

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-12-153**

**Resolution of the Mayor and Council of the Borough of Highlands pursuant to N.J.S.A. 40:55D-25 rejecting the determination of the Planning Board concerning Ordinance O-12-10**

Whereas, on March 7, 2012, the Mayor and Council (hereinafter referred to as the "Borough") approved for introduction Ordinance O-12-10 to modify uses in the B-1, B-2, WC-2, R-1.03 and MXD zones and referred O-12-10 to the Highlands Planning Board as required by law; and

Whereas, by Resolution dated March 8, 2012, the Highlands Planning Board ("Board") determined that O-12-10 was inconsistent with the Land Use and other elements of the Highlands Borough Master Plan (hereinafter referred to as "Master Plan") and recommended several changes to O-12-10; and

Whereas, on March 21, 2012, the Borough introduced revised Ordinance O-12-10 which incorporated in total the recommendations of the Board which were memorialized in its March 8, 2012 resolution and referred

Whereas, by Resolution dated April 12, 2012, the Board found the second revised ordinance to be inconsistent with the Master Plan and recommended changes to the Ordinance;

Whereas, on May 2, 2012, the Borough introduced a third revised O-12-10 which incorporated in total the recommendations of the Board memorialized in its April 12, 2012 resolution; and

Whereas by Resolution dated May 10, 2012, the Board determined that the third revision of O-12-10 was inconsistent with the Master Plan but did not recommend any changes to O-12-10; and

Whereas, pursuant to N.J.S.A. 40:55D-26 rejects of the Board's finding that O-12-10 is inconsistent with the Master Plan; and

Now, therefore, be it Resolved by the governing body of the Borough of Highlands that to the extent O-12-10 is inconsistent with the Master Plan, the Borough determines that the addition of the uses implemented by O-12-10 effectuates the economic development purposes of the Master Plan and will result in a long-term economic development and growth in the Borough by providing landowners with additional available acceptable uses for their property and will further business revitalization of the downtown and other affected areas of the Borough.

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

**ROLL CALL:**

**AYES:** Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** Mr. O'Neil

**ABSTAIN:** None

**DATE:** June 20, 2012

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**CAROLYN CUMMINS, BOROUGH CLERK**

**I hereby certify this to be a true copy of Resolution R-12-153 adopted by the Governing Body of the Borough of Highlands on June 20, 2012.**

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**BOROUGH CLERK/DEPUTY CLERK**