

**BOROUGH OF HIGHLANDS  
PLANNING BOARD  
REGULAR MEETING  
NOVEMBER 9, 2006**

Mr. Stockton called the Regular Meeting to order at 8:08 P.M.

Mr. Stockton asked all to stand for the Pledge of Allegiance.

Mr. Stockton read the following statement: As per requirement of P.L. 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Planning Board and all requirements have been met. Notice has been transmitted to the Courier, The Asbury Park Press and the Two River Times. Notice has been posted on the public bulletin board.

**ROLL CALL:**

**Present:** Mr. Kovic, Mr. Mullen, Mr. Schoellner, Mr. Stockton, Mr. Harrison

**Late Arrival:** Mr. Bahrs arrived at 8:13 P.M.

**Absent:** Mr. Manrodt, Mayor O'Neil, Mr. Urbanski, Mr. Cefalo

**Also Present:** Carolyn Cummins, Board Secretary  
Jack Serpico, Esq., Board Attorney

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**PB#2006-1 Fleming, Daniel – Request for Postponement Without Further Notice  
Block 26 Lot 12 – 127 Highland Avenue**

Mr. Stockton announced that the Board received a request for an adjournment of the Fleming Public Hearing.

Mr. Mullen offered a motion to reschedule the Fleming Public Hearing to the December 14, 2006 Meeting without the need for further public notice, seconded by Mr. Schoellner and approved on the following roll call vote:

**This motion was then tabled due to a lack of quorum for this matter.**

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**Approval of Minutes**

Mr. Mullen offered a motion to approve the October 12, 2006 Planning Board Meeting Minutes, seconded by Mr. Schoellner and approved on the following roll call vote:

**ROLL CALL:**

**AYES:**            Mr. Kovic, Mr. Mullen, Mr. Schoellner, Mr. Stockton  
**NAYES:**        None  
**ABSTAIN:**      None

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**Communications:**

**Status of Highlands Landing Corp (Seastreak) Approval**

Mr. Serpico explained to the board that this applicant received final site plan approval in January 2001, giving them two years of frozen rights in terms of any zoning changes. There after they applied for three one-year extensions which expired in January of 2006. The misconception is that their site plan approval has expired which is not the case. The only thing that has expired is the protection against any zoning changes. So at this point in time if the borough were to change their development ordinance that would have an effect on this project then they would have to comply with the new ordinance or go to the appropriate board for the appropriate approvals. Resolution Compliance is different from expiration of site plan approval which he further described that if Resolution Compliance hasn't been completed then they really can't build what they received approval to build until they do Resolution Compliance.

The Board had a discussion with Mr. Serpico with regard to the status of the Highlands Port Holdings approval.

**Wet Lands**

The Board had a brief discussion about wet lands in the borough and the notice that they received regarding 367 Shore Drive.

Mr. Stockton stated that the State keeps generalized maps and they have a website that allows you to look at them.

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**PB#2006-1 Fleming, Daniel – Request for Postponement Without Further Notice  
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Mr. Stockton – let go back to the motion to reschedule this public hearing.

Mr. Mullen offered a motion to reschedule the Fleming public hearing to the December 14, 2006 meeting without the need for further public notice, seconded by Mr. Schoellner and approved on the following roll call vote:

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Planning Board Meeting  
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**ROLL CALL:**

**AYES:**            **Mr. Mullen, Mr. Bahrs, Mr. Schoellner, Mr. Harrison, Mr. Stockton**

**NAYES:**        **None**

**ABSTAIN:**     **None**

Mr. Stockton advised the public that the Board approved a motion to reschedule the Fleming Public Hearing to the December 14, 2006 meeting.

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Mr. Kovic offered a motion to adjourn the meeting, seconded by Mr. Bahrs and all were in favor.

The meeting adjourned at 8:26 P.M.

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**CAROLYN CUMMINS, BOARD SECRETARY**