

PLANNING BOARD MINUTES
SPECIAL PUBLIC MEETING
JULY 26, 2022- 7:00 P.M.
HELD AT THE OAKLAND SENIOR CENTER
20 Lawlor Drive, Oakland, NJ
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:

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

FLAG SALUTE, MEETING OPENED AT 7:05 P.M., ROLL CALL:

Present Members: Mmes. Michel and Levy, Messrs. Liss, Rose, Connolly, Marscovetra, Councilman Pignatelli and Chairman Potash.

Absent Members: Messrs. Haymon, Morris and Mayor Schwager

EXCUSE ABSENCES:

Motioned by Ms. Michel and seconded by Ms. Levy, to excuse the absence of Messrs. Haymon, Morris and Mayor Schwager was voted unanimously by the Board.

Mr. Joseph Russo, Esq., Board Attorney, John Yakimik, Board Engineer and Mr. Steve Lydon, Board Planner were in attendance.

Ms. Levy sitting in for Mayor Schwager and Ms. Michel sitting in for Mr. Morris.

BOARD PROFESSIONALS SWORN IN:

None.

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

No Public

PUBLIC HEARING:

1. Housing Element and Fair Share Plan Amendment.

Chairman Potash announced that everyone received a copy of the amended Housing Element and Fair Share Plan via email. He requested that Mr. Lydon explain the changes to the Board.

Mr. Lydon explained that November 4, 2021 was the last adopted amendment to the plan which was endorsed by the governing body. The first change is a table, requested by the Special Master, which was to be inserted in the November 4th plan detailing the Wastewater Management Plan but was not generated in time. Endorsed by Mayor and Council, the Wastewater Management Plan was removed and replaced with the detailed table.

The prior plan and new plan are very similar. The prior plan's affordable housing obligation numbers and the affordable housing sites remain the same. However, the Special Master had concerns with how the prior plan dealt with Unmet Need so to address that, a mandatory set-aside ordinance was drafted. The Special Master reviewed and approved of the drafted ordinance.

A second approach was made to meet the Unmet Need issue and to create an affordable housing overlay that would involve the same properties in the CBD-I and CBD-II zones. During the first attempt they proposed residential uses in both overlay zones be limited to the second floor. The Special Master objected to that. The latest ordinance drafted limits first floor residential use to lots of at least ½ acre in size and limits buildings within 250-feet from Ramapo Valley Road centerline to no more than 25 percent of the first floor to residential use or amenities.

Another reason for the plan modification was for the site behind CityMD along West Oakland Avenue. The prior plan called for the construction of 8 affordable rental units. Those 8 units would qualify the Borough to claim 8 bonus credits resulting in 16 affordable housing credits. The amended plan will now require the applicant to construct no less than 6 affordable rental units, allowing Oakland to claim 6 rental bonus credits. Those 6 units would qualify the Borough a total of 12 affordable housing credits, 4 less affordable housing credits for this site. A discussion ensued concerning a possible rezone of the property behind CityMD if a certain tenant purchases the land.

Lastly, an additional change occurred when a potential developer of Block 1802, Lot 1, behind Oakland Hardware, objected to the proposed building height of 52-feet so an ordinance to increase the building height to 54-feet for that zone has been drafted.

Mr. Russo suggested that he prepare a resolution if the Planning Board chooses to adopt the plan with the changes. He confirmed that the changes involve:

- A reduction in the required affordable rental units for Block 1706, Lot 4.01 from 8 to 6.
- Permitting 1st floor residential uses in the CBD-1 and CBD-2 overlays.
- Removing the Wastewater Management Plan and replacing it with a detailed chart of the same plan.

Chairman Potash explained that the vote will be to adopt the changes in the plan which will be memorialized at the next meeting. He entertained a motion.

Motioned by Mr. Rose and seconded by Mr. Liss, to adopt the amendments to the Housing Element and Fair Share Plan.

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

PAYMENT OF BILLS:

None

APPROVAL OF MINUTES:

None

MEMORIALIZATIONS:

None

NEW BUSINESS:

A discussion ensued concerning the size of the site plans supplied by Hovnanian. Chairman Potash informed the Board that everyone should have received the plans digitally and there will be a set of full-size plans at the meeting for the Board to view.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:05 P.M.

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

Respectfully Submitted by,
Kathlyn Gurney, Administrative Assistant
*Next meeting on August 11, 2022