

**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 5<sup>th</sup> 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.

  
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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, Council Member Martin, Mr. Montecalvo, Chair Knox

NO:

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

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

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.



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Michelle Hutchison, Secretary  
Borough of Highlands Land Use Board