

**Borough of Highlands  
Zoning Board of Adjustment  
Regular Meeting  
November 1, 2007**

Mr. Mullen called the meeting to order at 7:43 P.M.

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

Mr. Mullen made 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 Zoning 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. Braswell, Mr. Mintzer, Mr. Francy, Ms. Ryan, Mr. Fox, Mr. Anthony, Mr. Mullen, Mr. Gallagher, Mr. Britton

**Absent:** None

**Also Present:** Carolyn Cummins, Board Secretary  
Gregory Baxter, Esq., Board Attorney  
Joseph May, P.E., Acting Board Engineer

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**ZB# 2007-8 Morales, Peter  
Block 108 Lot 1 – 440-B Navesink Avenue  
Application Review & Set P.H. Date**

**Present:** None

The Board reviewed the Morales Application and the following was stated:

1. The Board requested that the notice to the property owners should be more specific as to the operation and detailed variances being proposed.
2. The Board needs to know if the applicant is proposing any improvements to the subject property.
3. The applicant needs to be specific as to what the proposed uses are and at what portion of the subject property and illustrate it on a Plot Plan.
4. The applicant should bring evidence of pre-existing nonconforming uses such as prior nonconforming Mercantile Licenses.
5. If there are any changes to the site since the 1997 survey then the applicant must provide an updated survey of the site. The Board has also requested that the applicant supply the Board with a sealed survey of the site.
6. The Board recommends that the applicant have a Professional Planner provide testimony with regard to this application.
7. The Board has also requested that the applicant complete the enclosed site plan check list because the board is interested in the parking standards for all of the uses on the site.
8. With regard to the scheduling of a public hearing date the board will set it for December 6<sup>th</sup> but the board wants to advise the applicant that it is very unlikely that this application

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9. would be heard on that night so the board will let the applicant decide if they want to proceed at the December Meeting or request that it be heard at the January Meeting.

Mr. Francy offered a motion to schedule the Morales Meeting date for December 6, 2007, seconded by Ms. Ryan and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Braswell, Mr. Mintzer, Mr. Francy, Ms. Ryan, Mr. Fox, Mr. Anthony, Mr. Mullen

**NAYES:** None

**ABSTAIN:** None

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**ZB#2006-10 Hall, George  
Block 116 Lots 12 & 13 – 410 Navesink Avenue  
Unfinished Public Hearing**

Mr. Mullen stated that the Board received a letter from the applicant's attorney dated November 1, 2007 requesting that the hearing be carried to the December 6, 2007 Meeting without the need for further public notice.

The discussed the postponement request.

Mr. Mintzer offered a motion to deny the request for a postponement to the December 6<sup>th</sup> meeting and carry this matter to the January 3, 2008 and if that is not satisfactory to the applicant and the applicant does not grant the board an extension of time through the end of January 2008, then the board will dismiss the application at its December 6<sup>th</sup> meeting for failure to prosecute the application. Seconded by Mr. Braswell and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Braswell, Mr. Mintzer, Mr. Francy, Ms. Ryan, Mr. Fox, Mr. Anthony, Mr. Mullen

**NAYES:** None

**ABSTAIN:** None

Mr. Mullen advised the public that the Hall application has been moved to our January 3, 2008 meeting and that there would be no further public notice.

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**Approval of Minutes**

Ms. Ryan offered a motion to approve the October 4, 2007 Zoning Board Meeting Minutes, seconded by Mr. Francy and all eligible members were in favor.

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**Other Business**

**ZB#2005-7 234 Bay Avenue, LLC**

Mr. Baxter advised the board about a letter he sent to Kevin Kennedy, Esq. dated 10/29/07 with regard to questioning the status of ZB #2005-7.

**Daniel Scritchfield**

Mr. Baxter advised the board about a letter from Kevin Kennedy dated 10/4/07 on behalf of his client D. Scritchfield about a possible future appeal application.

**Public**

Mr. Gallagher of Linden Avenue questioned why he was informed by the Board Secretary that she would not distribute a letter he wrote to the board with regard to his position on a certain application. Mr. Baxter advised him that the Board Secretary was correct because it would be a violation of the rules of the board which he further explained.

Mr. Mintzer offered a motion to adjourn, seconded by Mr. Mullen and all were in favor.

The meeting adjourned at 8:30 P.M.

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CAROLYN CUMMINS, BOARD SECRETARY

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