

**POINT PLEASANT PLANNING BOARD**  
**March 26, 2026**

The regular meeting of the Planning Board was called to order by Chairwoman Bavais. Ms. Bavais read the Notice of Compliance which states that adequate notice of the meeting had been given.

**Roll call:**

Present: Chairwoman Bavais, Vice Chair Welch, Vice Chair McHugh, Mr. Pannucci, Mr. Sestito, Mr. Archer, Mr. Stevenson

Attorney: Ben Montenegro, Esq., Engineer: Ryan MacNeill, P.E., Board Secretary: Claire Hense

Absent: Mayor Sabosik, Councilman Furmato, Mr. Potter

The February 26, 2026 **Minutes** were approved on a motion by Mr. Archer and seconded by Vice Chair McHugh; all were in favor.

Chairwoman Bavais stated the Board has one **Resolution** for review this evening, that of TFM Builders, LLC regarding property located at 1404-1406 Treeneedle Road, a/k/a Block 339, Lots 26.

A motion was made by Mr. Pannucci and seconded by Mr. Archer to formally approve the Resolution of denial. Roll call: YEAS: Brian Welch, Joseph Furmato, Mary Jane Bavais, John McHugh, Jr., Robert Sabosik, Frank Pannucci, William Stevenson. NAYS: None

**New Business: Extension of Time Request**

Robert **Pollock** presented a request for a 90-day extension of time to file a map for a previously approved subdivision at Block 262, Lot 14 (831-833 South Street). Mr. Pollock explained that delays occurred due to a five-year road moratorium on South Street which required obtaining a hardship waiver from the town council. A previous 60-day extension proved insufficient, expiring on April 26, 2026. The applicant confirmed that a 90-day extension would be sufficient to complete the necessary steps, including setting monuments, completing the survey, and obtaining County signatures before filing with Ocean County.

**Motion:** Made by Mr. Stevenson, seconded by Mr. Sestito, to **approve a 90-day extension of time for the applicant to file the map**. The motion passed by roll call vote.

**Review of Ordinance 2026-06**

The Board reviewed Ordinance 2026-06 which amends and supplements Chapter 19 of the Borough Code (Land Use) to add overlay zone regulations. Mr. Pannucci provided an overview, explaining that the Ordinance is a strategic measure to address the State's fourth-round affordable housing obligations. Following a lawsuit lost by approximately

25 to 50 towns, municipalities that do not have a settlement with Fair Share Housing risk losing their immunity from "builder's remedy" lawsuits, which would allow developers to override local zoning.

Mr. Pannucci stated that rather than approving large-scale developments, the Borough's approach was to amend existing zoning. The Ordinance increases the permitted density from eight to twelve units in specific overlay zones, such as the corners of Bridge Avenue and Route 88, with a requirement that two of the twelve units be designated as affordable housing. This action was sufficient for a land use judge to rule that the Borough is complying with its obligations, thereby preserving its immunity and maintaining local control over future development applications. An applicant must still come before the Board for approval on any proposed project. Mr. Montenegro added that compliments go to the Mayor, Council and Mr. Pannucci for this.

**Motion:** Made by Chairwoman Bavais, seconded by Vice Chair Welch, to **recommend that Ordinance 2026-06 is consistent with and in furtherance of the Master Plan.** The motion passed by roll call vote.

### **Committee Reports**

Mr. Montenegro reported that the Exempt Site Plan Committee had no meetings. It was also noted that a report from the Environmental Commission from Mr. Potter was included in the Board members' packets for their review.

### **Closed Session for Litigation**

The Board moved to enter a closed session to discuss pending litigation.

**Motion:** Made by Vice Chair Welch, seconded by Chairwoman Bavais, to **enter into closed session.** The motion passed by roll call vote.

The Board returned from closed session.

### **Payment of Bills**

A motion was made to approve the payment of bills.

**Motion:** Made by Mr. Pannucci, seconded by Mr. Archer, to **approve the payment of bills.** The motion passed by roll call vote.

### **Action Items**

- **File an appeal of the Court's decision regarding the Dunkin' Donuts application by the May 7, 2026 deadline.**
- **Process signed drawings for the Pollock subdivision at 831-833 South Street.**

### **Adjournment**

With no further business, a motion was made to adjourn the meeting, with all in favor.

Respectfully submitted,

Claire S. Hense