

PLANNING BOARD MINUTES
PUBLIC MEETING
JUNE 12, 2014 - 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:

Robert Knapp, Gina Steele, Jason Shafron, Lee Haymon, Nicholas DiLandro, Elaine T. Rowin, John Morris, Councilman Kulmala, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:05 P.M., ROLL CALL:

Present: Mrs. Steele, Messrs., Shafron, Haymon, Morris, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Absent: Messrs. Hagberg, Knapp, DiLandro and Shafron.

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

Motioned by Mr. Morris and seconded by Mrs. Rowin, to excuse the absences were voted unanimously by the Board.

Chairman Potash announced that Mrs. Steele would be sitting in for Mr. Shafron.

Chairman Potash entertained a motion to open the meeting to the public.

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

Mr. Michael Kozak, 24 Kioka, came forward to discuss sustainability possibilities for the Borough and a way the Planning Board could help by developing a checklist for development applications that come before the Board.

He reminded the Board that the Green Team started 5 years ago and at that time, he talked to the Planning Board about the possibility of incorporating sustainability with their applications.

Since then, the Green Team has received a bronze certification and in order to maintain and qualify for the recertification, they need to remain active and receive points in accordance with Sustainable Jersey. Mr. Kozak shared the team's goal to gain points by Sustainable Jersey by lowering carbon footprint or become carbon neutral and to discontinue unnecessary idling.

He would like to get the Planning Board more involved as other towns begin to do the same. He urged the Board to visit the Sustainable Jersey website to explore and to see what other towns are doing. He presented the Board with a sample checklist used by another town.

He informed the Board that when it comes to sustainable energy, the United States have spent the most money than any other country on green building. Costs could be cut by having planning boards incorporate guidelines and including a green checklist during a site plan review.

Mr. Kozak's research has found that by encouraging applicants to build green may increase their costs by approximately 14 percent but they make that back in five years.

He informed the Board that Mrs. Steele has been reviewing the Sustainable Jersey websites and would try to help guide the board and give suggestions. Mr. Kozak suggested that the Board require a green plan also when reviewing an application.

Chairman Potash agreed that it would be a good idea to encourage applicants to become more green when preparing proposed plans but did not know if the Board could require this. Mr. Morris add that the Board does not have the authority to require a green and non green plan due to the cost involved. He explained that the key is for the applicant to hire architect that design that way.

Mr. Kozak shared with the Board that a building constructed in Ramsey went totally green with an in-ground geothermal system and solar panels which would supply free electricity to their tenants.

Mr. Kozak explained that he has solar panels on his home and the expense of doing this will pay for itself in five years. He informed the Board that there are programs now for the installation of solar panels that involve a lease payment which is lower than a Rockland Electric bill.

Mrs. Rowin questioned if they could amend the Board's site plan checklist requesting the Board's preference for green building. Mr. Russo responded that this would have to be done by ordinance. He questioned Mr. Lydon if he has noticed other towns changing ordinances to encourage more green. Mr. Lydon responded that he has noticed a couple of towns requesting applicants to go more green but does not know exactly how it is being implemented. A discussion ensued concerning the legalities of requesting applicants to use green approaches. Mr. Morris expressed that by changing the ordinance and requiring the applicants to have a green design could be problematic.

Mr. Kozak explained that the Jersey Sustainable site gives so much information that will assist the Board. He explained that the website goes through many ways green design can help the Borough achieve points and make a better community environmentally.

He explained that the Sustainable Jersey green building policy resolution requires a sustainable land use pledge, green building training, commercial and residential green design checklist for green building, green building education, green design site plan standards, construction waste recycling, new construction upgrade on light pollution, upgrade and retro water conservation.

He discussed the future sewer project and that a checklist would be needed to address problems concerning the +/- of water leaving and recharging back into the ground. For instance, like some countries in Europe, requiring water runoff from roofs to be captured into barrels or long tubes that store water and keeping it on the property instead of directing out to the street. Chairman Potash informed Mr. Kozak that these stormwater regulations are already in place in the state for bigger projects that are increasing impervious surface.

Mr. Kozak expressed to the Board that five new members have joined the Green Team and are eager to help and since Mrs. Steele is on the Green Team and the Planning Board, she will continue to review the Sustainable Jersey site and inform the Board what is new and coming up.

Mrs. Steele expressed to the Board that it is important to lead by example such as advertising projects that include green design and letting the public know how much money can be saved.

Mr. Kozak informed the Board that the students at Valley Middle School are working with members of the Green Team to create their first rain garden. He suggested that perhaps a house tour of homes with solar panel energy to educated residents that are thinking of doing the same but need to ask questions.

Mr. Russo asked Mr. Kozak to give the Board an example of what he referred to as being too late to suggest green design during the Drug Fair project. Mr. Kozak responded that aside from solar panels, the lighting fixtures that were used. The applicant could have researched grants that would have supplied them with money for their lighting by going green. Another example is by protecting your air conditioning unit by not locating it on the north side or put wrapping around it to make it run more efficient.

Chairman Potash expressed that things like this are economic driven and the real breakthrough will be when people realize that they are actually saving money and with more information out there, you will see it happen with residents, businesses and schools. Mr. Kozak agreed that the power is with information.

Motioned by Mrs. Rowin and seconded by Councilman Kulmala, to close the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

PUBLIC HEARING:

None

NEW BUSINESS:

Chairman Potash announced that he was changing the order of the agenda and moving on to New Business to allow the Environmental Commission to introduce their new draft of the Natural Resource Inventory, NRI.

Mrs. Nancy Krause introduced Debbie Kratzer from Kratzer Environmental Services. She also introduced the first Natural Resource Inventory study done by Oakland with the help of a matching grant from ANJEC, New Jersey Association of Environmental Commissions to move forward with the project.

Krazter Environmental Services has been in business for over 15 years and specializes with working with municipalities to create NRI's. Mrs. Krause explained that Mrs. Kratzer would be going over, by presentation, the work that took a year and a half of gathering information.

Mrs. Kratzer explained that a NRI is a documentation of natural resources which is an objective listing rather than an interpretation or a recommendation. This information is retrieved by GIS mapping (Geographic Information System). The goal of the NRI is to provide objective, reliable environmental data in one document to help borough officials make more informed decisions to better protect the borough's natural resources and the overall well being of their community.

She explained that the Borough received a Smart Growth grant from ANJEC and the project team hired her to conduct the study. The final draft was completed in April and the next step would be for the Planning Board to adopt the NRI as part of the Master Plan.

Table of contents includes every aspect of natural resources in the Borough. Each section has text, maps, graphs, tables, references and internet resources. Mr. Morris questioned how the document would help applicants before the Planning Board with a site plan if it does not contain recommendations or requirements. Mrs. Kratzer responded that it could help inform the applicant where wetlands, steep slopes and/or where endangered habitat is located as well as the types of soils that should be considered before beginning the project. The NRI would be used as a source that provides the Board and the applicant with information and guidelines.

Councilman Kulmala questioned the process for putting the NRI together. Mrs. Krazter responded that the NRI works by gathering information such as the geology information and water quality information from NJDEP and flood plain information from FEMA and try to make this information understandable. Then the geographic information is gathered to make maps directly from these organizations to specifically depict the town requesting this information.

She continued with showing aerial photos of the Borough from the 1930 which depicted Oakland of mainly farmland. NJDEP has provided the latest aerial photo information (2007) and evaluates land use based on these photos which shows the progression and change of land use.

The climate meteorology and air quality section is required to be a considered part of the NRI. The map shows pollutants, normal and extreme weather patterns.

Approximately 3,830 housing units depend on public water and 179 units rely on private wells. There are 7 municipal wells in Oakland. Oakland Water Department provided information for this study from 2008 through 2013 which averaged monthly and daily water use totaling 180 gallons of water consumption per residential unit.

The map shows that 253 housing units or 6.6 percent of Oakland's are served by public sewers and the remaining units are served by septic systems, treatment package plants and/or private systems.

Physiographic provinces are based on topography and geology. The state is divided into four physiographic provinces and Oakland lies within the Highlands and Piedmont provinces. The Highlands province is characterized as ground, ridges and valleys and the Piedmont province is characterized as gently rolling hills. There is a section in the NRI that discusses the Highlands Act.

Elevation in Oakland ranges from a low of 80 meters (262-feet) found in the flood plain to a high of 280 meters (919-feet) in the Ramapo Reservation. Fifteen percent slope is considered a steep slope and can cause difficulty with construction. Mr. Russo questioned if the fifteen percent was taken from the Borough's ordinance. Mrs. Krazter responded that the fifteen percent slope is based on research showing all slopes greater than fifteen percent in the Borough. This is considered the cutoff due erosion.

Most of Oakland consists of glacial till due to the glaciers, alluvium which are deposits from Ramapo River and marsh deposits as well as solid rock. There are 43 different soil maps for Oakland which influences building. These maps also show the characteristics of the soil.

Oakland relies on ground water sources such as aquifers and which are rated poor due to the lack of water quantity. Oakland is within a sole source aquifer which is protected since it supplies the Borough's drinking water.

There are 11 known contaminated sites in Oakland and four sites are ground water discharge generally through a sewer treatment plant. There is one classification

exception area which is an area where the ground water standards have been exceeded and one deed notice area.

Oakland is within the Passaic Watershed and areas such as Crystal Lake, Ramapo River and Bear Swamp are considered Sub Watershed areas. Statistic information about the flood plains from FEMA shows the 100-year and the 200-year flood area.

Surface Water Quality standards are established designated uses. Category 1, trout production streams and Category 1 non trout both require a 300-foot buffer around it.

She explained that 20 percent of the Borough is residential single unit median, 12 percent is residential single unit low density.

Oakland has 2 percent deciduous mature forest, 10- 15 percent would be less dense forest. There is less than 1 percent agriculture, 3 percent water and 4 percent of Oakland is within the wetlands which are called transitional areas or buffer areas.

She discussed the presence of vernal pools and habitats for endangered/threatened animals as well as endangered plants.

Open Space and Recreation in Oakland are comprised of 1,709 acres of preserved area, 788 acres of state banned area, 449 acres of county property and 472 acres municipal land.

The conclusion of the report includes a map that depicts the environmentally critical areas which is a map that has everything from steep slopes, flood plains, wetlands, 50-foot wetland buffers, 50-foot riparian buffers, forested areas, landscape projects, plants, wildlife etc.

Chairman Potash thanked Mrs. Kratzer for her presentation and questioned Mr. Lydon what the next step would be. Mr. Lydon explained that the Board would need to hold a public hearing, advertise by newspaper and notice to the surrounding towns and the county.

Chairman Potash questioned Mr. Lydon if this would have an impact on the pending Plan Conformance and would the NRI draft need to be reviewed by the Highlands and how would they work together. Mr. Lydon responded that it could be incorporated as an appendix or supplement.

Chairman Potash questioned Mr. Lydon on the timeframe for a public hearing and possibly adopting the NRI. Mr. Lydon responded that September would probably be a good time to set a public hearing.

ORDINANCE:

Mr. Lydon explained that he revised the zoning ordinance correcting the definition of an off-street parking to allow for a 9-foot wide by 18-feet long parking stall with a total area of 162 square. Chairman Potash recommended that Mr. Russo draft a letter of recommendation to Mayor and Council on behalf of the Board.

MEMORIALIZATION:

NONE

PAYMENT OF BILLS:

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

Roll Call Vote: Ayes: Mrs. Steele and Rowin, Messrs. Haymon, Morris,
 Councilman Kulmala, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Messrs. Knapp, Shafron, DiLandro and Hagberg.

APPROVAL OF MINUTES:

Motioned by Mr. Morris and seconded by Councilman Kulmala, to approve May 8, 2013 minutes as amended.

Roll Call Vote: Ayes: Mrs. Steele Messrs. Haymon, Morris, Councilman Kulmala,
 Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Messrs. Knapp, Shafron, DiLandro and Hagberg.

OLD BUSINESS:

Mr. Lydon informed the Board that he would be meeting with the Highlands, NJDEP and Borough officials June 18, 2014 to conduct a site inspection on areas that could qualify for Redevelopment as discussed at the last meeting. The Borough is working with Highlands and NJDEP toward including these areas when the town sewers.

Mrs. Steele questioned the status of the two homes on River Road that were before the Board. Ms. Mejia responded that they have just received their DEP letter of approval. Mr. Russo added that the applicant will need to re-notice when returning to the Board.

Mr. Russo informed the Board that there is now a statute in place allowing people to exceed the Borough's height maximum without requiring a variance when raising their homes in the flood plain.

PUBLIC MEETING ADJOURNED AT 8:55 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant

*Next meeting on July 10, 2014.