

HIGHLAND PARK PLANNING BOARD
 Highland Park Borough Hall-Council Chambers
 221 So. 5th Ave.
 Highland Park, NJ 08904
 MEETING DATE – April 11, 2019 @ 7:30 P.M.

Call to Order

The April 11, 2019 regular meeting of the Highland Park Planning Board was called to order in accordance with the rules for the Open Public Meetings Act by Chairperson Kim Hammond at 7:33 pm; Ms. Hammond indicated the location of the fire exits.

Roll Call:

Present	Kim Hammond, Scott Brescher, Rebecca Hand, Alan Kluger, Padraic Millet, Judi Shade Monk, Stephen Nolan, Susan Welkovits left the meeting at 7:38pm, Allan Williams
Absent	Paul Lanaris, Jeffrey Perlman
Agency Professionals	Bruce Koch, Engineer, Jim Constantine, Planner and Roger Thomas, Esq.

Motions for adjournment of any scheduled cases and any other motions. - None

Memorialization of Resolutions.

Pramer Real Estate LLC 226 Raritan Avenue Block 22, Lot 6	P2019-01 Minor Subdivision w/variances
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Mr. Thomas read the following changes; page 2 the applicant is not the owner, the applicant is the contract purchaser for the property known as Lot 6, Block 22; add to the next sentence the owner of the property is Pramer Real Estate LLC. Mr. Williams suggested changing Mrs. O’Hare to Ms. O’Hare.

It was MOVED by MILLET and seconded by WILLIAMS to memorialize the resolution with the changes.

ROLL CALL: Ayes – Brescher, Hand, Kluger, Millet, Monk, Nolan, Williams, Hammond
 Nays – None

There being eight (8) ayes and no nays, the motion passed.

Leon Kroll 6 Elbert Court Block 3, Lots 37 & 38	P2018-05 Minor Subdivision
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Mr. Thomas read the following changes to the resolution: page 2 first full paragraph “The applicant proposes a sketch plan of a two story house that the applicant represented that they could fit on the property”, there is a blank at the end of page 2 item A-3 rendered sheets 1-4 dated July 3, 2018 by East Pointe LLC; page 4 paragraph four the language now indicates that the applicant shall be subject to the payment of all appropriate fees and taxes and so there is no issue in the future as to what is really has been approved and what is required by a property owner in relation to building. He suggested a new condition number six that would indicate the resolution of memorialization shall be made a part of the deed of subdivision and filed in the

Middlesex County Clerk's Office and when application is filed for a minor site plan public notice is served.

It was MOVED by WILLIAMS and seconded by NOLAN to memorialize the resolution with changes.

ROLL CALL: Ayes – Brescher, Hand, Kluger, Millet, Monk, Nolan, Welkovits, Williams,
Hammond
Nays – None

There being nine (9) ayes and no nays, the motion passed.

Cuie He
405 South 5th Avenue
Block 43, Lots 1 & 2

P2017-02
Minor Subdivision and Bulk Variances
Request for an Extension

It was MOVED by MILLET and seconded by WILLIAMS to memorialize the resolution.

ROLL CALL: Ayes – Brescher, Hand, Kluger, Millet, Monk, Nolan, Welkovits, Williams,
Hammond
Nays – None

There being nine (9) ayes and no nays, the motion passed.

Correspondence and reports.

Zoning/Building Officer report - Scott
Rehabilitation Screening Committee report - Kim/Judi
Mt. Laurel status update - Roger/Jim
Fair Share Housing Obligation report - Jim/chair of FSHO committee
Master Plan Prep report

Action on any other business and work session.

Review Ordinance Authorizing an Amendment to the Zoning Ordinance for property commonly known as Buck Woods

Mr. Cosenza Planner made a presentation. (attached)

Mr. Cosenza reviewed the ordinance with the Board. Section B multi-dwelling units this type of density, 18 units per acre, and in doing his study only multi-family dwelling units is appropriate for this site and 75 is a constant by Court Order. Permanent Accessory uses which is the typical language on a multi-family site plan, prohibited uses stating that nothing else can built except for the multi-family, bulk regulations is 280 which is now going to be 300; coverage requirements the minimum.

Mr. Nolan said that there were many areas in Highland Park like this where there is a multi-family in the middle of a single family residential, are the setbacks similar in scale and scope in what is seen in other areas of Highland Park. Mr. Cosenza said that they were similar; in this case, you have to be conscious of the steep slope conditions, keeping in mind the retaining walls, which may require natural ventilation, which is usually a 10' gap to the building.

Ms. Monk asked Mr. Cosenza to speak more about the 10' setback at the northern boundary seem tight if they were to actually go to that with a project of this size. Mr. Cosenza said that type of dimension is trying to get the building as close to South 6th as possible and the one benefit is on the south side of the block, as you enter the project your on South 6th and to your right looking at the site you will see a lot owned by the Borough which is open space at this point so it will not effect that property. There is a single or two family dwelling across the street which has an 8-10' setback so the distance between buildings would be about 20'.

Ms. Hammond said that the illustration is showing 20-30' setback minimum on one corner and then it is a 50-60' on the 7th Avenue side and it is not being proposed to come within 10' and asked why the Ordinance reflects a different number. Ms. Monk said she also believed there was one lot that is privately owned that one of the buildings in the illustration comes up on. If it was to be developed using that 10' minimum setback at that location on Mansfield that becomes aggressive.

Mr. Cosenza said that a provision was added for a minimum distance between buildings, which is off-tract, which is 40', on the South 5th side it could be possible to get to 10' setback however, a new home is being built and will need to be built from that structure. He said that if the Board would like to recommend to the Council 30' he would be happy to suggest that to Council.

Mr. Millet said that there is a court mandated 75 units, is there also in that mandate a cap on the square footage on those 75 units. Mr. Thomas said there was no cap. Mr. Millet asked what would prevent 75 three-bedroom units. Mr. Cosenza said that there was a requirement for 1, 2 and 3 bedrooms mix for affordable housing, we cannot do the same for market rate and he proposed a maximum floor area of .7 with acreage for this site, 4.1 acres it comes out to about 126,000 sq. ft. of floor area not including the basement. He said that he would make it clear that for market rate units can be 1, 2 or 3 bedroom.

Mr. Cosenza said that if the builder were to build to the maximum, it will be a little bigger then what the illustration show, but the height will not change, the floor area max is still in place.

Mr. Nolan asked about one of the permitted accessory uses is fences, walls and hedges and he is concerned that a developer may wall the entire place or a 14' fence around the entire place and the effect that would have on the community is there any control on that. Mr. Cosenza said that most Ordinance limit fencing to 6' any higher would trigger a variance. He said that the would research this with the Attorney to see what limits are permitted.

Mr. Kluger said he believed that was a discussion at the original buck woods application was the concept of a gated community and is that really what the community wanted. Mr. Thomas said that it would seem reasonable to him that the Ordinance for fencing is presumably at 6', and if for some reason there is a conclusion there is a conclusion that says that the general ordinance for fences somehow does not apply, strongly recommended that this ordinance include a limitation on the height of the fence.

Mr. Nolan said that he is concerned with the mouth of the community there being a fence across there and asked if there were design guidelines. Ms. Hammond indicated that what she imagined when referring to walls were retaining walls and when thinking retaining walls it is below grade but immediately it went to a 6' brick wall, and asked it to speak specifically to retaining walls

and then guidelines if it were to go above grade. Mr. Cosenza said that he would speak to the Attorney to see what limitations are permitted given the situation.

Mr. Thomas said that he is not aware of any propitiation against gated communities within the Borough's codes maybe there is something that could be done to prohibit that in this ordinance. Mr. Constantine said that there could be an enhanced provision about the north edge and that there be some type of continuity with access provisions make it clear that this would be an extension of South 6th Avenue with sidewalks, and add in non-gated.

Ms. Hand asked if there was any discussion on the Borough's soon to be new resolution regarding electric vehicle charging stations and parking requirements. Mr. Cosenza said that if it were in place it would apply to this as well and depends on the submission date. Mr. Thomas pointed out that in the Ordinance there is a provision under access and parking there is a section that talks about if the access road is not dedicated to the Borough of Highland Park the developer shall grant a public access easement to permit the public to access and utilize the access road and gain access to the required open space and associated walkway, bikeway or trail as required. He said that he has a bit of a problem conceptually because you end up having a certain RSIS requirement for this development and then suddenly becomes open season for anybody in the area to be able to park in that area and that troubles him a bit. If you allow public access to the parking lot does that then impede your RSIS requirement.

Mr. Cosenza said under bulk requirements, there will be two buildings, cannot be one or three, 75 units mixed, market rate can be one, two or three bedrooms, and the three bedroom units could be two stories. Affordable Housing is the standard requirement, 15% for rental, 20% for sale available to low, very low and moderate income housing. The floor area has a cap of .7, and in this Ordinance, there is a provision that when the ceiling height is more than 12' it will be counted twice, the height is limited to 3 ½ stories and 48'. Parking structures, the idea is to have the same materials as the building above it, access must be from the south side and the present version is that the exposed portion of the parking structure shall be not be more then two feet above grade, however there is some grade change from front to back and suggested changing that an average of four feet to accommodate that grade change. Concerning parking is in accordance with the RSIS standards, with an average of one, two and three bedrooms that would be about two parking spaces per unit, or about 150-155 parking spaces most of which are under the building. Parking will be parallel, not angle parking or head in parking. There is a provision for bicycle racks at least one per unit. Open Space will be a minimum of 30%, a walkway, bikeway is at least 6' wide and no more then 12' and that is stimulated in that way is that they do not want the entire open space paved and designate that as a trail nor do we want a 2' wide trail. In trying to find a reasonable limit on what would be a public access route all the way from the edge of the street down to the southern track right around where Graham Street (paper street) at that point the Borough has ownership of the right of way and can extend it to Donaldson Park if they wish. As indicated by Mr. Thomas the developer may dedicate and the Borough or County may accept the open space for public use, if the Open Space is not dedicated and easement must be provided, essentially, you could access the southern portion of the site all the way from the top through the street and through the walkway. Foundation plantings are standard provisions as seen in other ordinances as such that the base of the buildings must be provided with landscaping about 3' on center, with native species of scrubs, flowering scrubs, and mulch or gravel along the perimeter of the building. Our plans which the property owner has seen on many occasions and made comments on it, has shown a street with street trees however it does not specifically indicate that in that Ordinance and along with the recommended changes to the Council would

be to put in a street as an extension of South 6th and put in street trees between 25-25' on center and must be native tree species and 3 1/2" in caliper. Section O – buffering and landscaping, 20' buffer around the perimeter of the site where the development is located, the planting must be 6' tall at time of planting, with one recommended change is that they must be a continuous screen spaced 3' on center to achieve that buffer, in addition to the existing fences that neighbors have. The Tree Replacement the end result at this point which needs some further review is that at least 80% of the total number of required replacement trees must be provided on the site, 80% of that must be in the open space area of those trees up to 25% may be, at the determination of the Shade Tree Advisory Committee be 8" in caliber (mature trees) to replace mature trees being removed. This is in addition to the standards that exist in current Ordinance. There is a provision regarding retaining walls, in addition to the requirements that current exist in the Ordinance, to add that these retaining walls shall be no closer than 20' from any tract boundary, and this is in response to protect the neighborhoods and concerns with steep slopes as well as the existing grades.

Mr. Thomas said that what seems to be shown in the presentation regarding retaining walls was a series of retaining walls because of the slopes, and are necessary and required in order to preserve health, safety and welfare of the abutting property owners, and asked if there was any need for other than retaining walls, based on earlier comments about the spite fence, or a wall and suggested that this maybe would be the area to say something about there are retaining which are necessary but the that the wall height shall not be more than 3-4' and not for other purposes other than decorative to avoid the gated community. Mr. Cosenza said that he could do more research to ensure that does not create a condition we are trying to avoid.

Ms. Welkovits said that a concern that was brought up about guaranteeing that retaining walls be placed where existing homeowners now reside should there properties be negatively impacted by any of the tree removals or construction on that site and she believes the neighbors would like to see a proactive approach to a retaining then a reactive approach considering so many trees have already come down and construction vehicles has described some of the site. Mr. Cosenza said that is one of the things he wants to include in the amendment to the Ordinance which means the re-introduced ordinance would be the number, location, height, length of retaining walls are the final determination of the Borough Engineer.

Chris Cosenza said that there is a provision indicating that this development must be in compliance with the steep slopes ordinance, and after speaking to the Court Master that is a concern because we do not want to create a variance condition and he suggested that the steep slopes ordinance that is currently in place is applicable only to the rear 200' section. There will be disturbance where the development is located but development is being discouraged other than the walkway on the southern side.

Mr. Thomas said that it is known that there is contamination on the site, and asked if the removal of the contamination would only be where the development is going or is it required in the open area as well. If it is in the open space area then that would have to be stabilized and abutting properties under the law have to be protected.

Ms. Hammond said that there are already trees being removed which creates a disturbance, and the steep slope ordinance is in place and how do we ensure that the tree removal did not do anything to the neighbors.

Mr. Cosenza said that the LSRP for the landowner as well as the LSRP for the town has been monitoring that situation.

Ms. Hammond asked about the developer's willingness to work with neighbors and not just with the steep slope and erosion but the project impacts the look and change on the neighbor's property.

Mr. Thomas said what Chris Cosenza has added is that the area that is going to be retained for open space; those trees are going to be substantial. He indicated that there has been the removal of a substantial amount of trees, as ordered by the Court, to determine the extent of the contamination, and with the removal of those trees that may impact the stabilization of the slopes and therefore that will have to be taken into account as part of the development process. Even though there is no development in that area, noting that there will also be disturbance because they are going to be required to plant 8" caliber trees, and there is going to be some element that the engineering department is going to have level of control. Mr. Koch agreed and said that there may be an interim step, which is remediation, which could cause further soil disturbance.

Mr. Koch said that there is an LSRP in charge of the project and he does not answer to the Borough and LSRP has reached out and has not received any information yet, so it is not a guarantee. Mr. Thomas said he understood and asked whether or not the LSRP is required to be concerned solely and exclusively about the remediation of the contamination or does his judgement go to the fact that they are going to take care of the contamination, and sign the paper indicting the site is acceptable from a contamination view point and wash their hands of that issue independent of the questions of stabilization. Mr. Koch said that he did not know and pointed out that we should not assume that it is going to be tree removal, landuse approval, remediation, it may be tree removal, remediation and then landuse approval, which is why he is raising the concern.

Mr. Cosenza reviewed the signage section of the Ordinance, reduced 32 sq. ft. to 24 sq. ft. non-illuminated and within the property line. Ms. Monk suggested some type of illumination for way finding and safety purposes.

Mr. Thomas mentioned that this was originally a consistency review but because of the modifications that have occurred because of meeting and the ordinance will have to be re-introduced and this is not a consistency review in accordance with the statute. The reason why we are reviewing this is to become familiar with it so when there is a consistency review. It is also a time to get input on any other modifications that you may have so it can go back to the Council with what has been discussed. He said what has been suggested is to possibly modify the northerly setback from 10' to 30'; concerns with the height of the fence, Mr. Cosenza was looking into that, and possibly have it limited to what is otherwise in the Ordinance which is 6'; There is a general concern of creating a gated community and an effort to assistance in that, that there might be a requirement in the Ordinance that any non-retaining walls that might be permitted would be for decorative purposes only and also have a height limitation that is in keeping with that intent, 3-4' wall height, maybe a change in the signage to allow with all the appropriate guarantees a provisions that indicates the monument sign (identification sign) could not be internally light, externally lighting as long as it is dark sky compliant, no glaring. Mr. Cosenza would look into that and report back.

Mr. Nolan said that if there is going to be illumination it has to be tight because you do not want it to disturb the neighbor, and suggested some sort of design standards so it looks somewhat like the neighborhood and blends well with the neighborhood.

Ms. Welkovits indicated that there was an item that came up about traffic and there is nothing specific to traffic in the document. Mr. Thomas was aware of this through the Borough Council and agrees with the comments that were made which effectively indicate that in terms of traffic this is the kind of application that the Board has every right to say that there will be a requirement for a traffic engineering study to be presented by the applicant, then you would have either Bruce Koch, or the appropriate expert to review all of that so that those issues as they come up, that is a site plan review rather than an ordinance provision.

Mr. Kluger said that in this case we are zoning the property for 75 units and 150 cars with one egress and one ingress and do you in your professional opinion believe that the traffic will work and if you cannot how do you zone it for this many units and this many cars if it does not work. If he were the applicant, I would say it was your idea for the 75 units and the 150 cars. Mr. Thomas said that it is always on the applicant and the point is reasonably well taken but the fact is the applicant still has the obligation to establish that it works. The neighbors have every right to be concerned, 75 units sounds like a lot, in his limited experience 75 units is not an outrageous number so he does not think this suddenly turns this into an undevelopable site from a traffic viewpoint (non-technical statement).

Mr. Thomas said that this would need to be further discussed in terms of what expertise can be brought to bear between now and the 29th that the Judge is mandating that this all be dealt with. Does not sound to him to be an insurmountable problem, not saying it works or does not work but the ability to understand it does not sound like an insurmountable problem in the next month and a half.

Mr. Kluger asked if the town or the planners comfortable about a 75-unit application would work financially for a developer. Mr. Thomas said that he got a strong impression, as much as the developer would love to have 350 units on that site, they came back with some of the things that Mr. Cosenza has spoke about in terms of multi-level stack flats that they believe is a viable development, they are not objecting so he does not see why we should. Mr. Cosenza said in meetings with the Court Master and the developer's representatives present there were at least two iterations that had a podium building with units on top, it is not a foreign type building to the land owner.

Mr. Kluger asked the first application file be read through some of the file from the first application from 20 years just to see what the Board's issues were and why the application was turned down 20 years ago primarily on environmental issues, some have been addressed over time with Ordinances but suggested if you have not looked at it to take a look.

Mr. Millet said that the town is under this obligation with this zoning overlay to create the possibility of a development based upon the settlement that the court has proposed, and the plan is provided but at the eleventh hour which has happened in the past, the developer says he is not going to do this is the Borough exposed in anyway. He said that the Borough is answering a court mandate only and just wanted to make it clear to everyone that the town is providing a plan and we are under no obligation to make it work for the developer only to provide a plan that meets the Master's requirements. Mr. Thomas said to the extent that he can respond, an

Ordinance has to be provided that would provide for 75 units, but as Mr. Cosenza has mentioned 3-4 times and he will emphasize you cannot create an Ordinance that becomes economically unfeasible by definition which is why he was pushing back on the idea that you cannot push the building down because if you get into bedrock. This is part of a litigation this Ordinance is going to be a combination of things, this is a situation where this is going to be a series of events, it will go before the Judge, lawsuits will end up being dismissed in conjunction with the Ordinance being in place, it is not a matter where suddenly the Borough ends up putting this Ordinance in place and then the lawsuit continues because the developer wants 300 units, appropriate mechanisms will be place to ensure that the balls drop appropriately.

Ms. Hammond opened the floor to the public.

William Swift, 19 South 6th Avenue, said that he would like to amplify some of the comments made about the traffic study, because his experience on South 6th Avenue is it is not a very straight forward parking on both sides is very easy, two way traffic etc. The first block has one way traffic going the another way of this development, does not allow people from this development to drive out to Raritan Avenue unimpeded or coming the other way. There is theatrically parking on only one side because the Borough has allowed for decades for the folks who use the church on that first block to have parking on the other side at will. On any Sunday morning you drive through there between Magnolia and Raritan (first block of South 6th) typically there is parking frequently and emergency vehicles are unable to make their way through because, the second block has parking on both sides, third block has parking on one side additionally the cross street Magnolia and Benner do not have stop signs when they cross South 6th, you are unimpeded at least on Magnolia from 8th Avenue over to 5th Avenue and a comparable situation on Benner. He said picture the situation of someone leaving the proposed development and going up to Raritan Avenue you get to the first intersection on Benner you are at a stop sign but stop sign for the cross traffic, you get to the next intersection it is the same situation only there you would have to turn, you do not have a choice otherwise you are going the wrong way down a one-way street. He said that he is suggesting this not because he is saying you cannot have the development, he has no issue on the development, other then suggest developing the mindset that says it is only going to be exiting through South 6th Avenue and urged them to do a traffic study because there are real issues there. He said it appreciated the comments that 75 units, and 150 cars does not seem like that much, but asked them to consider the fact that then traffic to the Borough parking lot there is relatively little traffic here, there is big senior citizen housing complex and they do not have much traffic, and the parking lot is behind them and has access to 5th Avenue so you could make some choices here potentially if you agreed with him, or at least agreed that a study was worthwhile and not a waste of taxpayers money.

Ms. Welkovits thanked Mr. Swift for his comments, she said the term bottlenecking came up at the meeting the other night, if you are coming in off of Raritan Avenue and heading up 6th Avenue you have to stop at Magnolia and you can have cars backed up onto Route 27.

Hayden Hsiung, 411 South 5th Avenue said that in 2006 when he bought his house, there was the buck woods and he went into town to check and see how it the area was zoned and to make sure they were not going to build a factory in the back. He was under the impression it was zoned single family residential and is still single family residential. Mr. Thomas said that the underlying zone would continue the intent of this ordinance is to provide an overlay, meaning it could be developed as single family residential but a developer can take advantage of the multi-family development as presented.

Mr. Hsiung said this would give the developer the option to develop single family or multi-family, and asked what reassurance he had when he bought the property if there was going to be a zoning variance, the neighbors would be notified and that we could raise objections if it was different from single family. Now he is seeing this proposal develop this land four story potentially apartment complex overlooking his and his neighbor's house. There has been a lot of studies done on this and asked if there was going to be a study done on how it would effect the property values because that is a big concern of his and his neighbors. Mr. Thomas said that in all likelihood no that would not be something that would be a function of this Board however in reference to the earlier point if the developer was coming into the Zoning Board for a variance people within 200' would get noticed, this is not an application for a variance but rather part of a court settlement which is tied in with affordable housing obligations for the Borough. It is a different mechanism, when your home was bought from Mr. Buck unfortunately you did not get an assurance that that property would always be developed as represented years ago and what was done the property was sold to the current owner and the current owner is saying that because of the problems that are on the site it can't developed single family it has to be something different and there has been a lot of debate for a number of years over that very issue. This litigation has fostered these discussions and suggested if Mr. Hsiung has concerns there will be an opportunity to be heard primarily at the Governing Body when they have a public hearing on the this zoning change. Once the Ordinance is introduced, you have the right to see what the Ordinance says and at least get an idea on how it will effect your property.

Ms. Hammond said that it was not the Borough's idea to change the zoning, the idea of the Ordinance is to make the very best plan you can given the fact that the 75-unit piece has to be accommodated. She said that she would rather single-family homes but that is not an option.

Harold Sackowitz, 617 South 5th Avenue would like to emphasize is what responsibilities does an LSRP have, in reading through some of the Court files they make it sound like an LSRP is this magical person and is above everything and he will come up with a plan and you will be able to challenge that plan. He asked if he/she represents the NJDEP, and doubts that he/she is supposed to mitigate one risk while creating other risks. HE asked if the Borough's LSRP looked at his remediation plan and had suggestions does that LSRP have to at least listen. Mr. Thomas said that the LSRP is retained by the developer and that automatically makes people say he is in the developers pocket, that is not true because the LSRP is a licensed individual who is not representing the guy that pays him but is rather representing the NJDEP and he or she has to report back and put their signature on a document that says that the remediation has taken place and it is safe. If that representation is false, that license that the individual has is in major jeopardy. Second, does the Borough's LSRP have the opportunity to talk with and make suggestions to the LSRP that is representing the NJDEP – his understanding is that there has already been discussion and he does not have enough experience to honestly say that the developers LSRP will sit and listen to and take suggestions of someone else's LSRP but he believes that there has been some discussions.

Mr. Sackowitz said that it makes sense they would have to at least listen, and as far as the remediation goes, which he does not know if there was a remediation plan yet, but many of these things can be done in more then one acceptable way to not even be able to have input does not make sense to him. Mr. Thomas stated that he did not say there was no input but does not know the extent to which input occurs.

Mr. Sackrowitz said 20 years ago part of submission “any disturbed area that would be left exposed for more then 30 days will immediately be seeded with temporary seeding”. Mr. Thomas appreciates the comment but in the 20 years, there has been approximately 7 years or so of litigation over this property that has then resulted in a court order that says those trees will come down.

There being no further comments, Ms. Hammond closed public discussion.

Mr. Thomas indicated that he would report back so that the Ordinance could be further revised for its introduction again at the governing body meeting on April 27, 2019.

Review Ordinance Amending, Supplementing and Revising the Land Development Ordinance, Chapter 230, Regarding Permitted Uses for Electric Vehicle Charging Stations

Mr. Kluger questioned the need or should we be requiring newly constructed or significantly constructed homes to have charging stations and what the impact was. Ms. Welkovits said that was being worked on to be used as an accessory use for all zoning districts. Mr. Kluger said that was fine it was more of the affirmative requirement on people building homes or significantly constructing homes to have to put in the wiring.

Ms. Hammond said that she could appreciate if a developer is doing a project of a certain size where you would say please put this in because after that development is built and individual unit owner or renters does not have any way to create that for themselves. She said as a resident who wants to do an improvement on their home for that to be a burden of bringing this in seems to proactive.

Ms. Jover said that this was still a work in progress, the intent is major reconstruction or in-fill projects is a whole lot cheaper to provide for the wiring, not the actual charging stations, and using those trigger points. Ms. Hammond indicated she understood the intention and it may be a smart thing, but for a single-family resident and they do not currently own an electric vehicle and we do not know that in 10 years that it will be the fuel of choice. She said for her the distinction is “am I building a home for myself” or am I building a home as a developer to sell and for a homeowner who is doing an improvement for themselves it is a little presumptuous to say you need to put this in when they have no intention of ever buying an electric car.

Ms. Monk said that if it is the homeowners who is building their own residence brand new it should be included. Mr. Nolan asked why we were telling people what they want in their own houses, if people do not want this they should not have to do it. Ms. Monk said if this were a brand new home to the latest codes, not a re-model, you should have electric vehicle wiring. Mr. Nolan asked if the code required electric, suppose someone did not want electric. He said that he has a problem telling a homeowner if their renovating, building something or they are buying it for a developer that they will have this functionality if they do not have. Ms. Monk indicated that all new homes in California are now required to have solar panels.

The Board asked what the cost would be to the homeowner. Ms. Monk said that there needed to be a clear definition of “substantial improvement” to trigger this type of requirement.

Mr. Brescher said that the improvement on a new home would be about \$400-\$500.

Mr. Nolan said that he also had concerns with allowing a charging station in front of the house, it is not appropriate to have charging stations on the front lawn. Ms. Hand indicated that there are many charging stations that you would not recognize for what they are so she would hesitate to restrict it because we don't know what they could look like, this could be the next new fashion statement for homes. Mr. Nolan indicated if it is a plug coming out of the house that is one thing, if it is a gas pump looking that is another as in the ones at the RWJ Fitness parking deck.

Ms. Welkovits said there was another ordinance coming as well to compliment the e-charging station, that would some sort of requirement of how many spots a developer would agree to have based on the number of parking spots.

Sustainable Landuse Pledge

Ms. Hammond said that this is something that would dovetail into the Master Plan. Mr. Nolan said that the pledge looked good to him and would incorporate into the Master Plan items.

Ms. Jover said that this is a landuse pledge and wanted to run it through the Planning Board and get feedback on it, it is pledging to do things that may or may not get done, this is an important action in the program, this is the same pledge adopted a number of years ago and has not changed to much, and is minimal.

It was MOVED by NOLAN and seconded by MILLET in support of the sustainable landuse pledge and with a voice vote by all present, the motion was approved.

Public comment on any item not on the agenda.

Ms. Hammond opened the floor to the public. No one appearing Ms. Hammond closed the public discussion.

Adjournment

There was a motion to adjourn from MILLET with a second from PERLMAN and at 10:03 PM, the meeting was adjourned.

Respectfully submitted,


Jennifer Santiago, Board Clerk

HIGHLAND PARK **COMMUNITY MEETING** **HIGHLAND PARK**
TO DISCUSS THE PROPOSED NEW ZONING FOR BUCK WOODS

When? 7:00 PM - 9:00 PM
TUESDAY, APRIL 9, 2019

Where? COUNCIL CHAMBERS
BOROUGH HALL
221 South 5th Avenue
Highland Park, NJ 08904

The Borough of Highland Park is hosting a community meeting to discuss the proposed court-ordered zoning overlay ordinance for the Buck Woods property that will allow for the development of 75 units of multi-family housing. This step is a critical component of the Borough's court-approved affordable housing settlement agreement. The Borough has been engaged in affordable housing litigation for many years and the settlement will put an end to years of litigation and will increase our affordable housing stock.

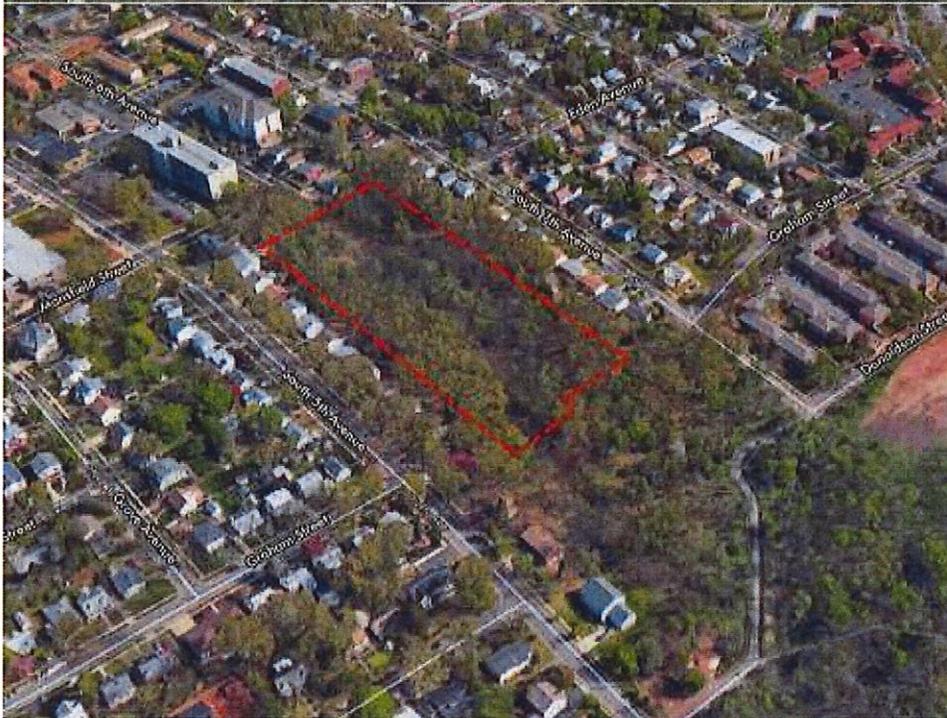
All interested residents and stakeholders are encouraged to attend in order to learn more about the proposed zoning, ask questions and provide feedback prior to adoption.

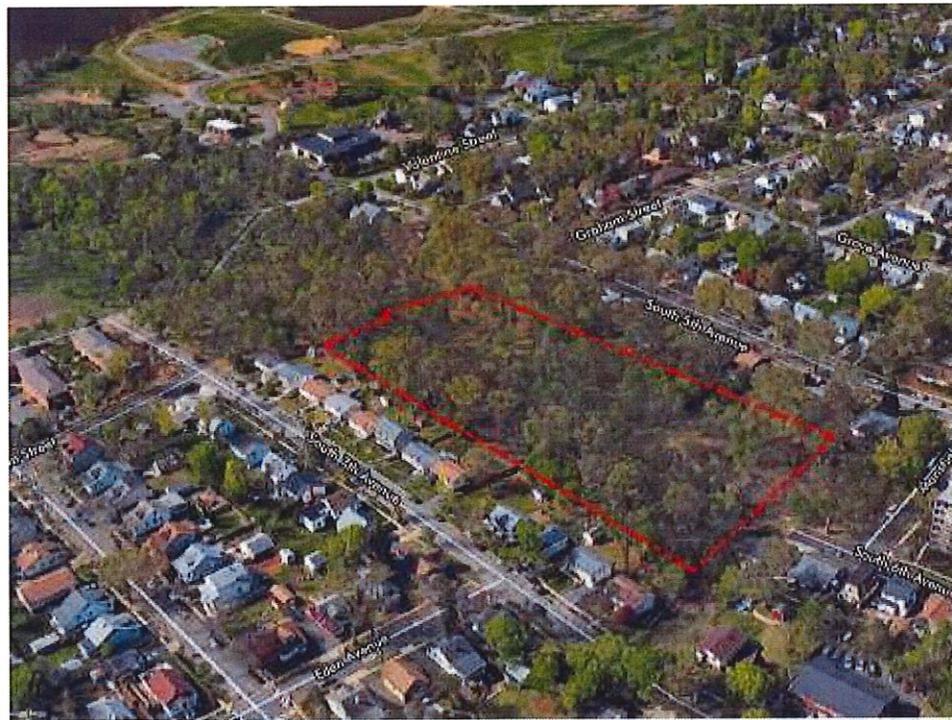
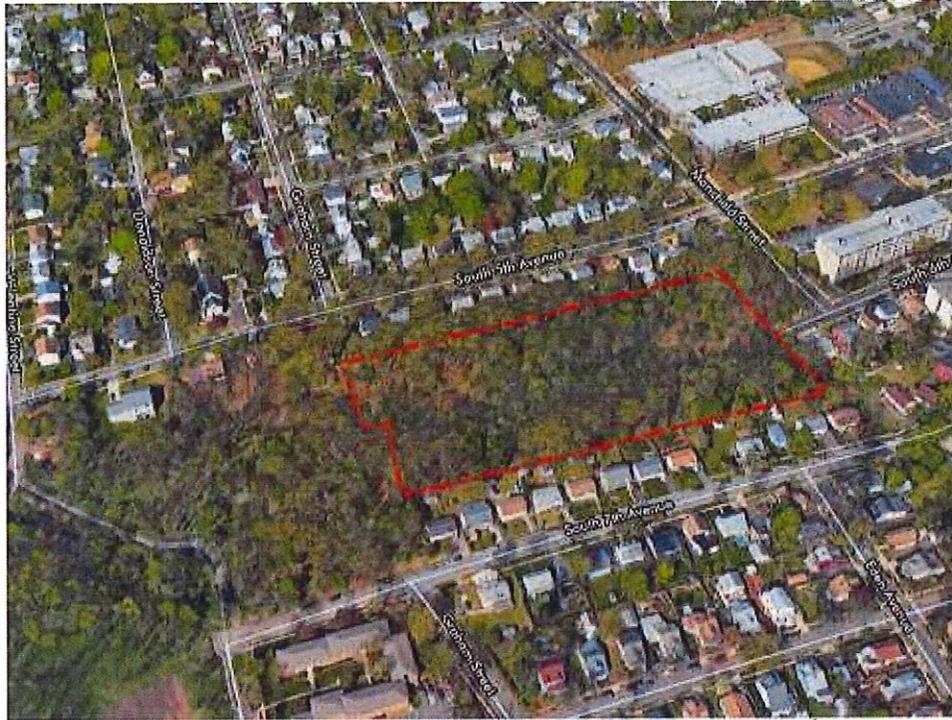


Have Questions? Contact Teri Jover, Borough Administrator at tjover@hpboro.com
www.lipboro.com

Objectives of Overlay Zoning Ordinance

- Accommodate 75 units including affordable
- Environmentally-sensitive approach utilizing a more compact development footprint
- Include buffer, screening, landscaping and tree replacement provisions

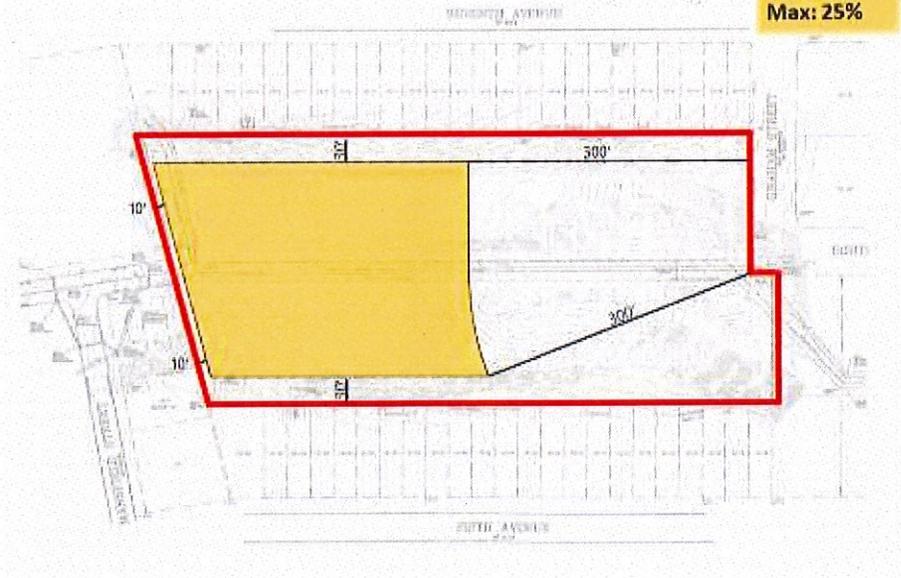






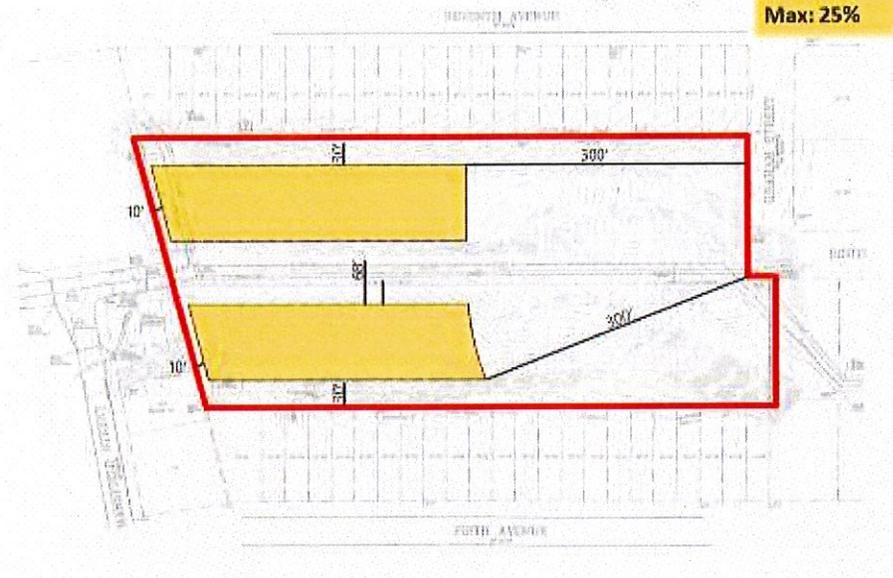
**Building Setbacks/
Building Coverage:**

**~70,000 SF
38.7% of site
Max: 25%**



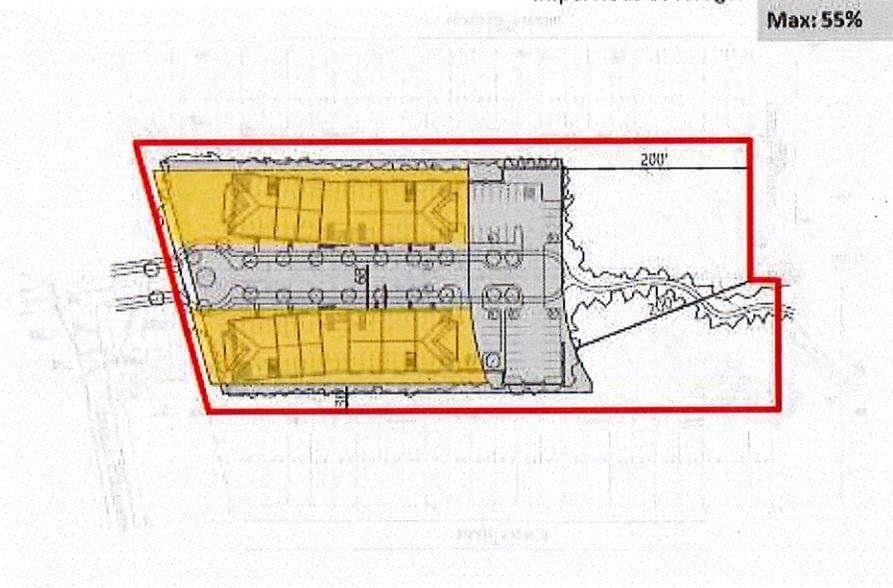
Building Setbacks/
Building Coverage:

~50,000 SF
27.6% of site
Max: 25%

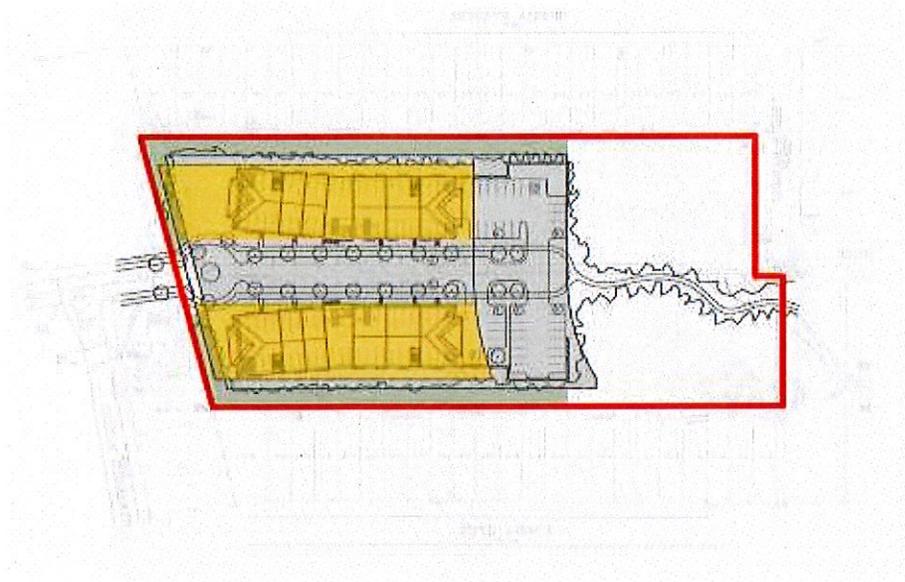


Parking Setbacks/
Impervious Coverage:

~100,000 SF
55.2% of site
Max: 55%



Tract Buffers: **Min. 20'**



Open Space: **~61,000 SF**
33.7% of site
Min. 30%

