

PLANNING BOARD MINUTES  
PUBLIC MEETING  
MARCH 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](http://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, Rose, Marscovetra, Connolly, Morris, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Absent Members: Mr. Haymon.

EXCUSE ABSENCES:

Motioned by Mr. Connolly and seconded by Mr. Marscovetra, to excuse the absence of 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

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

No public

PUBLIC HEARING:

None

MEMORIALIZATIONS:

Adopt the Housing Element and Fair Share Plan”

Mr. Russo reviewed some of the corrections made to the Housing Element and Fair Share Plan resolution. He confirmed with Mr. Lydon that he made the amendments to the plan requested by the Board. Mr. Lydon responded that in order to get the rough draft submitted in time for the Board to consider, a few minor adjustments needed to be made. He explained that he was authorized by the Board to make these changes and also discussed Mr. Morris Affirmative Marketing Plan comments which were later discussed with the Chairman. A new copy of plan will be submitted to the Board by the next meeting. Chairman Potash entertained a motion to memorialize the adoption of the Housing Element and Fair Share Plan.

Eligible voters: Mmes. Levy, Coira, Messrs. Liss, Marscovetra, Connolly, Morris, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Motioned by Mr. Morris and seconded by Mr. Connolly, to memorialize the adoption of the Housing Element and Fair Share Plan with the amendments discussed.

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

Chairman Potash complimented Mr. Lydon on his hard work as well as his work on the Vacant Land Adjustment and achieving a more reasonable number concerning affordable housing. Mr. Lydon confirmed that he will have the amended copy of the Housing Element and Fair Share Plan, the Marketing Plan, Spending Plan and some ordinances that are necessary to implement the plan. At that time, there will be an opportunity for the Board to make additional changes.

Mr. Russo questioned if other towns are passing a Marketing Plan. Mr. Lydon responded yes, this is part of the 2<sup>nd</sup> round COAH rules and towns will be required to have their own Marketing Plan. Each town will be different due to different requirements.

The plan will be reviewed by the Fair Share Housing Center, Court Master and the Court who will ultimately approve the plan along with a Spending Plan. Mr. Russo questioned if one of the requirements

necessary is to hire an administrative agent to assist towns with affordable housing. Mr. Lydon responded that this is correct and that Oakland has contracted Community Grants, Planning and Housing since approval there was an approval by the Zoning Board that resulted in 1 affordable unit on West Oakland Avenue. The administrative agent makes things go smoother and is paid by development fees from the developer which has less of an impact on taxpayers.

A discussion ensued concerning the Fanale tract and the possibility of 40 affordable units. Mr. Lydon expressed that with those affordable housing numbers, the Borough could receive upwards of 500 applications making the job of the administrative agent full-time. The Mayor confirmed that the administrative agent completes the advertising for the units but questioned who's responsible for calculating the unit costs. Mr. Lydon responded that the state's affordable housing professionals will come up with a calculator and income levels to pass on to the administrative agents and developers. In addition, these units will carry a deed restriction for approximately 30 years and released from that restriction if the Borough allows it. Chairman Potash questioned if the ordinances to be reviewed would involve the overlay of the downtown area and mandatory Set Aside. Mr. Lydon responded that this is correct.

#### PAYMENT OF BILLS:

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

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

#### APPROVAL OF MINUTES:

Motioned by Mr. Morris and seconded by Mr. Connolly, to approve the February 11, 2021 Minutes as amended.

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

#### NEW BUSINESS:

None

#### OLD BUSINESS:

Mayor Schwager questioned if there were any updates concerning A & E Ventures. Chairman Potash responded that he believes that it is still tied up with the County and referred the question to Mr. Russo. Mr. Russo responded that revised plans were submitted but the holdup is due to proposed drainage system.

Mr. Morris questioned what determines the possibility of having the Planning Board meeting in person again. The Mayor expressed her comfort level concerning meeting in the Court/Council Chambers. She explained that she would not have a problem meeting in the Senior Center where there is more room for the Board to spread out and windows can be open. Ms. Gurney explained the capacity allowances for the Senior Center and the Library at this time. Chairman Potash expressed that he would like to see the Board meeting in person before the Fanale application comes before the Board and suggested that we take it month by month. Mr. Russo questioned the comfortability of meeting together if everyone is vaccinated. Mr. Lydon commented that the issue is the public. Once the meetings open up to in person, the public has to be included and you need to have a space to accommodate both expected public and Board.

Mayor Schwager informed the Board that they are updating the Council By-Laws and one of the changes made is that the Council meetings will conclude at 10:00 p.m. and suggested that the Planning Board adhere to that as well.

PUBLIC MEETING ADJOURNED AT 7:36 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 April 8, 2021.