

**Borough of Highlands
Planning Board
Regular Meeting
August 14, 2008**

Mr. Stockton called the meeting to order at 7:38 P.M.

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

Mr. Stockton read 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. Nolan, Mayor Little, Mr. Stockton, Mr. Harrison

Late Arrival: Mr. O'Neil arrived at 8:32 P.M.

Absent: Mr. Cefalo, Mr. Schoellner

Also Present: Carolyn Cummins, Board Secretary
Jack Serpico, Esq., Board Attorney
Joseph Venezia, P.E., Acting Board Engineer

**PB#2008-3 Lin, Fang – Request to Review Amended Application & Set P.H. Date
Block 64 Lot 24 – 214 Bay Avenue**

Present: John T. Lane, Jr. Esq.
Fang Lin

Mr. Lane explained that they were here two months ago with plans that had the incorrect dimensions so that is where they are here again for another Review. The building is existing and the parking lot is existing. They are going to pave it. Their Engineer will contact the Board Engineer and provide drainage calculations ahead of time.

Mr. Venezia stated that he has been in contact with the applicants Engineer and he is working on plans for drainage calculations.

Mr. Lane explained that this application is for seven parking spaces. There was an existing first floor business that was there. There is a small retail space which will be used and there are four single existing apartments upstairs. There are one bedrooms per apartment upstairs. The last time we were here we discussed that we would apply for two fifteen minute parking spots out in front and we will do that as part of this application which will give us two additional spots for a total of 9. They expect that the business will be a coming and going, pick up and leave with a lot of deliveries.

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The Board reviewed the application and the following was stated:

1. Sign details need to be added to the plan.
2. The plans need more information as follows: show building location of adjacent properties, the full width of the right of way and the curbing, show any on street parking that you intend on using, add a zoning chart and a key map, fencing.
3. The applicant must apply for local flood approval.
4. The applicant must apply for NJDEP Flood approval.
5. AHHRSA – May need approval because of Grease Trap.
6. Show existing water and sewer lines on plans.
7. Provide testimony about the exhaust system being proposed for the restaurant.
8. Variances are needed for parking and outside recreational space, lot size, parking next to residential zone.
9. The applicant must show the topography information and flood elevations.
10. The board wants the applicant to resubmit the plans with the requested information and the board will have another completeness review at the September Meeting.
11. The board wants to know cosmetically what the façade of the building will be and to show where the exhaust is going on what side of the building, perhaps submit architectural drawings.

Mr. Mullen offered a motion to deem the application incomplete and to schedule another application review for the September meeting if the applicant is ready to resubmit. Seconded by Mr. Nolan and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Manrodt, Mr. Kovic, Mr. Mullen, Mr. Bahrs, Mr. Nolan, Mayor Little,
Mr. Harrison, Mr. Stockton
NAYES: None
ABSTAIN: None

Twin Lights Bakery Café – Informal Concept Review

Present: Doug Fryberger, Esq.
Leonard Martelli, A.I.A.
_____, Applicant

Mr. Serpico advised the Board that this is a very informal discussion and that nothing is binding and that there is no application or fees involved with this.

Doug Fryberger stated that this would be an application for a minor site plan for 445 Highway 36. They would utilize the existing footprint will use the building for a boutique bakery. The

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building is currently vacant. The parking on the site would comply and all changes would be cosmetic in use, cosmetic in the look and they will fully comply with the ordinance. The landscaping would be upgraded, ADA parking will be provided, the bathrooms would be made ADA compliant. This would be a bakery with just baking and a serve and sit bakery with some tables outside.

Leonard Martelli described the propose site improvements. He stated that there may be existing setback variances. He described the proposed site plan drawings to the board. He explained why he believes that this is a minor site plan verses a major site plan.

The Board engaged in discussions with Mr. Martelli about the proposed site improvements.

The applicant described the proposed bakery café proposed business operation.

The Board was receptive to the discussions. The board suggested creating more green spaces and that there are some concerns with regard to storm drainage.

Board Engineer Update – Zoning/Master Plan Amendments

Mr. Venezia stated that T & M Associates is going to prepare recommendations and a course of action and he will have more to report at the next meeting.

**PB#2003-1 Inlet Café
Block 51 Lots 1 & 2 – 3 Cornwell Street**

The Board reviewed a letter dated July 10, 2008 that was sent from Michael Leckstein, Esq. withdrawing the applicant's previous approval and application and that the file be closed.

Mr. Serpico explained that you can't withdraw an approval. You can close down the file, you can ignore your approvals and the letter can be put in the file but once a board approves something, they can't unapprove something. So basically we can acknowledge that fact that they are no longer going to move forward with the approvals. All site plan and subdivision if not moved on within a certain number of years dies a natural death anyway.

The Board had a discussion on this matter.

Mr. Mullen offered a motion to acknowledge the receipt of the July 10, 2008 withdrawal letter and to authorize a letter of this acknowledgement to Mr. Leckstein, seconded by Mr. Manrodt and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Manrodt, Mr. Kovic, Mr. Mullen, Mr. Bahrs, Mr. Nolan, Mayor Little,

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Mr. Harrison, Mr. Stockton

NAYES: None
ABSTAIN: None

Review & Amend Board Applications & By-Laws

Mrs. Cummins explained that at the last meeting the Board spoke about increasing the required number of copies being provided by applicants so that we make sure that the Shade Tree & Environmental Commissions be provided with copies. The number needs to be increased to 17 sets. The By-Laws will need to be amended to reflect the increase.

The Board discussed the applications forms and by-laws and flood approval requirements for applicants. The Board would like to have the local flood determination before the board hears an application. The Board wants the flood determination on the application checklist.

Mr. Venezia – flood approval is a separate approval that the board needs to have prior to signing off on the plans. So we can call it out during the application review if required and then review that separately as a condition of approval or the board can get it before it gets here.

Mr. Stockton – we have directed applicants to obtain flood approval before.

Mr. Serpico – the board should be aware when an application comes before us the information that you need to make an informed decision, it shouldn't be a post approval condition. We can do a Resolution to amend the by-laws and application to require additional copies and the flood elevation and determination.

Mr. Nolan offered a motion to amend the By-laws and application submission checklist for site plan and subdivision to include the flood hazard review and increase number of required plans being provided as discussed, seconded by Mr. Bahrs and approved on the following roll call vote:

ROLL CALL:

**AYES: Mr. Manrodt, Mr. Kovic, Mr. Mullen, Mr. O'Neil, Mr. Bahrs, Mr. Nolan,
 Mayor Little, Mr. Harrison, Mr. Stockton**

NAYES: None

ABSTAIN: None

Request from the Zoning Board to Borrow a Planning Board Member

Mr. Stockton stated that the Board received a memo from the Zoning Board requesting to borrow a Planning Board Member for the Knox 400, LLC application.

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Mr. Serpico explained the State Statute pertaining to borrowing a board member.

Mr. Manrodt the most senior member stated he was not available to attend the Zoning Board Meeting on September 4, 2008.

Mr. Kovic the next senior member stated that he was available.

Approval of Minutes:

Mr. Bahrs offered a motion to approve the July 10, 2008 Planning Board Minutes, seconded by Mr. Nolan and all were in favor except Mayor Little and Mr. Mullen both abstained.

Steep Slope Ordinance Amendments

Mr. Stockton stated that the board received a memo from the Governing Body granting the Board another 60-days to report back on the Shade Tree, so this allows us to wait for the Environmental and Shade Tree Commission Comments.

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

The Meeting adjourned at 8:53 P.M.

CAROLYN CUMMINS, BOARD SECRETARY