

**MINUTES OF A REGULAR MEETING OF THE PLANNING BOARD  
OF THE BOROUGH OF MOUNTAIN LAKES**  
January 28, 2015

Chair Jim Bailey read the Open Public Meeting Advertisement Notice adopted at the annual meeting on January 29, 2015: Adequate notice of this meeting was given to the Citizen and the Daily Record, filed with the Borough Clerk, posted on the Bulletin Board in the Borough Hall on February 02, 2015 and made available to all those requesting individual notice and paying the required fee.

Meeting start: 7:34PM

**ROLL CALL:**

Members Present: Bailey, Kane, DeVenezia, Nachshen, Sheola, Borin, Horan, Russo,  
Dagger and DuTertre

Absent: Holmberg

Also Present: Attorney Peter Henry

Also Absent: Engineer Bill Ryden

**PUBLIC COMMENT:** none

**REORGANIZATION:**

*Election of Chair* – Prior to the meeting Chairmen Jim Bailey informed the Board by email he did not wish to continue as Chair of the Planning Board. Tom Dagger nominated Martin Kane Chair of the Planning Board; Nick DeVenezia provided the second. Martin Kane was elected by voice vote of all eligible voters.

*Election of Vice Chair* – Nick DeVenezia nominated Jim Bailey for Vice-Chair but he declined. Rich Sheola nominated Corey Nachshen Vice-Chair of the Planning Board; Tom Dagger provided the second. Corey Nachshen was elected by voice vote of all eligible voters.

*Appointment of the Attorney* – Corey Nachshen made a motion to appoint Peter Henry of McElroy, Deutsch, Mulvaney and Carpenter the Planning Board Attorney; Bethany Russo provided the second. The motion was approved by a 10 to 0 roll call vote.

*Appointment of the Planner* – Rich Sheola made a motion to appoint Paul Phillips of Phillips, Preiss, Grygiel, LLC, the Planning Board Planner and Frank Borin provided the second. The Board discussed their apprehensions with rehiring Mr. Phillips. Martin Kane was concerned he would not be impartial to this Board. Nick DeVenezia thought he did not function as our Planner during the discussions on Ordinance 12-15. Peter Henry explained Mr. Phillips was advising the Council on the Ordinance. Most towns choose to have the same Planner as the Board because you have one Planner town wide. You can have two Planners but they could be in conflict. Martin Kane added we rely on the Planner to do the Master Plan. Mr. Henry pointed out this town was unusual because the Planning Board works on the Master Plan and gets it reviewed by the Planner rather than written by the Planner. Jim Bailey explained Paul Phillips had reviewed the final version of the Master Plan for us but he was disappointed with the final version of the housing element. Tom Dagger said under the circumstances he thought we had to rehire him. Peter Henry thought a lot of Paul and his ability. Mr. Kane said he would like the Board to have a sit down with Paul about his ideas for Mt Lakes. Mr. Bailey thought him well qualified when the committee interviewed him for the position. Peter Henry felt Tom Dagger's comments were valid. We can't get someone into the position quickly and still meet the deadlines related to the housing element. John Horan thought his

work was fine. He felt everyone's concerns came from the King of Kings property. He asked if it was possible to get a different Planner for King of Kings application. Peter Henry said it would be unusual and that it only happens when you need a specialist. John Horan thought Mr. Phillips did a great job answering his questions. The motion was approved by an 8 to 2 roll call vote.

*Appointment of Board Engineer* – Corey Nachshen made a motion to appoint Bill Ryden of Anderson and Denzler Assoc., Inc. the Planning Board Engineer and Bethany Russo provided the second. The motion was approved by a 10 to 0 roll call vote.

*Appointment of Secretary* – Rich Sheola made a motion to appoint Cynthia Shaw the Planning Board Secretary and Corey Nachshen provided the second. The motion was approved by a 10 to 0 roll call vote.

*Designation of Official Newspapers* – Rich Sheola made a motion to designate The Citizen and The Daily Record the official newspapers for the Board, Corey Nachshen provided the second. The motion was approved by a 10 to 0 roll call vote.

*Determination of Meeting Dates* – Before making the motion to approve the proposed meeting dates Rich Shelia brought up the need for a special meeting on March 10, 2016 to hold a public hearing on the Housing Element of the Master Plan. We would have a discussion on the element at our February 25, 2016 meeting. The element would not be available to the Board until a few days before the February meeting so it will be emailed to them. After some discussion on noticing and the timeline necessary to get the Housing Element done the Board agreed to add a special meeting date to the list of proposed dates. Rich Sheola made a motion to accept the proposed meeting dates for the Planning Board, Martin Kane provided the second. A voice vote of all eligible members approved the following dates.

<i>February 25, 2016</i>	
<i>March 10, 2016</i>	<i>August 25, 2016</i>
<i>March 24, 2016</i>	<i>September 22, 2016</i>
<i>April 28, 2016</i>	<i>October 27, 2016</i>
<i>May 26, 2016</i>	<i>November 17, 2016</i>
<i>June 23, 2016</i>	<i>December 15, 2016</i>
<i>July 28, 2016</i>	<i>January 26, 2017</i>

*Re-adoption of By-Laws* – Corey Nachshen made a motion to adopt the By-Laws of the Planning Board and Nick DeVenezia provided the second. A voice vote of all eligible approved the adoption of the by-laws.

**REVIEW OF MINUTES:** Corey Nachshen made a motion to adopt the minutes of the November 19<sup>th</sup> meeting. John Horan provided the second; the minutes were approved by voice vote of all eligible voters.

**RESOLUTIONS:** none

**PUBLIC HEARING:** none

**COMMITTEE REPORTS** – Jim Bailey explained the Board needed to send two representatives to the Housing Element and Fair Share Plan Advisory Committee. He gave the historical background of the previous housing elements and the work of the

committee to date. The group would be meeting on Feb 9<sup>th</sup> to put together the final version of the element for the Planning Board. The element will be available for the Feb 25<sup>th</sup> meeting and March 10<sup>th</sup> would be the public hearing. Tom Dagger thought the Chairman should be on the committee but Mr. Kane couldn't make the second meeting on the 23<sup>rd</sup>. Martin Kane suggested Corey Nachshen and Tom Dagger. The Board appointed them as their representatives. The Administrator will print out the committee minutes and provide them to our new representatives. Members of committee and Planner will be at the meeting on February 25<sup>th</sup> to make a presentation on the element.

**OTHER MATTERS –**

Jim Bailey told the Board he would be resigning from the Planning Board. His seat will need to be filled so the Board has been asked to pass along any suggestions for potential members to the Administrator.

Martin Kane adjourned the meeting 8:42pm.

Respectfully submitted,

Cynthia Shaw, Secretary