



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## **LAND USE BOARD RESOLUTION 2026-17**

**MEMORIALIZATION OF CONSISTENCY DETERMINATION FOR ORDINANCE NO. O-26-10 AMENDING CHAPTER 21 (ZONING AND LAND USE REGULATIONS), SECTION 21-65.9 (GRADING AND TOPSOIL REMOVAL), SECTION 21-84B (STEEP SLOPES AND SLUMP BLOCKS), SECTION 21-99 (ENFORCEMENT) AND SECTION 21-107B (FEES) OF THE CODE OF THE BOROUGH OF HIGHLANDS**

**Decided: May 14, 2026**  
**Memorialized: June 11, 2026**

### **MATTER OF CONSISTENCY DETERMINATION FOR ORDINANCE NO. O-26-10**

**WHEREAS**, under the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-26a, prior to the adoption of a Development Regulation, revision or amendment thereto, the Land Use Board, shall make and transmit to the Governing Body, within 35 days after referral, a report including identification of any provisions of the proposed development regulation, revision or amendment which are inconsistent with the Master Plan and Recommendations concerning these inconsistencies and any other matters as the Board deems appropriate; and

**WHEREAS**, the Borough of Highlands Governing Body introduced Ordinance No. O-26-10 entitled Ordinance "AMENDING CHAPTER 21 (ZONING AND LAND USE REGULATIONS), SECTION 21-65.9 (GRADING AND TOPSOIL REMOVAL), SECTION 21-84B (STEEP SLOPES AND SLUMP BLOCKS), SECTION 21-99 (ENFORCEMENT) AND SECTION 21-107B (FEES) OF THE CODE OF THE BOROUGH OF HIGHLANDS;" and

**WHEREAS**, the Mayor and Council of the Borough of Highlands referred this matter to the Land Use Board under the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-26a; and

**WHEREAS**, the Land Use Board has considered this matter at a duly-noticed, in-person, public meeting conducted on May 14, 2026.

**NOW, THEREFORE,** the Highlands Land Use Board having reviewed Ordinance No. O-26-10 makes the following findings of fact and conclusions of law in regard to the proposed amendments to the Code of the Borough of Highlands in connection therewith:

1. Ordinance No. O-26-10 amends Chapter 21 (Zoning and Land Use Regulations), Article XI Design Standards, Article XIV Establishment of Districts, Article XXI Enforcement, and Article XXIII Fees in order to add more expansive language to the enforcement of development regulations section and to update and/or add application and zoning permit fees.

2. The Board Professionals and Mayor Broullon provided an overview of the Ordinance and recommended that it is substantially consistent with the Master Plan.

3. The Land Use Board finds that adoption of Ordinance No. O-26-10 is substantially consistent with the comprehensive goals, land use goals, and economic development goals as set forth in the Master Plan or is designed to effectuate such plan elements for the reasons expressed on the record by the Board and its professionals.

**NOW, THEREFORE, BE IT RESOLVED, BY** the Highlands Land Use Board that Ordinance No. O-26-10 entitled Ordinance “AMENDING CHAPTER 21 (ZONING AND LAND USE REGULATIONS), SECTION 21-65.9 (GRADING AND TOPSOIL REMOVAL), SECTION 21-84B (STEEP SLOPES AND SLUMP BLOCKS), SECTION 21-99 (ENFORCEMENT) AND SECTION 21-107B (FEES) OF THE CODE OF THE BOROUGH OF HIGHLANDS” has been determined by the Land Use Board to be substantially consistent with the comprehensive goals, land use goals and economic development goals in the Master Plan or is designed to effectuate such plan elements for the Borough of Highlands.

**BE IT FURTHER RESOLVED** that the Land Use Board Secretary is hereby directed to transmit a copy of this Resolution to the Mayor and Borough Council. This Resolution, as well as

the Memorandum dated May 18, 2026, shall serve as the report to the governing body pursuant to N.J.S.A. 40:55D-26a of the Municipal Land Use Law.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

ON MOTION OF: MAYOR BROULLON

SECONDED BY: MS. LA RUSSA

ROLL CALL:

YES: MAYOR BROULLON, MR. BURTON, MS. LARUSSA, MR. MONTECALVO, COUNCIL MEMBER

OLSZEWSKI, MR. SAYA, MR. ZILL, MS. TIERNEY, MR. KNOX, MS. CHANG, MR. CRAMER, MR.

CODY, MRS. VICKERY

NO: NONE

RECUSED: NONE

INELIGIBLE: NONE

ABSENT: NONE

DATE: JUNE 11, 2026

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Highlands Land Use Board, Monmouth County, New Jersey at a public meeting held on June 11, 2026.

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Kate Maloney, Secretary  
Borough of Highlands Land Use Board