

Borough of Highlands
August 5, 2021 Regular Meeting Minutes

Meeting Location: Robert D. Wilson Memorial Community Center, 22 Snug Harbor Ave, Highlands NJ

Chair Knox called the meeting to order at 7:36pm.
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, Chief Burton, Mr. Kutosh, Ms. LaRussa (arrived at 7:44pm), Mr. Lee, Councilmember Martin, Mr. Montecalvo, Ms. Walsh, Ms. Nash, Chair Knox
Absent: Ms. Chang, Ms. Pendleton, Vice Chair Tierney
Also Present: Board Attorney Ron Cucchiaro and Dustin Glass
Board Engineer Bob Yuro

OPEN FOR PUBLIC COMMENTS: None

ACTION ON OTHER BUSINESS:

Area in Need of Redevelopment Study –Borough of Highlands Central Business District

Mr. Ron Cucchiaro opened by explaining the purpose and procedure of hearing on the Redevelopment Study. Up for discussion is scope of non-condemnation study, its criteria, role of the Land Use Board, right of interested parties and residents. There will be no discussion about uses. Study is only investigative. Then swore in Paul Grygiel.

Mr. Grygiel gave his credentials and briefly outlined his presentation --stressing that study is non-condemnation and no eminent domain, scope of work, study area, and existing zoning. He discussed the criteria he used in the study and then proceeded to summarize his findings of the 155 parcels.

Several Land Use Board members recused themselves so second roll call was made.

2nd Roll Call at 7:49pm:

Present: Mayor Broullon, Chief Burton, Ms. LaRussa, Mr. Lee, Councilmember Martin, Mr. Montecalvo, Acting Chair Kutosh.

The following individuals were sworn in to talk.

Ms. Diane Kerner, 287 Bay -block 81 lot 2, asked if study is non-condemnation, what did Section 3 mean and if she could opt out of study? Mr. Grygiel replied that owners can choose to participate or not. Mr. Cucchiaro stated that this was part of the law.

Ms. Kerri Branin, 66 Miller -block 59 lot8, asked if study took into consideration of properties with current building permits and asked to opt out.

Mr. Randy Takian, of block 94 lot 1, expressed appreciation for the non-condemnation study. He asked why block 94 lot 1 met criteria but block 94 lot 16 did not? Felt that these lots should be redeveloped together. Mr. Grygiel answered that there was a 10-year vacant lot threshold was reason lot 16 was left out.

Ms. Valerie Montecalvo, 104 Portland Rd., commended the study. She suggested that all properties in the area should be included in the study and read a prepared statement.

Ms. Karen Nill, 238 Bay -block 69 lot 2, stated that she's considering opting out and disagrees with criteria 6. Said that she was told by town that she didn't need to raise house after Sandy.

Mr. Charles LaRue, 12 Second St, expressed agreement with Mr. Takian and Ms. Montecalvo. Commented that the study may sound scary but opting out may not be in property owners' best interest in the long run.

Ms. Donna Conrad, 286 Bay, asked what was the end goal. Mr. Grygiel replied that that question was not the focus of tonight's hearing. He stated that idea is to transform the area and that the town cannot act without designation. Mr. Cucchiaro explained the law and steps of the law to define the area and that this is a public process. Mr. Grygiel referred to pages 13-14 of the Master Plan.

Ms. Linda Graybill, 292 Bay -block 80 lot 21, stated that after Sandy they had to meet town's criteria. Asked why they were included in study now?

Mr. Robert Knox, 225 Bay -block 63 lot 16, asked for description of the opting in and opting out process. Mr. Cucchiaro answered and stated that one does not have to do anything. Ms. Bhavini Doshi, Partner at McManimon, Scotland & Baumann, LLC, Special Redevelopment Counsel to the Borough, explained statute determining if property can be included and listed potential benefits resulting from the study.

Ms. Gert Sofman, 157 Bay -block 53 lot 8, noted that she disagreed with the study's description of her property. She also wanted to know if there was money available for individual property owners to develop on their own or if it was only for developers and what they were. Mr. Cucchiaro answered that that last question was beyond tonight's hearing. Study will give town and owners more flexibility. Mr. Grygiel noted that description would not be used against her.

Ms. Kim Adams, 211 Bay -block 63 lot 10, asked if there was any downside if one were to look to sell their property and if it was necessary to disclose inclusion in study. Mr. Cucchiaro answered that there was no downside and that the study's finding is public info.

Ms. Emily Valentine, 49 Miller -block 54 lot 7.01, stated that she didn't know how her property fit in the study as it's not on Bay Ave. She recently submitted a Land Use Board application to build residential buildings and didn't know how study would affect it. Mr. Grygiel noted that the change in zoning happened in 2018 and that this study didn't have anything to do with that change. Mr. Cucchiaro stated that the study doesn't prohibit her from submitting a variance application.

Mr. John Caruso, 24 Gravelly Point, noted that this study was a bold move and sounds scary but it is good for the town. People should get behind this.

Ms. Alessandra Giunta, 197 Bay block 63 lots 4, 5, & 6, wanted to know the end result and the point of the study. She is worried about the long run and didn't know to opt in or out.

Ms. Sharon Rafter, 12 Prospect, was there on behalf of 9 West North S-block 53 lot 3, wanted to know who to address regarding discrepancy of study. Ms. Rafter stated the property only has one residential unit while the study says differently. She took exception to the A designation for the property. She questioned how she was able to get insurance if state of property is as study claims. Mr. Cucchiaro answered that this was the place to do it and the steps she mentioned.

Ms. Carol Argeros, 111 Bay -block 46 lot2, wanted to know what designate as historical. Mr. Grygiel answered that this was not the scope of this study but threshold is 75 years.

Ms. Barbara Domings, 247 Bay -block 47 lot 4, asked if any structure or street infrastructure was taken into consideration. Mr. Grygiel replied that there were no plans.

Mr. Andrew Heck, 47 Snug Harbor, wanted to what inclusion in this study meant and if it means inclusion in any potential condemnation study.

Mr. Frank Servidio, 290 Bay -block 80 lot 22, asked what about Mr. Grygiel's past studies, if there were any comparable town like Highlands, and what his future role would be. Mr. Grygiel answered. Mr. Servidio stated that he wanted to make sure that there's no trigger that will include condemnation in the future. He advocated that everyone stays involved throughout the process, that the process is good for the community and town, and that transparency is important.

Mr. Edward McKenna, an attorney and former mayor in Red Bank, was there representing an owner of several properties in town that weren't included the study but wished to be so as they were "hole in donut" of redeveloping the area. He advocated for residents to be involved in the "smart growth" process.

Mr. Joe Valinoti, 295 Bay -block 81 lot 10.01, disagreed with the description of his property.

Mr. Kevin Cody, G14 Twinlights, asked about the tax breaks –how long and what good are they for—, who makes the final decision on what can be built, and how much the study cost.

Ms. Donica Basinger, 154 Bay -block 54 lot 1, agreed that all of Bay Ave. should be included.

Mr. Michael Salerno, 297 Bay -block 82 lot 1.01, property owner that Mr. McKenna represents, supports all of Bay Ave. be included and supports the study. He wanted to make sure that condemnation not be added at a later date.

Mr. Robert Burton, 22 Atlantic, also a member of the Land Use Board and had recused himself, stressed that answers to study is found here, not on Facebook.

Ms. Catherine Reed, 71 Waterwitch and resides in Colts Neck, wanted to be included in the study but has trust issues and asks for transparency in the process.

Mr. Robert Knox, 225 Bay -block 63 lot 16, a member of the Land Use Board who had recused himself. His property was not included in the study but wants to opt in as he believes it will give him opportunity and options.

Mr. Cucchiaro asked that Land Use Board members who had recused themselves to join the public as there's room now.

Ms. Conrad, spoke earlier, stated that she works for the town and a longtime resident. She loves the town and wants what good for the town and its people but worried about being kicked out of her home.

Ms. Montecalvo, spoke earlier, wanted 125 Bay -block 46 lot 4 be included in the study.

Ms. Rafter, spoke earlier, said that this could be a good thing but it's scary because people don't know the process. Wants more information about the process.

Ms. Domingos, spoke earlier, wants her properties to be included.

Mr. Rick Hennessey, 75 Bay -block 41 lot 8, there on behalf of the Swantons, asked if study changes zoning and what happens if they decide to sell property. Mr. Cucchiaro explained that if zoning does change, they have the right to continue as-is.

Mr. Sevidio, spoke earlier, noted that this positive process can take up to year and wanted to know the objective, next steps, time frame, and next hearing. Mr. Cucchiaro and Mr. Grygiel both answered.

Ms. Argeros, spoke earlier, wanted to know if there will be any CAFRA issues.

Ms. Eileen Scanlon, 24 Fifth St., asked how study helps the rest of the town that are not included in the study. She agreed with others who expressed distrust because of what has happened in other towns. She noted that those who are strongly in favor of study are developers. She also

asked if any thought was given if the redevelopment plan can be supported. Mr. Cucchiaro answered that there were no plan in place and Mr. Grygiel replied that it was not included in this study.

Ms. Giunta, spoke earlier, asked who she should send correspondence to.

BREAK at 9:50pm.

Roll Call of eligible members after Break:

Present: Ms. LaRussa, Mr. Lee, Councilmember Martin, Ms. Nash, Acting Chair Kutosh.

Ms. Branin, spoke earlier, asked if the study changes the building permit process. Mr. Grygiel replied no. Ms. Doshi explained the recommendation process.

Mr. Cucchiaro recapped and addressed individual's/public's desire to opt in or out or to include all properties. He then instructed Board as to what it can or cannot do.

Ms. Nash asked how Borough property were treated. Mr. Grygiel replied that they were evaluated the same as others. Ms. Nash asked about the 2 criteria that was assessed for property at block 59 lot 8. Mr. Cucchiaro noted that only 1 criterion is needed by law. Ms. Nash motioned that criterion A be removed and leave criterion D.

Councilmember Martin motioned that study includes all properties and that criterion A be struck from assessment of block 59 lot 8.

Offered by: Councilmember Martin

Seconded by: Ms. LaRussa

Ayes: Ms. LaRussa, Mr. Lee, Councilmember Martin, Ms. Nash, Acting Chair Kutosh,

Nays:

Conflict: Mayor Broullon, Chief Burton, Mr. Montecalvo, Ms. Walsh, Chair Knox

Absent: Ms. Chang, Ms. Pendleton, Vice Chair Tierney

Chair Knox resumed position and recused members rejoined the rest of the Board.

HEARINGS ON NEW BUSINESS:

1. LUB2021-03: 26 Ralph Street, Block 113 Lot 6.01, Giordano –Zoning Appeal, Variance Carried to September 2nd meeting due to time.

HEARINGS ON OLD BUSINESS:

1. LUB2020-07: 9 Shrewsbury Avenue, Block 42 Lot 2, Char-Ron –Variance for SFD Carried to September 2nd meeting due to time.

2. LUB2019-12: 5 Lighthouse Road, Block 19 Lot 16.02, Whitfield –Minor Subdivision

Mr. Michael Steib recapped the application.

Ms. Catherine Franco was sworn in and gave her credentials before going into details about the proposed new structure.

Mr. Marc Leiber was sworn in and testified to the submitted engineer's plans and listed variance needed.

Chair Knox asked about curb cut and sidewalk.

Public questions portion began with Mr. Michael Stock, 9 Ocean, asked about the roof height – how it compared to existing houses—and if new deed would include height limitation as promised at last meeting. Mr. Steib confirmed so.

Mr. Yuro reviewed the setbacks, height and elevation, grading, etc. of application. Mr. Leiber confirmed the May 19, 2021 plans.

Public comment portion began with Mr. Patrick Kelly Dempsey, 69 Highland, showing support for the application. Mr. Robert Manning, 1 Lighthouse, also supported application. \

Ms. Megan Ekleberry, 7 Ocean, opposed the project as her valued views would now be blocked. Mr. Steib asked if she had expressed buying the lot. Mr. Michael Whitfield confirmed discussion with Ms. Ekleberry's interest in the lot and addressed her and Mr. Stock's concern about their views. Ms. Ekleberry disagreed with his assessment.

Mr. Manning commented on his plans for his roof.

Mr. Steib concluded his presentation.

Offered by: Mayor Broullon

Seconded by: Chief Burton

Ayes: Mayor Broullon, Chief Burton, Ms. LaRussa, Mr. Lee, Councilmember Martin, Mr. Montecalvo, Ms. Walsh, Ms. Nash, Chair Knox

Nays:

Conflict: Mr. Kutosh

Absent: Ms. Chang, Ms. Pendleton, Vice Chair Tierney

RESOLUTIONS:

1. Resolution 2021-18 for Ordinance O-21-29

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2021-18
RESOLUTION OF MEMORIALIZATION
REVIEW OF PROPOSED ORDINANCE NO. O-21-29

Consistency Determination: July 1, 2021
Memorialized: August 5, 2021

MATTER OF: PROPOSED ORDINANCE NO. O-21-29

WHEREAS, the Borough of Highlands (“Borough”) has introduced proposed Ordinance No. O-21-29 which amends Chapter 21, Article XI, Section 21-65.14 (Off-Street Parking) of the Code of the Borough of Highlands pertaining to off-street parking requirements in both residential and non-residential zones to be into compliance with the New Jersey Site Improvement Standards; 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 5th day of August 2021, that pursuant to N.J.S.A. 40:55D-26, the Land Use Board hereby determines proposed Ordinance No. O-21-29 is substantially consistent with the Municipal Master Plan.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Mr. Kutosh

SECONDED BY: Councilmember Martin

ROLL CALL:

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

NO:

ABSTAINED: Chief Burton, Ms. Walsh, Ms. Nash

ABSENT: Ms. Chang, Ms. Pendleton, Vice Chair Tierney

DATED: August 5, 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 August 5, 2021.

Michelle Hutchison, Secretary
Borough of Highlands Land Use Board

2. Resolution 2021-19 for Filing Extension for LUB2020-01 Careri 273 Shore Dr B120 L10.04 and 10.05

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2021-19
RESOLUTION OF MEMORIALIZATION
EXTENSION OF MINOR SUBDIVISION APPROVAL

Approved: July 1, 2021
Memorialized: August 5, 2021

MATTER OF JILL CARERI
APPLICATION NO. LUB2020-01

WHEREAS, an application for an extension of minor subdivision approval has been made to the Highlands Land Use Board (hereinafter referred to as the “Board”) by Jill Careri, the owner of Block 120, Lot 10.04 as depicted on the Tax Map of the Borough of Highlands (hereinafter “Borough”) and more commonly known as 273 Shore Drive (hereinafter referred to as the “Applicant”) on lands owned by Alfred W. Marker, Jr., known and designated as Block 120, Lot 10.05 as depicted on the Tax Map of the Borough and more commonly known as 295 Shore Drive within the R-2.01 (Residential) Zone (hereinafter “Property”); and

WHEREAS, a virtual public hearing was held before the Board on July 1, 2021 with regard to this application; and

WHEREAS, on or about June 29, 2021, the Board received a written request for an extension from the Applicant and at the July 1, 2021 hearing, heard statements from the Borough Engineer regarding the request, and with the public having had an opportunity to be heard; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised.

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

1. The Applicant is seeking an extension of time for the minor subdivision approval granted by the Board in 2020. The original application was approved on September 3, 2020 and the Resolution was memorialized on October 1, 2020.
2. The Applicant was granted minor subdivision approval with ancillary variance relief to subdivide the subject Property to create a new Lot 10.06 with thirty-five (35) feet of frontage on Shore Drive, fifty-seven and eighty-two hundredths (57.82) feet of frontage on South Linden Avenue, and side lines of one hundred and forty-seven feet and eighty-

- sixth hundredths (147.86) feet along the north side of the Property and one hundred and forty-nine and eighty-four hundredths (149.84) feet along the south side of the Property.
3. Proposed Lot 10.06 will contain +/- 6,866 square feet in area, while Lot 10.05 (the Marker lot) would be reduced to +/- 11,985 square feet in area.
 4. The Board granted ancillary variance relief to the Applicant for Proposed Lot 10.06 for lot frontage because Proposed Lot 10.06 has thirty-five (35) feet of frontage on Shore Drive, where fifty (50) feet is required.
 5. The Applicant did not testify at the hearing but submitted a letter to the Board, requesting the extension.
 6. The Board Engineer testified that the Applicant had determined to file the minor subdivision approval by deed and submitted a metes and bounds description to the Board Engineer for his review.
 7. The Board Engineer continued that he had approved of the Applicant's metes and bounds description and, therefore, the Applicant was diligently filing a deed to perfect the minor subdivision with the County, as required.
 8. There were no members of the public expressing an interest in this application.
 9. The Board has received, reviewed, and considered the Applicant's June 29, 2021 written request for an extension, Land Use Board Resolution No. 2020-01 and its associated exhibits, and the statements made at the hearing with regard to this application. All exhibits, resolutions, and statements have been incorporated herein in their entirety.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby concludes that good cause has been shown to approve the application of Jill Careri for a six-month extension of Minor subdivision approval pursuant to N.J.S.A. 40:55D-47.

The Board acknowledges that the Applicant has diligently obtained nearly all necessary approvals since receiving minor subdivision approval. The Applicant requires additional time to get file the deed. The Board, therefore, finds that an extension of time to December 31, 2021 is appropriate in this circumstance pursuant to N.J.S.A. 40:55D-47.

NOW, THEREFORE, BE IT RESOLVED by the Highlands Land Use Board on this 5th day of August 2021, that the action of the Land Use Board taken on July 1, 2021 granting Application No. LUB-2020-01 of Jill Careri for an extension of minor subdivision approval pursuant to N.J.S.A. 40:55D-47 be and the same is hereby memorialized as follows:

The application is granted subject to the following conditions:

1. The Applicant is granted an extension of time expiring December 31, 2021.
2. All terms and conditions of the Board's previous approvals, except as satisfied or amended, shall remain in place.
3. The Applicant shall provide a certificate that taxes are paid to date of approval.
4. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.

5. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Borough clerk, engineer, attorney and tax assessor, and shall make same available to all other interested parties.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Mayor Broullon

SECONDED BY: Mr. Kutosh

ROLL CALL:

YES: Mayor Broullon, Chief Burton, Mr. Kutosh, Ms. LaRussa, Councilmember Martin, Mr. Montecalvo, Chair Knox

NO:

ABSTAINED: Mr. Lee, Ms. Walsh, Ms. Nash

ABSENT: Ms. Chang, Ms. Pendleton, Vice Chair Tierney

DATED: August 5, 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 August 5, 2021.

Michelle Hutchison, Secretary
Borough of Highlands Land Use Board

3. Resolution 2021-20 for Filing Extension for LUB2020-06 Gil 1-3 Barberie Ave B77 L13

BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2021-20
RESOLUTION OF MEMORIALIZATION
EXTENSION OF MINOR SUBDIVISION APPROVAL

Approved: July 1, 2021
Memorialized: August 5, 2021

MATTER OF PAUL GIL
APPLICATION NO. LUB2020-06

WHEREAS, an application for an extension of minor subdivision approval has been made to the Highlands Land Use Board (hereinafter referred to as the "Board") by Paul Gil (hereinafter referred to as the "Applicant") on lands known as designated as Block 77, Lot 13 as depicted on the Tax Map of the

Borough of Highlands (hereinafter “Borough”) and more commonly known as 1-3 Barberie Avenue within the R-2.01 (Residential) Zone (hereinafter “Property”); and

WHEREAS, a virtual public hearing was held before the Board on July 1, 2021 with regard to this application; and

WHEREAS, by letter dated May 26, 2021, the Board received a written request for an extension from the Applicant and at the July 1, 2021 hearing, heard statements from the Borough Engineer regarding the request, and with the public having had an opportunity to be heard; and

WHEREAS, a complete application has been filed, the fees as required by Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised.

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

1. The Applicant is seeking an extension of time for the minor Subdivision approval granted by the Board in 2021. The original application was approved on January 7, 2021 and the Resolution was memorialized on February 4, 2021.
2. The subject Property contains .147 acres (6,837 s.f.) with 129.18 feet of frontage along the southeast side of Barberie Avenue and approximately 37.50 feet of frontage along the southwest side of Marine Place within the R-2.01 Zone district. The subject Property was improved with a 2-story multi-family dwelling and a garage serviced by municipal water and waste systems.
3. The Applicant was granted minor subdivision approval with ancillary bulk variance relief to subdivide the Property to create two new lots as follows:
 - Proposed Lot 13.01 will contain .074 acres (3,217 s.f.) with 37.50 feet of frontage along Barberie Avenue to be improved with a proposed 2-story dwelling.
 - Proposed Lot 13.02 will contain .073 acres (3,170 s.f.) with 43.26 feet of frontage along Marine Place to be improved with a proposed 2-story dwelling.
4. The Applicant did not testify at the hearing but submitted the May 26, 2021 letter to the Board, requesting the extension. The Applicant’s May 26, 2021 letter provided the Board Engineer and Board Attorney with a proposed subdivision deed for their review, and requested that the Municipal Tax Assessor approve the proposed lot designations. The May 26, 2021 letter explained that due to the imminent expiration of time to perfect the subdivision, the Applicant was requesting a modest extension of time to perfect same.
5. The Board recognized that the Applicant was diligently filing a deed to perfect the minor subdivision with the County, as required.
6. There were no members of the public expressing an interest in this application.
7. The Board has received, reviewed, and considered the Applicant’s May 26, 2021 written request for an extension, Land Use Board Resolution No. 2021-09 and its associated exhibits, and the statements made at the hearing with regard to this application. All exhibits, resolutions, and statements have been incorporated herein in their entirety.

WHEREAS, the Highlands Land Use Board, having reviewed the proposed application and having considered the impact of the proposed application on the Borough and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Borough of Highlands; and upon the imposition of specific conditions to be fulfilled, hereby concludes that good cause has been shown to approve the application of Paul Gil for a six-month extension of Minor subdivision approval pursuant to N.J.S.A. 40:55D-47.

The Board acknowledges that the Applicant has diligently obtained nearly all necessary approvals since receiving minor subdivision approval. The Applicant requires additional time to get file the plat and/or

deed. The Board, therefore, finds that an extension of time to December 31, 2021 is appropriate in this circumstance pursuant to N.J.S.A. 40:55D-47.

NOW, THEREFORE, BE IT RESOLVED by the Highlands Land Use Board on this 5th day of August 2021, that the action of the Land Use Board taken on July 1, 2021 granting Application No. HGPB-R1800 of Paul Gil for an extension of minor subdivision approval pursuant to N.J.S.A. 40:55D-47 be and the same is hereby memorialized as follows:

The application is granted subject to the following conditions:

1. The Applicant is granted an extension of time expiring December 31, 2021.
2. All terms and conditions of the Board's previous approvals, except as satisfied or amended, shall remain in place.
3. The Applicant shall provide a certificate that taxes are paid to date of approval.
4. Payment of all fees, costs, escrows due and to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
5. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Highlands, County of Monmouth, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Borough clerk, engineer, attorney and tax assessor, and shall make same available to all other interested parties.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: Ms. LaRussa

SECONDED BY: Mayor Broullon

ROLL CALL:

YES: Mayor Broullon, Chief Burton, Mr. Kutosh, Ms. LaRussa, Mr. Lee, Councilmember Martin, Mr. Montecalvo, Chair Knox

NO:

ABSTAINED: Ms. Walsh, Ms. Nash

ABSENT: Ms. Chang, Ms. Pendleton, Vice Chair Tierney

DATED: August 5, 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 August 5, 2021.

Michelle Hutchison, Secretary

APPROVAL OF MINUTES OF JULY 1, 2021 MEETING

Offered by: Mayor Broullon

Seconded by: Ms. LaRussa

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

Nays:

Ineligible: Chief Burton, Ms. Walsh, Ms. Nash

Absent: Ms. Chang, Ms. Pendleton, Vice Chair Tierney

COMMUNICATION AND VOUCHERS:

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

ADJOURNMENT

Offered by: Mr. Kutosh

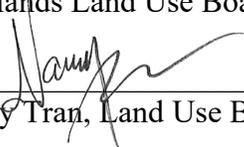
Seconded by: Councilmember Martin

All in favor

None Opposed

Adjourned at 11:07pm.

I, Nancy Tran, certify that this is a true and correct record of the actions of the Borough of Highlands Land Use Board on August 5, 2021.



Nancy Tran, Land Use Board Assistant Secretary