

**MINUTES OF A REGULAR MEETING OF THE PLANNING BOARD
OF THE BOROUGH OF MOUNTAIN LAKES**

December 20, 2018

Chair Martin Kane read the Open Public Meeting Advertisement Notice adopted at the annual meeting on January 25, 2018: Adequate notice of this meeting was given to the Citizen and the Daily Record, posted with the Borough Clerk and on the Bulletin Board and made available to all those requesting individual notice and paying the required fee.

Start: 7:23 PM

ROLL CALL:

Members Present: Kane, Stern, Barnett, Russo, Nachshen, Horan, Shepherd (7:35PM), Coppola, Berei, Mirsky and DuTertre (7:37PM)

Also Present: Attorney, Peter Henry, Engineer, Bill Ryden, Planner, Elizabeth Leheny

PUBLIC – No one from the public wished to speak.

REVIEW OF MINUTES: Corey Nachshen made a motion to adopt the minutes of the September 27, 2018 meeting. Mitchell Stern provided the second; the minutes were approved by voice vote of all eligible voters.

RESOLUTIONS: none

PUBLIC HEARING:

AHS Hospital Corp.	Appl. #18-267
333 Route 46W. Suite 201	Blk. 7, Lot 7
Minor Site Plan	Zone OL-1

Bill Bergman was the Attorney representing tonight’s applicant Atlantic Health Systems. AHS Hospital Corp. planned to rent space in the existing office building located at 333 Rt. 46W for an urgent care facility. They need minor site plan approval to install a separate entrance to the building.

The applicants Engineer Peter Chandler, from Suburban Engineering, said they were requesting the 8 waivers listed under item #2 in Bill Ryden’s review letter. They were making the request because they were not moving any dirt, did not relocate any underground utilities and they were not proposing any landscaping. This was an existing developed site, there was no site work needed, there was no need for an EIS to be done and the new sidewalk they will be adding was de minimis. Martin Kane confirmed the Board members did not have a problem granting the waivers.

Mr. Chandler reviewed a portion of sheet 2 of 4, dated 9/13/18, which depicted the existing site conditions. They proposing adding a new entrance and sidewalk to the building to access the new door. Sheet 3 showed the proposed sidewalk which will be 50ft long in an arch pattern. The

walkway will go through the existing line of trees so they don't have to be removed. Sheet 1, dated 11/01/18, was a photo of the building elevation with the proposed door and walkway superimposed on the building. There will be an awning over the door and the sidewalk will have handrails. David Shepherd did not have any problems with the addition of the sidewalk. Bethany Russo thought the addition of the sidewalk deminimis due to the large area of the site. Peter Henry asked if there were any changes planned for the ADA access. Mr. Chandler responded they did not plan to change any of the other three building accesses.

Mr. Kane asked if the public had any questions for the applicant; there were none.

Bill Bergman introduced Bruce Dillon, Finance Manager for Atlantic Health, to explain their operation. Mr. Dillon said the 7000sqft will be an "emergency" urgent care center and of that space 1000sqft will be used for rehabilitation. This location will handle emergency care for 70 persons a day. They will have a higher quality of care for emergencies than area urgent care facilities run by general practitioners. The office will have 1 ER doctor an RN, a CT tech, a lab tech, someone at the front desk and 1 -2 persons in physical therapy. Total Staff will be 8 people to start and go to 12 once they are established. They will be open Monday -Friday 8am – 8pm, weekends 8am – 5pm and 5 hours on holidays.

Bethany Russo questioned why they needed another entrance. Mr. Dillon presented exhibit A-1 the existing 1st floor interior plan dated 12/20/18. The darker area on the plan was the space they would occupy. The new entrance will make it easier for patients to access their space since the rest of the building will be vacant on the weekends. They wanted to make it easier to get in and out and limit the patient's access to other parts of the building. Martin Kane asked about the exterior lighting since they would be there until 8pm; did they do a lighting analysis? Mr. Chandler responded, they did not do a lighting analysis, there were existing light poles that would provide the lighting. There are lights on each end of the parking lanes and there is a light at the entrance that already exists. The lights in parking lot are 60ft away from the end of the sidewalk. Mr. Ryden asked what the lighting operations of the building were; they were on from dawn to dusk. He felt a lighting study should be done. The applicant was willing to add a light at the end of the sidewalk and have the Engineer review the particulars of the proposed lighting plan. Bethany Russo asked if they were implementing a tree protection plan for the site while doing the work. The Administrator will send the requirements for tree protection along with the resolution. Their tree protection plan must be given to the construction department before receiving their building permit.

Peter Henry was concerned with parking for the urgent care and classifying the use as a doctor's office. Discussion occurred and the Board determined this was an outpatient service similar to a doctor's office making the use permitted. Martin Kane was not concerned with parking or the facility being considered a doctor's office. Bill Ryden added this building has 35 parking spaces already allocated to the square footage. Nancy DuTertre questioned the drop off of patients. It was decided it would be fine since patients would not be dropped off all at the same time.

A motion was made by Lauren Barnett to approve the application as submitted with the condition a lighting plan would be submitted and be subject to review by the Borough Engineer and a Tree Protection plan be submitted with the application. Bethany Russo provided the second and the Board voted 9 to 0 to approve the application with Board members Kane, Stern, Barnett, Russo, Nachshen, Horan, Shepherd, Coppola and DuTertre voting in favor.

New Land Mountain Lakes, LLC
100 Route 46
Major Site Plan
Parking, Lot Coverage, Sign
Side & Rear Setback

Appl. #18-266
Blk. 4, Lot 17.02
Zone B

Robert Correale was the Attorney representing New Land Mountain Lakes. The property at 100 Route 46 consisted of three buildings built in the 70's on 1.2 acres. Currently $\frac{3}{4}$ of the buildings are vacant. The owner would like to lease the vacant space to Light Bridge Academy. The school provides day care for children infant to 5 years of age. They plan to add two playgrounds, reface all the buildings and resurface the parking lot. They are looking for variances for the following: number of parking spaces; their setback and width, lot coverage, signs; the physical number, setback and area, plus variances for side and rear setbacks.

Jeffery D Reynolds, a licensed landscape architect in the state of NJ, would be addressing the waivers requested. Peter Henry questioned his ability to testify but Chairman Kane was willing to proceed with the waiver testimony. Mr. Reynolds testified the property had no easements to consider and they were not dedicating any lands (A16), they would be adding one water line to the property and the plans show the existing storm drains (A17), there was one tree on the site with the balance of greenery being low growing shrubs (A18), all utilities found on the site were put on the plans (A23), there were no engineering changes to the site so no EIS was required (A26), they did not need to comply with wellhead protection since we were using city water (A29), they were not planning any new landscaping on the site so a plan was not needed (A30). John Horan questioned the waiver for wellhead protection. Mr. Ryden clarified this Ordinance pertained to protecting the town wells. None of the activities planned for the site were unpermitted in the wellhead protection area.

The applicant was willing to do a Soil Erosion Control Plan (A27) for the site as requested by the Engineer. Bill Ryden thought the plan would not affect the hearing and could be a condition in the resolution. Per Mr. Reynolds the wetlands and transition areas were not changing on the site. (A31). The playgrounds were not changing the coverage. Martin Kane told the applicant the Board would need the wetlands & transition areas delineated and provided during the hearing. The Board agreed to approve the waivers and proceed with the hearing.

Mark Mele, of Light Bridge Franchise Company, was a Senior Vice President for Franchise Development. They have 31 facilities in NJ and 109 in the US. They focus on education, technology and safety in all their facility. Parents can view their child's classroom activities on line through their camera system. Buildings A & C will be used by the school. They will be opened from 6:30am to 7pm. Drop off usually runs from 6:30 - 9am and pick up from 4:30 to 7pm. The academy will be open Monday through Friday. This building will accommodate 123 children and 22 teachers. In the summer they do take in children up to 10 years old. There are 2 to 3 shifts of staff, the ratio of staff to children is set by the state. Shifts are 3 or 4 hours in length and they normally need 30 parking spaces for their facilities. Pick-up time usually takes 5 to 7 minutes. They would like designated pick up and drop-off spaces at the site.

The building was very secure since it only has one entrance door per building. They require all parents to use their biometric finger scanner and a secure code to get in. The buildings will have

a sprinkler system and they will have fire drills. They are willing to meet with the Fire Marshall about evacuation plans. Classrooms will have a secure lock down feature.

Mr. Mele referred to exhibit A-1 the dimension plan, drawing #3, dated 10/16/18. The site plan showed the buildings, parking and the 2 outdoor play areas. The playground will have synthetic grass and a 6ft high fence. The infant playground area will have an addition fence 4ft high to separate the infants from the toddlers. The playgrounds mist in the summer time and has shade sails to provide areas for the children to be out of the sun. About 15 to 30 children will be on the playground at one time. No food will be prepared on site; either parents bring in food or they use outside services.

Peter Henry noted item #1 of Planner Paul Phillips report questioning the status of the facilities licenses. Mr. Mele answered they had not applied yet. They usually get them once they have their CO. Jeff Berri asked if they held any school wide concerts and celebrations. They do not hold all their celebrations at one time they are spread over the day or possibly several days. Robert Correale told the Board they had renewed the parking agreement with the Mansion for 50 spaces. The spaces could be used on these days. Exhibit A-2, the parking agreement with the Mansion, was presented to the Board. John Horan confirmed the maximum capacity of the school was 123 children. Arlene Mirsky asked if there were any other tenants. The second floor of building A has another tenant. The Board started discussing the parking spaces and the other tenants on the site. It was decided this conversation should be held at our next meeting when the Traffic Engineer could be present. Bethany Russo asked if they had other facilities made up of multiple buildings; they did have one. She was concerned with drop-off and pick-up for people who had more than one child at the facility. Peter Henry pointed out their summer program was for up to 10 year olds and Borough Ordinances did not allow children over 6 in a daycare facility. Mark Mele responded they would comply with the Ordinance. He then concluded the school had ½ day programs in the summer and would have fewer staff.

No one from the public wished to ask questions of this witness.

Mr. Correale introduced Justin Mihalik a licensed Architect in the state of NJ. Mr. Mihalik would be referencing sheets PR-1 through PR-8, dated 10/18/19, during his presentation. The applicant would be occupying the 1st floor of buildings A and C. They are planning to add two playgrounds; one infant/toddler and one preschool. Building C will be the main building. Most of the drop offs will occur at this building. They wish to allot 11 parking spaces to be used throughout the day for drop-off and pick-up. They have added a sidewalk in front of the two buildings with bollards. The buildings are connected through the playground by a covered walkway. You also have the option of dropping off at building A. Their current centers have 30 to 35 parking spaces for approximately 175 children with some being designated for teachers. Arlene Mirsky was concerned about security since there were other tenants in the building. Jeff Berei confirmed both playgrounds would have bollards. There is a 5ft fence off the back of the building, along the property line, separating the children from the railroad property. The fence is solid to keep the sound in. There are gates on the playgrounds that act as emergency exits. Cameras are outside on the playground. Mr. Mihalik explained the floor layout of building C as found on sheet PR-1. There are security cameras in all 5 classrooms. The children in this building are 2.5 -5 years of age, there are some offices and every classroom has its own toilet. The plans include a licensing chart by classroom. Building A has two floors. The 2nd floor tenant

goes up stairs through the vestibule and does not have access to the school. There is a locked door that provides access to the infant and toddler area. Nancy DuTertre asked about two-way traffic in and out of the vestibule when strollers are in use. The buggy room is the storage area for infant car seats since most parents bring their children in an infant seat rather than a stroller. Jeff Berei was concerned with the width of the entry space even if it was only for one person carrying an infant in a car seat. He asked if there was a medical office on site; there is not. Bethany Russo confirmed on a bad day the 4 year old's would have to walk through the playground under the canopy to get to building A to play inside in the multipurpose room. Peter Henry confirmed there was no dedicated space for parking in front of building A. He asked why there were no bollards in front of the parking on the other side of building C. Mr. Mihalik answered there was a concrete retaining wall there but they would be willing to add bollards or a guard rail to that side.

Mr. Mihalik continued they would be re-facing all the buildings. He presented exhibit A-3 sheet A-3, a colorized version of sheet PR-3 & 4, which showed the "Elevations" of building C. They planned to add cultured stone with stucco over the existing brick and the roof would remain flat. They would be adding an entry portico with one internally lit sign to mark the entry. They will add aluminum and glass front and side doors. They will be adding lighting on the other three sides of the building and playground. There are canopies and solid fencing so you can't see into the playground. Jeff Berei asked does Light Bridge have a standard building design. Mr. Mihalik responded they did. Mr. Berei asked if they considered doing something with more of an arts and craft style. No they did not because they have their own look so you can easily identify the building as their product.

Mr. Mihalik moved on to sheet PR -5 labeled "Playgrounds" pointing out the color photos of the climbing equipment. They will have an area of the playground to ride trikes and play under the water sprinklers. Nancy asked if the playground turf was permeable. Bethany Russo asked if they were building the playgrounds on top of the existing asphalt. The playgrounds are not permeable and will be built on top of the current asphalt. The infant playground will have a drain and the back playground will not. All gates exiting the playground will have alarmed panic bars on the inside.

J. A. Mihalik presented exhibit A- 4, sheet A-1, the "Elevations" for building A. This structure will be redone in stucco and stone like all the other buildings. They will add porticos on both building A & B. On building A there will be a second sign for Light Bridge as well as portico signage that lists the other tenant's names. Exhibit A- 5, sheet A-2, the "Elevations" for building B were presented. Building B will house additional tenants. They are redoing the front the same as the other buildings. Once again the unlit signage on the front portico will be added for the tenants. Mr. Mihalik directed the Board to sheet PR -8 "Signage Info", already submitted. Building C will also have door signage. Building A will not have door signage.

Robert Correale asked Mr. Mihalik about the letter from our Fire Marshall Tom Trepasso. He asked him to talk about the exterior fire escapes. J. A. Mihalik said the child care will have sprinklers. They are looking at sprinklers for the second floor CPA area. They plan to put a line to other building for future sprinklers. He felt the exterior fire escapes were safe. They will repaint them and certify their safety. Mr. Correale asked Mr. Mihalik if he had addressed items listed in Bill Ryden November 13th letter. He had mentioned site lighting (#10) and there would

be additional testimony from the engineer. He clarified fences (#11) are 6ft high and sit on the retaining wall. The lighting (#14) discussed pertained to internally lit signs not those for emergency egress. The sidewalks (#15) will be asphalt. Mr. Correale moved on to the report prepared by Borough Planner Mr. Phillips. Lighting (#13) will be addresses by the engineer. Drop-off and pick-up (#10) will be handled by the Traffic Engineer. He had already clarified the new fence (#14) is 11ft or 6ft above the retaining wall. Lastly the monument sign (#15) will be moved back onto the property off the Route 46 right-of-way. The Board had no additional questions of this witness. No one from the public wished to ask questions of this witness. Due to the late hour the Board decided to carry the application to their January 24th meeting.

COMMITTEE REPORTS: none

Other Matters

Planner Paul Phillips has a conflict and cannot hear our upcoming application from the Sunrise Development. Mitchell Stern made a motion to appoint Philip Abramson of Topology the substitute Planner for the Board on the Sunrise application. A second was provided by David Shepherd and the Board voted 9 -0 to approve the appointment with members Kane, Stern, Barnett, Russo, Nachshen, Horan, Shepherd, Coppola and DuTertre voting in favor.

Martin Kane adjourned the meeting at 10:36PM.

Respectfully submitted,

Cynthia Shaw, Secretary