

PLANNING BOARD MINUTES  
PUBLIC MEETING  
APRIL 8, 2010 - 7:00 P.M.  
HELD AT OAKLAND SENIOR CENTER  
20 Lawlor Drive, Oakland, New Jersey

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 copy of same at Borough Hall
- ❑ Forwarding copy of same to the Record
- ❑ 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:**

Elaine T. Rowin, Eric Kulmala, Barry Colyer, Christopher Baczewski, Dan Hagberg, John Morris, Councilwoman Marcalus, Mayor John Szabo and Chairman Thomas Potash.

**FLAG SALUTE, MEETING OPENED AT 7:05 P.M., ROLL CALL:**

Present: Mrs. Rowin, Messrs. Kulmala, Baczewski, Hagberg, Morris  
Councilwoman Marcalus and Chairman Potash.  
Absent: Mr. Colyer and Mayor Szabo.

Also in attendance, Joseph Russo, Esq., (Board Attorney) and Kevin Tichacek, (Boswell Engineering) and Steve Lydon (Burgis Associates).

**PUBLIC HEARING BEGINS:**

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to open the meeting to the public for matters not on the agenda was voted unanimously by the Board.

No comments

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to close this portion of the meeting to the public for matters not on the agenda and to continue with matters on the agenda was voted unanimously by the Board.

## PUBLIC HEARING:

### 1. Review of Amended Highlands Master Plan

Mr. Lydon was before the Board to review the amended the Element of the Highlands Master Plan. He also addressed corrections made to the list of Board members.

Mr. Lydon explained that Mayor and Council adopted the Regional Master Plan in December 2009 which requires the Borough to conform with regulations set forth for the Preservation Area.

During the conformance with the Preservation Area, it was believed that the Borough would also follow by conforming with the Planning Area as well and Module 5 Element was drafted in conformance with the Planning Area reflecting a modification in affordable housing numbers for the Borough.

Mr. Lydon informed the Board that the Borough has not moved forward with conformance in the Planning Area and assumes that the decision would not be made at this time. He expressed that the draft of the Module 5 Element is now conflicting with the current Housing Plan Element and would have to be revised.

Mr. Lydon has been directed to draft a revised Housing Plan and Fair Share Element reflecting the affordable housing numbers based upon the requirements of the Council of Affordable Housing (COAH) and considered for adoption at the May hearing. He expressed that the Borough could always opt into conformance with the Planning Area at a later date.

Mr. Lydon reviewed the template provided by the Highlands Council that he would be amending. He explained that some of the categories do not pertain to the Borough.

Chairman Potash questioned the deadline to conform with the Planning Area. Mr. Lydon responded that there was a deadline for the Preservation Area but does not believe there is a deadline for conformance with the Planning Area. However, Mr. Lydon explained that he would be sending a draft of the revised Module 5 Element to inform the Highlands Council that the Borough chooses not to conform at this time.

Mr. Lydon explained that he has been in contact with COAH about the housing plan and it appears that the Round 3 COAH affordable housing numbers may only increase by 4 or 5 units.

Mr. Russo questioned whether or not another extension could be expected. Mr. Lydon responded that he believes COAH will adhere to the latest deadline of June 8, 2010.

The Board questioned the amount of Preservation Area that is privately owned and state owned. Mr. Lydon responded that there are various portions that are privately owned and would require new zoning regulations. However, the majority of the Preservation Area is state owned.

A discussion ensued concerning whether there were any wells present in the Preservation Area. Mr. Lydon responded that there are no wells in the Preservation Area.

The Board questioned various issues that may be preventing the connection of sewers into the downtown. It was discussed that local businesses have to continually pump their septic systems ultimately resulting in removal of water from the town. This goes against the Highlands rules of having water removed without replenishing a town that already has a water deficit. Chairman Potash informed the Board that these businesses are only removing solid waste from their septic systems and approximately 90 percent of the water is going back into the ground.

A discussion ensued concerning what determines a property, bridge, ect. to be historical. Mr. Lydon responded that it is either designated by the state or a town can registrar a property with the state for approval.

Mr. Hagberg entered the meeting at 7:45 p.m.

Chairman Potash expressed to the Board that it is important to review the amended Housing Plan Element and direct any questions or concerns to Mr. Lydon before the next meeting due to a short timeframe in which the Board needs to act upon the adoption. Chairman Potash requested that Mr. Lydon draft a brief summary of the amended Housing Plan. Mr. Lydon responded that he would prepare a fact sheet to help understand the plan.

#### MEMORIALIZATION:

1. DR Mullen Construction – Edison Avenue (vacant land), Block 201, Lot 1. Approval for a preliminary and final site plan and soil move.

Motioned by Councilwoman Marcalus and seconded by Mr. Hagberg, to memorialize the above resolution of approval.

Roll Call Vote:       Ayes: Mrs. Rowin, Messrs. Kulmala, Baczewski, Hagberg, Morris and Councilwoman Marcalus.  
                              Nays: None  
                              Abstain: None  
                              Absent: None

PAYMENT OF BILLS:

Motioned by Councilwoman Marcalus and seconded by Mr. Hagberg, to approve the payment of bills subject to the availability of funds.

Roll Call Vote:       Ayes: Mrs. Rowin, Messrs. Kulmala, Colyer, Baczewski, Hagberg, Morris, Councilwoman Marcalus and Chairman Potash.  
                              Nays: None  
                              Abstain: None  
                              Absent: Mayor Szabo.

APPROVAL OF MINUTES:

Motioned by Councilwoman Marcalus and seconded by Mr. Hagberg, to approve the March 11, 2010 Minutes.

Roll Call Vote:       Ayes: Mrs. Rowin, Messrs. Kulmala, Baczewski, Hagberg, Councilwoman Marcalus and Chairman Potash.  
                              Nays: None  
                              Abstain: Mr. Colyer  
                              Absent: Mayor Szabo.

NEW BUSINESS:

None

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:00 P.M.

Motioned by Mrs. Rowin and seconded by Mr. Hagberg to adjourn the meeting by a unanimous vote by the Board.

Respectfully submitted by,

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Kathlyn Gurney/Administrative Assistant