

BOROUGH OF PINE BEACH

2011 MASTER PLAN REEXAMINATION REPORT

January 5, 2012

Borough Land Use Board Members

Chairman Jay Pierson
Mayor Christopher Boyle
Councilman Robert Budesza
Mark Wagner
Teresa Sgro
Christine Lill
Joseph Boyle
Jerome Barnett
Robert Runyon
Patricia Wnek

Land Use Board Attorney: Kevin Sheehy
Borough Engineer: Jack Mallon, P.E.

Master Plan Reexamination Report

Borough of Pine Beach

Ocean County, New Jersey

Prepared by the Pine Beach Land Use Board

I. INTRODUCTION

The year 2011 Master Plan Reexamination Report of the Borough of Pine Beach is part of the Planning Board's ongoing efforts to guide the future development of the municipality, and to insure that the Borough's overall planning objectives and land use policies remain up-to-date. The Borough Planning Board has adopted the most recent Master Plan on October 5, 1995 as well as the addendums to same done by way of the December 6, 2001 Master Plan reexamination Report and 2007 Recycling Plan Element Report. This land use study would update and supplement the policies as set forth in those documents.

The Municipal Land Use Law, at N.J.S.A. 40:55D-89 provides:

The governing body shall, at least every 10 years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board. A notice that the report and resolution have been prepared shall be sent to the municipal clerk of each adjoining municipality, who may, on behalf of the governing body of the municipality, request a copy of the report and resolution. A reexamination shall be completed at least once every 10 years from the previous reexamination.

The reexamination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.**
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.**
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.**

d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

This 2011 Reexamination Report is intended to address the applicable statutory criteria as well as to build upon the ongoing planning efforts in Pine Beach as outlined above.

II. DEMOGRAPHICS AND POPULATION

According to the year 2010 census, the most recent population profile available, Pine Beach's overall census count was 2,127 persons, an increase of 177 persons or 9.1% from the 2000 census. This increase in population is a result of in-fill construction of single family homes, as well as completion of a subdivision project at the site of the old Admiral Farragut Academy. It is anticipated that there may be slight increases in population of the Borough due to continued in-fill housing construction in the future, however, since there are no major tracts of land to be developed within the Borough said population should remain fairly stable.

The 2010 census indicates that 4.5% of all residents are under the age of 5 years old which is a slight decrease from the 2000 census, 17.7% of the residents are between 45 and 54 years old which is a slight increase from the prior census, and the total percentage of residents 65 years and older is 16.6%. The median age of all Borough residents is now 49.9 years of age, an increase of approximately 3 years from the 2000 census.

The 2010 census also provides information regarding the household make-up of the Borough. According to that census 75.4% of the Borough households are characterized as family households with 29.6% having children under the age of 18 years, 21.1% of householders live alone, and 31.1% are households where an occupant could be 65 years or older. The average family size of a household in the Borough is 3.0 and there are a total of 903 housing units in the Borough of which 818 are occupied which is an increase of 51 units from the 2000 census. (See 2000 and 2010 Census Data attached in the Appendix)

III. MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT AT THE TIME OF THE 2001 REEXAMINATION REPORT

Per the 2001 Reexamination Report:

"The overall emphasis of the Master Plan and various efforts by the Planning Board, the Environmental Commission and Mayor and Council has always been, and is particularly true within the previous six-year term has been to hone in on the single greatest amenity of Pine Beach, and that being the Toms River. Matters as relate to the river have ranged from as obvious as direct support in rehabilitating docking, the sprucing up of Riverside Drive, and as unseen, yet just as important to advocating low impact residential uses along the river. Borough officials are very cognizant of this reality and how those efforts translate most easily to residents of the community.

The Borough now needs to prepare for the next phase of revitalization, the actual siting of the Pennrose assisted care facility, and the continued evolution of the waterfront area of Pine Beach. This reexamination study endorses all original goals and objectives of the 1995 Master Plan as they particularly apply to the waterfront area. The continued revitalization effort within the R-2 district acknowledges through action that the greatest amenity of the Borough needs to be compatible with all future intensions for redevelopment and development of the area."

IV. THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO THE 2001 REEXAMINATION REPORT

In accordance with the "Goals and Objectives" section of the most recent Borough Master Plan as well as the 2001 Reexamination Report, the Borough has taken deliberate steps in implementing many, if not all, of the objectives as stated in the Master Plan and Reexamination Report. The following is an analysis of each goal as they appeared and an update as to how these goals have been pursued and/or accomplished:

1) LAND USE:

Goal: To promote a balance among a variety of land uses that will support and improve the development character of the Borough. Guide new development and redevelopment to ensure efficient and beneficial utilization of scarce land while capitalizing on the inherent public facility and service efficiencies of the concentrated development patterns.

Since enactment of the Master Plan as well as the 2001 Reexamination, the Borough has taken steps to reinforce the "Goals and Objectives" previously set forth regarding the Land Use element. With respect to the Residential Districts R-75 & R-120, these districts are in conformance with current thoughts of municipal density of the Land Use Board, Borough Council and Mayor. The majority of available vacant property however does not conform to the bulk zoning regulations and will require particular attention to Lot Coverage, Off Street Parking, Storm Water Management and compatibility with existing neighborhood aesthetics.

The Redevelopment Zone has proven to be, and should continue to be, a guide for the redevelopment of the former Admiral Farragut Academy. The majority of the property has been developed into residential units and recreational facilities including a soccer field, exercise track, walking path, recreation accessory service building and Vista Park for residents' enjoyment viewing the Toms River. The water front area will be developed into active and passive recreational areas as approvals and finances allow.

The Land Use Board reinforces the concepts for the Business Highway District as established in the 1995 Master Plan. It should be noted that through careful review of applications and attention to the character of the district, approvals have been given to several commercial facilities that enhance the community. The approval of condominium units in this zone has created a transition from commercial to residential zoning. It is in conformance with the concept put forward to The Council on Affordable Housing ("COAH") for mixed use of commercial/professional and residential for a portion of Block 78, as set for in the 1995 Master Plan.

As set forth in the 1995 Master Plan, Public & Quasi-Public Lands are important to the character of Pine Beach. The addition of part of a riverfront walking path, a soccer field, Vista Park and ongoing refurbishing of the municipal docks makes Pine Beach a desirable place to live.

It is the recommendation of the Land Use Board for the Borough Council and Mayor to reconfirm the Land Use Portion of the 1995 Land Use Plan.

2) HOUSING:

Goal: To provide a wide variety of housing types which meet current and future populations of the Borough at all socio-economic levels. To maintain the residential character and existing land use formation of the Borough in its present form.

The Borough has accomplished this objective by maintaining current levels of the housing supply at the present levels of affordability and accessibility. This is evidenced by the Resolution 62-18 adopted by the New Jersey Council on Affordable Housing on March 10, 2010, which granted "substantive certification" to the Borough's Housing Element and Fair Share Plan. This Resolution is attached in the Appendix. In securing substantive certification, the Borough has demonstrated that it has voluntarily complied with its constitutional obligation to provide its "fair share" of affordable housing and that it has not used its zoning powers to exclude the region's low and moderate income households. The Borough also seeks to encourage rehabilitation of its existing substandard housing stock through various grants and other funding programs as they may become available.

Although the laws, regulations, and policies associated with the Mount Laurel doctrine are currently in a state of uncertainty, the Borough will continue to monitor development and capture affordable housing opportunities, where practicable and economically feasible, and to implement its approved Housing Element and Fair Share Plan. In the meantime, the Borough will monitor

New Jersey's affordable housing laws and continue to voluntarily comply with its Mount Laurel obligations as it has for two decades so long as it is in the best interest of the Borough.

On February 8, 2010, The Borough of Pine Beach entered into an agreement with the Association of Multiply Impaired Blind (AMIB), an operator of two group homes within the Borough, for the purchase of certain deed restrictions ensuring that AMIB will preserve its units as creditworthy affordable housing units. The purchase of these deed restrictions utilized affordable housing development fees, which had been collected for that purpose, specifically: to provide affordable housing units. This action was a vital component of the Borough's Affordable Housing Plan, which paved the way for the Borough receiving substantive certification from the Council of Affordable Housing on March 10, 2010. (See Resolutions attached in Appendix).

3) CIRCULATION:

Goal: *To utilize the existing system of roads to serve as a basis of land use proposals. Capitalize on the high density development patterns in certain portions of the Borough that encourage the use of public transit systems and alternate modes of transportation to improve travel among major population centers, employment centers and transportation terminals.*

The Borough has been and continues to be proactive in locating more intensive land use types along Route 9; supporting road improvements of county and state road networks; discouraging on-street parking proposals, and encouraging self contained parking development proposals; and encouraging car pooling, public transportation and modal transportation proposals on both a local and regional scale.

The Borough continues to effectuate the revitalization of major roadways to improve circulation and overall amenity of the Borough. The Borough continues to maintain a designated stop for New Jersey Transit Bus services along Route #9.

Previously, the Board has received a grant for and developed a bike path. The Borough will continue to be cognizant and take advantage of opportunities whereby we may be able to encourage increased safe local usage of "green" transportation such as bicycles.

4) COMMUNITY FACILITIES AND SERVICES:

Goal: *Encourage the expansion and improvement of community facilities to serve the needs of existing and projected populations in the Borough.*

The Borough operates two (2) water pumping stations at two (2) well sites and a water treatment plant that was completed in 1994. The pumping facilities are located on Hillside Avenue near Merion Avenue and the other facility on Pennsylvania Avenue in the upper portion of Cedar Avenue.

The Borough sewage outflow is linked in with the Ocean County Municipal Utilities Authority which has not experienced any changes in overall service or operation along its main line. No

sewage moratorium has been imposed for the Borough in the past, nor is one predicted for any level of significant development for the short term future.

As of December 23, 2002 a Stormwater and Water Quality Management Plan was adopted, and September 12, 2007 the Pine Beach Municipal Stormwater Management Plan was adopted following its approval from the Pine Beach Land Use Board and the Ocean County Planning Board.

On February 27, 2009, The Borough received a Tier A Municipal Stormwater General Permit for 2009-2014.

The Borough has actively pursued the implementation of the 2000 Stormwater Management Plan. The Plan is still valid and the facility at the intersection of Riverside Drive and Hillside Avenue has been installed.

Improvements to the outfalls at Motor Road, Avon Road and Hillside Avenue have been constructed to minimize debris from discharging into the Toms River. As Municipal and County roads are repaved all curb inlets adjacent to the roadway receive an Eco-plate across the curb opening to disallow bottles, cans, and larger debris to enter the stormwater system.

The Borough has applied for funds through the Barnegat Bay Partnership and the New Jersey Environmental Infrastructure Trust Program to install bioretention filters to treat stormwater runoff to the Toms River. These measures will reduce the existing Nitrogen and Phosphorous loadings to the Toms River and ultimately the Barnegat Bay watershed. The Borough will continually seek funding to achieve its Stormwater Management plan.

Schools

The Borough has, within its jurisdiction, one (1) elementary school which is part of the Toms River Regional School District. Students over the age of elementary grades attend higher grade schools in the Toms River Regional School District located outside of the Borough. Currently the high school, intermediate school and elementary school enrollment consists of 323 students, 317 of which are receiving education within the TRS system, plus 6 students from the Borough who are attending alternate schooling.

The number of Borough students who are enrolled in the Toms River Schools can be broken down as follows:

Toms River High School South (9 thru 12)	108 students
Intermediate (6 thru 8)	72 students
Elementary (K thru 5)	137 students
<u>Attending alternate education (K -12)</u>	<u>6 Students</u>
Total	323 students

The following improvements have been made to the Pine Beach Elementary School since 2001:

A gymnasium and four new classrooms were added in 2001 with the Cafeteria and Media Center being renovated in 2002. New playground equipment and a volley ball court were added. The

sidewalks were re-done, a stamped concrete patio and vinyl fence were added out front. New concrete was laid on the kindergarten playground and the old slates were removed. Carpeting was taken up in front and middle hallway and tiles were put down and new vinyl tile floors were installed in a few classrooms. In addition a new roof was installed and a portion of the roof deck was replaced last summer. Solar Panels are pending.

5) CONSERVATION:

Goal: *To promote conservation of environmentally sensitive land and overall energy conservation in the Borough.*

The Borough working collaboratively with its Environmental Commission continues to promote the objectives set forth in the 2001 Reexamination report.

Since 2001, The Environmental Commission has maintained regular contact with Borough officials regarding stormwater runoff issues. Discussion items included a plan to acquire undeveloped parcels to assist in natural recharge of stormwater. It also consulted with the Borough Engineer on the installation of stormwater control devices at a development adjacent to Vista Park.

The commission has reviewed regional environmental issues related to the Barnegat Bay National Estuary Program and explored the possible formation of a regional environmental commission with neighboring towns.

The commission has provided periodic feedback to the Borough regarding planned improvements to Vista Park, the marina area and the River Walk project.

Commission members have worked with a resident on a tree inventory for public park lands. The inventory included an assessment of existing native and invasive species, as well as recommendations for pruning or removal. The tree survey serves as a baseline for monitoring changes in tree health. It is also used to assess requests to remove trees or branches adjacent to residential development.

The commission has periodically consulted with Borough officials on coastal erosion issues along the river front. This included a possible regional approach to erosion along the Toms River and the planting of dune grass along the upper beach areas. In 2011, the Commission reviewed plans for a coastal shoreline assessment performed by Stockton State College.

6) RECREATION:

Goal: *To provide for both active and passive recreation facilities to serve existing and projected populations of the Borough. The promotion of all "Green Acres" grant applications for the funding of various recreational and open space proposals through the municipality.*

Mayor and Borough Council applied for and have received approval for a low interest loan through Green Acres in the amount of \$250,000.00 which has restricted use for bulkhead and

dock improvements. The Borough Engineer is currently working on moving those plans to fruition. Mayor and Borough Council are also actively seeking additional grant monies for waterfront improvements in the amount of \$250,000.00. This additional money, if approved, will be used in conjunction with the previous grant funds to provide a more comprehensive upgrade to the Borough's waterfront.

In 2007 the Borough installed a Riverwalk, constructed with funds from the NJDOT and Federal funds through Community Development Block Grants, along the waterfront running from Motor Road to New Jersey Avenue. The long term objective is to continue that project through to Station Road when funds are available.

The Borough has also received permitting for Avon Beach to replace sand lost through beach erosion. The sand replacement is currently scheduled for the winter of 2011-2012.

In 2007-2008, the Pine Beach Yacht Club was raised three feet to accommodate rising tides and totally renovated to provide continuation of use for many years to come.

The Borough has a total of five (5) gazebos and three (3) public docks for public use. A fourth public dock, pier, and waterfront area will be established on the previous Farragut Dock property as funds become available. Three of the gazebos were updated and improved through a joint Borough/Volunteer effort in 2007. The Avon Beach Gazebo is presently dismantled awaiting the Avon Beach replenishment before being reconstructed. The Avon, Henley and New Jersey piers and docks were rebuilt in the early 1980's. They were subsequently resurfaced by the Borough and volunteers in 2008 and 2009.

Additionally, the following is an inventory of the existing open space/recreational lands available in the newly established Redevelopment Zone (R-2), they are:

<u>Type of Lands</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>
Basketball Court and Baseball	3	3	4.60
Park Area	29.01	1	.45
Park Area	3.01	1	1.29
Park Area	30	6	.68
Vista Park	36	1.03-1 and 1.02-1	5.16
Park Area	47	25	.91
Park Area	55	25	.91
Parking Lot	63	1-5	.86
Park Area	69	20	.27
Park Area	81	30	2.20
Bathing Beach	111	1, 1.01 & 2	2.20
<u>Vista Park Waterfront area</u>	<u>111</u>	<u>2</u>	<u>.62</u>
TOTAL			<u>20.15</u>

Existing public recreational areas and beaches available in the Borough include:
 "Vista Park" Mixed use field, track, concession stand and play area

"Walling Field"	baseball field (hardball)
"Pocket Park"	small beach (unprotected)
"Windy Cove"	boat ramp and beach
Avon Road Beach	protected beach
Station Road Beach	protected beach
Midland Beach	unprotected beach
Hillside Beach	unprotected beach

The Master Plan strongly encourages any and all locally sponsored efforts to acquire public and/or private lands for acquisition for the purposes of park land for passive recreational purposes. This is especially true in instances where State or County resources can be utilized to help acquire areas without burdening local coffers or municipal sources.

7) HISTORICAL PLAN:

Goal: *To protect and preserve significant historic sites within the Borough.*

The Borough together with its Environmental Commission has continued to promote land use patterns that would not adversely affect historic sites.

Two parcels within the Borough are designated as "historically significant" or "protected" under the National Register of Historic Places, or the New Jersey Historic Record. The listings itemize the buildings, structures, sites, objects, and districts listed on the New Jersey Register of Historic Places (SR) and the National Register of Historic Places (NR). They also include resources that have received Certifications of Eligibility (COE), opinions of eligibility from the State Historic Preservation Officer (SHPO Opinion), or Determinations of Eligibility (DOE) from the Keeper of the National Register. These properties and historic districts all meet the New Jersey and National Register criteria for significance in American history, archaeology, architecture, engineering or culture, and possess integrity of location, design, setting, materials, workmanship, feeling and association. Properties that have been entered on the New Jersey and/or National Registers of Historic Places are listed by their historic names, which may be different from their current names. Properties that have SHPO Opinions or DOE's are listed by their historic name, when known. This does not preclude both divisions from ruling on a pending property of significance at some time in the near future. As of September 6, 2011, the most recent update available on their web site, the list of properties within Pine Beach Borough on file at the NJ DEP- Historic Preservation Office, New Jersey and National Registers of Historic Places, which lists buildings, districts or sites which have been highlighted by a survey team from the office, are:

Admiral Farragut Academy Historic District (ID#4919)

Riverside Drive, Hillside Avenue, Radnor Avenue. SHPO Opinion: 2/3/2000

(All demolished between 2002 and 2007: Farragut Hall, Clark Hall, DuPont Hall, Robison Hall, Sheppard Hall, Dodge Hall & Alumni Hall)

Pine Beach / Riverside Drive Archeological Site (28-Oc-17) (ID#3418)

DOE: 9/28/1982

SHPO Opinion: 1/27/1982

8) RECYCLING PLAN:

Goal: *Continue compliance with the New Jersey Mandatory Source Separation Recycling Act.*

The purpose of the Borough of Pine Beach's recycling program is to reduce the amount of waste going to landfills and reuse materials, which protects the environment and conserves natural resources. In compliance with State and County mandates, Pine Beach offers a recycling program that consists of biweekly curbside pick-up of single-stream mixed recyclables consisting of paper, bottles and cans; periodic pick-ups of bulk and white goods; and seasonal pick up of leaves and brush. A drop-off recycling center is also available in the Borough yard on Pennsylvania Avenue. Outreach and education are provided through mailing a yearly recycling calendar and posting it on the Borough web site with listings of other recycling opportunities for special materials not handled through Borough collection.

According to the Ocean County Department of Solid Waste Management, the Borough recycled 27.00% of its municipal solid waste in 2009. In 2007, the rate was 37.14% and in 2004, 32.22%. Effective recycling saves tax dollars: through the Ocean County Recycling Revenue Sharing Program, recyclable materials earned the Borough \$2066 in 2009. Payback rates vary with market conditions and in 2010, recyclables earned the Borough \$4350.

The Borough's recycling program should strive to meet State and County mandates for a 50% recycling rate. In 2007, a Recycling Plan Element was added to the 1995 Master Plan, as called for by the State and County. Plans for outreach, education, and adjusting recycling collection when feasible will be important components in encouraging better recycling participation among the borough's residents and businesses.

The Borough participates in Ocean County's 2Good2Waste Exchange. On May 2, 2011 Ocean County launched a new website to help promote the reuse of materials called 2Good2Waste.org/oceancountynj. This is an internet based waste exchange program that will help people give away or sell household items that would otherwise end up in the landfill. The service is free and is limited to Ocean County residents. It is very easy to sign up as a member and post a listing. There is no money exchanged between the County and the members. \$99.00 is the maximum on anything to be sold. The site is monitored by the exchange administrator and each new listing goes to the administrator for approval. This exchange is also a good way to promote local community events such as community clean ups, environmental festivals, community yard sales. Ocean County is the first and only one in New Jersey to launch the 2Good2Waste Exchange. There are 8 states in this country that are a part of the 2Good2Waste Exchange network.

The Land Use Board continues to encourage the Borough to explore and implement additional efforts towards recycling.

9) ECONOMIC DEVELOPMENT:

Goal: *To enhance and expand the Borough's economic base by promoting the growth of business opportunities and purposes.*

The Borough has minimal land for commercial development. However the Borough has encouraged all land owners within the Business Zone to improve their properties. There have been projects approved and constructed. One project has approval but is awaiting the economic turnaround to complete its improvements. The Borough has seen closed businesses converted into an auto body shop, a Dunkin Donut franchise and a heating and cooling business. One of the only vacant properties remaining in the business zone has received approval to expand its facility but has delayed the construction until the economy improves.

The Redevelopment zone had an approval for an assisted living facility but economics and a lack of funding did not allow it to proceed. The Borough then investigated alternatives which would better suit the neighborhood. These alternatives allowed and provided for the construction of single family homes in the residential area adjacent to Vista Park.

V. THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES, AND OBJECTIVES FORMING THE BASIS FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS AS LAST REVISED

While there have been no "significant changes" in the assumptions, policies and objectives forming the basis for the Master Plan or development regulations as last revised, the goals and objectives regarding certain elements of the master plan can be supplemented as follows:

1) LAND USE:

The objectives set forth to effectuate the goal should be prioritized as follows:

- a) Re-affirm past Master Plan proposals which encourage low-level business uses at a reasonable scale along the Borough's main arterial roads.
- b) Ensure that vacant parcels or 'areas in transition' conform to existing land use patterns and zoning prescribed presently in Borough ordinances and land use regulations.
- c) Incorporate new "Subdivision and Site Plan Standards" as authored by the New Jersey Center for Urban Policy Research (CUPR) at Rutgers University into pertinent Borough land use ordinances for reasons of conformity and consistency as deemed appropriate.
- d) Identify incompatible land uses and amend zoning controls to inhibit further conflicts.

2) HOUSING:

It is the recommendation of the Land Use Board that this goal be slightly revised to emphasize that the primary objective is to maintain the residential character and existing land use formation of the Borough in its present form, while at the same time providing housing in the Borough for all socio-economic levels.

Objective (b) should be revised to "Encourage rehabilitation of the Borough's existing substandard housing stock as possible through various grant programs as they may avail themselves.

3) CIRCULATION:

It is the recommendation of the Land Use Board that this goal be slightly revised to read as follows: To utilize the existing system of roads to serve as a basis of land use proposals. Capitalize on appropriate development patterns in certain areas of the Borough that encourage the use of public transit systems and alternate modes of transportation to improve travel among major population centers, employment centers and transportation terminals.

4) COMMUNITY FACILITIES AND SERVICES:

It is the recommendation of the Land Use Board that this goal be supplemented to add the following language: "Encourage continuing efforts of the Mayor and Borough Council with respect to infrastructure upgrades deemed appropriate and necessary to maintain existing Borough services. To effectuate the objective, it is the Borough's intention to continue to analyze all available lands for potential community uses, including but not limited to recreational, garden, water retention and other uses and needs.

5) RECREATION:

It is the recommendation of the Land Use Board that goal (b) be amended to read as follows: The Borough has created Vista Park with Green Acres funds, which provides a large, centrally located multi-use park along the shores of the Toms River. With its central location along the riverfront, it extends into the Riverwalk and yacht club.

The objectives should be revised to include maintenance of existing recreational areas as well as expansion of recreational areas.

6) RECYCLING PLAN:

It is the recommendation of the Land Use Board that this goal be supplemented to add the following language: Provide a comprehensive municipal recycling program that minimizes solid

waste and maximizes reusable and renewable resources for the Borough's financial and environmental benefit. Continue compliance with the New Jersey Mandatory Source Separation and Recycling Act and the Ocean County Department of Solid Waste's Recycling Program.

VI. THE SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS

This Reexamination Report fully supports and reemphasizes all aspects of the 1995 Master Plan and 2001 Reexamination Report as well as the Stormwater Management Plan incorporated in the 2001 Reexamination Report and the 2007 Recycling Plan Report. The Land Use Board recommends that some of the goals and objectives be supplemented as set forth in Section V above.

The Borough has adopted a number of Ordinances amending the Pine Beach Land Use Code since the 2001 Re-Examination Report. However, while these amendments have addressed reoccurring issues before the Land Use Board, they are nevertheless consistent with the intent and purpose of the Land Use element as expressed in the 1995 Master Plan and supplemented by the 2001 Reexamination Report. The specific Amendments are listed below:

Ordinance 01-02-548, Amending Chapter 175-20 entitled "Planning Board Approval"

Ordinance 01-06-552, Amending Chapter 149-2 concerning Stormwater management

Ordinance 01-12-558, Amending Chapter 175-16 entitled "Site Plan Checklists"

Ordinance 02-02-560, Amending Chapter 175-58 entitled "R-150 Low-Density Residential District"

Ordinance 03-01-573, Amending Chapter 175-23 entitled "Accessory Buildings"

Ordinance 03-06-578, Amending Chapter 175-60 entitled "R-2 Redevelopment District"

Ordinance 04-02-588, Amending Chapter 175-40 entitled "Alterations"

Ordinance 03-01-573, Amending Chapter 175- entitled "Application Fees"

Ordinance 05-16-618, Amending Chapter 175-23 entitled "Accessory Buildings"

Ordinance 06-03-631, Amending Chapter 175-71 entitled "Storm Drainage Facilities"

Ordinance 06-06-634, Amending Chapter 175-6 entitled "Definitions and Word Usage"

Ordinance 06-07-635, Amending Chapter 175-6 entitled "Definitions and Word Usage"

Ordinance 06-08-636, Amending Chapter 22 concerning affordable housing

Ordinance 06-17-645, Amending Chapter 175-71 entitled "Storm Drainage Facilities"

Ordinance 07-03-648, Amending Chapter 108-20 entitled "Land Use Procedures"

Ordinance 07-08-653, Amending Chapter 175-15.1 entitled "Variances"

Ordinance 10-03-679, Amending Chapter 176-61 entitled "B-1 Highway District"

Ordinance 10-10-686, Amending Chapter 175-6 entitled "Definitions and Word Usage"

Ordinance 11-02-690, Amending Chapter 175, a new article entitled "Trees and Shrubs"

VII. THE RECOMMENDATIONS OF THE LAND USE BOARD CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS ADOPTED PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW INTO THE LAND USE PLAN ELEMENT OF THE MUNICIPAL MASTER PLAN, AND RECOMMENDED CHANGES, IF ANY, IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY

This Reexamination report hereby reemphasized the recommendations as outlined in the Borough of Pine Beach "Redevelopment Compliant Report" dated April 10, 1995 in conformance with New Jersey Redevelopment and Housing Law. The compliance report followed specific planning standards as set forth in the law.

The Redevelopment Plan has focused on the redevelopment of the former Admiral Farragut Academy. The majority of the property has been developed into residential units and recreational facilities including a soccer field, exercise track, walking path, recreation accessory service building and Vista Park for residents' enjoyment viewing the Toms River. The water front area will be developed into active and passive recreational areas as approvals and finances allow.

APPENDIX

2000 Census Data:

	Number	Percentage
Total population	1,950	100.0
SEX AND AGE		
Male	940	48.2
Female	1,010	51.8
Under 5 years	101	5.2
5 to 9 years	132	6.8
10 to 14 years	125	6.4
15 to 19 years	125	6.4
20 to 24 years	71	3.6
25 to 34 years	194	9.9
35 to 44 years	336	17.2
45 to 54 years	313	16.1
55 to 59 years	114	5.8
60 to 64 years	102	5.2
65 to 74 years	173	8.9
75 to 84 years	126	6.5
85 years and over	38	1.9
Median age (years)	41.6	(X)
18 years and over	1,507	77.3
Male	704	36.1
Female	803	41.2
21 years and over	1,454	74.6
62 years and over	399	20.5
65 years and over	337	17.3
Male	139	7.1
Female	198	10.2
RACE		
One race	1,941	99.5
White	1,919	98.4
Black or African American	5	0.3
American Indian and Alaska Native	1	0.1
Asian	12	0.6
Asian Indian	0	0.0

Chinese	5	0.3
Filipino	4	0.2
Japanese	1	0.1
Korean	1	0.1
Vietnamese	0	0.0
Other Asian ¹	1	0.1
Native Hawaiian and Other Pacific Islander	0	0.0
Native Hawaiian	0	0.0
Guamanian or Chamorro	0	0.0
Samoan	0	0.0
Other Pacific Islander ²	0	0.0
Some other race	4	0.2
Two or more races	9	0.5
Race alone or in combination with one or more other races ³		
White	1,928	98.9
Black or African American	6	0.3
American Indian and Alaska Native	3	0.2
Asian	14	0.7
Native Hawaiian and Other Pacific Islander	0	0.0
Some other race	8	0.4
HISPANIC OR LATINO AND RACE		
Total population	1,950	100.0
Hispanic or Latino (of any race)	46	2.4
Mexican	2	0.1
Puerto Rican	21	1.1
Cuban	11	0.6
Other Hispanic or Latino	12	0.6
Not Hispanic or Latino	1,904	97.6
White alone	1,882	96.5
RELATIONSHIP		
Total population	1,950	100.0
In households	1,950	100.0
Householder	767	39.3
Spouse	474	24.3
Child	577	29.6
Own child under 18 years	413	21.2
Other relatives	72	3.7
Under 18 years	29	1.5

Nonrelatives	60	3.1
Unmarried partner	34	1.7
In group quarters	0	0.0
Institutionalized population	0	0.0
Noninstitutionalized population	0	0.0
HOUSEHOLDS BY TYPE		
Total households	767	100.0
Family households (families)	558	72.8
With own children under 18 years	233	30.4
Married-couple family	474	61.8
With own children under 18 years	196	25.6
Female householder, no husband present	62	8.1
With own children under 18 years	24	3.1
Nonfamily households	209	27.2
Householder living alone	172	22.4
Householder 65 years and over	93	12.1
Households with individuals under 18 years	254	33.1
Households with individuals 65 years and over	247	32.2
Average household size	2.54	(X)
Average family size	3.01	(X)
HOUSING OCCUPANCY		
Total housing units	872	100.0
Occupied housing units	767	88.0
Vacant housing units	105	12.0
For seasonal, recreational, or occasional use	70	8.0
Homeowner vacancy rate (percent)	2.0	(X)
Rental vacancy rate (percent)	2.2	(X)
HOUSING TENURE		
Occupied housing units	767	100.0
Owner-occupied housing units	679	88.5
Renter-occupied housing units	88	11.5
Average household size of owner-occupied unit	2.57	(X)
Average household size of renter-occupied unit	2.36	(X)

2010 Census Data

Subject	Number	Percent
SEX AND AGE		
Total population	2,127	100.0
Under 5 years	96	4.5
5 to 9 years	137	6.4
10 to 14 years	142	6.7
15 to 19 years	145	6.8
20 to 24 years	102	4.8
25 to 29 years	87	4.1
30 to 34 years	105	4.9
35 to 39 years	120	5.6
40 to 44 years	133	6.3
45 to 49 years	186	8.7
50 to 54 years	191	9.0
55 to 59 years	175	8.2
60 to 64 years	155	7.3
65 to 69 years	123	5.8
70 to 74 years	82	3.9
75 to 79 years	60	2.8
80 to 84 years	40	1.9
85 years and over	48	2.3
Median age (years)	44.9	(X)
16 years and over	1,722	81.0
18 years and over	1,650	77.6
21 years and over	1,588	74.7
62 years and over	445	20.9
65 years and over	353	16.6

Male population	1,024	48.1
Under 5 years	52	2.4
5 to 9 years	69	3.2
10 to 14 years	81	3.8
15 to 19 years	87	4.1
20 to 24 years	44	2.1
25 to 29 years	51	2.4
30 to 34 years	48	2.3
35 to 39 years	62	2.9
40 to 44 years	58	2.7
45 to 49 years	89	4.2
50 to 54 years	76	3.6
55 to 59 years	86	4.0
60 to 64 years	77	3.6
65 to 69 years	54	2.5
70 to 74 years	40	1.9
75 to 79 years	23	1.1
80 to 84 years	12	0.6
85 years and over	15	0.7
Median age (years)	41.5	(X)
16 years and over	812	38.2
18 years and over	761	35.8
21 years and over	730	34.3
62 years and over	190	8.9
65 years and over	144	6.8
Female population	1,103	51.9

Under 5 years	44	2.1
5 to 9 years	68	3.2
10 to 14 years	61	2.9
15 to 19 years	58	2.7
20 to 24 years	58	2.7
25 to 29 years	36	1.7
30 to 34 years	57	2.7
35 to 39 years	58	2.7
40 to 44 years	75	3.5
45 to 49 years	97	4.6
50 to 54 years	115	5.4
55 to 59 years	89	4.2
60 to 64 years	78	3.7
65 to 69 years	69	3.2
70 to 74 years	42	2.0
75 to 79 years	37	1.7
80 to 84 years	28	1.3
85 years and over	33	1.6

Median age (years)	47.3	(X)
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16 years and over	910	42.8
18 years and over	889	41.8
21 years and over	858	40.3
62 years and over	255	12.0
65 years and over	209	9.8

RACE

Total population	2,127	100.0
One Race	2,108	99.1

White	2,052	96.5
Black or African American	8	0.4
American Indian and Alaska Native	3	0.1
Asian	30	1.4
Asian Indian	2	0.1
Chinese	2	0.1
Filipino	11	0.5
Japanese	2	0.1
Korean	8	0.4
Vietnamese	2	0.1
Other Asian [1]	3	0.1
Native Hawaiian and Other Pacific Islander	0	0.0
Native Hawaiian	0	0.0
Guamanian or Chamorro	0	0.0
Samoan	0	0.0
Other Pacific Islander [2]	0	0.0
Some Other Race	15	0.7
Two or More Races	19	0.9
White; American Indian and Alaska Native [3]	1	0.0
White; Asian [3]	4	0.2
White; Black or African American [3]	8	0.4
White; Some Other Race [3]	3	0.1

Race alone or in combination with one or more other races: [4]

White	2,070	97.3
Black or African American	18	0.8
American Indian and Alaska Native	5	0.2
Asian	35	1.6
Native Hawaiian and Other Pacific Islander	0	0.0
Some Other Race	20	0.9

HISPANIC OR LATINO

Total population	2,127	100.0
Hispanic or Latino (of any race)	79	3.7
Mexican	20	0.9
Puerto Rican	31	1.5
Cuban	11	0.5
Other Hispanic or Latino [5]	17	0.8
Not Hispanic or Latino	2,048	96.3

HISPANIC OR LATINO AND RACE

Total population	2,127	100.0
Hispanic or Latino	79	3.7
White alone	57	2.7
Black or African American alone	1	0.0
American Indian and Alaska Native alone	3	0.1
Asian alone	0	0.0
Native Hawaiian and Other Pacific Islander alone	0	0.0
Some Other Race alone	13	0.6
Two or More Races	5	0.2
Not Hispanic or Latino	2,048	96.3
White alone	1,995	93.8
Black or African American alone	7	0.3
American Indian and Alaska Native alone	0	0.0
Asian alone	30	1.4
Native Hawaiian and Other Pacific Islander alone	0	0.0
Some Other Race alone	2	0.1
Two or More Races	14	0.7

RELATIONSHIP

Total population	2,127	100.0
In households	2,121	99.7
Householder	818	38.5
Spouse [6]	490	23.0
Child	636	29.9
Own child under 18 years	442	20.8
Other relatives	107	5.0
Under 18 years	31	1.5
65 years and over	30	1.4
Nonrelatives	70	3.3
Under 18 years	4	0.2
65 years and over	2	0.1
Unmarried partner	46	2.2
In group quarters	6	0.3
Institutionalized population	0	0.0
Male	0	0.0
Female	0	0.0
Noninstitutionalized population	6	0.3
Male	0	0.0
Female	6	0.3

HOUSEHOLDS BY TYPE

Total households	818	100.0
Family households (families) [7]	617	75.4
With own children under 18 years	242	29.6
Husband-wife family	490	59.9
With own children under 18 years	182	22.2
Male householder, no wife present	43	5.3

With own children under 18 years	14	1.7
Female householder, no husband present	84	10.3
With own children under 18 years	46	5.6
Nonfamily households [7]	201	24.6
Householder living alone	173	21.1
Male	55	6.7
65 years and over	13	1.6
Female	118	14.4
65 years and over	73	8.9
Households with individuals under 18 years	265	32.4
Households with individuals 65 years and over	254	31.1
Average household size	2.59	(X)
Average family size [7]	3.00	(X)

HOUSING OCCUPANCY

Total housing units	903	100.0
Occupied housing units	818	90.6
Vacant housing units	85	9.4
For rent	7	0.8
Rented, not occupied	0	0.0
For sale only	6	0.7
Sold, not occupied	1	0.1
For seasonal, recreational, or occasional use	55	6.1
All other vacants	16	1.8
Homeowner vacancy rate (percent) [8]	0.8	(X)
Rental vacancy rate (percent) [9]	6.9	(X)

HOUSING TENURE

Occupied housing units	818	100.0
Owner-occupied housing units	723	88.4
Population in owner-occupied housing units	1,879	(X)
Average household size of owner-occupied units	2.60	(X)
Renter-occupied housing units	95	11.6
Population in renter-occupied housing units	242	(X)
Average household size of renter-occupied units	2.55	(X)

RESOLUTION NO. 10-23

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
PINE BEACH, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE
EXECUTION OF AN AFFORDABLE HOUSING AGREEMENT AND
DEED RESTRICTIONS WITH THE ASSOCIATION OF MULTIPLE
IMPAIRED BLIND

WHEREAS, the Borough of Pine Beach, Ocean County, New Jersey secured substantive certification of its Housing Element and Fair Share Plan for COAH's first two housing cycles; and

WHEREAS, demonstrating its continued commitment to constitutional compliance with its Mount Laurel affordable housing obligations, the Borough is seeking substantive certification from COAH of its Cycle III Housing Element and Fair Share Plan; and

WHEREAS, the Association of Multiple Impaired Blind ("AMIB") is a non-profit corporation dedicated to promoting community integration and participation of individuals who are blind or visually impaired and have multiple disabilities, by providing opportunities for community living, training and support; and

WHEREAS, AMIB owns certain real property located at 721 Midland Avenue, Pine Beach, New Jersey, designated as Lot 30 in Block 31 on the Tax Map of the Borough of Pine Beach, and 515 Merion Avenue, Pine Beach, New Jersey, designated as Lots 11, 13, and 15 in Block 48 on the Tax Map of the Borough of Pine Beach ("subject properties"); and

WHEREAS, AMIB utilizes the subject properties as supportive and special needs housing for individuals who have a developmental disability ("group home"); and

WHEREAS, the Borough intends to financially assist AMIB to foster the production of low and moderate income housing in partial satisfaction of the Borough's obligation to provide affordable housing in accordance with the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. (the "Act") and the regulations and policies of the New Jersey Council on Affordable Housing ("COAH"); and

WHEREAS, COAH is the State administrative agency created pursuant to the Act vested with primary jurisdiction for the administration of affordable housing in accordance with sound regional planning considerations in New Jersey; and

WHEREAS, COAH's rules permit supportive and special needs housing as a mechanism for the Borough to address a portion of its fair share obligation; and

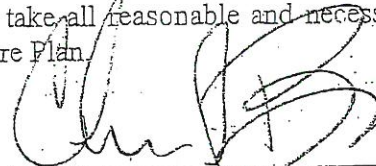
WHEREAS, AMIB desires to maintain the subject properties for the operation of supportive and special needs housing, both consisting of two separate residences containing four (4) bedroom units each for income-qualified individuals in compliance with COAH's rules (the "Project"), which will assist the Borough in meeting its fair share obligation; and

WHEREAS, through the guidance of COAH staff, AMIB and the Borough have developed an Affordable Housing Agreement ("Agreement") and associated Deed Restrictions that will result in a mutually beneficial accord and which will permit the Borough to achieve its goal of securing Cycle III substantive certification from COAH; and

WHEREAS, on February 8, 2010, the Borough Council held a properly-noticed public meeting addressing the substance of the Agreement and Deed Restrictions, and after considering of any concerns raised by members of the governing body or the public, the Borough Council has determined that it is in the best interest of the Borough to authorize the Mayor to execute the Agreement and to submit same to COAH to facilitate substantive certification of the Borough's Fair Share Plan.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Pine Beach, County of Ocean, State of New Jersey, hereby authorizes the Mayor to execute the Affordable Housing Agreement with AMIB and the associated Deed Restrictions to assure that AMIB will preserve its units as creditworthy affordable housing units and to facilitate substantive certification of the Borough's Fair Share Plan.

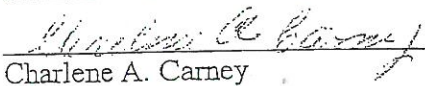
BE IT FURTHER RESOLVED that the Borough Council hereby directs its professionals to submit a copy of the executed Affordable Housing Agreement with AMIB and the associated Deed Restrictions to COAH and to take all reasonable and necessary actions to secure COAH's approval of the Borough's Fair Share Plan.



Christopher J. Boyle, Mayor

CERTIFICATION

I, Charlene A. Carney, Municipal Clerk of the Borough of Pine Beach certify this to be a true copy of Resolution 10-23, which has been approved by the Mayor and Council of the Borough of Pine Beach at the Borough Council meeting conducted on February 8, 2010.


Charlene A. Carney
Municipal Clerk

2/8/10
Date

RESOLUTION 10-37

RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF PINE BEACH, OCEAN COUNTY, NEW JERSEY,
AUTHORIZING PAYMENT FROM THE BOROUGH'S
AFFORDABLE HOUSING TRUST FUND TO THE ASSOCIATION
OF MULTIPLE IMPAIRED BLIND, INC.

WHEREAS, on March 10, 2010, the Borough of Pine Beach received Cycle III substantive certification of its Housing Element and Fair Share Plan from the NJ Council on Affordable On Housing (COAH); and

WHEREAS, pursuant to its grant of substantive certification, the Borough is entitled to several affordable housing credits for supportive and special needs housing located at located at 721 Midland Avenue, Pine Beach, New Jersey, designated as Lot 30 in Block 31 on the Tax Map of the Borough of Pine Beach, and 515 Merion Avenue, Pine Beach, New Jersey, designated as Lots 11, 13, and 15 in Block 48 on the Tax Map of the Borough of Pine Beach; and

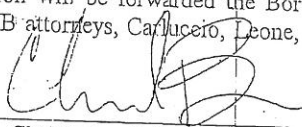
WHEREAS, COAH granted credits for the above-referenced units as a result of a fully-executed affordable housing agreement between the Borough and Association for the Multiple Impaired Blind, Inc. (AMIB); and

WHEREAS, pursuant to this agreement, AMIB agreed *inter alia* to record a 30-year affordable housing deed restriction for each of the above-referenced properties in exchange for payments from the Borough totaling \$140,000, to be taken exclusively from the Borough's affordable housing trust fund pursuant to the Borough's COAH-approved affordable housing spending plan; and

WHEREAS, by the terms of the affordable housing agreement and the Borough's approved spending plan, the initial payment issued by the Borough shall be \$130,000

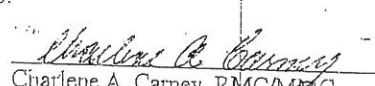
BE IT RESOLVED by the Mayor and Council of the Borough of Pine Beach, County of Ocean, N. J. as follows:

1. Mayor Boyle, the Municipal Clerk, and the Chief Financial Officer are hereby authorized to issue and execute a the check in the amount of \$130,000 to be taken directly from the Borough's Affordable Housing Trust Fund.
2. Pursuant to the above-referenced affordable housing agreement, said affordable housing trust fund check shall be made payable to "Carluccio, Leone, Dimon, Doyle & Sacks, LLC Trust Fund."
3. The Municipal Clerk is hereby directed to immediately notify the Borough's Special Mount Laurel counsel that the check has been fully executed and is ready to be forwarded to counsel for AMIB.
4. Certified copies of this resolution will be forwarded the Borough's Special Mount Laurel counsel and AMIB attorneys, Carluccio, Leone, Dimon, Doyle & Sacks.


Christopher J. Boyle, Mayor

CERTIFICATION

I, Charlene A. Carney, Municipal Clerk of the Borough of Pine Beach, hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Governing Body this 14th day of April 2010.

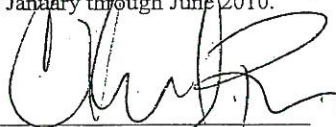

Charlene A. Carney, RMC/MC
Municipal Clerk

RESOLUTION 10-71

WHEREAS, on February 8, 2010, the Borough of Pine Beach entered into an agreement with the Association of Multiple Impaired Blind to financially assist AMIB to foster the production of low and moderate income housing in partial satisfaction of the Borough's obligation to provide affordable housing in compliance with the rules and regulations of the New Jersey Council on Affordable Housing; and

WHEREAS, a subsidy to pay AMIB fifty percent of all affordable housing development fees collected by the Borough until a total of \$10,000.00 has been reached, payable on a semi-annual basis was included the agreement.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer is directed to issue a check from the Development Fee account in the amount of \$4,126.25, which represents fifty percent of the funds, deposited January through June 2010.



Christopher J. Boyle, Mayor

CERTIFICATION

I, Charlene A. Carney, Municipal Clerk of the Borough of Pine Beach, hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Governing Body this 14th day of July 2010.



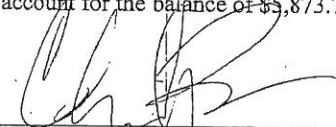
Charlene A. Carney, RMCA/MC
Municipal Clerk

RESOLUTION 11-78

WHEREAS, on February 8, 2010, the Borough of Pine Beach entered into an agreement with the Association of Multiple Impaired Blind to financially assist AMIB to foster the production of low and moderate income housing in partial satisfaction of the Borough's obligation to provide affordable housing in compliance with the rules and regulations of the New Jersey Council on Affordable Housing; and

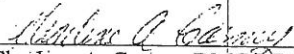
WHEREAS, a subsidy to pay AMIB fifty percent of all affordable housing development fees collected by the Borough until a total of \$10,000.00 has been reached, was included in the agreement. Resolution 10-71 authorized payment of \$4,126.25.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer is directed to issue a check from the Development Fee account for the balance of \$5,873.75 to complete the \$10,000.00 payment.


Christopher J. Boyle, Mayor

CERTIFICATION

I, Charlene A. Carney, Municipal Clerk of the Borough of Pine Beach, hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Governing Body this 10th day of August 2011


Charlene A. Carney, RMC/MMC
Municipal Clerk

RESOLUTION GRANTING THIRD ROUND SUBSTANTIVE CERTIFICATION #62-18

Pine Beach Borough/Ocean County

WHEREAS, on December 29, 2008, Pine Beach Borough, Ocean County ("Pine Beach" or "Borough"), petitioned and on September 22, 2009, Pine Beach re-petitioned the Council on Affordable Housing (COAH) for substantive certification of a Housing Element and Fair Share Plan addressing its total 1987-2018 affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-313 and N.J.A.C. 5:96-3.5, on October 3, 2009, the Borough published notice of its petition in the Asbury Park Press, which is a newspaper of general circulation within the county; and

WHEREAS, COAH received one objection to the plan from Fair Share Housing Center during the 45-day objection period, which ended November 17, 2009; and

WHEREAS, the objecting party and the Borough reached an agreement to the objection and submitted an agreement to COAH on January 15, 2010, the results of said agreement being incorporated into the Compliance Report dated January 19, 2010; and

WHEREAS, the Borough's Fair Share Plan addresses a total 1987-2018 affordable housing obligation of 10 units, consisting of a zero-unit rehabilitation share, a zero-unit Realistic Development Potential (RDP) and a 41-unit unmet need, and an adjusted, 10-unit projected growth share obligation pursuant to N.J.A.C. 5:97; and

WHEREAS, COAH staff has reviewed the Borough's Housing Element and Fair Share Plan, which is incorporated by reference herein; and

WHEREAS, Pine Beach proposes to address its adjusted, 10-unit projected growth share obligation with five credits for built units and 13 credits for proposed units; and

WHEREAS, pursuant to N.J.A.C. 5:97-3.2(a)4, Pine Beach has provided an implementation schedule that demonstrates a realistic opportunity for the creation of five units through a municipally-sponsored development and sets forth a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.7; and

WHEREAS, pursuant to N.J.A.C. 5:96-6.2(a)2, on January 19, 2010, COAH issued a Compliance Report (attached as Exhibit B and incorporated by reference herein) recommending approval of the Borough's petition for third round substantive certification; and

WHEREAS, there was a 14-day period to submit comments to the COAH Compliance Report pursuant to N.J.A.C. 5:96-6.2(b) and COAH received no comments during this timeframe.

NOW THEREFORE BE IT RESOLVED that the Housing Element and Fair Share Plan submitted by the Borough of Pine Beach comports to the standards set forth at N.J.S.A. 52:27D-314 and meets the criteria for third round substantive certification pursuant to N.J.A.C. 5:96-6.3; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-4.1(d), COAH will verify and validate all credits during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.2(a), after having reviewed and considered all of the above, COAH hereby grants third round substantive certification to the Borough of Pine Beach; and

BE IT FURTHER RESOLVED that after receiving final substantive certification, pursuant to N.J.A.C. 5:96-6.3(e), the Borough shall adopt, within 45 days of this grant of substantive certification, all implementing Fair Share Ordinances and a resolution of intent to bond in the event of a shortfall; and

BE IT FURTHER RESOLVED if the Borough fails to timely adopt its Fair Share Ordinances, COAH's grant of substantive certification shall be void and of no force and effect; and

BE IT FURTHER RESOLVED that Pine Beach shall submit all Fair Share Ordinances to COAH upon adoption; and

BE IT FURTHER RESOLVED that Pine Beach shall comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the Borough's actual growth pursuant to N.J.A.C. 5:97-2.5; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-10.1, COAH shall conduct biennial plan evaluations upon substantive certification of Pine Beach's Housing Element and Fair Share Plan to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing; and

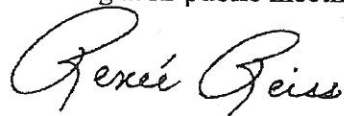
BE IT FURTHER RESOLVED that if upon any biennial review the difference between the number of affordable units constructed or provided in Pine Beach and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a prorated production shortage of 10 percent or greater, the Borough is not adhering to its implementation schedule pursuant to N.J.A.C. 5:97-3.2(a)4 or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, then the Council may direct the Borough to amend its plan to address the shortfall; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-2.5(e), if the actual growth share obligation determined is less than the projected growth share obligation, Pine Beach shall continue to provide a realistic opportunity for affordable housing to address the projected growth share; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.3(b), Pine Beach's substantive certification shall remain in effect until December 29, 2018; and

BE IT FURTHER RESOLVED, that any changes to the facts upon which this substantive certification is based or any deviations from the terms and conditions of this substantive certification which affect the ability of the Borough of Pine Beach to provide for the realistic opportunity of its fair share of low- and moderate-income housing and which the Borough fails to remedy, may render this certification null and void.

I hereby certify that this resolution was
duly adopted by the Council on Affordable
Housing at its public meeting on March 10, 2010.



Renee Reiss, Secretary
Council on Affordable Housing