

**Borough of Highlands
LAND USE BOARD
July 1, 2021 Regular Meeting Minutes**

HELD VIA VIDEO CONFERENCE

Chair Knox called the meeting to order at 7:33pm.
Chair Knox asked all to stand for the Pledge of Allegiance.

Chair Knox read the following statement: As per requirement, notice is hereby given that this is an Abbreviated Meeting of the Borough of Highlands Land Use Board 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. Formal Action will be taken.

ROLL CALL:

Present: Mayor Broullon, Mr. Kutosh, Ms. LaRussa, Mr. Lee, Councilmember Martin, Mr. Montecalvo, Vice Chair Tierney, Chair Knox
Absent: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton
Also Present: Board Attorney Dustin Glass
Board Engineer Ed Herrman

OPEN FOR PUBLIC COMMENTS: None

ACTION ON OTHER BUSINESS: None

RESOLUTIONS:

1. Resolution 2021-15 Review of Proposed Ordinance O-21-21

RESOLUTION 2021-15

**HIGHLANDS LAND USE BOARD
RESOLUTION OF MEMORIALIZATION
MONMOUTH COUNTY, NEW JERSEY
REVIEW OF PROPOSED ORDINANCE NO. O-21-21**

**Consistency Determination: June 3, 2021
Memorialized: July 1, 2021**

MATTER OF: PROPOSED ORDINANCE NO. O-21-21

WHEREAS, the Borough of Highlands (“Borough”) has introduced proposed Ordinance No. O-21-21 which amends Chapter 21, Article XIV, Section 21-74.1 of the Code of the Borough of Highlands to permit one Cannabis Retailer as provided in Section 21-97(M) in either the Central Business District or Highway Oriented Business Zone as a conditional use; and

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-26, any proposed land use ordinance must be referred to the Land Use Board for a review as to consistency with the municipal master plan;

NOW, THEREFORE, does the Borough of Highlands Land Use Board make the following findings of fact and conclusions of law with regard to the proposed ordinance:

1. The proposed ordinance was generated by the Borough Council.
2. The proposed amendment as referenced in the aforementioned WHEREAS clause is incorporated herein by reference.
3. The proposed ordinance will promote the policy goals articulated in the Municipal Master Plan for the affected zoning districts.

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Borough of Highlands on this 1st day of July 2021, that pursuant to N.J.S.A. 40:55D-26, the Land Use Board hereby determines proposed Ordinance No. O-21-21 is substantially consistent with the Municipal Master Plan.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Ms. LaRussa

SECONDED BY: Mr. Kutsoh

ROLL CALL:

YES: Mayor Broullon, Mr. Kutsoh, Ms. LaRussa, Councilmember Martin, Mr. Montecalvo,

NO: Mr. Lee

ABSTAINED:

ABSENT: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton, Vice Chair Tierney – established that there would be enough necessary to vote and left meeting

DATED: July 1, 2021

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Borough of Highlands Land Use Board, Monmouth County, New Jersey, at a public meeting held on July 1, 2021.

Michelle Hutchison, Secretary
Borough of Highlands Land Use Board

2. Resolution 2021-16 Review of Proposed Ordinance O-21-23

RESOLUTION 2021-16

**HIGHLANDS LAND USE BOARD
RESOLUTION OF MEMORIALIZATION
MONMOUTH COUNTY, NEW JERSEY
REVIEW OF PROPOSED ORDINANCE NO. O-21-23**

Consistency Determination: June 3, 2021
Memorialized: July 1, 2021

MATTER OF: PROPOSED ORDINANCE NO. O-21-23

WHEREAS, the Borough of Highlands (“Borough”) has introduced proposed Ordinance No. O-21-23 which amends Chapter 21, Article XVII, Section 21-91 and Section 21-92.01 of the Code of the Borough of Highlands to permit one Cannabis Retailer as provided in Section 21-97(M) in either the Central Business District or Highway Oriented Business Zone as a conditional use; and

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-26, any proposed land use ordinance must be referred to the Land Use Board for a review as to consistency with the municipal master plan;

NOW, THEREFORE, does the Borough of Highlands Land Use Board make the following findings of fact and conclusions of law with regard to the proposed ordinance:

1. The proposed ordinance was generated by the Borough Council.
2. The proposed amendment as referenced in the aforementioned WHEREAS clause is incorporated herein by reference.
3. The proposed ordinance will promote the policy goals contained in the Municipal Master Plan for the affected zoning districts.

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Borough of Highlands on this 1st day of July 2021, that pursuant to N.J.S.A. 40:55D-26, the Land Use Board hereby determines proposed Ordinance No. O-21-23 is substantially consistent with the Municipal Master Plan.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Mayor Broullon
SECONDED BY: Councilmember Martin

ROLL CALL:

YES: Mayor Broullon, Mr. Kutosh, Ms. LaRussa, Councilmember Martin, Mr. Montecalvo

NO: Mr. Lee

ABSTAINED:

ABSENT: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton, Vice Chair Tierney – established that there would be enough necessary to vote and left meeting

DATED: July 1, 2021

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Borough of Highlands Land Use Board, Monmouth County, New Jersey, at a public meeting held on July 1, 2021.

Michelle Hutchison, Secretary
Borough of Highlands Land Use Board

3. Resolution 2021-17 Execution of Letter of Support for Green Acres Project Application for Snug Harbor Skate Park Project (Block 97 L1)

RESOLUTION 2021-17

**BOROUGH OF HIGHLANDS LAND USE BOARD
RESOLUTION OF MEMORIALIZATION
MONMOUTH COUNTY, NEW JERSEY
EXECUTION OF LETTER OF SUPPORT OF THE
GREEN ACRES PROJECT APPLICATION FOR
SNUG HARBOR SKATE PARK PROJECT
(BLOCK 97, LOT 1)**

**Approved: July 1, 2021
Memorialized: July 1, 2021**

MATTER OF: SNUG HARBOR SKATE PARK PROJECT

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to non-profit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Highlands desires to further the public interest by obtaining a grant and/or loan from the State to fund the Snug Harbor Skate Park Project (Block 97, Lot 1) (the “Project”); and

WHEREAS, the State requires a Letter of Support from the Borough Land Use Board for the Project which provides evidence that the Project is consistent with the Borough Master Plan (the “Letter of Support”); and

WHEREAS, the Land Use Board has reviewed the Concept Plan for the Project and has prepared a Letter of Support of the Project addressed to the Borough Mayor dated June 9, 2021 attached herein as “Exhibit A”.

NOW, THEREFORE, the Highlands Land Use Board make the following findings of fact and conclusions of law with regard to the proposed Project:

1. The Snug Harbor Skate Park Project will promote the policy goals contained in the Municipal Master Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Borough of Highlands on this 1st day of July 2021, that the Chairman of the Land Use Board is authorized to execute the Letter of Support dated June 9, 2021.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Mr. Kutosh
SECONDED BY: Mr. Montecalvo
ROLL CALL:

YES: Mayor Broullon, Mr. Kutosh, Ms. Larussa, Mr. Lee, Councilmember Martin, Mr. Montecalvo, Chair Knox

NO:

ABSTAINED:

ABSENT: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton, Vice Chair Tierney

DATED: July 1, 2021

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Highlands Land Use Board, Monmouth County, New Jersey, at a public meeting held on July 1, 2021.

Michelle Hutchison, Secretary
Highlands Land Use Board

HEARINGS ON NEW BUSINESS: None

HEARINGS ON OLD BUSINESS:

1. LUB2020-01 Careri 273 Shore Dr B120 L10.04 and 10.05 –extension to file
Due to delays caused by COVID, applicant needed extra time to file with County. Board was agreeable to extending additional 6 months.

Offered by: Mayor Broullon

Seconded by: Mr. Kutosh

Ayes: Mayor Broullon, Councilmember Martin, Mr. Kutosh, Ms. LaRussa, Mr. Montecalvo, Chair Knox

Nays:

Abstain: Mr. Lee

Absent: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton, Vice Chair Tierney

2. LUB2020-06 Gil 1-3 Barberie Ave B77 L13 –extension

Due to delays caused by COVID, applicant needed extra time to file with County. Board was agreeable to extending additional 6 months.

Offered by: Ms. LaRussa

Seconded by: Councilmember Martin

Ayes: Mayor Broullon, Councilmember Martin, Mr. Kutosh, Ms. LaRussa, Mr. Lee, Mr. Montecalvo, Chair Knox

Nays:

Abstain:

Absent: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton, Vice Chair Tierney

APPROVAL OF MINUTES OF JUNE 3, 2021 MEETING

Offered by: Mr. Kutosh

Seconded by: Ms. LaRussa

Ayes: Mayor Broullon, Mr. Kutosh, Ms. LaRussa, Mr. Lee, Mr. Montecalvo, Chair Knox

Nays:

Ineligible: Councilmember Martin

Absent: Chief Burton, Ms. Walsh, Ms. Chang, Ms. Nash, Ms. Pendleton, Vice Chair Tierney

COMMUNICATION AND VOUCHERS:

1. O-21-29 An Ordinance Amending Section 21-65.14 of the Borough Code to Address Off-Street Parking Requirements

Mayor Broullon stated that Borough Code needed to be updated to comply with Code. She reviewed with the planner, redevelopment attorney, and Chief Burton. Mr. Glass listed the points that were updated based on group's input. Mayor Broullon noted that one of the updated points is that penalty fee would be an annual fee rather than an 1 time fee. This fee would go to a set up fund that would benefit capital improvements.

Mr. Lee noted that the required number of parking spaces for various structures seems arbitrary. Mr. Glass stated that they are Residential Site Improvement Standards (RSIS) compliant.

Mayor Broullon reported that with the update, we are now in compliance with state statute.

2. Approval of Invoices from T&M Associates and Weiner Law Group

ADJOURNMENT

Offered by: Mr. Kutosh

Seconded by: Councilmember Martin

All in favor

None Opposed

Adjourned at 8:16pm.

I, Nancy Tran, certify that this is a true and correct record of the actions of the Borough of Highlands Land Use Board on July 1, 2021.



Nancy Tran, Land Use Board Assistant Secretary