

PLANNING BOARD MINUTES  
PUBLIC MEETING  
SEPTEMBER 8, 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: Mrs. Rowin, Messrs. Madden, Shafron, DiLandro, Haymon, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.

Absent: Mr. Knapp

Motioned by Councilman Jensen and seconded by Mr. Haymon, to excuse the absence was voted unanimously by the Board.

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

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

No Comments.

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

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) has carried their application. Mr. Russo explained that the objectors for the application, Shoprite and Valero, have filed a notice of appeal with the Zoning Board of Adjustment. The Wawa application will not proceed here with the Planning Board until the Zoning Board hears the appeal and makes a decision on the jurisdiction of the application. Wawa may not return to the Planning Board until December or January. Chairman Potash suggested that the public contact the Board office for the status of the hearing.

2. Smith – Ryerson Avenue, Block 3703, Lot 89.05. Public hearing for a minor subdivision with variances will be carried to October 13, 2016

Mr. Ben Cascio, Esq. from Franklin Lakes was before the Board on behalf of the applicant. He explained that the applicant is seeking a minor subdivision for a one of the lots created in a 5 lot subdivision. The applicant received recommendation from the Planning Board to rezone the property located in the Industrial Park to a R4-Residential zone. The zone would allow a maximum of 7 buildable lots.

Due to environmental constraints, the applicant made application to the Planning Board back in 2010 for a 5 lot major subdivision and received approval. Mr. Cascio entered exhibits.

Exhibit A-1, 2010 Resolution of approval.

Exhibit A-2, FHA Permit.

Since then, the applicant has gone back to NJDEP for the subdivision of a larger lot, 89.06, and have received a FHA Permit. The applicant will still comply with the RA-4 Residential requirements but will require a variance for steep slopes and a waiver for irregular lot lines. He introduced Mr. Massimo Piazza with Piazza Engineering located in Fairlawn. Mr. Piazza was sworn in and offered his credentials and the Board accepted his qualifications.

Mr. Piazza explained that the subject property is located at the end of Ryerson Avenue. The applicant proposes to subdivide a 197,982 square foot lot known as 89.05 into two lots. Lot A would consist of 144,405 square feet, 3.2 acres and lot B consisting of 53,577 square feet, 1.23 acres. Both lots would conform to required setbacks.

Steep slope runs through the center of the two lots and reminded the Board that they had granted steep slope variances in the 2010 approval. He explained the steep slope analysis used:

Slope Category	Area	Area Disturbed	Allowable
0 to 14%	44,412 sf	15,647 sf	100 %
15 to 25%	8,245 sf	5,275 sf	50 %
25 to 35%	920 sf	395 sf	30 %

A waiver is being requested for an irregular lot lines of 110 degrees where 90 degrees is required. Mr. Piazza explained that the hardship for the C-1 variance would be due to the narrowness and topography of the property.

They have received NJDEP FHA approval permitting 4,000 square feet of isolated wetlands to be filled in to create a buildable lot. He expressed that this application could be granted approval without any detriment since this building lot would consist to the zone and compatible with the surrounding area.

A discussion ensued between Chairman Potash and Mr. Piazza concerning allowable disturbance in the slope categories. Chairman Potash explained that the steep slope ordinance allows all construction in the 0-14% range, transitional grading and road/driveway in the 15-25% range and only transitional grading in the 25-35% range. He did not feel that

MEMORIALIZATION:

None

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mr. Morris and seconded by Mrs. Rowin, to approve of August 11, 2016 minutes.

Roll Call: Ayes: Mrs. Rowin, Messrs. Madden, Knapp, DiLandro, Haymon, Hagberg, Morris, and Chairman Potash.

Nays: None  
Abstain: Councilman Jensen  
Absent: Mr. Shafron and Mayor Schwager.

NEW BUSINESS:

It was brought to the Board's attention by Mr. DiLandro that there is an additional sign on the top of the Lenape Grille building. Mr. Hagberg responded that he would have the Zoning officer follow up with this.

OLD BUSINESS:

None

Meeting recessed at 7:25 p.m.  
Meeting resumed at 7:35 p.m.

PUBLIC MEETING ADJOURNED AT 8:35 P.M.

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

Respectfully submitted by,

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Kathlyn Gurney/Administrative Assistant

\*Next meeting on November 10, 2016.