**PLANNING BOARD**

**BOROUGH OF ATLANTIC HIGHLANDS
December 3, 2020**

The Special Meeting of the Planning Board of the Borough of Atlantic Highlands, was held on December 3, 2020 via ZOOM Conference Meeting.  Instructions on how to join the meeting were posted on the Borough website, Borough Face Book page, and at Borough Hall.

**WORKSHOP MEETING: 7:01pm**

**Roll Call** **Members Present** – Mr. Dougherty (via zoom), Mr. Boms (via zoom), Mr. Hawley (via zoom), Mr. Caccamo (via zoom) , Mr. McGoldrick (via zoom), Mr. Neff (via zoom) Mrs. Murray (via zoom), Mr. Colangelo, Mr. Sonnek-Schmelz (via zoom), Mr. Pepe (via zoom), Mr. Krupinski(via zoom), Mr. Curry (via zoom)

 **Members absent**- Mr. Burke

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present via Zoom Conference Meeting as Board Engineer.

Chairman Colangelo called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. Chairman Colangelo stated that 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 02, 2020.  He read the “Open Public Meetings Act” compliance statement and stated that formal action would be taken.

 Mr. Colangelo made it known that he, attorney Michael Steib, Planning Board Secretary Kelly Snyder were present in Borough Hall along with Councilwomen Lori Hohenleitner to run the zoom meeting.

Mr. Colangelo called for a moment of silent prayer followed by the Pledge of Allegiance.

**Public Comment** – Mr. Colangelo opened the meeting to any members of the public who wish to make comments. There were no public comment.

**Pending Litigation** – Mr. Steib announced the only pending litigation involves the Denholtz parcel and the members will hold an executive sessions to discuss this matter.

**Other Business**: Mr. Steib explained the Virtual Meeting Procedures Resolution and went into detail about the legal requirements for zoom meetings. Mr. Steib informed the board that testimony cannot be accepted via telephone. The person has to be on camera and present in order to accept their testimony. All members agreed and understood.

MR. MCGOLDRICK MOVED TO APPROVE THE RESOLOUTION SECOND BY MRS. MURRAY.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. SONNEK-SCHMELZ, MR. KRUPINSKI, MR. CURRAY

Nays: NONE

Abstain: NONE

Absent: MR. BURKE

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Mr. Steib presented the Consistency Review Escrow Deposit and Application Fee Ordinance. Mr. Steib explained the ordinance, and the option it would give the board members to hire outside professionals as they felt necessary. There was board discussion and much confusion on the details of the ordinance and what it requires. All board members agreed they needed more clarity on the resolution. Mr. Steib will write a letter to the Mayor and Council explaining the board members concerns. The board members took a vote to keep the Fee Ordinance as it states currently with no changes.

MR. HAWLEY MOVED TO KEEP THE CURRENT RESOLOUTION SECOND BY MRS. MURRY.

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO

Nays: NONE

Abstain: NONE

Absent: MR. BURKE

Mr. Colangelo noted there is no further business to be discussed during the Workshop Meeting.

There being no further business to come before the Board, the Workshop Meeting Adjourned at 7:42 PM.

**Approval of Minutes for October 29, 2020 Meeting**

MRS. MURRAY MOVED TO APPROVE THE OCTOBER 29, 2020 MINUTES SECOND BY MR.BOMS

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO

Nays: NONE

Abstain: NONE

Absent: MR. BURKE

**Approval of Minutes for November 5, 2020 Meeting**

MR. DOUGHERTY MOVED TO APPROVE THE NOVEMBER 5, 2020 MINUTES SECOND BY MR. BOMS

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. PEPE, MRS. MURRAY, MR. COLANGELO

Nays: NONE

Abstain: MR. NEFF

Absent: MR. BURKE

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Mr. Steib announces that two agenda items will not be heard at tonight’s meeting.

**PB20-13, Block 97, Lot 28, 31 Second Avenue (Niles)-Application for bulk variances**. The applicant failed to notice the newspaper properly and will be carried to the 1.7.21 meeting with the requirement of noticing the newspaper properly.

**PB20-03 Block 37, Lots 16 & 17, 144-146 Wesley Avenue (Evergreen Builders/Hoffman)-Application for Minor Subdivision, Lot Line Adjustment.** The applicant requested an adjournment to the 1.7.21 meeting. Mr. Steib announced the application will be heard at the 1.7.21 meeting with no noticing requirement.

**PB20-14 Block117, Lots 1, 2,3,4,5, 65 First Avenue (T-Three LLC) – Memorialize Resolution Granting Approval for site plan and variances**

MR. HAWLEY MOVED TO APPROVE PB20-14 SECOND BY MR. PEPE

Ayes: MR. HAWLEY, MR. CACCAMO, MR. PEPE, MR. COLANGELO, MR. KRUPINSKI

Nays: NONE

Abstain: NONE

Absent: MR. BURKE

**PB20-07, Blocks 130 & 131, Lots 1 & 7, 12 Harborview Drive (Hesse) – Memorialize Resolution Granting Approval for Bulk Variance**

MR. DOUGHERTY MOVED TO APPROVE PB20-07 SECOND BY MRS. MURRAY

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR. PEPE, MRS. MURRAY, MR. COLANGELO

Nays: NONE

Abstain: MR. NEFF

Absent: MR. BURKE

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**PB20-18 Block 61, Lot 4, 87 Memorial Parkway (Zlata/Clancy) - Application for variance**

Mr. Steib announces service. Mr. Wolff, the attorney for the applicant explains that the photographs of the proposed project are not available for review. Mr. Steib explains that in the New Year, there could be new board members and asks the applicant if they would like to be carried to the 1.7.21 meeting and present their application to the new board members. Mr. Wolff consults with his client and they both agreed to hear the application with the new board members at the January meeting. Mr. Loidman, the attorney of an interested resident, has no objection. Mr. Steib announces the meeting will be carried to 1.7.21 with no further noticing.

**PB20-17 Block 6, Lot 2.05, 351 Ocean Blvd. (Woods/King) - Application for bulk variances**

Mr. Steib announced that he reviewed service, service is in order and the Board does have jurisdiction to hear this matter. Mr. Steib listed the exhibits which the Board has received to date. Exhibit A-1, zoning review from Michelle Clark, dated 9/1/20. Exhibit A2, application for variance of Aiden King and Gail Woods, dated 9/23/20. Exhibit A3, steep slope review #2 of CME Associates, dated 7/30/20. Exhibit A4, is a site plan with elevation and floor plans prepared by S.O.M.E Architects, dated 8/19/20. Exhibit A5, is technical review #1 from CME Associates, dated 11.6.20. Mr. Edward O’Neil of 65 Main St. Red Bank, NJ, a licensed Architect and Planner is sworn in by Mr. Steib. Mr. O’Neil goes over proposed plans and explains how most requested variances are due to the lot being undersized. Mr. O’Neil states there will be minimal disturbance and has retained a soilless engineer. Mr. O’Neil references color renderings in which Mr. Steib labels them Exhibit A6. Mr. O’Neil explains there would be no impact to neighboring properties and most houses in the area are in kind or larger.

Mr. Colangelo asks for any Board Questions

Mr. Hawley questions if USGS Marker Permits would be required, in which Mr. O’Neil states they would not. Mr. Steib swears in the applicant, Aiden King. Mr. Hawley points out the King’s residence is at the highest point of elevation. Mr. Pepe questions the disturbance of the slope. Mr. Steib swears in Doug Rohmeyer, the Borough engineer. Mr. Rohmeyer goes over the CME review letter. Mr. Colangelo questions if four posts would be better than six. Mr. Rohmeyer explains less disturbance to the slope is best. Mr. King points out a neighboring more extensive project that the board approved. Mr. Rohmeyer questions site access, in which Mr. O’Neil replied they will come through existing conditions. Mr. Rohmeyer questions any trees being removed, in which Mr. O’Neil states one will be removed. Mr. Rohmeyer questions the FAR and explains it’s close to the max allowance. Mr. Rohmeyer questions the existing 3 car garage and its function. Mr. King explains it is used for a personal study. Mr. Rohmeyer questions whether the deck being on the steepest part of the slope is necessary. Mr. O’Neil explains the proposed plans. Mr. O’Neil suggested to provide Mr. Rohmeyer with sealed and signed plans. Mr. Rohmeyer agrees that would make him more comfortable and to have soil testing done. Mr. Steib confirms that board can approve the application with pending review from Mr. Rohmeyer.

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Mr. Colangelo points out that if Mr. Rohmeyer does not approve the plans, the applicant would have to come back before the board. The applicant understood. Mr. Hawley questions if Mr. Rohmeyer is comfortable reviewing the plans after the board’s decision. Mr. Rohmeyer confirms that he is. Mr. Pepe agrees providing Mr. Rohmeyer with the plans is best. Mr. King thanks the board for their time and consideration and Mr. O’Neil thanks them as well.

Mr. Colangelo Board Discussion

Mr. McGoldrick feels is Mr. Rohmeyer is comfortable he would make a motion to approve. Mr. Pepe agrees, and thinks its minimal disturbance to the slope.

Public Questions

There were none.

Public Comments

There were none.

MR. MCGOLDRICK MOVED TO APPROVE PB20-17 SECOND BY MRS. MURRAY

Ayes: MR. DOUGHERTY, MR. BOMS, MR. HAWLEY, MR. CACCAMO, MR. MCGOLDRICK, MR.NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO

Nays: NONE

Abstain: NONE

Absent: MR. BURKE

The board members take a break, and will meet in executive sessions at 8:45.

The regular meeting adjourned at 9:10.