

BOROUGH OF PINE BEACH
LAND USE BOARD
SPECIAL MEETING AGENDA
June 30, 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. Members of the public who wish to be heard are asked to take one turn to provide comments within a three-minute limit.

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

Amendment to Fourth Round Affordable Housing Amended Borough Housing Element and Fair Share Plan of Master Plan Dated for Recommendation to Council

The notice for this public hearing was published in the Asbury Park Press on June 20th, 2025 and has met the obligations for the Public Notice Requirements. Copies of the Amendment to the Housing Element of the Master Plan are located on the front table and are available for view in the Clerk's office from 9am to 4pm Monday through Friday.

Resolution 2025-07 to adopt Amendment to Housing Element and Fair Share Plan and for recommendation to Council

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

RESOLUTION NO. 2025-07

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 two (2) based on the Borough'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 30, 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 30, 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 30, 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.)						

Christine Lill, Chair

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 30, 2025.

Patricia Wnek, Secretary