

Mr. Bahrs offered the following Resolution and moved on its adoption:

**RESOLUTION  
BOROUGH OF HIGHLANDS PLANNING BOARD  
RECOMMENDATIONS  
FOR STEEP SLOPE ORDINANCE UPDATES**

**WHEREAS**, the Mayor and Council of the Borough of Highlands authorized the Planning Board by resolution to undertake a review of the current Borough Steep Slope Ordinance 21-65L and make recommendations that would update the ordinance, clarify its intent and make it easier to work with; and

**WHEREAS**, the Municipal Land Use Act, N.J.S.A. 40:55D-26 & 64, requires that the Planning Board prepare and transmit a report back to the Governing Body; and

**WHEREAS**, said statute does further require that the report of the Planning Board shall include an identification of any provision or provisions set forth in the ordinance that is or are inconsistent with the Borough Master Plan and contain recommendations concerning those inconsistencies and any other matters as the Board deems appropriate; and

**WHEREAS**, the Board conducted a review of the ordinance and received comments from Board members, the Board Engineer and Attorney and a report from a Board subcommittee.

**NOW, THEREFORE BE IT RESOLVED**, by the Planning Board of the Borough of Highlands that it hereby concludes that the ordinance is not inconsistent with the Borough Master Plan and the Board adopts the findings and recommendations set forth in the report of T & M Associates, dated February 4th, 2009, annexed hereto and made a part hereof.

**BE IT FURTHER RESOLVED** that the Board hereby directs the Board Secretary to transmit said findings and recommendations to the Clerk of the Borough of Highlands pursuant to the Statute first mentioned above forthwith for consideration by the Mayor and Council of the Borough of Highlands.

February 4, 2009  
*Revised February 13, 2009*

**STEEP SLOPE ORDINANCE RECOMMENDATIONS**

The following is our understanding of the Steep Slope Ordinance Sub-Committee's recommendations based upon the sub-committee meeting dated January 22, 2009:

1. Recommend Steep Slope Ordinance be moved from the Design Standards portion of the Ordinance to the Zoning Regulations section.

2. Maintain the current slope classification categories of 20% to 35% and greater than 35%.
3. Eliminate subjective language in the ordinance such as “as deemed necessary by the Borough Engineer”.
4. Change existing ordinance wording from “plot plan” to “grading plan”.
5. Grading plans shall be provided for slopes exceeding 20% and must be signed and sealed by the appropriate licensed professional.
6. Prepare a grading plan application form and checklist.
7. Forward copy of Slump Block map in the 1992 Master Plan to the Zoning Officer for his use and reference and overlay this information onto the Steep Slope Map, if feasible.
8. Steep Slope Map shall be provided to indicate slopes of 20%-35% and greater than 35%. The specified slope protection area shall also be located on this map. Blocks and lots shall also be indicated. This map should be forwarded to the Zoning Officer for his use. *Note, the Monmouth County GIS maps do not have a category for slopes exceeding 35% and this would need to be created.*
9. There shall be no disturbance of slopes exceeding 35%.
10. A Steep Slope Permit shall be required for slopes exceeding 20%.
11. Based upon discussions with the Construction Code Official regarding Uniform Construction Code (UCC) requirements for foundation plans to be prepared by a licensed Professional Engineer or Registered Architect, the UCC allows the Construction Code Official to request additional information, including plans prepared by a licensed professional, based upon specific site conditions. The Board suggests stronger language be included in the Ordinance recommending the Construction Code Official provide additional consideration to the plan preparation requirements for developments in steep slope areas.

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Seconded by Mr. O'Neil and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Manrodt, Mr. Mullen, Mr. O'Neil, Mr. Bahrs, Mr. Schoellner,  
Mayor Little, Mr. Parla, Ms. Peterson, Mr. Stockton

**NAYES:** None

**ABSTAIN:** None

**DATE:** February 12, 2009

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**CAROLYN CUMMINS, BOARD SECRETARY**

I certify this to be a true copy of a Resolution adopted by the Borough of Highlands Planning Board on February 12, 2009.

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Carolyn Cummins, Board Secretary