

TOWN OF DOVER PLANNING BOARD

- Rafael Rivera –Chairman
- Scott Miller – Vice Chairman
- William Isselin
- James Visioli
- Thomas Incera
- Osvaldo Orama
- Michael Scarneo
- Hon. Mayor James P. Dodd – Mayor

TOWN OF DOVER
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Dover, New Jersey 07801

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- Thomas MacDonald – Mayor Designee
- Arturo Santana – Council Member
- Reese Riley - Alternate I
- Vacant - Alternate II
- Stephen Hoyt – Board Engineer
- William J. Rush – Board Attorney
- John McDonough – Board Planner
- Paula Mendelsohn - Board Secretary

Agenda for the Planning Board Meeting Thursday, March 19th, 2026 REGULAR MEETING

1. **Call to Order** - Reading of the New Jersey Open Public Meetings Notice.

“This meeting is being held in accordance with the Open Public Meetings Act, also known as the Sunshine Law, N.J.S.A. 10:4-6. Notice of the 2026 meeting schedule was sent to the Daily Record and Star Ledger on January 22, 2026, and published in the Daily Record and the Star Ledger on January 28, 2026. The annual meeting list was also posted on the municipal bulletin board in Town Hall, on the Town of Dover website, and submitted to the Town Clerk. As a reminder, there is no smoking in this building; there are two exits in case of emergency, and this meeting is not streaming on Facebook Live. However, the audio will be posted in a timely manner to the Town website.”

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes**

- Regular Meeting February 19, 2026

5. **Resolutions –**

- **None**

6. **Applications –**

- **P25-11 – 71 Bassett Highway**

The subject property identified as **Block 1201, Lot 6** currently contains a 2-story masonry building for commercial/retail uses and a house of worship, with associated parking for passenger vehicles and tractor-trailers in the rear of the property. The Applicant is proposing to demolish the existing 2-story building to accommodate three (3) mixed-use buildings, which will consist of 640 total residential dwelling units and 11,733 SF of total commercial/retail space. The 640 dwelling units will include multi-family residential units and affordable housing units. Associated external improvements include the redevelopment of internal roadways, off-street and on-street parking, grading, drainage, utilities, lighting, landscaping, stormwater management, and proposed easements for new utility locations.

- **P26-01_570 Mt Pleasant Avenue**

The subject property identified as **Block 901, Lot 6** currently contains a 98,000 square-foot building, where 30,000 square-feet is 2-story office space and 68,000 square-feet is 1-story warehouse space. The Applicant is proposing interior modifications to the existing office space on the second floor and exterior modifications to the existing parking lot to accommodate truck and trailer parking. Associated site improvements will include grading, drainage, lighting, and landscaping. The existing building footprint will remain.

- 7. Open to the Public**
- 8. New Business – NONE**
- 9. Old Business - NONE**
- 10. Adjournment**

The next schedule meeting is the Regular meeting on April 16, 2026 @ 7:30 pm.

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Regular Meeting Minutes February 19, 2026

1. CALL TO ORDER

Chairman Rivera called the meeting to order at 7:35 pm.

ADEQUATE NOTICE OF MEETING:

The Open Public Meetings Act statement was read into the record by Paula Mendelsohn.

2. ROLL CALL

PRESENT: Chairman Rivera, Vice Chair Miller, Mayor Dodd, Commissioner Santana, Isselin, Orama, Scarneo, Visioli, Incera, Riley.

ABSENT: None (MacDounough?)

EXCUSED: None

ALSO PRESENT: Paula Mendelsohn, Board Secretary; William J. Rush, Esq., Board Attorney; Matt Flynn, representing John McDonough, Board Planner; John DeMartinis and Stephen Hoyt, Board Engineers.

3. PLEDGE OF ALLEGIANCE: Recited by all.

4. MINUTES: A motion to approve the Special and Regular Meeting minutes from January 15, 2025, was made by Vice Chair Miller and seconded by Commissioner Isselin. **Approved by all members eligible to vote 8-0.**

5. RESOLUTIONS:

- **P23-15 – Dover Tubular, 200 W. Clinton Street (Block 703 Lot 6.01 & 6.02)** Motion to Approve: Vice Chair Miller. Seconded: Commissioner Orama. **Approved by all members eligible to vote 7-0.**

6. TOWN'S AMENDED 4TH ROUND HOUSING ELEMENT & FAIR SHARE PLAN (HE+FSP)

Dean Donatelli, Town Redevelopment Attorney, provided a detailed presentation regarding the Town of Dover's obligations under the Fourth Round of the New Jersey Fair Housing Act, as amended in 2024. He explained that all municipalities in the state are required to provide realistic opportunities for the creation of

low and moderate-income housing. Dover’s obligations for the ten-year period from 2025 through 2035 include the rehabilitation of 349 affordable housing units and the creation of 113 new units. The rehabilitation units will be funded through the Town’s Affordable Housing Trust Fund, which collects 1.5% of the assessed value from residential development projects and 2.5% from non-residential projects. Each rehabilitated unit is estimated to receive approximately \$10,000 for upgrades such as roofs, electrical systems, and energy-efficient improvements.

Donatelli identified specific sites selected to meet the new construction requirement, including Parking Lot B (13 units), Parking Lot C (13 units), the New Jersey Transit storage facility (number of units not finalized, negotiations ongoing), the Iron Ore site on Salem and West Blackwell (26 senior units), Lot 6 on Bassett Highway (17 units in the first phase of a 120-unit project), and a Habitat for Humanity project on West Munson Avenue providing four single-family homes. He noted that certain transit-oriented development sites receive “bonus” credits, which effectively increase the number of units counted toward the 113-unit requirement, allowing the Town to satisfy its obligation more efficiently.

Donatelli also described the administrative process, including the roles of the municipal housing liaison, town administrative agent, and the affirmative marketing program. All units, both rehabilitated and new, will be subject to income eligibility standards for low- and moderate-income households, with estimated income limits of \$50,000–\$60,000 for low-income and \$60,000–\$70,000 for moderate-income households. Units will be subject to 30-year deed restrictions, and the administrative agent will oversee the application process, lotteries, and leasing to ensure compliance. Marketing will be conducted regionally across Morris, Essex, Union, and Warren Counties through the agent’s website, social media, newspapers, and radio stations, ensuring equitable access in accordance with state law.

Donatelli emphasized that the Town is on track to meet state-mandated obligations and protect itself from potential builder’s remedy lawsuits by obtaining substantive certification from the court. He noted the importance of public education regarding the availability of funds for rehabilitation, and the Town’s coordination with NJ Transit and other parties to ensure shovel-ready sites can be brought online efficiently. The Board was invited to ask questions and seek clarification on unit allocations, project sites, and marketing procedures. A resolution to approve the Town’s Fourth Round Housing Element and Fair Share Plan will be considered, with public comment to be heard prior to the Board’s vote, highlighting the Town’s commitment to compliance with the Fair Housing Act and ensuring long-term affordable housing opportunities within the community.

- **Public Comment**

Chairman Rivera opened the public comment portion of the meeting, limiting speakers to two (2) minutes each and announcing that no further testimony would be taken after 10:00 p.m.

Karol Ruiz, 43 Park Avenue, Dover resident and Wind of the Spirit advocate, expressed support for the rehabilitation of rental units and the development of affordable housing as required by law and the Department of Community Affairs (DCA). She referenced the role of the Fair Share Housing Center in advancing affordable housing and cautioned against exclusionary practices. Ms. Ruiz opposed the construction of 623 market-rate units and only 17 affordable unitd as a solution and urged the Board to require impact studies for developments and to invite the DCA to present available compliance options. She also noted that the Board had the power to advocate for a greater number of affordable units in this development. Additionally, she raised concerns regarding overcrowding, high rents, parking shortages, and exploitative rental practices.

Judith Rugg, 28 Audrey Place, Dover, expressed concern regarding proposed development on Bassett Highway and requested that a study be conducted prior to any vote.

Maria Chacon, 82 East Blackwell Street, Dover, spoke regarding the lack of affordable housing and parking in the community. She reminded the Board of its influence over Dover’s future and encouraged members to prioritize residents’ interests when making decisions.

Carlos Matias addressed the Board seeking clarification on the resolution being considered. The Board explained that the State has mandated that Dover satisfy a designated affordable housing obligation. Adoption of the resolution allows the Borough to maintain control over how it complies. Failure to adopt the plan could result in litigation by developers and potential court oversight, which could remove local authority and impose approvals. The resolution itself does not address parking but establishes a framework for compliance; individual applications will still require Board review.

Wendy Carmona, 59 Randolph Avenue, expressed concerns that the State mandate enables large-scale development beyond affordable housing needs, resulting in increased density, traffic, and parking issues. She stated that while she supports affordable housing, she believes it is being used to justify excessive market-rate development and voiced frustration with State-level decisions impacting the Borough.

A Board member reiterated that adoption of the resolution preserves local control; failure to do so could result in State or court-imposed decisions without local input.

Seeing no further public comment, the Chairman closed the public portion.

Motion to approve the Resolution of the Town’s Amended 4th Round Element & Fair Share Plan made by Chairman Rivera and Seconded by Commissioner Incera. Approved by all 9-0.

7. MASTER PLAN CONSISTENCY REVIEW – AFFORDABLE HOUSING ORDINANCES

The Board reviewed several ordinances introduced by the Governing Body and referred to the Planning Board for Master Plan consistency review. The Town’s Redevelopment Attorney advised that the ordinances had been reviewed in consultation with the Municipal Planner and vetted by Fair Share Housing Center, and that each includes the required model language pursuant to the amended Fair Housing Act.

Ordinance No. 02 establishes the required affordable housing development fees, specifically a 1.5% fee on residential development and a 2.5% fee on non-residential development, to be deposited into the Town’s Affordable Housing Trust Fund. **Ordinance No. 03** creates the position of Municipal Housing Liaison and establishes the Town’s Affirmative Marketing Plan; Alex Dougherty was identified to serve as Municipal Housing Liaison, with the Administrative Agent responsible for implementation of the marketing program. **Ordinance No. 04** amends the Train Station Redevelopment Plan to incorporate the affordable housing obligations associated with Lot B, Lot C, and the NJ Transit storage yard redevelopment area. **Ordinance No. 05** adopts the Town’s general Affordable Housing Ordinance, establishing income qualification standards, affordability controls including deed restrictions, and the role of the Administrative Agent.

The Board was advised that these ordinances are consistent with the Town’s Master Plan and recommended for approval. Although not required as a public hearing, the Chair permitted public comment. Following Board discussion, it was clarified that the Board’s action would authorize Board Attorney William J. Rush to transmit correspondence to the Governing Body confirming that Ordinances 02 through 05 are consistent with the Master Plan.

A motion was made by Chairman Rivera and seconded by Commissioner Isselin to authorize the Board Attorney to transmit correspondence to the Governing Body confirming that the ordinances are consistent with the Master Plan. **All in favor; motion carried 9-0.**

8. APPLICATIONS:

- **P25-06-86 Millbrook Ave.** The subject property is identified as **Block 1708, Lot 1** in the Town of Dover and Block 133, Lot 1 in the Town of Randolph.

The site presently consists of vacant land located within a single-family residential zoning district. The application proposes redevelopment of the property with the construction of one single-family dwelling containing approximately 1,375 square feet, together with a 12-foot-wide paved access driveway and associated retaining walls. Proposed site improvements include grading, drainage, and landscaping. The applicant was welcomed and sworn in to begin presentation of the application. Douglas Kins, attorney for the applicant, presented a single-family home proposal requiring slope variances due to the property's topography. The vacant parcel, owned by the client since 1993, slopes approximately 34 feet and contains moderate and steep slopes exceeding ordinance disturbance limits. Engineer Fred Maiola outlined mitigation measures including retaining walls, landscaping, and stormwater management via dry wells. A sanitary manhole on the Randolph side will require easement agreements. The proposed house complies with setbacks and lot coverage except for slope variances. The board discussed driveway placement, drainage, tree removal, and utility connections. The application was carried to the **March 19** meeting for updated variance calculations, possible planner testimony, and continued review.

Motion to carry application with no further noticed was made by Councilmember Santana and seconded by Commissioner Orama. **Motion carried 9-0.**

- **Application P25-12 90.5 W Blackwell Street**, submitted by WW Realty LLC. The subject property is also identified as Block 512, Lot 13.

The site contains a vacant two-story commercial building, formerly occupied by Agro-Environmental and Laboratory Services, classified as a pre-existing non-conforming use. Attorney Richard Wenner represented the applicant. Michael Roth, P.E. and P.P. of Roth Engineering, was introduced as both the professional engineer and planner for the application. Mr. Roth confirmed his credentials and licenses in good standing in New Jersey and noted prior appearances before multiple land use boards, including Dover Zoning Board of Adjustment in 2020.

Mr. Roth provided an overview of the property's current conditions:

- **Lot Area:** 3,159 sq. ft. (minimum requirement 7,500 sq. ft.)
- **Building:** Vacant two-story commercial building
- **Front Yard Setback:** 14.5 ft (minimum 18.2 ft)
- **East Side Yard Setback:** 6 ft (minimum 10 ft)
- **West Side Yard Setback:** 1.7 ft (minimum 10 ft)
- **Combined Side Yard Setback:** 7.6 ft (minimum 25 ft)
- **Rear Yard Setback:** 5.3 ft (minimum 30 ft)
- **Building Coverage:** 61.4% (maximum 25%)
- **Impervious Coverage:** 71.4% (maximum 65%)

- **Off-Street Parking:** 14 spaces required by prior variance; none provided

The property exhibits multiple pre-existing non-conformities, including lot size, setbacks, coverage, and parking.

The applicant proposes to convert the existing building into a **two-family dwelling** consisting of two three-bedroom units, a permitted use in the R3 zone. Proposed improvements include:

- Removal of the shed portion of the building, increasing the west side yard setback to 6 ft and combined side yard to 12 ft.
- Reduction of building coverage to 60.2% and minor reduction in impervious coverage, with variances still required.
- Addition of a west-side walkway for second-floor access.
- Conversion of a former striped loading space into an on-street parking space.
- Compliance with maximum building height and minimum dwelling unit area requirements.

Mr. Roth addressed the February 16, 2026, engineering review letter (Hoyt) and the, planning review letter (McDonough):

- A new exterior light will be installed at the west door for safety.
- Utility connections remain unchanged; water and sewer demand decreases from 750 to 600 gallons/day.
- Landscaping improvements will be coordinated with the Borough engineer.
- The rear door is secondary and not required by code.

Mr. Roth presented planning testimony regarding requested variances:

- **C1 Criteria:** Met due to the pre-existing non-conforming conditions of the lot and building. The proposal removes the commercial use and improves certain bulk conditions.
- **C2 Criteria:** Met as the residential use is consistent with the R3 zone and Master Plan objectives, minimizing impact to adjacent properties.
- **Parking:** Requirement reduced from 14 spaces (prior commercial use) to 4 spaces for the proposed two-family dwelling, mitigated by on-street parking and proximity to public transit (train station 0.4 miles away).

Several residents provided testimony regarding the application:

- **Flora Valdivia Coe (23 Elliott Street):** Expressed concerns regarding limited outdoor space, quality of life impact, and insufficient parking.
- **Judith Rugg (28 Audrey Place):** Noted lack of on-street parking in the immediate vicinity and questioned how new residents would park without affecting neighbors.
- **Julio Gonzalez (30 Williams Street):** Suggested exploring multi-level parking garages to alleviate parking challenges.

Board members discussed:

- The undersized lot and pre-existing non-conforming conditions.
- Limitations in providing on-site or off-street parking due to lot size and topography.
- Alternatives, such as maintaining commercial use or constructing garages.
- The proposed plan improves existing conditions, reduces daytime parking demand, and brings the property into compliance for residential use.

Motion to carry application to April meeting with no further noticed was made by Vice Chairman Miller and seconded by Councilmember Santana. **Motion carried 9-0.**

Application P25-11 71 Bassett Highway, submitted by Capodagli. The subject property is also identified as Block 1201, Lot 6. The Chairman announced that the applicant requested to have the application carried to the next Planning Board Meeting, March 19, 2026. No further notice will be required. **Motion** to carry application to March meeting with no further noticed was made by Chairman Rivera and seconded by Councilmember Santana. **Motion carried 8-1.**

NEW BUSINESS: None

OLD BUSINESS: None

Public Comment

Carol Ruiz, 43 Park Avenue, addressed the Board regarding the Borough’s affordable housing obligations. Ms. Ruiz stated that the responsibility to provide affordable housing should not be shifted to state legislators, emphasizing that the municipality has the authority to determine how to meet its obligation of **89 affordable housing units**. She noted that these units could be created through a variety of housing types, including multifamily dwellings, single-family homes, and affordable condominium ownership opportunities similar to Park Plaza. Ms. Ruiz expressed concern about proposals that include large numbers of market-rate units with only a small portion designated as affordable housing. She stated that developments such as proposals including **hundreds of market-rate units with only a limited number of affordable units** do not effectively address the Borough’s obligation. Ms. Ruiz also raised concerns regarding parking and the impact of large developments on local streets such as Thompson Avenue, Blackwell Street, and Prospect Street. She urged the Board to carefully evaluate future development proposals, particularly those involving **PILOT agreements, limited parking, and higher-priced units**, and to ensure that development occurs responsibly in consideration of the community’s needs. Ms. Ruiz concluded by thanking the Board for their work and acknowledged comments made by Commissioner Orama during the meeting.

Maria Chacon, 82 East Blackwell Street, also addressed the Board and commented on the discussion regarding parking concerns during the hearing. Ms. Chacon stated that she appreciated the attention the Board had given to the issue of parking in the current application and expressed hope that the same level of scrutiny would be applied to larger future residential development proposals. She noted that large-scale apartment developments could significantly increase the number of vehicles and residents in the area and encouraged the Board to carefully evaluate such proposals to ensure they are properly planned and beneficial to the community. Ms. Chacon urged the Board to maintain the same level of consideration and diligence when reviewing future applications.

Meeting adjourned at 10:00 PM

Respectfully submitted,

Paula Mendelsohn
Board of Adjustment Secretary

Dated: _____