

PLANNING BOARD MINUTES
PUBLIC MEETING
JANUARY 11, 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 7:01 P.M., ROLL CALL:

Present: Mmes. Rowin and Coira, Messrs. Connolly, Madden, DiLandro, Haymon, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.

Absent: Mr. Hagberg

Motioned by Mrs. Rowin and seconded by Mayor Schwager, to excuse the absence of Mr. Hagberg was voted unanimously by the Board.

Mr. Madden sitting in for Mr. Hagberg.

Mr. Joseph Russo, Esq., Board Attorney and Steve Lydon, Burgis Associates and Rebecca Mejia, Boswell Engineering were in attendance.

Chairman Potash welcomed Mrs. Coira and Councilman Levy as members of the Board.

OPEN TO THE PUBLIC:

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

No comments.

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

REORGANIZATION OF THE BOARD:

CHAIRMAN

Chairman Potash requested nominations for Chairman of the Board.

Motioned by Mayor Schwager and seconded by Mr. Morris, to nominate Thomas Potash to continue as Board Chairman.

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

VICE-CHAIRMAN

Chairman Potash requested nominations for Vice-Chairman of the Board.

Motioned by Mrs. Rowin and seconded by Mr. Haymon, to nominate John Morris to continue as Vice-Chairman of the Board.

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

SECRETARY:

Chairman Potash requested nominations for Secretary of the Board.

Motioned by Mr. Morris and seconded by Mr. DiLandro, to nominate Elaine T. Rowin to continue as Secretary to the Board.

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

ATTORNEY:

Chairman Potash informed the Board that a sub-committee was formed consisting of Mr. Morris, Mr. DiLandro and himself to review the RFQ's received for professional services to represent the Board.

Chairman Potash informed that one proposal was received for legal services from of Uscher, Quiat & Usher and Russo. The committee recommends to continue with Mr. Russo's legal services due to his years of experience with the Board.

Motioned by Mr. Morris and seconded by Mrs. Rowin to appoint Joseph Russo, Esq. as Board Attorney for 2018.

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

ENGINEER:

Chairman Potash explained that they received three RFQ proposals for engineering services. The committee recommends that the Board continue with the services of Boswell Engineering at the Borough's rate with Rebecca Mejia as the Board's representative. Chairman Potash entertained a motion.

Motioned by Mr. DiLandro and seconded by Mr. Haymon, to appoint Boswell McClave Engineering as Board Engineer for 2018 with Ms. Mejia as the Board's representative.

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

PLANNER:

Chairman Potash explained that they received one RFQ proposal for planning from Burgis Associates, Inc. The committee recommends that the Board continue with the services of Burgis Associates at the Borough's rate with Steve Lydon as the Board's representative. Chairman Potash entertained a motion.

Motioned by Mr. Morris and seconded by Mrs. Rowin, to appoint Burgis Associates as Board Planner for 2018 with Mr. Lydon as the Board's representative.

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

ADMINISTRATIVE ASSISTANT:

Chairman Potash entertained a motion for the nomination of Administrative Assistant.

Motioned by Mr. Haymon and seconded by Mrs. Coira, to nominate Kathlyn Gurney as Administrative Assistant to the Board.

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

OFFICIAL NEWSPAPER:

Chairman Potash entertained a motion for the official newspaper for the Board.

Motioned by Mrs. Rowin and seconded by Mr. DiLandro, to nominate The Record as the official newspaper of the Board.

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

BY-LAWS

Chairman Potash informed the Board that they did not receive a copy of the Board's By-Laws before the meeting and recommended that they carry this item to the February 8, 2018 public meeting.

PUBLIC HEARING:

1. Greene – 81 Lakeview Terrace, Block 2518, Lot 16. Public hearing for construction in a flood plain with variances.

Mr. Ali D. Jaloudi, Esq., representing the applicant, was before the Board. He explained that his client proposes to raise the elevation of his home in the flood plain and rebuild in the same exact footprint. They are requesting variances for maximum coverage, rear setback and both side setbacks which are pre-existing. He introduces the applicant's architect.

Mr. Allende Matos was sworn in, offered his credentials and the Board accepted his qualifications.

Mr. Matos reviewed the pre-existing variances on the non-conforming lot. He explained that damage caused by Hurricane Irene has left the home uninhabitable and the applicant proposes to replace the existing home with new construction and raise it above the required flood level. NJDEP has approved a Flood Hazard Area Permit for the required flood elevation of 209.1-feet. Mr. Matos recommends that the home be raised to at least 211-feet and the plans show 212.87-feet to assure the first floor above the flood elevation reported for that area.

Exhibit A-1, Flood Hazard Area Verification Individual Permit issued by NJDEP dated May 20, 2015.

A discussion ensued concerning possibly amending the elevation with the NJDEP. Mr. Matos expressed that it would take more time to amend their plans and they are already on a time constraint with the permit. Confirmation was made that the applicant would comply with 212.87-feet above flood elevation as shown in his plans.

Councilman Levy explained that the elevation numbers are decreasing and confirmed that the applicant would not encroach the floodway further, no mechanicals and utilities would be below the required flood elevation and that the garage would include the required venting.

Mr. Russo pointed out that plans approved by NJDEP were approved July of 2004 and plans submitted to the Planning Board were dated December 2016. He informed Mr. Matos that the plans submitted and approved by NJDEP will need to be reviewed by Mr.

Lydon and Ms. Mejia. Mr. Matos assured the Board that only minor interior changes were made on the plans submitted to the Board.

Mr. Lydon questioned the source of heat being used. Mr. Matos responded that heat and cooling will be furnished by a gas furnace. He added that there is also an existing septic system. A discussion ensued concerning the possibility of an underground oil tank. Mr. Matos responded that there is no underground oil tank and the house was serviced by natural gas. Mr. Lydon suggested that a post rail fence be removed in the right-of-way. It was confirmed that the side setback changed slightly to allow for a platform to place the air conditioning unit.

Ms. Mejia requested a copy of the Design Elevation Certificate.

Exhibit A-2, Architectural drawings, "Rebuild of Existing Dwelling", prepared by Allende Matos consisting of 3 sheets dated December 27, 2016.

Exhibit A-3, Architectural drawings, Rebuild of Existing Dwelling", prepared by Allende Matos approved by NJDEP consisting of 3 sheets dated March 17, 2014 and last revised July 30, 2014.

Chairman Potash requested if any trees are to be removed, the applicant will have to contact Shade Tree Commission. He entertained a motion to open the meeting to the public.

Motioned by Mrs. Rowin and seconded by Mr. DiLandro, to open the meeting to the public regarding matters concerning the Greene application was voted unanimously by the Board.

Mrs. Jerri Angermueller, 24 Lakeview Terrace, expressed that she is in favor of the application and they too elevated their home.

Mr. Anthony Papasso, 87 Lakeview Terrace, expressed that the applicant's septic system has not been serviced for 4 to 5 years and requested that septic system be tested. Chairman Potash explained that the Health Department had no objection to the application. However, if the property were to be sold, they would be required to upgrade the septic system to code before issuance of a Continued Certificate of Occupancy.

Ms. Susan Dristol, 85 Lakeview Terrace, questioned the proposed height. Mr. Matos responded approximately 32-feet which is below the maximum height of 35-feet.

Motioned by Mrs. Rowin and seconded by Mayor Schwager, to close the meeting to the public regarding matters concerning the Greene application was voted unanimously by the Board.

A discussion ensued concerning if the applicant should be required to incorporate the new flood elevations into their plans. Mr. Lydon and Ms. Mejia both agreed that amending the plan and submitting them to NJDEP will cause a delay. Ms. Mejia informed the Board that the revised FEMA maps have not been adopted and it could be a while before they are. Chairman Potash entertained a motion.

Motioned by Mrs. Coira and seconded by Mr. Haymon, to approve the Greene application.

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

2. FIMS Holdings, LLC – 8 Allerman Road, Block 4003, Lot 1. Public hearing for an amended site plan with variances.

Mr. John Conte, Jr, Esq., representing the applicant, explained that his client's high tech business provides esoteric products to companies such as the United State Army. Due to the increase of several government contracts, the business has increased and the applicant needs more machinery and additional electrical power.

It was determined by Rockland Electric that an additional transformer would be required on the premises since the transformer could not be placed on the utility pole due to weight. Two 2 concrete pads on the ground are being proposed for the transformer's location and will require variances. Mr. Conte introduced their engineer.

Mr. John Yakimik, P.E. with L2A Land Design, LLC located in Englewood, N.J. was sworn in. He shared his credentials and the Board accepted his qualifications.

Exhibit A-1, Proposed Electric Transformer prepared by L2A Land Design, LLC dated August 30, 2017.

Mr. Yakimik identified the location and gave a description of the surrounding area. He explained that Rockland Electric is strict with the design, location and distance the power will have to travel which dictates the need and size of the concrete pads. They are proposing a pad size of 5-feet by 14-feet and 9-feet by 7.8-feet both requiring a side yard setback and one of the pads will also require a front yard setback. These are practical locations with no conflict with parking area.

The Board questioned the entrance and turnaround plan for a fire truck. Mr. Yakimik responded that there is no conflict with the traffic circulation being proposed and an

aerial fire truck can maneuver around the building safely in the event of a fire. He entered an exhibit.

Exhibit A-2, Diagram Emergency Circulation prepared by L2A Land Design, LLC dated August 30, 2017 last revised November 7, 2017.

Chairman Potash expressed concerns with the proposed turnaround on the grassy area and informed Mr. Yakimik that approval would be subject to the fire official's approval. Mr. Yakimik responded that the soil is stable and vehicles belonging to the county and building officials use this area for turnaround on a regular basis.

The Board questioned a plan for snow removal. Mr. Conte introduced Mr. Michael Facchini, the owner of the company. Mr. Facchini explained that snow is plowed and removed to a vacant parking area where the snow will melt into a drain basin. He also assured that an aerial fire truck would maneuver and safely access the grass area on the property.

Mr. Lydon questioned if handicapped parking was available. Mr. Facchini responded that they have two handicapped spaces but they are not compliant. He explained that they plan to resurface the parking area and would re-stripe making the spaces "van accessible" as required by A.D.A regulations. Mr. Lydon requested that the curbing for the van accessible space be ramp/depressed.

Mr. Lydon recommended that bollards be installed around the 5-foot by 14-foot concrete pad and that adequate screening with bushes be placed to buffer the 9-foot by 7.8-foot concrete pad.

Chairman Potash questioned if there is an existing generator. Mr. Facchini responded that it was removed a year ago when they transferred property to RBARI.

Mr. Facchini explained that there are 25 employees. They receive deliveries approximately 3 times a week. No overnight parking of trucks. Dumpsters are located in the front of the building surrounded by walls. Chairman Potash questioned the disposal process for metal shavings. Mr. Facchini responded that containers with a vegetable oil base is used to capture the metal shavings. There are no chemicals or hazards on site. Procedures for machine maintenance is based on OSHA's regulations.

Chairman Potash noted for the record that there was no one in the audience and they would not open the meeting to the public. He asked if there was any more discussion and seeing known, he entertained a motion.

Motioned by Mayor Schwager and seconded by Mr. Morris, to approve the FIMS Holdings, LLC application contingent to the review and approval from the Borough's Fire Prevention Bureau.

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

MEMORIALIZATION:

None

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mayor Schwager and seconded by Mr. Morris, to approve the December 14, 2017 minutes.

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

NEW BUSINESS:

None

OLD BUSINESS:

Mr. Lydon updated the Board on the Appellate Division ruling concerning Highlands and Bi-County.

PUBLIC MEETING ADJOURNED AT 8:30 P.M.

Motioned by Mr. DiLandro 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 February 8, 2018.