

PLANNING BOARD MINUTES
PUBLIC MEETING
APRIL 8, 2021 - 7:00 P.M.
HELD AT OAKLAND COUNCIL CHAMBERS
Via Video Conference
(Zoom link is located on the Borough's website)
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:

Andrea Levy, Gregory Liss, Joseph Marscovetra, Michael Rose, Thomas Connolly, Sandra Coira, Lee Haymon, John Morris, Councilman Kulmala, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:06 P.M., ROLL CALL:

Present Members: Mrs. Levy, Messrs. Liss, Marscovetra, Connolly, Haymon, Morris, and Chairman Potash.

Absent Members: Mr. Rose, Mrs. Coira, Councilman Kulmala and Mayor Schwager

EXCUSE ABSENCES:

Motioned by Mr. Connolly and seconded by Mr. Marscovetra, to excuse the absence of Mr. Rose and Mr. Haymon was voted unanimously by the Board.

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

BOARD PROFESSIONALS SWORN IN:

None

Mrs. Levy sitting in for Mayor Schwager and Mr. Liss sitting in for Mr. Rose.

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

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

No comment.

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

PUBLIC HEARING:

None

ORDINANCE REVIEW:

Ordinance 21-CODE-826 Regulations for keeping chickens.

Chairman Potash explained that the Board is being asked to review and give any input on an ordinance to regulate residents who wish to keep chickens as an accessory use. This ordinance will be adopted at the next Council meeting. Mr. Russo questioned what prompted an ordinance to regulate chickens. Mrs. Levy explained that there are some people in town who already own chickens and under the current ordinance, are in violation because they do not have the required one acre for keeping chickens. It was decided to rewrite the ordinance allowing residents with smaller parcels of land to own chickens.

Mr. Russo confirmed with Mrs. Levy that no retail will be involved with owning chickens. Mr. Marscovetra pointed out that there is no limit in the ordinance on the number of chickens one owner can keep. It was discussed that property sizes varies and a resident with a larger piece of property should not have the same limit as a resident with less property.

The Board agreed the ordinance offers sufficient control. Chairman Potash entertained a motion to authorize Mr. Russo to draft a letter recommending that Mayor and Council adopt the ordinance.

Motioned by Mr. Morris and seconded by Mr. Connolly, to authorize Mr. Russo to draft a letter recommending Mayor and Council adopt the ordinance.

Roll Call Vote: Ayes: Mrs. Levy, Messrs. Liss, Marscovetra, Connolly, Haymon, Morris and
 Chairman Potash.
 Nays: None
 Abstain: None

Absent: Mr. Rose, Mrs. Coira and Mayor Schwager.

MEMORIALIZATIONS:

None

PAYMENT OF BILLS:

Motioned by Mr. Connolly and seconded by Mr. Morris, to approve the bills list subject to the availability of funds.

Roll Call Vote: Ayes: Mrs. Levy, Messrs. Liss, Marscovetra, Connolly, Haymon, Morris and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Rose, Mrs. Coira and Mayor Schwager.

APPROVAL OF MINUTES:

Motioned by Mr. Morris and seconded by Mr. Connolly, to approve the March 11, 2021 Minutes.

Roll Call Vote: Ayes: Mrs. Levy, Messrs. Liss, Marscovetra, Connolly, Morris and Chairman Potash.
 Nays: None
 Abstain: Mr. Haymon
 Absent: Mr. Rose, Mrs. Coira and Mayor Schwager.

NEW BUSINESS:

Mr. Connolly questioned when “in person” meetings would begin again because he has heard that the Fanale application may be submitting an application soon. Chairman Potash responded that this topic was discussed at the last meeting and it was decided that since the Board is not overly busy, we would continue to take it month to month whether to meet virtually or in person. However, if the Fanale application does submit an application in the near future, we will revisit the discussion of “in person” meetings.

OLD BUSINESS:

Chairman Potash informed the Board that Mayor Schwager forwarded a PowerPoint attachment from the Borough Attorney summarizing the “Legal Update” made concerning the legalization of Cannabis. However, he feels that the Board has touched on this and agreed to all these items mentioned in Mr. Russo’s letter dated November 17, 2020.

The next step is for Mayor and Council to adopt an ordinance. A discussion lead to the determination that the Board still stands in agreement with the position they took back in November and authorized Mr. Russo to draft a letter to the governing body re-affirming the Board's recommendations set forth in his letter dated November 17, 2020.

PUBLIC MEETING ADJOURNED AT 7:33 P.M.

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

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

*Next meeting on May 13, 2021