

BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

February 18, 2026

Meeting Commences at 7:00 PM

Announcement Made by Secretary:

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, PUBLIC LAW 1975. ADEQUATE NOTICE HAS BEEN PROVIDED TO THE COAST STAR AND THE ASBURY PARK PRESS POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND THE BOROUGH WEB-SITE. NOTICES ARE ON FILE WITH THE BOARD SECRETARY. OFFICIAL ACTION MAY BE TAKEN ON THE MATTERS LISTED.

Flag Salute

A. Roll Call:

Board Members present: Chair Eileen Eilenberger, Councilwoman King, Councilman Dayton Lonsdale, Michael Milano, Brian Brendle, Adam Anzzolin, Joseph Layton, Richard Thumann, Tom Martin,

Board Members absent: Roy Francolino, Anna Kuntz

Board Professionals present: Mark Kitrick Esq. , Christine Bell, PP, Michael Shafai, PE, Barbara Van Wagner, Secy.

B. Applications: None

C. Discussion:

Land Use Board review and recommendations for Mayor and Council referral for proposed COAH and Fair Housing Ordinances to determine whether consistent with the Master Plan

1. Ordinance #2026-02 – Amending Chapter 22, Article VI, Affordable Housing – Borough’s Fourth Round Affordable Housing Obligation
2. Ordinance #2026-03 – Amending Chapter 22, Article VI Zoning Regulations, Section 606 (Zone District Regulations) creating the AH-5 Overlay Zoning District in furtherance of the Borough’s obligation to provide for its Fair Share of Affordable Housing – includes Block 53, lots 4 and 5 and Block 67 Lot 5.

Andrew Bayer, Special Counsel for Borough on Affordable Housing matters. Jennifer Beahm negotiated for the Fair Share Housing for the 4th Round

In 2024 the Legislature amended Fair Share Housing for each municipality. Spring Lake Heights prospective need for new construction was 44 units. However, there is no available vacant land, since there is no vacant land then reduced. With that vacant land adjustment the unmet need for 4th Round was reduced. Attempt to have Zoning in place for the Borough to meet unmet need. 2024, the MU1 and MU2 is a mixed use zone on 71 was created to capture the unmet 3rd round unmet need. Was before the Program Judge and that met the 4th round need. 25% has to capture the redevelopment opportunities. To meet 25% of 44 is 11. 11 potentially credible units to meet that need. Change the two lots in question with 20% set aside. To meet the number, will allow residential on the first floor for block 53 lots 4 & 5 and block 67 lot 5. Eliminate commercial potential on the first floor, then could meet the unmet need with the overlay zone, the underlying zoning will be the MU2 Zone. Objectors of the plan, litigated and was asking for a lot more, not settled, not able to reach an agreement. The Court adjudicated and agreed with the Borough and meets the requirements of the 4th Round and rejects the objectors. This recommendation goes to Judge Jones, Superior Court and will be approving in 2 – 3 months. Objectors can still appear before Judge Jones. Recommend the required ordinances be in effect before March 15 per Statutory Requirements.

Christine – Consistent with the Borough’s Master Plan achieving compliance and gives immunity from builders remedy until 2035. Avoid being sued by developers for non-compliance. Developer not able to sue. This is in the best interest of the Borough.

Sara – how did you get these two lots?

Andy- one was the objector’s property, Jenn selected the other one

Christine- based on location, there are three lots – 600 Warren is an office building and 555 Warren is the TD Bank building

Andy- 600 Warren came from the objector. 555 Warren came from Jenn’s office

Richard – the most you can get is 6 units

Christine- need amendment to Housing Element of the Master Plan and it will be revised

Tom- we are covered until 2035? Nice work

Andy- 11 years later, still in it

Eileen- this is an overlay, the other zones aren’t

Christine- MU1 and MU2 are not overlay zones

Tom – when was MU1 and MU2 was it covered?

Andy – it was helpful in Court that it wasn’t overly for MU1 and MU2, just did this one as an overlay

Christine – In MU2, part of the 25 % for the 4th Round shows potential to generate units. Developer sites are the overlay zone or the underlying zone, have higher density for housing

Eileen- if all residential, will eliminate the commercial in the overlay – potential to happen

Christine- In 10 years will have to do something

Andy – will put in status update in 5 years.

D. Resolution:

Resolution 2026-08 – Memorializing the adoption in support of amending - Ordinance #2026-02, Chapter 22, Article VI of the Revised General Ordinances of the Borough Code entitled “Affordable Housing” in furtherance of the Borough’s Fourth Round Affordable Housing Obligation as consistent with the Master Plan

Motion to approve: Brian Brendle Seconded by: Tom Martin

Voted in favor: Chair Eileen Eilenberger, Councilwoman King, Councilman Dayton Lonsdale, Michael Milano, Brian Brendle, Adam Anzzolin, Joseph Layton, Richard Thumann, Tom Martin

Opposed: None

Resolution 2026-09 – Memorializing the adoption in support of amending – Ordinance #2026-03, Chapter 22, Article VI Zoning Regulations Section 606 (Zone District Regulations) creating the AH-5 Overlay Zoning District of the Revised General Ordinances of the Borough Entitled “Affordable Housing” in furtherance of the Borough’s Fourth Round Affordable Housing Obligation as consistent with the Master Plan

Motion to approve: Councilwoman King Seconded by: Chair Eilenberger

Voted in favor: Chair Eileen Eilenberger, Councilwoman King, Councilman Dayton Lonsdale, Michael Milano, Brian Brendle, Adam Anzzolin, Joseph Layton, Richard Thumann, Tom Martin

Opposed: None

Motion to adjourn: Brian Brendle Seconded by: Councilman Lonsdale

Meeting Adjourned: 7:50 PM