

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

January 29, 2015

Chair Jim Bailey read the Open Public Meeting Advertisement Notice adopted at the annual meeting on January 30, 2014: 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: 7:33 PM

ROLL CALL:

Members Present: Bailey, Kane (7:45pm), Russo, Horan, DuTertre, Holmberg and DeVenezia

Absent: Nachshen, McWilliams, Tovo, Dagger

Also Present: Attorney Peter Henry, Engineer Bill Ryden

REORGANIZATION:

Election of Chair – Bethany Russo nominated Jim Bailey Chair of the Planning Board; John Horan provided the second. Jim Bailey was elected by voice vote of all eligible voters.

Election of Vice Chair – Jim Bailey nominated Martin Kane Vice-Chair of the Planning Board; Nick De Venezia provided the second. Martin Kane was elected by voice vote of all eligible voters.

Appointment of the Attorney – James Bailey made a motion to appoint Peter Henry of Dillon, Bitar & Luther the Planning Board Attorney; Bethany Russo provided the second. The motion was approved by a 6 to 0 roll call vote.

Appointment of the Planner – Peter Holmberg made a motion to appoint Paul Phillips of Phillips, Preiss, Grygiel, LLC, the Planning Board Planner and John Horan provided the second. The motion was approved by a 6 to 0 roll call vote.

Appointment of Board Engineer – Bethany Russo made a motion to appoint Bill Ryden of Anderson and Denzler Assoc., Inc. the Planning Board Engineer and Peter Holmberg provided the second. The motion was approved by a 6 to 0 roll call vote.

Appointment of Secretary – Peter Holmberg made a motion to appoint Cynthia Shaw the Planning Board Secretary and John Horan provided the second. The motion was approved by a 6 to 0 roll call vote.

Designation of Official Newspapers – Nancy De Tertre made a motion to designate The Citizen and The Daily Record the official newspapers for the Board, John Horan provided the second. The motion was approved by a 6 to 0 roll call vote.

Determination of Meeting Dates – Bethany Russo made a motion to accept the proposed meeting dates for the Planning Board, Nancy De Tertre provided the second. A voice vote of all eligible members approved the following dates.

February 26, 2015

March 26, 2015

April 23, 2015

May 28, 2015

June 25, 2015

July 23, 2015

August 27, 2015

September 24, 2015

October 22, 2015

November 19, 2015

December 17, 2015

January 28, 2016

Re-adoption of By-Laws – Nancy De Tertre made a motion to adopt the By-Laws of the Planning Board and John Horan provided the second. A voice vote approved the adoption of the by-laws.

REVIEW OF MINUTES: Nick De Venezia made a motion to adopt the minutes of the November 20th meeting. Nancy De Tertre provided the second; the minutes were approved by voice vote of all eligible voters.

RESOLUTIONS:

ZISIS, Inc.

Appl. # 13-255

Nick De Venezia made a motion to accept the resolution of approval and John Horan provided the second. The resolution was adopted by a vote of 3 to 0 with members Bailey, Horan and De Venezia voting in favor.

PUBLIC HEARING: none

COMPLETENESS DETERMINATION:

Park Lakes Tennis Club, Inc.

Appl. #15-258

20 Rainbow Trail

Bk. 18 Lot 19

Site Plan Review

R-1 & R-A Zone

Park Lakes Tennis Club, Inc. was at the Board meeting to determine the completeness of their application. Bill Askin, a licensed Attorney in the state of New Jersey, would be representing them. The applicant wished to replace the current club house and add 2 additional paddle courts. Currently there are 3 paddle courts and 5 tennis courts. Mr. Askin continued, based on the feedback from Borough Engineer, Bill Ryden, they would like to amend their application to add three additional waivers to those already submitted. They are #20 – the location of all structures within 200 ft. of the property, #25 – the plans for all proposed buildings and #28 – a surface water management plan.

Marc Walker, licensed Engineer in the state of NJ, presented information to support granting the waivers. He referenced sheet 3 of 6, already submitted, the site layout plan. The 5 tennis courts are close to the homes on Rainbow Trail. To the south is the old Newsweek building and town property is to the east. They propose replacing the current paddle hut, adding two more paddle courts and maintaining their 38 parking spaces. Wetlands are located on the easterly part of the site. The proposed improvements require a major site plan approval.

Mr. Walker presented their reasons for requesting the following waivers:

Item #5 (scale) - a scale of 30' = 1" is easier to read than 50' = 1".

Item # 20 (structures within 200 ft.) – They don't need to show the homes on the opposite side of Rainbow Trail because they are far away from the planned improvements.

Item #21 (parking) – The club has no improvements planned for the 38 parking spaces they currently have. They never have more than 20 people on the courts at any time.

Since paddle is a winter sport and tennis a summer sport their use does not overlap. Jim Bailey asked if one activity was closed while the other was in use; no they are not.

Item #25 (proposed elevations and plans) - Plans were submitted for the club house. They are willing to provide photos of the paddle courts already there as "plans" for the courts since they are building the same thing.

Item #26 (environment impact statement) – The use already exists and the club does not plan any changes in the current use.

Item #28 (surface water management) – This is not applicable because they are adding less than 2000 sq. ft. of coverage which is less than 5 % of the property. The paddle courts are designed for the water to seep through the spaces between the boards and snow is shoveled off the sides.

Item #29 (groundwater management) – The improvements are of minimal impact and they are not proposing any underground tanks or septic systems. They will connect to the current sewer line and the propane tanks will be removed.

Item #30 (landscape plan) – All the courts are within the wooded area of the property which has no formal landscaping. 22 trees will be removed to accommodate the paddle courts.

Item #32 (wetlands transition area) – The site plan shows the required 50 ft. buffer. An LOI was done in 1996 showing less wetlands area than today. The DEP rules have changed and they are now required to identify wetlands much more conservatively.

Mr. Ryden explained item #28, the surface water management plan, required detail plans for the courts. The Board will see how they are built and how the water would run off the platforms. If the surfaces are solid then a surface water plan would be required. The Applicant offered to provide photos of the current courts.

Jim Bailey asked if the Board had any questions or comments. Martin Kane, Jim Bailey and Bethany Russo want more information on the landscape plan. Martin Kane also wanted more information on the parking plan. Peter Henry added the ordinance states the applicant needs 95 spaces for their site. Bethany Russo wanted a LOI for the wetlands before the case was concluded. John Horan agreed asking what the size of the wetlands area was. Mr. Walker said it's about 1 acre of the approximately 6 acre parcel. Nancy Du Tertre asked why the wetlands delineation was so different than in 1996. Marc Walker explained the rules are different today, now the DEP just looks at the hydric soils, they don't look at the vegetation anymore.

Nick De Venezia asked if there were any variances on this application. Peter Henry said there may be a need for a parking variance.

The Board discussed the best way to approve or deny the waivers requested. Peter Holmberg asked Bill Ryden which waivers he would grant. Bill Ryden said he would grant them all. However he would want to see everything submitted during the course of the hearing with the exception of the change in the scale and the groundwater management requirement.

The Board voted to grant a waiver for #5 (scale), #26 (environmental impact statement), #28 (surface water management plan) and #29 (ground water management plan). They granted a waiver for #30 (landscape plan) but wanted a plan submitted at the hearing. They also granted #32 (wetlands transition area) but planned to make a LOI from the NJDEP a condition of the resolution. A partial waiver was granted for #25 (proposed elevations and plans). The plans for the court did not have to be prepared by a licensed Architect. A waiver was not granted for #20 (structures within 200 ft.) and #21 (parking). The application was carried to the 26th of February. The Attorneys will discuss the need to notice the variance for parking.

COMMITTEE REPORTS:

The Board had received copies of proposed changes to all the Planning Board applications, check lists and instructions. They were updated by the Board Administrator and Engineer and reviewed by Board members Corey Nachshen and Jim Bailey. The Board was asked to comment on the changes made. Bethany Russo asked if smaller plans (11" x 17") could be given to the Board they would be easier to handle during the course of the hearing.

The Administrator said that could be incorporated into the directions.

Mr. Ryden, Mr. Henry and Mrs. Shaw will meet to finalize the proposed revisions of the documents.

REVIEW OF EXECUTIVE MINUTES:

Jim Bailey made a motion to adopt the executive minutes of the November 20th meeting. John Horan provided the second; the minutes were approved by a voice vote of all eligible voters.

Other Business

No one from the public was present.

Jim Bailey made a motion to adjourn the meeting at 9:35PM.

Respectfully submitted,

Cynthia Shaw, Secretary