

BOROUGH OF PINE BEACH  
LAND USE BOARD  
REGULAR MEETING MINUTES  
May 20, 2025

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The Pine Beach Land Use Board held a meeting on May 20, 2025 in the Municipal Building, 599 Pennsylvania Ave., at 7:30pm. Mrs. Lill called the meeting to order and read the Opening Statement: In compliance with the Open Meeting Law, P.L. 1975 C231, the notice of this meeting was sent to our official newspapers, the Asbury Park Press and the Star Ledger, and 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.

Mrs. Lill led the Flag Salute.

Attendance/Roll Call:

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

Approval of Minutes

Mayor Cuneo makes a motion to approve the minutes from the February 18, 2025 meeting as submitted, seconded by Mrs. Saxton. No comments from the board or public.

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Yes(motion)	Yes	Yes	Yes(second)	abstain
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
Yes	absent	Yes	Abstain	Absent

New Business

Review of 4<sup>th</sup> round affordable housing obligations, Borough Housing Element and Fair Share Plan

Mark Rohmeyer, board Engineer summarizes the Borough's 4<sup>th</sup> round obligations. The Borough has met its previous obligations and has a present need of zero units. The DCA has calculated that prospective, over ten years, the need is thirty units. After Mr. Rohmeyer conducted a vacant land analysis he walks the board through the Fair Share Plan document showing the updated calculation of two units. Mrs. Saxton asks what kind of units, Mr. Rohmeyer states single family units. Mrs. Saxton shares her concern that the plan shows the development of all eight lots on Merion Ave. She expresses that the Borough could develop two of these lots to meet our state required need and leave the rest undeveloped. The Mayor adds history from the previous rounds and the multiple unit development on Washington Ave. and suggests that the prospective need to be developed at the adjacent lot. The engineer states that the lot on Washington Ave. is excluded in the plan for this round due to potential environmental constraints. Mr. Rohmeyer explains that the argument for the Borough to the state is that we do not have enough vacant land to satisfy the thirty units required now, adding a different location would make the required number of units higher.

Mr. Rohmeyer expresses that the Borough can potentially amend its plan down the road if needed to a different location for development.

Mr. Slickers asks why the land on Merion Ave was on the prospective development list and not excluded like previous rounds.

Mr. Rohmeyer states that this was due to the GIS mapping the state uses and has identified vacant land owned by the Borough.

Mr. Slickers asks the undersized lots owned by the Borough, why are these not considered?

Mr. Rohmeyer states that a mandatory twenty percent units set aside for affordable housing, density of six units per acre. The engineer explains these smaller lots are exempt from being considered based on acreage.

Mr. Slickers advises that the six units at the Ocean Inc affordable Veterans housing units are not fully occupied, from the previous rounds obligation.

Mr. Rohmeyer explains that the fourth round methodology and calculations has identified the Boroughs need for thirty units.

Mrs. McDonnell asks if the previously approved Pine Beach Landings are in this round or a previous round.

The Mayor states the Pine Beach Landings site has one affordable unit from a previous round's requirement.

Mr. Slickers asks about the adjacent lot having multiple units, privately owned, why wouldn't this be included.

The Mayor explains that re-development of a privately owned lot would require a twenty percent set aside for affordable housing.

Mr. Slickers states that there is a regional need as per DCA, why are other towns in our area not obligated for this affordable housing requirement, what is the risk of not obliging.

Mr. Rohmeyer states this is a legal question.

Mrs. Lill states that the Borough has requested the number to be zero by resolution from the Borough Council, this was rejected and challenged by the FSHC and NJBA. Also, at risk is a NJ Builder's remedy.

Mr. Brady states the zoning is no longer valid if we do not oblige. We maintain the Municipal immunity from exclusionary zoning litigation; this protects the Borough from lawsuits that challenge their zoning decisions related to affordable housing.

Mr. Higham asks why we couldn't preserve the land.

Mr. Rohmeyer questions towards our Board Attorney Mr. Brady, that if we remove this Merion Ave property from the mix and claimed zero buildable land, do we know what the state will then require?

Mr. Brady doesn't have an exact response from the state but warns that they can require these accessory dwelling units on already developed lots taking single family zones to allowable multiple family units.

Mrs. McDonnell expresses her concern that these affordable housing requirements, claiming they are turning a quiet town with large historic trees into paved cities. The NJDEP came in mandating an Ordinance to be adopted to not allow clear cutting of trees and permitting tree removal but then are forcing the Borough to be obligating to remove the trees on our last vacant land parcel. She is really concerned about losing these woods.

Mr. Brady understands the grave concern for the environment. The state of New Jersey sees an affordable housing crisis. They must meet this crisis through enforcing these units throughout the state.

Mrs. Saxton asks the engineer if the Borough were to develop the undersized lots throughout town, would this meet the obligation.

Mr. Rohmeyer responds that he can propose this but risk our required need to be higher amount of units.

Mr. Slickers asks if the utility easement remains through these lots.

Mr. Rohmeyer states yes, it is not ideal for development but can work.

Mrs. Lill claims that this is the road for access to the Elementary School, on the plan it says proposed cul-de-saq, would we be closing off the road?

Mr. Rohmeyer claims that this would be a widened area for turning around to avoid the school lot.

Mr. Slickers would like to see the rest of the lots, besides the two units, as protected land and not buildable.

Mr. Higham agrees to protect this land and then go after the site on Washington Ave. lot adjacent to Ocean Inc.

Mr. Brady reminds the board that if we identify another potential area for development, it will raise out total number of units required. There is no guarantee for the two units.

Mrs. Saxton asks if we have an opportunity to make this area green acres. It is her understanding that you can provide an already assigned Green Acres site, such as Walling Field, and swap it with another parcel of land.

The Mayor comments that this was done at Vista for the waterfront property where the new flagpole sits, they swapped better land and still the Borough had to pay Green Acres additional funds.

Mr. Slickers asks if we go forward to adding the other site on Washington Ave. and they raise our number to six, can we then put all six on one site?

The Mayor responds that finding a developer who only wants to build six affordable units would be difficult. Most likely we would then have to develop both identified sites.

Mr. Slickers adds that the legislation has changed many times over the years. Is it possible that this will change again?

Mr. Brady states that to amend the Fair Share Housing Plan and the newly drafted Vacant Land Analysis element for the Master Plan the Land Use Board will need a Public Hearing and an approved Resolution. This will then need the Council's endorsement at a later date.

The Mayor states that our Land Use Board does a great job in determining what is accepted in town and works hard to use the Master Plan and zoning requirements to meet the Borough's needs. The state has come in and mandated this, the question is now what is best for the Borough.

The Mayors asks the Clerk to go back to the Affordable Housing Counsel and ask if the lots can be preserved and removed from the potential development list.

Mrs. Saxton states that this is our last tract of land with trees on it. Once this is gone, its gone. We are worried about saving and planting native plants but are willing to destroy wooded property without thinking about other alternatives.

The Mayor makes a motion to set a public hearing for June 3<sup>rd</sup> at 7:30pm to discuss the change in the Master Plan amending the vacant land analysis and fair share housing plan.

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Yes(motion)	Yes	Yes	Yes	Yes
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
Yes(second)	Absent	Yes	Yes	absent

#### Vouchers for payment

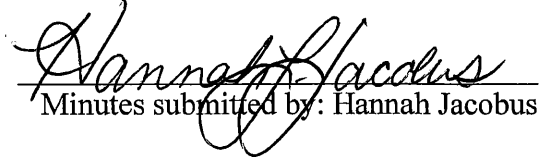
Mr. Higham makes a motion to pay vouchers for the total sum of \$1,223.00, pending funds available, seconded by Mr. Vega, all are in favor.

Public Portion

Mayor Cuneo makes a motion to open for public comments, seconded by Mr. Vega. Hearing none, Mayor Cuneo makes a motion to close public comment portion, seconded by Mr. Higham, all were in favor.

Adjournment

Mr. Higham makes a motion to adjourn the meeting, seconded by Mr. Vega. All are in favor, no opposition.

  
Minutes submitted by: Hannah Jacobus