

Mayor Nolan offered the following Resolution and moved its adoption:

**RESOLUTION
BOROUGH OF HIGHLANDS PLANNING BOARD
FINDINGS OF REVIEW OF ORDINANCE O-12-9
ZONING ORDINANCE AMENDMENTS**

WHEREAS, the Mayor and Council of the Borough of Highlands authorized the Planning Board to undertake a review of proposed Borough Ordinance O-12-9, 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 March 8, 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 Ordinance 0-12-9 is **inconsistent** with the Land Use and other elements of the Highlands Borough Master Plan and the Ordinance **does not** advance the purposes of planning and zoning and advances the planning objectives of the Highlands Borough Master Plan.

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

1. The ordinance should be clarified to state that the maximum height of any midrise structure shall not exceed six (6) stories including any above ground parking facility that is incorporated in the midrise structure.
2. The Board recommends that the governing body review the prior recommendations previously forwarded by this Board in 2011 that address the contents of the ordinance. The Board continues to believe that those recommendations are sound and consistent with good planning practices. The above mentioned report is annexed hereto and made a part hereof.

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 Ms. Peterson and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Mullen, Mr. Parla, Ms. Peterson, Mayor Nolan, Mr. Redmond, Mr. Hill, Mr. Gallagher

NAYES: None

ABSTAIN: None

DATE: March 8, 2012.

CAROLYN CUMMINS, BOARD SECRETARY

I hereby certify this to be a true copy of the Resolution adopted by the Borough of Highlands Planning Board at a meeting held on March 8, 2012.

BOARD SECRETARY