

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

February 28, 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, Russo, Nachshen, Coppola, Berei, Holliday, Stern and Mirsky

Absent: Menard, Horan

Also Present: Attorney, Peter Henry, Engineer, Bill Ryden, Golda Speyer, Planner, Gary Dean Traffic Engineer, Jack Szczepanski, Environmental Engineer

REVIEW OF MINUTES: Lauren Barnett made a motion to adopt the minutes of the January 24th meeting. Mitchell Stern provided the second; the minutes were approved by voice vote of all eligible voters.

RESOLUTIONS: none

PUBLIC COMMENT: none

PUBLIC HEARING:

Carried Applications:

New Land Mountain Lakes, LLC	Appl. #18-266
100 Route 46	Blk. 4, Lot 17.02
Major Site Plan	Zone B
Parking, Lot Coverage, Sign	
Side & Rear Setback	

Attorney Robert Correale said New Land was continuing the presentation of their application. Mitchell Ardman, the Engineer, explained the applicant had made new site plan submissions to address the parking stalls in the right-of-way as well as the lighting on the site. The new “Dimension Plan”, dated January 14, 2019, had a standard aisle in the front of Building A with 5 parking stalls. This made it easier to back out of the spaces. They defined the traffic pattern at the entrance with arrows. The changes to the parking stalls in the right-of-way resulted in the loss of one stall. Gary Dean was satisfied with the design change. Bill Ryden asked would someone be able to back up without hitting the wall. M. Ardman answered they should have enough room to back up.

The lighting plan was also resubmitted. Originally there were some hot spots so they raised the fixtures up on the building and that lowered the foot candles. Bill Ryden thought this change

would be fine but will look at the new design during compliance review to confirm it was satisfactory. He was still concerned about the light levels in the middle of the lot. There is .6 light candles in this area where .5 is standard. Peter Henry pointed out there were no lights between buildings A & B. M. Ardman said he would make sure they are included on the architectural plans.

M. Ardman told the Board he had reviewed the wetlands documentation with Bill Ryden. Mr. Ryden checked the Villa submission and found no LOI from the state DEP. Subsequently New Land provided their own evaluation. Mr. Ryden then reviewed the wetland information with Jack Szczepanski, the Borough's Environmental Engineer, and they found Mr. Ardman's findings acceptable.

Justin Mihalik, the Architect for Lightbridge, reported on the sprinklers for the second floor of building A. They have not determined if they will sprinkle the second floor but they will comply with the current building code. They understand what the Fire Marshall would prefer.

The last area they needed to discuss was the signage. Robert Correale read from the section of the draft resolution pertaining to signage. They proposed not lighting the tenant identification signage at the covered entrances for the non-Lightbridge renters. Peter Henry reminded the applicant the Board suggested at the last meeting they limit the signage to 40sqft per building since this was a unique site. Now you are suggesting your original proposal. J. Mihalik responded you have two facades facing Route 46 and the main sign only has the address. Once you come into the site the other non-lit signs are directional in nature. The signage on the porticos blend with the building. Yes they would like to keep the signage as originally presented. They are still keeping 248sqft of signage for five signs. This is the standard signage at all their sites. Arlene Mirsky asked if there were 1 or 2 illuminated signs. There would be three illuminated signs; one per building. Bethany Russo did not think they needed a second lit sign for Lightbridge. She also did not think they needed to have the tenant signage so large. You don't need a lit sign on building C once you come into the sites. Only the lit signs on Route 46 make sense. Lauren Barnett asked about the current signage on building. The applicant presented exhibit A- 4, a photo of the existing sign on building B for the urgent care facility and exhibit A- 5, a photo of buildings A and B from the Route 46 entrance to the property. Mitchell Stern asked what the actual size of the lettering was on the current tenant signage. Justin Mihalik answered the lettering was 6" x 30". L. Barnett asked how large the sign was now. Bill Ryden responded it was 30sqft. Marty Kane asked for Bill Ryden's opinion. B. Ryden said one sign per building at 40sqft made perfect sense to him. The urgent care sign would be replaced with a new lit sign. Last month we were willing to entertain the monument sign and three signs at 40sqft. Hyden Tiger, owner of the property at 100 Route 46, said he received the approval for the current sign back in 2009 from the Zoning Officer Russ Heiney. He presented exhibit A- 6 the sign-off for the existing sign for the Urgent Care Center which is part of the doctor's lease agreement. He really wanted to make all the signs match. M. Kane replied the Board understood the need to have directional signage and to give representation to all the tenants. However the Board was struggling with the number of signs proposed. He then asked for Board for comments. Arlene Mirsky agreed with the Borough Engineer. She felt the request was outside the area of a viable variance and more than she could agree to. Jeff Berei agreed with A. Mirsky. Mitchell Stern was ok with the lighted signs proposed but thought the portico signs too large. Lauren

Barnett said she understood why they want the sign on Route 46 for Lightbridge. Bethany Russo reminded the applicant the 40sqft was for all the tenants in the building. Corey Nachshen recommended they reduce the signs on each building down to 30sqft. Then they could get rid of the tenant signage on the porticos and mark the buildings A & B then list the tenants inside the building with a directory. Nick Coppola really liked that idea. Bethany Russo also agreed with Mr. Nachshen but still had a problem with the lit sign on building C. Kelly Holliday said we can see the current tenant sign for the doctor at 15sqft. She questioned the need for the 40sqft signs. They needed to reduce the 248sqft. Mitchell Stern liked the suggestion Corey Nachshen made. Martin Kane liked eliminating the signs on the porticos, marking them as building A & B with a directory inside the building. In the end the Board decided each building could have 40sqft of lit signage. The buildings would be marked A, B & C plus the identifier monument at the entrance. All the lighting must comply with the current Ordinance including how long they can stay on. Chairmen Kane opened to the meeting to the public. John Parker, of 6 Littlewood Court, asked if they still needed the decals on the doors. Marnie Vyff, 10 Vale Drive, questioned the sign currently at the Borough Hall. This property was for a commercial site and the rules are different than in a residential area. Peter Henry then went through draft resolution with the Board highlighting the changes made. Mitchell Stern moved to approve the resolution as amended and a second was provided by Nick Coppola. The Board voted 8 to 0 to adopt the resolution with members Kane, Barnett, Russo, Nachshen, Coppola, Holliday, Stern and Mirsky voting in favor.

Sunrise Development, Inc.
1 Old Bloomfield Ave.
Major Site Plan
Sign & Fence

Appl. #18-268Bl. 118.04, Lots 2.01
Blk. 118.04, Lots 2.01
OL-2/R-AH3

Mark Policastro continued the Sunrise application. Their Engineer, Jeremy Lang, explained they had completed their field and geo-technical work. They determined they would be using a combination of a gravity and geo-grid walls since the soils were excellent. A gravity wall will be used to 12 to 13ft. They plan to make the upper portion of the wall (by the eyebrow) a geo-grid wall. The Fire Marshall was fine with the 30ft wide entrance road that goes down to 24ft wide; by code you need 20ft for a fire lane. They will edge strip the road in yellow and mark out the fire lane.

Maser Engineering had submitted to the Board a letter dated 2/13/19 which attempted to answer all the questions brought up by the Borough's professionals and commissions. After attempting to review their responses to the first letter from Bill Ryden's dated December 28, 2018 it was determined Sunrise, through Maser's letter, was leaving too many items to be addressed later "prior to the Chairperson endorsement". The Board requested the site plans be updated to include the missing items and resubmitted for the next meeting on March 28th.

David Shropshire, the Traffic Engineer for Sunrise, had prepared the Traffic Impact Study for the proposed development. He found there would be 23(AM) to 31(PM) peak hour trips. Those trips were all employee related. He used the Institute of Traffic Engineers (ITE) numbers for determining the trip generation. They did update the traffic counts at Cherry Hill Road as

requested by Gary Dean. His firm provided a new report on February 13, 2019. Item #T3 of Mr. Dean's report asked about the traffic generated by the office buildings on this site. One building is 100% occupied and the other is 65% occupied. The new development does not generate a lot of additional traffic. Gary Dean was generally satisfied with the traffic study prepared and appreciated his looking at the Cherry Hill Rd jug handle. Mr. Dean asked Mr. Shropshire to explain why this development had very little effect on the traffic? The study showed outbound traffic occurred between 2:45 and 3:15pm when the shift changed. Inbound traffic would occur at 7am before the peak hour. Nick Coppola asked if they included the Whole Foods development in their study and would it have an impact. They didn't consider that development in the Sunrise study. Both G. Dean and J. Staigar did not think Sunrise would add more than 12 to 14 cars in the afternoon. The morning trips would not affect the traffic into the shopping center.

Chairman Kane opened the hearing to the public. Mimi Kaplan, of 89 Lake Drive, said Sunrise testified they would have 40 employees at the site with 50 to 60% of them not driving. How did they justify that? David Jung answered during the peak shift they expect to have 40 employees. Employees will use car sharing services or public transportation. The 40 employee count is based on their experience. M. Kaplan asked in the traffic study is the "40" based on the number of cars or number of employees. Joseph Staigar said the trip generation was based on ITE calculations not the Sunrise experience. They did not add any mass transit uses to their report. Jim Hyson, of 2 Littlewood Court, said in the 70's Corporate II proposed a stacking lane. Would a stacking lane make it safer? J. Staigar answered their trip generation is employee driven. M. Kane followed up how did they handled the visitors. J. Staigar said they included visitors, deliveries and employees in that number not the non-driving seniors who would be living there. The left turn lane is not warranted since they only have 8 to 10 movements into the development during arrival times. The intersection of 46 and Cherry Hill is metered based on the turn signals. John Parker, of 6 Littlewood Court, told everyone the intersection at Intervale, Cherry Hill and Bloomfield Ave. was dangerous. Mary Ellen Theel, of 8 Center Drive asked how the employees using mass transit would get to the site. Jerry Jung said they will provide shuttles to the site from Waterview Plaza. Sandy Batty, of 15 Lockley Court, asked what signage was planned. Can we require a 25 miles per hour sign? G. Dean said Bloomfield Ave is a DOT road and they have jurisdiction. DOT would have to make those changes.

Jeffery Allen, the Sunrise Landscape Architect, updated the Board on the February 18th meeting with the Shade Tree Commission. They looked at the Sherwood buffer and are willing to supplement the buffer with the missing items. They will attend the next STC meeting to review the proposed landscape plan. The group identified areas along the wall to add landscaping. Sunrise wants to provide their own arborist. Other than that they agree with all the other requests in the STC letter. They will do a revised plan for the Board. Chairman Kane said the final approved landscape plan will be determined by the Planning Board not the Shade Tree Commission. Marnie Vyff, of 10 Vale Drive, said the STC would like to use the Borough arborist since they are comfortable with them.

John Parker, of 6 Littlewood Court, was concerned about ambulance noise. Jim Hyson, of 2 Littlewood Ct, asked if Sunrise was aware that the buffer plan, determined at the time of subdivision, needed to be maintained. The landscape architect was aware of it now that he has met with the Commission. He asked them to add the 100ft buffer line on the landscape plan and

the applicant agreed. Sandy Batty, of 15 Lockley Court, asked if the STC could submit the credentials for the Borough arborist for Sunrise's consideration. Mimi Kaplan, of 89 Lake Drive, asked if there would be a water irrigation system. Since there would be she asked the water usage be added to the calculations. J. Lang said they would drill a well for irrigation. It was explained that was not the practice in Mountain Lakes. Peter Henry asked what times the arborist would need to be at the site. Mr. Allen responded that needed to be worked out. Due to the late hour the application was carried to March 28th without further notice.

COMMITTEE REPORTS:

Affordable Housing – Martin Kane said our settlement with the Fair Share Housing Center was approved last Friday, February 22, 2019. The Board will need to amend the Housing Element of the Master Plan so it incorporates the settlement. After we adopt the changes the Council will adopt Ordinances to facilitate the Master Plan. After the Ordinances are introduced the Planning Board will need to review them for consistency with the Master Plan. Council and the Borough need to complete all compliances before the Borough's June 21st hearing date.

Other Matters

Martin Kane adjourned the meeting at 10:55PM.

Respectfully submitted,

Cynthia Shaw, Secretary