

Meeting called to order by the Chairman Mr. Bell at 7:30 pm

All saluted the flag & the Presiding Officers Statement was read.

Roll Call:

Present: Bell, Moran, Cooperhouse Derasadourian, Teller, Waterbury, Gardella,
Martinelly, Carroll, Siciliano
Donato - Attorney
Cranmer - Engineer
Absent: Dodge

Minutes:

A motion was made by Mr. Teller, seconded by Mr. Carroll to adopt the minutes & transcript of the March 17, 2010 meeting as submitted. All approved.

Correspondence:

- Disclosure Statements are due back ASAP

PB Business:

Mr. Bell met with Ms. Donato with respect to the “Time of Decision” to ensure that the board is up to date with what needs to be done. Ms. Donato stated that the “Time of Decision Law” is signed by both Houses, but is not signed by the Governor, but expected to be signed soon.

Ms. Donato explained that if the “Law” is signed it will radically change the way boards can change Ordinances when applications are pending. Based on this legislation you will not be able to change an Ordinance even if you find a use that is something that you anticipated or thought would be allowed in a zone.

Ms. Donato recommends that when the board reviews Article V, the board should not miss the 1 year window of opportunity to revise the Ordinances so that the “Time of Decision rule doesn’t come to “haunt” the board. Ms. Donato said that she will have the following for the May meeting:

- Review of the uses currently permitted in various zones to give some of the uses some reconsideration
- Complete work plan for Article V revisions for the board to review over the next few meetings

Mrs. Siciliano asked if Ms. Donato will be reviewing Article VIII? Ms. Donato said yes.

Mr. Bell asked Mr. Cranmer to supply the most recent proposed Zoning Map to board members. Mr. Cranmer said that he will supply the most proposed map.

Mr. Bell gave a brief explanation of the S-1 (COAH) changes which would change the responsibility and obligation of towns. Ms. Donato stated that the S-1 will dismantle the requirements that this town went through. It will put in a simpler approach but it is not clear whether that approach will pass judicial mustard and there are indications from housing advocates that they poised to challenge the validity of S-1. She feels that they will be in a continued state of "limbo" for an extended period of time when it comes to the affordable housing obligation. The Borough did go through the process and received their Judgment of Compliance & Repose, since there will be a significant & continued amount of uncertainty in the field.

Mr. Bell stated that the Borough is under a 287 obligation, now with any new development that comes in under S-1 the requirement would be 1 affordable unit for every 5 units or a 20% set aside. If S-1 is upheld any new application in New Jersey will be looking be looking at 1 for 5 units. Ms. Donato agreed that the S-1 would make it easier for everyone.

A motion was made by Mr. Moran, seconded by Ms. Waterbury to open the meeting to the public for items not before the board. All approved.

No questions/comment

A motion was made by Mr. Moran, seconded by Ms. Waterbury to close the meeting to the public. All approved.

Unfinished Business:

1 **K Hovnanian Shore Acquisitions:**

owner: D/Three
445 Shrewsbury Ave
Bl: 2 Lots: 1 & 3

Subdivision

Preliminary/Final Site Plan

Date Recd: 8/07/09
Deemed Comp: 12/16/09
Decision Date: 4/05/10

Mr. Michael Macaninch, Esq. represented the applicant.

See attached Transcript which will be made part of this file and attached to these minutes

Mr. Bell announced that this application will be carried to the April 27, 2010 without further notice.

A motion was made by Mr. Dodge, seconded Mr. Cooperhouse to adjourn the meeting at 10:00 pm. All approved.