



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

LAND USE BOARD RESOLUTION 2026-16

MEMORIALIZATION OF DISMISSAL OF APPLICATION WITHOUT PREJUDICE

Dismissed: May 14, 2026
Memorialized: June 11, 2026

IN THE MATTER OF ANTHONY CONTE APPLICATION NO. LUB2024-09

WHEREAS, Anthony Conte, hereinafter the "Applicant", has proposed the development of property located at 212 Linden Avenue in the Borough of Highlands, County of Monmouth, and State of New Jersey, which property is further known and designated as Block 110, Lot 12, on the Tax Map of the Borough of Highlands; and

WHEREAS, on November 14, 2024, the Applicant applied to the Land Use Board of the Borough of Highlands for a minor subdivision; and

WHEREAS, the Board Engineer issued Completeness Review No. 1, dated December 26, 2024, which determined that the application was "incomplete" and not ready to be heard, and advised the Applicant as to what additional documentation and/or revisions to the plans needed to be provided; and

WHEREAS, since having received the Board Engineer's December 26, 2024 Completeness Review Letter, the Applicant has not submitted an amended application or revised plans; and

WHEREAS, by email dated November 17, 2025, because the Board had not received a substantive response from the Applicant in some time and because the Applicant gave no indication that he intended to proceed, the Board Secretary wrote to the Applicant, advising him that the Board would make an administrative decision to dismiss his application at its December 11, 2025 meeting.

WHEREAS, the Applicant responded to the Board Secretary, by email dated November 18, 2025, requesting additional time to respond and to submit an amended application, by

early 2026; and

WHEREAS, based upon the Applicant’s November 18, 2025 representation, the Board did not act on the Application at its December 11, 2025 meeting; and

WHEREAS, by letter dated March 31, 2026, the Board Attorney wrote to the Applicant advising him (again) that because the Board had not received a substantive communication from him or any revised plans, there was no indication that he intended on proceeding with the Application and, thus, “at the Board’s next regularly scheduled meeting, it will consider whether to dismiss your Application without prejudice (meaning you could refile at a later date)[;]” and

WHEREAS, the evidence demonstrates and the Board finds that the Applicant does not intend on prosecuting his application; and

WHEREAS, the Board therefore finds and determines that it is appropriate to dismiss Application No. LUB 2024-09, without prejudice, for failure to prosecute.

NOW, THEREFORE, BE IT RESOLVED by the Highlands Land Use Board on this 11th day of June, 2026, that the action of the Land Use Board taken on May 14, 2026, dismissing the application of Anthony Conte, Application No. LUB2024-09, without prejudice is hereby memorialized as follows:

1. Application No. LUB2024-09 (Anthony Conte) is hereby dismissed without prejudice.
2. The Applicant shall post sufficient funds with the Borough to satisfy any deficiency in the Applicant's escrow account. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.

BE IT FURTHER RESOLVED, that nothing herein shall excuse compliance by the Applicant with any and all other requirements of this Municipality or any other governmental entity.

BE IT FURTHER RESOLVED that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published on the Borough website and in the official newspaper at the Applicant’s expense and to send a certified copy of this Resolution to the

Applicant and to the Borough Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.

Robert Knox, Chairman
Borough of Highlands Land Use Board

ON MOTION OF: MR. SAYAH

SECONDED BY: MR. KNOX

ROLL CALL:

YES: 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

NO: NONE

ABSTAINED: MR. CRAMER

INELIGIBLE: NONE

ABSENT: NONE

DATED: JUNE 11, 2026

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

Kate Maloney, Secretary
Borough of Highlands Land Use Board