

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

February 22, 2018

Chair Martin Kane read the Open Public Meeting Advertisement Notice adopted at the annual meeting on January 25, 2018: 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: 7:33PM

**ROLL CALL:**

Members Present: Kane, Russo, Dagger, Nachshen, Stern, Barnett, Shepherd, Coppola and Mirsky

Absent: DuTertre and Horan

Also Present: Attorney, Peter Henry and Engineer, William Ryden

**REORGANIZATION:** *Appointment of the Planner* – Tom Dagger made a motion to appoint Paul Phillips, of Phillips, Preiss, Grygiel, LLC, the Planning Board Planner and Corey Nachshen provided the second. The motion was approved by a 9 to 0 roll call vote.

**PUBLIC** – No one from the public wished to speak during the public portion of the meeting.

**REVIEW OF MINUTES:** Mitchell Stern made a motion to adopt the minutes of the January 25<sup>th</sup> meeting. Lauren Barnett provided the second; the minutes were approved by voice vote of all eligible voters.

**RESOLUTIONS:** none

**PUBLIC HEARING:**

Soil Moving Application:

35 Pollard Road, LLC

8 Rainbow Trail

Major Soil Moving

App. SM 18-028

Blk. 7, Lot: 2

Zones R-1

Christine Mirda, the Attorney representing 35 Pollard Road, LLC, Marc Walker, a licensed Engineer in the state of NJ and Tom Menard, the property owner, presented the application. They were seeking a Major Soil Moving Permit to move 1750 cubic yards. Currently there is a dwelling with settlement issues on the lot. The plan is to remove the existing home and build a new house level with the street in the front and with a walk out basement in the back. There are wetlands located on the property so they have filed a #8 permit with the DEP. They will reduce the ILC by front loading the garage; making it part of the house creates less impervious coverage. They will bring fill in to build up the front and sides of the house. In the Borough the cut and the fill are counted as movement. The developer will be bringing in 1735 cubic yards and

15cy will be cutting and redistributed on the site.

Chairman Martin Kane asked the Borough Engineer if he wanted to add anything to his report. Mr. Ryden responded, if approved there should be a Tree Management Plan submitted, a bond posted and the DEP permits obtained. Martin Kane confirmed this was an improvement to the site. David Shepherd asked what the timeline for the DEP permit review was. Marc Walker answered the DEP had been out to see the site and they expect it to take 7 to 9 months to get a permit. Corey Nachshen asked where the change in elevation occurred. It was on the southwesterly side of the property with the average grade change being two feet. The garage would be 6ft higher than it is now. They plan a high spot in the driveway to control the run off into the street. The driveway run off will sheet off onto the property. Bethany Russo confirmed the front door of the house would be 7.9ft higher than it was now. Peter Henry asked if the applicant had reviewed Mr. Ryden's letter. Tom Menard said they had and did not have any problems with the conditions.

Mr. Kane inquired if anyone from the public had any questions or comments. Dena Muniz, of 7 Rainbow Trail, noticed water pooling on the lot. She asked if the water was going to be remove. Mr. Walker explained, they were reducing the coverage so more water will be absorbed on the lot. They can't touch the freshwater wetlands area so there would still be pooling on the property. She asked if the water would come onto to her lot. Mr. Walker said no since they were not changing the water patterns and her house is 6 to 8ft above this lot. Ms. Muniz asked where the soil came from. They do not know yet but the soil has to be certified clean and approved by the Borough Engineer before it can be imported.

Due to lack of business in March Peter Henry prepared a resolution for the Board to consider and read into the record. Mitchell Stern made a motion to approve the application with the conditions stated by Mr. Ryden's letter dated January 26, 2018 and the resolution prepared by Peter Henry. A second was provided by Corey Nachshen. The Board voted 9 to 0 to approve the application as presented and adopt the resolution as prepared by Peter Henry with members Kane, Russo, Dagger, Nachshen, Stern, Barnett, Shepherd, Coppola and Mirsky voting in favor.

### **COMMITTEE REPORTS:**

Sign Ordinance – Martin Kane told the Board the Council will introduce the Sign Ordinance on Monday, February 26<sup>th</sup>.

Lauren Barnett told the Board they will be hearing the initial presentation for the proposed Sunrise Assisted Living development. Peter Henry reminded the Board only 4 members of the Planning Board could attend the Council meeting.

### **Other Matters**

The Board discussed canceling the March 22<sup>th</sup> Board meeting due to lack of business. Martin Kane adjourned the meeting at 8:14PM.

Respectfully submitted,

Cynthia Shaw, Secretary