

## Minutes of the Avon Planning Board—August 13, 2009

### Attendance

Present- Davey, Kenny, McLaughlin, O'Malley, Placitella, Ryan, Talmage, Maloney

Absent- Egan, Ernst, Mahon, McGovern

The first hearing was for JLM, LLC the developer of the property located at 707 Main Street, Block 4.02, Lots 2.02 and 2.03.

A review of the COAH process was provided by Bryan Nelson, the boroughs COAH Attorney and advisor. The original proposal approved in 2002 by the Planning Board called for three of the twelve units to be Mount Laurel restricted for low and moderate income households. Also, all the units were age restricted to persons over the age of 55.

The regulations of the New Jersey Council on Affordable Housing (COAH) have changed since the 2002 resolution was approved and it is in the best interest of the Borough of Avon to consider changing the obligation to meet the new standards.

This Developers Agreement shall provided (2) two COAH unit rather then (3) three. This would leave (10) ten units to be rented or sold. Of the two affordable units the developer is to provide one unit that shall be an affordable unit to households of moderate income, and the other unit shall be provided to a low income household, as these terms are defined by COAH. Each affordable unit shall be a one bedroom unit. None of the units shall be limited to age restrictions.

This is all outlined in a document referred to as the Developers Agreement between the Borough of Avon and JLM, LLC.

All previous conditions listed and agreed to in the Resolution for Antonio Mistretta, approved on April 18, 2002, and not changed by the Developers agreement, shall be required to be completed.

Motion by Maloney, second by Placitella:

1. That all previous conditions listed and agreed to in the Resolution for Antonio Mistretta approved on April 18, 2002, and not changed by the Developers agreement will remain in effect and shall be required to be completed..
2. That the Developers Agreement dated August 12 2009 be approved as presented.

Vote on the motion-

Yes- Davey, Kenny, McLaughlin, O'Malley, Placitella, Ryan, Talmage, Maloney

No- None

The second hearing was for Michael Magrini of 522 West End Ave. Mr. Magrini is requesting An extension to approvals granted by the Planning Board on July 21, 2005 with previous extensions granted in 2006, 2007, and 2008. Mr. Magrini indicated the main reason he has not started construction is that he has not been able to sell the house currently on the lot.

Motion by Ryan, second by Davey that Mr. Magrini be granted a three (3) year extension on his original approval.

Vote on the motion-

Yes- Davey, Kenny, McLaughlin, O'Malley, Placitella, Ryan, Talmage, Maloney

No- None