

Maurice River Township Land Use Board

The Chairman announced that this meeting was being held in accordance with Open Public Meetings Act of New Jersey.

Meeting Minutes: June 3, 2015
Present: B. Stowman, C. Thompson, J. Oliver, R. Chard, J. Carrara, R. Hoffman, G. Gross, J. Pflaumer, T. Imbaratto, M. Benson, C. Morrissey, T. Cuviallo

Flag Salute

Motion to approve previous minutes Chard, 2nd Oliver, AIF, Gross, Pflaumer Abstained

Correspondence

Letter to Gordon Gross dated May 6, 2015 from the US Dept of the Interior, Fish and Wildlife Service.

Re: Coastal Barrier Resources System Revised Maps

Anchor Marina (Temporary Trailer)

Stowman announced correspondence from Anchor Marina. The letter was read. The Marina is asking for an extension for a temporary business trailer to remain on site. It has been there 18 months, with 18 months being the allowed time for use of a temporary trailer. No one was present from the Marina to answer questions so the matter was referred to Gordon Gross. Mr. Gross will send the Marina a letter telling them they need to remove the trailer or come to the July Board meeting to answer questions.

Michael Manno
63 Bay Ave.
Heislerville, NJ
Block 327, Lot 31
Variance

Ben Stowman announced the application.

The application was set to be heard at the last meeting, at the applicant's request the application was not heard and was postponed till this meeting.

All public notices have been done, and the postponement was announced to any public present at the last meeting.

Completeness:

Cormac Morrissey reviewed his report.

The application was submitted for two sets of relief.

"C" Variance for front, side and rear setback relief and maximum lot coverage

The property is in the Conservation District on Bay Ave.

"D" Variance of the minimum height requirement of 35 ft. His application showed a dwelling with a 40 ft height. There has been supplementary information submitted this evening in reference to the building height.

The C Variance that the app is requesting

Front setback is 25 feet is proposed. 100 feet is required. Existing dwelling is at 25 feet.

Sidyard setback at 11.6 and 10.4 proposed, 50 feet is required. Existing is 15 ft and 14.4 ft.

Rearyard setback at 60 ft proposed, 100 feet is required. Existing is 67 feet.

Maximum lot coverage, 14% is proposed, 10% is permitted. There is no calculation to show what the existing lot coverage is.

The applicant is required to submit a checklist in accordance with Checklist K.

He needs relief from several items.

Item #2, tax map and Item #4 200 ft property owners list needs to be shown on the plan, he would need a waiver to not have it on the plan. It can be made as a condition of approval.

Item #7, requires identification of structures on the property and wooded areas within 200 ft of property. He has requested waivers from this requirement. He has provided information on site, for the purpose of a Single Family Dwelling, Mr. Morrissey believes it to be adequate.

Item #8, requires identification of streams, lakes, drainage rights of way, and trees of 8" in diameter.

This may be more applicable to a greater type of application as to a SFD.

Item #9, requires wetlands, transition areas, and buffers be identified. He has requested a waiver. The ordinance does say that a waiver can be granted providing a licensed engineer or surveyor certifies that there are no wetlands or transition areas are on the property. It is an existing home, it is a small type of development. It is the Boards discretion if they want to hold that to the fullest extent.

Items 10 and 12 through 16. Mr. Morrissey does not consider waivers for these items, he feels they are not applicable. Existing streets, road, right of ways, existing driveways, open space and recreation areas, municipal boundary lines. It is a single family lot.

#14 Copy of delineating any proposed deed restrictions that would be up to M. Benson's discretion. It is a single family dwelling to replace a single family dwelling after Sandy damage.

#15, copy of and plan delineation of any existing, proposed easement. They would be seen on the survey. The applicant can testify that there are no public easements running through the property.

#16, Pinelands Development area, it is not in.

The most critical is #17, the applicant lists all outside agency approvals. As noted in Mr. Morrissey's review, the concern is the septic handling on the site. As it may affect the setbacks on the site. He should at least reach out to the CC Health Dept. A similar situation down the street was made to have a holding tank. The solution is not going to be a standard septic. It will be a holding tank or an advanced treatment system. He will need a treatment works approval from the DEP and there will be setback requirements. Currently there is a septic lid on the property line, he will need to build a new system up to code and there will be setback requirements and that could affect the house. Without knowing that it puts the Board in a quandary. The Board can issue approval subject to outside agency approval. This was raised in the review and should have been addressed prior to coming before the Board. The applicant will be at risk if it's approved tonight and he has to modify his setbacks, he will be forced to come back to the Board. The risk is on the applicant. Mr. Morrissey recommended that it be deemed incomplete because of that issue, but the Board can approve subject to other agency approvals.

Tiffany CuvIELLO spoke on her report. She asked Mr. Manno about floor plans.

Mr. Manno was sworn in.

The floor plans were not sent to the Board.

Ms. CuvIELLO spoke on the height variance. This evening Mr. Manno submitted elevations of the proposed height of the building. He has two scenarios, one with a lower pitched and one with a higher pitched roof.

The higher pitched roof, it is from grade to top, 36' 10". The ordinance requires measuring elevation from average grade to midpoint of peak, between the peak and the eave. It allows for 35'. Mr. Manno is not requiring a variance because he will meet the 35'. This was just given to the Board this evening. She stated that her report stated the dimensions of the floor plan were 24' X 36', but she rescaled it and she thinks it is 24' X 38'. She wants to make sure we have the right dimensions.

What was provided demonstrates that he does not need a height variance. Mr. Manno will have to meet the setbacks as shown. He will need to certify the average grade at building permit time to verify that he does stay under the 35'.

B. Stowman asked about the different heights on the plan. He asked about the 36' 10" at the peak, if he does a higher pitched roof. T. CuvIELLO stated that our ordinance defines height to the middle of the roofline, the 36' 10" is at the peak. Mr. Manno has indicated that if he does end up at 36' he will change the pitch of the rough to meet the requirement.

Mr. Manno agreed to the condition that when he comes in for the building permit he will have to show that the midpoint of the eave is at 35'.

Mr. Morrissey stated that the length of the house is 36' long, the front face of the house is 24' and the rear face of the house is 28' wide.

M. Benson asked what checklist #14 is? A copy of and plan delineation of any existing or proposed deed restrictions. Mr. Morrissey stated that there was a house there before so you could think that there is no deed restrictions but Mr. Manno should answer that.

Mr. Manno stated that he is not aware of any deed restrictions on the property.

Mr. Manno stated that in Mr. Morrissey's report it is stated that Items # 10 and #12 through 16 did not require a waiver. Mr. Morrissey stated that he is seeking clarification from M. Benson on that at this time. Mr. Manno stated he could provide a copy of the deed. M. Benson stated that could be a condition of approval.

Mr. Manno spoke on Items #6 and #8. He stated that he has been in contact with Mr. Gale, supervisor from DEP. Mr. Manno will be required to secure a general permit #9 from the state. He will also be retaining an environmental scientist who will do all of the required work together with a professional surveyor so the identification of wetlands and transition areas will be covered in securing a general permit with the DEP. That can also be made a condition of approval. A proposal was given to the secretary in regards to Mr. Manno retaining Inman Environmental.

Mr. Morrissey asked Mr. Manno if he recognized that the permit could have restrictions as to where he can put the house, and if he was comfortable with the Board approving the setbacks with the idea that those setbacks may not be valid if the DEP imposes restrictions on you and that he may have to come back through this process again? If the Board votes on the application tonight and gives Mr. Manno the variance he is seeking, if there is some impact on the review from General Permit #9 that says the house has to be here or there, Mr. Manno has to recognize that he may not be able to hold the setbacks that he has established tonight, he would have to come before the Board again to get new setback relief.

Mr. Manno stated that he does understand that.

B. Stowman stated that we are not waiving #9 or #17. C. Morrissey asked where Mr. Manno was with the septic. Mr. Manno stated that he spoke with a septic engineer who told him to wait to get the permit from the state. So, nothing has been started with the septic. Mr. Manno is willing to stipulate that his plan will comply with the Cumberland County Health Department in regards to the septic. C. Morrissey stated that Mr. Manno would be at risk with that.

T. CuvIELLO feels that it's hard to know what comes first, and before Mr. Manno spends all the money on other things, he is trying to see if he has the right to build.

Mr. Manno asked T. CuvIELLO if she would need an updated elevation certificate. T. CuvIELLO stated that at the time of the building permit if he will meet the 35' height requirement, he will need to provide the construction office with a certification of average grade and show that he will meet the 35'.

Mr. Manno questioned about calculating the height, T. CuvIELLO stated the engineer or surveyor would calculate that at the time.

B. Stowman asked Mr. Manno if any of the setbacks had to change, that he would have to come back, if Mr. Manno was willing to do that. Mr. Manno stated he did not see any alternative. Mr. Benson stated he could wait until he got all of the other permits.

There was a discussion on what should come first, if he should have gotten the other permits first. Mr. Benson stated that if he does not get a variance he can't do anything else.

Board Discussion:

Mr. Benson asked if the Board had any concerns on the waivers. There is one condition on one of the waivers about deed restrictions. We are not waiving the need to show that the property is not subject to deed restriction. We are willing to waive it for now, providing Mr. Manno is willing to show proof that there is no deed restriction.

Mr. Stowman asked if the Board was ok with checklist of items #2 and #4?

Carrara asked if when everything is done, we will get a perfected plan? Mr. Morrissey stated when he submits his application to the DEP he has to prepare a plan that shows what is required, and the Township Clerk is copied on that. G. Gross stated that he will have to give us a foundation survey. Mr. Morrissey said in reference to easements or covenants, if there aren't any than it wouldn't be on the plan, if there are it would be part of the condition. And Mr. Morrissey asked Mr. Manno if he understood that if there are covenants with deed restrictions that we need to find out what that is as a condition of approval, and it would be reflected on a revised plan. That would be a condition, a revised plan would be submitted with those on it.

B. Stowman asked the Board about the property owner's list, Mr. Manno stated that was on the plan. He was referring to the lots with the owner's names on them. Mr. Morrissey stated that what is required is the certified 200 ft property list being on the plan. T. Cuvillo stated it will be scanned and put on the plan. The finished plan will have it on there.

B. Stowman asked about the tax map, the Board seemed to be ok with just the paper copy. He also asked about the existing structures? Mr. Morrissey stated he feels he did address that.

Imbaratto made comment that the applicant may want to consider hiring an attorney to assist with the process.

Morrissey stated that #12 through #16, he does not need waivers for. Checklist #14 will go on the plan. The title search will be updated by the surveyor. Mr. Manno will be required to submit a title search or whatever will show what condition the title is, possibly a deed.

Benson stated what the conditions will be:

Waiving Checklist Item #2, tax map

Not waiving the property owner's list

Waiving Checklist Items #7, 8, 9, 10, 11, 12, 13, 15, 16 and 17

#14 requires a title search to be submitted

This is for completeness only, some things may need to be required for approval.

Morrissey stated he believes the applicant has provided sufficient information as to the physical characteristics of the property.

Motion to deem complete Gross with waivers and conditions, 2nd Carrara, All in Favor on a Roll Call Vote

Approval

Mr. Manno stated this will be for a vacation home.

Stowman asked about if Mr. Manno has dealt with the height issue in consideration of the BFE, etc. Mr. Manno stated that it has been addressed.

Morrissey stated that most engineering issues will be covered by the other agency approvals. The septic issue will be addressed through the county, state and General Permit #9.

B. Stowman asked the Board how they felt about the structure in regards to the previous structure. The footprint is slightly larger.

C. Thompson stated that he is no closer to the street than before.

T. Cuvillo spoke on the application. The height variance is eliminated. The lot is an undersized lot, the setback for a side yard is 50 feet and the lot is only 50 feet wide. So, you do need variances.

Mr. Manno is proposing to increase some non-conformities. The home will be closer to the township property on the one side (east side), the existing structure at one point was closer due to a shed that was attached to the house. He is asking to get 4 feet closer to the west side, but only at the rear of the dwelling where the steps lead up to the rear access, it will be behind the building. There will be adequate separation between the dwelling on lot 30 and the proposed dwelling he constructing will remain consistent as it is today. Ms. CuvIELLO had one note that in 2013, the state legislator adopted a regulation/law that if you have a house that is damaged by Sandy you are allowed to demolish it, rebuild it, and raise it up and not require variances as long as you keep the same dimensions. So, if Mr. Manno kept the 20' by 30' house and the Board would have no jurisdiction as a hardship for homes damaged by Sandy. Mr. Manno has chosen to expand the footprint but she feels that it is important to note that. And also, under that law, they do allow you to encroach further for steps and access points. The variance would probably only apply to the east side. It does not exempt DEP and Board of Health approval.

Imbaratto asked if Mr. Manno decided to take advantage of that law and keep the footprint, what would happen if DEP said the house needed to be moved? CuvIELLO stated that if DEP required something different in terms of moving the house, there are some exceptions to the law and she spoke briefly on that.

Mr. Manno spoke on what was approved on the zoning permit for the previous owners.

CuvIELLO stated that what is there is in really poor condition, so she believes it will be an improvement.

There was a discussion on lot coverage. There was a previous deck. Mr. Manno's improvements will be less lot coverage.

Motion to open public comment Hoffman, 2nd Chard, AIF

The meeting was opened to the public, no public comment

Motion to close Carrara, 2nd Oliver, AIF

G. Gross asked if any other deck is proposed that we have not seen? Mr. Manno stated, yes, there will be a deck/walkway that goes out to the bulkhead. CuvIELLO asked if it is like the one in the picture on the house next door, yes. It is a 4 foot walkway out to the pier.

Will it be in line with the house? Mr. Manno stated it will be off to the side of the deck on the east side.

Will it be inside the 11'6" setback? Yes

It is a just a 4' walkway on the sand? It will be elevated to the height of the first floor. It is denoted on the plan by the purple dashes. It is on the township property side of the property.

The deck will be right on the property line? Yes

The previous one was washed out by Sandy.

Gross commented that it won't be inside the proposed setback.

If it came off the deck and went straight back it would be within the 11' 6" setback. Mr. Manno stated that he could do that.

A concrete walk or patio does not have setbacks, but a deck does.

It is a 4' wood walkway, raised. It is attached to the house. If it was on the ground it would not be considered, but it is attached to the house.

The walkway will go to the existing concrete walkway. It will be approx.. 29 ft off the rear property line.

Mr. Manno stated that there was an existing there before the storm took it out. CuvIELLO stated that Mr. Manno will do it differently by not having as much of it and he is willing to move it over to keep it inside of the 11' 6", Mr. Manno stated yes.

It will be 4 foot raised, flush with the back of the building and will conform to the setback.

Mr. Benson stated what the motion would be

Motion to approve C Variances

Front yard setback of 25'

Side yard setbacks of 11'6" feet and 10'4"

(Discussion on rear setback with walkway, it is actually approx.. 16' setback because the walkway is going to the water side of the bulkhead.)

Rear yard setback of 60' with a 16' setback limited to accommodating the 4' wide wood walkway. The 16' setback was discussed with the applicant so that he understood how Mr. Morrissey came up with that number.

And permitting a 14% lot coverage under the circumstances of the building layout vs. the 10% that is permitted.

All of this is subject to DEP approval for General Permit #9, and County Health Approval for septic. In the event that any of those approvals require a change in setbacks, Mr. Manno will have to come back to the Board for approval on revised setbacks.

And that Mr. Manno has to prove that there are no deed restrictions.

Motion to approve with all conditions listed Thompson, Carrara asked about the perfected plat, that will also be a condition, Carrara 2nd the motion. Roll Call Vote, Thompson, Oliver, Chard, Carrara, Hoffman, and Gross stated yes.

Pflaumer asked about the previous walkway and if a variance was approved for it.

Stowman stated we do not know, Benson stated it is pre-existing non-conformity. Pflaumer stated that it seems unusual. CuvIELLO stated that other houses have the same type of walkway as shown in her report. Stowman stated that it does not go down the other side of the bulkhead. Mr. Manno stated that it goes to the bulkhead and connects to the pier. Stowman asked if the Board that has already voted had already understood that? They said yes.

Roll Call Vote Continued:

Pflaumer No

Imbaratto and Stowman Yes

Discussion on Sub-Committee Meeting on Class II animals, specifically Swine.

Status Report on potential wording:

Negatives

Odor, Health, Neighbors

Positives

Rural Community, Some properties have quite a bit of acreage

Distances you would have to get from other occupied dwellings, the sub-committee came out with a 500 ft. distance. Which would mean you would have at least 10 acres.

The number of swine, they came up with the number 2 as a maximum.

10 Acre Property

500 ft nearest occupied dwelling

200 ft from property line or right of way

If any offspring born, there would be 90 days to get them off property

Board Comments:

R. Oliver stated the sub-committee looked at # of pigs, acreage, and distance. What they came up with is a very limited universe of potential applicants. There are not a lot of people in the township that would meet these requirements. 54% of the property owners are exempt, so the other 46% should be allowed to do what they want with their properties. A horse requires 2 acres minimum, so we are looking at 5 times the allowance for a pig as for a horse. We tried to construct the framework so that there are some options instead of the current ordinance which is a flat no.

Carrara questioned whether they got to the manure issue.

Stowman stated that they did not get that far, they just wanted to come up with enough to see if the Board wanted to proceed.

He also said that they discussed a 200 ft buffer for wetlands.

J. Pflaumer asked why do we even want to go there with pigs? A pig farm attracts flies.

Stowman stated that we were requested by a resident to look at the ordinance.

Stowman also stated that no one wants a pig farm and asked Pflaumer what he would consider a pig farm. Pflaumer felt it would be more than 5 or 10 pigs. Stowman stated the request came in to raise 1 or 2 pigs for a family not a commercial or industrial type farm.

The ordinance would be structured so that it only allowed 1 or 2 pigs. Enough for personal consumption.

Discussion on farms.

Carrara commented on someone having a pot-belly pig as a pet and if that would be allowed.

Benson stated the Board is simply considering this. Then it would have to go the Township Committee.

Or the Township Committee could even rule on its own.

Stowman asked if anyone felt that two were too many.

Gross asked how they would show him as zoning officer, how far away they are from wetlands? Benson stated that there are enforcement issues. There was a discussion on enforcement. Benson stated that this could potentially have things like, permit fees, annual inspections, surveys, and certified distances. Those are things that could happen and be built into an ordinance.

Pflaumer stated the Board is opening a door. Benson stated that it was a door for 2 pigs.

Oliver asked what happens if the Board comes up with a set of parameters to present to the Twp.

Committee. Could the Committee expand on that? Yes, the Committee could even come up with the Ordinance and refer it to the Board. The Committee could go against the Board, they would just need a full vote to do that. It happened that the resident came before the Board first. Oliver stated that it is a Land Use issue so it makes sense that it came here first. Bensons stated that certain things can then become political issues. Oliver stated that once a person deals with all the agencies we have to deal with. Pinelands, CAFRA, DEP, for the remaining land within the twp., if a person owns a piece of land, doesn't infringe on his neighbors, if it's compatible with the environment, why not let him do something with it?

Stowman again asked if 2 are too many? Stowman stated we could go back to the Committee and say we don't recommend any changes, or we decide to make some changes. He asked the Board to speak on what they would like to see.

Carrara asked if it could be a conditional use for 1 pig? CuvIELLO stated that would mean that Gross would not be able to issue a zoning permit and they would have to come before the Board. Then you would have conditions on setbacks, number of pigs, etc.

Oliver stated that we are not talking about a lot of people who have the acreage and would want to raise a pig and that we are in a rural township.

Imbaratto stated that he does not believe it we are a rural township, he believes we are a bedroom community. He stated the two "ifs" are humongous. If you don't bother your neighbor, if you don't infringe.

Stowman asked if a conditional use would require a public notice. CuvIELLO stated yes. They would come before the Board, they would have to do a public notice and the Board would certify that they meet all conditions. If they can't meet all the conditions they would need a variance. It is more cost to the applicant but it takes the burden off of the zoning officer because they have to come in with something formal. She also stated that she is not sure how many property owners that have 10 acres would meet it, but her suggestion when Mr. Camp originally came in, why he doesn't just apply for a variance, for his property. It is site specific, you show why you are not burdening anyone around you, and you public notice. The cost is about the same as applying for a conditional use.

Stowman stated that in other words, leave it zero and have residents come in for a variance. CuvIELLO stated that you would look at each case individually and the Board can way those standards as a use variance. It is a higher burden to prove.

Discussion on coming in for a variance you can come in for anything. If it was a conditional use you would have to come up with an extensive list of conditions. Once they are met, the Board discretion is gone.

Cuviello stated if we created a conditional use ordinance, there is no cost savings and it is not necessarily easier.

Discussion on conditional use. Stowman asked what the Board felt as far as what zones would you not want to see it in? Carrara stated Village Center. If you do it by lot size you eliminate the Village Center and other zones. Carrara also stated she would want it in the wild and scenic stream corridor.

Stowman stated the Board needs to decide if we want to send comments back to the Committee that we feel there is some potential as a conditional use type variance with very specific conditions. Oliver stated do you want to go so far as to specify what sex, since that leads to piglets. Stowman stated that was why they added that piglets would have 90 days to be moved.

Benson stated the question at this point is whether the Board wants to recommend to the Township Committee to consider. The Committee could look at it and say yes, we'd like the planner to start the looking into this.

500 ft, 10 acres, 90 days to get rid of piglets, 1 or 2 pigs being subject to discussion, 200 ft from property lines and waterways.

Hoffman made a motion to send it to the Committee with the recommendations

Motion to open to public for Swine topic or anything else, Carrara, 2nd Hoffman, AIF

Ken Whildon came forward. Asked if anyone here has raised a pig. He stated if the issue is 1 pig, a pig is a heard animal so it is better to have 2 pigs. He stated that regulating it that degree, 5x what a horse is, if someone were to challenge that he thinks that the Board would lose. He feels that is excessive.

Treating one animal one way and another the other way.

Stowman stated that it is about the health issues.

Mr. Whildon spoke about the Right to Farm Act. There was a discussion on that. He stated that you have a right to farm. Cuviello commented, stating that they would have to go under the Farm Land Assessment Act to take advantage of the Right to Farm Act.

Whildon stated it should be fine-tuned a little, his opinion is that the Board is opening themselves up if someone wanted to pursue it legally.

No other public came forward.

Stowman stated we have a motion to tell the Committee where we are so far, there is some potential for conditional use language and we have some highpoints. We are requesting them to get back to us if they want us to pursue this.

Motion Carrara, 2nd Thompson, Roll Call Vote, All in Favor, Oliver Abstained

Motion to close public hearing Carrara, 2nd Oliver, AIF

Tiffany Cuviello spoke on her memo dated June 3, 2015 in reference to COAH.

On March 10th the courts decided that they are going to play Affordable Housing and act as COAH. They did not decide what the obligation is for municipalities throughout the state. There three components to an Affordable house obligation, there is the rehab obligation, the prior round obligation from 1987-1999, and the 3rd round obligation. There were three different sets of publication that provided different municipalities affordable housing obligation would be. The first was the growth share regulation which established that the twp. had to rehab 6 units, which was accomplished without any issues. They also established the prior round obligation as 25 units. Then they projected a growth share

obligation as 37 units, so there was a total obligation to 65. The growth share, the rehabs been addressed so the obligation is now 25. Last year COAH proposed new rules and came up with new calculations. In some the townships total obligation is 45. Now the Counsel on Affordable Housing never adopted those rules so the court took action and said since they didn't do what they were supposed to we are doing it for you. Municipalities will have to come up with how they figure out what their 3rd round obligation is. To help provide guidance, Fair Sharing Housing Center prepared projections for what the obligation should be for every municipality. It is not your obligation, it is not approved, sanctioned, or adopted by anyone. But, they are going to review and be involved with Affordable Housing going forward so it is important to know what they think. The think the third round obligation should be 162 which brings the total to 184. CuvIELLO stated it is not reasonable but something says that the twp. has a high obligation. Maurice River doesn't have the same risks as other municipalities because they don't have available land or infrastructure to support development. So, you aren't in a position to have a builder submit a builder's remedy lawsuit. It could happen, but it's not likely because they would have to provide the infrastructure. The twp. is not as high of a risk. Since we know for sure the obligation is 25, which is not going away, her recommendation is to look at housing stock and vacant land analysis. There would be something on record that says we have this many units that already qualify, we meet our obligation up to this point, we've looked at the vacant land under the statute requirements, and we have a realistic ability to construct this many units under that analysis. It would be us in a better standing.

Stowman asked if we looked into where some vacant land is who would build these units? CuvIELLO stated we only have to zone for it. The builder would be the one to build it. Realistically even if you did find vacant land, there is no sewer or infrastructure to support a treatment center. Stowman asked if we zoned for it would be obligated to provide it? CuvIELLO stated you would ask for a durational adjustment, it means that if you have any vacant land, you would say that this a durational adjustment because we don't have the infrastructure to provide, until such infrastructure becomes available we don't have to provide for this housing which protects the twp. CuvIELLO gave an example of some land that if someone wanted to come in and build on it we could be sued because we haven't zoned for it by saying that we haven't met our affordable housing obligation which says you have an obligation of 184. Whereas if we do a plan that says this site could accommodate 30 units, it could now be controlled. Stowman asked if we provide the zone it would be on the builder to put in the infrastructure? CuvIELLO stated that yes it should be on the builder.

Oliver questioned deed restricted land and if that would qualify as potential buildable land? CuvIELLO stated that if it is deed restricted than no. She stated she also addressed this to the Mayor and Committee.

CuvIELLO stated that there is a group of towns that have elected into a coalition, they are paying collective for a consultant to come up with different numbers that the Fair Share Housing. If Maurice River is interested she can get the information. The cost is about \$100,000 to participate.

Benson asked if there is a clock running for this, CuvIELLO stated no because we have not been under Affordable Housing. CuvIELLO stated that if you are looking at sewer treatment facilities we should definitely look at COAH.

There was some discussion on COAH and treatment facilities.

Motion to close Hoffman, 2nd Chard, AIF

There being no other business, Hoffman made a motion to adjourn, 2nd Chard, AIF

Respectfully Submitted,



Lillian Johnson, Secretary