

**PLANNING BOARD  
BOROUGH OF ATLANTIC HIGHLANDS  
APRIL 12, 2018**

WORKSHOP MEETING: 7:30 P.M.

Roll Call                      Members Present – Mr. Illiano, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Colangelo, Ms. Hoffmann, Chairman Neff, Mr. Pepe, Mr. Illarraza, Mr. McGoldrick, Mr. Dougherty  
Members Absent – Mrs. Murray, Mr. Pepe (exc), Mr. Dougherty (exc)

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer. Chairman Neff said the meeting is in compliance with the Open Public Meetings Act. He called for a moment of silent prayer followed by the Pledge of Allegiance.

**Public Comment** – Mr. Steib explained that there is a Resolution on the Agenda and the Board is aware that there are members of the public who wish to comment. For those who wish to do so, a sign-up sheet was placed at the front of the room and they will be called in order. Any other residents aside from those here for 158 First Ave, were welcomed up to make their comments first.

Stan Cook, 50 Avenue C, questioned the sewer infrastructure in regard to whether it could handle additional capacity from new developments coming in. Councilman Fligor replied that the total allowable capacity is 1.3 million gallons and we are at about 600,000 gallons.

Jim Krauss, 77 Bayside Drive & Environmental Commission Member, asked about the proposed schedule for releasing the Master Plan to the public. Mr. Neff explained the process. Dr. Cetron explained that they will be giving plenty of time for the public to digest the information before a public hearing is held. Mr. Krauss was happy to hear the Master Plan will be released to the public. He further stated that the Environmental Commission is strongly recommending that the 600' allowance rule that relates to Municipal Parking, be amended to a zero foot allowance. He gave a brief history on the discussions held related to a proposed ordinance changing the parking allowance. He added that the Environmental Commission did not intend for this to be a permanent regulation, but perhaps a moratorium until a study and plan could be done. He feels that the 600 foot rule was a great way to help occupy some buildings that were short on parking, but it needs to be readdressed. Dr. Cetron stated that when it was discussed, it went back and forth between being reduced to 300' or zero feet. He remembers the Board being okay with either 300 or zero, but it would be a Council decision. Mr. Krauss stated that it is time for the elected officials, not the appointed officials, to step up to the plate to make a decision to study and evaluate the costs, the negative and positives of developing some kind of parking alternative. He urges the Board recommend to Council that the allowance be dropped to zero feet. Dr. Cetron added that the parking concern will be included in the Master Plan.

Shelly Kennedy, 104 East Highland Avenue, stated in regard to parking that they were told last night by Mayor and Council, that they are looking into appointing a parking committee to look at the parking situation; has that been brought up to the Board? Mr. Neff stated that it has not been brought up to the Board but it will be addressed in the Master Plan. Ms. Kennedy asked how a Parking Committee would function with the Planning Board. Mr. Neff stated that without knowing anything about the Committee, he cannot answer that. Dr. Cetron explained the Board's purview as it relates to the Master Plan. Ms. Kennedy echoed Mr. Krauss' comments stating that the elected

officials need to step up to the plate. She advised that she has been looking into the property at 21 Leonard and the parking situation here in town. She knows parking has been a complaint for over a year now. It is good that is coming up in the Master Plan and she would like to suggest that the Board hold several public hearings to allow for more people to comment. She suggests 2 - 4 public hearings and asked if extending the number of public hearings would be a possibility. Dr. Cetron stated that could be a possibility and they are also looking into other means of accepting input. Ms. Kennedy asked for clarification. Dr. Cetron stated that the public can write a letter and drop it to Borough Hall. Ms. Kennedy stated that there is a need for transparency because the public doesn't know how to express their feedback to the Board and she suggested that option be posted on the website, as well as the website of where to write to. She added that many people don't understand the process and it would be helpful for people to provide input. Mr. Colangelo explained that if it is a specific application, people would have to make their comments during the public hearing. The Board is limited by State Statutes as to what they can and can't review outside of an applicant's Public Hearing. Mr. Steib echoed that letters for general information is fine. With respect to a Development Application, the Board is only allowed to consider the evidence presented during the public hearing. Any interested citizen needs to physically come or send a representative to have their comments or concerns placed on the record, also the applicant must be given the opportunity to cross examine any member of the public that makes a comment. Mr. Neff stated that if it is a large application, there is a good chance it will go beyond two meetings. Dr. Cetron added that the Board welcomes input, they are happy to see the large crowd as opposed to the one or two people who are always in the audience. Ms. Kennedy reiterated her frustration with not knowing how to contact the Board to express their concerns. She recently found out that the meetings are recorded but not placed on the Borough's website and requested that they be posted. Mr. Steib advised that the recordings have always been available by request at Borough Hall and that the staff is looking into having it placed on the website. Mr. Fligor stated that all of 2017 and 2018 were posted on the website.

Ms. Kennedy stated that she has been researching the property at 21 Leonard Avenue. Her understanding is that in 2006 there was a house there that was destroyed and the Borough bought the house because of the flooding and the destroyed home. The Borough was planning on using that to meet its affordable housing quota. Her understanding is that there is a paper street on one side that takes part of the lot away because it can't be built upon and the remediation was capped, not remediated, so it can't be built on. There is also a similar tract in the back where there is wetlands, she asked if it was declared a wetland by DEP. Mr. Fligor advised yes. Ms. Kennedy questioned the building lot requirements for that specific lot. Mr. Colangelo stated that they have not been presented any information. Ms. Kennedy clarified that she is asking about the Zoning Code. Mr. Neff replied that it depends on the size of the lot and other factors. Mr. Steib advised that the building regulations are on the website under section 150-32, it has the affordable housing zone as well as the standards that would apply to that zone. Ms. Kennedy asked if there is a plan to study the traffic that might result from building on that lot or the flooding impact. Mr. Neff stated that nothing has been submitted to the Board. Mr. Hawley stated that if they come in with a building that is totally compliant to the regulations, it would not be required to come to the Planning Board. If they deviate from the regulations, they come to the Planning Board. Ms. Kennedy asked if the Council can grant variances and was advised no. She asked what input the Mayor and Council would have on decisions made by the Planning Board. Mr. Steib explained this is an autonomous body that is guided by the regulations set in place by the Mayor and Council. Ms. Kennedy asked several questions about flooding and elevation at the property 21 Leonard.

Mr. Hawley explained without an application or plans, they do not know any of that information. Ms. Kennedy asked, hypothetically, if a building were to be built and the lot gets paved over, would it have an impact on the ability of the neighborhood to deal with flooding. Mr. Steib explained Stormwater Run Off regulations that are in place on the State and Local levels that require post development run off to be equal to or less than pre-development run off. Mr. Rohmeyer confirmed.

LuAnn Tripisovsky, 25 Leonard Avenue, asked if the presentation for 21 Leonard is definitely off the agenda. She was advised yes, there is no presentation. Ms. Tripisovsky asked when the zone was changed back in 2006, was the public notified. Mr. Colangelo replied that they were not on the Board at that time. Mr. Steib stated that the Planning Board does not change the zoning. Ms. Tripisovsky stated that neighbors that have purchased since then were not aware that that lot would become low income housing. She is not concerned with low income housing, she is concerned with the narrow roadway, the traffic on the one-way street and all the extra cars with all the children that play there. As it exists now, you can barely get a firetruck down there. She would like to know how the neighbors can request it be rezoned back to what it used to be. Dr. Cetron replied that Council is the only one with power to change zones. Ms. Tripisovsky asked why Council told her to come to Planning Board. Dr. Cetron replied that there was a presentation scheduled, but it was withdrawn. Ms. Tripisovsky asked how no one knows about this property or wetlands. Dr. Cetron stated that they are aware of the issues and when an application comes before them, they will go through it with a fine tooth comb. Ms. Tripisovsky stated she will be here to go through it with them. She would like to place it on record that she will do whatever it takes, legally, to have it zoned back. She would be in favor of a duplex with a driveway on each side, but anything else sounds incredible for that little street. She further expressed being told to come to the Planning Board. She strongly suggests changing the zone back. Mr. Steib explained that if an application comes before this Board, there will be notification to all property owners within 200 feet, a public notice in the newspaper and it will be placed on an agenda on the website. In regard to zone change, this Board is in the process of doing a Master Plan revision which will include a Housing Element and Fair Share Plan because the Supreme Court of New Jersey has imposed an obligation on the Borough to provide its fair share of affordable housing. The town has a stiff obligation and they are working hard to meet that obligation in order to resolve the declaratory judgement proceedings that are currently in the Courts. The Housing Element and Fair Share Plan will designate where the affordable housing should go. The settlement in the court case will incorporate the Housing Element and Fair Share Plan and if that site is on that plan, which he believes it is, there will be a Court order saying this is the plan and it will be difficult to back off of that. Mr. Neff stated that it seems like there doesn't seem to be a problem with affordable housing, it seems like there is a concern with too much on one lot.

Ms. Tripisovsky asked what happens if the proposal meets all the requirements of the zone. Dr. Cetron stated that this Board would not have jurisdiction, it would then be a permit issued by the Building Department. The Ordinance setting those regulations is adopted by Council. Mr. Steib explained the building permit process for a conforming development. Only when variances are required will it come to the Board. Mr. Neff advised that the ordinance is currently for a duplex.

Tucker Snedeker, 57 Avenue C, questioned why the Board is saying they don't know if it will be 4 units, when just a week ago it was submitted to Freehold that this would be a 4 unit. Mr. Steib explained that there was a proposal. Mr. Snedeker interjected that it is more than a proposal, it is a settlement. Mr. Steib stated that the Board did not submit anything to Freehold and they do not

know what was submitted. Mr. Snedeker asked why Council told them to come to Planning Board. Mr. Steib stated that there was a proposal to the town, it was suggested that it be presented to the Board and it was withdrawn before that could happen. The Planning Board has nothing in front of them. The Ordinance right now says duplex. Mr. Snedeker stated that the rules were ignored when 5 variances were granted on another application. Mr. Neff stated that if it becomes an application the public will have the chance to ask questions and give comments at that time.

Heidi Hackett, 14 East Washington Avenue, referred to the comment about usually only having one person and asked what the assumption is when only one person is in the audience. Dr. Cetron stated that he makes no assumptions. Ms. Hackett stated that it was implied that it is an entire community that doesn't care enough to come to a meeting. Several Board members indicated that is not the case. Ms. Hackett added that this community cares and they want to be there when important things are discussed. She feels the Board should reach out to the community in a modern way to get more involvement. Dr. Cetron clarified his comment was to compliment the audience for coming in to voice their concerns. Ms. Hackett stated that the Board should be dismayed by the low turnout. Mr. Steib stated that the meeting notice requirements are in accordance with the Municipal Land Use Law. The Courts have upheld that Municipalities cannot place more stringent ordinance and impose them on applicants. Mr. Steib continued to explain the specific notification requirements as set by the Municipal Land Use Law. The Borough has taken an initiative to post Agendas on the website each month.

Kathleen Tartivita, 156 Bayside Drive, referred to the statement about being in Court to reach a settlement about 21 Leonard. If there is a plan to put a 4 unit building and it's in that settlement, is there a way to object to that?

Mr. Steib stated that this Board is not involved in that settlement. In 2015 the Supreme Court did away with COAH and the Courts said that if the towns want to be protected from having builders sue them, saying that the zoning is unconstitutional to get builder's remedy to put in high density projects, that the municipality would have to file a Declaratory Judgement Action with the Superior Court. 27 municipalities in Monmouth County did so and Atlantic Highlands was one of them. In doing that, they received immunity from Builder's Remedy suits, pending going thru the Court process, which is taking several years because there had to be a determination of methodology is to determine the borough's obligation. The trial on that issue to come up with methodology was just completed and a decision rendered three weeks ago and the numbers are finally out. In the interim, the Borough, and the Planning Board is not a part of it, through its Mount Laurel Attorneys, have been working on coming up with a solution, a Fair Share Plan, that addresses the obligation of the Borough. Mr. Steib believes they are close to reaching a settlement with a plan that meets that. Whether this specific property is designated as a 2-unit or a 4-unit, he doesn't know. If the settlement has been reached between the Borough and the builders coming at the Borough, the plan will go to Freehold and there will be a Fair Share Hearing before a Judge, which will determine whether or not the plan meets the constitutional requirements to have the Borough have its plan approved, continuing immunity from Builder's Remedy lawsuits. Ms. Tartivita asked if the plan includes a 4 unit building, the neighbors have no say and how would the Ordinance apply. Mr. Steib explained the Ordinances would be amended as part of that settlement. Ms. Tartivita questioned affordable housing at 158 First Ave. Mr. Steib advised he is not aware if that is in the plan.

Stan Cook stated that there is a proposed settlement that has been submitted to Freehold and the comment period is open until April 27<sup>th</sup>. Mr. Neff advised that the notice is posted on the bulletin board at Borough Hall.

Bonnie Roberts, 13 Leonard Avenue, stated that it states that on 21 Leonard there is going to be 4 affordable housing units, provided by Habitat for Humanity but she heard it is Monmouth Housing Alliance. She has had two meetings with the Borough Administrator and the Mayor, and she was told that no one knows anything about a plan. Monmouth Housing Alliance indicated to they have professionals working on it. On March 28<sup>th</sup> she asked the Borough Administrator if he knows about the Alliance going to the Planning Board and was told it would take a few months but on Sunday she sees it on the Agenda. Last night she was told it was an error. Mr. Neff reiterated that without an application before them, they cannot comment. Ms. Roberts stated that she is just letting them know that are being sent back and forth. She added that she was not given answer other than that it was known on March 11<sup>th</sup> so she hopes the Board can understand her frustration. It also says that 158 First is supposed to have 4 affordable units. They are now filing a legal document to the court saying they will put in 4 units on 21 Leonard when the Ordinance only says 2. Dr. Cetron stated that the 158 First Ave project does not fit, because it was a mixed use. If you read the Ordinance, when you have a multi-family building, a percentage of them have to meet the standard for affordable housing. Ms. Roberts reiterated that a legal document was filed with the Court saying it would be 4 units. Dr. Cetron advised he is in the dark.

Shelly Kennedy, 104 East Highland Avenue, stated that she hopes the Board can see why she made a call for transparency. When people on a Planning Board have a duty to care to help and serve this community and the public hears things like “we don’t know,” it becomes frustrating.

Mr. Fligor explained there was a presentation before Council from the Monmouth Housing Alliance and he advised they should be at the Planning Board. Before it could come to the Board, the Housing Alliance decided not to move forward with the presentation.

LuAnn Tripisovsky expressed frustration with being told no one knows anything. She is afraid this will skip right over the Planning Board and it will be approved without public input. Mr. Steib explained that when there is litigation, there is confidentiality that goes along with that that prevents Council from telling the Planning Board what they are negotiating. Ms. Tripisovsky asked if this Board can help at all. Mr. Neff replied not at this time.

Fred Rast, 49 8<sup>th</sup> Avenue, stated that he thinks the problem is that people don’t understand the process. In 2003, there was a requirement for COAH and the town originally had less than 100 affordable dwellings. During the process of that year, it went up to over 800 required and there are only 1800 homes in town. In 2006, the town purchased that land because the dwelling was damaged and torn down. Over the years, since 2003, the town has really agonized to try and get the COAH regulation of over 800 dwellings down in a town this small. The Borough bought this property in 2006 and he suggests if people don’t want the lot built on, they can purchase the land. Maybe the town would sell the land, he doesn’t know. People don’t understand the process and he keeps hearing that the town is hiding something; nothing is being hidden, people don’t do their research. Recently things have started to get published and put on the internet. He understands younger people like to go online for information, but the town has met all requirements of the law. He continued to explain that the Planning Board is made up of volunteers that work their butts off. He would hope the members of the public will learn what’s going on before making adverse comments against the people trying to do a job to help this town. Everyone loves this town and

they are working hard to make it a good town. The problem is that people don't understand the laws and if there are questions, you can contact Borough Hall for an explanation. The recordings, minutes and published documents have been available all along. The town is guided by the laws of the State of New Jersey.

Bobbie Simpson, 30 Leonard Avenue, asked if there is an autonomous Planning Board and an autonomous Council, why they can't just work together. Why is one Borough Attorney keeping information from another Borough Attorney? Further, she tried to contact someone at Borough Hall by email and the link on the website didn't work. Other links only worked in Internet Explorer and she doesn't use that browser. She reiterated that the two Boards should work together for the town. Mr. Steib explained that the Board has limited powers and jurisdiction. He clarified that when there is litigation, it would be improper to share information during negotiations. Mr. Neff stated they will look into the website issues.

Heidi Hackett, 14 East Washington Avenue, explained that the reason that people are leery of Planning Board activity is because of the living reminder of the Carton Brewery that was approved. She showed a picture of an artist's rendering that had been proposed and noted that it looks nothing like what came out of the ground. The original proposal was lovely and inviting and she was excited. Once construction started, the excitement lessened when she saw the corrugated metal and cinder block thing arrive out of the ground. That is the town's living memorial to Planning Board activity, so the Board shouldn't be surprised to hear this upset.

Pat Hackett, 14 East Washington Avenue, showed the same rendering and a picture of what was built. He stated that this Planning Board had to approve this. He just wonders what 158 First Ave will look like. He is not against the brewery, he is against the design of the building.

Bonnie Roberts, 13 Leonard Avenue, stated that at the Mayor and Council meeting on March 26<sup>th</sup>, it was stated that the public didn't want another building that looks like Carton and they were told it was a Planning Board approval. Dr. Cetron stated that the plan for the brewery came back several times with different renderings over time.

Pat Hackett, 14 East Washington Avenue, asked who approved the Carton building as it exists and how it was allowed. Dr. Cetron stated that there is no Ordinance that allows the Board to say, "it is ugly we won't approve it." Mr. Hackett asked if the Carton brewery needed variances. Mr. Colangelo advised that the applicant had received approval for the original building that was in the picture however when they came back to the Board with the new building, they actually lessened the variances that were required by shrinking the setback in the back. He stated that notices went out; at the first hearing there were people for it and against it. When they came back with the amended building, no one in the audience spoke out against that building. The Board is not allowed to vote based on design, even though most of them agree the building is ugly too. The Board's role is to look at the impact and weigh the positives and the negatives. When the applicant found they could not go up on the building that was there, that is why they came back to the Board with a new proposal for a whole new building.

Dr. Cetron explained that based on the Municipal Land Use Law restricts the scope of what can be voted against. There is a proposed design ordinance being looked at and that is something that will have to be passed by Council. He added that the Board did request a few design elements to help break up the façade because they weren't entirely happy with the design either. Mr. Colangelo added that if they denied it based on the design, the Board could have been sued and it would get

passed by a Judge the way it was originally proposed without any of the softening effects that were requested. The Board has rules that they must follow as well and sometimes it's unfortunate.

Heidi Hackett, 14 East Washington Avenue, stated that the "grey thing" required variances and it could have been denied. That building is the Board legacy and she doesn't know how fast the weariness towards the Boards decision making will ever go away. Dr. Cetron reiterated that the Board cannot legally deny based on the looks alone. If the applicant can prove, by law, that they have met the requirements to have an approved variance, then the Board has to approve it. The Board is not allowed to consider if it is a thing of beauty or not. They can make requests but they cannot change it.

Tom Broadbent, 125 East Mount Avenue, stated that there needs to be a commitment to make this town look beautiful. He lives in a very old house and he takes responsibility to keep it that way. Everything has become a patchwork and he feels there are a number of issues at hand. He would like Counsel to share the range of affordable housing requirements are going to be, based on the settlement. Mr. Broadbent added that there are informal relationships that need to be leveraged more and there needs to be more communication. Everyone cares and this town has a lot of potential and it is underutilized because of patchwork zoning, patchwork ideas and we are at the stage where the community needs to break out for a lot of different reasons. This is a beautiful place and the Board doesn't need the law behind them to make changes. If the Board wants the community to support Ordinance change, they need to let them know and people will get engaged. Carton Brewery should be ashamed of themselves and he thinks people should sit down with the owner and tell him to make an adjustment. This is an artistic progressive town, it's changed and people want to make a difference. Mr. Broadbent stated that he would love to hear Counsel's comments on Affordable Housing requirements. With respect to getting creative, he would love to hear any comments on that. Dr. Cetron replied that one of the mechanisms the Board has to remove that patchwork is the Master Plan and that is why it is so important for the Community to get involved with that. Mr. Broadbent replied that he has been hearing about the Master Plan since he purchased his home in 2006. Mr. Colangelo clarified that the Master Plan is reexamined every 10 years, by state law. Mr. Broadbent asked Mr. Steib to comment on the Affordable Housing Range. Mr. Steib advised that he is not the Borough's Affordable Housing Attorney so he is not involved in the declaratory judgement action, but from recollection, he thinks the number is somewhere around 330. To put that into context, if the Borough does not take it upon themselves to take care of that number in some fashion, a builder could come in and file a Builder's Remedy lawsuit. You need to build 4 units for every 1 unit in an affordable housing complex. So if you need 330 units, you would have to build 1400 new homes to meet that requirement. There are other ways to meet that requirement and, he is making the assumption that, the Borough is looking at other ways to meet that requirement so that there is no need to build 1400 new homes in town.

Mr. Broadbent asked if the town can gift it in a land trust. There aren't many lots left in town.

Mr. Fligor stated that the town doesn't have much choice when it comes to Affordable Housing. Portland Pointe was built for the seniors and is affordable. There is also a Habitat for Humanity home and all of the new buildings in town do come with an affordable housing requirement. There is another portion to the affordable housing, where they rehabilitate homes where a homeowner may not be able to afford repairs. The numbers are huge and they working hard at Council trying to figure out how to fit it in the town. The town is 98% built out. When you deal with Affordable Housing, they don't care, they just expect the town to meet the requirement.

Stan Cook, 50 Avenue C, stated that the Borough decides where to put the housing by zoning it the way they did. Mr. Fligor stated that they were possibly going into a Builder's Remedy lawsuit and had that happened, the town would have no say at all in where it was built. Mr. Cook understands but the fact is that the town is who is deciding how many go in each area. Mr. Fligor stated that when it first started, there were 10 units proposed for the Leonard Ave site and they fought to have it reduced.

Bonnie Roberts, 13 Leonard Avenue, stated that she spoke to the gas company. Her house and another woman's house were actually put on an affordable housing zone map along with 21 Leonard. The gas company was quite surprised when they were approached to purchase the land because they were going to leave it as a green space. The neighbors have asked that it be kept as Green Space. She reiterated that her home and another were on the plan with 21 Leonard. Mr. Colangelo stated that although Mr. Fligor is on the Council and perhaps that ties it in, but the Planning Board is not aware of any of the negotiations. Ms. Roberts stated that the Board should be more informed. Mr. Colangelo advised that Board has no jurisdiction over that matter or that property.

Danielle Weber, 9 East Lincoln Avenue, asked if the applicant for 158 First Avenue will be able to change the design. Mr. Neff stated that they will be discussing that matter later in the meeting and asked that she sign the sheet.

Shelly Kennedy, 104 East Highland Avenue, asked if the old A&P building on the highway is part of Atlantic Highlands. Mr. Neff advised it is in Middletown.

Erin Drew, 11 East Highland Avenue, referred to notice requirements and how the Borough determines the 200 feet. Mr. Steib advised that the list comes from the Tax Assessor's Office. Ms. Drew asked if the applicant is required to prove receipt of the certified mail. Mr. Steib explained the applicant is required, by statute, to send and have their certified receipts stamps.

At this time, Mr. Steib made several announcements in regard to the Agenda items scheduled for tonight.

**PB18-01, 233 E. Highland Avenue, Kozlowski** – Mr. Steib stated that there was an error in the notification and it will be carried to the May 10, 2018 meeting at 7:30 pm, here at Borough Hall, 100 First Avenue.

**PB17-17, 210 Ocean Blvd, Parasar** – Mr. Steib explained that the notices were incorrect, in that the applicant had not included the variance requirement that they were looking for and they will be completely re-noticing. The matter will be carried to the June 14, 2018 meeting at 7:30 pm, here at Borough Hall, 100 First Ave. Applicant will re-notice.

**PB16-13, 25 Bayside Drive, J&L Bayside Drive LLC** – Mr. Steib advised that it has been indicated by the Applicant's Attorney, as well as the objector's Attorney, that they may be reaching a settlement. This matter is being carried to May 10, 2018 at 7:30 pm, at Borough Halls, 100 First Avenue. The applicant will re-notice.

Mr. Neff reiterated the importance of following the noticing requirements.

Mr. Steib informed the public that had arrived late that they will be accepting comments on 158 First Ave, but they need to sign up on the sheet at the front of the room. The Board will be taking a recess before receiving comments from the public.

A short recess was held at 9:15 pm. The Board reconvened at 9:26 pm.



Mr. Neff asked if everyone who wishes to do so, has signed up to speak on 158 First Ave. Before they proceed with the public comment, the Board will be addressing a few Workshop issues scheduled for tonight.

Councilman Fligor stated that Councilman Crowley has written three Ordinances that he would like the Board to take a look at. The Master Plan subcommittee is reviewing the Ordinances to make sure they are consistent with the Master Plan. He asks that the Board take a look at these Ordinances as well as the Keyport Ordinance for Payment in Lieu of Parking, which was in the Board member packets. The Ordinances proposed by Mr. Crowley are Payment in Lieu of Parking, Rooftop Deck Regulations and the Creation of a First Avenue Building Design Standards with the Co-Joining of the Historic and Business Districts. Mr. Fligor asked that the Board read them and pick them apart to make sure they will work for us before they are sent back to Council. Personally, he likes all three of them and it is something he feels needs to be done. Even back in the 2006 Master Plan, parking has been an issue. This proposal for Payment in Lieu of Parking is the right step to go; if an applicant can't provide parking then they will have to pay for the spots they can't supply. The intent is to put the money aside to explore alternative parking options, such as a parking garage. The proposal for rooftop decks is a forthcoming issue and it needs to be addressed. As far as the Design Standards, there has never been a design standard ordinance so the Board was unable to do anything. This Ordinance is a step in the right direction to give the Board some "teeth." Dr. Cetron stated that the Master Plan subcommittee will be reviewing these Ordinances on Monday so that they can integrate them into the Master Plan. Mr. Fligor urged the Board to take a look and move them along.

Mr. Colangelo referred to the Payment in Lieu of Parking Ordinance and asked for some clarification in the Ordinance between reconstructed and rehabilitated. Dr. Cetron stated that since they are trying to fast track these Ordinance and asked that Mr. Steib prepare them in Ordinance format.

MR. COLANGELO OFFERED A MOTION TO HAVE THE PLANNING BOARD ATTORNEY PREPARE DRAFT ORDINANCES, SECONDED BY DR. CETRON.

ROLL CALL:

Ayes: Mr. Illiano, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron,  
Mr. Colangelo, Ms. Hoffmann, Chairman Neff, Mr. Ilarazza  
Nays: None  
Abstain: None  
Absent: Mrs. Murray, Mr. Pepe, Mr. Dougherty

Mr. Fligor referred to public parking and stated that Council wants to know if the Board wants a 300' allowance or a zero foot allowance. Dr. Cetron stated he is fine with zero. Mr. Fligor agreed he is fine with zero. Mr. Neff asked if zero is on a temporary basis. Mr. Fligor indicated yes, on a temporary basis. Mr. Colangelo added that once it's in an Ordinance it is no longer temporary. Mr. Fligor stated that all of the properties that were empty have already been approved and will be filled. The only way you will see additional building in town is if somebody tears something down or they build on top of an existing structure. Anyone who is currently parking in that lot overnight, will be grandfathered in. Mr. Colangelo asked if someone comes into one of the existing storefronts would they then be bound by the zero foot rule. Mr. Fligor replied yes. Mr. Colangelo stated that if a business meets the conditional use of an existing storefront but has a zero foot allowance, it could force possible tenants out of town creating vacant stores at some point in time.

Mr. Neff agreed and stated that is why he was in favor of the 300 foot allowance. Mr. Fligor stated he understands but Council wants an answer from the Board. Mr. Colangelo asked if there is a way to grandfather an existing unit with a conditional use. Dr. Cetron stated that it is not the retail space that is the concern, it is the residential. He asked if they could request the Ordinance be crafted to reduce it to 300' for commercial and retail purposes and zero for residential.

Mr. Hawley stated that there was a retail space that went to office space and they doubled the capacity of parking that was needed. What would happen in this instance where no residential is added but the business was tripled. Dr. Cetron replied they would have a 300' allowance and if they can't meet it, they will pay. Mr. Colangelo expressed concern with keeping tenants in the buildings.

Jon Crowley, 2 Keystone Drive, advised that the intent of the Parking Ordinance is to go to zero feet for any new development going on. Mr. Neff asked if this would include a change in occupancy or use. Mr. Crowley stated that not being able to utilize that lot, the value would drop. Mr. Colangelo stated that that tenant would just not come here.

Mr. Colangelo stated that the Board recommendation would be that the commercial use stay at 300' and any residential use would go to zero.

MR. COLANGELO OFFERED A MOTION TO RECOMMEND A 300' COMMERCIAL ALLOWANCE AND A ZERO FOOT ALLOWANCE FOR RESIDENTIAL, SECONDED BY DR. CETRON.

ROLL CALL:

Ayes: Mr. Illiano, Councilman Fligor, Mr. Hawley, Mr. Caccamo, Dr. Cetron,  
Mr. Colangelo, Ms. Hoffmann, Chairman Neff, Mr. Ilarazza, Mr. McGoldrick  
Nays: None  
Abstain: None  
Absent: Mrs. Murray, Mr. Pepe, Mr. Dougherty

**Master Plan Update** – Mr. Neff stated that last month the draft Master Plan has been submitted to the Board for review and comment. The subcommittee will be meeting to incorporate the ideas, suggestions and input received. A new draft will be issued and it will be presented to the public for input.

Mr. Colangelo referred to the Ordinance that regulates short term rentals. He wondered if anyone had Ordinances from other towns that only allow homeowners to do it if it is their primary residence for a period under 182.5 days. This way people who go away several months of the year have the ability to rent out their homes. He believes this will also help the town become a destination town, it will also help the downtown businesses. He would like the Town Planner to address how other towns handle this situation. Mr. Neff stated that some towns are working with Air B&B, which is a more popular rental. Asbury Park requires the unit to be owner occupied. There are several different regulations depending on each town.

Mr. Hawley advised that they have to be careful because there is a Bed & Breakfast Ordinance is in town but they have to be careful with Air B&B because they have no way of knowing where they are. Mr. Colangelo agreed Air B&B may not be the way but they need to find a compromise. He feels that even if it is only a limited portion of the year, it would be beneficial to have more people here spending money on our businesses. He would like to see people take the ferry over, spend the weekend in Atlantic Highlands, drop \$2,000.00 on First Avenue and then head home

Sunday night. It will also help attract businesses into downtown; we might need a candy shop in town but the people who come in for the weekend would spend money at a candy shop.

Mr. Fligor stated that there is a Bed and Breakfast Ordinance but it needs to be determined who will regulate all of these homes being rented or rooms being rented out. They currently only have one part-time person who does Code Enforcement. Mr. Colangelo stated that he would like to be able to ask the Planner how other towns are handling it. Mr. Neff stated that an option could be to tax a hotel fee to pay for the supervision.

Mr. Hawley stated that short term rentals are not a permissible use in the Ordinances but if you go on Air B&B there are a lot of them in Atlantic Highlands. Mr. Neff indicated this is another reason they need to come up with regulations.

Mr. Colangelo asked for a description of the Transit Hub. Mr. Steib replied that it is a Concept in the State Redevelopment Plan, which focuses on centers. They focus the densities of people and businesses into a hub that will also have transit available to it. Mr. Fligor explained that the Ferry Service is not recognized as a form of mass transit. It would then open eligibility for grants and funding. Mr. Hawley noted that the Department of Homeland Security recognizes Ferry Service as Mass Transit, but they need the State to recognize it.

Dr. Cetron stated that they Master Plan Subcommittee will be meeting on April 16<sup>th</sup> and he hopes that it will be introduced to the public at the May 10<sup>th</sup> meeting.

**Public Comments for 158 First Avenue** – Mr. Fligor advised that he will be stepping down from this discussion.

Mr. Steib stated that they are aware there a members of the public present who wish to comment on the application of P&C 2, LLC regarding property located at 158 First Avenue. He would like to preface by saying there was a notice of public hearing sent to all property owners within 200 feet of the premises by certified mail on November 30, 2017. Notice of hearing was also sent the same date to all utilities registered with the Planning Board to receive notice. The applicant provided receipt for the certified mailing from the US Postal Service, which fulfilled the obligation of the applicant. The Notice was also published in the Asbury Park Press on November 29, 2017. The applicant also provided an Affidavit of Publication from the newspaper to confirm publication. Public Notice was also public on the Borough Website. Pursuant to that notice, two open public hearing were conducted by the Planning Board on December 14, 2017 and again on March 8, 2018. A number of interested members of the public appeared at the hearing and were provided with a full opportunity to present questions and comments on the application. At the conclusion of the hearing, the Planning Board deliberated and took action voting to approve the application.

Mr. Steib continued that he will allow the Board to accept comments from the public however he wants to be clear that once the Board votes, as they did last month, to approve an application, it is required to adopt a memorializing resolution within 45 days. Failure to do so may cause the applicant the opportunity to file a suit against the Board to get an Order requiring them to adopt the resolution along with the applicant's costs of the litigation.

With that being said, there is a list of interested citizens who wish to be heard.

Kathleen Tartivita, 156 Bayside Drive, asked how the Board could approve the variances to allow them to have less than half of the required parking when it seems like everyone is concerned about parking. She would have liked to see the size of the building decreased. Mr. Colangelo stated that they didn't give a variance for parking; the variance was granted to allow the rear lot to go from residential to a parking lot. Therefore the Board effectively took 28 cars off the street. Dr. Cetron

stated that the applicant provided legal testimony, with a parking study, that they did have enough on-street parking to meet the Ordinance. Ms. Tartivita stated that it should have never been approved.

Shelly Kennedy, 104 East Highland Avenue, questioned the 200' radius as shown on the site plan. Mr. Steib stated that the site plan has nothing to do with the Tax Assessor's Certified List. The Tax Assessor does not use the applicant's survey. If she would like the Board to respond, she should have the Tax Assessor's list. Ms. Kennedy advised that she has copies of the certifications of delivery and some people have gotten notice and they are outside of the 200' radius. She then asked if the applicant did not notify the people they were required to notify, how the Board would know. Mr. Steib stated that the applicant is required to notify all people within 200' pursuant to the Certified Property Owner List they received from the Tax Assessor. If that list is inaccurate, that is not the applicant's issue or this Board's issue; the Board is required to accept that as the Certified List. As long as they notify the people on that list by certified mail, the applicant has met the requirements of the law. Ms. Kennedy asked what would be a resident's relief in the case that the notification was not correct. Mr. Steib advised that if a resident is not satisfied with what the Board did, they can file an appeal. Ms. Kennedy asked if the appeal would be filed in Court. Mr. Steib replied that is correct.

Ms. Kennedy asked why the traffic study was not done in a cumulative matter and why the traffic study was done only in the winter and not during the expanded population during the summer. She would also like to see traffic studies take into consideration all of the different projects being worked on, rather than taking them one at a time. Mr. Colangelo stated that there was some discussion in reference to summer as opposed to winter. The parking expert's response was that the school's impact on that area's traffic and parking was less than that of the summer traffic.

Ms. Kennedy referred to the lack of a loading zone that required a variance. She presented pictures of Carton Brewery's loading zone from two days ago. That is what the public can expect to see on 158 First, which is next to a school. She asked how they plan on having a semi-truck park to make its deliveries without blocking First Avenue. She stated that people will veer around the truck and into the crosswalk. Mr. Neff stated that this is not a Brewery with tractor trailers; it is a 4,000 square foot retail space that is going to have limited deliveries and will not be a big store. It will be similar to any other storefronts on First Ave. Dr. Cetron added that this was asked during the hearing and the answer was that it will happen like it happens to 30+ businesses on First Avenue, right now. The Police Department is usually called to assist and he has heard of no accidents by anyone doing the speed limit and carefully having to avoid deliveries at any of the storefronts in town. Mr. Hawley added that outside of Bayshore Plaza, he doesn't believe there are any other loading docks in the municipality. Ms. Kennedy stated that is interesting. She has seen the trucks on the side streets and the residents do not like that. She added that the variance granted for the parking for 158 First Avenue and asked if the applicant will be looking into place parking on another lot. Mr. Neff advised that the applicant looked at other options but none of them made economic sense to do so. He tried to negotiate with the Free Masons but their price was too high. Dr. Cetron stated that even if the rear lot was not converted to a parking lot, the applicant was still able to demonstrate there was enough on-street parking to accommodate that building.

Ms. Kennedy referred to the remediation that was done on the site and asked if there is still active monitoring on that site. Mr. Steib replied that there will be well monitoring for natural dissipation of whatever TCE's are left, which are well below the levels that require further action. Ms.

Kennedy asked if there is any environmental limitations on the building that can be done. Mr. Steib advised it will be in accordance with the DEP. It is a condition of approval that the applicant complies with the NJDEP.

Caroline Northrup, 10 Ocean Blvd, stated that she voiced her concerns at the December 14, 2017 meeting about the impact of the project on those who park at Atlantic Highlands Elementary School. She specifically stated that they already experience congested parking at the school and on the streets surrounding the school. Following that meeting, she assumed there would be an investigation to follow up on her comments. She has her staff list, because people were doubtful of her numbers; 52 staff cars by 10 am daily and three days a week there is 15 additional staff members. There are also a lot of parent visitors for various events but on the busiest days, there are 66 staff cars, not including herself because she can walk. They are not allowed in the two hour spots where they used to be allowed to park. Following the comments at the December 14<sup>th</sup> meeting and given that there were several weeks between that and the March meeting where they voted, she would like to know why the Board accepted a report that has little to no cause for concern over parking in the area of this building when they know this is not the case. The dates in the report were not normal business days for the school and would not reflect a typical parking situation for the AHES Staff. She would like to know why the Board did not conduct a study on their own. Mr. Colangelo stated that they do not have that ability. The Board certifies experts that come here and the applicant presents testimony that the Board will listen to. After the December meeting, they asked Mr. Sabat to approach the school and because of the comments made at that meeting, the applicant presented a parking expert. Although there are different calculations, that was the testimony from a certified expert. He has two kids in the school and he understands the concerns, but because of Ms. Northrup's questions, the applicant provided expert testimony.

Ms. Northrup stated that she appreciates the explanation. She read the Traffic Study several times and the perception is that the traffic study was not quite honest. She doesn't understand why the Board would accept that report. Mr. Colangelo advised that the Board grilled the traffic expert with questions that had the similar concerns and there was testimony given to respond.

Mr. Hawley questioned the traffic situation now without a shovel even going into the ground. Ms. Northrup stated that is what she is trying to explain. Mr. Hawley asked if the School Board has approached the Masonic Lodge to negotiate a parking easement. Ms. Northrup stated that she cannot speak for the School Board. Mr. Hawley referred to when the building burned down on this property and the property owner offered to sell it to the School Board and they declined it. Ms. Northrup stated that she is speaking as someone who works in the building so she can't answer those questions.

Danielle Weber, 9 East Lincoln Avenue, asked what can protect her from the design of the building drastically changing to putting the building next to her home and the parking in the front. Mr. Colangelo advised that it is not possible; they can change the façade a little bit from what the pictures were but they cannot change the site plan lay out without coming back to this Board with a new application. Ms. Weber stated that her concern stems from the change in the Carton Brewery building. She expressed concern with the ground contamination when they start construction. Dr. Cetron stated that it was specifically called out that all construction shall be in accordance with the requirements of and approved by NJDEP and comply with any NJDEP remedial actions or other plans required by NJDEP. The Planning Board put them on specific notice because of the previous contamination. Ms. Weber stated that nobody checked with her property when all the contamination was found and she doesn't want to find out 20 years later she's been breathing it.

She added that the driveway on East Lincoln will be very dangerous during pick-up and drop-off time at the school. Dr. Cetron stated that the applicant was aggregable to suggestions to that regard, he suggests that the School Board address the property owner. He added that it may be self-correcting, if there is an easier way to exit the property they will most likely take that.

Heidi Hackett, 14 East Washington Avenue, asked if any of the comments received tonight will have any effect on the memorialization. Mr. Colangelo replied that by statute, it cannot. Ms. Hackett questioned the value of having the public speak tonight. Mr. Neff advised that it is information that can be taken into consideration for future applications. Ms. Hackett questioned the purpose of the applicant having a traffic expert because she doesn't feel any expert hired by the applicant would not be impartial. Mr. Colangelo replied that based on Ms. Northrup's and other comments received at the December meeting, the applicant decided to provide an expert on traffic and parking. Mr. Neff added the professional is sworn under oath and the Board has to believe they will not perjure themselves to get a building passed. Mr. Colangelo stated that the continuation of the school will cause more impact than this building will cause. Dr. Cetron added that the owner of the company, Elizabeth Dolan testified on the report and there is no reason to believe any professional would risk their career by lying under oath. The credentials were checked and verified and the testimony must be trusted. She was able to explain every questioned asked by the Board. It was clear and convincing testimony that there were enough on-street parking spaces. The only accommodation to parking was allowing the 28 spaces to come off the street and be in the parking lot. Ms. Hackett asked what would happen if the developer wants to change anything during construction. Mr. Colangelo advised it would be a new Planning Board application. Ms. Hackett asked for clarification on the number of parking spaces and asked if there is any deviation from that number what would happen. Mr. Colangelo advised that it would come back to the Board.

Ms. Hackett asked if parking decks are considered a permitted use. Mr. Colangelo replied that it not a permitted use. Ms. Hackett stated that the property at 158 First has languished for so long and now the owner wants to get some revenue. It seems as though the Planning Board would have some leverage to call for a building that is more in scale with the neighborhood. Mr. Colangelo advised that the building met the height requirements and is the same height as the school. Ms. Hackett questioned the variance for the unit size being too small. Mr. Colangelo stated that the testimony was that even if they made that change, it wouldn't change the number of bedrooms within the building, it would have reduced common areas, which is why the Board decided it was deminimous. Ms. Hackett expressed concern with the blank wall. She noted that one of the requirements of becoming a Transit Village would be to not have any blank walls where pedestrians would walk. Mr. Neff advised that based on the adjoining property line, they are not allowed to have windows along the property line. Ms. Hackett suggested faux windows or murals. Dr. Cetron stated that they are hoping to get an Ordinance passed that would allow that kind of mural. He would think that wall would be a prime candidate. Mr. McGoldrick noted that the applicant is a local and he was very proactive in addressing the concerns brought up. Ms. Hackett stated that there are many factors that go in to being designated as a Transit Village and she feels that they should be woven in to the next Master Plan. Dr. Cetron advised that it will be included in the Master Plan. Mr. Neff advised that this building is also close to the bus stop. Ms. Hackett asked where the excavated soil goes. Mr. Colangelo advised the soil is no longer contaminated, as per the NJDEP. Any excavated soil will be moved off site and disposed of properly.

Chris Dehoust, 33 East Garfield Avenue, stated that this is his first time here and it seems like there has been a lot of objection from the public. He asked, in retrospect, what would have stopped

the Board from approving this project. Mr. Neff applied that if the height of the building was another story, he may have said no to that. Mr. Dehoust asked what the bulk variance that was approved was. Mr. Rohmeyer explained that lot coverage was exceeded in both the CBD and the R-1 zone. Where 50% lot coverage is permitted in R-1 and 77% was proposed. In the CBD Zone, 75% is permitted and 76.1% proposed. That impact was mitigated with porous pavement underneath the parking stalls. Dr. Cetron stated that he may not have voted in favor if they had not presented the Parking expert. Mr. McGoldrick agreed the parking would have been the same for him. Mr. Dehoust asked if the Ordinance is separate from the Master Plan. Mr. Neff explained that the Master Plan is the vision of the town and the Ordinance addresses specific issue and implements the vision. Mr. Dehoust asked if the Planning Board is elected or appointed. Mr. Neff replied that they are appointed.

Benson Chiles, 59 Third Avenue, asked how many affordable housing units will be in this project. Mr. Colangelo replied that it is 4 units. Mr. Chiles stated that he has been involved in this project since his kids were in the basement of the school for pre-school when they learned about the trichloroethylene issue. It was a group a lot like this that was able to start the mitigation process. It was a big deal for the parents and the teachers and they had hoped that the remediation would have been a little more expedient. It has been a blighted property for 15 years and is an eyesore with the chain-link fence around it. It has been a drag on that part of town for a long time. He has his issues with this project but he feels that on the whole, it is a huge improvement to what exists there now and has existed for the last 15 years. He knows, as a former Planning Board member, that it is difficult to make some of these decisions so he thanked the Board for working hard, staying up late and trying to address as many issues as they can. Mr. Chiles is not on the parking bandwagon and would like to see it become more pedestrian friendly. He is not interested in building more parking, he would rather see the Borough “green” some of that space and maximize the parking for Saturday nights in the downtown. If there is going to be development in Atlantic Highlands, this is a perfect place to put people so that they are closer to the downtown district and activities in the community. He feels that this density is right where it should be. He owns a building on First Ave across from the Edwards Way, with commercial space on the ground floor and office space on the second floor. At some point, he may want to convert the office space back to residential like it was when he purchased. He would request that when the Planning Board make recommendations regarding the Ordinance for a building like his, he would like them to consider some sort of grandfathering for parking.

Mr. Neff called Barbara Grogan, however the audience indicated she had left.

Tucker Snedeker, 57 Avenue C, stated that he was here on March 8<sup>th</sup> and there were quite a few people here that made it clear they did not believe the parking study. Those people were more familiar with the area than the expert. He is frustrated that the Board believed an expert and ignored what the audience said. He does think it's a beautiful building, it's a good place to put a building and there are a lot of good things about this. This is the time to get it right and he feels the Board did not get it right this time.

Mark Fisher, 91 Third Avenue, stated that the three biggest concerns were the looks due to the location of the building and the applicant satisfied that, on three sides. He has a name for the south side wall and it is “ugg” because it will be ugly. Dr. Cetron joked he will put Mr. Fisher in charge of the mural. Mr. Fisher stated that his next issue is the parking, 56 versus 28 is not right and never should have happened. The environmental issues were not discussed enough. The chemicals could still be in the ground when they put a shovel in. There is a ventilation system at the school

and there should be one in this building for the tenants and customers of the retail space. He would also like to see delivery times restricted. Mr. Colangelo stated that testimony was given that they expect smaller box trucks and UPS trucks. Mr. Fisher asked if it could become a restaurant. Mr. Hawley stated that is zoned for retail right now and if they want a restaurant they would have to come back to the Board for a change in use. Mr. Fisher asked what the Board would tell them. Mr. Colangelo stated he would have to hear the testimony. Mr. Hawley stated he would ask for a parking plan. Mr. Fisher thanked everyone who came here tonight and Ms. Northrup for her research. He also thanked the Planning Board for listening to everyone. The Planning Board did a great job in letting everyone speak.

Tom Broadbent, 125 East Mount Avenue, stated that he came in with an open mind because his wife told him about the project that was approved next to the school. He knows the history of that property and he is here to figure out what was done to evaluate the safety for the kids, for the school and the success of the kids during construction. He didn't hear much about that and he is not sure what the process was. He figured the biggest part of the population being impacted are the families of the children going to school there. He feels there is a deficiency in notice because this has direct impact on the kids and the teachers. He has prevented kids from being hit by the forklift at the Brewery; he called them and they were very responsive. We also heard from the teachers about the lack of parking; these are the people teaching our children and if they come in all harried at the beginning of the day, it sets a bad tone. Given that information today, he objects to this approval. He is going to have a conversation with all the parents at the school and they will revisit the process of appeal. He doesn't feel the Board did a good enough job and he doesn't think the developer considered the best interest of the school. The economic incentive seemed to trump what should be going there. Mr. Colangelo stated that Mr. Broadbent brought up issues that were addressed by the applicant; timing and safety of construction. He asked Mr. Broadbent to go back and listen to the recordings, because it sounds like some of the questions are great questions but they were addressed.

Dr. Cetron stated that they reminded the applicant he has two critical things to remember during construction; making sure it doesn't interfere with the school and to be sure he complies with the NJDEP so he has a very high bar for safety and protection. The School Board is the property owner that was notified about this application so he suggests the parents get together with the School Board and reach out to the applicant to try and work out their concerns. Dr. Cetron stated that one of his problems, as a firefighter, is if he responds to a call at the school, the kids have to get out the way, perhaps they could work out a deal to put the kids in this parking lot. Mr. Colangelo stated that the applicant is a local and of course, as a businessman, he will want to maximize his profit but this gentleman truly cares about the town as well. Mr. Broadbent replied that the school board is focused on the kids and they are not skilled on real estate. From an environmental standpoint, he has done projects around the world and there is always a fix, cover up or a hide and it is incumbent upon this group to really verify what is being done. The risk to these kids is significant and there is significant liability by not addressing this.

Alyson Denzler, 60 East Washington Avenue and President of the Atlantic Highlands Elementary Board of Education, thanked the Board for their service. The School Board's concerns, as Board members and parents, are the same as everyone else's. They have been in contact with the property owner, Mr. Sabat, since the very beginning. They have spoken to him, he has attended their meetings and they are in touch on the phone. They are going to do everything they can do to ensure the safety of all of the kids; that is what they are there to do. She has spoken to the Borough Administrator, the Chief of Police and they have discussed many different options. The



conversations are happening and she wants everyone to know the School Board is involved, both as parents and concerned citizens.

Mr. Steib stated that the only pending workshop item would be to report there is no pending litigation.

DR. CETRON MOVED TO ADJOURN THE WORKSHOP MEETING, SECONDED BY MR. CACCAMO. BY VOICE VOTE ALL AGREED.

There being no further business to come before the Board, the Workshop Meeting Adjourned at 11:09 P.M.

Erin Uriarte  
Planning Board Secretary

**PLANNING BOARD  
BOROUGH OF ATLANTIC HIGHLANDS  
APRIL 12, 2018**

**REGULAR MEETING: 11:10 P.M.**

**Roll Call**                   **Members Present** – Mr. Illiano, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Colangelo, Ms. Hoffmann, Chairman Neff, Mr. Pepe, Mr. Illarraza, Mr. McGoldrick, Mr. Dougherty  
**Members Absent** – Councilman Fligor, Mrs. Murray, Mr. Pepe (exc), Mr. Dougherty (exc)

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

**Approval of Minutes for the March 8, 2018 Regular Meeting**

DR. CETRON MOVED TO APPROVE THE MEETING MINUTES FOR MARCH 8, 2018, SECONDED BY MR. COLANGELO.

Ayes:                   Mr. Illiano, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Colangelo, Mr. Neff, Mr. Ilarazza, Mr. McGoldrick  
Nays:                   None  
Abstain:               Ms. Hoffman  
Absent:                Councilman Fligor, Mrs. Murray, Mr. Pepe, Mr. Dougherty

**Approval of Attorney’s Voucher for February 2018 in the amount of \$2,051.00**

MR. COLANGELO MOVED TO APPROVE THE ATTORNEY’S VOUCHER FOR FEBRAURY 2018, IN THE AMOUNT OF \$2,051.00, SECONDED BY MR. HAWLEY.

Ayes:                   Mr. Illiano, Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Colangelo, Mr. Neff, Mr. Ilarazza, Mr. McGoldrick  
Nays:                   None  
Abstain:               None  
Absent:                Councilman Fligor, Mrs. Murray, Mr. Pepe, Mr. Dougherty

**PB17-12, Block 101, Lot 4.02 & 5, 158 First Avenue (P&C 2, LLC) – Application for Use “D” and Bulk Variances – DR. CETRON OFFERED A MOTION TO MEMORIALIZE THE RESOLUTION SECONDED BY MR. COLANGELO.**

Ayes:                   Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Colangelo, Mr. Neff, Mr. Ilarazza, Mr. McGoldrick  
Nays:                   None  
Abstain:               None  
Absent:                Mrs. Murray, Mr. Pepe, Mr. Dougherty

Mr. Neff noted that the remaining agenda items have been addressed earlier in the meeting and are being carried.

DR. CETRON MOVED TO ADJOURN THE REGULAR MEETING, SECONDED BY MR. MCGOLDRICK. BY VOICE VOTE ALL AGREED.

There being no further business to come before the Board, the Regular Meeting was adjourned at 11:12 P.M.

Erin Uriarte  
Planning Board Secretary