

**Borough of Highlands  
Zoning Board  
Regular Meeting  
June 6, 2013**

Meeting Location: Highlands Elementary School, 360 Navesink Ave, Highlands, NJ.

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

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

Mrs. Cummins made the following statement: As per requirement of public law 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. Fox, Mr. Kutosh, Mr. Gallagher, Mr. Mullen, Mr. O'Neil,  
Mr. Braswell, Ms. Pezzullo, Ms. Maresca

**Absent:** Mr. Knox

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

---

**ZB#2013-3 Cireco, Stephen – Request for Postponement to July 18th  
146 Bay Ave, Block 54 Lot 3.01**

Mr. Gallagher offered a motion to approve the postponement request for Cierco to the July 18<sup>th</sup> meeting after the Hennessey hearing. Seconded by Mr. Kutosh and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Fox, Mr. Kutosh, Mr. Gallagher, Mr. Mullen, Mr. O'Neil,  
Ms. Pezzullo, Mr. Braswell

**NAYES:** None

**ABSTAIN:** None

---

**ZB#2013-5 Ostermiller, Troy  
41 Shrewsbury Ave – Block 49 Lot 2  
Application Review**

**Present:** Troy Ostermiller

The Board reviewed the application and the following was stated:

1. The applicant wants to build a duplex and demolish the existing single family structure.
2. This is a rental property.
3. There is no garage on site as shown on the survey.
4. This is currently a single-family home and he wants to make it a two-family home.
5. Two properties away is an existing duplex.
6. The applicant needs a use variance for the proposed two-family home.
7. The proposed will have off street parking underneath the proposed new structure.
8. The applicant must provide a flood elevation certificate.
9. The applicant must provide the grade of the property.

Mr. Kutosh offered a motion to schedule a public hearing for August 1, 2013. Seconded by Mr. Fox and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Fox, Mr. Kutosh, Mr. Gallagher, Mr. Mullen, Mr. O'Neil, Ms. Pezzullo,  
Mr. Braswell

**NAYES:** None

**ABSTAIN:** None

---

**Borough of Highlands  
Zoning Board  
Regular Meeting  
June 6, 2013**

**ZB#2013-6 Steiner, Lisa & Paul  
6 King Street – Block 103 Lots 3 & 16  
Application Review**

**Present: Lisa Steiner**

The Board reviewed the application and the following was stated:

1. The property is located in the R-2.03 Zone.
2. The application requires a variance for the porch steps. It requires a front and side yard setback.
3. The applicant wants the deck platform in the front with L shaped steps on side.
4. There are two existing structures on the property which are two small cottages.
5. This is a summer home for applicant and she does not rent out the other unit.
6. She did receive water damage during Hurricane Sandy.
7. She wants to lift home to protect from future flooding.
8. This is a pre-existing non-conforming use.
9. There will be no roof on the proposed porch.
10. The board advised her that this is a use variance application which requires 5 affirmative votes.
11. The applicant was advised that she must serve public notice.
12. The applicant must provide survey with platform and steps on it.

Mr. Gallagher offered a motion to schedule a public hearing on this application for July 18<sup>th</sup>.  
Seconded by Mr. Kutosh and approved on the following roll call vote:

ROLL CALL:

AYES: Mr. Fox, Mr. Kutosh, Mr. Gallagher, Mr. Mullen, Mr. O’Neil, Ms. Pezzullo,  
Mr. Braswell  
NAYES: None  
ABSTAIN: None

---

**ZB#2013-4 Allen, Christopher & Beth  
5 Ocean Ave – Block 99 Lot 16  
Application Review & Public Hearing**

**Present: Christopher Allen  
Beth Allen**

The Board reviewed the application and Mr. Gallagher offered a motion to deem application complete. Seconded by Mr. Kutosh and all were in favor.

Mr. Baxter stated that he reviewed the public notice and receipts and all are in proper order. Therefore the board has jurisdiction to proceed.

The following items were marked into evidence:

- A-1: Variance Application;
- A-2: Zoning Denial letter;
- A-3: Plans by Applicant dated 5/21/2013;
- A-4: Survey dated 5/6/2005;
- A-5: Elevation Certificate dated 12/4/2012;
- B-1: T & M Letter.

Both Beth and Chris Allen were sworn in.

Rob Keady, P.E, Board Engineer was also sworn in.

Mr. Gallagher reviewed the Board Engineers letter and stated the following:

**Borough of Highlands  
Zoning Board  
Regular Meeting  
June 6, 2013**

1. Minimum lot size is pre-existing.
2. Minimum front yard is pre-existing.
3. Front yard is a tenth of a foot more.
4. Side yard is 3 ft & 3ft. where 6/8 are required but its an improvement from existing.
5. Rear Yard is okay.
6. Building coverage is increase of 7.58% from existing.

Mr. Gallagher offered a motion to approve the application. Seconded by Mr. O'Neil.

Mr. Baxter stated that we need something on the record.

Mr. O'Neil seconded Mr. Gallaghers motion and it was approved on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Fox, Mr. Kutosh, Mr. Gallagher, Mr. O'Neil, Ms. Pezzullo**

**NAYES: Mr. Mullen**

Mr. Braswell stated that there should have been discussion on this.

Mr. Mullen agreed.

Mr. O'Neil stated that he could not hear anything at his end of the table.

Mr. Braswell asked if Mr. O'Neil could withdraw his second.

Mr. Baxter stated that we need to finish the vote.

Mr. Baxter stated that he will be charged with preparing a written resolution. He then explained the process to the applicant.

---

---

**Approval of Minutes:**

Mr. Gallagher offered a motion to approve the May Zoning Board Minutes. Seconded by Mr. Fox and approved on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Fox, Mr. Kutosh, Mr. Gallagher, Mr. O'Neil, Mr. Braswell,  
Ms. Pezzullo, Ms. Maresca**

**NAYES: None**

**ABSTAIN: None**

Mr. Gallagher offered a motion to adjourn the meeting. Seconded by Mr. Kutosh and all were in favor.

The meeting adjourned at 8:21 p.m.

---

Carolyn Cummins, Board Secretary