

MINUTES
July 27, 2021

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding with Commissioner McLoughlin and Commissioner Bolan answering the roll call. Also in attendance was the Borough Clerk and Borough Attorney.

The meeting was called to order at 7:30 P.M. with a salute to the flag.

Mayor McLaughlin announced that the notice requirements of R.S. 10:4-18 had been satisfied by delivering the required notice to the Coaster, posting the notice on the board in Borough Hall and filing a copy of said notice with the Borough Clerk.

COMMUNICATIONS:

Township of Ocean Resolution #2362 establishing Land Use Regulations and Licensing Requirements for Cannabis Establishments.

ANNOUNCEMENTS:

National Night Out will be held on Tuesday, August 3, 2021 from 6pm to 8pm at Railroad Plaza Park. The Illumination will be from 5:30 to 9:30 at the Beach. There will be food trucks including Kosher food and music.

ORDINANCES

ORDINANCES – FIRST READING

ORDINANCE #2021- 12

**AN ORDINANCE OF THE BOROUGH OF ALLENHURST, IN THE
COUNTY OF MONMOUTH, NEW JERSEY RESCINDING AND
VACATING ORDINANCE #2021-05 THAT ADOPTED AN AMENDED
MAIN STREET REDEVELOPMENT PLAN PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, on November 15, 2004, in accordance with the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the *ARedevelopment Law*), the Borough of Allenhurst (the "Borough") designated certain property fronting on Main Street and Deal Lake as an area in need of redevelopment; and

WHEREAS, in accordance with the provisions of the Redevelopment Law, the Borough enacted the "Main Street Redevelopment Plan" in October 2006, as amended in November 2007 for the Redevelopment Area; and

WHEREAS, the Borough amended and restated the Redevelopment Plan by Ordinance 2021-05 to, *inter alia*, permit a townhouse development on the east side of Main Street, modify the 2007 Redevelopment Plan by proposing the demolition (rather than adaptive reuse) of the Art Deco former Jersey Central Power & Light (JCP&L) buildings along the west side of Main Street and revise the concept for the redevelopment of the former JCP&L barn site on the east side of Main Street to permit new construction; and

WHEREAS, Ordinance #2021-05 was adopted upon second reading on April 13, 2021; and

WHEREAS, on June 28, 2021 the Borough received written correspondence from Fair Share Housing Center ("FSHC") notifying the Borough of FSHC's intention to intervene in the action filed by the Allenhurst Taxpayers Association, Inc. to assert a cross-claim alleging, among other things, a constitutional violation by the Borough relative to the Borough's obligation to provide a realistic opportunity for affordable housing if the Amended Redevelopment Plan adopted via Ordinance #2021-05 is not revised to include a 20% affordable housing set-aside (the "Affordable Housing Obligation"); and

WHEREAS, any attempt to address Fair Share Housing Center's concerns will require the Amended Redevelopment Plan to be substantially revised.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, New Jersey (not less than a majority of the full authorized membership thereof affirmatively concurring), as follows:

1. That the above recitals are incorporated herein as though more fully set forth herein at length, and
2. Ordinance #2021-05 be and is hereby rescinded and vacated as the Amended Redevelopment Plan will have to be substantially revised to address, among other

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

Ava Derasimo	Lifeguard	\$12.25	Hour
Richard Steckhahn	Recreation (Add'l Week)	\$1,000	Season
Siena Michals	Security	\$11.10	Hour
Althea Michals	Security	\$11.10	Hour

Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

Offered By: Comm. McLoughlin **Seconded By:** Comm. Bolan

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

Elliot Cohen residing at 211 Spier Avenue questioned why something so different from the character of the town was ever considered. The Commissioners advised that various developers presented proposals. The

developer who owns the property has a certain vision of its development that differs from that of the Borough's.

Susan Cohen residing at 211 Spier Avenue asked why the same rules and regulations that apply to single-family residents don't apply to this development? The Commissioners explained that the outcome of Builders' Remedy suit will decide the fate of the property.

Jim Caulfield residing at 2 Spier Avenue. Ask for the owner of record of the property; if the remediation of the property has been completed and what the Borough's Affordable Housing obligations are. The Commissioners responded that the owner is Power Station, LLC. The monitoring and cleanup have been completed.

A brief recess takes place.

Mr. Jessup, the Borough's Redevelopment Attorney, explained that the Borough has an Affordable Housing obligation regardless of what happens on the Main Street site. Currently under the Fair Housing Act the Borough's obligation is to produce 98 affordable housing units from now until 2025.

Mr. Caulfield asked what the Commissioners might have done differently to avoid the current situation. The Mayor and Commissioners explained how the events unfolded.

Hyman Anteby residing at 303 Norwood Avenue asked why the developer feels they can do what they want. Commissioners stated that the Borough's preference was expressed and there has been a lot of back and forth tweaking of the proposed redevelopment which is now mooted by the lawsuit. Mr. Anteby suggested that everyone should work together to resolve this situation and move forward.

Ed Gallagher has no issue with the redevelopment of the property and asked what the Borough's "end game" plan is.

Lou residing on Page Avenue commented on the impact of the growing population of the Borough. Commissioners responded that there is the ability to limit the number of daily beach badges and beach club members.

Albert Cohen residing at 505 Cedar Avenue relayed the history of JCP&L property and asked if the buildings could be restored. Commissioners advised that an adaptively reuse of the buildings was originally considered but other Residential Site Improvement Standards were lacking.

Sam Mezrahi residing at 308 Elberon Avenue also asked about the current capacity limits of the beach club and if Allenhurst residents are a priority for the cabana ownership. The Commissioners advised that Allenhurst residents would be a priority and the current beach club membership is 2,600.

Maurice Ades residing at 10 Allen Avenue suggested that the property be used for something positive for the Borough. The Commissioners advised all possibilities will be investigated.

Mr. Lamb reiterated the changes to the ordinances and stated that a Master Plan and re-examination report have regulations in place to limit the development of this property, review the planning aspects and should also pursue condemnation, public purposes possibilities of the property.

Steve Ryan residing at 118 Corlies Avenue asked about other potential interested developers. Commissioners advised that Requests for Proposals went out on two separate occasions between 2004 and 2014 and the Borough received very limited response. Mr. Ryan stated his preference for the development of property to eliminate the conditions of the property currently.

The Commissioners reiterated that the public is welcome to call or email any questions or concerns to the Borough office.

Elaine Buttacavoli residing at 601 Page Avenue asked about the proper avenue to access current plans for the site and can that information be supplied to the public by email blasts. The Commissioners advised that the Borough Website is the best source of information.

Victor Tawil residing at 107 Cedar Avenue thanked the Commissioners for all the work they do on behalf of the Borough and asked if the property was sold by bid process and the contents of the original and current Redevelopment Plan. The Commissioners advised that it was a private sale between JCP&L and Power Station, LLC and the developer has a right to ask for changes to the Redevelopment Plan.

Mr. Jessup advised that the conversion of Redevelopment Plan from requiring adaptive reuse to allowing the demolition was the product of a significant, good-faith negotiation between the Borough and the developer.

Judith Horowitz residing at 211 Corlies Avenue asked for an update on replacement fire truck. The Commissioners stated that the neighboring towns are willing to contribute towards the purchase of the new equipment and volunteers are needed for emergency services.

Joe Dweck residing at 117 Allen Avenue asked whether the redevelopment of the Main Street property would

lower the taxes for residents. The Commissioners advised that the development of the property would be additional revenue for the Borough and could possibly decrease the taxes or at least stabilize them.

Theresa Santoro residing at 21 Allen Avenue appreciated the Borough rescinding the ordinance and stated that there was a time when the capacity of the beach club was much lower. Ms. Santoro asked what are the plans for moving forward to resolve the issues?

The Commissioners appreciated all the comments and questions made this evening and everything will be discussed and reviewed.

There being no further business or comments, Comm. McLoughlin moved, seconded by Mayor McLaughlin that there be no executive session and the meeting be adjourned at 9:10 PM.
Motion carried.