

**PLANNING BOARD  
BOROUGH OF ATLANTIC HIGHLANDS  
July 7, 2022**

The Regular Meeting of the Planning Board of the Borough of Atlantic Highlands was held on July 7, 2022 at Borough Hall, 100 First Avenue Atlantic Highlands.

**WORKSHOP MEETING: 7:00pm**

**Roll Call:**

**Members Present** – Dr. Zuzulock, Mr. Dougherty, Mr. Pepe, Mr. McGoldrick, Mr. Hawley, Mr. Neff, Mr. Caccamo, Mr. Josko (arrived at 7:01 pm), Mr. Krupinski, Mr. Crowther, Mr. Berth, Ms. Majewski

**Members Absent** – Mr. Kurdes

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

Chairman Pepe called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. Notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements and filed in the office of the Municipal Clerk of Atlantic Highlands, on January 7, 2022. The “Open Public Meetings Act” compliance statement was read. Mr. Neff called for a moment of silent prayer followed by the Pledge of Allegiance.

**Public Comment** –

Mark Fisher, 91 Third Avenue, commented that he would like the Board to discuss the meeting forum moving forward.

**Pending Litigation** – None

**Other Business** – Mr. Pepe advised that he would like to hear feedback from the Board regarding Hybrid Meeting options.

Ms. Majewski advised that she is in favor of hybrid meetings to encourage public input and education. Mr. Josko added that he would be in favor for viewing, not participating. Ms. Majewski agreed. Mr. McGoldrick added that he feels public input should be done in person.

Mr. Caccamo indicated that he is not in favor of hybrid meetings, he feels it is an invasion of privacy for the applicants that come before the Board. The documents are all available for public review ahead of the meeting and the meetings are open to the public for those who are interested. He feels the Board’s role is different than that of Borough Council. Mr. Hawley agreed, this is a more formal proceeding.

Mr. Dougherty advised that Council will leave it up to the Planning Board.

Mark Fisher, 91 Third Avenue, offered comments that he would be in favor of hybrid meetings.

Jim Krauss, 77 Bayside Drive, offered comments indicated that he would be in favor of hybrid meetings.

Zach Brown, 6 Victorian Woods Drive, offered comments indicating he would be in favor of hybrid meetings.

After a discussion relating to the various options, Chairman Pepe asked for a roll call to allow for broadcasting of meetings only.

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Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. HAWLEY, MR. PEPE, MR. MCGOLDRICK, MR. NEFF, MR. JOSKO, MR. KRUPINSKI  
Nays: MR. CACCAMO

Chairman Pepe called for a roll call to allow for public participation virtually during meetings.

Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. MCGOLDRICK, MR. NEFF,  
Nays: MR. HAWLEY, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI

Chairman Pepe called for a roll call to save all videos on the Borough website.

Roll Call:

Ayes: None  
Nays: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. MCGOLDRICK,  
MR. HAWLEY, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI

Chairman Pepe called for a roll call to allow applicants to present their applications virtually.

Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. MCGOLDRICK, MR. NEFF,  
MR. KRUPINSKI  
Nays: MR. HAWLEY, MR. CACCAMO, MR. JOSKO

Chairman Pepe closed the Workshop portion of the meeting.

**REGULAR MEETING: 7:30 pm**

**Roll Call:**

**Members Present** – Dr. Zuzulock, Mr. Dougherty, Mr. Pepe, Mr. McGoldrick, Mr. Hawley, Mr. Neff, Mr. Caccamo, Mr. Josko, Mr. Krupinski, Mr. Crowther, Mr. Berth, Ms. Majewski

**Members Absent** – Mr. Kurdes

**PB22-02, Block 91, Lot 6, 33 E. Mount Avenue (Demaio) Application for Minor Subdivision with Variances** – Mr. Steib advised this application will not be heard and is being carried to September 1, 2022, at 7:00 pm in Council Chambers at 100 First Avenue, Atlantic Highlands, NJ. No further notice will be required.

**PB22-06, Block 141, Lot 1, 102 Center Avenue (Domanski) – Application for Bulk Variances** – Mr. Steib advised this application will not be heard and is being carried to September 1, 2022, at 7:00 pm in Council Chambers at 100 First Avenue, Atlantic Highlands, NJ. The applicant will provide full notice.

**Approval of Minutes** –

**May 5, 2022** – MR. DOUGHERTY OFFERED A MOTION TO APPROVE THE MINUTES SECONDED BY MR. NEFF.

Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. HAWLEY, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MS. MAJEWSKI  
Nays: None  
Abstain: MR. MCGOLDRICK, MR. CROWTHER, MR. BERTH  
Absent: MR. KURDES

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**June 2, 2022** – MR. NEFF OFFERED A MOTION TO APPROVE THE MINUTES SECONDED BY MR. HAWLEY.

Roll Call:

Ayes: MR. PEPE, MR. HAWLEY, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MS. MAJEWSKI

Nays: None

Abstain: DR. ZUZULOCK, MR. DOUGHERTY, MR. MCGOLDRICK, MR. CROWTHER, MR. BERTH

Absent: MR. KURDES

**Approval of the Attorney Vouchers for May 2022** – MR. HAWLEY OFFERED A MOTION TO APPROVE THE ATTORNEY VOUCHERS, SECONDED BY MR. PEPE.

Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. HAWLEY, MR. NEFF, MR. MCGOLDRICK, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI

Nays: None

Abstain: None

Absent: MR. KURDES

Chairman Pepe advised he will take things out of order as he expects the Ordinance review to be lengthy.

**PB22-07, Block 34, Lot 5, 104 Asbury Avenue (Paskewich) – Application for Bulk Variances**

– Mr. Steib advised the notices are in order and the Board has jurisdiction to hear this matter. The Zoning Officers denial, prepared by Michelle Clark, dated February 16, 2022 was marked as Exhibit A-1. The Variance Application dated March 12, 2022 was marked as Exhibit A-2. The Location Survey for: Thomas and Barbara Paskewich, Block 34, Lot 5, Borough of Atlantic Highlands, Monmouth County, New Jersey, consisting of one (1) sheet, prepared by McBurnie Land Surveying, dated August 10, 2020, unrevised, was marked as Exhibit A-3. A series of site photos were marked as Exhibit A-4. The Additions & Alterations Plan for: The Paskewich Residence, 104 Asbury Ave, Block 34, Lot 5, Atlantic Highlands, Monmouth County, New Jersey 07716, consisting of three (3) sheets, prepared by Minkler Architecture & Design, dated February 9, 2022 was marked as Exhibit A-5. The review letter #1 from CME Associates, dated April 21, 2022 is marked as Exhibit A-6.

Barbara Paskewich was sworn in as the homeowner and explained her request for a home addition. Her home is built to one side of the lot, which creates a hardship as to where they can expand. The covered porch will be at a setback of 5.7' where 20' is proposed, she noted that the porch exists, they are just seeking to cover it. The front entrance is to be relocated from the side to the front of the home. The addition is proposed over the front of the existing porch, with a small roof to extend over the stairs.

Mr. Rohmeyer noted some inconsistencies between the elevations and survey and asked for clarification. The elevations do not show the stairs being covered. Ms. Paskewich advised they are seeking a 5.7' setback to allow for covering the porch, not the steps. Mr. Rohmeyer explained that two parking stalls would be required. Ms. Paskewich advised the driveway can fit four vehicles. She further confirmed they are not seeking to expand the building footprint and will be maintaining all current run-off flow patterns.

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Chairman Pepe opened the hearing to members of the public who wish to speak, however none appeared.

Board members did not have any questions for the applicant. Mr. Pepe noted that it s a clean, straight-forward application.

**MR. HAWLEY OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. MCGOLDRICK.**

Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. HAWLEY, MR. NEFF, MR. MCGOLDRICK, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI

Nays: None

Abstain: None

Absent: MR. KURDES

**Consistency Review – Ordinance 09-2022** – Mr. Steib explained the Board’s role in this type of review is to determine consistency with the Master Plan. The Board may make comments and recommendations along with their determination. This is an administrative function of the Board, and no public hearing is required to be done by the Planning Board, as this is a Council Ordinance and they will be conducting a public hearing, however if the Board chooses to do so, he suggests it be done before the Board discussion and be land use related only.

Chairman Pepe advised he would like to open it to the public.

Mr. Dougherty explained that a question had been placed on the State ballot regarding recreational cannabis. In the Borough of Atlantic Highlands, 74% voted for legalization and 27% voted against. He further explained the State regulations that were passed down to the town. The Mayor has appointed a Cannabis Taskforce to look into the opportunities for revenue, which led to the introduction of Ordinance 09-2022.

Chairman Pepe opened the meeting to members of the public.

Mark Fisher, 91 Third Avenue, indicated concern with blacked-out storefronts not being aesthetically pleasing. He also feels this is an unfair to business owners, as they would have the same rights as other taxpayers of the Borough. He feels the macro-business language should be removed as it is not a good fit for the town. Mr. Pepe explained they are definitions, not necessarily allowing the use.

Vinnie Whitehead, Harbor View Drive, asked several questions related to the role of the Planning Board. He indicated he is not in favor of the cannabis Ordinance due to the potential for increased homelessness and crime. He further feels the children will be affected by the use being present in the town and that it is a better fit for Neptune or Asbury Park.

Father Quinn, St. Agnes Church, offered comments indicating he is not in favor of the Ordinance being passed. He feels the revenue brought it will only be offset by the cost incurred to the town. He is concerned there will be inebriated, and high people walking the streets and would like the Board to “Just Say No.”

Zack Brown, 6 Victorian Woods Drive, indicated he is concerned for children as well, but does not see this use as a threat. Similar to liquor establishments, it will be regulated for ages 21 and up. There are strict regulations and consequences to prevent sales to minors. He does not agree

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with the fear mongering of this use, noting a liquor store and brewery across the street from the Elementary School.

Mr. McGoldrick reminded the audience those comments related to whether or not it is good for the town, should be addressed to the Council. Mr. Pepe added that the Board's role is to review for consistency, not whether or not they are in favor of recreational cannabis.

Jim Krauss, 71 Bayside Drive, advised that storefronts can be done in tastefully designed manner and mentioned other towns that have allowed them to do so. He has reviewed the Master Plan and found several sections that the Ordinance would be consistent with, noting that it will enhance business and bring new goods and services and businesses to town.

Barbara Paskewich added that blacked out storefronts would be unappealing.

Sarah Colasurdo, E. Highland Avenue, indicated concerns with traffic and suggested restrictions be placed to avoid issues.

Morgan Spicer, 6 Victorian Woods Drive, indicated that she feels blacked out windows would be unappealing and would be unfair to taxpaying businesses. She added that perhaps the revenue can be put aside for school activities in order to address some of the concerns regarding the impact on the children.

Seeing no further comments, Board members began their discussion.

Mr. McGoldrick indicated he would like to see traffic dated as he is not sure First Avenue can handle the chaos that comes with this type of business, even if only temporarily when the business first opens.

Mr. Krupinski reminded the Board that the COVID testing center on First Avenue had a steady flow of traffic and it was handled well.

Lori Hohenleitner, Cannabis Task Force Member, advised that the Task Force feels Highway 36 would be a great location for the use, however a large portion of the Highway is Office/Residential. They are looking to the Planning Board for guidance.

Ms. Majewski advised she had reviewed the Ordinance and the Master Plan and finds it consistent. She noted some inconsistencies between the Ordinance and the Master Plan related to Light Industrial and Commercial zones and uses and would like to see those become more consistent.

Board members held discussions related to parking and traffic concerns.

Mr. Hawley advised he feels the Ordinance is consistent with the Master Plan, although he does not agree with it.

Mr. Neff added that they must be sure not to detract from the positives within the town.

Board members discussed their role and delivery of comments and recommendations to the Council. Mr. Hawley suggested deeming the Ordinance consistent but suggested a sub-committee be formed to make comments. Ms. Hohenleitner expressed a willingness to receive comments at a later point.

Mr. Steib advised he has the following comments to be made as recommendations in the consistency report:

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Blocking (tinting, painting or obscuring) of storefront windows/doors may be inappropriate as it will present an image inconsistent and out of character with other legitimate, lawful business establishments. Signage provisions may be too restrictive. Drug stores and Liquor stores are allowed signage that advertises the products they sell. Lawful cannabis establishments should be afforded the same treatment. Does there need to be a study regarding the adequacy of handicap and non-handicap parking facilities and include provisions addressing any specific characteristics that should be addressed? Should other zones, particularly the OR Zone along Memorial Parkway, be considered for any particular Class or classes of Licensee? Should the “No Cannabis Zone” between Highland Ave. and Garfield Ave. be extended further from the Atlantic Highlands Elementary School? Should the number of Class 2 (Manufacturing) and Class 6 (Delivery service) be restricted as are the Class 5 (retailer) licensees?

Tom Broadbent, audience member, indicated concern with the distance from schools, blacked out windows not being consistent with the historic district and the impact on the quality of life for existing residents.

Mr. Josko added that locations should be limited as it is not a good fit for First Avenue.

MR. HAWLEY OFFERED A MOTION TO DEEM THE ORDINANCE CONSISTENT WITH THE MASTER PLAN, WITH A SUB-COMMITTEE TO ADDRESS THE CONCERNS AND RECOMMENDATIONS AT A LATER DATE. THIS MOTION WAS SECONDED BY MR. MCGOLDRICK.

Roll Call:

Ayes: DR. ZUZULOCK, MR. DOUGHERTY, MR. PEPE, MR. HAWLEY, MR. NEFF, MR. MCGOLDRICK, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI

Nays: None

Abstain: None

Absent: MR. KURDES

**Adjournment**

Mr. Josko made a motion to adjourn the meeting at 8:56 pm, second by Mr. Hawley. All present members voted in favor by voice vote.

Erin Uriarte  
Planning Board Secretary