

Mr. Bahrs offered the following Resolution and moved on its adoption:

**RESOLUTION
BOROUGH OF HIGHLANDS PLANNING BOARD**

WHEREAS, the Mayor and Council of the Borough of Highlands authorized the Planning Board by resolution to undertake a review of proposed Borough Ordinance O-06-10, (sometimes referred to as O-06-03, both of which have the same content), which Ordinance will amend the Borough Zoning Ordinance; and

WHEREAS, the Municipal Land Use Act, NJSA 40:55D-26 & 64, requires that the Planning Board prepare and transmit a report back to the Governing Body; and

WHEREAS, said statute does further require that the report of the Planning Board shall include an identification of any provision or provisions set forth in the proposed ordinance amendment which is or are inconsistent with the Borough Master Plan and contain recommendations concerning those inconsistencies and any other matters as the Board deems appropriate; and

WHEREAS, the Board conducted a review of the proposed amendment on September 14, 2006; and

WHEREAS, the Board received comments from Board members, the Board Engineer and Attorney and various members of the public.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Highlands that it hereby adopts the findings of the Board annexed hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Board hereby directs its Secretary to transmit said findings to the Clerk of the Borough of Highlands pursuant to the Statute first mentioned above forthwith for consideration by the Mayor and Council of the Borough of Highlands.

Seconded by Mr. Kovic and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Kovic, Mr. Bahrs, Mr. Schoellner, Mr. Cefalo, Mr. Stockton
NAYES: None
ABSTAIN: None

DATE: October 12, 2006

CAROLYN CUMMINS, BOARD SECRETARY

I certify this to be a true copy of the Resolution adopted by the Borough of Highlands Planning Board on October 12, 2006.

Carolyn Cummins, Board Secretary

**Findings of the Planning Board
RE: Ordinance O-06-10
Previously Known as O-06-03**

October 12, 2006

Pursuant to the applicable law the Planning Board makes the following findings on proposed Ordinance O-06-10 (Previously known as O-06-03);

The Board reviewed and considered the following in its deliberation:

1. Two Letter from the Monmouth County Park System dated 6/7/06 and 7/11/06 and annexed hereto.
2. Two Reports from T & M Associates dated 5/5/06 and 5/26/06 and annexed hereto.
3. Proposed Ordinance O-06-10 previously known as O-06-03.
5. Comments from the public and or Attorneys representing citizens of the Borough.

The Planning Board as a result of reviewing the forgoing makes the following findings and recommendations to the Governing Body:

1. The recommendation from the Monmouth County Park System for a 25-foot buffer setback is not supported by the Planning Board because the Board finds that the existing 20-foot setback is appropriate and adequate.
2. The Board agrees with recommendations of the T & M Associates letters dated 5/5/06 and 5/26/06.
3. The Board recommends that the Ordinance on page 22 include single-family residences within the MXD Zone as a permitted.
4. The Board recommends that the Ordinance include single-family residences as a permitted use within the B-3 Zone.
5. The Board finds that the proposed ordinance with the foregoing requested amendments will be consistent with the Master Plan of the Borough of Highlands.
6. The Board encourages the Governing Body to continue with the process of amending the Zoning Ordinance for consistency with the Master Plan.