

PLANNING BOARD MINUTES
PUBLIC MEETING
SEPTEMBER 12, 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:

Andrea Levy, Greg Liss, Joseph Marscovetra, Michael Rose, Thomas Connolly, Sandra Coira, Lee Haymon, John Morris, Councilman Levy, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:04 P.M., ROLL CALL:

Present Members: Mmes. Coira and Levy, Messrs. Marscovetra, Liss, Rose, Connolly, Haymon, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.
Absent Members: None

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

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

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

No comments.

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

PUBLIC HEARING:

1. Oakland Smith Properties, LLC – Block 3703, Lot 89.04. Request to carry public hearing for minor subdivision to the November 14th meeting.

Chairman Potash announced that this application will carry to the November 14th public hearing with no further notice.

1. Dewey Electronics Corporation – Muller Road, Block 310, Lot 27. Public hearing for a minor subdivision.

Mr. Jerry Vogel with Jeffer, Hopkinson and Vogel located in Hawthorne, NJ was before the Board to represent the applicant.

Mr. Vogel informed the Board that the subject property land is located off of Interstate 287 S. and adjacent to the Garden State Lumber. The property is located in the IP Corporate Office and Industrial Park zone where an unoccupied building exists. He explained that the applicant seeks to subdivide the 81.8 acres into 2 smaller lots, 13.3 and 67.7 acres, making the property with the building more marketable. The applicant has no intention of developing the vacant parcel due to its condition. He explained that the existing condition of the proposed vacant property is due to NJ Department of Transportation using as a storage area back in the 1970's to store shot-rock for the construction of Interstate 287.

Mr. Vogel introduced Mr. Douglas Doolittle with McNally Engineering located in Oakland. He gave his credentials and the accepted his qualifications.

Mr. Doolittle entered an exhibit.

Exhibit A-1, Minor site plan for Dewey Electronics Corp. prepared by McNally Engineering dated March 27, 2019.

Mr. Doolittle explained that the property is located on the west side of Interstate 287. The subject property is approximately 81.8 acres. He explained that currently, a vacant warehouse with offices exists on the property. The property which can be accessed by Muller Road, will be subdivided into two lots, 13.3 acres and 67.7 acres.

Mr. Yakimik reviewed his report with Mr. Doolittle. Mr. Doolittle explained that they seek to separate the property with the existing building to a conforming smaller lot making it more marketable. A discussion ensued concerning NJDOT easements not discharged from record. Mr. Doolittle informed the Board that a letter from the NJDOT, dated December 4, 1991, states that the property is no longer needed as a disposal site. However, a Release of Easement that was to be recorded in the Office of the Registrar in Hackensack was never done. Mr. Vogel expressed that they will send a letter to the NJDOT requesting them to transfer these 2 land locked easements back to the applicant.

A discussion ensued concerning Highlands Exemption, a drainage easement and topographical design for the property. Mr. Doolittle expressed that he did not see the purpose of submitting a topography design for the property since it will be vacant.

Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mr. Morris and seconded by Councilman Levy, to open the meeting to the public regarding matters concerning the Dewey Electronic Corporation application was voted unanimously by the Board.

No comments.

Motioned by Mr. Morris and seconded by Councilman Levy, to open the meeting to the public regarding matters concerning the Dewey Electronic Corporation application was voted unanimously by the Board.

Mr. Russo reviewed conditions of approval:

- Review and approval or waiver of the Bergen County Planning Board.
- Applicant shall notify the NJDOT in writing to make sure that a "Release of Easement" for the 2 small landlocked lots will be recorded in Hackensack's Office of the Registrar.
- Removal of a certain drainage easement if required

No further discussion. Chairman Potash entertained a motion.

Motioned by Councilman Levy and seconded by Mr. Connolly, to approve the Dewey Electronic, LLC application contingent to the conditions mentioned above.

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

MEMORIALIZATIONS OF RESOLUTIONS:

None

PAYMENT OF BILLS:

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

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

APPROVAL OF MINUTES:

Motioned by Mr. Morris and seconded by Councilman Levy, to approve the July 11, 2019 Minutes.

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

None

OLD BUSINESS:

CONCEPTUAL HEARING:

Hotel/Hansel Property

Douglas Battersby, Esq. approached the Board to discuss progress with their intentions to improve the Hotel/Hansel property. Mr. Battersby explained that they have updated the survey and have reduced the number of units being proposed. Mr. Lydon expressed that Planning Board will not have jurisdiction of this application since the use is not permitted. Mr. Russo suggested that Mr. Battersby make application to Mayor and Council for a zone change and then proceed with an application to the Planning Board.

Mr. Battersby continued that as suggested by the Board, they decided to reduce the number of units to 44. Two buildings will be proposed will consist of 36 (1) bedroom, 4 (2) bedroom and 4 (3) bedroom units with 84 parking spaces provided. Also in the back of the property, they would like to create a Riverwalk. He believes that townhouses would be the best use to replace the abandoned hotel.

The Board questioned the progress of discussions with Wayne/Pompton Lakes regarding possible sewer hookup for the project. Mr. Battersby responded that they have approached a neighboring property in Oakland about possibly purchasing that lot and keeping the whole project in Oakland. Mr. Russo questioned the possibility of a septic sewer plant. Mr. Battersby responded that it is a possibility since the hotel has a 32 room septic however, he was not sure what the new regulations would require.

A discussion ensued concerning the delay in announcing Ramapo River as C-1 waterway and any approvals before that would be grandfathered. Councilman Levy informed Mr. Battersby that the NJDEP is stringent with the 300-foot buffer however, once the new flood maps are in place, this could favor of the project.

Mr. Russo suggested that Mr. Battersby start making decisions concerning the possibility of a zone change. In addition, he recommends they begin with NJDEP and Highlands since these agencies are their biggest obstacle.

The consensus of the Board was that they favor the project. They suggested that Mr. Battersby begin with NJDEP and Highlands and perhaps a zone change by Mayor and Council.

NEW BUSINESS:

Mr. Yakimik and Mr. Russo have been discussing a possible application concerning AT&T coming before the Board for improvements being proposed at the Thornton Road and Indian Hills sites. They are proposing to switch out the antennas and add an additional cabinet to each of the sites. These improvement seem de minimis.

The applicant's representative informed Mr. Russo and Mr. Yakimik that they do not require Board approval. Mr. Yakimik researched Section 6401 which references that "State or local governments shall approve modifications to existing wireless towers or base stations that do not substantially change the physical dimensions of such tower or base station". Chairman Potash expressed that the state supersedes the municipality. The Board decided that AT&T's can proceed with their improvements administratively through the Building Department unless it is determined there is any disrepair at the sites.

Chairman Potash announced that the Sub-Committee for the downtown improvements will meet before the Planning Board meeting Thursday, 10/10 at 6:00p.m. Mr. Russo informed the Board that A & E has made application to Planning Board for 13,000 square foot retail building. This application will most likely be heard November.

Mr. Russo informed the Board that A & E has made application to the Board for a 13,000 square foot retail building. A hearing date has not yet been determined

PUBLIC MEETING ADJOURNED AT 8:33 P.M.

Motioned by Councilman Levy 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 November 14, 2019.