BOROUGH OF FAR HILLS

Borough Council Regular Meeting MINUTES

February 10, 2020

CALL TO ORDER

Mayor Vallone called the meeting to order at 7:02 p.m. at the Far Hills Municipal Building and read the open public meetings statement in accordance with the law.

PLEDGE OF ALLEGIANCE

Council President Karner led the Pledge of Allegiance.

ROLL CALL

Present: Councilman Joseph Carty, Councilwoman Mary Chimenti, Councilman

Richard Hand, Council President David Karner,

Councilwoman Sheila Tweedie, Mayor Paul J. Vallone, MD

Absent, as Excused:

Councilman Ted McLean

Absent:

Also Present:

Borough Clerk Dorothy S. Hicks, Borough Attorney Joseph Sordillo, Borough

Planner David Banisch

AFFORDABLE HOUSING PRESENTATION

Block 13, Lots 2 and 3 (8 and 10 Peapack Road) and Block 8, Lot 1 (46 Peapack Road) Mr. William Hotz, Hotz Development and Construction, Inc.

PUBLIC COMMENT FOR PRESENTATION ONLY

A transcript of the Affordable Housing Presentation and Public Comment, pertaining to the presentation only, has been attached to the minutes.

REPORTS

Councilman Hand - Fire, Water, Light, Buildings & Grounds

No report.

Councilwoman Tweedie – Health/Sanitation

No report.

Councilman Carty - Finance/Insurance

No report.

Councilwoman Chimenti - Laws, Ordinances & Elections

No report.

Council President Karner - Police

Council President Karner reported on the status of the purchase of the WatchGuard In-Car Video System and acknowledged the inquiry by Councilman McLean to consider purchasing refurbished equipment offered by the vendor. Council President Karner indicated that it was determined to proceed with the purchase of new equipment and noted that pending the receipt of the required documentation from the vendor, the resolution authorizing the purchase was planned for the February 24, 2020 Council meeting.

He noted that Chief DeCarolis made a request for another police vehicle which would be discussed at upcoming budget meetings. He also noted that recruitment efforts were underway for a Special Officer – Class II as the current officer would be transferring to the rank of Special Officer – Class I.

Chief DeCarolis

Chief DeCarolis provided a brief overview of recent police department training.

Mayor Vallone

Mayor Vallone reported that he would be meeting with Debra Stern, Borough CFO to prepare for the 2020 Budget and asked that Council members review their respective budgets.

Mayor Vallone reiterated the importance of providing the Borough Police Department with the appropriate equipment and noted that it was often mandated by the county.

He noted that the Dumont Road Drainage Project; Ludlow Avenue Road Improvements Project and a combined project for both of the sites have been noticed to bidders and the bid opening was scheduled for February 26, 2020.

Lastly, he stated that the Borough Newsletter was in progress and would be mailed out to residents in the coming weeks.

REGULAR AGENDA APPROVAL OF MINUTES 1/27/20 Regular Meeting

Motion by Council President Karner, seconded by Councilwoman Chimenti, was unanimously carried that these minutes be approved for content and release.

1/27/20 Executive Session

Motion by Council President Karner, seconded by Councilman Hand, was unanimously carried that these minutes be approved for content only.

UNFINISHED BUSINESS

ORDINANCE - PUBLIC HEARING/ADOPTION

ORDINANCE 2020-01 – AN ORDINANCE APPROPRIATING \$40,000.00 FOR AN IN-CAR VIDEO SYSTEM FOR LAW ENFORCEMENT

Motion by Council President Karner, seconded by Councilwoman Tweedie and unanimously carried to open the public hearing.

Rick Rinzler, 11 Hurlingham Club Road, Far Hills commented that he was in favor of the purchase of new equipment rather than the refurbished equipment.

There were no further comments from the public.

Ms. Hicks advised that the notice of the public hearing was published in the newspaper of record, and that no communication, either written or verbal was received regarding the Ordinance.

Motion by Council President Karner, seconded by Councilwoman Tweedie and unanimously carried to close the public hearing.

Motion by Council President Karner, seconded by Councilman Hand that Ordinance 2020-01 be adopted.

Roll Call:

Ave: Carty, Chimenti, Hand, Karner, Tweedie

Nay: Abstain: Recused:

Motion Carried.

NEW BUSINESS RESOLUTIONS

Resolution 20-048 – Authorizing Contribution for Professional and Legal Fees to Bedminster Township – NJAW Petition for Increased Tariff Rates

Ms. Hicks provided a brief overview of the petition filed by NJAW for a proposed rate increase of approximately 13% and the collaboration of six neighboring municipalities to hire legal counsel to intervene. She indicated that the cost share was determined by the percentage of NJAW customers in each municipality, which resulted in a one (1) percent cost share for the Borough.

Council President Karner commented that NJAW markets insurance coverage to customers and opined that the documentation did not clearly indicate that sewer injection pumps were excluded from the coverage.

Motion by Council President Karner, seconded by Councilwoman Tweedie that Resolution 20-048 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, Tweedie

Nay: Abstain: Recused:

Motion Carried.

Resolution 20-049 – Authorizing Purchase of Police Equipment Mobile LPR 4 Camera Reaper High Definition System

Chief DeCarolis provided a brief overview of the equipment and the applicable uses.

Motion by Council President Karner, seconded by Councilman Carty that Resolution 20-049 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Karner, Tweedie

Nay: Abstain: Recused:

Motion Carried.

CONSENT AGENDA

The items listed within the consent agenda portion of the meeting have been referred to the Borough Council for reading and study and are considered routine and will be enacted with one motion of the Borough Council with no separate discussion. If separate discussion is required, the item may be removed from the agenda by Borough Council action and placed on the regular agenda under new business.

RESOLUTIONS

- 1. Resolution 20-050 Authorizing Contribution to Raritan Headwaters Association
- 2. Resolution 20-051 Authorizing Extension of Due Date for 1st Quarter Sewer Payment
- 3. Resolution 20-052 Appointment Somerset County Community Development Committee
- 4. Resolution 20-053 Payment of Bill List

Mr. Sordillo advised that the contribution to the Raritan Headwaters Association was supported solely by the Clean Communities Grant and not through public funds.

Council President Karner recused himself from voting due to being one of the members appointed to the Somerset County Community Development Committee.

Motion by Councilman Carty, seconded by Councilwoman Tweedie that Resolutions 20-050 through 20-053 be approved.

Roll Call:

Aye: Carty, Chimenti, Hand, Tweedie

Nay: Abstain:

Recused: Karner Motion Carried.

PUBLIC COMMENT — The Mayor and Council welcome comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers shall limit their comments to 5 minutes.

Motion by Councilwoman Tweedie, seconded by Council President Karner and unanimously carried to open the meeting to public comment.

Loren Gilbert, 13 Prospect Street, Far Hills inquired about the possibility for the installation of gas line service along Prospect Street.

Council President Karner inquired about availability of parking and the lack of a sidewalk along Peapack Road near the affordable housing developments.

Councilwoman Tweedie commented that cars often exceeded the speed limit along Peapack Road.

Cindy Campbell, 81 Peapack Road, Far Hills inquired as to the dedicated parking for the proposed affordable housing unit on DeMun Place. She also inquired about Somerset County's Right-of-Way (ROW) regarding the potential installation of sidewalks along Peapack Road.

Mr. Banisch responded that there would be three dedicated spots for the DeMun Place property. Mr. Sordillo added that dedicated parking spots were also provided for the six age restricted affordable rental units on DuMont Road.

Mr. Banisch responded that inquiries would be made regarding the installation of sidewalks along Peapack Road. Mr. Sordillo also indicated that Peapack Road was under the jurisdiction of Somerset County which, if deemed necessary, had the authority to utilize private land regardless of the ROW.

Cindy Campbell, 81 Peapack Road, Far Hills also inquired as to the landscaping and lighting plans for the Matheny Group Home and 46 Peapack Road properties.

Mayor Vallone responded that the details for the development of each of the properties would be reviewed at Planning Board meetings.

Mr. Sordillo commented that representatives from Matheny made a public presentation at the Borough Council meeting on October 28, 2019.

There were no further comments from the public.

Motion by Councilwoman Tweedie, seconded by Councilman Hand and unanimously carried to close the meeting to public comment.

ADJOURNMENT

Motion by Council President Karner, seconded by Councilwoman Tweedie and unanimously carried to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

APPROVED - 2/24/20

Dorothy S. Hicks Borough Clerk

1 BOROUGH OF FAR HILLS BOROUGH COUNCIL MEETING 3 IN THE MATTER OF: 4 TRANSCRIPT HOTZ DEVELOPMENT AND ΟF 5 CONSTRUCTION, INC., BLOCK: PROCEEDINGS BLOCK 13, LOTS 2 & 3 (8 &: 6 10 PEAPACK ROAD) & BLOCK: 8, LOT 1 (46 PEAPACK 7 ROAD 8 9 Monday, February 10, 2020 Far Hills Municipal Building 10 Far Hills, New Jersey Commencing at 7:06 p.m. 11 12 **BOARD MEMBERS PRESENT:** 13 MAYOR PAUL J. VALLONE, M.D. DAVID KARNER JOSEPH CARTY 14 MARY CHIMENTI SHEILA TWEEDIE 15 RICHARD HAND 16 ALSO PRESENT: 17 JOSEPH SORDILLO, ESQ. DOROTHY S. HICKS, Borough Clerk 18 DAVID BANISCH, PP, AICP, Planner 19 20 21 ALISON GULINO, Certified Court Reporter 22 23 QUICK COURT REPORTING, LLC 47 BRIAN ROAD 24 WEST CALDWELL, NEW JERSEY 07006 (973) 618-0872 25 office@quickreporters.com

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1
                                                                      turn it over to the developer.
                                                                  2
                                                                                 MAYOR VALLONE: Bill, good evening.
            APPEARANCES:
                                                                  3
                                                                                  MR. HOTZ: Good evening, Mr. Mayor.
                 JOSEPH SORDILLO, ESQ.
Counsel for the Board
                                                                  4
                                                                                  MAYOR VALLONE: Good evening. Welcome.
         3
                                                                  5
                                                                                 MR. HOTZ: Let me just get my stuff set
                                                                  6
                                                                      up and we'll get on.
                                                                  7
                                                                                 MAYOR VALLONE: Sure, sure.
                                                                  8
                                                                                 MR. HOTZ: So I brought copies of
                                                                  9
                                                                      everything so we could follow along, if you like.
                                                                 10
                                                                                 MAYOR VALLONE: Good.
        11
                                                                 11
                                                                                 MR. HOTZ: I also brought enough copies
        12
                                                                 12
                                                                      for the public. If there are people who would like
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                                                                 13
                                                                      copies, I think I have enough.
        14
                                                                 14
                                                                                 Does everybody have copies on the Board?
        15
        16
                                                                 15
                                                                                 Good evening, Mr. Mayor.
        17
                                                                 16
                                                                                 MAYOR VALLONE: Good evening.
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                                                                                 MR. HOTZ: Council, my name is Bill Hotz.
                                                                 18
                                                                     I am the president and owner of William Hotz
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                                                                      Development Group. We have been in the Borough of Far
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                                                                 20
                                                                     Hills. I purchased my first building, where my office
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                                                                 21
                                                                     is, in 1994. We have been in business since 1989.
        24
                                                                 22
                                                                     Prior to '94, I rented space at the Far Hills Mall so
        25
                                                                 23
                                                                     I, basically, have been in town for the better part of
                                                                 24
                                                                     30 years and love it here.
                                                                 25
                                                                                 I have a broad experience in affordable
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                MAYOR VALLONE: Okay. So this evening,
                                                                     housing. We've developed projects in Harding, in
 2
    we will hear our final affordable housing presentation
                                                                  2
                                                                      Cranbury, multiple projects in Cranbury, in Princeton
    from Mr. Bill Hotz, which deals with several buildings
 3
                                                                  3
                                                                      Borough, in Pluckemin, in Morristown and in Red Bank.
 4
    that are on Peapack Road. This is the third leg, as
                                                                  4
                                                                      Close to 200 units of affordable housing, we have
 5
    we know, of the plan that we have submitted to the
                                                                  5
                                                                      developed over the years.
 6
     courts and it will be an opportunity to hear the plans
                                                                  6
                                                                                 I also own various market-rate rental
 7
                                                                  7
    that Bill put together.
                                                                      projects and we have a vast amount of experience, both
 8
                Joe, before we start, would you like to
                                                                  8
                                                                      in developing and constructing. We are a full-service
                                                                  9
 9
    say anything?
                                                                      construction management firm so we have a breadth of
10
                MR. SORDILLO: Yes, Mayor. Thank you.
                                                                 10
                                                                      experience in doing this.
11
                Just to reiterate what we have done on
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                                                                                 You know, as I said, currently, I own --
12
    all the presentations, this is an informational
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                                                                     so -- so just to give you a broad overview, tonight,
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     presentation by the developer. It's not a land use
                                                                 13
                                                                     we are going to talk about two different sites; one is
14
    application; it's not a -- before the Planning Board.
                                                                 14
                                                                     8- 10 Peapack Road and the other is 46 Peapack Road.
    There's no cross-examination. We will open it up, as
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                                                                 15
                                                                     8 and 10 Peapack Road is what I have up now. Here's
16
    we always do, for questions from the public but this
                                                                 16
                                                                     10; this is my office. 8 is a hair salon, which is
17
    is not swearing in of witnesses here or providing
                                                                 17
                                                                     June & Co. Salon; she's a fairly new tenant in the
18
    testimony; we are just providing information and
                                                                 18
                                                                      last year or so. That's 8 and 10.
                                                                 19
19
    allowing the Mayor and Council and members of the
                                                                                 I also own 3 De Mun Place, which is this
                                                                 20
20
    public and the professionals to ask the developer
                                                                     building here so my property line, basically, faces
21
                                                                 21
    questions regarding his proposal.
                                                                      both De Mun Place and Peapack Road.
                                                                 22
22
                This is one of the proposals that the
                                                                                 Probably, a better part of 15 years ago,
23
    Mayor stated that is in the borough's affordable
                                                                 23
                                                                     we had talked to the town and responded to a request
24
    housing plan and its settlement agreement with Fair
                                                                 24
                                                                     for proposal to provide for affordable housing. I
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responded to the proposal, and 15 years later, we are

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Share Housing, and at this point, I'd just say we can

6 still here so --1 On the break down which is on plans --2 but the 8-10 Peapack Road would be four additional (Laughter) 3 MR. HOTZ: -- that is a good thing, I 3 apartments, new apartments, and then, one of the 4 guess. apartments at 3 De Mun, I would convert that into an 5 One of the concepts, back then, was to 5 affordable unit so that would give us a total of five 6 add a second floor to these two buildings --6 units at the 8-10 Peapack Road. 7 currently, I occupy this entire building and June & 7 So again, you would have this two-story Co, occupies this building -- to build -- to put a 8 8 structure. The Downtown and in the Village are 9 second floor on the two buildings, and basically, 9 dominated by two-story structures with various roof combine the two buildings so this would be the site 10 10 configurations but this would be a residential style 11 plan as it would be developed. I'll have one basic 11 building, again, a few bells and whistles and we'll 12 building here. We are going to create some additional 12 use some shutters or some other architectural elements 13 parking, create a one-way pattern of traffic here, 13 but this would be the basic design of the building. 14 14 three spaces that exist here and two spaces that will If you look at -- this building here, you 15 exist here. We will have ten on-site spaces. 15 know, has this same kind of roof structure, you know, 16 To complete the parking demand for the 16 so you have pitched roof and a hip roof on the two 17 project, we will need three additional spaces on De 17 ends, very similar, so we are going to try to tie in 18 Mun Place, which exists today. As we know -- I'll 18 all the architecture to have some commonality and 19 just go back. 19 connectivity so that's the 8- 10 Peapack Road project. 20 You can see, you know, both on Dumont and 20 Is there any questions? 21 21 on De Mun, on-street parking is fairly common in the MS. CAMPBELL: Cindy Campbell, 81 Peapack 22 Village so we feel that creating some on-street 22 Road. 23 parking would not be an overly-demand of the public 23 Is the De Mun buildings currently a rental --24 parking. 24 25 25 So again, this would be the site plan. MR. HOTZ: Yes. It would virtually stay unchanged other than to the 1 MS. CAMPBELL: -- property? 2 naked eye so those are two buildings that exist today. 2 MR. HOTZ: Yes. 3 This is my building here, June & Co. And 3 is back 3 MS. CAMPBELL: How many units --4 here at 3 De Mun. What we would do is to create a MR. HOTZ: Two units. 5 second floor, and so, again, this is my existing 5 MS. CAMPBELL: -- are in it right now? 6 building, here's June and we would add a second floor. 6 MR. HOTZ: Two units. 7 7 There's different kind of roof designs we MS. CAMPBELL: Oh. 8 thought about but it would, basically, be a gabled 8 MR. HOTZ: It's market units in that 9 roof -- or a pitched roof with hip ends. We could 9 building. 10 have three dormers. I would keep the brick pattern. 10 Any other questions? 11 The brick would stay white. I would use a white 11 MR. KARNER: What's the total height of 12 Hardie Plank and, you know, residential style window. 12 that building? 13 13 I would place all the windows so everything would be MR. HOTZ: The new one? 14 consistent. It would act more like a bay window and 14 MR. KARNER: Yeah. 15 stay with the blue awnings. You know, the blue 15 MR. HOTZ: It would be about 35 feet. 16 awnings, I think, are a nice element, and then, we 16 MR. KARNER: 35, that's right. 17 17 would have, you know, complementary white colors and a MR. HOTZ: Yeah. We are going to stay 18 dark gray roof, have some foundation plantings. with 35. I'm playing with the roof pitches a little 19 19 So that's the view you would see from bit. I don't want to have it look too shallow per 20 Peapack Road, which is the most prevalent view. 20 foot, you know, but we are going to try to stay at 21 21 that 35 feet. The floor plan, again, on the first 22 22 floor, there would be one apartment. My office would MR. KARNER: On the third floor, you have

23

24

three floors on there?

MR. HOTZ: No. There will be two floors,

two living floors, so those dormers would just be into

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24

25

three apartments.

shrink down to a linear style office. June would stay

in place here, and then, upstairs, there would be

			Attachment to 2/10/20 Borough Council Minutes Page 4 of 25
	10		12
1	an attic space.	1	MR. HOTZ: I have been in Far Hills since
2	MR. KARNER: Okay. And that would not be	2	1994.
3	utilized?	3	There should be plenty floating around
4	MR. HOTZ: No.	4	because I have extras. Does anybody not have one?
5	MS. STILES: Janet Stiles, 3 De Mun	5	MEMBER OF THE PUBLIC: I don't have the
6	Place.	6	46.
7	My question is: On the house on De Mun,	7	MR. HOTZ: So why don't we jump to 46,
8	did I understand that one of those two apartments is	8	and then, we can have any questions summarized at the
9	going to be made into another apartment?	9	end.
10	MR. HOTZ: No. Into an affordable	10	MS. GILBERT: One quick question.
11	apartment.	11	MR. HOTZ: Yes.
12	MS. STILES: Okay. So there would be	12	MS. GILBERT: Loren Gilbert, 13 Prospect.
13	three apartments there?	13	These are all rental, these units?
14	MR. HOTZ: No. Two. There will be still	14	MR. HOTZ: Yes.
15	two and	15	MS. GILBERT: And who is going to manage
16	MS. STILES: Oh. You are going to make	16	the rental?
17	one of the two?	17	MR. HOTZ: I'll I'll manage them.
18	MR. HOTZ: Right, right. And in	18	So you know, we have, right now, about 80
19	actuality, you know, there's a lot of moving parts	19	rentals, right now, 80 apartments in multiple
20	here, but one of those, you'd be able to qualify for	20	complexes. We have this under development. I've got
21	so you would be able to stay where you are.	21	another 31 in development in Washington in Morris
22	MS. STILES: I'm sorry. I didn't hear.	22	County and another 20 in acquisition so and we've
23	MR. HOTZ: You'll be able to	23	owned and rented apartments for many years. It's kind
24	Jan is my tenant on 3 De Mun so we've	24	of what we do so
25	know each other for a long time.	25	Okay. 46, so 46 is the two brown houses
	11		40
	1.1		13
1	You right now, you'd be able to	1	right here. Just take a look at your plans and make
1 2		1 2	
	You right now, you'd be able to	1	right here. Just take a look at your plans and make
2	You right now, you'd be able to qualify for the downstairs apartment as an affordable	2	right here. Just take a look at your plans and make sure you have this one.
2 3	You right now, you'd be able to qualify for the downstairs apartment as an affordable apartment and your rent would go down.	2	right here. Just take a look at your plans and make sure you have this one. So 46 is also on Peapack Road and you can
2 3 4	You right now, you'd be able to qualify for the downstairs apartment as an affordable apartment and your rent would go down. MS. STILES: I understand. Thank you.	2 3 4	right here. Just take a look at your plans and make sure you have this one. So 46 is also on Peapack Road and you can see, you know, this is the end of the fairgrounds so
2 3 4 5	You right now, you'd be able to qualify for the downstairs apartment as an affordable apartment and your rent would go down. MS. STILES: I understand. Thank you. And my other question was: How many	2 3 4 5	right here. Just take a look at your plans and make sure you have this one. So 46 is also on Peapack Road and you can see, you know, this is the end of the fairgrounds so this must have been, you know, a drop-off day or
2 3 4 5 6	You right now, you'd be able to qualify for the downstairs apartment as an affordable apartment and your rent would go down. MS. STILES: I understand. Thank you. And my other question was: How many apartments was it, in total, that you are going to	2 3 4 5 6	right here. Just take a look at your plans and make sure you have this one. So 46 is also on Peapack Road and you can see, you know, this is the end of the fairgrounds so this must have been, you know, a drop-off day or something, you know? So this is a drop-off day but
2 3 4 5 6 7	You right now, you'd be able to qualify for the downstairs apartment as an affordable apartment and your rent would go down. MS. STILES: I understand. Thank you. And my other question was: How many apartments was it, in total, that you are going to have now?	2 3 4 5 6 7	right here. Just take a look at your plans and make sure you have this one. So 46 is also on Peapack Road and you can see, you know, this is the end of the fairgrounds so this must have been, you know, a drop-off day or something, you know? So this is a drop-off day but So 46 is here.
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(Laughter)

25 remain to own even after the donation to Matheny and

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it has the existing house on it.

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2 I just wanted to get -- because some 3 people were here at the other presentations and I want 4 to make sure everyone understands which property we 5 are talking about.

6 MR. HOTZ: So 46 Peapack is currently a 7 single-family dwelling unit and it's a two-story building. Next to it is, I believe, 44 Peapack, which 8 9 is a sister building, a little bit bigger, but, 10

basically, a sister building to it. They look very 11 similar from the front.

The building would stay exactly the same, no exterior additions, no other exterior improvements other than the site work in the back.

15 Currently, there's a tree here in not a 16 great state. That tree will be removed and there will 17 be four parking places here and a small ramp here to 18 get up into the first floor.

The second-floor apartment would be accessed from the front door so the back door would go to the downstairs apartment and the front door would go to the upstairs apartment.

23 That's what the existing building looks 24 like. Again, we're not changing it. These trees are, really, at the end of their useful life. They will be 25

we will have two bedrooms upstairs and a living room,

kitchen and bathroom and the two bedrooms. There's an

existing kitchen but we are going to redo the kitchen.

It will be as brand new as you can get it. 4

5 So that's 46 Peapack. It's much simpler 6 in concept, four parking spaces in the rear. It's a 7 building that hasn't been occupied for several years.

We will create the four spaces.

9 What's nice about both projects is that, 10 you know, we will have parking, no problem, for day to 11 day. You know, on the special occasion, there is some 12 parking out front here but there's also parking right 13 across the street at the fairgrounds for overflow for 14 a birthday or Christmas or, you know, a holiday. Same 15 thing on Peapack Road, here, we've got an abundance of 16 on-street parking.

So when you create these rental projects, you know, you create it for the parking demand, and then, you have the extraordinary. If you can plan for overflow, it's like the best of all worlds and that's what, really -- by having this in the Village where 22 there's a lot of walking traffic, there's the park across the street, this is an ideal spot for housing and the Village is, obviously, around it.

Is there any other questions about 46?

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removed. There will be other, you know, brush and landscaping that's been overgrown would be removed and

the whole color system will also change.

4 It's got a small awning on the front, some shutters upstairs, red window sills and red door. 5

6 The colors will be completely changed. In actuality, 7

what my thought is, is to change it. Keep it white,

basically, white, but add that dark, dark blue element at the awning and to the shutters to also create some

9

connectivity to the project so they will be connected 10

in sorts.

11 12 So again, this is just a -- the 13 elevation. We are really not changing. We are going 14 to keep the awnings. We are going to eliminate all 15 the -- all of the overgrown landscaping in the front, 16 so really, what you are going to see -- and I think 17 it's going to be quite nice -- is this building and 18 foundation plantings and sidewalk that will lead up to it. It'll -- it'll look like it did when it was 19 built. 20

21 The apartment -- or the building will be 22 divided into two apartments. Again, the first-floor 23 apartment will be accessed from the rear and it will have three bedrooms in this apartment and the upstairs 24 25 will be accessed from the front going up to stairs and

1 MR. WATSON: Yes. I have some questions. 2 MR. HOTZ: Sure.

MR. WATSON: Michael Watson, 38 Peapack 3

4 Road. That's my house on the corner.

5 And I do have a question because, the 6 original meeting that we went to, it was supposed to 7 be -- I understand what Matheny is doing but the use 8 for that house was supposed to be under the same type 9 of housing as Matheny. That was explained to us at 10 the last meeting, so now, you are just opening this up 11 to any type of affordable housing; is that correct?

MR. HOTZ: That's correct.

13 MR. SORDILLO: And just to clarify, we've 14 never stated that that piece of property was going to 15 be for group homes. It might have been misunderstood. 16 That was always going to be for affordable housing

use. That's what was always stated. 17

18 MR. WATSON: That's not what was stated 19 at the last meeting.

MR. SORDILLO: That was always -anything that came out of my office and my -- from me, that has always been for a future affordable housing use, not for a group home. The group home was one of the possibilities but it wasn't going to be just only

for group home; it was always open for any type of

18 affordable housing. might have been at the last meeting, know anything 2 about five affordable houses and units. MR. HOTZ: Do you have any other 3 questions? 3 MAYOR VALLONE: There's two, not five. 4 MR. WATSON: Not right now. 4 MR. HOTZ: There's just two here. 5 MR. HOTZ: Well, if you have more, you 5 MS. CAMPBELL: There's three bedrooms. 6 can ask more. 6 MR. HOTZ: So --7 Ma'am? 7 MR. KARNER: And the two bedroom. MR. HOTZ: -- this house is just going to 8 MS, CAMPBELL: Yes, I was under the 8 9 impression -- and I haven't been to a meeting for 9 be a two-family house, one apartment upstairs and one 10 about two months -- that that home was not going to be 10 apartment downstairs. 11 developed in any fashion at this time and it was saved 11 MS. CAMPBELL: So you are going to have 12 for a future use. Has that changed in the last two 12 one bathroom, three bedrooms and a living room, dining 13 months? Because I see it being developed into five 13 room, kitchen downstairs and one bed --14 rental units that are probably all affordable housing, 14 MR. KARNER: Two bedrooms. MS. CAMPBELL: -- two bedrooms, one bath, 15 and so, last I heard, that was not being touched at 15 16 this time. 16 living room, dining room, kitchen upstairs? 17 MAYOR VALLONE: So, Cindy, let me address 17 MR. HOTZ: Yes. MS. CAMPBELL: On what size lot? 18 that. 18 19 The house itself, when we purchased it, I 19 MR. HOTZ: It's within the same house. 20 and the Council purchased it about eight years ago, 20 MS. CAMPBELL: Well, I know but it's a 21 the intention was always for affordable housing in 21 lot more people living in the house. 22 some way, in some capacity. With Matheny being the 22 MR. BANISCH: It's slightly larger than a 23 23 recipient of the property, we, as you know, part of quarter of an acre, the lot size. It's going to be 24 our plan, we needed some additional houses and we have 24 about .28 acres. 25 been talking with Bill. 25 MS. CAMPBELL: .2 acres? 19 21 1 This -- this situation, this house is 1 MR. BANISCH: Yeah. 2 ideal because we own it. We are able to monitorise 2 MR. HOTZ: So just to clarify -- yeah. 3 [sic] it as far as it goes for affordable housing and 3 So upstairs, you'll have two bedrooms, 4 it prevents us from having to build an additional kind of a center core where the bathroom is, the 5 house someplace to fill the gap. 5 kitchen area and, then, living room area right here. 6 So yes, this was always in play for 6 MS. CAMPBELL: Okay. 7 7 affordable housing, and within the last two to three MR. HOTZ: Downstairs, because they have 8 months, this discussion came about to utilize this 8 the extra wing, if you remember -- if -- if --9 property as part of Mr. Hotz's development. 9 MS. CAMPBELL: Yeah. It says the porch, 10 MS. CAMPBELL: So is Mr. Hotz also 10 the porch. 11 developing the other two properties? Because, now, I 11 MR. HOTZ: Yeah. So it's -- it's -- it's 12 see that we are going to have major renovation and a closed-in porch so we are able to create, you know, 13 building on three lots when one was --13 an additional bedroom here and this is where we are 14 14 MAYOR VALLONE: No. It's not. going to put the bathroom, right here. 15 15 MS. CAMPBELL: One, was --MS. CAMPBELL: So the upstairs unit will 16 16 MAYOR VALLONE: One is Matheny so -not be any sort of disabled -- I know none of it is 17 17 MS. CAMPBELL: -- last I heard, saved for planned for Matheny but it's a second-floor outside 18 a future use, which I was told "future use." 18 staircase.

19 MAYOR VALLONE: Well --19 MR. HOTZ: Inside staircase, yes. 20 MS. CAMPBELL: Now, it seems today is the 20 MS. CAMPBELL: Inside staircase to the 21 future. 21 second floor using, I guess, some of the footage in 22 22 the first floor? MAYOR VALLONE: Is the future use, yes.

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23 MS. CAMPBELL: So that's a big change MR. HOTZ: Yeah. The stairs are already for, probably, a few of us and I don't think anybody, 24 there. That's where the stair is. That stair is except for ones of us maybe in this room and those who right here. It goes upstairs.

22 1 MR. BANISCH: Walk in the front door and 1 2 there's a set of steps there to the second floor. 2 3 MS. CAMPBELL: Oh. The first floor takes 3 4 4 time rather than -you up. 5 MR. KARNER: Walk in the front door, it 5 6 takes you to the second floor. The back door takes 6 7 you to the --7 8 MR. BANISCH: That's where the apartment 8 9 is. 9 10 MS. CAMPBELL: Oh. Back door goes 10 11 straight in. 11 12 MR. SORDILLO: Yeah. If you think of it 12 13 like a center colonial, it's going to shut off access 13 14 14 15 MS. CAMPBELL: Shut off --15 16 MR. SORDILLO: -- so it only go upstairs. 16 17 MR. HOTZ: It's a funny thing because the 17 18 3 De Mun Place I already own is almost set up 18 19 identical to this. 19 20 MS. CAMPBELL: I don't know which one 20 21 that is. 21 22 MR. HOTZ: Yeah. So that's the other 22 23 one. It's a little bit bigger but it's very similar 23 24 so these actually layout very nicely for a two- and 24 25 three- bedroom unit. 25 23 1 MR. WATSON: Is that -- excuse me. Is

MS. CAMPBELL: I guess this is a question for the Council. When did it actually come up that we needed these five additional units to be built at this MR. SORDILLO: Maybe I can address that. These units have been always, from the start, from our very initial settlement agreement over a year and a half ago with Fair Share always, had seven units associated with Mr. Hotz being the developer. We didn't know exactly where and how we were going to do it. We knew part of it was going to potentially be on 8 and 10 Peapack Road because, as Mr. Hotz had explained, he had presented that 15 -- or 15 years ago as a possibility so we knew that could be in play but we always knew that, in the settlement agreement, from the start and throughout all the negotiations, that we needed seven additional units and they were going to be developed by Mr. Hotz. As, you know, we've got through some of the other bigger developments and we started to sit -being able to sit down with Mr. Hotz and talk about where he could propose and what, you know, he would be looking at, came through that we still had this piece of property that is 46 Peapack that was restricted for affordable housing use and we asked him to look into

2 that a common driveway going up between the two 3 houses? 4 MR. HOTZ: Yes. It's good question so 5 what happens here is this: Is that -- I got to say, 6 this house is almost like a mirror image. It really 7 is. It has a porch that makes it look a little bit 8 bigger out the back but it is a shared driveway. 9 Shapiro Construction Management Company, Jay Shapiro, 10 so he owns this building along with the big garage in 11 the back and there's a common driveway agreement in 12 place. It's currently -- the Borough of Far Hills is 13 one party and he's the other party. He actually has 14 two-thirds of the easement and the borough has one-15 third. It's an 18-foot easement but it's an easement 16 that does not restrict, you know, so we both can use 17 it. 18 Yes, ma'am? 19 MS. McCARTEN: Johanna McCarten, 38 20 Peapack Road. 21 So is that easement going to go over to 22 you guys?

MR. HOTZ: Yes. There will be an

assignment of the easement from the borough to me and

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that will be that.

see if it's something he could be able to use to avoid additional cost of building a building somewhere else 3 in the borough that isn't currently constructed so 4 that's when Mr. Hotz came with this proposal and 5 presenting it to us this evening. 6 MS. CAMPBELL: I went to quite a number 7

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of meetings last fall and last summer and this building was always put as a future, so in our requirements throughout last fall and so forth, this never had any units being built on it. MR. SORDILLO: It was always a

possibility, in fact, even when we were talking --MS. CAMPBELL: Well, that wasn't mentioned to anybody in the audience for months. MR. SORDILLO: It absolutely was because MR. WATSON: No, it was not.

MS. CAMPBELL: It was future use. It is being retained by the town for future use.

20 MR. SORDILLO: If I could please finish. 21 Even when we were speaking to the other 22 developer that -- the 100 affordable, they were 23 looking at --MR. BANISCH: PRM -- RPM.

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MR. SORDILLO: RPM. Even when we were

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speaking to RPM, they were even looking at this site

- and that was also being discussed at the time, whether
- they could utilize that site. This site has been in
- the filings with the borough way back before the
- Health Division decision. Even when we were
- 6 proceeding under the petition with COA when COA was
- 7 still around, this property was always going to be
- 8 part of that plan and it was part of that plan. It
- 9 was always going to be developed for affordable
- 10 housing. We didn't have any developer on this
- 11 particular portion of it at any time until recently
- 12 but it was always going to be a part of it, whether

13 now, later or at some point.

14 This is now being proposed as part of the 15 seven units that Hotz is being requested to construct for the borough. Those seven units have always been

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- 17 part of the plan ever since we entered the settlement 18 with Fair Share and the actual location now is being
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- presented, you know, as being proposed but this piece
- 20 of property has always been in play. It has always 21 been considered. It has always been discussed
- 22 throughput all of our discussions as: Could it be
- 23 RPM? Could it be Matheny? Even Matheny was looking
- 24 at this at one point.
- 25 MS. CAMPBELL: But I mean, I was at

- of housing is municipally sponsored. Mr. Hotz is,
- obviously, bringing his own resources to the table at
- 3 De Mun and at 8 and 10 Peapack Road, and in
- developing the whole plan to satisfy the seven units
- 5 that are identified in the housing plan element and
- Fair Share plan to be developed by him, it requires 6
- 7 subsidy from the borough, and by using this site as
- 8 part of the municipal subsidy, it actually saves how
- 9 much money the taxpayers have to put into creating
- 10
- these seven units in the Village so there's an offset
- 11 in cost to the taxpayers by using this piece of
- 12 property, which, by the way, I should note, was called
- 13 out in the housing plan element and Fair Share plan
- 14 that was adopted at the public hearing for the
- 15 Planning Board. It says "Remainder Lot 101 containing
- 16 the existing single- family dwelling is 2.845 acres
- 17 and will be used by the borough for affordable housing
- 18 purposes," so in the course of these discussions, it
- 19 became evident that this was -- the affordable housing
- 20 purpose, the building is needed.
- 21 MS. CAMPBELL: Okay. I'm not quite sure
- 22 I felt it was evident at all.
- 23 MR. WATSON: Excuse me. Was that under
- 24 the same ordinance as Matheny?
 - MR. BANISCH: Yes. It happens to be,

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- meetings. You, honestly, have to say. I never heard
- 2 a word about developing and this at any particular
- time in the future. 3
- 4 MR. KARNER: Cindy, do you have a problem
- 5 with it? I mean, I know it's across the street from
- 6 your house but is there a specific problem that you
- 7 have?
- MS. CAMPBELL: Well, I mean it's a lot 8
- 9 more, you know, people in the neighborhood. You have
- 10 three bedrooms, potentially two people per bedroom --
- 11 MR. KARNER: But you knew that the house
- 12 was going to be used at some time because we wouldn't
- 13 have bought it if we were going to let --
- 14 MS. CAMPBELL: And my next question --
- 15 MR. KARNER: -- it sit empty.
- MS. CAMPBELL: -- are we selling it to 16
- 17 Hotz Development? Is the town selling property to
- 18 Hotz Development to develop?
- MR. SORDILLO: Part of the overall 19
- 20 agreements are still being negotiated but it's either
- 21 going to be sold, donated or somehow going to be
- 22 transferred to him as part of the negotiations at this 23 point. We don't have a final negotiation, a final
- 24 date.
- 25 MR. BANISCH: These housing -- this type

- yes. It's covered in the zoning ordinance, yeah.
- 2 MR. WATSON: How do we get a copy of
- that? 3

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- 4 MR. BANISCH: Well, you get it from the
- 5 clerk's office.
- 6 MS. HICKS: You can get it tomorrow.
- 7 MS. McCARTEN: Johanna McCarten, 38
- Peapack Road. 8
- 9 This is 2.4 acres or no?
- 10 MR. HOTZ: No. Point.
 - MR. BANISCH: .28.
- 12 MR. HOTZ: .28 acres so a little bit more
- 13 than a quarter of an acre.
- 14 MS. McCARTEN: And how much -- how big is
- 15 the Matheny Lot?
- 16 MR. HOTZ: The Matheny lot?
 - MS. CAMPBELL: Is the Matheny lot
- 18 actually considered one or two?
 - MR. BANISCH: The lots are irregularly
- 20 shaped because they're coming out of a triangularly-
- 21 shaped piece of property.
 - MS. CAMPBELL: Right.
 - MR. BANISCH: One of them is .7 --
- 24 MS. CAMPBELL: Pie-shaped?
 - MR. BANISCH: Yes, pie-shaped. The more

Attachment to 2/10/20 Borough Council Minutes Page 9 of 25 30 severely rectangular lot with the point -going to doctors, going back and forth. There's a lot 2 MS. CAMPBELL: Right. 2 of activity. 3 MR. BANISCH: -- is .7 acres --3 MR. BANISCH: That's true. They will do MS. CAMPBELL: So .7 and point --4 that. MR. BANISCH: -- and then, the other lot 5 5 MS. McCARTEN: Yeah. So it's going to be 6 between that .7-acre lot at the end of the property 6 quite a change for that tiny space there. 7 and this one is .22 acres or 9,810 square feet. 7 MR. BANISCH: Well, it's all quiet now, 8 MS. McCARTEN: Okay. So this is five 8 and yes, you are right. It's going to be a change. 9 bedrooms and Matheny is how many bedrooms? 9 MS. McCARTEN: Right. 10 MR. BANISCH: Each of those are four 10 MS. GILBERT: Lauren Gilbert, 13 11 bedrooms. 11 Prospect. 12 MS. McCARTEN: So that's eight and five 12 Several questions: With the rental units 13 on that -- on that piece of property? That's, like, 13 that are going to be under Hotz Management, what's the 14 too tight for the site. 14 ongoing -- you know, after Hotz Management, whatever, 15 MR. BANISCH: Well, technically, there 15 isn't around anymore 40 years from now -- I don't know 16 are three separate dwelling units. 16 -- who's going to be managing the affordable housing? 17 17 MS. McCARTEN: Right. MR. BANISCH: Well, it's going to remain. 18 MR. BANISCH: Each of the group homes is 18 There are going to be --19 19 a dwelling unit and there are two apartments or two MS. GILBERT: Contingencies? 20 dwellings in that house. 20 MR. BANISCH: Yes. There are going to be 21 MS. McCARTEN: That's a lot of people for 21 deed restrictions on the property that will remain 22 such a small piece of property. That's a lot of 22 for, at least, 30 years initially and the Borough 23 people, a lot of activity going on there. 23 Council, 30 years out, will have the option of being 24 MR. BANISCH: Well, it's actually three 24 able to renew that agreement. There will always be a 25 dwelling units over 2 acres. That isn't actually requirement for a capable and competent administrative 31 33 exceeding the density of the minimum lot size in the entity to market the units, that is to advertise for 2 Village, which is 5,000 square feet -them, income-qualify perspective tenants and, then, to 3 MS. McCARTEN: Right. But -actually place them in the units like any tenant would 4 MR. BANISCH: Technically, it's actually be placed, so even though Mr. Hotz has the somewhat less dense than some of the development in 5 administrative capacity to handle -- or to actually 6 the Village. act as the administrative agent in this case, should 7

MS. McCARTEN: When you look at the other lots and you look at how many bedroom are there, this is a big change and it's a lot more bedrooms than are anywhere else and it's definitely going to be busier than any other lots. MR. BANISCH: Any change, it's going to be noticeable from the road.

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13 14 MS. McCARTEN: And it's going to be very 15 busy.

16 MR. SORDILLO: Well, just to make a note 17 too, though, the Matheny lots, though, are group homes 18 for severely special needs so there's not going to be 19 a lot of activity from those units as to bedroom 20 count. Those bedrooms are going to be occupied, and 21 unfortunately, they are going to be occupied most of 22 the time. The more activity may come from this 23 proposal than the other site.

24 MS. McCARTEN: Right. And there's a lot 25 of activity with Matheny people going to appointments, ownership change hands, the borough will have to be

either reasonably satisfied that whoever the successor

9 in title is has that same administrative capacity or

10 they will pay the borough to hire an administrative

11 agent to administer the units.

12 MS. GILBERT: And maintain the buildings? 13 MR. BANISCH: The owner will maintain the 14 buildings, not the borough. 15

MS. GILBERT: The other question is: How many beds are going to be in the Matheny unit?

MR. BANISCH: There are going to be four occupants of each of those dwellings and there may be overnight supervisory staff so there could be a fifth.

MS. GILBERT: Right. Okay.

MR. BANISCH: But there are going to be 22 four folks from the Matheny School placed in each of the units.

24 MS. GILBERT: Oh. In each unit. How 25 many units?

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Attachment to 2/10/20 Borough Council Minutes Page 10 of 25 34 1 MR. BANISCH: There are two ranch homes 1 MR. SCHWESTER: Yes. Charles Schwester, Lake Road. 2 that are going to be used. 2 3 MS. GILBERT: Okav. 3 I do remember also that being said that 4 MR. BANISCH: Yep. In that side yard it was, like, on a side or the back burner because I 5 area. 5 remember asking about it myself. 6 MS. GILBERT: Okay. 6 I've got a couple of comments, and then, 7 Oh. I haven't been to several meetings. 7 I'll further my discussions with another area. 8 8 I see there's a common driveway easement. I apologize. 9 So what -- if you don't mind reviewing, 9 That's a cluster. I own property that has that. All how many units are we required to meet our state 10 right? If you're going to develop this, I would ask 10 11 the town or I would put the driveway for that property 11 requirement? 12 MR. BANISCH: Seventy-five under the 12 on its own so that you're not dealing with the next owner or whatever because I have done that and it is 13 third round and we have to close a five-unit gap under 13 14 14 the prior round so that was a total of eighty units not pretty --15 MR. HOTZ: Well --15 that the borough was responsible for planning for and 16 16 zoning for or creating in some other fashion and this MR. SCHWESTER: -- particularly, when --17 is the some other fashion than zoning. 17 you're supposedly -- even if you have an agreement to 18 You know, keep in mind, Bill's building 18 plow and maintain, all the sudden [sic], they don't 19 19 is seven units here. Under the typical 20 percent have any money. 20 affordable set-aside, multiply that number by 5 and 20 Next question: Is that on sewer? that's what would be required in the inclusionary 21 MR. HOTZ: Yes, it's on sewer. 21 22 development in terms of an increase in population if 22 MR. SCHWESTER: How are you going to heat 23 23 the borough were zoning for it on another tract in an it? 24 24 MR. HOTZ: We are going to heat that -inclusionary fashion, so you know, it's seven units 25 the two units will probably be heated electrically. 25 using some existing resources and some municipal 35 37 subsidy, some of which can come from the affordable 1 MR. SCHWESTER: Electric. 1 2 housing trust fund or substantially more growth. 2 Is there gas in the street? 3 3 MR. WATSON: I have a question for the MR. HOTZ: No gas. 4 town: Is there any way that you can reduce the speed 4 MR. SCHWESTER: Okay. So right now, it's 5 limit along that area? Because what's happening now 5 probably got an underground oil tank. 6 is that, there's a crosswalk there by the church and 6 MR. HOTZ: No. The underground oil tank was removed and remediated. It now has a double-lined 7 7 people just go flying by and the speed limit up the 8 road where Matheny is going to be is 40 miles an hour. 8 tank in the basement. 9 9 People don't go 40. They do 50 or 60 miles an hour. MR. OSTERKORN: Okay. So -- so. Okay. MAYOR VALLONE: Yeah, No. That's a 10 10 So you got a tank in the basement. You are going to take the tank out and you are going with electric 11 great --11 heat. Whoa. Okay. So the utilities will be 12 MR. WATSON: Once they reach by that 12 13 church, I think something has to be done because it's 13 separated for the tenants. 14 14 getting pretty serious. MR. HOTZ: That's correct. 15 MAYOR VALLONE: No. That's a good point 15 MR. SCHWESTER: The tenants will pay 16 and I know we addressed that over the years. We have 16 their own electric. You'll supply water, of course, 17 had signs; we've had police presence and I think the 17 and you'll pay the sewer. Okay. 18 18 Chief is here and Chief we'll look to -- because it's I'm a little surprised that I'm hearing 19 a county road, we cannot unilaterally drop the speed 19 that it's going to be donated. I'm going to go on a 20 20 limit but we certainly will work with the county in limb here. I'll make an offer, right now, for 250, 21 reducing that and doing the best we can with that, and 21 all cash, no contingencies and I'll make it into two

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affordable apartments because I asked about it months

Now, if Mr. Hotz is willing to do it and

ago and I was told that it was no discussions.

25 we're going to get something for it, then I'll back

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in addition, I'll ask the Chief to do increased police

MR. HOTZ: Yes, sir?

certainly, we'll address that issue.

presence and sting operations and things like that, so

38 1 out but I'm putting an offer on the table right now, stands. I want everybody to hear it. 2 250,000 cash, no contingencies --2 MR. BANISCH: That's -- that's -- that's 3 MAYOR VALLONE: That offer is absolutely 3 fourteen units and bonuses in the agreement that the borough is fashioning with Mr. Hotz. 4 not accepted. 5 MR. SCHWESTER: Okay. Well --5 MAYOR VALLONE: And that doesn't include 6 MAYOR VALLONE: Don't pontificate where 6 the other. 7 you don't know. The bottom line is that -- let me 7 MR. BANISCH: That's right. MAYOR VALLONE: So if you throw Matheny 8 8 iust talk --9 MR. SCHWESTER: The bottom line is: We 9 on top of that, that number becomes... 10 10 are giving a piece of property away that we could be MR. BANISCH: It's a different number. 11 sellina. 11 MR. SCHWESTER: But how is Matheny have 12 MAYOR VALLONE: The bottom line is -- let 12 anything to do with this piece of property that isn't 13 me get the date for you as far as --13 going to the Matheny School; it's going to Mr. Hotz? 14 14 MR. SCHWESTER: Go ahead. Tell me. MR. BANISCH: If you threw Matheny on top 15 MAYOR VALLONE: So when we bought this 15 of that -property about ten years ago, we paid \$425,000. We 16 MR. HAND: But if you build us two 16 are getting -- for this property, we are getting about 17 affordable housing units that --17 18 17 credits as far as our affordable housing. At about 18 MR. BANISCH: Eight units and 8 bonuses \$350,000 per credit, that would be almost 4 and a half 19 for a total of 16. 19 20 million dollars so we are getting a very good return 20 MR. KARNER: Two units on the end of that for the residents of this borough on the -- on the --21 21 lot. 22 MR. SCHWESTER: Okay. How does that 22 MR. SCHWESTER: I get it but for free? 23 23 work, though, Mayor? The credits? How many MR. KARNER: To Matheny, yes. 24 credits are we getting? Does that mean people or the 24 MR. BANISCH: That's right. 25 25 MR. SCHWESTER: Matheny is a vacant lot. 39 41 MAYOR VALLONE: It means allocation 1 1 MR. KARNER: Matheny is part of that 2 towards the 75 units that we have to build. 2 property. 3 Now, you have come to every meeting --3 MR. SCHWESTER: Not this. 4 MR. SCHWESTER: I know; I know; I know. 4 MR. KARNER: Yes. 5 MR. SCHWESTER: So you are separating. 5 Okay. Okay. 6 So how may credits -- how many -- out of 6 MR. KARNER: Yeah. 7 7 the 75, how many is that two apartments going to give MR. SORDILLO: Everyone, please. We are 8 transcribing this. Everyone speak one at a time. We 8 us? MAYOR VALLONE: Between the Matheny 9 are all going to take our turns. We are not going to 9 10 speak over each other. We are going to take our turn 10 property and this unit --11 MR. SCHWESTER: But this and the Mathenys 11 so the stenographer can take down this correctly. 12 MR. BANISCH: At 46 Peapack Road, there 12 are totally separate. Matheny is Matheny. This is our property that we are either selling or donating 13 are going to be a total of eight bedrooms in two ranch 13 14 and how many credits are we going to get for this? 14 homes. In a group home, the unit of credit is the 15 MAYOR VALLONE: For the entire project? bedroom so that is, essentially, eight units. There 15 MR. BANISCH: I'll tell you, Mayor. 16 are 8 bonuses so there are sixteen units and bonuses 16 17 with Matheny at 46 Peapack Road. Okay? So that's 16, 17 On this site, with just Mr. Hotz's 18 18 proposal, we are going to get two units and 2 bonus and then, there are two units that have been presented tonight and 2 bonus credits so that's a total of 20 19 credits. On his property, the borough is going to get 19 20 five units and 5 bonus credits. 20 units and bonuses on that piece of property, that's 21 MR. SCHWESTER: The ones down the street? 21 right, towards the borough's affordable housing 22 obligation. 22 MR. BANISCH: That's right. 23 23 MR. SCHWESTER: Okay. But that's a MR. KARNER: One of the best investments

25

24 we ever did.

MR. SORDILLO: Mayor, Mayor, if I may

separate -- that's a separate deal altogether. He's

getting 5 credits there. You are getting -- my offer

24

two more units from Mr. Hotz.

One of the discussions we were having
with him -- and this was just discussions -- was he

4 could find another location for it and build a

5 building. If he does so, since this is 100 percent

6 affordable, as we discussed, we'd need -- we'd need

 ${f 7}$ substantial subsidies from the borough. In lieu of

8 having substantial subsidies from the borough, the

9 borough cutting a check and paying for the development

of these units, we said "Look at this building, 46

11 Peapack, that we own." Now, we might -- if you can

12 develop this, we don't have to pay for the

13 construction of a new building. We have a building14 that is already existing.

15 So that is why this would be,

potentially, a donation because it would be in lieu of cutting a check to pay for construction of a new

18 building to hold two additional lots on some other

19 piece of property that Mr. Hotz may own or have to

20 purchase. Now, we are donating this property in lieu

21 of that and have an existing building that's already

22 affordable-housing restricted now be developed for

23 affordable housing purpose that the borough already

24 owns and it follows within the borough's plan. That

25 is why.

1

affordable price on those apartments?

What are you going to rent them for, Mr.

45

3 Hotz?

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4 MR. HOTZ: You understand it's a blended5 rate, correct? It's a tiered rate so you can't answer

that question.

MR. SCHWESTER: You can't.

8 MS. CAMPBELL: Do we have a range?

MR. HOTZ: I'll give you the exact rates.

You want to know the exact? I'll give you exact thenumbers.

12 MS. CAMPBELL: Okay.

MR. HOTZ: But based on seven units. If

you did it on two units, it would be something

15 different.

MR. SCHWESTER: What are those two units?

MR. HOTZ: Those two units -- I don't

8 think you understand the question you are asking.

19 There's a formula to determine how many lows -- first,

you do bedroom count. How many bedroom counts? 50

21 percent has to be two-bedroom. The other 50 percent

22 can be a combination of twos, ones and threes.

MR. BANISCH: The project cannot exceed

affordability beyond 52 and a half percent of median

25 income.

46 1 MR. HOTZ: Correct. 1 house. 2 2 MR. BANISCH: So the rents get MR. BANISCH: All right. All right. It 3 distributed within that range so that, when you add up 3 was a notice. You're right; it names all three lots 4 all the rents, they don't exceed 52 percent to 52 and 4 and it suggests that there's going to be supportive 5 a half percent of median income so some rents are high 5 and special needs housing built on all three lots --6 and some rents are low on a seven-unit project so that 6 MR. WATSON: That's correct. 7 they can meet that affordability average so --7 MR. BANISCH: -- but I think, as was 8 So in the context of the question that 8 probably pretty well explained at that meeting, that 9 you are asking, you have to understand that there is 9 only two units were going to be built. 10 that essential constraint on what can be charged for 10 MR. WATSON: No. When I asked at the 11 affordable housing in an affordable housing project. 11 meeting, they said that it would just be used for 12 MR. HOTZ: And one has to be low-low. 12 special needs. Okay? And then, I asked if I could 13 MR. SCHWESTER: One of the seven. 13 get a copy of the ordinance which I asked for tonight 14 MR. HOTZ: So -- no one of the two. 14 but I never received a copy of the ordinance. MR. SCHWESTER: One of these two. 15 15 MR. BANISCH: Well, as the clerk --16 MR. HOTZ: One of the two you are going 16 MR. WATSON: What I would like to do is 17 just find out what exactly is going to happen here. to do. 17 18 MR. SCHWESTER: Okay. So the --18 Okay? 19 MR. HOTZ: One of the two you are going 19 MR. BANISCH: Sure. There are going to 20 to do one has to be the low-low. 20 be two group homes built on the property, and if the 21 MR. SCHWESTER: So what are the rents? 21 Borough Council accepts Mr. Hotz's proposal, there are 22 MR. HOTZ: \$600 a month. 22 going to be two apartments created at that existing 23 MR. SCHWESTER: That's low. 23 dwelling at 46 Peapack Road and that's it. 24 MR. BANISCH: It's affordable housing. 24 MR. WATSON: But what this says and you 25 MR. HOTZ: Welcome to affordable housing. 25 can go back and check the notice; you just read it. 47 1 MR. SCHWESTER: Okay. So that's -- okay. MR. BANISCH: I just read the notice, 1 2 You've answered the question so that's why you are right. I agree with you. That's what it says. MR. WATSON: So now, it's totally 3 doing this at -- basically, it will take you a long 3 time for it to turn into -- turn black. It's going to 4 different. Now, it's just for affordable housing. 5 be red for a while so that's why the town is donating 5 MR. BANISCH: As I said, I do believe, at 6 it. that meeting, it was explained that there were only 7 7 MR. HOTZ: Correct. going to be two group homes built on that property. MR. WATSON: Yes. That's correct, and 8 MR. SCHWESTER: Okay. Well, that answers 8 9 the question. then, they said, in the ordinance, this other home 10 MR. WATSON: I have one more question. 10 would be set aside for this -- for the special needs. 11 On October 28th, we had a meeting here 11 MR. BANISCH: Well, if there was 12 and it was on Matheny and it was on Number 40, 12 miscommunication, I apologize. 13 commonly known as 46 Peapack Road. Okay? What it 13 MR. WATSON: Well --14 says here, it says "Development of supportive and 14 MR. BANISCH: Understood. 15 special needs affordable housing group homes on Blocks 15 MR. HOTZ: Yes, ma'am? 16 8, 1, 102 and 103." 16 MS. McCARTEN: Are you going to use the 17 MR. BANISCH: Okay. 17 current utilities that are available to you? 18 MR. WATSON: So what's the difference 18 MR. HOTZ: Yes. 19 here? It's not going to be for special needs? 19 MS. McCARTEN: People -- there's a gas 20 MR. BANISCH: I'm not exactly sure what 20 line to 28 and it stops there and I think it was just 21 you are reading from. 21 recently put in and everyone else is very interested 22 MR. WATSON: I'm reading from what was 22 in that gas line being extended, the church, several 23 given to me when I came to that meeting. 23 other people. 24 MR. BANISCH: Okay. 24 Also, there's no sidewalks there, so what

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happens with the children in the house next to us and

MR. WATSON: And this was sent to my

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some other people, a young man goes to the train
                                                                1
                                                                               MR. HOTZ: -- you know, scenarios so --
    station every day to go to school, everyone walks
                                                                2
                                                                               MS. McCARTEN: I'm very sympathetic to
 3
    across all these front lawns because there's no
                                                                3
                                                                   affordable housing and the Matheny School but let's
   sidewalk, so if you were to go forward with this
                                                                4
                                                                   face it; it is going to change the neighborhood and
    project, would you consider maybe getting with the
                                                                5
                                                                   certainly would be palatable if something was given
 6
    Matheny School and putting in a decent sidewalk, and
                                                                6
                                                                   back like sidewalks or putting a gas line down. That
 7
    also, would you consider going with the other
                                                               7
                                                                   would help.
 8
    residents and the church and everyone in bringing the
                                                               8
                                                                               MR. WATSON: You might want to check with
 9
    gas line in?
                                                               9
                                                                   Matheny too because they were interested in putting
10
                MR. HOTZ: So I think that, you know, the
                                                              10
                                                                   gas in.
11
    gas line, I kind of thought about that. Obviously,
                                                              11
                                                                               MR. KARNER: There's a lot of desire all
12
    gas is probably the best, you know, fuel for a furnace
                                                              12
                                                                   the way up the road to the bridge, all the way up.
13
    and hot water heater and that stuff. Electric,
                                                              13
                                                                              MS. McCARTEN: The church is interested.
14
    believe it or not, has come a long way. I'm not sure
                                                              14
                                                                              MR. KARNER: And even past you, past my
15
    it's a great advantage for me to participate in that,
                                                              15
                                                                   house and straight up to the bridge, you know?
16
    but you know, if we were all sharing and there was
                                                              16
                                                                              MS. McCARTEN: It's something to think
17
    some reasonable amount of sharing, certainly, I would
                                                              17
                                                                   about.
18
    add my fair share.
                                                              18
                                                                              MR. KARNER: We talked to them and I
19
                MS. McCARTEN: Okay. I think --
                                                              19
                                                                   think, if we put a petition together or something like
20
                MR. HOTZ: And as far as the sidewalks
                                                              20
                                                                   that, we might be able to attract attention.
21
    are concerned, you know, unless everybody does a
                                                              21
                                                                              MR. SCHWESTER: One follow-up question,
22
    sidewalk, I don't think it makes much sense because
                                                              22
                                                                  if I may. This is Schwester again at Lake Road.
23
    you have a sidewalk right across the street that
                                                              23
                                                                              Is any of these seven units going to be
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Section 8?

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                MR. KARNER: It stops at the end of the
 2
     fairground.
 3
                MR. HOTZ: No. I know that but it's --
 4
    see, you got -- so if somebody was anywhere here, you
 5
    know, you have this sidewalk that comes down that,
 6
    really, people -- and I see a lot of people using it
 7
    and I realize, you know, as you get down into town,
    there's crosswalks to get back in so --
 8
 9
                MS. McCARTEN: There's actually four
10
    crosswalks going down that street. That's why having
11
    it at 40 miles an hour is crazy but the kids do not
12
    across the street. They shouldn't be crossing the
13
    street. They use this street. They go get their
14
    friends; their friends come back, and then, they bring
15
    more friends, and then, as it is, there's constant
16
    traffic across the front of those properties, and now,
17
    if you are going to add five more bedrooms, five
18
    bedrooms, I'm sure --
19
                MR. HOTZ: Well, it's currently a four-
20
    bedroom house now, so really, we are only adding one
21
    bedroom, technically, so it's a four-bedroom house,
22
    you know, a husband, wife, couple kids, couple
23
    college-age. I mean, you know, you get all kinds
24
    of --
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MS. McCARTEN: Right.

MS. McCARTEN: But they don't.

24

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people should walk on.

1 MR. SCHWESTER: Okay.

2 MR. HOTZ: No. In Section 8, traditionally, when people talk about Section 8, it's

MR. HOTZ: No.

really a subsidized housing. For instance, we have

Section 8 in some of the apartments we own and we do a

6 great deal of work with the VA and a lot of vets that

are down on their luck and we get a tremendous amount

53

of tenants through the VA, and when you think of a

traditional Section 8, it's a market rate unit which

receives a subsidy from either the state or the

11 municipality or the county or, in this case, the VA.

12 This will not have subsidy beyond the person

qualifying for the rent. Once the person qualifies

for the rent, they pay, essentially, the discounted

rent so there's no further burden on the municipality,

16 county or state.

17 MR. SCHWESTER: So the tenant pays the 18 entire rent.

19 MR. HOTZ: The tenant pays the entire 20 rent but it's a discounted rate.

MAYOR VALLONE: Bill, thank you. Any other questions from the Council or

23 from our professionals?

24 MR. SORDILLO: No, Mayor. I just, before 25 we end the public presentation, just mention the next

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1 steps.

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2 If the borough decides to proceed with this development as proposed, the next steps would be 3 4 to enter into an affordable agreement similar that we did with Matheny and similar that we did with Melillo 5 setting forth the terms, the requirements, the deed 6 restrictions and so forth for the development. At the 7 8 same time, there'll be an introduction and an adoption 9 of an ordinance that would then zone the property, the 10 8 and 10 Peapack Road property, to allow for the 11 proposed development.

From what I understand in our preliminary reviews, a lot of the -- not much of the zoning really has to change because the Hotz presentation actually complies very closely to what's already existing in the zoning, the current zoning; however, it will need to be tweaked so the zoning ordinance will need to be required to be adopted and that zoning ordinance will, essentially, set forth also additional terms regarding the affordable housing restrictions and the requirement therein.

So if this proposal does move forward, that will be the next steps. Most likely, given that we do have a deadline of March 18th to complete at the current deadline by the court to complete all our

1 project. I can tell you, for the borough to earn the

2 bonus credits on the family rental units, there can't

be any restrictions against family occupancy, and 3

4 according to COA restrictions, they have to meet

certain bedroom size requirements that Mr. Hotz has 5

outlined, which is why he's providing a couple of 6

three-bedroom apartments as well as two-bedroom 7

8 apartments to meet the bedroom mix requirements in the

regulations, so there may be some school-aged children 9

10 generated by the project but I can't give you a number

MR. MELLENDICK: The real estate taxes

as to how many and I haven't attempted to try to 12 assess that --

14 were paid by Mr. Hotz on all the properties?

15 MR. HOTZ: Yes. That is correct.

16 MR. BANISCH: The assessor is going to 17 recognize the fact that they are income-restricted 18 properties.

MR. SORDILLO: So the answer is yes because there's a deed restriction on it, just like any other property that might have a deed restriction or easements. It could potentially lower the value of the property overall, the assessment value, but ultimately, just as any other property, he will be

assessed what the assessor deems the fair market value

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negotiations for the seven units with Hotz

Development, most likely, there will be some type of 2

3 action being taken place at the next Council meeting

in February, the second Council meeting which is the

24th, just so the public is aware, that that would be 5

our next Council meeting, and unless something changes 6

or the borough doesn't wish to proceed with this, 7

8 there will be some action being taken place at that

meeting. 9

10 MAYOR VALLONE: Okay. Thank you.

11 MR. MELLENDICK: Mayor, I just had a

12 auestion.

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George Mellendick, Lake Road.

The term "burden on the municipality" was mentioned a while ago and I was wondering, with the Hotz Developments, the three buildings that have been discussed, is there any idea of how many school-aged children would be in those apartments? Because that was a big topic of concern when we discussed the Errico Development development.

21 MAYOR VALLONE: Dave, you want to say a

22 few words about that?

23 MR. BANISCH: Well, I can say that I have

not looked at or tried to forecast how many 24 school-aged children would be generated by this

of the property and he will be paying his taxes accordingly.

MR. SCHWESTER: So there will be a deed

4 restriction?

5 MR. SORDILLO: Yes. Absolutely.

6 MR. BANISCH: Thirty years. That's also 7 part of the bonus credit that the borough earns. You 8 must have a thirty-year income restriction on the 9 project.

10 MAYOR VALLONE: Bill, thank you very

11 much.

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MR. HOTZ: Thank you very much.

13 MAYOR VALLONE: We appreciate your

14 presentation. 15

(The hearing concluded at 8:12 p.m.) 16

	58						
1	CERTIFICATE						
2							
3							
4							
5	I, ALISON GULINO, a Certified Court						
6	Reporter, Registered Professional Reporter and Notary						
7	Public of the State of New Jersey, authorized to						
8	administer oaths pursuant to R.S. 41:2-1, do hereby						
9	state that the foregoing is a true and accurate						
10	verbatim transcript of my stenographic notes of the						
11	within proceedings, to the best of my ability.						
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l	ALISON GULINO, CCR, RPR						
24	NJ Certified Court Reporter						
	License No. 30X100235500						
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