

**Borough of Highlands
Zoning Board of Adjustment
Regular Meeting
October 7, 2010**

Mr. Mullen called the meeting to order at 7:38 p.m.

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

Mr. Mullen 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 Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

Present: Mr. Braswell, Ms. Ryan, Mr. Fox, Mr. Anthony, Mr. Britton,
Mr. Mullen, Mr. Kutosh

Absent: Mr. Gallagher, Ms. Tierney

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

**ZB#2009-6 Sendowski, Oren
Block 43 Lot 6 – 30 Shrewsbury Avenue
Request for Postponement of Public Hearing to the November 4, 2010 Mtg
No Further Notice**

The Board briefly discussed the Sendowski request for another postponement.

Mr. Baxter explained that they fall behind in the roster because they have so many previous postponements.

Mr. Kutosh offered a motion to approve the postponement request for Sendowski to the November 4, 2010 Meeting without the need for further notice but they would be heard behind Metro PCS, seconded by Mr. Fox and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Braswell, Ms. Ryan, Mr. Fox, Mr. Anthony, Mr. Britton,
Mr. Kutosh

NAYES: None

ABSTAIN: None

**ZB#2010-3 Quick Check Corp.
Block 108 Lot 2.01 – 450 Hwy 36
Application Review & Set Public Hearing Date**

Present: Dan Madrid, Esq., Applicants

The Board reviewed the application of Quick Check Corp.

Mr. Madrid stated that the applicant is seeking a Bifurcated Use Variance Application. Professional Planner testimony will be provided. They want to know if the proposed use gets approved for a gas station.

Mr. Baxter stated that they did not need a Zoning Officer Letter to proceed with application.

Mr. Mullen stated that there is a current application before the Zoning Board for the same property.

The following was discussed about the application:

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1. Variance Application – on the application it stated that there are no previous applications for this property and that is incorrect.
2. There will be two applications at the same time for same property.
3. If Metro PCS is approved, then the applicant may need to factor that into the Quick Check application.
4. The applicant has to close on the purchase of the properties by December 20th so that applicant wants use variance before that.
5. The applicant should bring evidence of national studies to show parking requirements required because we don't have any because this is not a permitted use in the town.
6. May need more information on the site than what a Professional Planner may provide.
7. Applicant may want to look into Shadow Lawn approval to see how traffic may impact this application.
8. The site is subject to DEP testing due to possible contamination.
9. They must address why the Borough doesn't permit service stations.
10. They must address entrance and exits to the sites.
11. The Board directed the Board Engineer to obtain a Professional Planner for the board for this application.
12. Will need hours of operation and the number of employees. The application will be a 24 hour a day operation.

Mr. Britton has a conflict on this matter.

Mr. Kutosh offered a motion to schedule this application for a public hearing on December 2, 2010, seconded by Mr. Fox and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Braswell, Ms. Ryan, Mr. Fox, Mr. Anthony, Mr. Mullen, Mr. Kutosh
NAYES: None
ABSTAIN: None

Approval of Minutes:

Ms. Ryan offered a motion to approve the September 2, 2010 Zoning Board Minutes, seconded by Mr. Britton and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Braswell, Ms. Ryan, Mr. Anthony, Mr. Britton, Mr. Mullen
NAYES: None
ABSTAIN: None

Ms. Ryan offered a motion to adjourn the meeting, seconded by Mr. Kutosh and all were in favor.

The Meeting adjourned at 8:09 p.m.

CAROLYN CUMMINS, BOARD SECRETARY