

**CITY OF SUMMIT
PLANNING BOARD MINUTES
June 23, 2025 Regular Meeting**

Vice Chair Balson Alvarez called the meeting to order at 7:30 PM.

Pledge of Allegiance

Adequate Notice Statement

Ms. Sands, Board Secretary, then read the following statement:

In accordance with New Jersey Statute 10:4-10, adequate notice of this meeting has been provided to the newspapers of record and has been posted here in City Hall.

For the benefit of the interested public, this meeting is being livestreamed to the City's YouTube page, and also broadcast on Summit's government channel, which is Comcast channel 34 and Verizon channel 30.

Please note that fire exits are to my right, your left, and at the back of the room where you entered. The city has a listening system to assist the hearing impaired. If anyone needs hearing assistance, please obtain the necessary equipment here at the dais and return it immediately after our meeting.

Roll Call

Present: Vice Chair Balson Alvarez, Mayor Fagan, Councilmember Hamlet, Ms. Bowen, Mr. Dal'Maso, Mr. Formichelli, Mr. Lijoi, and Mr. Stern

Absent: Chairman Spurr and Mr. Felmet

Arrived After

Roll Call: Mr. Sala (7:40pm),

Also present were Mr. Warner, Planning Board Attorney; Mr. Burgis, Board Planner; Mr. Behrens, Board Planner; Ms. Holm, Housing Attorney; and Ms. Sands, Board Secretary.

Resolution of Appointment – Board Secretary

The Board discussed the resolution to appoint acting board secretary, Ms. Sands, as the official Planning Board Secretary.

Upon motion of Ms. Bowen duly seconded by Mr. Lijoi, Ms. Sands called the roll:

RESULT: Approved (*unanimous*)

MOVER: Ms. Bowen

SECONDED: Mr. Lijoi

AYES: Vice Chair Balson Alvarez, Mayor Fagan, Councilmember Hamlet, Ms. Bowen, Mr. Dal'Maso, Mr. Formichelli, Mr. Lijoi, Mr. Stern

In conclusion, the resolution of appointment of Ms. Jessica Sands as Planning Board Secretary was unanimously approved.

Opening Remarks

Vice Chair Balson Alvarez, acting as Chair in Mr. Spurr's absence, introduced the meeting, the Planning Board Officials, and the consultants.

Public Hearing: Housing Element and Fair Share Plan

Mr. Warner swore in Mr. Burgis, Board Planner. Mr. Burgis opened this portion of the meeting by presenting background information on the Housing Element and Fair Share Plan, the process, and recent applicable state law. He described the history of affordable housing in New Jersey, as well as the specifics of Summit's plan. Mr. Burgis also explained the importance of meeting the June 30, 2025 deadline in order to retain immunity from potential builder's remedy lawsuits against the city.

Mr. Behrens, from Burgis Associates, was sworn in by Mr. Warner. Mr. Behrens described the proposed Harmon Holdings mixed-use inclusionary development.

The Board asked questions regarding the testimony provided:

Mr. Stern asked about the ramifications of losing immunity.

Mr. Burgis responded that the ramifications could be drastic. That developers could seek (via builder's remedy lawsuits) much larger development projects, and the city could lose development/zoning control.

Ms. Bowan asked if our consultants knew of other town who had removed their resident preference for low-income housing and how that had affected the current tenants who already live in those units.

Ms. Holm, Affordable Housing Attorney for the City of Summit, discussed her experiences with Hackensack Housing Authority and their randomized lottery list. If units were included in the Fair Share Housing count, then a similar randomized lottery would be used for future tenants from Summit as well as the region. It would not affect existing tenants.

Councilmember Hamlet shared for public record that the city held prior listening sessions (on April 28th and May 29th). She asked about how other municipalities have been handling the process.

Mr. Burgis responded that most towns do not give people this much notice before the public hearing. Mr. Warner concurred with Mr. Burgis, stating that the City of Summit has been exemplary. Mr. Burgis explained that the Housing Element and Fair Share Plan typically takes 9 months to prepare, but the state gave municipalities only 3 and a half months.

Chair Balson Alvarez asked about the process to modify the plan after June 30, 2025.

Mr. Burgis described that the plan can be modified and that it is a straightforward process.

The Board Chair called for a break. Upon return, another roll call was had. Chair Balson Alvarez, Mayor Fagan, Councilmember Hamlet, Ms. Bowen, Mr. Dal'Maso, Mr. Formichelli, Mr. Lijoi, Mr. Sala, and Mr. Stern were all present.

Housing Element and Fair Share Plan Public Question and Comment Period

Chair Balson Alvarez called for questions and comments from the public.

During the public comment, various members of the public were sworn in:

Dennis White, Tulip Street
Risa Gorelick, Russell Place
Mark Kohler, Russell Place
Bonnie Morrison, Rotary Drive
Tom Szieber, Springfield Avenue
Julia Connelly, Pearl Street
Fritz Ollom, Russell Place
Rick Whipple, Garden Road
Chantal Landman, Beekman Road
Blake Scalet, New England Avenue
Tenecia Valerio, Broad Street
Jaclyn Lasaracina, Resident of Summit
Diego Hoic, Argyle Court
Kathrin Marx, Pearl Street
Ellen Boylan, Tulip Street

A variety of questions were asked regarding the following topics as they relate to the Harmen Holdings site and Housing Element and Fair Share Plan. Specifics of the questions can be reviewed in the recording posted on the City of Summit YouTube page:

1. Concerns with the old fire house site
2. Lack of affordable housing
3. Concerns regarding the June 30th deadline
4. Overdevelopment
5. Notice concerns
6. Traffic and safety
7. Parking
8. Environmental concerns
9. The Harmon Holdings Site
10. Site locations
11. Legal concerns
12. Immunity
13. Builders remedy lawsuits and challenge to the City's plan
14. How many/what were excluded from plan and why? Questions about the zone of Harmon Site, parking, incongruous for neighborhood, low-income housing all goes to one area of town.
15. Concerns about communication with Summit Housing Authority
16. Draft Plans shared with the public 10 days prior to the Board hearing
17. Public perception that the plan was rushed

18. Questions about the number of new housing units being added over the next 10 years
19. Impact on Jefferson School
20. Concerns over interpretation of legislation

In response to the public questions, Mr. Burgis and Mr. Behrens outlined the Housing Element and Fair Share Plan process, confirmed the plan is compliant, and recommended that the Board adopt the plan to preserve immunity against a legally prescribed builder's remedy lawsuits. They also discussed issues with the 100% affordable development proposal for the old fire house site; addressed the proposed Harmon Holdings development and how it was brought forward by a developer per the state legislated process; and that it closely reflects the existing zoning. Other sites brought by developers were discussed and why they were rejected, including environmental concerns, traffic concerns, impact on the school system, etc.

For details see the Housing Element and Fair Share Plan and the recording of the meeting, which can be accessed at the following link:

<https://www.youtube.com/watch?v=rDcNhIXqIs0>

Ms. Holm discussed fair share housing's interpretation, why there are different interpretations, legislative process, immunity, builders remedy, challenges to the plan, and RDP concerns.

Housing Element and Fair Share Plan Resolution

Upon the motion of Mr. Formichelli duly seconded by Mr. Sala, Ms. Sands called the roll:

RESULT: Approved (*unanimous*)
MOVER: Mr. Formichelli
SECONDED: Mr. Sala
AYES: Vice Chair Balson Alvarez, Mayor Fagan, Councilmember Hamlet, Ms. Bowan,
Mr. Dal'Maso, Mr. Formichelli, Mr. Lijoi, Mr. Sala, Mr. Stern

Approval of Meeting Minutes

Upon motion of Mayor Fagan duly seconded by Mr. Dal'Maso, the Regular and Closed Session Meeting Minutes of the May 29, 2025 Planning Board Meeting were unanimously approved.

RESULT: Approved (*unanimous*)
MOVER: Mayor Fagan
SECONDED: Mr. Dal'Maso
AYES: Mayor Fagan, Councilmember Hamlet, Ms. Bowan, Mr. Dal'Maso, Mr. Mr. Lijoi,
Mr. Sala, Mr. Stern

Adjournment

Upon motion by Mr. Lijoi to adjourn the meeting, duly seconded by Councilmember Hamlet, a voice vote was held; all were in favor, and none were opposed. The meeting was adjourned at 11:11pm.

Distributed: July 25, 2025
Approved: July 28, 2025



Jessica Sands, Board Secretary