

PLANNING BOARD MINUTES
PUBLIC MEETING
APRIL 13, 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:

Edward Clark, Sarah Michel, Andrea Levy, Joseph Marscovetra, Michael Rose, Thomas Connolly, Lee Haymon, Gregory Liss, Councilman Kulmala, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:03 P.M., ROLL CALL:

Present Members: Ms. Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Haymon, Councilman Mayor Schwager and Chairman Potash.
Absent Members: Ms. Michel and Councilman Kulmala

EXCUSE ABSENCES:

Motioned by Ms. Levy and seconded by Mr. Rose, to excuse the absence of Ms. Michel and Councilman Kulmala was voted unanimously by the Board.

Mr. Joseph Russo, Esq., Board Attorney and Mr. Steve Lydon, Borough Planer were in attendance.

BOARD PROFESSIONALS SWORN IN:

Chairman Potash announced that Mr. Clark will sit in for Mr. Haymon.

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

No public

PUBLIC HEARING:

1. Public hearing for the review of the Amended Land Use Plan Element.

Chairman Potash recommended that this matter be carried to the June 8th public hearing with no further notice to give members more time to review the amended plan and ordinances associated.

MEMORIALIZATIONS:

None

PAYMENT OF BILLS:

Motioned by Mr. Rose and seconded by Mayor Schwager, to pay the bills subject to the availability of funds.

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

APPROVAL OF MINUTES:

March 9, 2023, Minutes:

Motioned by Mr. Rose and seconded by Mayor Schwager, to approve the March 9, 2023, minutes as amended.

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

NEW BUSINESS:

Mr. Russo updated the Board regarding his conversation with Mr. Herten concerning the development of the Burger King site. He expressed to Mr. Herten that time was running out for

the variance relief granted and a decision will need to be made with occupying the property. Mr. Herten questioned if the proposal of a Quick Chek would work. Mr. Lydon responded that underground storage tanks are not permitted in the Highlands Preservation Area. They discussed other alternatives for the property. Mr. Russo expressed to Mr. Herten that the property needs to be cleaned up regardless.

OLD BUSINESS:

Mr. Lydon explained that due to the number of draft ordinances for review, they have been labeled A through I for the Board's convenience. Amendments will consist of the "strikeout" of wording to be removed and using red font for wording being added. A zoning map specific to the zone will accompany each ordinance.

Mr. Lydon continued with ordinances RA-3AH, RA-4AH, RA-5AH and SAHD (Senior Affordable Housing District which have been established by Mayor and Council. In Section 1, language has been inserted as such; streets and highways serving these zones shall be protected, maintained, and conserved for the benefit of the public health, safety, and general welfare. These zones shall maintain the existing Level of Service. In addition, all new and existing buildings facing the roadway in the downtown area proposing modifications, alterations or expansions shall pertain to architectural standards relating to Victorian design.

Mr. Lydon explained that a new section was added to the SAHD zone 7 through 10. At least 3 senior apartments shall be reserved for very-low-income households. All developments increasing total impervious surface coverage in this zone shall be classified as major development and follow current NJDEP stormwater regulations. A developer shall manage stormwater runoff flow rates exiting the site be no greater than the preconstruction peak runoff rate.

Mr. Lydon explained that the MU-AH, Mixed-Use Affordable Housing zone is new and does not exist yet. He informed the Board the location of the zone which is a vacant lot behind CityMD and Walgreens. Prior to the impending change, the zone permitted uses such as a medical office. Recently there's been discussions considering a fast-food restaurant and a small affordable housing project which may require subdividing the property.

Mr. Lydon informed the Board that the CBD I and CBD II has been changed to Downtown District I and Downtown District II overlay zone. The additions to this ordinance include some of the same language as the other zones such as Queen Victoria period standards, NJDEP stormwater management requirements, pitch of roof and EV parking stations. In addition, adequate size concrete walkways must be no less than 4-feet in width. There are strikeouts in the ordinance concerning standards for conditional uses and setbacks as well as Shade Tree requirements.

A discussion ensued concerning the design style standards. The Board discussed the difference between the design used for the Walgreens Shopping Center versus the Queen Victoria period design being mentioned in the ordinance and the goal to keep the appearance of the downtown area uniform. Mr. Clark gave some history referring to the design and Ms. Levy explained that the

Victorian design has changed and is no longer that ornate style, but more in line with brick buildings and larger windows.

Finally, Mr. Lydon referred to the proposed RVRHAP (Ramapo Valley Road Historic and Architectural Preservation) overlay district. The ordinance will provide guidance, by definition, as to architectural, construction and improvement standards for the RVRHAP corridor. He expressed that he is not in favor and does not recommend the Borough form an Architectural and Historic Preservation Committee due to the cost and delays this will cause to business owners. He recommended maybe a Planning Board subcommittee that can meet for a few hours once a month other than before the Planning Board meeting.

A discussion ensued concerning pilot programs and affordable housing. Mr. Russo explained that going forward, the Borough will be faced with pilot programs when it involves affordable housing developments. He informed the Board that legislation was introduced to stall the 4th round of affordable housing until 2028. No further discussion.

Chairman Potash announced that the Board will continue the discussion on the ordinances received this evening at the May 11th meeting.

PUBLIC MEETING ADJOURNED AT 9:10 P.M.

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

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

*Next meeting on May 11, 2023