

PLANNING BOARD MINUTES
PUBLIC MEETING
MARCH 14, 2019 - 7:00 P.M.
HELD AT OAKLAND COUNCIL CHAMBERS
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:

Joseph Marscovetra, Michael Rose, Thomas Connolly, John Madden, Sandra Coira, Lee Haymon, Dan Hagberg, John Morris, Councilman Levy, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:02 P.M., ROLL CALL:

Present Members: Mrs. Coira, Messrs., Marscovetra, Connolly, Haymon, Hagberg, Morris, Councilman Levy and Chairman Potash.

Absent Members: Messrs. Rose, Madden and Mayor Schwager

Motioned by Mrs. Coira and seconded by Councilman Levy, to excuse the absences was voted unanimously by the Board.

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

Chairman Potash announced that Mr. Marscovetra will be sitting in for Mayor Schwager.

OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA:

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

No comment.

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

PUBLIC HEARING:

1. Nikolaeva – 105 Doty Road, Block 2511, Lot 8. Public hearing for a front and two side yard setbacks in the floodplains.

Ms. Maria Nikolaeva was sworn in and testified that she is the homeowner. She explained that she purchased the home with an enclosed porch that never received the required town or NJDEP approvals. The enclosed porch, built approximately 20 years ago, requires a front yard setback of 40-feet where 4.5-feet exists and a required side yard setback of 15-feet where 1.8-feet exist. In addition, approval from the NJDEP was required and received by Ms. Nikolaeva.

Ms. Nikolaeva explained to the Board that according to the new flood elevation maps, her property will be out of the floodplain. Councilman Levy informed Ms. Nikolaeva that her property would be out of the floodway but not the floodplain. Chairman Potash informed Ms. Nikolaeva that the new flood maps have not been put into effect yet so the Board is required to follow the flood maps that are currently in effect.

John Morris enters the meeting at 7:07 p.m.

The Board had questions about the C.O., the deed restriction and the integrity of deck footings installed without approval.

Mr. Russo requested that the following exhibits were entered.

Exhibit A-1, NJDEP Flood Hazard Area Individual Permit.

Exhibit A-2, Plan dated August 5, 2018.

Exhibit A-3, Photos

Exhibit A-4, Deed Restriction.

Mr. Yakimik explained that preliminary flood maps will be final in August. He commended the applicant for taking the time and money to obtain the necessary NJDEP permits ahead of the hearing. A discussion ensued concerning the need for flood vents in the basement and raising utilities. Mr. Hagberg responded that those requirements are usually required for more substantial construction. No more questions. Chairman Potash entertained a motion.

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

MEMORIALIZATIONS OF RESOLUTIONS:

Eligible voters: Mrs. Coira, Messrs. Rose, Marscovetra, Haymon, Hagberg, Councilman Levy, Mayor Schwager and Chairman Potash

1. T-Mobile – 14 Post Road, Block 2701, Lot 1. Approval for an amended site plan.

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

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

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Councilman Levy and seconded by Mrs. Coira, to approve the February 14, 2019 Minutes.

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

NEW BUSINESS:

Councilman Levy updated the Board on the upcoming master plan review in conjunction with the Borough's downtown improvements. He requested input from the Chamber of Commerce concerning their expectations and design ideas before moving forward. Mr. Lydon suggested a sub-committee be formed to work on the review as well as linking with outside agencies. Councilman Levy informed the Board that he, Mr. Yakimik, Mr. Kunze, Administrator and Brian Chewcaskie, Borough Attorney have already met with potential developers who have expressed interest once sewers are further along.

A discussion ensued concerning timeframe for forming a sub-committee, presenting the master plan element to be adopted and the expectation of sewers. Mr. Yakimik explained that the Borough is doing everything possible to move forward but paperwork needed from the NJDEP is holding up the town and pushing back the sewer timeframe of 5 year. Pump stations are being designed and this will need approval from the NJDEP. It was discussed that a sewer line would run from Shoprite to Franklin Ave.

Mr. Lydon explained that this would be a good time to work on the master plan to resolve traffic, engineering problems and affordable housing issues. Mr. Connolly questioned the status on eliminating the 287 north egress. Councilman Levy responded that he was not sure but Boswell attended a NJDOT meeting in Trenton to propose the alternate access and they were in favor of Oakland's plan. He explained the pattern flow and intent of the alternate road. In order to make this work, the Borough would have to acquire the property next to the detention basin which he said the owner would agree to sell but a market analysis will need to be done. In order to pay for this, there is talk that this property could be turned into a station hub, park and ride.

Chairman Potash informed the Board that on the next agenda, there will be a minor subdivision for the Smith property.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:15 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant
*Next meeting on April 11, 2019.