

PLANNING BOARD MINUTES
PUBLIC MEETING
MAY 12, 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: Ms. Levy, Messrs. Liss, Rose, Marscovetra, Connolly, Haymon, Morris, Councilman Pignatelli, Mayor Schwager and Chairman Potash.
Absent Members: Ms. Michel

EXCUSE ABSENCES:

Motioned by Mayor Schwager and seconded by Councilman, to excuse the absence of Ms. Michel was voted unanimously by the Board.

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

BOARD PROFESSIONALS SWORN IN:

None.

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

Chairman Potash announced that there is no public present.

PUBLIC HEARING:

None.

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mr. Rose and seconded by Ms. Liss, to approve the April 14, 2022 Minutes.

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

MEMORIALIZATIONS:

None

NEW BUSINESS:

Mr. Lydon informed the Board that another amendment to the Housing Fair Share Plan is required by the Court Master. He will forward the plan before next month's meeting with the few changes. Chairman Potash requested that Mr. Lydon point out these changes for the members. Mr. Russo confirmed that the changes would not have any effect on the new application coming before the Board.

Mr. Lydon added that he is also preparing the Downtown Land Use Element for the sub-committee. Chairman Potash informed the Board that the sub-committee is working on new

ordinances for the two areas of the downtown. Once the sub-committee reviews the ordinances at the next meeting, they could come before the Board in July for a recommendation.

A discussion ensued concerning a webinar about updates to the Highland Regional Master Plan. Mr. Lydon explained that the Highlands Council is required to update their plan every 6 years. They are coming out with more sustainability guidelines and directives. Since this is a draft and they are looking for feedback, he will not be attending. He will review it once it has been adopted. He mentioned that it would be open to any Board member interested in this.

Mr. Russo questioned if the 2016 Master Plan was the last reexamination. Mr. Lydon thought the last reexam was 2019 but he said we now have 10 years to adopt master plan reexamination.

OLD BUSINESS:

Chairman Potash mentioned that the Planning Board was working on land use application last month and everyone got busy but he would like to go back to that. A discussion ensued concerning a correction on the application. Ms. Gurney responded that she has a folder of all the current applications and will forward them again to the Board members.

Mr. Russo explained that he would like to go over the application submission for the Fanale property. This application will involve many documents, plans and reports and he would like to get an idea from the Board members how they would like to receive the information, whether it be digitally, reduced size or full size.

Mr. Russo informed the Board that he did receive the last requested document which was architectural drawings for the affordable housing units. However, the application has not been deemed complete and believes the application will be before the Board in July. He would like to advise the applicant on the number and size of plans to be submitted.

Mr. Connolly questioned if a new Shade Tree Ordinance would impact the application. A discussion ensued and it was determined that the application was submitted before the ordinance was adopted and will not impact the application. In addition, there is an agreement between the applicant and the Borough that will supersede the Shade Tree Ordinance.

Mr. Russo gave a brief background of the property. This property was zoned Corporate Office when Fanale submitted an application to the Zoning Board. The Zoning Board turned it down determining it would need to request a zone change from Mayor and Council. The property was then re-zoned allowing 25 homes with 4 affordable units. The application came before the Planning Board and was approved.

Shortly after that, COAH began to fall apart which lead to a lawsuits by developers with prior approval to increase the size of their development. A settlement agreement for the Fanale property was reached and what they settled on will be proposed to the Planning Board. Mr. Russo

explained since this has been settled, the Board's position will be to tweak the application and make sure the applicant follows conditions required for an approval.

A discussion ensued concerning an agreement to a pilot program for the affordable units. Mr. Lydon explained that these programs were meant for areas of redevelopment of blighted properties or 100% of affordable units. As part of the settlement agreement, the Borough will be required to enter into a pilot program for the 40 affordable rental units, but the details have not been established.

Mr. Russo displayed the application, site plans and documents that were submitted for the Board members to review and decide how they want to receive the documents. He prepared a list of what was submitted and conferred with the Board engineer which documents the Board members will need. Mr. Russo suggested that a spreadsheet be prepared so that the secretary can keep track of each Board members request when documents are submitted to them. Ms. Gurney will prepare a spreadsheet and send it to all the Board members.

PUBLIC MEETING ADJOURNED AT 8:02 P.M.

Motioned by Mr. Liss and seconded by Mr. Rose, to adjourn the meeting by a unanimous vote by the Board.

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

*Next meeting on June 9, 2022