



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 21-172

A RESOLUTION GRANTING PERMISSION AS THE UPLAND OWNER FOR FLOATING DOCKS IN CONNECTION WITH A TIDELANDS LICENSE RENEWAL APPLICATION SUBMITTED BY HIGHLANDS WATERFRONT, LLC.

WHEREAS, Highlands Waterfront LLC., is the owner of property located at Block 50, Lot 1 and is the purported owner of the Riparian Grants located at Block 50, Lots 1.01 and 1.02, 52 Shrewsbury Avenue, Highlands, NJ 07732; and

WHEREAS, the aforesaid property is currently occupied by Twin Lights Marina; and

WHEREAS, Highlands Waterfront LLC, has submitted an application for the renewal of a Tidelands License to the State of New Jersey, Department of Environmental Protection, Division of Land Resource Protection, Bureau of Tidelands Management; and

WHEREAS, the aforesaid owner of the property was notified by the Bureau of Tidelands Management that they would require written permission from the adjacent upland owners to allow for floating docks that encroach upon the outshore of Borough Property, namely Jackson Street; and

WHEREAS, in accordance with N.J.S.A. 12:3-23, the owner has requested permission from the Borough to allow for the use of the floating docks that currently encroach upon the outshore of Borough Property; and

WHEREAS, the property owner has represented that the aforesaid plastic docks are wave runner docks that are attached to the southern concrete docks at the property which contain no associated pilings or permanent structures on Borough property; and

WHEREAS, the property owner has advised that they have no alternative location available for the said floating docks; and

WHEREAS, it is in the best interests of the Borough to grant such permission to the property owner, upon certain conditions.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Highlands that the Borough, as the upland owner, grants permission to Highlands Waterfront, LLC. for the use of the aforesaid floating docks, pending approval by the New Jersey Department of Environmental Protection, for the portion of the docks that encroach upon the outshore of Borough property, namely Jackson Street, wherein this consent is conditioned upon the location of the encroaching docks remaining static and that there are no other encroachments upon the outshore of Borough property.

BE IT FURTHER RESOLVED, that the aforesaid consent is for the duration of the Tidelands License to be issued by the New Jersey Department of Environmental Protection and not for any renewal or subsequent Tidelands licenses.

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be transmitted to Highlands Waterfront, LLC.

Motion to Approve R-21-172:

| | INTRODUCED | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|-----------|------------|--------|-----|-----|---------|--------|
| MARTIN | | | X | | | |
| MAZZOLA | | X | X | | | |
| MELNYK | | | X | | | |
| OLSZEWSKI | | | X | | | |
| BROULLON | X | | X | | | |

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: September 1, 2021



Michelle Hutchinson, Municipal Clerk
Borough of Highlands