

**TOWNSHIP OF SADDLE BROOK
PLANNING BOARD**

Following are the minutes of the Saddle Brook Planning Board's Regular Meeting, held on Monday, June 16, 2025 at 7:00 p.m.

1. ROLL CALL: Mr. Ambrogio, Mr. Browne, Mr. Cook, Mr. Hickey, Councilwoman Mazzer, Mayor White and Mr. Vermilyea – PRESENT. Mr. Compitello, Mr. LaGuardia, Mr. Maniscalco, Mr. Camporeale and Ms. Barrale - ABSENT
Also present was Anthony Cialone, Board attorney.

2. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT (read by Mr. Cialone)

3. APPOINT ACTING CHAIRMAN

Mr. Ambrogio made a motion; seconded by Councilwoman Mazzer to appoint Mr. Cook as Acting Chairman for this meeting. VOTE: Mr. Ambrogio, Mr. Browne, Mr. Cook, Mr. Hickey, Councilwoman Mazzer, Mayor White and Mr. Vermilyea - YES

4. NEW BUSINESS

Consider Amendment to the Master Plan by Adoption of a Housing Element and Fair Share Plan

Nicholas Dickerson, Township Planner, was sworn in.

Mr. Dickerson – Affordable Housing is a required element of the Master Plan. Every town in NJ is looking to adopt for the end of June so they can be in compliance and immune from any sort of challenge for a ten-year period (2025 – 2035) for this 4th round. Tonight, we are looking for the adoption of this as an element of the Master Plan. It will then go to the Mayor and Council for their endorsement and then to the state. There are two components of a Housing Element and Fair Share Plan. One is the Housing Element. Most of that is a review of demographics. We've provided a summary of the various demographics that need to be looked at. Then you get into the Fair Share Plan. There are four components of the Fair Share Plan: 1.) The rehabilitation obligation, an analysis of units that are estimated in town that are in need of rehabilitation, based on certain criteria that the state has identified. Those things could be insufficient plumbing, insufficient kitchens, overcrowding and age of the housing. The way that is addressed in this document is by continuing to participate in the Bergen County Rehabilitation Program. Under that program, residents can apply for repairs to their house to bring it up to code and in return, they have to be deed restricted as affordable for a number of years or until they pay off the loan provided for those upgrades. That obligation is 42 units. 2.) Prior Round (1987-1999) Obligation is 124 units. There are a number of projects that have taken place or are underway that meet this requirement. 3.) Third Round. For the third round and the fourth round, it was established that the township is for all intents and purposes, built out. The state has ways of addressing this. There was a vacant land adjustment that was done as part of the third round, showing that there was a real estate development potential to provide for 36 units. The rest is put into a bucket called unmet need, which if there was room, you would provide for it, but there's not enough. Under the third round, the town meets the 36 real estate development potential units through Midland Commons and the 100% affordable development. 4.) Fourth Round. At this point, there is a real estate development potential of zero, so the rest of the 279 units move to RDP (Real Estate Development Potential). To capture the RDP for both the third and fourth round, you provide a number of different opportunities so that it could be met. One is the mandatory affordable housing set-aside requirement. This applies to all new multi-family residential developments of five units or more. That requires 16% of the units to be affordable for rental developments and 20% for sale units. Several overlays that were done as part of the third round. There is a redevelopment

site (former municipal building) in town. The town is in the process of negotiating a plan for approximately sixty townhouse units, which would provide 12 affordable housing units.

Mr. Hickey – When you run out of space, do you allow them to build more stories? Can they force you to do say 40 stories?

Mr. Dickerson – By adopting this plan before the deadline, you'd be protected from any sort of builder's remedy.

Mr. Cialone – This stems from a lawsuit. The township filed in January to have our fourth round plan approved by the court. What's in here has been approved by the court. The whole point of doing this is that our Affordable Housing Plan is deemed constitutional in accordance with all of the Mount Laurel cases and the regulations and the Fair Housing Act. If we didn't do this, from your scenario, what happens is an applicant comes in to the Board of Adjustment and wants to put in 40 units even though it's not zoned for that. They're denied. If we don't adopt this, then then we're subject to the builder's remedy, which means they go to court and claim our zoning scheme is unconstitutional. If the court agrees, they apply the builder's remedy, which lets them put the 40 units in. The point of adopting this is so our zoning scheme is constitutional per the Affordable Housing Laws and it protects us from builder's remedy.

Mr. Ambrogio to Mr. Dickerson – You talked about the units that were in need of rehab. Who came up with 42?

Mr. Dickerson – The folks in Trenton came up with it.

Mr. Ambrogio – Is that negotiable? Could we get our commitment lower?

Mr. Dickerson – I don't know.

Mr. Ambrogio – I would argue that we don't have that many.

Mr. Cook – They define rehab as needing a roof or a major system.

Mr. Dickerson – A substandard housing unit is defined as unit with health and safety code violations that require repair of major systems such as weatherization, a roof, plumbing (including wells), heating, electricity, sanitary plumbing, septic, and/or load bearing structural system. Upon rehabilitation, housing deficiencies must be corrected and the houses must be brought up to code.

Mr. Cialone – It's pretty broad. From what I've seen in other municipalities, they come in for a loan or grant to put a roof on. That's rehabilitation. So it wouldn't be things that you would necessarily see as houses that are falling down or have serious building code violations.

Mr. Cialone – We have special counsel that represents the township on these Affordable Housing issues. It's their recommendation to adopt this amendment. I recommend it as well.

Mr. Browne made a motion; seconded by Mayor White to adopt the amendment to the Master Plan. VOTE: Mr. Ambrogio, Mr. Browne, Mr. Cook, Mr. Hickey, Councilwoman Mazzer, Mayor White and Mr. Vermilyea - YES

5. RESOLUTION

Mr. Ambrogio made a motion; seconded by Mr. Browne to memorialize the resolution approving an Amendment to the Township's Master Plan and Adoption of the Fourth Round Housing Element and Fair Share Plan. VOTE: Mr. Ambrogio, Mr. Browne, Mr. Cook, Mr. Hickey, Councilwoman Mazzer, Mayor White and Mr. Vermilyea - YES

6. MINUTES

Mayor White made a motion; seconded by Mr. Cook to approve the minutes of the May 19, 2025 meeting. All in Favor - YES

7. COMMUNICATIONS

Mayor White made a motion; seconded by Mr. Browne to accept and file the communications. All in Favor – YES

8. VOUCHERS

Mayor White made a motion; seconded by Councilwoman Mazzer to pay the following vouchers, provided funds are available:

Basile Pellino & Cialone, LLC, 05/20/25, Review Ordinance #1777-25, \$150

Basile Pellino & Cialone, LLC, 05/20/25, Review Ordinance #1780-25, \$150

Neglia Engineering Associates, 06/03/25, Bridge Asset Management, LLC, \$115

VOTE: All in Favor – YES

9. OPEN AND CLOSE THE MEETING TO THE PUBLIC

Mr. Browne made a motion; seconded by Councilwoman Mazzer to open the meeting to the public. All in Favor - YES

No public participation.

Councilwoman Mazzer made a motion; seconded by Mr. Browne to close the meeting to the public. All in Favor - YES

10. ADJOURN

Mr. Browne made a motion; seconded by Mayor White to adjourn the meeting.

All in Favor - YES

Meeting adjourned 7:34 p.m.

Respectfully Submitted,

Jayne Kapner
Planning Board Secretary