

**BOROUGH OF SOUTH TOMS RIVER  
LAND USE BOARD MINUTES  
MONDAY, AUGUST 18, 2025 7:00 P.M.**

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**ROLL CALL**

Present: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mrs. Grams, Mr. Glogolich,  
Mr. Serdinsky, Mrs. Petro  
Absent: Mr. Jubert, Mrs. Kratochvil

Also in attendance were Debra Rumpf, Rumpf Law, and Mark Rohmeyer, Borough Planner, Morgan Municipal Engineering Services

**MOMENT OF SILENCE AND ALLEGIANCE TO THE FLAG**

**OPEN PUBLIC LAW STATEMENT MEETING**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of August 18, 2025 was included in a list of meetings notice sent to the Asbury Park Press on December 20, 2024, and advertised in said newspaper and posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

**CHAIRMAN'S STATEMENT**

This meeting is a judicial proceeding any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to such a meeting much be maintained at all times. Any yelling, talking over each other and/or vulgar language will not be tolerated. This meeting shall end by 10:00 PM unless a majority of the board agrees to continue.

**APPROVAL OF MINUTES FROM JULY 21, 2025**

Mr. Glogolich made a motion to approve minutes, seconded by Mr. Rutzler.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mrs. Grams, Mr. Glogolich, Mr. Serdinsky,  
Mrs. Petro

No: None

**OLD BUSINESS**

There was no old business to discuss.

## NEW BUSINESS

Public Hearing on Master Plan Amendment Housing Plan Element and Fair Share Plan  
Mark Rohmeyer, Borough Planner, Morgan Municipal Engineering

Mrs. Rumpf swore in Mr. Rohmeyer.

Mr. Rohmeyer is the Borough Planner and is here to speak about the 4<sup>th</sup> round of affordable housing. The borough is required to adopt a Housing Element and Fair Share Plan which is part of the Master Plan. The State comes out with a new plan every 10 years that requires municipalities to come up with a plan that addresses affordable housing over each 10 year period. The borough is required to have 35 affordable housing units within the next 10 years however since the town is so small and has few vacant lots the borough will be required to build 6 affordable housing units. Municipalities are required to perform a vacant land analysis which could allow for a reduction in how many units in how many units the borough needs to supply. Mr. Rohmeyer has provided the board with the vacant land analysis that lists what the permitted exclusions are. He has compiled a list of vacant properties within the borough and the State NJAC 5:93 lists 7 different exclusions and municipalities would not be required to build on those lots. The first example is a minimum lot area to meet the requirements for affordable housing. The smallest lot would be .83 acre which would allow for a 6 unit, multifamily, dwelling. Out of the 6 units one would be required to be affordable housing. The list of vacant lots was submitted by the tax assessor and Mr. Rohmeyer compiled a list of all the lots that would be excluded. There are 2 vacant lots of sufficient size and suitability to support new development, and the borough is obligated to provide 6 units of affordable housing. One property is located by the Second Baptist Church the other is a group of lots located at Dover Rd. and Mill St. The collective lots on Dover Rd. and Mill St. for 4 single family dwellings along Dover Rd. and an additional 2 single family dwellings or a duplex dwelling in the woods behind. This plan would satisfy the borough's obligation to the state. A developer would buy the land from the borough at fair market value and then would need to come before the board for approvals. The borough is taking three additional steps to allow for future affordable housing to be built. The first is a redevelopment overlay zone in some areas for the commercial district which would allow for 20% units to be constructed. For example, the borough could pass an ordinance allowing for apartments on top of retail businesses. The second suggestion is a mandatory set aside ordinance where if there are more than 5 units to be proposed 20% would be required to be affordable housing. The third option would be to allow a second smaller home to be built on one lot. Mr. Rohmeyer stated that wasn't a good fit for the borough. Mr. Rohmeyer asked if anyone from the board had questions.

Mr. Serdinsky questioned including Block 10 Lots 16, 17, & 18. He believes the board recently gave approval for a single family dwelling on lots 16 & 17. Mr. Rohmeyer will check on which lot the dwelling was to be built on and the plan can be updated. He questioned why The Lofts wasn't taken into consideration. Mr. Rohmeyer thinks it was part of round three however he will look into it and the plan can be amended.

Mr. Glogolich asked about the rounds Mr. Rohmeyer mentioned. Mr. Rohmeyer explained that Affordable Housing started 30 years ago and the state updates the criteria to make towns compliant.

Mr. Rohmeyer stated that if the plan was not passed it could open the borough up to lawsuits under Builders Remedy and they would win.

Mr. Serdinsky questioned the figures on Table 7 regarding household income. He does not believe that there are 406 households making \$100,000 - \$149,000 in the borough. Mr. Rohmeyer stated that figure was taken from the last US Census.

Mr. Whalen asked what price is affordable housing. Mr. Rohmeyer stated that was more of a legal question but it is based on a percentage of the average income. Mr. Serdinsky questioned those numbers, the average total for the borough is \$270,000. Since the borough is lower than both the state and county figures then many homes in town are already low income so why can't the borough use those homes to satisfy. The borough must have the state designate that they are affordable housing, just because the income is lower it does not make it affordable housing.

Mr. Rohmeyer stated that the borough should pass the plan before the deadline and it can be amended at a later date. Mr. Whalen asked what would happen if the board did not pass the plan. The affordable housing attorney would have nothing to submit to the state and Builders Remedy could be forced upon the borough.

There were no other questions from the board.

Mr. Glogolich made a motion to open the meeting for public comment on the Master Plan Amendment Housing Plan Element, seconded by Mr. Rutzler.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mrs. Grams, Mr. Glogolich, Mr. Serdinsky,  
Mrs. Petro

No: None

No public comment.

Mr. Rutzler made a motion to open to close the meeting for public comment on the Master Plan Amendment Housing Plan Element.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mrs. Grams, Mr. Glogolich, Mr. Serdinsky,  
Mrs. Petro

No: None

Resolution 2025-10 Adopting Master Plan Amendment Housing Plan Element and Fair Share Plan

Mr. Rutzler made a motion to approve resolution 2025-10, seconded by Mr. Serdinsky.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mrs. Grams, Mr. Glogolich, Mr. Serdinsky,  
Mrs. Petro

No: None

## **APPROVAL OF BILLS**

### **Van Cleef Engineering**

Invoice #24006.04-2 Toms River Oil Corp \$993.50

Total \$993.50

Mr. Rutzler made a motion to approve the invoices, seconded by Mr. Rolzhausen.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mrs. Grams, Mr. Glogolich, Mr. Serdinsky,  
Mrs. Petro

No: None

There were no invoices for Rumpf Law.

## **CHAIRMAN'S REPORT**

Mr. Whalen brought everyone up to date on 1 South Main St. and the adult day care center. The original applicant sold the business to Behavioral Care which specializes in mental health and substance abuse. There have been several calls to the police and EMS. It is not what the board approved. Mr. Shea, attorney for Behavioral Care, believes it does stay within the parameters of the original resolution. Mrs. Rumpf will be meeting with Mr. Shea, Behavioral Care, Mr. Jubert and the mayor tomorrow to discuss the situation. Mrs. Rumpf stated that the resolution is very clear on what was expected, however when the zoning officer approved the mercantile permit the application was for an adult day care center however there was an attachment stating it was for mental health. Mrs. Rumpf stated that the resolution originally given was tight, however the mercantile permit may be an issue. Mrs. Rumpf is going to propose to Mr. Shea that they come back before the board to amend the original resolution. Mrs. Rumpf does not want to open the borough up to lawsuits. The borough will know more after the meeting tomorrow.

## **CORRESPONDENCES**

None

## **PUBLIC COMMENT**

Mr. Whalen asked if anyone from the public would like to comment. There was no public comment.

## **ADJOURNMENT**

Seeing no other business to come before the board, Mr. Rutzler made a motion to adjourn, seconded by Mr. Glogolich. All ayes.

Thea Kratochvil, LUB Secretary