

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

September 26, 2019

Chair Martin Kane read the Open Public Meeting Advertisement Notice adopted at the annual meeting on January 24, 2019: 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: 7:35PM

**ROLL CALL:**

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

Absent: Russo and Mirsky

Also, Present: Attorney, Peter Henry

Also Absent: William Ryden, Engineer

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

**REVIEW OF MINUTES:** Jeff Berei made a motion to adopt the minutes of the May 23, 2019 meeting. John Horan provided the second; the minutes were approved by voice vote of all eligible voters.

**RESOLUTIONS:** None

**PUBLIC HEARING:**

Island Beach  
Boulevard  
Site Plan

Courtesy Review  
Blk: 100, Lot 29  
R-A Zone

Borough Manger Mitchell Stern presented the building design and site plans for the renovation of the Island Beach facilities. On the north side of the property there will be a building containing the bathrooms and concessions. The exterior will be similar to the Birchwood Beach building. Three trees will be coming down. The Shade Tree Commission asked them to remove less trees by slightly moving the building. For every tree removed the Borough will add a tree but they may or may not be planted at this site. They will not be touching the driveway and parking lot. There will be minor drainage work done at the base of the parking lot to help with the run off. They plan to remove some of the rocks on the south side of the lot to help with the parking. Later the Borough will work on the boat racks and add paddleboard racks. The swing set location has been difficult to identify which is why it is on the site plan twice. Once the building location is finalized the swing set will be located.

Lauren Barnett added they wish to replace the planters in the parking lot with something else. They plan to remove the concrete pads by the picnic tables since they are not used. Tom Menard agreed the buildings should be moved toward the beach to save healthy trees. Nick Coppola

asked about the existing shower. It will be relocated to the west of the building. Megan Leininger asked about adding additional play equipment. Mitchell Stern said they are still looking to add more equipment in a different location than the swings. Jeff Berei asked if they would be reusing the existing concrete building pad. Mr. Stern said no because the building will now be closer to the parking lot for handicap access. Kelly Holliday asked about installing a pervious parking lot. Mitchell Stern said they were difficult for handicap people and they don't handle the frost. M. Leininger asked about using pavers with holes. Marty Kane said he has some experience using them and they don't hold up to plowing.

The Board asked the Administrator to send a memo to the Council conveying their approval of the project. They agreed with the Shade Tree Commission about moving the building and removing less trees. They also requested low maintenance gardens be installed that could handle the driveway run off.

### **COMMITTEE REPORTS:** None

### **OTHER MATTERS:**

**B- Zone** – The Economic Development Advisory Committee (EDAC) has been looking at making changes to the permitted uses in Zone B to “modernize” the Ordinance. An ad-hoc committee of the EDAC was formed to review the zone. The committee was made up of members of Economic Development, Planning Board, Zoning Board, Council, Historic Preservation Committee and the Environmental Commission. Their recommendations were provided to the Planning Board. The proposed Ordinance has not been introduced. Marty Kane said the main issues of concern were the height of buildings in the zone and allowing gas stations or dry cleaners.

Dry Cleaners - Kelly Holliday said the committee was comfortable allowing a satellite building for drop off and pick up of dry cleaning. There would be no actual dry cleaning done on site. Martin Kane said if we had a proper definition for a satellite business, we could use it to make cleaners a permitted use. The Planning Board was comfortable with this approach.

Height - Marty Kane said the current Ordinance has the height at 35ft in this zone except for hotels which can be 60ft. Tom Menard suggested we use a mean roof height to promote pitched roofs and eliminate flat roofs. Other members thought a height of 48ft for a hotel was too high. Jeff Berei explained the ad-hoc committee originally wanted to allow 4 stories buildings and lowered it to 3 stories. L. Barnett asked what the height of a 3-story commercial flat roof building was. Kelly Holliday answered it was usually 12ft per story. Meghan Leininger said if you want to do mixed use you need 15 to 20ft for retail and two additional stories of residential. J. Berei said using 48ft gives you flexibility.

The Board discussed adding architectural interest to the buildings in Zone B. Peter Henry said anything the ad-hoc committee wishes to require architecturally for a building must be in the Ordinance. J. Berei responded that was why they added item 2e. We wanted to use roof lines and architectural elements to create an interesting facade. Kelly Holliday noted there were no other architectural element requirements in any other Borough Ordinances. Peter Henry did not think this worked like a Historical Preservation Ordinance, but it was fine to leave in.

John Horan didn't think going from 48ft to 45ft made a big difference but if we allowed 45ft it

would help us self-police the height of a proposed building. In the end the Board recommended reducing the height to 45ft.

Gas Stations - Marty Kane said people were concerned spillage would occur when the delivery trucks were filling the storage tanks. Did we want to allow gas stations in zone B since our aquifer was under the zone? Discussion ensued about the issues pertaining to gas stations, the need for another station, the aquifer, and the safety issues surrounding them. Lauren Barnett asked how many buildings/businesses we allow on a property. Peter Henry said we only allow one use per lot, but the courts do consider gas stations and convenience stores one entity. The Board members each gave their opinion on allowing gas stations. Meghan Leininger was torn, Kelly Holliday was fine, and Nick Coppola was against it. John Horan was concerned with how long this type of establishment would stay open. He was not interested in businesses open for 24hrs. He felt the potential harm outweighed the benefits and was against it. Martin Kane felt the need for another station was not a Board concern it was the applicants. He would include them in the zone. Mitchell Stern said you can handle the safety issues at night with the lighting and staffing; he would vote yes. Lauren Barnett felt a new station was better than an old one, she would say yes. Tom Menard said he would like some statistics on leaks particularly for 200 to 300ft deep wells. He would vote yes. Jeff Berie said he wanted to understand aquifer better but would vote yes to support it.

Martin Kane suggested the Borough hire an independent environmental expert to better understand the effects of gas stations, leaks and to examine our aquifer. Mitchell Stern suggested contacting the DEP to see if they had any statistics on the effects of spills and the aquifer.

Restaurant Drive Throughs would be added as a permitted use to Zone B. It had been suggested the queue be limited to 6 cars. Peter Henry thought someone should consult with a traffic engineer to determine if the 6-car queue was enough. Mitchell Stern thought the queue would be very industry dependent. The Board recommended removing the number allowed in the queue. They would also remove restaurants from the description as to allow other industries in the zone who might use drive throughs.

Tent Sales - The Planning Board did not feel it was necessary to make any changes to this section of the Ordinance.

The Board also felt section 245-15 "*Supplemental Use Requirements*" needed to be looked at and updated.

The Administrator would prepare a memo to Council on the Board thoughts on the proposed changes to the Zoning Ordinance.

Martin Kane adjourned the meeting 9:47PM.

Respectfully submitted,

Cynthia Shaw, Secretary