

Mayor Nolan offered the following Resolution and moved its adoption:

**RESOLUTION
BOROUGH OF HIGHLANDS PLANNING BOARD
FINDINGS OF REVIEW OF REVISED ORDINANCE O-12-10
ZONING ORDINANCE AMENDMENTS**

WHEREAS, the Mayor and Council of the Borough of Highlands authorized the Planning Board to undertake a review of proposed revised Borough Ordinance O-12-10, which Ordinance will amend the Borough Zoning Ordinance; and

WHEREAS, the Municipal Land Use Act, NJSA 40:55D-26 & 64, requires that the Planning Board prepared 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 proposed Ordinance amendment which 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 proposed amendment on April, 2012; and

WHEREAS, the Board received comments from Board Members, the Board Engineer and Attorney and various members of the public.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Highlands that revised Ordinance 0-12-10 is inconsistent with the Land Use and other elements of the Highlands Borough Master Plan due to the proposed expansion of the permitted uses in the MXD into the R-1.03 and WC-2 zones and allowing hotels as a permitted use in the MXD Zone.

BE IT FURTHER RESOLVED that in addition to the foregoing the Board does hereby make the following findings and recommendations to the Mayor and Council:

1. The Board recommends that the following be added to the end of **Section 3**"d.- "...unless the applicant requests to develop the property or tract with R-1.03 standards"
2. The Board recommends that the uses set forth in **Section 4, 3.** (Conditional Uses) be allowed as permitted uses and set forth in Section 4,"1.
3. The Board recommends that the uses set forth in **Section 5, 3, a.** (Conditional Uses) be allowed as permitted uses and set forth in Section 5, "1.
4. The Board recommends that the following be added to the end of **Section 7**; " ...unless the applicant requests to develop the property or tract with R-1.03 standards."
5. The Board recommends that the Mayor and Borough Council develop a set of specific standards for hotels that are proposed to be a permitted use in the MXD Zone pursuant to **Section 8, B. 4.**

BE IT FURTHER RESOLVED that the Board hereby directs its Secretary to transmit said findings 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.

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

ROLL CALL:

AYES: Mr. Mullen, Mr. Schoellner, Ms. Peterson, Mayor Nolan, Mr. Hill, Mr. Colby

NAYES: Mr. Gallagher

ABSTAIN: None

DATE: April 12, 2012.

CAROLYN CUMMINS, BOARD SECRETARY

I hereby certify this to be a true copy of a Resolution adopted by the Borough of Highlands Planning Board at a meeting held on April 12, 2012.

Board Secretary