

PLANNING BOARD MINUTES
PUBLIC MEETING
SEPTEMBER 9, 2021 - 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:

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. and Levy Messrs. Liss, Marscovetra, Connolly, Haymon, Morris Councilman Kulmala, Mayor Schwager and Chairman Potash.
Absent Members: Mr. Rose and Mrs. Coira

EXCUSE ABSENCES:

Motioned by Mayor Schwager and seconded by Mr. Liss, to excuse the absences was voted unanimously by the Board.

Mr. Joseph Russo, Esq., Board Attorney, and Mr. John Yakimik, Boswell Engineering were in attendance.

Chairman Potash announced that Mr. Liss will be sitting in for Mrs. Coira and Ms. Levy will be sitting in for Mr. Rose.

BOARD PROFESSIONALS SWORN IN:

None

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

No public.

PUBLIC HEARING:

1. Karni – 637 Ramapo Valley Road, Block 1301, Lot 40. Public hearing for a major subdivision.

Chairman Potash announced that this will be the third carry for this application and expressed his disappointment about receiving professional reports late. He expressed that this is not fair to the applicants or the residents. He recommended that we try to move the application along next month. This matter will be heard at the October 14, 2021 public hearing.

REVIEW AND RECOMMENDATION:

Mr. Russo informed the Board that the following ordinances have already been before the Board for recommendation. They are back for minor amendments.

Ordinance 21-Code-850

Mr. Russo explained that this ordinance is an affordable housing overlay of the CBD-I and CBD-II zone. The changes are that in the CBD-I zone, permitted residential density shall not exceed 18 dwelling units per acre and CBD-II, permitted residential density shall not exceed 15 dwelling units per acre. Also added, the Borough will accept a payment in lieu of constructing for affordable housing but only in those circumstances where the developer's affordable housing obligation is a fractional requirement of less than 0.5 affordable units. If the obligation includes a fraction greater than 0.5, the obligation will be rounded up and an additional affordable housing unit will be required. No further discussion. Chairman Potash entertained a motion to authorize Mr. Russo to draft a letter recommending the ordinance.

Motioned by Mr. Haymon and seconded by Mr. Liss, to authorize Mr. Russo to draft a letter recommending the ordinance.

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

Limited Breweries Ordinance 21-Code-852

Mr. Russo explained the amendment to this ordinance addresses Limited Breweries. Mayor and Council has expanded permitted conditional use to Limited Breweries in the Industrial-1, Industrial-2, Industrial-3, Industrial Park and Cooperate Office zones along with the B-2 and B-3 zone. In each article, (vi) has been added stating that a limited brewery is not a restaurant but do have chairs, tables and benches similar to some restaurants. However, on-site parking requirements shall be the same as a restaurant. In addition, the Board recommends that it be added that "Limited Brewery patrons must complete a facility tour only once a year prior to being eligible to purchase or sample malt beverages produced on site." No further discussion. Chairman Potash entertained a motion to authorize Mr. Russo to draft a letter recommending the ordinance.

Motioned by Mr. Haymon and seconded by Councilman Kulmala, to authorize Mr. Russo to draft a letter recommending the ordinance.

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

Brewpub Ordinance 21-Code-853

Mr. Russo explained that this is the first time this ordinance for Brewpubs is being reviewed. Brewpubs will operate as a licensed retail consumption premise with an adjoining restaurant and possess a valid Restricted Brewery License issued by the NJ Alcoholic Beverage Commission. Mayor and Council has expanded permitted conditional use to Limited Breweries in the Industrial-1, Industrial-2, Industrial-3, Industrial Park and Cooperate Office zones along with the B-2 and B-3 zone. A discussion ensued concerning having a restaurant in an industrial zone. Due to the vacancies in the industrial zone, the majority of the Board agreed to give this a chance. No further discussion. Chairman Potash entertained a motion to authorize Mr. Russo to draft a letter recommending the ordinance.

Motioned by Mr. Connolly and seconded by Mr. Liss, to authorize Mr. Russo to draft a letter recommending the ordinance.

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

Craft and Plenary Distilleries Ordinance 21-Code-854

Mr. Russo explained that originally this ordinance was titled Craft Distilleries which was amended to include Plenary Distilleries. The ordinance states that Plenary Distillery shall be permitted in

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

NEW BUSINESS:

Chairman Potash announced that the Downtown Committee will meet at 6:30 before the next scheduled Planning Board meeting October 14. The Board discussed the status of certain application that have been before the Board.

OLD BUSINESS:

Mr. Morris expressed to Mr. Yakimik his disappointment after being told that comments he made in reference to the Water Use and Conservation Management Plan were too late to be incorporated. He explained that he spent many hours reviewing and commenting on the plan. Next time he would like to be informed that his input will be considered before he puts in the time and effort.

PUBLIC MEETING ADJOURNED AT 7:55 P.M.

Motioned by Mr. Connolly and seconded by Councilman Kulmala, to adjourn the meeting by a unanimous vote by the Board.

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

*Next meeting on October 14, 2021