

PLANNING BOARD MINUTES
PUBLIC MEETING
JULY 14, 2016 - 7:00 P.M.
HELD AT OAKLAND SENIOR CENTER
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:

John Madden, Robert Knapp, Jason Shafron, Lee Haymon, Nicholas DiLandro, Dan Hagberg, Elaine T. Rowin, John Morris, Councilman Jensen, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:01 P.M., ROLL CALL:

Present: Messrs. Madden, Knapp, DiLandro, Haymon, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.
Absent: Mrs. Rowin and Mr. Shafron.

Motioned by Councilman Jensen and seconded by Mr. DiLandro, to excuse the absences of Mrs. Rowin and Mr. Shafron.

Mr. Joseph Russo, Esq., Board Attorney and Steve Lydon, Burgis Associates were also in attendance.

Mr. Knapp sitting in for Mrs. Rowin. Mr. Madden sitting in for Mr. Shafron.

PUBLIC HEARING:

Chairman Potash noted for the record that there is no public in the audience therefore, there would be no open to the public portion for this meeting.

MEMORIALIZATION:

1. SAR Properties, LLC – 206 West Oakland Avenue, Block 2101, Lots 7 & 8.
Approval for an amended site plan with variances.

Eligible Voters: Messrs. Knapp, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.

Motioned by Councilman Jensen and seconded by Mayor Schwager, to memorialize the above resolution of approval.

Roll Call: Ayes: Messrs. Knapp, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: None
Absent: None

2. Oakland Diner – 72 Ramapo River Road, Block 2601, Lot 6. Approval for a preliminary and final site plan, variances and soil move.

Eligible Voters: Messrs. Knapp, Morris, Councilman Jensen and Chairman Potash.

Mr. Russo informed the Board that he forgot to include in the resolution that the applicant would be required to receive retaining wall certification by the Board Engineer. He explained that this clause was added as item 10 to the resolution. Chairman Potash entertained a motion.

Motioned by Mr. Morris and seconded by Mr. Knapp, to memorialize the above resolution of approval.

Roll Call: Ayes: Messrs. Knapp, Morris, Councilman Jensen and Chairman Potash.
Nays: None
Abstain: None
Absent: None

PAYMENT OF BILLS:

Motioned by Mr. Morris and seconded by Mayor Schwager, for the payment of bills subject to the availability of funds.

Roll Call: Ayes: Messrs. Madden, Knapp, DiLandro, Haymon, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: None
Absent: Mrs. Rowin and Mr. Shafron

APPROVAL OF MINUTES:

Motioned by Mr. Morris and seconded by Mr. Hagberg, to approve of June 9, 2016 minutes.

Roll Call: Ayes: Messrs. Knapp, Hagberg, Morris, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: Messrs. Councilman Jensen, Madden, DiLandro and Haymon
Absent: Mrs. Rowin and Mr. Shafron

NEW BUSINESS:

Mr. Lydon reminded the Board that part of the Highlands Council Plan Conformance process, the Borough was asked to adopt an ordinance pertaining to the Planning Area and back in 2011, the Mayor and Council adopted a resolution petitioning for Plan Conformance in the Planning Area. The ordinance introduced is identical to the resolution adopted which offers the same thing. He assured the Board that in the ordinance the option to withdraw remains and the Borough can opt out of Plan Conformance at any time. The Borough is not committed to any more than it already has.

Mr. Lydon recommended that the Board authorize Mr. Russo to draft a letter recommending Mayor and Council adopted this the ordinance. He was not sure if this ordinance is being treated as a land use ordinance but suggested that it would be safer to treat the ordinance as such and have it come back before the Planning Board before final adoption in the event the court ever determined that this is a land use ordinance. Chairman Potash question if any of the members objected to Mr. Russo drafting a letter recommending Mayor and Council adopt the ordinance. There was no objection.

OLD BUSINESS:

Councilman Jensen expressed to the Board that he was not sure that Mayor and Council ever approved the additional cost to pay Burgis for the Master Plan work. He questioned if a vote should be taken to memorialize this. Chairman Potash responded that he believes that this is through Mayor and Council's budget and not Planning Board. Councilman Jensen expressed that he wanted to make sure that the additional funds were approved and thought that should be researched.

Review of the Master Plan Reexamination Report:

Mr. Lydon reminded the Board that there has been a review of the Reexamination Report during the May and June Planning Board meeting. Discussions, corrections and suggestions were made to this report and he has not heard of any other recommendations or comments since the last meeting. Chairman Potash verified that special needs in senior housing were included in to the goals of the master plan.

Chairman Potash suggested that the Board vote to adopt the Reexamination Report and memorialize the resolution next month.

Motioned by Mr. DiLandro and seconded by Mr. Councilman Jensen, authorizing Mr. Russo to draft a resolution adopting the Master Plan Reexamination Report.

Roll call: Ayes: Messrs. Knapp, Madden, DiLandro, Haymon, Hagberg, Councilman Jensen, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: Mrs. Rowin and Mr. Shafron

Mr. Russo informed the Board that he prepared a letter to Mayor and Council recommending that the sign ordinance be amended as per discussed by the Board at last month's meeting to omit the requirement that the applicant has to submit signed sealed plans along with contour lines. Mr. Russo explained that the ordinance will probably come back to Planning Board for review before it gets adopted.

Councilman Jensen informed the Board that at the last council meeting, Mr. Chewcawskie explained that there was a recent court ruling that will prompt the Borough to re-examine their sign ordinance for other reasons such as freedom of speech and censorship. He we will have to review the ordinance in total at the same time these revisions are made. Mr. Lydon explained that the court ruling came down to censorship

and the people's first amendment rights and this would be a great time to amend the ordinance.

Chairman Potash informed the Board that a major application would be appearing at August 11th meeting and questioned Board members availability. Mr. Lydon informed the Board that the applicant has submitted the application which consists of a lot of material and he has not completed going through in order to draft his report. He and also reminded the Board they would need to consider adopting the Master Plan Element and suggested that this be discussed at the next meeting. Information would be provided to the Board members before the next month's meeting.

PUBLIC MEETING ADJOURNED AT 7:25 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 August 11, 2016.