

**Borough of Highlands
Planning Board
Regular Meeting
May 15, 2008**

Mr. Stockton called the meeting to order at 7:34 P.M.

Mr. Stockton asked all to stand for the Pledge of Allegiance.

Mr. Stockton made the following statement: As per requirement of P.L. 1975, Chapter 231. Notice is hereby given that this is a Regular Meeting of the Borough of Highlands Planning Board and all requirements have been met. Notice has been transmitted to the Courier, the Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Manrodt, Mr. Kovic, Mr. Mullen, Mr. Bahrs, Mr. Cefalo,
Mr. Stockton, Mr. Harrison, Mr. Schoellner

Late Arrival: Mr. Nolan arrived at 7:35 P.M.

Absent: Mr. O'Neil, Mayor Little

Also Present: Carolyn Cummins, Board Secretary
Jack Serpico, Esq., Board Attorney
Board Engineer Not Present

**PB#2007-4 Knox 400, LLC – Withdrawing Application
Block 108 Lot 2.01 – 460 Hwy 36**

Mr. Stockton stated that the Board received a letter from the applicant withdrawing PB# 2007-4 Knox 400, LLC application. He stated that the applicant is now applying to the Zoning Board.

Mr. Nolan arrived to the meeting.

Mr. Serpico stated that no action was needed by the board, it's just a withdrawal of the application.

Mr. Mullen requested that the correspondences between the Board Attorney and the Applicant be forwarded to the Zoning Board Attorney.

Mr. Serpico stated that he would give copies to the Zoning Board Attorney.

**PB#2008-1 Sandy Hook Developers, LLC
Request for Postponement to July 10, 2008 Without the Need for Further Public Notice
Block 101 Lots 17.02, 27, 27.01**

Mr. Stockton stated that the Board received a request for a postponement of this hearing to the July 10, 2008 meeting without the need for further public notice.

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Mr. Manrodt offered a motion to postpone this public hearing to the July 10, 2008 meeting without the need for further public notice, seconded by Mr. Nolan and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Manrodt, Mr. Kovic, Mr. Mullen, Mr. Bahrs, Mr. Cefalo, Mr. Nolan,
Mr. Harrison, Mr. Stockton

NAYES: None

ABSTAIN: None

Mr. Stockton advised the public that this matter has been carried to the July 10, 2008 meeting without the need for further public notice.

**PB#2008-2 Britton, Ryan
Block 16 Lot 2.01 – 39 Grand Tour
Approval of Resolution**

Mr. Stockton read the title of the following resolution for approval.

Mr. Serpico asked if the board required the applicant to contribute to the sidewalk fund.

The Board did not believe that a requirement was made for this application.

Mr. Nolan offered a motion to move on the adoption of the following Resolution:

**RESOLUTION APPROVING THE MINOR SUBDIVISION APPLICATION OF RYAN
BRITTON FOR BLOCK 16, LOT 2.01**

WHEREAS, the applicant referred to above is the owner of the above mentioned lot, which is located in the R-1.03 Zone; and

WHEREAS, the applicant has applied for a two (2) lot Minor Subdivision. The applicant proposes to subdivide the above captioned lot into two new residential lots, one containing an existing structure that the applicant intends to tear down and one vacant for a single family residence. Each lot will conform with the applicable Zoning and development ordinance requirements; and

WHEREAS, all jurisdictional requirements have been met pursuant to the requirements of the Municipal Land Use Act and Borough ordinances, and the Board has jurisdiction to consider this application; and

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WHEREAS, the Board considered this application at a public hearing held on April 10, 2008; and

WHEREAS, the Board considered the testimony of the applicant and Martin Britton; and

WHEREAS, the applicant submitted into evidence a subdivision map dated February 12, 2008, in support of the application prepared by Thomas Santry P. E. ; and

WHEREAS, the Board after considering the evidence and testimony presented by the applicant and the interested citizens if any has made the following findings of fact and conclusions based thereon:

1. The property is located in the R-1.03 Zone.
2. The new lots will be in compliance with the applicable bulk and minor subdivision requirements of the Borough Zoning and development ordinances.
3. The applicant agreed to comply with the outstanding conditions if any, set forth in the project review letter prepared by T&M Associates dated April 4, 2008, which is incorporated herein in full.
4. The applicant agreed to comply with additional Board imposed conditions set forth hereinafter; and

WHEREAS, the Board determined that the relief requested by the applicant can be granted without any detriment to the public good and without any impairment to the intent and purpose of the zone plan and zoning ordinance of the Borough of Highlands; and

WHEREAS, the Board after considering the testimony and exhibits has found the proposed minor subdivision plan to be acceptable with conditions.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Highlands that the application for a two lot minor subdivision is approved contingent upon the following conditions being met;

1. All testimony, evidence and representations made by the applicant and its witnesses are incorporated herein.
2. Taxes, fees and escrow accounts shall be current.
3. The applicant will adhere to the findings of fact set forth above.
4. The applicant will comply with the conditions set forth in the project review letter prepared by T & M Associates dated April 4, 2008.
5. If the applicant intends to perfect the subdivision by deeds, they must be submitted to the Board Engineer and Attorney for review and approval and must further be recorded within the time provided within the Municipal Land Use Law.

Seconded by Mr. Manrodt and adopted on the following roll call vote:

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ROLL CALL:

AYES: Mr. Manrodt, Mr. Bahrs, Mr. Cefalo, Mr. Nolan, Mr. Harrison
NAYES: None
ABSTAIN: None

**PB#2007-5 Balland, T. – Request for an Extension of Time to Perfect Subdivision
Block 97 Lot 1 – 14 Huddy Avenue**

Mr. Stockton stated that the Board received a request for an extension of time to perfect the this subdivision.

The Board had a brief discussion on this matter.

Mr. Manrodt offered a motion to move on the adoption of the following Resolution:

**RESOLUTION EXTENDING THE TIME TO PERFECT THE MINOR SUBDIVISION
GRANTED TO THOMAS F. BALLAND FOR BLOCK 91, LOT 1**

WHEREAS, the applicant referred to above is the owner of the above mentioned lot, which lot is located in the R-2.01 Zone; and

WHEREAS, the applicant has applied for a 2 lot minor subdivision with variances and design waivers that was granted with conditions by the Board on January 10, 2008; and

WHEREAS, the Board adopted a written Resolution memorializing the foregoing on February 14, 2008; and

WHEREAS, the MLUL requires a minor subdivision to be perfected within 190 days from the date the written Resolution was adopted by the Board unless there are extenuating circumstances that effectively prevent the perfection of the subdivision; and

WHEREAS, the applicant has requested an extension of an additional ninety days in order to comply with the conditions of the approval before the expiration of the 190 days referred to above which will be August 22, 2008; and

WHEREAS, the applicant has requested an extension of the time within which to perfect the minor subdivision pursuant to N.J.S.A. 40:55D-47g.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Highlands, for good cause being shown, that the application for an extension of time to perfect the minor subdivision is hereby granted for a period of 90 days from August 22, 2008, pursuant to the statute set forth above.

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Seconded by Mr. Nolan and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Manrodt, Mr. Bahrs, Mr. Nolan, Mr. Schoellner

NAYES: None

ABSENT: None

ABSTAIN: None

Approval of Minutes:

Mr. Manrodt offered a motion to approve the March 13, 2008 and the April 10, 2008 Planning Board Meeting Minutes, seconded by Mr. Nolan and all eligible board members were in favor.

Communications:

Mr. Stockton reviewed some correspondences with the Board regarding upcoming seminars.

Mr. Nolan offered a motion to adjourn the meeting, seconded by Mr. Bahrs and all were in favor.

The Meeting adjourned at 7:43 P.M.

CAROLYN CUMMINS, BOARD SECRETARY