

PLANNING BOARD MINUTES
PUBLIC MEETING
DECEMBER 13, 2018 - 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:

Thomas Connolly, John Madden, Sandra Coira, Lee Haymon, Nicholas DiLandro, Dan Hagberg, Elaine T. Rowin, John Morris, Councilman Levy, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:04 P.M., ROLL CALL:

Present Members: Mmes. Rowin and Coira, Messrs. Connolly, Hagberg, Morris, Councilman Levy and Mayor Schwager and Chairman Potash.

Absent Members: Messrs. Madden DiLandro *and Haymon.

Motioned by Councilman Levy and seconded by Mr. Connolly, to excuse the absence of Messrs. Madden, DiLandro and Haymon was voted unanimously by the Board.

Mr. Connolly sitting in for Mr. Haymon.

Mr. Joseph Russo, Esq., Board Attorney; Steve Lydon, Burgis Associates; and John Yakimik, Boswell Engineering, were in attendance.

OPEN TO THE PUBLIC:

Motioned by Mr. Morris and seconded by Councilman Levy, to open the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

No comments

Motioned by Councilman Levy and seconded by Mayor Schwager, to close the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

1. Innocenzi – 16 River Road, Block 1807, Lot 1. Public hearing for two front and one side yard setback for construction in a flood plain.

Mr. Mark Innocenzi was sworn in and testified that he purchased the subject property approximately 6 months ago. He explained that the home was abandoned a year or two ago and fronts River Road and Spring Avenue. He began by remodeling the inside of the home and when making improvements to the outside, was informed that he did not follow the town's procedures.

The existing deck was in poor condition so Mr. Innocenzi proceeded to remove it and also removed the rusted metal basement doors and replaced that with a pre-hung door with a portico above it. After applying for a permit at the building department for the deck, he discovered that he required variances for both front yards and a side yard as well as construction in the flood plain.

Mr. DiLandro enters the meeting at 7:15 p.m.*

The house, built in 1933 was raised in 1970 to meet with the flood elevation requirements in place at that time. The utilities, which include a boiler and hot water heater, have been placed upon several cinderblocks above the flood line.

Chairman Potash questioned the size of the deck. Mr. Innocenzi responded that the deck he removed was 14' x 16' and he's proposing a 16' x 20' deck. The Board questioned the number of stairways being proposed for the deck. Mr. Innocenzi responded one off the front and another out the back. He informed the Board that the Health Department requires that deck footings be no less than 5 feet from the septic system and fields. A discussion ensued concerning the two stairwells coming from the deck. Councilman Levy pointed out that one of the stairwells could be considered an obstruction of the floodway.

Chairman Potash questioned if application was made to the NJDEP. Mr. Innocenzi responded that he was hoping that approval from the Planning Board was all he needed. Chairman Potash responded that any approval from the Planning Board will be subject to securing DEP approval. Mr. Yakimik explained that a Permit by Rule application may be all

that's needed and this only takes 2 to 3 months. Mr. Morris suggested that replacing the deck with the same size as the original deck may look better when making application to the DEP. Councilman Levy informed Mr. Innocenzi that the DEP may require him to raise the utilities/mechanical above the floodplain level.

Mr. Hagberg informed Mr. Innocenzi that he will be required to install flood vents since Oakland is a CRS community. A discussion ensued concerning that preliminary flood maps are showing a reduction in the flood elevation but the NJDEP follows the flood maps currently in place. Chairman Potash advised the applicant to include his flood elevation certificate and a copy of sealed plans that have been finalized. He suggested that Mr. Innocenzi hire a professional to assist him with filing.

Mr. Russo verified the variances as one front yard setback of 5-feet where 40-feet is required (for portico), one front yard setback of 11-feet where 40-feet is required (stairwell for the deck), one side yard setback of 7.8-feet where 15-feet is required (air conditioning unit) and the other side yard setback of 12-feet where 15-feet is required (for deck in the rear).

A discussion ensued concerning the 2005 flood elevation data. Councilman Levy informed the applicant that 2014 flood maps are at the preliminary stage and that flood elevation codes are still based on the 2005 data.

Mr. Yakimik referred to his report and touched on some of the items not discussed concerning floodplain and floodway. A discussion ensued concerning the CRS requirements for all grade measurements of elevations and floor vents.

Chairman Potash announced that there was no public to open the meeting to.

Chairman Potash explained that approval will be subject to deck footings being no less than 5-feet from septic tank or field, installation of two flood vents, DEP approval, all utility systems must be located 2-feet above the Base Flood Elevation (pre-existing utility systems may remain unaltered, the proposed 16' x 20' deck must be anchored to prevent flotation, collapse with the force of flood water. No further discussion. He entertained a motion.

Motioned by Mrs. Coira and seconded by Mr. Connolly, to approve the Innocenzi application subject to the conditions put forth by the Chairman.

Roll Call Vote: Ayes: Mmes. Rowin and Coira, Messrs. Connolly, DiLandro, Hagberg, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Messrs. Madden and Haymon

MEMORIALIZATIONS:

1. 5 Thornton Road Associates, LLC (Kushner Properties) – 5 Thornton Road, Block 3203, Lot 1. Public hearing for an amended site plan.

Eligible voters: Mrs. Coira Messrs. Madden, DiLandro, Haymon, Hagberg, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.

Motioned by Mr. DiLandro and seconded by Councilman Levy, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. DiLandro, Hagberg, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mr. Madden

APPROVAL OF MINUTES:

Motioned by Mr. Connolly and Councilman Levy, to approve the October 11, 2018 Planning Board minutes.

Roll Call Vote: Ayes: Mrs. Rowin, Messrs. Connolly, DiLandro, Hagberg, Morris, Councilman Levy and Mayor Schwager.
 Nays: None
 Abstain: Mrs. Coira and Chairman Potash.
 Absent: Messrs. Haymon and Madden.

November 8, 2018 Planning Board minutes tabled.

NEW BUSINESS:

2019 meeting schedule was adopted.

Chairman Potash, Mrs. Coira and Mr. Connolly volunteered to be part of the committee to review the RFQ's submitted for professional services.

OLD BUSINESS:

Chairman Potash reminded that Planning Board meetings will be held at the Council/Court Chambers beginning January until improvements at the Senior Center are complete.

Chairman Potash informed the Board that Mrs. Rowin and Mr. DiLandro would not be returning to serve as board members for 2019. He wished them both well and thanked them for their outstanding service.

PUBLIC MEETING ADJOURNED AT 8:20 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant

*Next meeting on January 10, 2019.

