The Keyport Unified Planning Board held a Special Joint Meeting on June 17, 2025, which was called to order by Juan Carlos Oviedo at 7:05 PM, the Sunshine Law Notice was read by Michele Clark, Borough Clerk followed by the Flag Salute.

Present: Mayor Araneo, Councilmember Merla, W. McDermott, H. Aumack T. Burke, C. Demarest, J. Oviedo, D. Pacheco, S. Dixon K. Bartolome
Absent**:** W. Kane

Professionals: Board Attorney Marc Leckstein, Trevor Taylor, CME

REVIEW OF FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN FOR COMPLIANCE WITH THE BOROUGH'S MASTER PLAN

McKinley Marcus, Consultant, stated that she has been working with the borough since April on its Fourth Round Affordable Housing Plan alongside Elson and Edward Associates.

Summary of the meeting:

- Spending Plan Overview:

  A spending plan for affordable housing was presented, outlining eligible expenditures including housing rehabilitation and administrative fees. This allows related professional services (e.g., planners, attorneys) to be paid from the housing trust fund rather than the municipal budget.

- Plan Adoption Process & Legal Immunity:
  The proposed Housing Element and Fair Share Plan must be adopted by June 30, 2025, to maintain immunity from builder's remedy lawsuits. A 60-day challenge period (July 1–August 31) follows, during which developers or interested parties may object.

- Unit Obligation & Timeline:
  Keyport's affordable housing obligation is 128 units over the next 10 years (by 2035). Most units are expected from rehabilitation of existing homes and future developments using a 20% set-aside ordinance for projects of five or more units.

- Existing Housing Credits:
  Projects like Bethany Manor and Oyster Bay (American Legion building) provide affordable units. However, due to caps on age-restricted units, only Bethany Manor's 100 units count toward the obligation. Oyster Bay is confirmed as age-restricted (55+), but cannot be used due to the cap being met.

- Rehabilitation Program Details:
  The plan includes a rehabilitation program projected to contribute ~8 of the required units (based on likely resident participation). The Borough will need to actively promote this program to income-eligible homeowners.

- Mandatory Set-Aside Ordinance:
  A local ordinance is proposed requiring 20% affordable units in all future multifamily developments of five or more units. This aligns with industry best practices and helps meet obligations through future redevelopment or infill.

- Redevelopment Areas:
  Four active redevelopment areas were identified. Three have site plan approvals and are exempt from new requirements:
  - PRC (Point of View)
  - Brown's Point Marina
  - 55 Manchester
    The Aeromarine site remains subject to the new requirements due to lack of current approvals.

- Legal Clarifications & Court Rulings:
  A recent court ruling confirmed municipalities are not required to submit plans to the Fair Share Housing Center prior to June 30 unless a formal agreement exists. This ruling does not change statutory deadlines or obligations.

- Developer Challenges:
  Developers may attempt to challenge the plan or propose alternatives during the 60-day period. If challenged, the Borough enters a legal process but retains immunity during resolution.

- Veterans & Special Populations:
  Affordable developments can designate up to 50% of units for veterans, but cannot satisfy the full obligation solely with non-family or age-restricted housing.

- Pilot Programs & Pre-Approved Developments:
  Approved developments applying for PILOTs (Payment in Lieu of Taxes) are not automatically exempt. Older projects may be reconsidered if documentation supports inclusion in the plan.

Mr. Aumack commented that we are a small town feels the deadline to provide required housing was going to be difficult. Mr. Leckstein explained that if this doesn't happen there is no negative consequence. Mr. Aumack mentioned that he believed Oyster Bay had section 8 housing; Ms. Marcus will look into that.

Mr. Pacheco asked Ms. Marcus to go over the four different stages again.

Councilmember McNamara stated that there are four active redevelopment plans; Ms. Marcus replied that they were approved before this plan and that they would be exempt. There was further discussion regarding the redevelopment plans.

Motion to open to the public at 7:55PM was made by D. Pacheco, second by Mayor Araneo with ayes by all present.

John Merla, 34 Broad Street – can the obligation of affordable house transfer to another municipality.

Motion to approve plan and resolution was made by H. Aumack, second by T. Burke

Ayes: Mayor Araneo, Councilmember Merla, Chairman Oviedo, H. Aumack, T. Burke, C. Demarest, W. McDermott, D. Pacheco, S. Dixon

Motion to adjourn at 8PM was made and carried.

The next scheduled Planning Board Meeting will be Thursday, June 26, 2025