

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

November 30, 2020

Chair Martin Kane read the Open Public Remote Meeting Notice published in the Citizen on November 4, 2020 and Daily Record on November 5, 2020: Adequate notice of this meeting was posted with the Borough Clerk and on the Front Door on November 19, 2020 and made available to all those requesting individual notice and paying the required fee.

Start: 7:32 PM

ROLL CALL:

Members Present: Kane, Horan, Holliday, Coppola, Shepherd, Stern, Berei, Menard, Russo and Leininger

Also, Present: Attorney, Peter Henry, Engineer, Bill Ryden

PUBLIC COMMENT: No one wished to make a public comment.

REVIEW OF MINUTES: none

RESOLUTIONS: none

PUBLIC HEARING:

Park Lakes Tennis Club	Appl. #20-274
20 Rainbow Trail	Blk. 18, Lot 19
Site Plan/Parking Variance	Zone R-1/R-A

Bill Askin, Attorney for Park Lakes, continued the application presentation started on October 22nd. He reminded the Board how the club used the courts and when they would need to access the parking area at St. Catherine's. Based on Board feedback Park Lakes decided to reach out to St Catherine's Church to obtain written permission for the overflow parking the club required. They need a parking variance and were requesting relief based on the special circumstances or the C-2 criteria. The purposes of the MLUL would be advanced by a deviation from strict compliance with the code. There would be no detriment to the public good and the benefits outweighed the detriments. They have contacted the propane company to remove the empty tank. The club was willing to add the speed hump to the driveway if the Board wanted to make that a condition of the resolution.

Marc Walker, the applicants Engineer, would go on to explain the different parking options. The Park Lakes Board agreed to resurrect the old parking area along Pinewood Lane to accommodate the additional 14 parking spaces needed. Mr. Walker showed the Board where the additional parking was located on exhibit A-1, the site plan. At the same time Park Lakes was voting on the parking expansion they went to the church to secure formal permission to use their parking lot. He went on to submit exhibit A-3, a letter from St Catherine's, granting the club permission to use their parking lot. Park Lakes thought the overflow parking at St Catherine's was the better

option for the homeowners on Pinewood Lane. Based on experience they don't think they will need to use the old front parking lot if they have the church lot.

Marc Walker reference page 5 of 5, The Lighting Plan, dated 11/16/20. On the paddle courts the lighting produces between 30 to 50ft candles. Mountain Lakes does not have a lighting limit level beyond the property line. The plans showed the foot candles at the property line were zero. The light fixtures point downward. The dash lines on the plan represented the windscreens which reduce the light coming off the court. The foot candles on the plans do not take the windscreens into account so the light spillage would be less. As requested, a photo of the existing courts, the paddle court dimensions, and the windscreen specifications were added to the plans. Peter Henry questioned the lighting in the parking lot. Mr. Walker said there was adequate lighting to get from the paddle courts to the parking lot. There was an evergreen hedgerow between the neighbor homes and the courts which would block any light spillage.

Martin Kane asked about updating the wetlands designation. Mr. Walker said there would be a slight change in the wetland boundaries, of approximately 10ft, in some areas. The DEP told them not to resubmit until they get the endangered species list. Based on his professional experience they expect the boundary to be set at 50ft. The applicant was willing to make the DEP approval a condition of the resolution. Mr. Kane confirmed all the lights were being turned off at 10:30PM. Bill Askin and Bob Engdahl agree the club would be open between 8AM to 10:30PM with lights off at 10:30PM. David Shepherd asked if the Borough had an ordinance concerning parking lot lighting. Peter Henry responded there was a lighting standard, and the site did not meet those standards. The Planning Board has been asked to continue the practice previously approved, keeping the lighting out of the community. Bethany Russo confirmed the pathway to the church had no lighting. Mitchell Stern asked what the path was made of. M. Walker answered it was gravel and used by the neighborhood. What was the length of the path? Bill Ryden said it measured 600ft on google maps. Mr. Stern questioned what would happen if the parking permission were revoked. Mr. Walker answered if the Club maintained its insurance and they did not abuse the privilege it should remain. Bill Aksin continued if it were revoked, we would go to the old front lot. Bill Ryden asked if the church agreement was for the other 14 spaces. The letter does not have any details. He also asked if the lighting plan showed all court lights on at one time. M. Walker said yes. Mr. Ryden asked Mr. Walker to explain the court light source. The lights were LED shoebox fixtures. Mr. Ryden asked the height of the screening. It is 13 ft high which matches the height of the fence. Mr. Ryden requested the speed bump details be added to the plan. B. Russo asked if they could add more than one bump. David Shepherd asked if the bump would go across the road. Mr. Stern asked if the letter could be updated to include a minimum of 14 spaces and the hours of usage. Nick Coppola asked about the 12ft cinder block wall on the plans. Marc Walker said the wall was used for hitting balls against. Bob Engdahl agreed it was a backboard for hit balls, but parking takes preference. Peter Henry asked about the pickle ball court in the parking lot. B. Engdahl said the court was used if the parking was not needed. Right now, the club has dual lines on one paddle court, they will most likely add lines to another paddle court for pickleball. Peter Henry felt this could be an issue with limited parking. Martin Kane understood using the lot when not needed to play the game. Bill Askin responded we hope the Board could support the use of the lot during Covid. Jeff Berei commented the wind screens were only on three sides. Mr. Walker explained the west side was the club's viewing

area. If they screened that side members could not watch a match plus there was the hedgerow on that side to provide screening.

Chairman Kane opened the hearing to the public for questions. Cathy Hadjiloucas, of 5 Lakewood Drive, asked the number of courts proposed. If the pickle ball courts remained how many spots would be lost? Is there precedent for parking off site? Would you require your members to use the off-site parking? Do you offer reduced membership costs to the neighbors? She was concerned with the overdevelopment of this area of the town. Mr. Walker said they have 5 tennis and 3 paddle courts. They are requesting 3 additional paddle courts. Pickle ball does not take place if the spaces are needed for parking. Peter Henry said the off-site parking would not satisfy the parking requirement, but most Boards accept off-site parking as an option for periodic overflow parking. If this parking lot were full no parking would happen on the street and they would be required to go to St. Catherine's. As for neighbor memberships Bob Engdahl responded we did have a social about the project and we have had discussions at the Board about reduced rates. Martin Kane said the club is a grandfathered use and had been in the community since 1944. The use is permitted in our zoning and our Master Plan. Dena Muniz, of 7 Rainbow Trail, asked if Mr. Walker could explain the wetlands in more detail. Marc Walker answered one of the checklist items was to delineate the wetlands and get an interpretation from the DEP. Their survey crew did the survey, the DEP inspected the site and made a few adjustments to the line. We are waiting for a letter from the DEP stating any changes they needed to make to the wetlands transition area. There is usually a 50ft requirement for the buffer area. They will change their site plan according to the DEP letter. Martin Kane added, whatever the DEP said would take precedent. Bill Ryden explained the wetland transition areas are normally done for large areas not property by property. The transition areas in the Borough are usually 50ft. Mr. Kane asked if there were any additional questions or comments from the Board. Tom Menard asked why the club abandoned using the old parking area. Mr. Walker said it was gravel with grass growing in it. If they used it the Board would require a waiver for not paving and stripping it. We thought it best to not park too close to the neighborhood. It would be our back up plan if something were to happen to the St. Catherine's arrangement. Tom Menard made a motion to approve the application with the following conditions. Speed bumps would be added to the driveway and approved by the Borough Engineer, the propane tank would be removed, they will receive approval of the wetlands delineation from the DEP, all standard conditions would apply, they must use the approved plans, exhibits and screening material presented, all lights will be on 4 hour timers and the lights will be on a master timer that goes off at 10:30PM, they will meet the affordable housing obligation if required, all other previously conditions will still stand, the St. Catherine's agreement will be revised to reflect the number of spaces and the hours of operation and there will be no on street parking. Kelly Holliday provided the second. The Board voted 9 to 0 to approve the application with members Kane, Horan, Holliday, Coppola, Shepherd, Stern, Berei, Menard and Russo voting in favor.

Other Matters –

Committee Reports – There were no committee reports.

Martin Kane made a motion to close the meeting at 9PM.

Respectfully submitted,

Cynthia Shaw, Secretary