

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

**RESOLUTION APPROVING THE DESIGN WAIVER
APPLICATION OF JASON NEUWIRTH, BLOCK 48, LOT 4, A/KA
43 CORNWELL STREET, BOROUGH OF HIGHLANDS**

WHEREAS, the applicant Jason Neuwirth, is the owner of the above captioned property known located at 43 Cornwell Street, Highlands, New Jersey which property is located in the R-2.02 Zone; and

WHEREAS, the applicant has applied for a Design Waiver from the provisions of Borough Ordinance Section 21-65.5.C.2, which section permits one (1) driveway for a lot which has up to 400 feet of frontage (the current lot frontage is 51.5 feet). The applicant is requesting a second driveway to access his single family property; and

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

WHEREAS, the Board considered this application at a public hearing held on May 12, 2016; and

WHEREAS, the details of the applicant's proposal are as follows:

1. The property currently has a single family residence and pre-existing driveway located on it.
2. The applicant proposes (currently constructed) a second driveway that will access a two-car garage located on the first floor or ground level of his residence.
3. The original driveway is used to park his camper or trailer.
4. The details of the driveways are set forth in Exhibits A-1, 2 & 3; and

WHEREAS, the Board adopts the foregoing as facts in addition to the following additional factual findings:

1. The proposal will permit all of the applicant's vehicles to be parked on the site.
2. The proposed driveway and curb-cut configuration will provide better access to the subject property and remove the applicant's vehicles from the street thereby providing better aisle width.
3. The Board finds that the proposed driveway is a reasonable request as the basis for the Design Waiver and further finds that the proposed driveway will improve the traffic flow on Cornwell Street and also improve street parking in the immediate area; and

WHEREAS, the Board determined that the relief requested by the applicant is reasonable and can be granted without substantial detriment to the public good and without substantially impairing 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 Design Waiver to be acceptable with conditions.

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Borough of Highlands that the application for a Design Waiver from the Land Development Ordinances of the Borough of Highlands for the installation of a second driveway on the subject property is approved contingent on the following conditions being met;

1. All testimony, evidence and representations made by the applicant are incorporated herein.
2. Taxes, fees and escrow accounts shall be current.
3. The applicant shall comply with all of the comments and outstanding conditions set forth in the Board Engineer's letter dated May 6, 2016, which letter is incorporated herein in full by reference thereto.
4. The applicant shall obtain all outside agency approval as set forth on page 3 of the above referenced letter.

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

ROLL CALL:

Ayes: Mr. Colby, Mr. Francy, Mr. Gallagher, Mr. Braswell, Mr. Knox,
Mr. Kutosh, Mr. Strockton

Nays: None

Abstain: None

June 9, 2016.

Carolyn Cummins, Board Secretary

I certify this to be a true copy of the written Resolution adopted by the Land Use Board of the Borough of Highlands on June 9, 2016.

Carolyn Cummins, Board Secretary