

PLANNING BOARD MINUTES
PUBLIC MEETING
FEBRUARY 12, 2008 - 7:30 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, Barry Colyer, Christopher Baczewski, Daniel Hagberg, John Morris, Councilwoman Marcalus, Mayor John Szabo and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:34 P.M., ROLL CALL:

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

Also in attendance, Joseph Russo, Esq., (Board Attorney), Kevin Tichacek, (Board Engineer)

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.

APPOINTMENT OF BOARD PROFESSIONALS:

Chairman Potash announced that the committee formed has completed the evaluation of Review for Qualifications (RFQ's) forms for the appointment of Board professionals.

Chairman Potash entertained a motion to appoint Board Attorney for 2009.

Motioned by Mr. Colyer and seconded by Mrs. Rowin, to appoint Mr. Joseph Russo, Esq. as Board Attorney for 2009.

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

Chairman Potash questioned Mr. Tichacek concerning untimely responses with reports, asbuilts and final inspections. Mr. Tichacek responded that this has been due to applicant's not returning phone calls or requests for added information to be submitted. He added, due to the lack of activity before the Planning Board, administration is scheduling applications a lot sooner leaving less time to review engineering. The Board expressed that it could lead to error by rushing applications.

A discussion ensued concerning an increase in Boswell's fee schedule for 2009. Chairman Potash reviewed the budget and informed the Board that Boswell was under budget for last year.

Chairman Potash entertained a motion to appoint Board Engineer.

Motioned by Councilwoman Marcalus and seconded by Mr. Colyer, to appoint Boswell Engineering as Board Engineer for the year 2009.

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

Chairman Potash entertained a motion to appoint Board Planner.

Motioned by Mrs. Rowin and seconded by Mr. Colyer, to appoint Burgis Associates as Board Planner for 2009.

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

1. Knights of Columbus – 7 Court House Place, Block 4508, Lot 1. Public hearing for a preliminary and final site plan.

Mr. Joseph Vallenti, Esq. and Mr. Robert Fabrizio both from Oakland, NJ were before the Board representing the Knights of Columbus. Mr. Fabrizio and Mr. Fredrick Klenk, licensed architect and planner located in Franklin Lakes, New Jersey was sworn in.

Mr. Fabrizio explained that he is not the hired contractor but a member of the Knights of Columbus and is before the Board to answer any questions. He explained that they are proposing a rear addition of approximately 20' X 40' in size to increase storage and the kitchen area.

Mr. Fabrizio explained that the kitchen appliances were donated to the Knights of Columbus and therefore, it was decided to enlarge the kitchen to make it more appealing for people to rent out

the facility. He added that the expansion of the kitchen would allow them to be able to do charitable catering.

The existing storage would be removed and replaced to the other side of the renovation allowing the storage of chairs and tables.

Mr. Klenk reviewed his credentials and the Board accepted his qualifications. He reviewed the site plan with the Board and explained that the proposed addition would not increase the existing space or use and would not impact the existing parking requirements.

Mr. Klenk informed the Board that the plans were modified to meet septic system setback requirements by the Health Department. However, due to the kitchen expansion, the septic system would require an upgraded with a new 1,000-gallon grease trap. Exhibits were entered into evidence.

Exhibit A-1, Survey Site Plan sheet 1 of 1 prepared by Fred Klenk dated April 8, 2008, revised February 4, 2009.

Exhibit A-2, Proposed Addition for Knights of Columbus sheets 1 of 4 prepared by Fred Klenk dated November 11, 2008, revised February 4, 2009.

The Board questioned if there would be a change to the exterior façade. Mr. Klenk responded that the existing brick facing of the building would remain and the proposed addition would be finished with a masonry stucco to match the brick facing. He informed the Board that the proposed roofline would be consistent with the existing roofline.

The Board questioned if there would be additional lighting with the proposed addition. Mr. Fabrizio responded that no additional lighting, such as poles, would be added. However, an outside light over the doorway consisting of approximately 100 – 150 watts would be installed.

A discussion ensued between Mr. Tichacek and Mr. Klenk concerning the parking arrangements for the facility. Mr. Fabrizio informed the Board that if there is an event at the Knights of Columbus they allow parking on the lawn behind the facility.

The Board questioned if the person doing the cooking holds a license. Mr. Fabrizio responded that they do have a licensed person to do the cooking and cooking on the premises would only occur a couple times a year.

Motioned by Councilwoman Marcalus and seconded by Mr. Hagberg to open the meeting to the public regarding matters concerning the testimony of Mr. Fabrizio and Mr. Klenk was voted unanimously by the Board.

Mr. Robert Rybacki, 9 Cedar Street, explained that he lives across the street from the Knights of Columbus and notices during an event that people use both sides of the street for parking.

The Board questioned Mr. Fabrizio if this happens when the lot is full. Mr. Fabrizio responded that he was not aware that people from the events were parking on the street. He assured the public and the Board that they have ample parking and this would not continue. He expressed that the Knight's have good neighbors and they always work hard not to disturb them.

Mr. Russo questioned if the parking, Mr. Rybacki is referring to, could be contributed by Café L'Amore. Mr. Tichacek responded that this is possible, however, the Borough's Ordinance allows public parking up to 2:00 a.m. Mr. Russo suggested it be included in the resolution that all reasonable efforts would be made by the Knights of Columbus that all guest park on site and not on Cedar Street and Court House Place. Mr. Fabrizio responded that this would be acceptable.

Motioned by Mrs. Rowin and seconded by Mr. Colyer, to close the meeting to the public regarding matters concerning the testimony of Mr. Fabrizio and Mr. Klenk was voted unanimously by the Board.

Chairman Potash entertained a motion.

Motioned by Mr. Morris and seconded by Councilwoman Marcalus, to approve the Knights of Columbus application contingent upon reasonable efforts to maintain parking on site and no extra light polls.

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

2. Pro Pack Group - 5 Fir Court, Block 2302, Lot 8 (f.k.a. 2212/1.06). Public hearing for a Certificate of Occupancy.

Mr. Francis Battersby, Esq. located in Oakland, New Jersey was before the Board to represent the applicant. He explained that this application is a Certificate of Occupancy for 3,397 square feet of office space in the I-3 Industrial zone owned by Edith Sauter.

Mrs. Edith Sauter and Barbara Kaywork, C.F.O. of Pro Pack Group, were sworn in. Ms. Kaywork explained that she is the C.F.O. for a packaging /distribution business. Pro Pack Group has a warehouse located in Wyckoff, New Jersey and the new site would be strictly used for office space. Ms. Kaywork indicated that there would be 8 employees working one shift between the hours of 9:00 a.m. to 5:00 p.m. She added that 12 parking spaces would be provided to the business which complies with the Borough's Ordinance.

Mr. Battersby reviewed that there would be no hazards or disturbances affiliated with the business. He entered exhibits into evidence.

Exhibit A-1, Drawing of premises prepared by Fred Klenk, A.I.A., revised May 13, 2008.

Exhibit A-2, Drawing depicting internal layout of space to be occupied.

Mr. Russo questioned if the Applicant would need a Temporary Certificate of Occupancy to move into the building. Mr. Battersby responded that they would. Mr. Hagberg informed the Board that he would alert the Building Department the Boards request to grant a Temporary Certificate of Occupancy.

Motioned by Mr. Colyer and seconded by Mr. Morris, to approve the Pro Pack Group application for a Certificate of Occupancy.

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

MEMORIALIZATION:

1. **FB International Inc.** – 1 Raritan Road, Block 4005, Lot 3 (f.k.a. 3411.02/1). Approval for a Certificate of Occupancy.

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

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

2. Alma USA, LLC – 1 Raritan Road, Block 4005, Lot 3 (f.k.a. 3411.02/1). Approval for a Certificate of Occupancy.

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

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

APPROVAL OF PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mr. Colyer and seconded by Councilwoman Marcalus, to approve the January 22, 2008 Minutes was voted unanimously by the Board.

Mr. Morris abstained from voting on the January 22, 2009 Minutes.

NEW BUSINESS:

A discussion ensued concerning the By-Laws. Mrs. Rowin informed the Board that she has been reviewing the By-Laws making comments and taking notes and will need more time to complete the task.

Mr. Russo questioned if there would be any objections if meetings were to begin at 7:00 p.m. The consensus of the Board was favorable. However, two members missing would need to be informed of the time change.

A discussion ensued concerning the cancellation of the second meeting of the month due to a lack of agenda. Mr. Russo expressed that a final decision could be made to begin the meetings at 7:00 p.m. and to cancel the second meeting of every month at the March meeting.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:45 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant