

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

October 22, 2020

Chair Martin Kane read the Open Public Remote Meeting Notice published in the Citizen on October 7, 2020 and the Daily Record on October 8, 2020: Adequate notice of this meeting was posted with the Borough Clerk and on the Front Door on October 12, 2020 and made available to all those requesting individual notice and paying the required fee.

Start: 7:30PM

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: Dena Moony, of 7 Rainbow Trail, mentioned other people were trying to get on the zoom meeting and were having difficulty.

REVIEW OF MINUTES: Kelly Holliday made a motion to adopt the minutes of the September 24th meeting. Jeff Berei provided the second; the minutes were approved by voice vote of all eligible voters.

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

William Askin, a licensed attorney in the state of NJ, would be representing Park Lakes Tennis Club. He called Marc Walker, a licensed engineer in the state of NJ, to begin the presentation. Mr. Walker reviewed their request for the 6 waivers listed in Bill Ryden's report dated September 28, 2020. The waivers were for plan scale, building plans and an Environmental Impact Statement. They also requested a waiver for a Surface Water Management Plan since they were not changing the Improved Lot Coverage. A waiver from preparing a Wellhead Protection Plan since they were not near the town wellheads and a Landscape Plan since they were in the woods. Mr. Ryden recommended the Board grant the waivers. Mitchell Stern made a motion to grant the waivers and find the application complete. A second was provided by David Shepherd. The Board voted 9 – 0 to grant the waivers and deem the application complete with members Kane, Horan, Holliday, Coppola, Shepherd, Stern, Berei, Menard and Russo voting in favor.

William Askin said the club was seeking site plan approval to add 3 additional paddle courts. They need a variance for the number of parking spaces. They need 101 spaces but only have 30

spaces. Jeff Breda, the President of the club, was sworn in. He gave the Board a history of the club. It started with 5 clay tennis courts then added 3 paddle courts and most recently added the warming hut. Membership was 200 in the 1970's and is now at 100. They need the additional courts for paddle to be used in the fall and winter. The tennis courts are only used in spring & summer. Co-vid has increased their membership as people seek outdoor sports. Tom Menard asked how many people could play at one time. Currently, if all the courts were full, 20 could play tennis and 15 could play paddle. They do have an agreement with St. Catherine's church to use their parking lot when it is not being used by the church Bethany Russo asked what the hours of operations were. They are 8am to 10:30pm. The tennis courts do not have lights, but the paddle courts do. Kelly Holliday questioned how the parking lot was full and only once court was in use when she visited the site. Mr. Breda said they added a pickle ball court in the parking lot, but it was not lit. Martin Kane was not sure the club could use the parking lot as a court since they didn't have approval to do so. Mitchell Stern commented, right now, in the worst-case scenario the club would be running 8 courts at any time. The total number of members would be 32, if you add three more courts, you will need 44 parking spaces. Mr. Menard asked if people parked on Rainbow Trail? No, they do not. Meghan Leininger asked if the lights were on a motion sensor? The courts use LED lights and are on 4-hour timers. The club members can shut them off at any time. John Horan asked if you needed 35 parking spaces where would the overflow parking go? Mr. Breda answered they could use the church plus there is an old parking lot on the property that they could use. Tom Menard asked if the path to the church was lit. No, it wasn't people use flashlights. Were the courts heated? Yes, but only for melting the snow. Kelly Holliday asked if the Shade Tree Commission reviewed the application. They had not. Bethany Russo commented in the last application you asked for 3 paddle courts and only built one. Why was that? Mr. Breda said the cost and to reduce friction. Mrs. Russo asked why they wanted 3 now? They hoped to attract more members. John Horan asked if the club meet with the residents. Mr. Breda answered yes, they had a social but only a few people came out.

The Chair opened the hearing to the public for questions. Cathi Hadjiloucas, of 5 Lakewood Dr., asked if the neighbors could walk through the club. Jeff Breda responded they could. She asked if the town subsidize the club. No, it did not. Brian Lynch, of 1 Fernwood Trail, confirmed where the courts were going and expressed his concern with how fast people were exiting the club. Oliver Chan, of 31 Rainbow Trail, was also concerned about traffic safety; cars exit the club too fast. Dena Muniz, of 7 Rainbow Trail, asked if the club could add speed humps to their driveway. She mentioned she was not invited to the club social. Park Lakes sent the invitation to the 25 homeowners on the 200ft list. About 3 to 4 homes came.

Club member Bob Engdahl spoke about the parking. There are two league seasons at the club, and they use different courts on the property. There are 4 men's leagues and 1 women's league. The women may add another. There are never two leagues using the club at the same time. Team members from other clubs usually travel in one car. League play usually uses 4 courts, and they have three. They want a court for lessons and a court for member play. He has never needed to go to the church lot to park.

Marc Walker presented exhibit A-1, titled Site Plan Exhibit dated 10/19/20, it was a colorized version of site plan on an aerial photo. The property is in 2 zones, R-1 and R-A. The Borough's conditional use in those zones allowing for clubs. There is a 50ft setback requirement. The last

two existing tennis courts do not meet the 50ft requirement. The proposed courts are 147.7ft to the property line at the closest point. There are also several walkways, a path to the church, the warming hut, and a deck. They need access around the paddle courts so they can remove snow from the courts during the winter. There is a large wetlands area on the property. They have requested a letter of interpretation from the DEP. They are expecting a response shortly. The wetlands have a 50ft transition area. Their proposal is very confined. The tennis courts have an evergreen screening that block the view of the courts for the neighbors. The paddle courts can be seen from the neighbor's property. He presented exhibit A-2 showed a photo of the paddle courts at a different location with and without light screening. The exhibit was a sample of how the screens would work. This screening will help control the lights spilling onto the neighboring properties. Peter Henry asked how much screening Park Lakes would be adding. Mr. Walker said the club will be adding screens around the perimeter of all the paddle courts. Meghan Leininger asked if there were any fabric specifications. Mr. Walker said they were willing to add a condition to the resolution requiring them to use the fabric that would provide the most screening for the neighbors. Mitchell Stern asked him to explain the paddle court surface. Mr. Walker said the surface was made up of slats that are rough like sandpaper. The slats are open so water can drain through. Kelly Holliday asked if they could park in the last two spaces on the lot. They are usable. Peter Henry pointed out the propane tank on the site plan. It was supposed to be removed under the last resolution. Park Lakes did bring in new gas lines to heat the courts. The in-ground tank was removed but there is one empty above ground tank still on the property. Mr. Walker said they will make sure the tank is removed.

The Chair asked the Board if they had any questions. Meghan Leininger asked if the town have any wattage requirements for lighting. Bill Ryden said the town has limits on light spillage beyond the property. Mr. Walker confirmed the courts would be individually lit and they would have the same number of lights as the existing courts. Mr. Ryden would like to see construction plans for the courts and the screening specifications. Bethany Russo said the Board needed a lighting study and information on how the screening would affect the neighbors. Meghan Leininger was concerned about lights in the neighbor's window up to 10:30pm. Bethany Russo asked about lights in the parking lot. Jeff Breda the lights on the warming hut are on motion sensor which allow you to get to the car. There is one security light in the parking lot that stays on all the time. Tom Menard asked could the courts have lights that go off at 10:30PM. Kelly Holliday agreed, could they have a master timer that shuts everything off at 10:30PM. The club was fine with that condition. Bill Ryden requested if any changes were made to the wetland delineation, as per the DEP LIO, the plans be updated. Mr. Walker added the foot candles would not travel 150ft to the property line. The glare was a different thing, but the planned screens would take care of that. W. Ryden said the Board needed documentation by the manufacturer stating the light reduction from the screening. There were no questions from the public.

Craig Marsden, a member of the club, was sworn in. He stated he was a member for 14 years and never had to park on the street. Mr. Marsden had taken some tests on the site lighting and was going to provide testimony on the proposed site lighting. William Ryden asked if Mr. Marsden had ever done site plans or provided lighting foot candles on plans. He had not. He had provided such information in the medical field. Mr. Ryden asked if he had looked at the lights proposed and had information on their illumination? How much would the screening reduce the light

spillage. Craig Marsden responded the club was installing LED lights which scatter a lot less light. He has read the lumens on the existing lighting but did not have the information on the lumens from the new lighting. The club suggested they would provide the information as a condition of approval. Bill Ryden need lighting plan from an expert and was not comfortable making it a condition of approval. Mr. Marsden was not determined to be a lighting expert in this situation. Tom Menard was willing to accept testimony that the lumens would not increase. John Horan and other Board members wanted to wait for additional expert testimony. The Board agreed to carry the application to Monday, November 30th as a special remote meeting. The applicant will need to provide the Board with a lighting plan and the screening specifications. Tom Menard would like to see some traffic control measures added to the Park Lakes driveway. Kelly Holliday was concerned about the parking situation. Mr. Menard agreed. Both members thought they should be adding parking spaces for the additional courts. Marc Walker said they could add parking in the front of the tennis courts. There was an abandoned parking area accessible from Pinewood Lane that could be revived. It was suggested they add enough spaces to achieve a total of 44.

Other Matters –

Committee Reports - none

The Board discussed the logistics of the in-person meeting planned for October 29th.
Martin Kane made a motion to close the meeting at 9:45PM

Respectfully submitted,

Cynthia Shaw, Secretary