

PLANNING BOARD MINUTES
PUBLIC MEETING
FEBRUARY 8, 2023- 7:00 P.M.
HELD AT THE OAKLAND SENIOR CENTER
20 Lawlor Drive, Oakland, NJ
www.oakland-nj.org

Pursuant to Chapter 231, Public Law 1975 (Open Public Meetings Act) adequate notice of this meeting has been provided by:

- ❑ Adoption of an annual schedule of meetings
- ❑ Posting a copy of same at Borough Hall and the Borough's website
- ❑ Advertised in The Record more than 48 hours in advance of the meeting
- ❑ Mailing a copy to any person requesting same

** MEETINGS CONCLUDE AT 10:30 P.M., THEREFORE, NO TESTIMONY WILL BE TAKEN AFTER 10:00 P.M.

PLANNING BOARD MEMBERS:

Andrew Gissona, Edward Clark, Andrea Levy, Joseph Marscovetra, Michael Rose, Thomas Connolly, Lee Haymon, Gregory Liss, Councilman Talamini, Mayor Eric Kulmala and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:04 P.M., ROLL CALL:

Present Members: Ms. Levy, Messrs. Gissona, Clark, Rose, Marscovetra, Connolly, Liss Councilman Talamini and Chairman Potash.

Absent Members: Haymon and Mayor Kulmala.

EXCUSE ABSENCES:

Motioned by Mr. Connolly and seconded by Mr. Marscovetra, to excuse the absences of Mr. Haymon and Mayor Kulmala was voted unanimously by the Board.

Mr. Joseph Russo, Esq., Board Attorney and John Yakimik, Boswell Engineering were in attendance.

BOARD PROFESSIONALS SWORN IN:

Mr. Yakimik was sworn in.

Mr. Gissona sitting in for Mayor Kulmala and Mr. Clark sitting in for Mr. Haymon.

OPEN MEETING TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA.

No public.

ADOPTION of BY-LAWS

Motioned by Mr. Rose and seconded by Mr. Marscovetra, to accept the By-Laws as written.

Roll Call Vote: Ayes: Ms. Levy, Messrs. Gissona, Clark, Rose, Marscovetra, Connolly, Liss,
 Councilman Talamini and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Haymon and Mayor Kulmala.

PUBLIC HEARING:

None

PROFESSIONAL RESOLUTIONS:

ATTORNEY:

Motioned by Mr. Rose and seconded by Mr. Liss, to adopt the resolution authorizing the appointment of Mr. Russo with Uscher, Quait, Uscher and Russo.

Roll Call Vote: Ayes: Ms. Levy, Messrs. Gissona, Clark, Rose, Marscovetra, Connolly, Liss,
 Councilman Talamini and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Haymon and Mayor Kulmala.

ENGINEER:

Motioned by Mr. Rose and seconded by Mr. Liss, to adopt the resolution authorizing the appointment of Mr. Yakimik with Boswell Engineering.

Roll Call Vote: Ayes: Ms. Levy, Messrs. Gissona, Clark, Rose, Marscovetra, Connolly, Liss,
 Councilman Talamini and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Haymon and Mayor Kulmala.

PLANNER:

Motioned by Mr. Rose and seconded by Mr. Liss, to adopt the resolution authorizing the appointment of Ms. Reiter with T & M Associates.

Roll Call Vote: Ayes: Ms. Levy, Messrs. Gisonna, Clark, Rose, Marscovetra, Connolly, Liss, Councilman Talamini and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Haymon and Mayor Kulmala.

MEMORIALIZATIONS:

None

PAYMENT OF BILLS:

Roll Call Vote: Ayes: Ms. Levy, Messrs. Gisonna, Clark, Rose, Marscovetra, Connolly, Liss, Councilman Talamini and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Haymon and Mayor Kulmala.

APPROVAL OF MINUTES:

January 11, 2023 Minutes:

Motioned by Mr. Liss and seconded by Mr. Marscovetra, to approve the January 11, 2024 Minutes.

Roll Call Vote: Ayes: Messrs. Gisonna, Clark, Rose, Marscovetra, Liss, Councilman Talamini and Chairman Potash.
 Nays: None
 Abstain: Ms. Levy and Mr. Connolly,
 Absent: Mr. Haymon and Mayor Kulmala.

NEW BUSINESS:

Mr. Russo informed the Board that Lennar Builders is requesting to clear the trees on their property off of McCoy Road before April 1st so not to disturb the breeding season of the Indiana Bat which lasts from April 1 to October 1st. He has been speaking with Steven Dahl with Lennar Builders, John Yakimik, Matt Gilson the Borough attorney and the Mayor concerning the matter.

Mr. Yakimik requested from the Board an interpretation of the conditions listed in the resolution of approval. The applicant wants to clear the property before April 1st, but they have not satisfied all the conditions in the resolution. The applicant has received their TWA approval and an interlocal agreement between Oakland and Franklin Lakes has been executed with a few details to be worked out. However, their BC Soil Conservation submission was denied and Lennar is required to amend their plan and resubmit. He is seeking guidance as to what his next move should be.

The Board had concerns with clearing the property without approvals from the Bergen County Soil Conservation. In addition, the Board expressed concerns with clearing the property with the possibility that it will sit vacant for months and if this could cause an addition to the runoff. There was discussion concerning BCUA approval for sewer connection and connection with Veolia water system. The Board questioned if the developer would be willing to add some of the detention basins during tree removal, stage the tree removal and increasing the already established bond.

Chairman Potash recommended that Mr. Yakimik reach out to Bergen County Soil Conservation and find out if Lennar can remove trees with out approval. He polled the Board and the consensus was that they are fine with the developer clearing the property as long as Bergen County Soil Conservation agrees and that the developer use the necessary soil erosion fencing before tree removal. In addition, the Board requested that the developer increase their performance bond.

Mr. Russo confirmed with the Board that he will send a letter to Lennar Developers informing them that the Planning Board is in favor of land clearing with the condition that BC Soil Conservation allows tree removal before approval a permit and the developer increase their bond enough to bring the property back to its current state.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:34 P.M.

Motioned by Mr. Rose and seconded by Ms. Levy, to adjourn the meeting by a unanimous vote by the Board.

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

*Next meeting on March 14, 2024