

Borough of Roosevelt Planning Board Agenda

APRIL 12, 2022

7:00 PM

THIS MEETING WILL BE HELD REMOTELY VIA ZOOM (see 2nd page for instructions)

CALL TO ORDER

ROLL CALL

OPEN PUBLIC MEETINGS ACT STATEMENT: Adequate notice of this meeting was transmitted to the Asbury Park Press and The Times of Trenton, posted on the bulletin board in the municipal building and filed with the Municipal Clerk.

OATH OF OFFICE: Mr. Hamilton and Ms. Psaratkis

MINUTES: Adoption of minutes of the March 8, 2022 meeting

CORRESPONDENCE:

REPORT OF MAYOR & COUNCIL REPRESENTATIVE:

REPORT OF ENVIRONMENTAL COMMISSION REPRESENTATIVE:

OLD BUSINESS:

NEW BUSINESS:

- Review Ordinance 2022-05
- Resolution approving the application of Lacie Joi Preston & Dexter Smith, 19 S. Rochdale Avenue
- Housing Plan

APPLICATIONS:

PUBLIC COMMENT:

MEETING ADJOURNED

ZOOM INSTRUCTIONS

Join Zoom Meeting

<https://us02web.zoom.us/j/3251865085?pwd=L1RWNIhPYTZZdUZ5R3piT0NZWHhuUT09>

Meeting ID: 325 186 5085

Passcode: 968068

One tap mobile

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THE TOWNSHIP OF MILLSTONE

COUNTY OF MONMOUTH
STATE OF NEW JERSEY

MUNICIPAL BUILDING
470 Stage Coach Road
Millstone Township, NJ 08510

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(Fax) 609-208-2438

MAYOR Al Ferro
DEPUTY MAYOR
Chris Morris
TOWNSHIP COMMITTEE
Eric Davis
Michael McLaughlin
Tara Zabrosky
TOWNSHIP ADMINISTRATOR
Kevin Abernethy
CLERK
Kathleen Hart

DATE: March 17, 2022

TO: East Windsor Township, Municipal Clerk
Freehold Township, Municipal Clerk
Jackson Township, Municipal Clerk
Manalapan Township, Municipal Clerk
Monroe Township, Municipal Clerk
Roosevelt Borough, Municipal Clerk
Upper Freehold Township, Municipal Clerk
Millstone Township Planning Board
Millstone Township Code/Zoning Official
Millstone Township Tax Assessor
Millstone Township Construction Official
Municipal Attorney
Municipal Engineer
Monmouth County Planning Board

From: Kathleen Hart, Municipal Clerk

Re: Ordinance 22-05 Amending Chapter XXXV Land Use

Enclosed herewith please find a copy of **Ordinance No. 22-05**, which was introduced and passed on first reading by the Township Committee of the Township of Millstone at a meeting held on March 16, 2022.

Please review and send any comments or recommendations three days before public hearing date of April 20, 2022 at 8:00 PM. Said meeting will be held at the Millstone Township Meeting Room at 215 Millstone Road, Millstone Township, NJ 08535. Please be advised that the failure to submit written comments or recommendations WILL NOT affect your right to appear at the public hear and be heard at that time.

ORDINANCE NO. 22-05
INTRODUCTION DATE: 03-16-2022
ADOPTION DATE:

AN ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT),
ARTICLE 5 (ZONING DISTRICT REGULATIONS) OF THE REVISED GENERAL CODE
OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW
JERSEY

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey that the following additions and deletions are adopted:

I

Chapter 35, Land Use and Development, Article 5 Zoning District Regulations Section 5-13.4 is deleted and replaced with the following:

5-13.4 Schedule of Area, Yard and Building Requirements.

The following restrictions shall apply to all uses in this zone unless specified otherwise herein:

- a. All restrictions as set forth in the Schedule of Area, Yard and Building Requirements of this Chapter, and as specifically detailed below:

Minimum Lot Area	130,000 square feet
Minimum Lot Width/Frontage	250 feet
Minimum Front Yard Setback	100 feet
Minimum Side Yard Setback	50 feet
Combined Side Yard Setback	125 feet
Minimum Rear Yard Setback	100 feet
Maximum Height	30 ft./2 stories
Maximum Percent Lot Coverage	50 Percent
Maximum Percent Building Coverage	30 Percent
Maximum Useable Floor Area Ratio	
(For warehouse buildings)	0.25
Maximum Useable Floor Area Ratio	
(For other buildings)	0.2

Minimum Accessory Side Yard Setback 40 feet

Minimum Accessory Rear Yard Setback 75 feet

- b. The minimum building setback to a residential use or residential zone shall be 300 feet.
- c. New non-residential uses in the BP Zone shall provide a minimum seventy-five (75) foot planted buffer (as defined in this Chapter) adjacent to any existing residence or residential zone provided that natural vegetation which provides a visual screen may be used in lieu of a planted buffer upon review and acceptance by the approving authority.
- d. Buildable Lot Area and Maximum Tract Yield:

Definitions

Buildable Lot Area – The area of any lot exclusive of wetlands, wetland transitional buffers, one-hundred-year floodplains, topographic slopes 15% or greater, waterways, and stream corridor buffers required by the Delaware & Raritan Canal Commission, Millstone Township, Monmouth County and/or by the State of New Jersey, collectively referred to as “critical areas.”

Maximum Tract Yield – The maximum permitted intensity of development (i.e. lot/building coverage and FAR) after accounting for buildable lot area.

Useable Floor Area Ratio – The sum of the area of all floors of buildings or structures compared to the buildable lot area that is the subject of an application for development.

Standards

- A. All applications for site plans, subdivisions, and planned development shall comply with the following requirements:
 - (1) Each application shall utilize the below section to compute the buildable lot area, i.e. the total area of a tract that is suitable for development after subtracting identified critical areas, and to determine the maximum tract yield.
 - (2) On-site critical areas shall be identified, mapped, and submitted as part of the application.
 - (3) Maximum lot coverage, maximum building coverage, and maximum useable floor area ratio shall be calculated in reference to the buildable lot area rather than the gross area of the tract. These resulting calculations are considered the maximum tract yield.
 - (a) The below chart shall be prepared by the applicant and submitted along with the identified and mapped Critical Areas.

	Calculation
1. Gross Area of Tract:	
2. Critical Areas acreage:	
3. Buildable Area (Line 1 less Line 2):	
4. Maximum allowable impervious coverage in zone:	
5. Maximum square feet of impervious coverage (Line 3 multiplied by Line 4):	
6. Maximum allowable building coverage in zone:	
7. Maximum square feet of building coverage (Line 3 multiplied by Line 6):	
8. Maximum Useable Floor Area Ratio in Zone:	
9. Calculated Useable Floor Area (Line 3 multiplied by Line 8)	

- e. Pursuant to Article 4, § 35-4-1.6, municipally sponsored affordable housing construction is a permitted use in all zoning districts in the Township. The following Schedule of Area, Yard and Building Requirements shall apply to the development of municipally sponsored affordable construction in the BP Zone District:
[Added 3-18-2020 by Ord. No. 20-05]

Single-family detached development

Minimum Lot Area	6,000 square feet
Minimum Lot Width/Frontage	50 feet
Principal Building Setbacks	
Front	35 feet
Rear	20 feet
Each Side	10 feet
Total Sides	20 feet
Accessory Building Setbacks	
Minimum Side Yard Setback	5 feet
Minimum Side Yard Setback	5 feet
Maximum Lot Coverage	50%
Maximum Building Coverage	25%
Maximum Height	

Feet	30
Stories	2
Multifamily development	
Minimum Lot Area	30,000 square feet
Minimum Lot Width/Frontage	75 feet
Principal Building Setbacks	
Front	50
Rear	20
Each Side	10
Total Sides	20
Accessory Building Setbacks	
Side	5
Rear	5
Maximum Lot Coverage	50%
Maximum Building Coverage	30%
Maximum Height	
Feet	30
Stories	2

II

Chapter 35, Land Use and Development, Article 5 Zoning District Regulations Section 5-15.4 c. is revised to delete:

“Maximum Building Floor Area Ratio	0.25
(for warehouse buildings)	

Maximum Building Floor Area Ratio	0.20
(for other buildings)”	

The foregoing is replaced with:

“Maximum Building Useable Floor Area Ratio	0.25
(for warehouse buildings)	

Maximum Building Useable Floor Area Ratio	0.20
(for other buildings)	

Chapter 35, Land Use and Development, Article 5 Zoning District Regulations Section 5-15.4 is revised to add the following:

f. Buildable Lot Area and Maximum Tract Yield:

Definitions

Buildable Lot Area – The area of any lot exclusive of wetlands, wetland transitional buffers, one-hundred-year floodplains, topographic slopes 15% or greater, waterways, and stream corridor buffers required by the Delaware & Raritan Canal Commission, Millstone Township, Monmouth County and/or by the State of New Jersey, collectively referred to as “critical areas.”

Maximum Tract Yield – The maximum permitted intensity of development (i.e. lot/building coverage and FAR) after accounting for buildable lot area.

Useable Floor Area Ratio – The sum of the area of all floors of buildings or structures compared to the buildable lot area that is the subject of an application for development.

Standards

A. All applications for site plans, subdivisions, and planned development shall comply with the following requirements:

- (1) Each application shall utilize the below section to compute the buildable lot area, i.e. the total area of a tract that is suitable for development after subtracting identified Critical Areas, and to determine the maximum tract yield.
- (2) On-site Critical Areas shall be identified, mapped, and submitted as part of the application.
- (3) Maximum lot coverage, maximum building coverage, and maximum useable floor area ratio shall be calculated in reference to the buildable lot area rather than the gross area of the tract. These resulting calculations are considered the maximum tract yield.
 - (a) The below chart shall be prepared by the applicant and submitted along with the identified and mapped Critical Areas.

	Calculation
1. Gross Area of Tract:	
2. Critical Areas acreage:	
3. Buildable Area (Line 1 less Line 2):	
4. Maximum allowable impervious coverage in zone:	
5. Maximum square feet of impervious coverage (Line 3 multiplied by Line 4):	
6. Maximum allowable building coverage in zone:	

7. Maximum square feet of building coverage (Line 3 multiplied by Line 6):	
8. Maximum Useable Floor Area Ratio in Zone:	
9. Calculated Useable Floor Area (Line 3 multiplied by Line 8)	

III

Chapter 35, Land Use and Development, Article 5 Zoning District Regulations Section 5-15.5 is deleted and replaced with the following:

5-15.5 Schedule of Area, Yard and Building Requirements.

The following requirements shall apply to development of lots not part of a planned commercial development, including farms and agricultural uses. Lots and principal and accessory uses, which are part of a planned commercial development shall meet the requirements specified in subsection 5-15.4 hereinabove

Minimum Lot Area	20 acres
Minimum Lot Width/Frontage	800 feet
Minimum Lot Depth	450 feet
Minimum Front Yard Setback	100 feet
Minimum Side Yard Setback	50 feet
Combined Side Yard Setback	125 feet
Minimum Rear Yard Setback	100 feet
Maximum Height	30 ft./2 stories
Maximum Percent Lot Coverage	50 Percent
Maximum Percent Building Coverage	15 Percent
Maximum Useable Floor Area Ratio	0.15
Minimum Accessory Side Yard Setback	50 feet
Minimum Accessory Rear Yard Setback	75 feet

a. Buildable Lot Area and Maximum Tract Yield:

Definitions

Buildable Lot Area – The area of any lot exclusive of wetlands, wetland transitional buffers, one-hundred-year floodplains, topographic slopes 15% or greater, waterways, and stream corridor

buffers required by the Delaware & Raritan Canal Commission, Millstone Township, Monmouth County and/or by the State of New Jersey, collectively referred to as “critical areas.”

Maximum Tract Yield – The maximum permitted intensity of development (i.e. lot/building coverage and FAR) after accounting for buildable lot area.

Useable Floor Area Ratio – The sum of the area of all floors of buildings or structures compared to the buildable lot area that is the subject of an application for development.

Standards

B. All applications for site plans, subdivisions, and planned development shall comply with the following requirements:

- (1) Each application shall utilize the below section to compute the buildable lot area, i.e. the total area of a tract that is suitable for development after subtracting identified Critical Areas, and to determine the maximum tract yield.
- (2) On-site Critical Areas shall be identified, mapped, and submitted as part of the application.
- (3) Maximum lot coverage, maximum building coverage, and maximum useable floor area ratio shall be calculated in reference to the buildable lot area rather than the gross area of the tract. These resulting calculations are considered the maximum tract yield.
 - (a) The below chart shall be prepared by the applicant and submitted along with the identified and mapped Critical Areas.

	Calculation
1. Gross Area of Tract:	
2. Critical Areas acreage:	
3. Buildable Area (Line 1 less Line 2):	
4. Maximum allowable impervious coverage in zone:	
5. Maximum square feet of impervious coverage (Line 3 multiplied by Line 4):	
6. Maximum allowable building coverage in zone:	
7. Maximum square feet of building coverage (Line 3 multiplied by Line 6):	
8. Maximum Useable Floor Area Ratio in Zone:	
9. Calculated Useable Floor Area (Line 3 multiplied by Line 8)	

IV

All Ordinances and parts of Ordinances inconsistent herewith are repealed.

V

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

VI

The Ordinance shall take effect upon adoption and publication according to law and filing with the Monmouth County Planning Board.

EXPLANATORY STATEMENT: This Ordinance revision provides for amendments to the BP and PCD zones to provide additional controls to reduce the impacts of commercial development.



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T. Andrew Thomas, P.P., President
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andyplan@aol.com

Memo

To: Mayor Peggy Malkin
From: T. Andrew Thomas, P.P.
Date: March 4, 2022
Re: Borough of Roosevelt Housing Plan
Cc: Gregory Cannon, Esq., Michele Donato, Esq.

The Draft of the Roosevelt Plan is nearly completed and I wanted to provide a brief summary and identify some questions for consideration. The Borough's affordable housing obligation is described as follows based upon the applicable provisions of COAH through the March 10, 2015 decision of the New Jersey Supreme Court and the March 8, 2018 Opinion of Mercer County Assignment Judge Mary C. Jacobson.

Borough of Roosevelt Fair Share Obligation		Units
A.	Prior Round Obligation - The Prior Round Obligation covers the period from 1987 through 1999.	29*
B.	Present Need Obligation (Rehabilitation Obligation) – The Present Need Obligation which was previously referred to as the “rehabilitation share” is a measure of overcrowded and deficient housing that is occupied by low and moderate income households based on the 2010 U.S. Census.	7
C.	Round 3 Obligation which includes: (1) GAP Period Obligation: The GAP Period Obligation covers the period 1999-2015, i.e. from the end of the last COAH obligation period (1999) through the Supreme Court decision of March 10, 2015. (2) Prospective Need - Prospective Need is a measure of low- and moderate-income housing needs based on development and growth that occurred or is reasonably likely to occur in a region or municipality. The Prospective Need runs from March 10, 2015 through 2025.	48*

** The obligation of 29 units for Round 1 and 2 and 48 units for Round 3 is subject to a vacant land adjustment yielding a Realistic Development Potential (or RDP) Need of zero (0) units as further described in the Housing Plan Element.*

The cumulative prior round obligation (item A.) and Round 3 obligation (item C.) is a total of 77 affordable units. However, based on the applicable rules the Borough is eligible for a vacant land adjustment pursuant to N.J.A.C. 5:93-4.2. and this number was adjusted down to a realistic development potential “RDP” of zero 0 units. This is primarily due to lack of available vacant land and the Borough’s historic district and properties.

The Borough still has to address what is called the “unmet need” which is the difference between the RDP and the total obligation. In this case the unmet need is 77 (77 obligation (minus) 0 RDP = 77). Municipalities are not required to address the entirety of the unmet need; instead, they are required to create and capture affordable housing opportunities when they arise.

It appears some of the existing Solar Village units can be counted toward the unmet need since it includes both low and moderate income senior units age 62 and older and also units that are available to 18 years and older that are physically challenged and have mobility impairment.

The Borough should review any additional mechanisms to address its unmet need. As an example, some of the techniques used which the Borough may wish to consider are:

- Affordable housing zone or overlay zone
- Group home
- 100% municipally sponsored affordable housing development
- Affordable housing ordinance - that requires a 20% affordable housing set-aside where a development has 5 or more new residential units and has a density of 6 dwelling units/acre or greater.

The final component (item B.) is the present need or rehabilitation obligation which is 7 units. The rehabilitation program is a program opened to qualified individuals that provides rehabilitation services for substandard housing with health and safety code violations that require the repair or replacement of a “major system” including a roof, plumbing (including well), heating, electricity, sanitary plumbing (including septic systems) and/or a load bearing structural system for example. Typically in order to comply with this portion of the obligation municipalities contract with a qualified entity to administer the rehabilitation program. The typical average cost includes \$15,000 to \$20,000 in hard cost per unit and also a separate cost for administration fees per unit which can be several thousand dollars. Qualified entities include the Monmouth County Planning Board, Office of Community Development, as well as other qualified private firms. The rehabilitation program is a purely voluntary program for qualified residents.

The Planning Board is the entity that reviews and adopts the Housing Plan since it is an element to the Master Plan and Public Notice for adoption is required. Once adopted by the Planning Board the Borough Council may review and endorse the Housing Plan. The Council may also decide whether or not to submit the Plan to the Court and a Special Master for approval. If the Housing Element and Fair Share Plan is accepted by the Court it would yield a Judgment of Compliance and Order of Repose from Superior Court and protect the Borough from builder’s remedy litigation through July 2025.