

PLANNING BOARD MINUTES
PUBLIC MEETING
APRIL 14, 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 7:00 P.M., ROLL CALL:

Present: Mrs. Rowin, Messrs. Madden, Knapp, Shafron, Haymon, Hagberg, Morris, Councilman Jensen, and Chairman Potash.
Absent: Mr. DiLandro and Mayor Schwager.

Motioned by Mrs. Rowin and seconded by Mr. Morris, to excuse the absences of Mr. Shafron, Mr. DiLandro and Mayor Schwager.

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

Mr. DiLandro entered the meeting at 7:05 p.m.

Chairman Potash stated for the record that there was no one present in the audience.

PUBLIC HEARING:

None

DISCUSSION: On Highlands Exemption Ordinance and Checklist Ordinance Proposal.

Chairman Potash reminded the Board of a discussion last month, under the topic of New Business, concerning two ordinances which Mr. Lydon handed out drafts of these ordinances for the Board to review. Mr. Lydon made it clear that this is not a public hearing but an opportunity to review, question and make changes to the two ordinances if necessary. After the Board's review, the ordinances would be recommended to Mayor and Council for introduction and would return to the Planning Board since there are development regulations.

The Highlands Council is requesting that the Borough adopt these two ordinances which he believes are resident and property-owner friendly. By adopting the Checklist ordinance, it will assist the applicant the necessary documents needed when preparing plans for improvements for both Borough and Highlands. This process makes it fast, easy and less expensive for the applicant.

The Exemption ordinance is also a resident and property-owner friendly application. If adopted by Mayor and Council, it will authorize selected municipal employees or consultants to grant exemptions to property owners, eliminating direct approval from the Highlands Council. Chairman Potash agreed that this would benefit the resident by eliminating an additional application to the NJDEP or Highlands Council. He questioned if wording in the ordinance could be modified by the Borough if the Board requested. Mr. Lydon responded the Borough can request modification and informed the Board that he has made some minor modifications to both ordinances and sent them to the Highlands Council for their review. Any additional changes by the Planning Board and or Mayor and Council will also be sent to the Highlands Council to sign off on those changes.

Russo questioned if properties that purchased after August 10, 2004 would be eligible to apply for an exemption. Mr. Lydon responded yes because there are two exemptions for family members and for an existing lot of record. Existing lots that are single family and meet the criteria can be exempt which allows the review to be done locally.

Councilman Jensen questioned if the exemption only applies to the Preservation Area and reminded the Board of a past subdivision on Silver Birch Avenue. He questioned Mr. Lydon if that property is located in the Planning or Preservation Area. Mr. Lydon responded that the property is located in the Planning Area and once Mayor and Council has completed their conformance task, the same rules for the Preservation will apply to the Planning Area.

A discussion ensued concerning the long term impact for Ramapo Valley Road once the Plan Conformance includes Planning and Preservation Areas and Mr. Lydon did not seem to think there would be an impact. Chairman Potash verified that the conditions would be the same Preservation and Planning Area.

Councilman Jensen expressed concerns about not being able to subdivide properties in town. Mr. Lydon responded that this would depend on septic density. A discussion ensued concerning the intent to opt in including the Planning Area. Mr. Lydon responded that Plan Conformance to include the Planning Area has been a long process but reminds the Board that the Conformance can be reversed and the subject ordinances would have no affect right now.

Chairman Potash questioned the Board if they were in favor of forwarding the ordinances to Mayor and Council for consideration. Mr. Russo confirmed that these ordinances allow the property owner to apply for an exemption in front of the town as opposed to going before the Highland Council. Once the municipal employee makes a determination that the property owner is exempt, it is then sent to the Highland Council. Mr. Lydon responded this is correct. Mr. Russo referred to an application that exceeds 125 percent footprint regulation and questioned if they would consider it to be increased. Chairman Potash responded that the applicant would need to go directly to the Highlands for a waiver.

Chairman Potash expressed that he agrees with the exemption ordinance but requested Mr. Lydon to explain in depth the checklist ordinance. Mr. Lydon explained that when an applicant is filing an application, a checklist informing them what the Board will request is given in order to assist the applicant when preparing surveys and architectural plans. If Mayor and Council adopts this ordinance, the Borough will include items the Highlands request on the checklist so when the applicant prepares their plans, they will satisfy both the Borough and the Highlands Council. This process would be cheaper for the applicant and would avoid having the applicant come up with two sets of plans.

Chairman Potash recommended that Mr. Russo send a letter to Mayor and Council requesting that these two ordinances be introduced.

MEMORIALIZATION:

None

PAYMENT OF BILLS:

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

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

.

APPROVAL OF MINUTES:

Motioned by Mrs. Rowin and seconded by Mr. Morris, to approve of January 14, 2016 minutes.

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

Motioned by Mrs. Rowin and seconded by Mr. Morris to approve the February 9, 2016 minutes.

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

Motioned by Mrs. Rowin and seconded by Mr. Morris to approve the March 10, 2016 minutes.

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

NEW BUSINESS:

Mr. Lydon handed out a draft of the Reexamination Report for review and requested the Board hold a public hearing between now and July on this topic. He explained that specific Municipal Land Use Law MLUL requirements would need to be covered in a Reexamination Report and that he would supply specific changes and recommendations to the Land Use Element to the Board concerning the Redevelopment Plan within two weeks. The Reexamination Report would now reflect Highlands Redevelopment laws in order to move forward with the extending sewers from the intersection of Long Hill Road down to the Doty Road Bridge to service the homes in that community and possibly extend sewers into West Oakland Avenue Industrial Park which is in the Preservation Area.

Mr. Lydon informed the Board that before the May meeting, he will distribute the last two parts of the Reexamination Report. He is hoping to be able to distribute the Highlands Council Master Plan Element to the Board so that perhaps this could be reviewed simultaneously at the next meeting where he can make a presentation. Chairman Potash recommended the Board review the material and be prepared at the next meeting to discuss the Reexamination Report but suggested that they focus on the Highlands Master Plan the following month.

Mr. Haymon requested that the Environmental Commission get a copy of the Reexamination Report.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 7:50 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant

*Next meeting on May 12, 2016.