

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

Mr. Braswell called the meeting to order at 7:33 P.M.

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

Mr. Braswell read 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. Fox, Mr. Anthony,
Mr. Britton

Late Arrival: Mr. Mullen arrived at 7:35 P.M.
Mr. Gallagher arrived at 8:19 P.M.

Absent: None
Note: Board received letter of resignation from Ms. Solomon

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

**ZB#2007-7 – 231 Bay Ave, LLC
Block 63 Lot 19.01 – 231 Bay Avenue
Request for Postponement to December 4, 2008 – Without Further Public Notice**

Mr. Baxter explained that the Board has received another request for a postponement of this application which is the applicants seventh request.

Mr. Mullen arrived to the meeting.

The Board discussed the postponement request.

Mr. Francy offered a motion to approve the postponement request to the December 4, 2008 meeting and that the applicant be required to renote with an updated Certified List of Property Owners, seconded by Mr. Fox and approved on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSTAIN: None

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Mr. Mullen advised the public that this hearing has been carried to the December 4, 2008 meeting.

**ZB#2008-2 Pace, Vincent
Block 34 Lot 2 – 22 Prospect Street
Request for Postponement to January 15th,2009**

Mr. Mullen stated that the Board received a written request for a postponement until after the New Year.

The Board briefly discussed.

Ms. Ryan offered a motion to approve the postponement request to the January 15, 2009 meeting and that no further public notice be required, seconded by Mr. Braswell and approved on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSTAIN: None

Mr. Mullen advised the public that this hearing has been carried to the January 15, 2009 meeting and that no further public notice will be served.

**ZB# 2008-3 Knox 400, LLC
Block 108 Lot 2.01 – 460 Highway 36
Application Withdrawn**

Mr. Mullen informed the public that the board received a letter withdrawing this application.

Mr. Fox offered a motion to dismiss the application based on the applicants request to withdraw, seconded by Ms. Ryan and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Ryan, Mr. Fox, Mr. Mullen

NAYES: None

ABSTAIN: None

**ZB# 2008-6 Lentz, Douglas
Block 51 Lots 1 & 2 – 3 Cornwall Street
Application Review & Set Public Hearing Date**

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Present: Douglas Lentz

Mr. Lentz explained that he wanted to increase his living space by enclosing the first and second story existing porch's.

The Board reviewed the application and the following was stated:

1. The applicant must obtain flood review approval from the Borough and NJDEP if required.
2. The applicant shall bring photographs of the site to the hearing.
3. Item seven of the variance application should read 21-98 a-1.
4. The applicant needs to confirm lot coverage data to determine if this is an additional variance needed and it may need to be included in the public notice.
5. The applicant was advised that all submitted documents must be submitted to the board at least 10-days prior to public hearing.

Ms. Ryan offered a motion to schedule a public hearing date on this matter for December 4, 2008, seconded by Mr. Fox and approved on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSTAIN: None

**ZB# 2008-7 Domogala, Karol
Block 21 Lot 16.01 – 90 Highland Avenue
Application Review & Set Public Hearing Date**

Present: Karol Domogala

Mr. Domogala explained that he wants to construct a second story deck to the rear of his home.

The Board reviewed the application and the following was stated:

1. The property is located in the R-1.01 Zone not in a 4 Zone
2. The applicant should put the proposed deck on the subdivision drawing. It can be hand drawn onto a copy of the portion of the subdivision map onto legal size paper.
3. Provide testimony about the impact this deck will have on the neighbors.
4. The applicant must serve public notice.
5. The applicant must bring the building permits for the first floor deck to the hearing.
6. The applicant must provide the deck dimension and setbacks and illustrate elevations of ground and deck.
7. The applicant was informed that the plan does not agree with construction drawings.

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8. The applicant shall bring photographs to the public hearing.

Mr. Gallagher arrived to the meeting.

Mr. Fox offered a motion to schedule this matter for a public hearing on December 4, 2008, seconded by Mr. Braswell and approved on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSTAIN: None

Approval of Minutes:

Ms. Ryan offered a motion to approve the September 25, 2008 Zoning Board Minutes, seconded by Mr. Fox and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Ryan, Mr. Fox, Mr. Mullen

NAYES: None

ABSTAIN: None

Ms. Ryan offered a motion to approve the October 2, 2008 Zoning Board Minutes subject to a correction being made on page 6, Item 7. The percentages need to be corrected to proposed 85% and existing 99%. Mr. Francy seconded the motion and it was approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Ryan, Mr. Fox, Mr. Gallagher, Mr. Mullen

NAYES: None

ABSTAIN: None

OTHER BUSINESS:

Amend By-Laws and Applications

Discussion RE: Changing Required Number of Required Copies from Applicants from 15 to 17 copies

The Board discussed a memo from the Board Secretary requesting that the required number of copies of applications and plans be increased from 15 sets to 17 sets so that both the Environmental Commission and Shade Tree Commission can receive the applications to review.

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Mr. Mullen offered a motion to change the required number of copies to be provided by the applicant from 15 sets to 17 sets and that the By-Laws be formally amended at the December 4th meeting to reflect said change, seconded by Ms. Ryan and all were in favor.

Communications:

Mrs. Ryan requested that the agenda and minute copies be copied double sided verse single pages to save on paper.

Mrs. Ryan also suggested that the Board consider changing the meeting time from 7:30 P.M. to 7:00 P.M.

The Board briefly discussed changing the meeting time and stated that it could be considered at the Reorganization Meeting.

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

The Meeting adjourned at 8:31 P.M.

CAROLYN CUMMINS, BOARD SECRETARY