

**Borough of Highlands  
Zoning Board of Adjustment  
Regular Meeting  
March 6, 2008**

Mr. Mullen called the meeting to order at 7:41 pm.

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 of Adjustment 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. Francy, Ms. Ryan, Mr. Mullen, Mr. Gallagher,  
Mr. Britton

**Absent:** Mr. Mintzer, Mr. Fox, Mr. Anthony

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

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**ZB# 2007-7 231 Bay Avenue – Request for Postponement to 4/3/2008  
Without the Need for Further Public Notice**

Mr. Mullen explained that the Board received a request for a postponement to the April 3, 2008 Meeting because the flood review was not completed yet.

Mr. Baxter stated that he has reviewed the public notice and finds it to be in order therefore the board can take jurisdiction on this matter. He also stated that this is the third postponement for this application so they would go after the Magrans hearing at the next meeting.

Mr. Gallagher offered a motion to carry this hearing to the April 3, 2008 meeting without the need for further notice, seconded by Ms. Ryan and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Braswell, Mr. Francy, Ms. Ryan, Mr. Gallagher, Mr. Britton,  
Mr. Mullen

**NAYES:** None

**ABSTAIN:** None

Mr. Mullen advised the public that this hearing has been rescheduled for the April 3, 2008 meeting and that no further public notice will be given.

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**ZB# 2007-8 Morales, Peter – Request for Postponement  
Block 108 Lot 1 – 440B Navesink Avenue**

Mr. Baxter explained that this application has not served public notice yet and this will be the second adjournment and they have granted the board an extension of time to act through May.

Mr. Francy offered a motion to carry this public hearing to the May 1, 2008 meeting, seconded by Ms. Ryan and approved on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Braswell, Mr. Francy, Ms. Ryan, Mr. Gallagher, Mr. Britton,  
Mr. Mullen**  
**NAYES: None**  
**ABSTAIN: None**

Mr. Mullen advised the public that this matter has been carried to the May 1, 2008 meeting.

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**ZB#2008-1 Blaskovich, Matthew  
Block 100 Lot 26.42 – 42 Gravelly Point Road  
Hearing on New Business**

**Present: Matthew Blaskovich**

**Conflict: Mr. Braswell stepped down for this matter.**

Mr. Baxter stated that the measurement from the roof is different than it was stated in the Board Engineers Review Letter and the height is actually is 21.5 feet.

Matthew Blaskovich of 1 County Lane, Warrick, NY was sworn.

The following documents were marked into evidence:

- A-1: Variance Application, 3-Pages;
- A-2: Zoning Permit Application dated 9/10/07;
- A-3: Zoning Permit Application dated 1/31/07;
- A-4: T & M Flood Review Letter dated 11/8/07;
- A-5: T & M Flood Review Letter dated 2/1/08;
- A-6: DEP Letter dated 2/15/08 Letter that Permit is Not Required;
- A-7: Architectural Plans prepared by Anthony Condouris dated 1/25/07;
- A-8: Stockton Survey of Gravelly Point dated 9/30/98;
- A-9: Location Survey prepared by Stockton dated 8/29/07;
- A-10: Gravelly Point Letter dated 2/10/08;
- A-11a: Photograph;
- A-11b: Photograph;

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A-12a, b,c,d,e,f:        Photographs:  
B-1:    CMX Engineering Letter dated 3/4/08.

Joseph May, P.E. of CMX Engineering was sworn in.

The Board discussed the bulk requirements of the Zoning Ordinance for this site.

Mr. Blaskovich stated the following during his testimony and response to questions from the board:

1. He is the owner of 42 Gravelly Point Road.
2. The existing structure is a single-story single-family dwelling with a framed roof. There is a walk in attic which is to be removed and he will then add a second story addition.
3. He described the existing layout of the dwelling as follows: downstairs there is a living room, dining room, two bedrooms, kitchen full bathroom.
4. The changes to the downstairs would be to add a staircase to the second floor and to remove the front bedroom.
5. His existing front yard deck is one step up from the ground.
6. The second floor addition is going to be for two bedrooms, a study area and a full bath.
7. It will have the appearance of a new structure when finished.
8. He has no reason to believe that the proposed will have a negative impact to the neighbors structures. If anything aesthetically it would improve the area.
9. There will be new siding installed on the structure.
10. Rear Neighboring structure is about 20-feet to the rear property line.
11. The distance between his structure and the adjacent structure towards the river is about six feet away and on the other side its open space next to him.
12. The existing shed located in the rear of the property he wants to keep it and it would require relief.
13. He then showed and described exhibits A-11 a and b which are photographs and described where his parking is located.
14. Height – he does not feel that the proposed height would be out of character. He then showed the board the photographs marked as exhibits A-12 a – f.
15. Some surrounding structures due exceed the height.
16. He has three older children and this house needs to be upgraded.
17. He stated that if the Flood Review came back that he had to raise the house then he would be able to afford this but thankfully he is not required to raise the house.

Mr. Mullen advised the applicant to consider locating the utilities above the first floor even though it is not required by the flood permit.

Mr. Mullen asked if there were any questions from the public but there were none.

Mr. Mullen asked if there were any comments from the public but there were none.

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The board closed the public portion on this hearing.

The Board discussed the application.

Mr. Mullen stated that he characterizes this as a minor application and stated that it's a shame that the applicant has to come here for a foot and a half variance in height. He is quite happy that the applicant had a quick go ahead from the DEP and their flood regulations.

Mr. Francy offered a motion to approve the application, seconded by Mr. Gallagher.

Mr. Baxter then read off the variances that would be required for this application as follows:

	<u>Proposed</u>	<u>Required</u>	
Front Yard:	2-Feet	3-Feet	Existing
Rear Yard:	.3-Feet	3-Feet	Existing
Bldg Coverage:	39.6%	35%	Existing
Height:	21.5-feet	20-feet	New
Shed:	Within 3-Feet of the required Set Back Existing		

Mr. Francy stated that he is a little nervous about the free standing structure referring to the shed.

The Board discussed Mr. Francy's concerns and he was comfortable with it now.

The application was approved on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Francy, Ms. Ryan, Mr. Gallagher, Mr. Britton, Mr. Mullen**  
**NAYES: None**  
**ABSTAIN: None**

Mr. Baxter advised the applicant that a Resolution will be adopted at the April 3, 2008 meeting and once that is adopted he can then take the resolution to the building department and apply for his building permits.

Mr. Braswell returned to the meeting table.

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**Approval of Minutes**

Mr. Gallagher offered a motion to approve the February 7, 2008 minutes, seconded by Ms. Ryan and approved on the following roll call vote:

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**ROLL CALL:**

**AYES:** Mr. Braswell, Mr. Francy, Ms. Ryan, Mr. Gallagher, Mr. Britton,  
Mr. Mullen

**NAYES:** None

**ABSTAIN:** None

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**Communications**

Ms. Ryan advised the board that she had recently attended a seminar and spoke about how informative it was.

Mr. Mullen informed the board that the Planning Board recently adopted an amendment to the Master Plan adding an Open Space/Recreation Plan. He spoke about recent NJDEP Stormwater Regulations and Flood Regulations.

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

The meeting adjourned at 8:31 pm.

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**Carolyn Cummins, Board Secretary**