

PLANNING BOARD MINUTES  
**PUBLIC MEETING**  
MAY 11, 2023- 7:00 P.M.  
HELD AT THE OAKLAND SENIOR CENTER  
20 Lawlor Drive, Oakland, NJ  
[www.oakland-nj.org](http://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 Kulmala, Mayor Schwager and Chairman Potash.

Absent Members: Ms. Michel

EXCUSE ABSENCES:

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

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

BOARD PROFESSIONALS SWORN IN:

Mr. Steve Lydon and Mr. John Yakimik were sworn in.

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

Motioned by Mr. Rose and seconded by Mr. Liss, to open the meeting to the public for matters not on the agenda was voted unanimously by the Board.

A discussion ensued between Chairman Potash and Mr. Heffernan. Chairman Potash explained to Mr. Heffernan that since his topic is related to the review of the ordinances being discussed tonight, he would give him an opportunity to speak after the review.

Motioned by Mr. Rose and seconded by Councilman Kulmala, to close the meeting to the public for matters not on the agenda was voted unanimously by the Board.

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 July 11<sup>th</sup> public hearing with no further notice to give members more time to review the amended plan and ordinances associated.

REVIEW OF ORDINANCES:

- a. RA-3-AH
- b. RA-4-AH
- c. RA-5AH
- d. SAHD
- e. MU-AH
- f. DT-1
- g. DT-2
- h. CBD-1 AHO/CBD-II AHO
- i. RVRHAP

Chairman Potash explained to the Board that there is a list of ordinances to be reviewed. However, they will only be reviewing the DT-1, DT-2 and the RVRHAP zones. They will hold off on the other ordinances dealing with affordable housing due to pending litigation and obligations that could change. Mr. Lydon came forward to discuss the ordinances.

Mr. Lydon explained the background of the CBD I & CBD II zones. A Central Business District Study was done in 2006 and Mayor and Council did not establish those zones until 2011/2012. Since the study, there has been no transformation or evolution to the downtown and one of the reasons are the lack of sanitary sewers. When looking further into some of the reasons, he noticed that the downtown area is pretty much closed down after 5:00 p.m. He would like to see the day extend past that and a way to do that, is to allow health clubs, exercise studios and commercial

gyms in that area. Currently, those uses are not permitted in the downtown and a number of fitness centers opened up in the industrial park where they have big floor space and high ceilings.

Mr. Lydon explained by permitting personal service providers such as sports training studios that provide things like golf putting and baseball batting cages, may help extend the hours downtown which may encourage people to eat out at restaurants. Hopefully with the installation of sanitary sewers, more restaurants will locate in the downtown area. In addition, yoga and meditation uses have been permitted. These activities and a safe and pleasant environment may attract people to the downtown area. The streetscape ordinance, that will be discussed at another time, will provide for wider sidewalks, attractive street trees, bicycle racks and benches so pedestrians can sit and enjoy the downtown.

Currently, the CBD zone, could be described by people as a business zone so it was decided to change the name of the zone to a DT-Downtown zone. This may attract people to come and spend some time and with the overlays to these zones, it will introduce future housing.

Mr. Lydon explained that since the 2006 Central Business District study, the ordinance has eliminated automotive stations as a permitted use and Mayor and Council adopted an ordinance allowing limited breweries. While expanding the permitted uses, parking standards have remained the same and as well as the historic streetscape in both Downtown I and II currently or formerly associated with Ramapo Valley Road. Also mentioned, streets and highways serving the zone need to be protected, maintained and preserved for public health, safety and general welfare. He expressed that he knows the difficulties getting across town at certain times of the day, so to protect the public resource, all proposed development in the downtown zone must maintain the existing level of service of all roadway operating conditions. Any proposed development shall not disrupt the traffic causing vehicle delay time to the adjacent streets. He explained that more commercial development and housing will create more traffic.

Mr. Lydon informed the Board that in the ordinance, language is included that any/ all development increasing impervious surface shall be treated/classified as a major development and required to follow the current DEP regulations. If existing buildings do not increase their impervious surface, they will be exempt. Also, stormwater quality and stormwater flow at the peak rate of runoff exiting the site during post construction, shall be no greater than the pre-construction flow rate. He expressed concerns with the issues of increase in impervious surface and how that can impact the neighboring properties in the downtown area.

Mr. Lydon explained the last modification. to the zone. All street facing roofs and facades shall be designed consistent and compatible with the architectural design of the late Queen Victoria period from 1885 to 1910 for new buildings, existing buildings proposing improvements, alterations or enlargements. Developers seeking to substitute these modifications for street and roof facing buildings shall be required to secure a Certificate of Appropriateness from the Architectural and Historic Preservation Commission before securing any other required permits, license or approval from the Borough. Currently, these requirements would only apply to the DT I and II and the

inclusionary affordable housing zones downtown. There needs to be a discussion as to whether to expand this beyond the 2 zones.

Mr. Lydon explained that based on comments from the last meeting, he included that windows shall not be tinted, mirrored, covered or blocked. However seasonal painting will be allowed but shall be removed no later than 45 days after the painting. Lastly, these are the changes for the Downtown I and the CBD I zones which continue through to the Downtown II and CBD II ordinance.

Mayor Schwager expressed that when sewers come, developers will want to build and along Ramapo Valley Road, but there is a variety of zones from commercial, professional and residential. She questioned Mr. Lydon if he suggests that the length of Ramapo Valley Road be converted into a continuation of the downtown. Mr. Lydon responded he did not suggest that because the historic preservation is a big concept and a big reach. He believes that you should start out slow before you expand it. He referenced the downtown area in Hackensack which is an elongated business zone that is too large.

Mr. Lydon expressed that Oakland's downtown area is under-utilized due to the uses. Before expanding the downtown area, you should concentrate on re-encouraging businesses in the area and let it rejuvenate. Once that has been satisfied and there is more demand for growth of the market, then maybe start expanding the other end of Ramapo Valley Road by the old Burger King site and Portobello and in the future, maybe those zones can move together and meet in the middle. If the zones are expanded all at once, this will create much more traffic.

Mr. Lydon explained the location of the Downtown II area as smaller and starts beyond the railroad tracks and ends right after the 287 overpass. In addition, the Downtown II encompasses the beginning portion of West Oakland Avenue where Walgreens is located. Mr. Yakimik advised that sanitary sewers will come down Oak Street and go all the way down to Portobellos and Shoprite area. A discussion ensued that when happens, a lot of owners will sell their properties to developers. Mr. Lydon expressed that before sewers come, the Borough will be faced with the fourth-round legislation for affordable housing. There is still time to adopt these ordinances, put them in place, and keep the downtown zones confined to where they are.

Mr. Rose recommended more restaurants and liquor licenses. Mayor Schwager informed Mr. Rose that liquor licenses are state regulated. Mr. Russo explained that liquor licenses are distributed as per the size of the town but there is a movement trying to change that by lowering the number to allow for more licenses.

Mr. Rose shared the outcome of a Wawa application before the Zoning Board. They were rejected because they would not make the concession of the number of pumps being proposed. He does not agree with containing the downtown area because the town will gain nothing. It may be feasible to expand the zone down to the Shoprite but limit the building size to the size of the property. By doing this there might be more opportunity to introduce the businesses.

He prefers to look ahead and expand the downtown area. He does not agree with the Victorian architecture and believes that it will deter developers due to the expense. There has been little change in the downtown prior to 2006 and by requiring Victorian architecture to developers and property owners, it will slow the development process further. The town should stick to the Walgreens theme with brick. Councilman Kulmala agrees but reminded that the master plan was just amended to include brew pubs which will move things forward. He questioned Mr. Lydon as to what type of architecture would be conducive and move forward at a quicker pace. Mr. Lydon responded that "market architecture", currently in vogue, but it is geared toward one-story development with higher ceilings, big glass windows and brick exterior. It is also cheaper. Councilman Kulmala expressed that there still needs to be some continuity because the future architectural design will change again, and we could have the same problem.

Mr. Rose expressed if residential properties on Ramapo Valley Road were rezoned commercial, people are going to be geared to sell and the town will need to have a plan. Mr. Lydon explained that part of the concern with extending the downtown down the length of Ramapo Valley Road are the narrow lot sizes and not every property owner will want to sell their property which will mix residential and commercial. Mayor Schwager agrees with continuing the downtown area the length of Ramapo Valley Road. She expressed that it is not a good idea to think small because they have missed opportunities such as IBM locating to Oakland because it was frowned upon. IBM moved to Franklin Lakes and helped with taxes immensely.

Mr. Lydon referred to his report of May 9th where it talks about building coverage limits and housing units. Chairman Potash pointed out that some of the lots going toward Dairy Queen and Portobellos are suitable for development. However, the residential lots are narrow and deep and may not be suitable for commercial development without a healthy buffer. Mr. Yakimik projects that once sewers come, the downtown will change quickly and price for development is not going to matter. This will be the Borough's opportunity to get everything it wants and not have to compromise by extending commercial the length of Ramapo Valley Road down to Portobellos. Mr. Connolly agreed and expressed that this will be Oakland's time to shine and that the commercial zone should be extended.

Mr. Marscovetra questioned if the Victorian style is adopted as the design standard, and the Historical Preservation Commission denies an application, what will their options be. Mr. Russo responded that design standards will need to be specific in the ordinance and the applicant will probably end up in a interpretation situation which could lead to the need of a variance. Mr. Marscovetra expressed that it should not be so specific in the ordinance and the design standards should be left up to the Historical Preservation Commission. He referenced the tree ordinance that the Board reviewed and during an application, they left it up to the Shade Tree Commission to make the necessary adjustments. Mr. Russo explained that he knows towns that have Historical Preservation Commissions and find them to be very picky making it hard to comply when building. He explained that it can be done but it will be up to Mayor and Council to make the decision to give up that kind of authority to a number of individuals and take away power from the Planning Board and Zoning Board.

Councilman Kulmala expressed that to move this along, Mr. Lydon should focus on the Downtown I and Downtown II and then create a Downtown III and capture that area the Board wants to extend the commercial zone to and maybe bring something back at the next meeting. Chairman Potash agreed with Councilman Kulmala and suggested that the Board focus on the Downtown I and II ordinances they were scheduled to review this evening. We'll have Mr. Lydon work on the new zone and work on that next.

Mayor Schwager questioned the current zone of Ramapo Valley Road extending toward Shoprite. Mr. Lydon responded that most of it is residential and down near Dairy Queen is a business zone. Mayor Schwager expressed that she did not want what was discussed tonight to be forgotten and brushed under the rug. Councilman Kulmala suggested that Mr. Lydon go back and work on this and have something to review by next month. Mr. Haymon suggested that it would be helpful to have an inventory of those properties as well. Chairman Potash agreed and questioned Mr. Lydon if he will be able to prepare something for next meeting. Mr. Lydon responded that he believes he can prepare something for the next meeting. A discussion ensued concerning the Land Use Element hearing to be heard at the June meeting. Mr. Lydon responded that they may have to push that off again if they decide to create the new zone that was discussed this evening.

Chairman Potash suggested that Mr. Lydon continue with the Downtown II ordinance and explain the differences between that and the Downtown I. Mr. Russo confirmed with Mr. Lydon that the strikeouts in the draft ordinance will be eliminated in the final draft. Mr. Lydon responded that this is correct. A discussion ensued concerning strikeouts of restaurants and then adding restaurants. Mr. Lydon explained that he re-organized how and what was being added. He referred to the page that better points out the permitted and non-permitted uses. A discussion ensued concerning adult bookstores. Mr. Russo suggested that medical uses in addition to professional should be added so the applicant is not required to go for a use variance. Mr. Lydon responded that he would make the change and add dental and chiropractor.

Mr. Lydon informed the Board that in the Downtown II zone they changed the minimum lot size from the CBD zone from 5,000 square feet to 7,500 square feet to maximize development potential. He reminded the Board that this is a draft and continues to be a work in progress.

Mr. Connolly questioned the 0-front setback. Mr. Yakimik used his exhibit to explain the frontage. The county prefers a front setback of 66-foot right of way which will still allow plenty of room. Ridgewood has a 0-front setback and they include dining in the front right of way. The setback can be pushed back a bit or developers can push back their building. Mr. Lydon expressed that whatever is decided upon, it should be a uniform setback for all buildings. He reminded the Board that any application on Ramapo Valley Road will need to get county approval. Councilman Kulmala expressed that there are parts of Ramapo Valley Road where the commercial is not uniform and questioned how this is addressed. Mr. Yakimik explained that currently, there is a 60-foot setback from Oak Street to Franklin Avenue and for future development, this will need to be determined. If the Board feels the setback needs to be wider, the Borough will need to contact the county.

Mr. Lydon expressed that they would discuss the streetscape ordinance next month but it may be a good idea to come up with a Ramapo Valley Street Improvement Plan, an addendum to the Streetscape ordinance. It could address street width and establish materials to be used. Chairman Potash questioned who authorizes a plan like that. Councilman Kulmala responded that he will make the recommendation to the Council so that we can move forward with the expansion of the downtown area. He questioned if the street realignment should go from Franklin Avenue down to the Shoprite and the Board responded yes.

Mr. Rose referenced the traffic concerns and suggested that the Borough propose to expand the street by adding another lane. Mr. Lydon responded that 3<sup>rd</sup> lanes are difficult but not impossible and this could be included in the Street Improvement Plan. A discussion ensued concerning the involvement of the county. Mr. Lydon suggested that provisions in the ordinance be added to require developers not to degrade the level of service.

Councilman Kulmala questioned if small side streets like Terhune Avenue should be captured as well during the realignment of Ramapo Valley Road. Mr. Lydon responded that there is a proposal to extend Terhune Street along the railroad and out to West Oakland Avenue where the Borough owns 2 lots and get rid of Maple Avenue. Chairman Potash expressed that these are situations where Council will need to consider. Councilman Kulmala added that a utility plan also needs to be added for the downtown area. Mr. Lydon responded that he believes that it was proposed to move the utilities back from Ramapo Valley Road.

Mr. Lydon explained that the Downtown II zone will be smaller than the current CBD II zone. Currently, the Walgreens site is part of the CBD II zone but will change when a mixed-use with affordable housing zone is endorsed for that location and will no longer be a part of the Downtown II zone. Affordable housing will not be discussed tonight. What will be left in the Downtown II zone is the property on southside of West Oakland Avenue up between the 287 ramps and the property on the other side where Allerman Road is located. Most of the changes for Downtown I have been carried over to the Downtown II. A discussion ensued concerning seasonal window painting and the timeframe. Chairman Potash confirmed the main difference between the CBD I and CBD II zones are location, some of the bulk requirements and lot sizes but, similar other than that.

Chairman Potash informed the Board that a question came up during the Downtown Sub-Committee meeting where Mr. Lydon added extra requirements to the ordinances such as the level of service concerning the streets and highways. The requirements seem more stringent than the normal DEP standard for runoff and impervious surfaces. Mr. Russo responded that he would need to inquire if the requirements do not conflict with the other statutes which supersedes the Borough's statute. If it does not, then the town has the authority to enforce the requirements presented in the ordinance. Mr. Lydon added to help the Board and the attorney, he put in language "public health, safety and welfare" to protect the ordinance. Councilman Kulmala requested that Mr. Russo have the determination by the next meeting.

Chairman Potash informed the Board that another question came up during the Downtown Sub-Committee meeting concerning drive-thru windows. He questioned the Board's opinion on drive-thru windows in these zones. Mayor Schwager responded that it needs to be safe and a decent design. Mr. Lydon explained that he has worked with many towns and developers and the problem with drive-thru lanes involve banks, pharmacies, and fast-food restaurants. Drive-thru lanes drives the design and developers will do anything they can to include a drive-thru no matter how much of a sacrifice that is to the site plan. Mr. Yakimik commented that he is not a fan of drive-thru lanes due to the traffic they cause. Mr. Lydon added that drive-thru lanes also increase impervious surface dramatically in order to make everything else work. It is not a good idea when you are trying to create a pedestrian friendly environment. Chairman Potash questioned if the Board would prefer to prohibit or restrict them by limiting it to the businesses area on the other end of Ramapo Valley Road. Mr. Russo explained if drive-thru lanes are prohibited, the businesses will choose to go elsewhere which means lessor tenants or empty buildings. Mr. Yakimik responded that once you have sewers, that will not matter. Councilman Kulmala questioned if drive-thru lanes could be limited to certain areas. Mr. Lydon responded that you may be able to limit drive-thru lanes to larger lots. He expressed that he does not think that the Borough will want drive-thru lanes downtown. Mr. Marscovetra commented that he would prefer no drive-thru lanes in the Downtown I and II area but if a developer has a concept that includes a drive-thru, it could be permitted in the MUAH zone. Mr. Lydon responded that this has been recommended in the MUAH zone. Chairman Potash questioned if the Board wanted to prohibit drive-thru lanes in the Downtown I and Downtown II area since they will be permitted in the MUAH zone. If a developer wants a drive-thru lane in the DT- I and DT-II zone, they can always apply for a use variance. Mr. Lydon commented that maybe drive-thru lanes could be added from Oak Street down to Portobello. Chairman Potash requested that Mr. Lydon add drive-thru lanes are prohibited in the DT I and DT II zones but allowed in the MUAH zone. Councilman Kulmala requested that the Board get a clean copy without the strikeouts when all the revisions are made. A discussion ensued and the Board requested a clean copy and a copy showing the strikeouts sent digitally.

Chairman Potash moved on to the Ramapo Valley Road Historic and Architectural Preservation (RVRHAP) ordinance. Mr. Lydon expressed that this a complicated ordinance that was created with specific language for the RVRHAP zone. The ordinance is involved and includes an architectural component as well as a Historical Preservation Commission. There is justification and authorization in the MLUL to create a Historic Preservation Commission. There is a section in the MLUL, under master plans, that explains how a Historic Preservation Commission is organized and function. There is almost no regulation for architecture in New Jersey, so it is very difficult when there are no provisions allowing municipalities authority. He did his best in putting together information for Historic Preservation guidelines and standards to create this ordinance.

Mr. Lydon referenced the requirements for a minor application. Everyone in that district, except single family dwellings, will be required to receive a Certificate of Appropriateness by way of a Historic and Architectural Preservation Commission. This is done very early in the process before they can get zoning permit approval, Planning Board or Zoning Board approval unless they are exempt.

Mr. Lydon explained that the role of the Historic Preservation Commission is to advise on historic sites or landmarks, make recommendations and issue a Certificate of Appropriateness. This is forwarded to the construction official or zoning officer and advises the Planning Board and Zoning Board. The Commission usually consists of 5-9 members as stated in the MLUL.

He referenced a County survey he used designating historic and architectural sites and districts which was broken down by towns. The survey was the most informative document containing approximately historical 102 sites. The Ramapo Valley Road Historic and Architectural Preservation zone will need to appear on the zoning map.

Mr. Lydon explained that a Certificate of Appropriateness will be issued by an administrative officer before permits are issued, demolition of a building, change of exterior, relocation of a principal or accessory building, or new construction. A Certificate of Appropriateness will not be required for exterior or interior painting. Ordinary maintenance such as painting will have to be compatible with the Historic and Architectural Preservation standards.

Mr. Russo questioned if any area has been designated historic preservation in the master plan document. Mr. Lydon responded that no specific area has been assigned historic preservation in the master plan. There was discussion concerning labeling an area as a historic preservation site. Chairman Potash informed the Board that this was discussed during the sub-committee meeting to designate specific structures in Oakland which fall under the historic designation.

Mr. Lydon informed the Board that if this ordinance is adopted, it will require developers to comply to the late Queen Victorian architectural style for the facades and roofs of their buildings facing the street. This can also impact the side streets even more since some buildings are on the corner of both streets. Mr. Russo questioned if the owners of the properties affected will need to be noticed that their property will be rezoned with these particular architecture standards. Mr. Lydon responded that this would be a question for the Borough attorney since the governing body will be the ones changing the zone. A discussion ensued concerning this ordinance and the streetscape ordinance. Mr. Lydon responded that the streetscape standards will be included in this ordinance.

Mr. Clark questioned the process for a developer going in front of the Historic Preservation Commission for review. Mr. Lydon responded that the developer would need to receive a Certificate of Appropriateness from the Historic Preservation Commission, submit this to the zoning officer and come before the Planning Board or the Zoning Board if standards want to be appealed. It is a bureaucratic process that has steps and can take more time. If the ordinance was to be adopted, all checklists and applications will need to be changed to get a complete submission.

Mr. Liss commented that this would slow the speed of development and place hurdles for the developers. He expressed that a developer can build something, but the town is going to decide how it will look. Mr. Lydon responded that most businesses have a corporate look so that patrons

can recognize them. He explained that we are in competition with other towns concerning development. If the process is so arduous, the developer will go to another town. Developers will typically give up signage as opposed to the design of their buildings.

Councilman Kulmala referred back to the architecture, conformity and uniqueness which is driving the Victorian design. He questioned the Board if there was some value keeping with a unique feel for the downtown. Mr. Connolly expressed that once sewers come, he has no problem with making a developer wait in order to get the right building and design. Mr. Lydon expressed that you may want to scare away the bottom 30 percent of developers but not the top 30 percent. We need a balance and if we are going to regulate the appearance of buildings in town, this is what is what will need to be done. It may be a good idea to look and notice what other municipalities have done to regulate architecture.

A discussion ensued concerning incentivize property owners versus regulating. Mr. Rose commented that construction costs for this particular architecture will be up by 30 percent. Mr. Clark expressed that the Queen Ann style is beautiful when it is done right, but it can be expensive, but you do not want developers choosing a cheaper material. Queen Ann style can be done in a modern style with pitched roofs and more glass. He suggested to generalize the design for the town by requiring certain exterior materials. By doing this, the town will have some regulation but not scare developers away due to being too stringent. It is difficult to strip business of their architectural trademarks because it is used as their signage.

Mr. Liss questioned Mr. Russo about legal challenges that may result with this ordinance. Mr. Russo responded that he believes the ordinances would govern and the relief would be the appropriate variance or use variance. For developers, it is easier to apply for a variance then bring forward a lawsuit. A variance is the degree of deviation. If the deviation is not bad, then the Board would more likely grant the variance but if the deviation is substantial, then you can be stepping on the toes of the Mayor and Council who adopted the ordinance. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mr. Rose and seconded by Mayor Schwager, to open the meeting to the public regarding matters concerning the review of the ordinances were voted unanimously by the Board.

Mr. Heffernan approached the Board and requested that he would return next month and incorporate in his information what was discussed this evening.

Motioned by Mr. Rose and seconded by Mr. Connolly, to close the meeting to the public regarding matters concerning the review of the ordinances were voted unanimously by the Board.

Mr. Lydon informed the Board that he would do an analysis of blocks and lots along Ramapo Valley Road to Long Hill Road, width area, current uses and see how we might apply some non-residential land uses to that area which will include some of the B-2 Business zone and RA-3 Residential zones. He will add a section for extra buffers if it is next to a residential zone and make the changes that

were discussed this evening and hopefully a new ordinance for the extension of Ramapo Valley Road down to Long Hill Road including a clean version and the marked-up version of the ordinance.

Chairman Potash questioned if the Board should tackle the streetscape ordinance. This ordinance was done 2 years ago and we recommended it to the Council and they had some comments. Councilman Kulmala requested that the streetscape ordinance be put on for review for next month. Mr. Lydon suggests that there is a lot going on and suggests we push this off until July.

Chairman Potash confirmed that there were no changes to the Historic Architectural Preservation ordinance. He pointed out that there are differences of opinion with what the Board wants as far as architectural style. He agrees there should be standards.

Mr. Russo referenced discussion concerning incentives and questioned if that is something they want to add to the ordinance. All of this is great but if you cannot get the owners to develop their lots, that can be an issue.

Chairman Potash confirmed that Mr. Russo would research the level of service for streets and highways and the runoff portion stated in the ordinance. A discussion ensued concerning a need of re-development.

Chairman Potash announced that the Board will continue the discussion on the ordinances at the July 11th meeting.

#### 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, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Ms. Michel

#### APPROVAL OF MINUTES:

April 13, 2023 Minutes:

Motioned by Mr. Rose and seconded by Mr. Liss, to approve the April 13, 2023, minutes.

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

Nays: None

Abstain: Councilman Kulmala

Absent: Ms. Michel

#### NEW BUSINESS:

Mr. Russo informed the Board that Mr. Vogel's client, RI-Arms Horse Farm, is looking to sell their property. It is zoned Corporate Office and they are questioning what can be developed there. The Board discussed maybe Senior Housing, Special Needs or a recreation site but sewers may be a problem. K Hovnanian's approval did not include sewers for Indian Hills High School or the horse farm. Mr. Russo expressed that this could be an opportunity for the Borough to work something out. A discussion ensued concerning another development and upsetting the residents that live along Allerman Brook.

#### OLD BUSINESS:

Mr. Russo talked to Mr. Herten concerning A&E Ventures. Their variance approvals will be expiring next week and they are requesting an extension so they do not lose the variance approval. His client is having difficulties getting tenants. He recommended Mr. Herten be present at the next meeting with his client so the Board can have a conversation with them. Mr. Russo suggested that the Board approve the extension for one month and that Board members take a trip to the property to examine. A discussion ensued concerning taking down the building. Mr. Russo responded that they will not take the building down in the event that it could be used plus there are many restrictions with Highlands.

PUBLIC MEETING ADJOURNED AT 9:55 P.M.

Motioned by Mayor Schwager and seconded by Councilman Kulmala, to adjourn the meeting by a unanimous vote by the Board.

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

\*Next meeting on July 13, 2023