

PLANNING BOARD MINUTES
PUBLIC MEETING
APRIL 12, 2018 - 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 a copy of same at Borough Hall
- ❑ Forwarding a 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:

Thomas Connolly, John Madden, Sandra Coira, Lee Haymon, Nicholas DiLandro, Dan Hagberg, Elaine T. Rowin, John Morris, Councilman Levy, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:02 P.M., ROLL CALL:

Present: Mrs. Rowin and Messrs. Madden, Haymon, Hagberg, Councilman Levy, Mayor Schwager and Chairman Potash.

Absent: Mrs. Coira, Messrs. Connolly, DiLandro and Morris.

Motioned by Mrs. Rowin and seconded by Mayor Schwager, to excuse the absence of Mrs. Coira, Messrs. Connolly, DiLandro and Morris was voted unanimously by the Board.

Mr. Madden sitting in for Mrs. Coira.

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

OPEN TO THE PUBLIC:

Motioned by Mayor Schwager and seconded by Mrs. Rowin, to open the meeting to the public for items not on the agenda was voted unanimously by the Board.

No comment.

Motioned by Mayor Schwager and seconded by Councilman Levy, to close the meeting to the public for items not on the agenda was voted unanimously by the Board.

Chairman Potash announced that there is no public present

PUBLIC HEARING:

Chairman Potash announced that there are no public hearing items scheduled for this evening.

MEMORIALIZATION:

None

PAYMENT OF BILLS:

Motioned by Mrs. Rowin and seconded by Mr. Haymon, for the payment of bills subject to the availability of funds.

Roll Call Vote: Ayes: Mrs. Rowin and Messrs. Madden, Haymon, Hagberg, Councilman Levy, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mrs. Coira, Messrs. Connolly, DiLandro and Morris.

APPROVAL OF MINUTES:

Motioned by Mrs. Rowin and seconded by Mr. Morris, to approve the February 8, 2018 minutes.

Roll call vote: Ayes: Mrs. Rowin and Messrs. Madden, Hagberg, Councilman Levy, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: Haymon
 Absent: Mrs. Coira, Messrs. Connolly, DiLandro and Morris.

OLD BUSINESS:

Mr. Thomas Herten, Esq. with Archer Attorneys on behalf of A & E Ventures of Oakland was before the Board to discuss a possible extension for an application that was granted approval back in 2010 for a subdivision and the construction of a bank and renovation of an existing Burger King. He gave a bit of the history on the application and the status to this day and currently, Archer Attorneys and Wawa Corporation are before the Zoning Board to receive approval for a convenience store and gas pumps. This extension approval will cover them until June of 2019.

Chairman Potash commented on the condition of the vacant property and questioned who takes care of the maintenance. Mr. Herten responded that the owner does and he would alert them on the condition.

Mr. Yakimik questioned if the applicant is grandfathered in and not responsible to adhere to the changes of the new bonding requirements issued by the state. Mr. Herten replied yes, that the prior requirements would be preserved. Mr. Russo added that the rules of Permit Extension Act still apply.

NEW BUSINESS:

Ordinance 18-CODE-767

Mayor Schwager explained that at the last Mayor and Council meeting, Ordinance 18-CODE-767 was introduced and needs to be reviewed by the Planning Board. Any comments from the Planning Board will be taken into consideration. A discussion ensued concerning favor and disfavor of the ordinance. It was questioned if the state would supersede the ordinance if legislation is passed legalizing recreational marijuana and some discussion that adopting the ordinance would cause no harm.

There was discussion concerning a study conducted about the legalization of marijuana in Colorado and issues that have occurred. The Board questioned the action other towns in the area are taking. Mayor Schwager expressed that the residents would prefer that the ordinance is passed. It was suggested that maybe the Police should review the ordinance and get their feedback.

Chairman Potash suggested that the discussion be table until the next meeting since they just received the ordinance.

Mr. Yakimik shared with the Board changes stemming from Bill 1425 which gives more power to the developer than the municipality and gave a brief overview of the changes. He informed the Board that he and Brian Chewasckie, Borough Attorney, are working on

changing the ordinance which could help to give the Borough more leverage. He also touched on training required as part of the NJDEP Tier A MS4 Permit.

PUBLIC MEETING ADJOURNED AT 7:45 P.M.

Motioned by Mrs. Rowin and seconded by Councilman Levy, to adjourn the meeting by a unanimous vote by the Board.

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant

*Next meeting on May 10, 2018.