



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 16-178

RESOLUTION AUTHORIZING EXISTING ENCROACHMENTS ONTO THE MUNICIPAL RIGHT OF WAY TO CONTINUE FOR BLOCK 19, LOTS 28 & 29, 53-55 GRAND TOUR, HIGHLANDS, NEW JERSEY, IN ACCORDANCE WITH MINOR SUBDIVISION AND VARIANCE APPLICATION APPROVED BY THE BOROUGH OF HIGHLANDS PLANNING BOARD CONTINGENT UPON CERTAIN CONDITIONS BEING MET

WHEREAS, by way of Resolution of the Borough of Highlands Planning Board adopted on August 11, 2016, the Minor Subdivision and Variance Application of Mary Schneider, the owner of Block 19, Lots 28 and 29, 53-55 Grand Tour, Highlands, New Jersey ("the applicant") was approved contingent upon certain conditions being met, including, but not limited to, compliance with all of the outstanding recommendations and conditions, if any, set forth in the letter of the Board Engineer dated June 2, 2016; and

WHEREAS, in accordance with the said Minor Subdivision and Variance Application, the applicant proposed to subdivide the above captioned lots into two (2) new lots, wherein proposed lot 29.01 would contain an existing single family residence and proposed lot 28.01 would contain an existing carriage house accessory structure; and

WHEREAS, as set forth in the Resolution of the Borough of Highlands Planning Board adopted on August 11, 2016, with respect to the aforementioned property, there is an existing encroachment by the front stairs of six (6) feet into the Municipal Right of Way on proposed lot 29.01, and there is an existing front setback encroachment by the stairs of four (4) feet into the Municipal Right of Way on proposed lot 28.01; and

WHEREAS, as set forth in the aforesaid Resolution of the Borough of Highlands Planning Board adopted on August 11, 2016, the reciprocal easements between the subject lots and/or encroachments into any Rights of Way must be set forth in writing (Deeds and/or easement agreements) and be recorded with the subdivision map or Deed(s); and

WHEREAS, as set forth in the aforesaid Resolution of the Borough of Highlands Planning Board adopted on August 11, 2016, the applicant must submit the subdivision map or Deeds and easement agreements to the Board Engineer and Attorney for their review and approval before they are recorded; and

WHEREAS, the governing body has no objection to allowing the aforementioned existing encroachments by the stairs into the Municipal Right of Way at each of the

proposed lots, 28.01 and 29.01 to continue, subject to the conditions set forth in the Planning Board Resolution adopted on August 11, 2016 being met.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands, that the Borough of Highlands has no objection to allowing the existing encroachments by the front stairs of six (6) feet into the Municipal Right of Way on proposed lot 29.01, and front setback encroachment of (4) feet by the stairs into the Municipal Right of Way on proposed lot 28.01 to continue, subject to the applicant meeting all of the conditions set forth in the Planning Board Resolution adopted on August 11, 2016, which approved the minor subdivision and variance application of Mary Schneider, Block 19, Lots 28 and 29, 53-55 Grand Tour, Highlands, New Jersey.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be transmitted to the Planning Board Chairman, Planning Board Secretary, Planning Board Attorney and Planning Board Engineer.

	INTRODUCED	SECONDED	AYE	NAY		ABSTAIN	ABSENT
BROULLON		X	X				
CARD			X				
D'ARRIGO			X				
WELLS							X
NOLAN	X		X				
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held August 17, 2016. WITNESS my hand this 24th day of August 2016.


Dwayne M. Harris
Acting Municipal Clerk