

LITTLE EGG HARBOR TOWNSHIP COMMITTEE MEETING

SPECIAL MEETING MINUTES

January 28, 2025

9:00 A.M.

Mayor Daniel Maxwell called the Little Egg Harbor Township Special Committee Meeting to order and lead the Pledge of Allegiance. Time: 9:00am

OPEN PUBLIC MEETING STATEMENT

Township Clerk, Kelly Lettera, read the Open Public Meeting Statement: *"This Special Meeting is called pursuant to the provisions of the Open Public Meeting Law. Notice of this Special Meeting of January 28, 2025 was duly advertised, posted in the Municipal Complex, and has remained posted as required under the aforesaid statute. I am directed to include a record of this statement in the minutes of the Special Meeting."*

ROLL CALL:

Present: Mr. Laney; Mr. Scibetta; Mayor Maxwell

Absent: Mr. Gormley; Mr. Kehm

Township Attorney, Melanie Appleby, explained to the Committee that DCA released their 4th round affordable housing numbers. She stated that the Committee has the option to approve the numbers that DCA is purposing or challenge the numbers based off the Township Planner's analysis that will back the challenge. She stated Little Egg Harbor's fourth round affordable number is 184. She stated by Friday, January 31, 2025 a binding resolution has to be in place modifying or accepting the number or the township will lose immunity for exclusionary zoning. She stated then within 48 hours of resolution certification, her office has to file a declaratory judgement action in court to get into the program. Ms. Appleby stated she would recommend challenging the number based off the Township Planner's analysis but the Committee must know that the Committee is putting themselves in a scope by bringing on challengers.

James Oris, Township Planner and Ashton Jones from Remington & Vernick provided the Committee with the background regarding the affordable housing rounds and an analysis of the Department of Community Affairs fourth round Affordable Housing obligations for 2025-2035. Mr. Oris provided DCA's methodology in calculating the fourth round affordable housing numbers. He stated they are using an A4 regulation when doing the calculations which consists of 1/3 land capacity, 1/3 income and 1/3 equalized nonresidential valuations. He continued by stating the DCA fourth round number is 184, although after they looked at the maps and properties that DCA suggested, he saw some discrepancies. He stated the Blue Comet property and North Green Street property have prior Planning Board approval. He also saw the properties behind the two water towers are MUA owned, not developable and are not able to be included in the affordable housing numbers. He stated they have found a total of 104 acres needs to be removed from DCA's proposed numbers. Mr. Jones stated that zoning is not a factor when DCA determines their calculations and that they only go off the A4 regulation. Mr. Jones stated the process includes

a resolution modifying or accepting the proposed numbers needs to be submitted by January 31, 2025, the municipalities proposed numbers can be challenged till the end of February, by the end of June the Planning Board has to adopt a new fair share housing plan to incorporate those numbers and thereafter the Committee approves a resolution accepting the new fair share housing plan.

Committeeman Scibetta stated the town has to fight the battle to get the numbers down. He asked the Township Attorney if when the developers come into town to develop a property is the Planning Board able to ask for a 30% age restricted affordable housing ratio? Ms. Appleby confirmed age restricted is 30% and the set aside limit is 20%. Committeeman Scibetta asked if an ordinance needs to be in place in order for the town to maximize the amount of credits for each project being proposed and if the town is able to require the developers to build housing for those who are underserved while receiving the maximum credits for affordable housing. He stated the township would be able to receive the benefits from those that are underserved such as seniors with special needs and veterans with disabilities. He also questioned if the autistic group homes are included in the numbers. Ms. Appleby confirmed there is a new category that the town can get bonus credits for those affordable housing units with special needs. She stated it is all on how the ordinance is written and what the town wants to include for the developers to satisfy the affordable housing requirements in the most efficient way possible. She stated the ordinance and plan needs to make it attractive to developers by minimizing the impact but maximizing future development within the town by encouraging bonus credits. Mr. Scibetta stated when he attended the NJ League of Municipalities, they stated DC'A has funding to help the developers to satisfy the bonus categories.

Township Administrator/CFO, Rodney Haines, asked what if the town has properties that are on the approved OC Natural Lands Trust Open Space list that the township has not yet approved. He stated he can see atleast two properties on the map that total roughly 10 acres that the township will be doing resolutions of support, but have not authorized them yet. Mr. Oris stated he should be able to further evaluate the properties at a later time. Ms. Appleby stated the number could also change in court and that could be an argument for the number to be even lower. She stated currently the number is not locked in yet. She stated the township is making an argument based off the Township Planner's analysis on what the township believes is reasonable under the statute and vacant land analysis and the court will have the opportunity to look at everything and make a determination.

RESOLUTION 2025-072

Committing to Department of Community Affairs Fourth Round Affordable Housing Present Need and Prospective Need Numbers as Modified

Motion to Approve: Scibetta

Second: Laney

Roll Call: Mr. Laney; Mr. Scibetta; Mayor Maxwell

PUBLIC COMMENT

Motion to Open to Public: Laney Second: Scibetta All in Favor

No comment from the public.

Motion to Close to Public: Scibetta Second: Laney All in Favor

Motion to Adjourn: Laney Second: Scibetta All in Favor

I hereby certify the foregoing minutes were formally approved by the Little Egg Harbor Township Committee.



Kelly Lettera, CMC, RMC
Township Clerk

