

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

September 22, 2016

Vice Chair Corey Nachshen read the Open Public Meeting Advertisement Notice adopted at the annual meeting on January 28, 2016: 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 01, 2016 and made available to all those requesting individual notice and paying the required fee.

Meeting start: 7:31pm

**ROLL CALL:**

Members Present: Nachshen, Sheola, Horan, DeVenezia, Russo, Dagger (7:34pm), du Tertre and Mirsky

Absent: Kane, Holmberg, and Borin

Also Present: Attorney Peter Henry

Also Absent: Engineer Bill Ryden, Planner Paul Phillips

**PUBLIC COMMENT:** No one wished to speak during the public portion of the meeting.

**REVIEW OF MINUTES:** Richard Sheola made a motion to adopt the minutes of the July 28, 2016 meeting. John Horan provided the second; the minutes were approved by voice vote of all eligible voters.

**RESOLUTIONS:** none

**EXTENSIONS:**

Evergreen Realty Group

App. #14-257

The Administrator explained the Villa had been sold to ML Mansion on 46, LLC. The new owners need a little time to review the hotel approved for the site. The property's protection from a change in the zone runs out in October of 2016. They have requested a one year extension of that protection in order to explore their options. The extension will coincide with the expiration of their variances.

Corey Nachshen did not have a problem granting the extension since the owner was new. Arlene Mirsky thought a year was a long time. Peter Henry said a one year extension was standard. He continued you actually are allowed three one year extensions. John Horan agreed it was standard and should be granted.

A motion was made by Richard Sheola to grant the one year extension for protection from a zone change. A second was provided by Nancy du Tertre. The Board voted 8 – 0 to approve the extension with members Nachshen, Sheola, Horan, DeVenezia, Russo, Dagger, du Tertre and Mirsky voting in favor.

Zisis, Inc. t/a Paul's Diner

App. #13-255

An email was sent by the attorney for Paul's Diner requesting a retroactive extension of the variances approved for a handicap ramp. Corey Nachshen was fine with granting the

retroactive three month extension to October 29, 2016. Nancy du Tertre asked for clarification. Peter Henry explained the variances expired on July 29<sup>th</sup> and the applicant had not requested the allowable 18 month extension. The Administrator explained the applicant submitted their plans for a permit the day after they expired. They were unaware there was a deadline for obtaining the permit. In addition the Board did not meet in August to consider the extension.

John Horan thought a handicap ramp was a positive improvement and made a motion to approve the retroactive three month extension of the variances. Richard Sheola provided the second. The Board voted 8 – 0 to approve the extension with members Nachshen, Sheola, Horan, DeVenezia, Russo, Dagger, du Tertre and Mirsky voting in favor.

**PUBLIC HEARING:**

Kings, Mountain Lakes, LLC  
145 Route 46  
Major Subdivision, Major Site Plan  
Sign Variance

App. #16-261  
Blk: 116, Lot: 3.01  
Zones OL-2 & R-AH2

The applicant has requested their application be carried to the October 27, 2016 meeting due to the recently received reports from the Borough professionals and a memorandum from the objector.

A motion was made by Richard Sheola to allow the application to be carried to the October meeting. A second was provided by Corey Nachshen. The Board voted 8 – 0 to carry the application with members Nachshen, Sheola, Horan, DeVenezia, Russo, Dagger, du Tertre and Mirsky voting in favor.

**COMMITTEE REPORTS –**

Sign Ordinance Committee – The group met after the July Planning Board meeting and again on August 25<sup>th</sup> to work on the Sign Ordinance. Arlene Mirsky said they were currently working on a draft. Peter Henry said there was a new case decided in NJ Supreme Court on Billboards. He would forward the latest ruling to the committee.

OTHER MATTERS – John Horan, liaison to the Environmental Commission, asked if Kings of Mt. Lakes had any comments on the Commission’s report. The Administrator said to date nothing had been received.

Corey Nachshen adjourned the meeting at 7:50PM.

Respectfully submitted,

Cynthia Shaw, Secretary