

BOROUGH OF PINE BEACH
LAND USE BOARD
PUBLIC HEARING & SPECIAL MEETING AGENDA
June 3, 2025

1. Opening statement: In compliance with the Open Meeting Law, P.L. 1975 C231, the notice of this meeting was published in the official newspaper, the Asbury Park Press, and sent to the Star Ledger and the Berkeley Times, and was also posted on the bulletin board at the Pine Beach Municipal Building and the Pine Beach Post Office. The statement shall become a part of the official minutes of this meeting.

This meeting is a judicial proceeding. Any comments or questions must be limited to issues that are relevant to what the board may legally consider in reaching a decision; and decorum appropriate to a judicial hearing must be maintained at all times.

2. Oath of office

Class IV Alt. – Brandon Zisa (1/1/2025-12/31/2026)

3. Flag salute

4. Roll call

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)

5. Old business

6. New business

Public Hearing

Resolution 2025-06: Fourth Round Affordable Housing Amended Borough Housing
Element and Fair Share Plan of Master Plan for Recommendation to Council

7. Vouchers for payment – n/a
8. Public portion
9. Any other business to come before the board
10. Adjournment

Vouchers for payment:
June 3, 2025

Brady & Kunz, P.C.

-

Total to pay _____ \$ -

Morgan Municipal, LLC

-

Total to pay _____ \$ -

PUBLIC NOTICE-BOROUGH OF PINE BEACH

PLEASE TAKE NOTICE that the Borough of Pine Beach Land Use Board will hold a Special meeting at 7:30 p.m. on Tuesday, June 3, 2025, Pine Beach Municipal Building, 599 Pennsylvania Ave, Pine Beach, NJ, 08741, to conduct a public meeting of the Land Use Board and to conduct a hearing of the Amended Master Plan Element - Vacant Land Analysis in accordance with the Municipal Land Use Law (N.J.S.A.40:55D-28). At the public hearing any party wishing to comment on the report may do so or may submit written comments to the Land Use Board prior to the public hearing date. After public comment at the public hearing, the Land Use Board may take formal action on the adoption of the amended element of the Borough of Pine Beach Master Plan.

A copy of the amended Master Plan Element will be on file with the Borough Clerk's office ten (10) days prior to the public hearing and to be reviewed Monday-Friday 9 am-4 pm at the Pine Beach Municipal Building, 599 Pennsylvania Avenue, Pine Beach, NJ 08741.

RESOLUTION NO. 2025-06

**RESOLUTION OF THE LAND USE BOARD OF THE BOROUGH OF PINE BEACH, IN
THE COUNTY OF OCEAN, APPROVING AND ADOPTING A HOUSING ELEMENT
AND FAIR SHARE PLAN TO SATISFY THE BOROUGH'S FOURTH ROUND
AFFORDABLE HOUSING OBLIGATION**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act ("Amended FHA"); and

WHEREAS, the Borough adopted a "binding resolution" committing to a Present Need obligation of zero (0) units and a Prospective Need obligation of three (3) units based on the Township's Affordable Housing Planner, Mark Rohmeyer, P.E., P.P., C.M.E. ("Planner")'s calculations using the methodology in the Amended FHA; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("Program") on January 16, 2025, along with its binding resolution; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS, the New Jersey Builders Association ("NJBA") and Fair Share Housing Center ("FSHC") filed timely challenges to the DJ Action; and

WHEREAS, the Honorable Julio L. Mendez, J.S.C. (Ret.) was assigned to manage the proceedings, host settlement conferences, and make recommendations to the Honorable Sean J. Gertner, J.S.C., the Mount Laurel Judge of Ocean Vicinage; and

WHEREAS, the Borough and FSHC reached an agreement that was put on the record at a settlement conference that took place on March 20, 2025 before Judge Mendez; and

WHEREAS, NJBA did not participate in the settlement negotiations, nor did it object to any settlement reached between the Borough and FSHC; and

WHEREAS, on April 15, 2025, Judge Gertner prepared an order fixing the Borough's obligation at 0 for the Present Need and thirty (30) for the Prospective Need, and authorized the Borough to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round ("Court Order"); and

WHEREAS, per the Amended FHA, Directive 14-24 and the Court Order, the Planner drafted a Fourth Round Housing Element and Fair Share Plan ("Fourth Round HEFSP"); and

WHEREAS, pursuant to N.J.S.A. 40:55D-28, the Borough of Pine Beach Land Use Board ("Board") may prepare and adopt or amend a master plan or component parts thereof, after a public hearing, to guide the use of lands within the municipality in a manner which protects health and safety and promotes the general welfare; and

WHEREAS, upon notice in accordance with N.J.S.A. 40:55D-13, the Board held a public hearing on June 3, 2025 on the adoption of the Fourth Round HEFSP as required by the Municipal Land Use Law. Said hearing was attended by the Planner, who was duly sworn, and provided testimony regarding the Fourth Round HEFSP; and

WHEREAS, the hearing was opened to the public; and

WHEREAS, the Board determined that the Fourth Round HEFSP is consistent with the goals and objectives of the Borough's current Master Plan, and that adoption and implementation of the Fourth Round HEFSP is in the public interest and protects public health and safety and promotes the general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Pine Beach, County of Ocean, State of New Jersey, that the Land Use Board hereby adopts the Fourth Round HEFSP, attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Land Use Board of the Borough of Pine Beach adopts this resolution to memorialize the action taken by the Board following the close of the public hearing on June 3, 2025.

BE IT FURTHER RESOLVED that the Secretary is hereby authorized and directed to transmit a copy of the adopted Fourth Round HEFSP and a certified copy of this Resolution to the governing body together with this Board's request that the governing body endorse the adopted Fourth Round HEFSP.

ROLL CALL VOTE ON MOTION TO ADOPT THE HOUSING ELEMENT AND FAIR SHARE PLAN AFTER FINDING THAT IT IS CONSISTENT WITH THE MASTER PLAN.
(June 3, 2025)

RECORD OF LAND USE BOARD VOTE						
	Yes	No	Abstain	Absent	Moved	Second
Mayor Cuneo						
Mr. Higham						
Mrs. McDonnell						
Mrs. Saxton						
Mr. Slickers						
Mr. Wieck						
Mrs. Wnek						
Mrs. Lill						
Mr. Vega (Alt.)						
Mr. Zisa (Alt.)						

Chairperson

I hereby certify this to be a true and accurate copy of the resolution adopted by the Land Use Board of the Borough of Pine Beach, Ocean County, New Jersey at a public meeting held on June 3, 2025.

Patricia Wnek, Secretary

Pine Beach Borough Land Use Board
4911-4259-2582, v. 1