

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

September 28, 2023

Board Administrator, Cynthia Shaw, read the Open Public Remote Meeting Notice published in The Citizen on February 1, 2023 and the Daily Record on February 3, 2023: Adequate notice of this meeting was posted with the Borough Clerk and on the Bulletin Board on January 30, 2023 and made available to all those requesting individual notice and paying the required fee.

Start: 7:31PM

ROLL CALL:

Members Present: Berei, Russo, Menard, Coppola, and Holliday

Absent: Stern, Horan, Sheikh, Ryan, and Kane

Also Present: Attorney, Steve Tombalakian, Engineer, Bill Ryden

REVIEW OF MINUTES: K. Holliday made a motion to adopt the minutes of the June 15th meeting. J. Berei provided the second; the minutes were approved by voice vote of all eligible members.

RESOLUTIONS: none

PUBLIC COMMENT: No one wished to speak during public comment.

PUBLIC HEARING:

Barka Restaurant, LLC	Appl. # 23-283
60 Route 46E	Blk. 4, Lot 24
Major Site Plan	B - Zone
# of Signs, Sign Area & Height, Sign Setback and Front yard Setback	

Micheal Fisher, a licensed engineer in the state of New Jersey, presented the application. Barka Restaurant installed an open-air pergola over a front yard patio that was approved in 2017. They also installed several new signs on the property. These include two directional signs, two canopies that have the restaurant name on them and signage on the pylon sign support. The pergola does not extend beyond the original approval for the patio and wall. They need variances for the pergola and several signs.

The applicant had requested waivers for completeness. Mr. Ryden noted in his June 9th letter that items A15, A17, A18, A23, A25-A31 could be waived for administrative completeness. The Board found the application complete.

Joseph Donato, a NJ licensed architect, continued the presentation. He listed the signs on the property. The 1st sign is a directional sign at the driveway with an arrow and the name of the business. The previously approved pylon sign now has a sign on the pylon base. The building sign was previously approved. They added two canopies to the building that have the restaurant name on them. A directional sign has been added at the driveway exit but it has no business

name on it.

The building is set back from the road. People are traveling at 40 -50 miles an hour; so, the new building signage allows them to see the entrance better. The directional signs at the entrance and exit are for safety. He did not feel there was any negative impact to the zoning plan. The wall and patio were existing and approved. The pergola doesn't extend beyond them. This also helps people see the building.

Bill Ryden stated the number signs on the property have increased. The total square footage of those signs is 407.9sqft where 40sqft is permitted. In 2017 they received an approval for 121.5sqft of signage. Mr. Ryden questioned the setback of the directional signs. Since the applicant did not know the actual location of those signs, they agreed to locate them no less than 5ft from the property line. Tom Menard questioned the actual size of the awning signs. The left awning is 174sqft and the right is 104sqft. Kelly Holliday noted the previous resolution stated nothing could be put on the awnings. Bethany Russo added they also did not have approval for writing on the bottom of the pylon sign. She found the bottom of the pylon messy. Barka was willing to remove the wording off the pylon base. T. Menard asked if they could take the signs off the awnings. They would rather not.

The hearing was opened to the public. No one was present to comment.

B. Russo appreciated they were removing the additional wording off the pylon sign, but she wanted them to take the restaurant name off the awnings. Both T. Menard and K. Holliday agreed. The front yard setback for the pergola was determined by using the old gas station. Since that was gone the setback should be set using the approved storage facility. The required front setback is now 60.6ft. J. Berei asked when the pergola was constructed. It was built during covid. T. Menard found the pergola acceptable. He felt it was an architectural feature. Nick Coppola asked if the pergola affected the seating. Barka cannot exceed the approved number of seats. J. Berei asked if they would enclose it in any way. The owner said they would not. The applicant asked if they could eliminate the directional signs for the awning signs. B. Russo said the awnings were not the issue, it's the 407sqft of signage.

Steve Tombalakian reviewed the variances the Board was willing to grant. They can add the 2 directional signs off the right of way, they needed to remove the writing on the pylon base, and cover the branding on the awnings. The pergola would not be enclosed. The new required front setback is 60.6ft and they are asking for a setback of 41.6ft for the pergola. The Planning Board approval does not affect the construction of the pergola. The inspections will be done by the construction department.

A motion was made by Tom Menard to approve the application with the conditions above. A second was provided by Kelly Holliday. The applicant had 90 days to remove the signage. The Board voted 5 – 0 to approve the application with members : Berei, Russo, Menard, Coppola, and Holliday voting in favor.

COMMITTEE REPORTS:

Master Plan Committee – On October 26th the Planning Board will be adopting the 2023 Reexamination Report. The draft will be sent to the Board members on the 9th to give them more time to review it.

PUBLIC COMMENT: No members of the public wished to make a public comment.

PUBLIC HEARING:

Other Matters – none

Bethany Russo made a motion to close the meeting at 8:17PM.

Respectfully submitted,

Cynthia Shaw, Secretary