

PLANNING BOARD MINUTES
PUBLIC MEETING
NOVEMBER 10, 2016 - 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:

John Madden, Robert Knapp, Jason Shafron, Lee Haymon, Nicholas DiLandro, Dan Hagberg, Elaine T. Rowin, John Morris, Councilman Jensen, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:01 P.M., ROLL CALL:

Present: Messrs. Madden, Knapp DiLandro, Haymon, Hagberg, Morris, Councilman Jensen and Chairman Potash.

Absent: Mrs. Rowin, Mr. Shafron and Mayor Schwager*

Motioned by Mr. Morris and seconded by Mr. Hagberg, to excuse the absence was voted unanimously by the Board.

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

Chairman Potash noted that there was no public. He congratulated Mr. Knapp on being elected councilman.

Mr. Knapp sitting in for Mr. Shafron and Mr. Madden sitting in for Mrs. Rowin.

PUBLIC HEARING:

1. A & E Ventures of Oakland – Plaza Road, Block 2702, Lots 1.01 and 1.02. Continued public hearing for an amended preliminary and final site plan.

Chairman Potash announced that A & E Ventures of Oakland (Wawa) continues to be carried. He explained that the applicant has been held up due to the request by opposing attorneys to carry their appeal at last month's Zoning Board meeting. Again, he recommended to contact the Planning and Zoning office for further details.

2. Highlands Element of the Master Plan

Mr. Lydon informed the Board that additional language has been added to the document for clarity. He explained that under Preservation Goals additional wording was added to specifically include the West Oakland Area and areas along Ramapo Valley road while pursuing the extension of sanitary sewer.

This will make it clear that the Borough considers the West Oakland Industrial area as a potential Redevelopment Area. Mr. Russo questioned if adding this language to the document would help Mr. Mullen proceed with his Designated Redevelopment Area request for the property. Mr. Lydon responded that he believes it would as well as help the other property owners in the Industrial Park who opt in together to be considered a Designated Redevelopment Area. It would also help the Industrial Park to tie into sanitary sewers.

Mayor Schwager entered the meeting at 7:15 p.m.*

Mr. Russo informed the Board that he had a conversation with the attorney representing Dewey Electronics property and questioned if his property could be included in the petition for Redevelopment. Mr. Lydon responded that he was not sure that the Dewey property could be included in the petition for Redevelopment since it is on the other side of Interstate 287 and meeting the required 70 percent impervious coverage would be difficult.

MEMORIALIZATION:

1. Smith – Ryerson Avenue, Block 3703, Lot 89.05. Approval for a minor subdivision with variances.

Eligible voters: Mrs. Rowin, Messrs. Shafron, DiLandro, Haymon, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.

Motioned by Mr. Morris and seconded by Councilman Jensen, to memorialize the above resolution of approval.

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

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mayor Schwager and seconded by Mr. Morris, to approve of October 13, 2016 minutes as amended.

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

NEW BUSINESS:

None

OLD BUSINESS:

A discussion ensued concerning the Borough's sign ordinance. Mr. Russo informed the Board that it was introduced at the last Mayor and Council meeting. Chairman Potash expressed that this ordinance was before the Board and revised this year. Language had been removed requiring applicants submit contour maps for illuminated signs but would require certification from the manufacturer that illumination does not exceed the 150 nits.

Mr. Russo explained that there was a Supreme Court ruling rejecting a ban on political signs. The Board discussed that there was no limit in the ordinance on the size or the number of temporary signs. Mr. Hagberg added that there is also no restrictions on content within a sign.

The consensus of the Board was to request Mr. Lydon to review the entire ordinance and amend the definition section for non-commercial signs, size limitations for real estate signs in residential and commercial zones, the location of these signs and restrictions on temporary signs.

Chairman Potash suggested that this matter be tabled and carried to the December meeting for further discussion.

A discussion ensued concerning the solar panel ordinance. Mr. Hagberg informed the Board that the ordinance is still in conflict with the International Construction code. The Board discussed their concerns about roof pitches, electrical dangers and the need for 3-foot setbacks on the roof for fire fighter safety when accessing the roof.

It was expressed that an ordinance needs to be adopted in the same year it is introduced so the solar ordinance may have to be adopted without the amendments and amended the following year. Mr. Hagberg suggested this matter be tabled to the next meeting. In the meantime, Mr. Knapp offered to research the matter further for more flexibility to cover these safety concerns.

PUBLIC MEETING ADJOURNED AT 8:18 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant

*Next meeting on December 8, 2016.