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## Minutes

***The Regular Meeting of the Land Use Board of the Borough of Highlands was held May 14, 2026 at Borough Hall, 151 Navesink Avenue Highlands.***

### **Regular MEETING: 7:00 pm**

Chairman Knox called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. The "Open Public Meetings Act" compliance statement was read. Chairman Knox had everyone stand for the Pledge of Allegiance.

### **Roll Call:**

Members Present –Mayor Broullon, Chief Burton, Ms. Olszewski, Mr. Sayah, Mr. Montecalvo, Ms. LaRussa, Mr. Knox, Ms. Tierney, Mr. Zill, Ms. Chang, Mr. Cody, Mrs. Vickery \*Member Cramer arrived at 7:13pm

Members Absent – None

Professionals Present: Attorney Dustin Glass, Board Planner Susan Gruel, Board Engineer Cameron Corini

### **Open for Public Comment: General Questions or Comments not pertaining to Applications**

None

### **Resolutions:**

#### **1. LUB Resolution – Appointing Board Secretary**

Kate Maloney was appointed the Board Secretary.

Motion to approve: Mayor Broullon

Second: Mr. Knox

Ayes: Mayor Broullon, Mr. Burton, Ms. LaRussa, Mr. Montecalvo, Council Member Olszewski, Mr. Sayah, Mr. Zill, Ms. Tierney, Mr. Knox, Ms. Chang, Mr. Cody, Mrs. Vickery

Nays: None

Abstain: None

Absent: Mr. Cramer

### **Action on Other Business:**

#### **1. LUB2021-05: Mattina, 149 Portland Rd., B12 L4.01 &4.02 Extension Request**

Attorney Thomas Hirsch, Esq. on behalf of his clients, requested an extension of approval from the Board. He advised that due to length of time it took for litigation regarding the application to be

completed, the timeline of the approvals were due to expire soon. He requested a 15 month extension. Mayor Broullon questioned why the applicant would not want a longer extension as issues with resolution compliance may arise and create a possible delay. If that were the case, and the 15 month extension expired, the applicant would need to return to the Board for another extension. Member Cody advised Mr. Hirsch to request a longer extension to avoid any issues. Mr. Hirsch explained that his clients are eager to get the project started and could do so with a 15 month extension which would expire 10/27/26.

Motion to approve: Mr. Knox

Second: Ms. LaRussa

Ayes: Mayor Broullon, Mr. Burton, Ms. LaRussa, Council Member Olszewski, Mr. Sayah, Mr. Zill, Ms. Tierney, Mr. Knox, Ms. Chang, Mrs. Vickery

Nays: None

Abstain: Mr. Montecalvo, Mr. Cody

Absent: Mr. Cramer

**Extension of Variance Approval granted**

2. LUB24-08: Conti – 212 Linden Ave., B110 L12 Dismissal

Board Attorney Dustin Glass advised the Board of the application that was submitted in December of 2024. The application was deemed incomplete at that time and no further documentation has been submitted for re-review. Additionally, he advised that there was limited communication as the applicant stated they were sick and needed more time. However, any attempt of follow-ups were met with terse responses. The application is now stale and Mr. Glass advised that the application should be dismissed as there has been no action made by the applicant.

Motion to approve: Mr. Sayah

Second: Mr. Knox

Ayes: Mayor Broullon, Mr. Burton, Ms. LaRussa, Mr. Montecalvo, Council Member Olszewski, Mr. Sayah, Mr. Zill, Ms. Tierney, Mr. Knox, Ms. Chang, Mr. Cody, Mrs. Vickery

Nays: None

Abstain: Mr. Cramer

Absent: None

**Dismissal of LUB Application granted**

3. Bay Avenue CBD Floodplain Update

Borough CRS Coordinator, Kathy Shaw, gave a presentation on the Borough's Redevelopment Plan for Mixed Use and the updated FEMA regulations for substantial improvement projects. Mrs. Shaw presented a slideshow of what a potential mixed use project that incorporates the FEMA regulations could look like. The slideshow is available to watch on the Borough's YouTube page.

4. **Consistency Review** – Ordinance O-26-10 Amending Chapter 21 (Zoning and Land Use Regulations), Section 21-65.9 (Grading and Topsoil Removal), Section 21-48B (Steep Slopes and Slump Blocks), Section 21-99 (Enforcement) and Section 21-107B (Fees) of the Code of the Borough of Highlands.

Mayor Broullon explained the changes were to go over language that wasn't clear, update fees, amend grammatical errors, update the procedural process for Certificate of Occupancy

Motion to approve: Mayor Broullon

Second: Ms. LaRussa

Ayes: 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

Nays: None

Abstain: None

Absent: None

**Deemed consistent**

### **Communication and Vouchers:**

Board Attorney Glass advised the Board that he has followed up with Seastreak regarding their LUB application. He advised a resubmission would be received soon and a meeting with the professionals is scheduled for May 18<sup>th</sup>.

### **Approval of Minutes:**

#### **1. Approval of LUB Meeting Minutes March 12, 2026**

Motion to approve: Mr. Knox

Second: Mayor Broullon

Ayes: 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

Nays: None

Abstain: None

Absent: None

**Minutes approved**

### **Hearings on Old Business:**

#### **Continuation: LUB25-10: Solar Powered 44 – 44 Miller Street – B 58 L 7.01**

This was the fourth appearance before the Board. Applicant, Mark Landgrebe appeared with his attorney Brad Batch Esq. and Architect Jim Daley. His engineer, Morgan Engineering, was not present. Mr. Batch quickly reviewed the history of the application and the modifications that have since been made to accommodate Board's comments and concerns. Mr. Batch then went through the Board Engineer's review letter as well as the Board Planner's review letter. Board members and Board professionals had questions/concerns about the circulation plan and ADA compliance, number of garage doors, building height & number of stories, planter boxes & street trees, light plan & light spillage, fence details, and use of the property.

Mr. Batch and Mr. Landgrebe agreed to work with their Engineer to submit a circulation plan and revised site plan with ADA notes. Mr. Daley advised the Board that due to the existing construction, the (3) garage bays will need to remain, but they will convert one bay to 10' of storage area with French doors. Due to FEMA requirements and restrictions, the height of the dwelling will not change and the 1<sup>st</sup> level garage could/would never be converted to living space, so the dwelling will remain a 2.5 story structure. Mr. Daley went on to explain that due to spacing limitations, street trees would not be possible, but the

planter boxes would be removed and plantings would remain. Mr. Landgrebe agreed that the property would not have spotlights, soffits, or any other lighting fixture that would create light spillage to surrounding properties. He also agreed to install compliant fencing in the rear of the property and remove the curb cut on 4<sup>th</sup> street to not allow parking under the rear deck. Board member Sayah asked if the property owner would agree to file a Deed Restriction to ensure the use of the property would remain a single family use. Mr. Landgrebe agreed.

Resident Edward Pollar of 30 Miller Street appeared before the Board to state he was in favor of the project and is eager to have the construction completed.

Board Attorney Glass gave a general overview of the requests sought with this application. They include variances for lot depth, front setbacks (Miller Street and 4<sup>th</sup> Street), front setback for masonry wall (Miller Street), maximum building coverage as well as a deck waiver. The potential conditions if approved are no light spillage, (1) garage bay to storage area with French doors, circulation plan with ADA notations, deed restriction for use, removal of planter boxes, revised engineering plan showing plantings and fence details, no garage/parking under deck & remove curb cut on 4th Street and replace sidewalks.

Motion to approve: Ms. Tierney

Second: Mr. Zill

Ayes: Mr. Burton, Ms. LaRussa, Mr. Montecalvo, Mr. Saya, Mr. Zill, Ms. Tierney, Mr. Knox, Ms. Chang, Mr. Cramer, Mr. Cody, Mrs. Vickery

Nays: None

Abstain: Mayor Broullon, Council Member Olszewski

Absent: None

**Bulk Variances with Conditions and Waivers granted**

### **Meeting Adjournment:**

A motion was made by Mr. Knox for adjournment of the Land Use Board Regular Meeting, all were in favor. Meeting adjourned 8:23pm.