

PLANNING BOARD MINUTES
PUBLIC MEETING
FEBRUARY 11, 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: Mmes. Levy and Coira, Messrs. Liss, Marscovetra, Connolly, Morris, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Absent Members: Messrs. Rose and Haymon.

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, Mr. John Yakimik, Boswell Engineering and Mr. Steve Lydon, Burgis Associates were also in attendance.

BOARD PROFESSIONALS SWORN IN:

Mr. Lydon was sworn in.

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

No public

PUBLIC HEARING:

None

MEMORIALIZATIONS:

APPOINTMENT OF BOARD ATTORNEY

Motioned by Mr. Connolly and seconded by Mr. Marscovetra, to memorialize the appointment of Mr. Russo as Board Attorney was voted unanimously by the Board.

APPOINTMENT OF BOARD ENGINEER

Motioned by Mr. Connolly and seconded by Mr. Marscovetra, to memorialize the appointment of Mr. John Yakimik with Boswell Engineering as Board Engineer was voted unanimously by the Board.

APPOINTMENT OF BOARD PLANNER

Motioned by Mr. Connolly and seconded by Mr. Marscovetra, to memorialize the appointment of Mr. Lydon with Burgis Associates as Board Planner was voted unanimously by the Board.

BY-LAWS:

Mr. Russo suggested that it be added to the bylaws to create a sub-committee to review and approve minor subdivisions without variances. A discussion ensued and it was decided not to add this to the bylaws.

Motioned by Mr. Connolly and seconded by Mr. Morris, to accept the Planning Board By-Laws as written.

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

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mr. Connolly and seconded by Mayor Schwager, to approve the January 14, 2021 Minutes.

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

NEW BUSINESS:

Mr. Lydon explained to the Board that a draft document of the Housing Element and Fair Share Plan was sent out. He gave a brief background of affordable housing. Affordable housing has been a constitutional obligation for New Jersey towns for the past 45 years and the obligation has changed throughout the years.

This Housing Element and Fair Share Plan was due to litigation involving 3 intervenors and a court appointed Special Master. The litigation was settled between all parties and the following obligations were settled on:

Rehabilitation of existing deficient housing units	23
Prior Round New Construction Obligation	220
1995-2015 New Construction Obligation	462
Total New Construction Obligation	682

Mr. Lydon explained ways that the Borough could work towards complying to the order. He explained that currently, the Borough is receiving credit for 6 completed rehabs, leaving 17 rehab dwellings needed. They will continue to work with Bergen County Housing Authority to finalize these dwellings. Meeting "New Construction" affordable housing obligation of 682 units will be difficult since the Borough will need to defer until a sewer/water infrastructure is available.

He went through the Vacant Land Assessment to determine which properties in Oakland could be developed and include affordable housing. These properties were assigned as Realistic Development Potential and could allow for 148 units in total. The properties involved are:

Block 1706, Lot 4.01
Block 1707, Lot 2
Block 1802, Lot 1
Block 4004, Lots 8 & 9

In 2020, the Zoning Board of Adjustment approved a townhouse development at 91 West Oakland Avenue that produced 1 affordable unit. A few years back, Mayor and Council purchased Block 1901, Lot 14 as a future site to develop affordable housing rental units for seniors. Additional sites for affordable housing development include the Fanale and Bi-County tracts.

Mr. Lydon explained that they plan to review further with an overlay of the CBD I and CBD II zones to capture unmet affordable housing opportunities. He discussed specific ordinances that need to be in place and the Affordable Marketing Plan and Spending Plan.

Chairman Potash inquired about the Fanale tract and a possible group home. Mr. Lydon responded that the developer for the Fanale tract wants a high density development, 40 rental units, 36 units for sale and 4 group homes with 12 bedrooms each. He explained that with group homes the Borough receives 1 credit per bedroom.

Mr. Lydon explained that the current affordable housing obligation can change after 2025. The Borough is obligated to do the necessary follow up as if they were getting sewers but nothing of big density will be permitted until sewers are in place.

Mr. Lydon suggested that the Housing Element and Fair Share Plan be adopted this evening. Chairman Potash questioned if the Board needs to review the ordinances that accompanied the Housing Element and Fair Share Plan. Mr. Lydon responded that the ordinances will need to be introduced to Mayor and Council and then reviewed by the Planning Board. Mr. Morris had some questions with the ordinances. Mr. Lydon suggested that Mr. Morris email him his comments and questions and he can take care of them. No further discussion.

Chairman Potash entertained a motion to adopt the Housing Element and Fair Share Plan.

Motioned by Mr. Morris and seconded by Mr. Liss, to adopt the Housing Element and Fair Share Plan subject to the revisions that were discussed.

Roll Call Vote: Ayes: Mmes. Levy and Coira, Messrs. Liss, Marscovetra, Connolly, Morris,
 Councilman Kulmala, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None

Absent: Messrs. Rose and Haymon.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:05 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 March 11, 2021.