

PLANNING BOARD MINUTES
PUBLIC MEETING
MARCH 9, 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, Councilman Kulmala, Mayor Schwager and Chairman Potash.
Absent Members: Ms. Michel and Mr. Haymon

EXCUSE ABSENCES:

Motioned by Ms. Levy and seconded by Mr. Liss, to excuse the absence of Ms. Michel and Mr. Haymon was voted unanimously by the Board.

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

BOARD PROFESSIONALS SWORN IN:

Mr. Yakimik and Mr. Lydon were 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.

Motioned by Mr. Rose and seconded by Ms. Levy, to open the meeting to the public was voted unanimously by the Board.

No comments.

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

Motioned by Mr. Rose and seconded by Ms. Levy, to close the meeting to the public was voted unanimously by the Board.

PUBLIC HEARING:

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

Mr. Lydon explained that a couple of years ago, the Planning Board formed a sub-committee to review and determine the design characteristics for the downtown area. In addition, with the potential approval of Oakland's wastewater management plan, the town will be able to move forward with the introduction of sanitary sewers which will change the future development for the downtown corridor.

This document covers the needs of the town such as achieving MLUL compliance, sustainability, energizing the downtown area, follow-up areas in need of rehabilitation and grant filing. The Planning Board has authority over this approval.

Goals of need that are recommended in the Amended Land Use Plan Element are as follows:

- Land Use – to encourage the beneficial redevelopment within the commercial corridor after the introduction of sanitary sewers.
- Environmental Protection – recognize and protect against the adverse impact due to higher rates of stormwater runoff caused by impervious coverage. Continue to support conservation efforts to preserve environmentally sensitive areas.
- Environmental sustainability and climate change – comply with MLUL requirements by adopting policies, procedures, and strategies to achieve environmental sustainability.
- Infrastructure – ensure future development and redevelopment along Ramapo Valley Road commercial corridor.
- Economic Development – to promote and encourage the revitalization, enhancement, and limited intensification of the Ramapo Valley Road commercial corridor once sanitary sewers become available. In addition, permit greater diversity of uses and activities, including inclusionary housing while maintaining the suburban scale of the Borough.

- Transportation – implementation of a safe, efficient traffic and pedestrian circulation.
- Housing – provide a variety of housing types and densities compliant and consistent with the Housing Element and Fair Share Plan.

A discussion ensued concerning underground utilities. It was determined that it would be too expensive to change existing utilities and place them underground but going forward with all redevelopments, applicants will be required to install all utility services underground. They discussed phasing this in.

Mr. Lydon informed the Board that five properties would change their land use classification. The recommendation is that Block 1901, Lot 14 along Ramapo Valley Road, become a senior affordable housing zone allowing ten senior affordable rental units. Block 1707, Lot 2 is a vacant property along West Oakland Avenue that is recommended to become an inclusionary housing development zone generating no less than 4 affordable rental housing units. Block 1706, Lot 401 is an isolated parcel behind the Walgreens/Starbucks strip mall along West Oakland Avenue that will allow for 6 deed restricted affordable rental apartments and up to 18 market-rate apartments to be constructed on the site. Block 1802, Lot 1 is a 4-acre vacant parcel behind Oakland Hardware at the end of Elm Street. This property is recommended to be rezoned as an inclusionary housing zone to accommodate a 4-story building allowing for 17 affordable rental housing units.

Mr. Lydon referred to the ordinances being reviewed by the Board. The CBD I and II will be referred to as the Downtown I and II zones (DT-I and DT-II). These overlay zones shall be amended to permit residential units on the second and third floors of commercial buildings requiring full compliance with the Uniform Housing Affordability by the developer.

Mr. Lydon informed the Board that establishing an Architectural and Historic Preservation Commission could benefit the Borough and public. These standards will be restricted to the commercial areas of the downtown area.

He reviewed two new subparagraphs added to the MLUL concerning environmental sustainability and climate-change hazard vulnerability. This includes Smart Growth which shall consider potential locations for the installation of electric vehicle charging stations and storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure. Also included is a climate change related hazard vulnerability assessment to analyze current and future threats and vulnerabilities of the municipality due to increased temperatures, drought, flooding hurricanes, and rising sea levels. The Board pointed out some errors and Mr. Lydon agreed to clean up the document. No further discussion. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mr. Connolly, and seconded by Mr. Rose, to open the meeting to the public regarding matters concerning the public hearing for the Amended Land Use Plan Element was voted unanimously by the Board.

Mr. William Sesty, 12 Eagle Crest, questioned if all new developments have guidelines for stormwater management. Mr. Lydon informed Mr. Sesty that the state does have runoff guidelines set with high standards.

Motioned by Mr. Rose and seconded by Mr. Connolly, to close the meeting to the public regarding matters concerning the public hearing for the Amended Land Use Plan Element was voted unanimously by the Board.

It was discussed that not all Board members received the Amended Land Use Element document. Chairman Potash suggested that this matter be carried to the April 13, 2023 public hearing with no further notice. He requested that Mr. Lydon forward a copy of the plan to all the Board members to make sure everyone has a copy.

ORDINANCE AMENDMENT REVIEW:

1. Downtown I – Section 59-53.1
2. Downtown II – Section 59-53.2

Mr. Lydon reviewed the permitted and prohibited uses in the Downtown I & II zones as well as accessory permitted uses and conditionally permitted uses. In addition, limited brewpub compliances and conditions were discussed.

He explained that in the Downtown I zone, there was a change in minimum lot area, but other setbacks remain the same. He reviewed the changes to the conditional use standards, supplemental development standards covering building façade, landscaping, parking standards, signage, etc.

3. Mixed-Use Affordable Housing (MU-AH) – Section 59-52.5

Mr. Lydon explained that a mixed-use affordable housing overlay is being recommended to assist the Borough in satisfying their affordable housing obligation. The construction of one or more inclusionary rental affordable housing developments are being recommended which will integrate within a pedestrian friendly commercial area. This zone is intended to allow for the construction of both residential and non-residential development. He reviewed the permitted principal uses, permitted accessory uses and prohibited uses in this zone. In addition, he reviewed Schedule A Limiting Lot and Yard Sizes and Bulk Standards for Conditional Uses requirements established as conditions of the conditional use in the MU-AH zone.

4. Business Zone – Section 59-53

Mr. Lydon reviewed the amendments made to the Business zone which includes detail for properties with site frontage and requirements for street front planting. These details include tree planting in the rights-of way, irrigation and a 2-year warranty of life and health of trees.

5. Ramapo Valley Road Historic and Architectural Preservation Overlay (RVRHAP) Section 59-66.7

Mr. Lydon explained that it is recommended that Article VII 59-46A and 59-46B be amended to include a RVRHAP-Ramapo Valley Road Historic and Architectural Preservation Overlay District. The overlay is recommended to assist with maintaining the historical and architectural preservation with new construction or business improvements along Ramapo Valley Road corridor within the commercial area. A discussion ensued concerning extending the overlay along Ramapo Valley Road towards Portobellos. In addition, the plan recommends that a commission be formed to help identify and advise the historic and architectural standard requirements.

There was discussion among the Board concerning the ordinance to be reviewed. Some of the members did not receive all the ordinances being reviewed for recommendation. Chairman Potash recommended that this matter be carried, concerning the review of ordinances, be carried to the April 13th Planning Board meeting.

MEMORIALIZATIONS:

1. Royal Master Grinder- 143 Bauer Drive, Block 3601, Lot 35. Approval for preliminary and final site plan.

Motioned by Mr. Liss and seconded by Mayor Schwager, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Ms. Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Ms. Michel.

2. 16 Thornton NJ, LLC – 16 Thornton Road, Block 3201, Lot 2. Approval for preliminary and final site plan.

Motioned by Mr. Rose and seconded by Connolly, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Ms. Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Ms. Michel.

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

February 9, 2023, Minutes:

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

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

NEW BUSINESS:

None

OLD BUSINESS:

Discussion concerning the old Burger King site.

PUBLIC MEETING ADJOURNED AT 9:30 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 April 13, 2023