

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

October 29, 2020

Chair Martin Kane read the Open Public In-Person Meeting Notice published in the Citizen on October 21, 2020 and the Daily Record on October 17, 2020: Adequate notice of this meeting was posted with the Borough Clerk and on the Front Door on October 19, 2020 and made available to all those requesting individual notice and paying the required fee. A revised notice was sent to The Citizen and Daily Record by fax, posted on the front door and filed with the Clerk noting the change from an in-person to a remote meeting on October 27, 2020 as per the Covid “Remote Meeting Guidelines” established by the state of New Jersey.

Start: 7:31 PM

ROLL CALL:

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

Also, Present: Attorney, Glenn Kienz

Also, Absent: Engineer, Bill Ryden

PUBLIC COMMENT: Cathi Hadjiloucas, of 5 Lakewood Dr., spoke about the process for hearing the Highview application. She felt the application should be delayed until it was safe to hear it in-person. She asked about a gas leak at the Safeway. Chairmen Kane responded the Board would not know anything about that. She asked why Peter Henry, the Attorney for the Board, wasn't present and the cost of the new attorney. Chairmen Kane explained the Mr. Henry recused himself from hearing the Highview application. Andy Sadowski, of 29 Highview Rd in Denville, thanked the Board for setting up the remote meeting for the Highview application.

REVIEW OF MINUTES: none

APPOINTMENT OF SUBSTITUTE ATTORNEY: Martin Kane introduced Mr. Kienz to the Board. Mr. Kienz listed his credentials for the public. He also stated he would be working for the same hourly rate as Mr. Henry. Tom Menard made a motion to appoint Glenn Kienz, of Weiner Law Group, LLP as the conflict attorney for the Highview application. A second was provided by Nick Coppola. The Board voted 9 – 0 to make the appointment with members Kane, Horan, Holliday, Coppola, Shepherd, Stern, Berei, Menard and Russo voting in favor.

The Chair explained the Highview hearing will be remote next month. David Shepherd added the Board had followed the state direction on in-person meetings. Martin Kane confirmed the Morris County Prosecutor's office had reviewed the directive from the Attorney General's office and agreed our Board could operate under the 25% of the room capacity guidance.

The Administrator shared the Board needed to do a resolution on remote meeting procedures.

RESOLUTIONS: none

PUBLIC HEARING:

Highview Commercial, LLC	Appl. # 20-273
372 Route 46E	Blk. 2, Lots 2, 5. 5.01
Major Site Plan & Minor Subdivision	Zone B
Setbacks: Front (2), Rear & Side, Pervious Buffer (2), Front Landscape Area (2), Parking Stalls, Signs: Area (2), Number, Height (2), Proximity to the Lot Line & Illumination, Accessory Structure Height, Improved Lot Coverage	

The applicant requested their hearing be carried until our next meeting, Thursday, November 19th. A motion was made by Mitchell Stern to carry the application to November 19th and a second was provided by Bethany Russo. The Board passed the motion by voice vote of all members present.

Chairmen Kane opened the meeting to the public for any additional questions. Dena Muniz, of 7 Rainbow Trail, confirmed the application would be heard remotely. Cathi Hadjiloucas, of 5 Lakewood Drive, asked if the town would lose money by not using the Mansion for the hearing. The Administrator responded no.

Other Matters –

Committee Reports - none

The Board discussed the logistics of the meeting planned for November 19th. Martin Kane made a motion to close the meeting at 8:05PM.

Respectfully submitted,

Cynthia Shaw, Secretary