the “Council believes the amendments to be in the public interest”, and she does not agree entirely with that, as she feels that we are destroying the rural and suburban aspect of Monroe and thinks this brings us into an urban area. She equates this to bad planning in the last fifteen years of planning and zoning in the Township. She is not opposed to moderate and low income families getting affordable housing but the cost of that means we have to allow so much more market price housing which benefits the builders and the developers who receive the benefit of quite a bit of market pricing and intensifying the density of the community at a cost that goes to the tax payers. Developers destroy our public roads and there is no way to recoup any money for the costs of repairing those roads. Market price housing benefits solely the builders in her opinion. She asked what the water allocation necessary with this build out will be; Mr. Barnes answered that the water supply for 4,000 units equates to one million gallons a day, and we just drilled three new wells that will give us three million gallons a day, with peaking we should be at adequate capacity with our water supply. She asked if the 4,000 units was the total build out; Mr. Barnes responded, as well as, Mayor Tamburro who clarified that this build out is over ten years and the developers when coming to the planning board are responsible for the repairing of the roads. The roads that the trucks use are all County roads which are the County’s responsibility to maintain. Mr. Barnes added that the total number is 4,379. Speaking as a private citizen, there will be 200 new students just this summer, not current reality.

Hy Grossman, 15 Doral Drive – Looking at the summary of the ordinance on the back of the handout and in looking at the various amendments, references are made to sections 108-6.30 and 108-6.32 and 6.33, it would be good to know where exactly they are located; Engineer Rasimowicz answered that the MUHDRAH is along the Route 33 corridor, which is mixed use and a potential affordable housing district. Behind the Wawa site is an HDRAH zone that is proposed. On Applegarth Road it is proposed as the POCDARAH zone which is the Planned Office Commercial Development Age Restricted Affordable Housing district. Moving east through the yellow area on the map, which is across from the Regency, it is proposed as a RARAH zone and the green area is reverting back to three acres which is an overlay zone. Mr. Grossman commented that studies on the fiscal, budget and traffic impact should have been done and if not you have not done your homework and is a lack of foresight. Administrator Hamilton reiterated that this was court monitored settlement that was supervised by the Superior Court and it is very important to understand that this really impacts the zoning in terms of that settlement. He also reiterated that over 2,000 units are age restricted which will be a major offset, as well as, other units having commercial and retail space which will also be a major offset. Council President Koppel asked if the proposed zoning map will appear on the Township website; Administrator Hamilton answered that we can put it on.

Mark Klein, 7 Crenshaw – If elected officials in Trenton and the State Supreme Court wanted more affordable housing they should cut the school taxes.

Congratulations to Patty.

As Councilman Leibowitz and Council Vice-President Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **O-7-2016-026 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "LAND DEVELOPMENT"**.

ROLL CALL: Councilman Blaise Dipierro Aye
Councilman Michael Leibowitz Aye
Councilwoman Elizabeth Schneider Aye
Council Vice-President Stephen Dalina Aye
Council President Leslie Koppel Aye

Copy of Ordinance Duly Filed.
O-07-2016-026

UPON MOTION made by Council Vice-President Dalina and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE NO. O-9-2016-029 AMENDING CHAPTER 76 OF THE CODE OF THE TOWNSHIP OF MONROE TO PROHIBIT THE DISCHARGE OF FIREARMS AND WEAPONS AND REGULATE POSSESSION.**

ROLL CALL: Councilman Blaise Dipierro Aye
Councilman Michael Leibowitz Aye
Councilwoman Elizabeth Schneider Aye
Council Vice-President Stephen Dalina Aye
Council President Leslie Koppel Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilwoman Schneider and seconded by Council Vice-President Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE NO. O-9-2016-030 AUTHORIZING THE ACQUISITION OF CERTAIN PARCELS OF LAND FOR TRAFFIC SIGNALIZATION AT THE INTERECTION OF PERRINEVILLE ROAD (CR625) AND FEDERAL ROAD.**

ROLL CALL: Councilman Blaise Dipierro Aye
Councilman Michael Leibowitz Aye
Councilwoman Elizabeth Schneider Aye
Council Vice-President Stephen Dalina Aye
Council President Leslie Koppel Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE NO. O-9-2016-031 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC"** (Speed Limit change on Spotswood Gravel Hill Rd. and Weight Restriction on Gravel Hill Road).

ROLL CALL: Councilman Blaise Dipierro Aye
Councilman Michael Leibowitz Aye
Councilwoman Elizabeth Schneider Aye
Council Vice-President Stephen Dalina Aye
Council President Leslie Koppel Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Council Vice-President Dalina and seconded by Council Dipierro, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE NO. O-9-2016-032 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO INCREASE THE APPROPRIATION THEREIN BY \$3,640,000, TO INCREASE THE AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$3,466,600, AND TO AMEND THE DESCRIPTION SET FORTH THEREIN TO INCLUDE NEW OPEN SPACE PROPERTY ACQUISITIONS.**

ROLL CALL: Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Stephen Dalina	Aye
Council President Leslie Koppel	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Leibowitz, the following Resolutions were moved for Adoption under the **CONSENT AGENDA** as herein below set forth:

ROLL CALL: Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Stephen Dalina	Aye
Council President Leslie Koppel	Aye

RESOLUTIONS adopted under **CONSENT AGENDA** are as follows:

- | | |
|--------------|---|
| R-9-2016-311 | RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEE FOR W&S 1084, MATRIX DEVELOPMENT GROUP, BLOCK 56, LOTS 7.01, 9.011 & 17, POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). |
| R-9-2016-312 | RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR BLOCK 15, LOT 10.02, GARDENS @ MONROE - W&S 1007- POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). |
| R-9-2016-313 | RESOLUTION AUTHORIZING CHANGE ORDER #1 TO A PROFESSIONAL SERVICE CONTRACT WITH JOHNSON, MIRMIRAN & THOMPSON, INC. (JMT, INC.) FOR ADDITIONAL GENERAL ENGINEERING SERVICES FOR MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). |
| R-9-2016-314 | RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO UTILITY SERVICE CO., INC. FOR CONTRACT 457 - “SUBMERSIBLE TANK MIXER SYSTEMS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). |
| R-9-2016-315 | RESOLUTION AUTHORIZING AWARD OF CONTRACT TO ALLIED CONSTRUCTION GROUP, INC. FOR CONTRACT 454 “WELL 16A IMPROVEMENTS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). |
| R-9-2016-316 | RESOLUTION AUTHORIZING MODIFICATION #3 TO A CONTRACT AWARDED TO SUBURBAN CONSULTING ENGINEERS, INC. FOR VARIOUS PIPELINE GENERAL ENGINEERING FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). |
| R-9-2016-317 | RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACTS WITH CENTER STATE ENGINEERING FOR VARIOUS MONROE TOWNSHIP MUNICIPAL PROJECTS. |
| R-9-2016-318 | RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY TARHEEL BLUE LLC FOR BA-5036-11. |

- R-9-2016-319 RESOLUTION AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE HELD BY MONROE 33 RESTAURANT, LLC. FOR THE 2016-2017 LICENSE TERM.
- R-9-2016-320 RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR OKTOBERFEST CELEBRATION.
- R-9-2016-321 RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 33 FOREST PARK TERRACE.
- R-9-2016-322 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE MATTERS RELATED TO THE CASE OF TOWNSHIP OF MONROE v. BLACK ROCK ENTEPRISES, LLC ET AL. AS EXTRAORDINARY LITIGATION.
- R-9-2016-323 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING CME ASSOCIATES TO PETITION THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF THE WIDENING OF THE HIGHWAY-RAIL CROSSING ON PROSPECT PLAINS ROAD (COUNTY ROUTE 614).
- R-9-2016-324 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY DEFINO CONTRACTING COMPANY IN CONNECTION WITH THE 2015 ROAD IMPROVEMENTS - MILLING AND PAVING OPERATIONS PROJECT.
- R-9-2016-325 RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (FEDERAL BULLETPROOF VEST PARTNERSHIP PROGRAM - \$3,811.50).
- R-9-2016-326 RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (MIDDLESEX COUNTY OFFICE ON AGING - SENIOR OUTREACH - \$1,000.00).
- R-9-2016-327 RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-9-2016-328 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY QUALITY 1ST CONTRACTING, INC. IN CONNECTION WITH THE TOWNSHIP WIDE ROAD IMPROVEMENTS AND CONCRETE IMPROVEMENTS PROJECTS.
- R-9-2016-329 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF LAKEVIEW LOAN SERVICING, LLC v. TOWNSHIP OF MONROE, ET AL., AS EXTRAORDINARY LITIGATION
- R-9-2016-330 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT.
- R-9-2016-331 RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR TITLE SURVEY, PROPERTY DESCRIPTION AND PHASE 1 ENVIRONMENTAL ANALYSIS ON VARIOUS PROPERTIES UNDER THE OPEN SPACE PROGRAM.

- R-9-2016-332 RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES AND SURVEYING SERVICES IN CONNECTION WITH THE SUBDIVISION OF BLOCK 52, LOTS 1.01 & 23.03 CAPITAL PROJECT.
- R-9-2016-333 RESOLUTION AUTHORIZING ACCESS TO THE TRENT ROAD PUMP STATION FOR CONSTRUCTION OF THE GLEN ROCK DAM REMOVAL PROJECT.
- R-9-2016-334 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEE FOR BLOCK 111, LOTS 10 & 11, W&S 1149 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).
- R-9-2016-335 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-9-2016-336 RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF PETTY CASH FUND.
- R-9-2016-337 RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF PETTY CASH FUND.
- R-9-2016-338 RESOLUTION AUTHORIZING CHANGE IN MONETARY AMOUNT OF PETTY CASH FUND.
- R-9-2016-339 RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF PETTY CASH FUND.
- R-9-2016-340 RESOLUTION AUTHORIZING ESTABLISHING A NEW PETTY CASH FUND.
- R-9-2016-341 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO THE GOLDSTEIN PARTNERSHIP FOR ARCHITECTURAL SERVICES FOR THE PROPOSED NEW POLICE/EMS BUILDING.
- R-9-2016-342 RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER & TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY.

Councilwoman Schneider asked how long will it take for the new police building, referencing R-9-2016-341; Administrator Hamilton answered that this is just for a needs assessment.

Mayor’s Report -

- Mayor Tamburro thanked Boris and Larissa for filming tonight’s meeting and for carrying on the tradition that Joe Harvie did for us by filming the meetings.
- The Township’s 9/11 ceremony will be held on 9/12 at 6pm, shuttle buses will leave around 5pm, everyone is encouraged to attend.

Administrator’s Report -

- Administrator Hamilton reported that a presentation to Joe Harvie’s family will be made somewhere in the next thirty days. His loss is still felt by everyone who knew him and it is still a struggle to go into his work area.

Engineer’s Report –

- The bid opening for Federal Road/Perrineville Road traffic signal project will be held on September 22nd and anticipate to award at the next council meeting.

Council's Reports -

Councilman Dipierro – No report.

Councilwoman Schneider – Attended two art shows at Stonebridge and Concordia.

Thanks to Cultural Arts for putting together the concerts in the park, they were wonderful.

The meeting held with the police department about staying vigilant in the midst of the burglaries happening throughout the township was very informative.

On September 7th the Veteran's Association met at the Senior Center with many in attendance and extremely informative.

Councilman Leibowitz – Joe Harvie was training to complete a bike fundraiser for MS when he had his accident, if anyone would like to donate in his honor they can go on the MS website to do so.

Council Vice-President Dalina – Congratulations to Patty on her new role as Township Clerk.

Youth fall sports have started; the Wolverines are in action and soccer opening day will be happening soon, it being the largest youth program with over 1,000 registrants.

The Monroe Township Youth Advisory Committee will be coming back; there are four openings and the meeting is scheduled for September 21st.

School is back in session which is a reminder to all of us to stop for buses.

Council President Koppel –

Congratulations to Patty as she proceeds in her new organized and clean office.

The Monroe Township Middle School will be hosting the Princeton Symphony Orchestra on September 18th. Congratulations to the Cultural Arts Committee for bringing these shows to us for our enjoyment.

On September 19th there will be a jury art show at the library. Also, the library will be having chamber music starting in October.

Joe Harvie was a huge part of our lives and was part of what made Monroe special. He will be in our hearts and will always be a very special part of our town.

Public:

Gary Busman, 7 Monarch Road – On August 28th the Community Garden held a contest to find the heaviest tomato. Plaques will be presented to the top three winners:

1st place was Will Siegel at 1lb, 6.7oz.

2nd place was Sarah Lazado at 1 lb

3rd place was a tie between Robert Sidler and Joel Greenberg

Thanks to the Mayor and Council for their continued support. The Community Garden will be opening 176 new plots next year and for more information and to be put on the waiting list please check out the website.

Hy Grossman, 15 Doral Drive – The impact of development going on at 613 and Mount Mills Road could use a traffic light. It's becoming a dangerous intersection and the number of trucks traveling on that road is causing destruction. The speed limit on 613 could be reduced to something lower than 50mph; maybe a feasibility study could be done; Engineer Rasimowicz answered that a traffic study will be coming as it is a part of the agreement with the developer. He will look into the destruction being caused by the truck traffic on 613. It has been discussed regarding the reduction of the speed limit, lowering it to 40mph.

Audrey Cornish, Schoolhouse Road – Attended the zoning meeting and Parker was given permission to build even though they have not been good neighbors. Many residents showed up and were not listened to. It is not a place for a nursing home because the farmland has many insects and it is not good for the elderly. She urged the Council and Planning & Zoning Boards to listen to the tax payers because Parker pays none.

Michele Arminio, 9 Nathaniel Street – Mrs. Arminio welcomed Patty & Christine and wished them both well in their positions.

She commented that the loss of Joe Harvie has been a sad loss for the community.

Asked for the amounts and further clarification of the following resolutions:

R-09-2016-317; Administrator Hamilton responded that this is a professional service for various capital projects, gave all of the amounts and project descriptions. The total being \$630,000 for 2016 capital projects.

R-09-2016-331; Administrator Hamilton responded it is \$81,500 for seven Open Space properties we have targeted. The total acreage is 281 acres, all work will be done in house by Center state other than the environmental data but money is inclusive in price.

R-09-2016-332; Administrator Hamilton answered it is \$11,500 for surveying services for the subdivision of 6.5 acres. Two thirds of the land will be donated to the Board of Education and Fire District #3.

R-09-2016-322; Administrator Hamilton answered the total is \$20,000; this is a first amendment, the original authorization was \$25,000. The total cost for litigation is \$45,000. This is for a matter of litigation that we have undertaken against a subcontractor for the improper disposal of millings.

R-09-2016-329; Administrator Hamilton answered the total is \$10,000.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Leibowitz, the Regular Council Meeting of September 7, 2016 was Adjourned at 7:55PM.

ROLL CALL:	Councilman Blaise Dipierro	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Stephen Dalina	Aye
	Council President Leslie Koppel	Aye

PATRICIA REID, Township Clerk

LESLIE KOPPEL, Council President

Minutes were adopted on November 9, 2016

NEXT COUNCIL MEETING – MONDAY, SEPTEMBER 26, 2016 – AGENDA MEETING