

**HIGHLAND PARK PLANNING BOARD
MINUTES
JULY 14, 2016 @ 7:30 P.M.
Council Chambers, Borough Hall
221 South Fifth Ave. Highland Park, NJ**

Call to Order

The July 14, 2016 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 7:36 pm; Ms. Hammond indicated the location of the fire exits.

Roll Call:

Present	Kim Hammond, , Phil George, Padraic Millet, Stephen Nolan, Judi Shade Monk, Scott Brescher
Absent	Alan Kluger, Allen Williams, Paul Lanaris , Stephany Kim, Rebecca Hand, Roger Thomas, Esq., Board Attorney, and Bruce Koch, Borough Engineer
<u>Board Professionals</u>	Jim Constantine, Borough Planner

Ms. Hammond welcomed Jim Constantine as the new Planner to the Planning Board.

Approval of minutes of previous meetings

February 11, 2016

Ms. Monk said that she would like to re-iterate again that the minutes were very very impressive.

It was MOVED by Mr. George and seconded by Mr. Millet to approve the February 11, 2016 minutes with revisions and with a voice vote from all present with abstention from Ms. Hammond and Mr. Nolan the minutes were approved.

March 10, 2016

It was MOVED by Mr. George and seconded by Mr. Nolan to approve the March 10, 2016 minutes with revisions and with a voice vote from all present with abstention from Ms. Hammond and Mr. Millet the minutes were approved.

Action on Any Other Business and Work Session

Sustainable Highland Park

Ms. Hammond indicated that Ms. Monk has been serving as liaison to the Sustainable Highland Park committee and she has prepared some various materials that she will review with the Board. She indicated that she wanted to take a minute to thank Ms. Monk for the time and effort she put into this and clearly there is a lot of density to this and a lot of time commitment and the end result of this will be furthering Highland Park's cap in terms of availability of grants, and puts the Borough in good standing for certain things.

Ms. Monk distributed four components and the one that she will be referencing most frequently will be her own commentary, the other three are items that she would like to adopt or recommend to Council for Borough wide adoption of the items.

Sustainable Landuse Pledge Resolution

Ms. Monk said that the Sustainable Landuse Pledge resolution was a standard non-binding resolution that acknowledges that a sustainable design is an important consideration when undertaking any construction projects and specifically new construction and as Borough will undertake those sustainable initiatives at many levels in the day to day operations. Some of the highlights are cooperation with adjacent municipalities, offering transportation choices, protecting natural resources, trying to provide for diversity in housing and landuse and housing options, supporting green design, and supporting passive design strategies for new construction. Ms. Monk re-iterated that it was non-binding and was pledge or verbal commitment and proposed that the Board adopt that Resolution as written as per the Sustainable NJ initiative.

Ms. Hammond asked if it was a template and on the second whereas it says poor landuse decisions can lead to social ills and thought that social ills sounded a little to antiquated to her and was sure it was a common language but should say something more like undesirable conditions or is that the language that should be used.

Ms. Monk said that one of the big charges to this resolution is to put things in proximity to one another, community and civic amenities in proximity that would get people out walking and use alternate transportation choices. She said what she thought they were talking about with the respect to societal ills are a path of meanings to combat obesity.

Mr. Nolan suggested changing it to read societal burdens.

Ms. Hammond said that she wasn't sure if the term ill was changed to a new term that she was not aware of. She said that she knows that it was a template and a current template.

Ms. Monk said that in some cases they have kind of been coasting along for many years so to change it to societal burdens would be appropriate.

Mr. George indicated that he would move for unintended societal burdens and consequences it addressing a lot of the concerns of Sustainable NJ and Complete Streets such as getting away from petroleum and encouraging cycling and walking.

Mr. Nolan indicated that he liked Mr. George's wording. Ms. Monk agreed.

Ms. Hammond said that the Borough has had this Sustainable accreditation and some of the things the Borough does and asked if it would be appropriate to say that we pledge to continue to. She said that on ones such as the natural resource inventory so to say we are going to do this makes it sound like the Borough has not done this yet. She said that she doesn't want to over credit but feels that the Borough should get credit on things that they have been doing.

Ms. Monk said that she would be happy to do that, the issue of her end is that she has not been involved long enough to really know what all is going on all of the time.

Ms. Hammond said that complete streets is also something that the Borough has been actively pursuing, natural resource inventory, mix of landuse, and regional cooperation. Ms. Monk agreed.

Ms. Hammond indicated that maybe make the changes and bring it back to the Board one last time to review to ensure they have captured everything.

Mr. Nolan suggested another whereas indicating that Highland Park has had a long history is the activities described in this Resolution and pledges to continue in its efforts.

Ms. Hammond said that it will be added as an additional whereas instead of modifying each whereas. All agreed.

Ms. Monk said that the Sustainable Landuse Resolution is a priority item in order to get other credits the Borough is applying for.

Green Building Policy Resolution

Ms. Monk said that this was the enabling Resolution for the adoption of the Green Building and Development checklist. She said that this was a general and non-binding document that indicates that we wish to support it, facilitate it and education people about green building and we are adopting a checklist in addition to acknowledging that some of the items or issues. She indicated that she was not particularly crazy about the percentages of emissions.

Ms. Hammond asked Ms. Monk if she was suggesting taking out that paragraph. Ms. Monk indicated that she did not think that they were going to get any mileage out of people reading that and being alarmed and the numbers are different depending on the sources you are looking at and suggested removing that whereas.

Ms. Hammond asked that City be corrected to Borough.

Ms. Monk said that it talks about enhancing public welfare and ensuring commercial development is consistent with the Borough's desire to create a sustainable community, just acknowledging initiatives that the Borough is already moving towards. She said this was the piece that enables the checklist and in conversation with Mr. George the Council is not going to be interested in adding any complications, delays or layers that inhibit resident's or perspective developers from doing their work within the Borough and this does not require any of those, they are not requirements. She indicated that this just indicates that it exists, it is available, and is one of the many considerations that we take into account when hearing a case.

Ms. Hammond said that there is no requirement but it puts the idea of a sustainable green building forefront in terms of when applicants come in.

Ms. Monk indicated that it also gives the Borough something to refer to when hearing cases, having the applicant complete the checklist and look through the bullet points and tell us about your project in greater depth which is what the checklist does. She indicated that this just enables the use of the checklist does not require the checklist. This is a non-binding initiative.

Mr. Nolan said that he did not have an issue with the first paragraph and suggested leaving in in place; it brings focus to why it is being done. He said if you were uncomfortable about the percentages suggested saying buildings are responsible for a large percentage of pollution rather than get focused on the numbers.

Ms. Monk agreed and said that maybe those numbers are shocking to people who are outside the industry.

Education

Ms. Monk said under education enabled by this Resolution we would adopt a green building and development checklist. Initially this component was called the Sustainable NJ model green development checklist and suggested adding the words "and building" because these principals could be applied on a number of scales from a deck addition, renovations to a major subdivision. She said that this presents itself not only as an evaluation document for the Board and the Borough's use but also as an educational tool for the resident's use. She said that the Borough does have a population that is receptive to learning and knowing more about these principals either generally or very specifically and the checklist document that she prepared is set up for people to engage either way.

Ms. Hammond indicated that she was a bit confused and thought that the checklist was something that would be attached to the application as an application completion checklist. She said checklists work when they are simple and achievable, not where you get to item 3 and say I can't because I don't understand or can't do this. She said that we want to do these things and there is constant talk about not over burdening the homeowners and developers who want to make improvements and make things better. We do want these things to be considered and be in the forefront all things equal in the choice to make a better choice. She said that she was thinking more along the lines of could you do this, did you know you could use this item as opposed to another to save the environment, something simple and easy to understand.

Ms. Monk said in her opinion it should be kept in an outlined format, she formatted it as more of a narrative or generate a bullet point list that just addresses relevant points based upon the project. She said that it is broken down into four categories, the first being context and that is more in the terms of what the Board does in Planning and Zoning and understanding our place and ours in the furthest zoomed out realm of consideration, 2. Is site development now zooming into a particular parcel or a series of parcels and the issues relevant to that scale of operation and then 3. Sustainable building so if you are only doing a construction project or a renovation you could go straight to that umbrella and better understand what options you may have.

Ms. Hammond asked how a narrative then works as a checklist.

Ms. Monk said because it is not a requirement and there is no requisite of accumulation of points or items to have completed.

Ms. Hammond said that this would be required reading if someone came in to do a project. Ms. Monk said yes.

Mr. Millet asked if this would be better if it was an advisory packet because someone could come and request a variance on making their site a little taller while that is not a big deal they could site what they are doing off of the packet. He said someone just doing a dormer to go through all of that information is or can be intimidating.

Mr. Nolan said that was his concern that if it was a relatively modest project and the person going through this would be concerned with having to complete all of the items, if it is softer in terms of if you are doing a fairly decent size project you should consider these things.

Ms. Hammond said in order to fulfill the requirement to get points for Sustainable Highland Park would this fulfill that requirement.

Ms. Monk said that this would fulfill and exceeds the requirements. She referenced the model checklist document and indicated that all of the items in bold are required to be addressed.

Ms. Hammond said that the way it is formatted with checking the box after completing certain items. Ms. Monk indicated that that was one of things that she had taken issue with and that is why she changed the format because it asks you to elaborate on how these things are being done, and gives you a line to complete that and believes that to be misleading.

Ms. Hammond asked if the format as completed by Ms. Monk would fulfill the requirements. Ms. Monk said it would absolutely fulfill the requirement and indicated that Princeton has one that is formatted similarly.

Ms. Hammond suggested taking the word checklist off. Ms. Monk said to rename it a questionnaire and resource packet for green building and development to be made available for download online in pdf format. She said that one of the other items that they were seeking points for in the Sustainable NJ accreditation is an educational initiative and providing something like the resource packet outside of just the Planning Board so there would be some hard copies available in the Construction office.

Mr. Millet said that in respect to education, most of the larger developers know of these types of things and chooses not to do them for one reason or another and to focus more on homeowners who may not realize that if you get this quality of window it may save you money over etc. He suggested a more focused packet for property owners or small developer.

Ms. Monk said that once you start consider the varying scales in which someone could even engage a single family residential project, so many of the same principals still apply.

Ms. Hammond suggested that we accept this as a resource but take it a step further and pick one time a year where it is done a presentation for homeowners that year who are considering projects.

Mr. Millet said that there will be those who will dig deep and others that will just gloss over it.

Ms. Hammond asked if the Board recommends moving forward is the document finished. Ms. Monk said that she was comfortable in moving forward and is open to amendments.

Ms. Hammond said that the building office could go through for feasibility, the Planner go through it.

Mr. Brescher asked if the packet would be in his office and asked if they could be provided with a completed packet as a sample for residents. He indicated that they could not recommend products and would like something for the residents as a resource to the packet.

Ms. Hammond said that they would not be required to talk about a window and if there is another group or committee that could put that together for the residents.

Ms. Monk said that the packet also gives people a list that they could ask their building professionals that they retain.

Mr. Nolan said that there is one resource that might be able to be provided is on some of the items there are committees and boards in town that deals with these types of things, such as the Shade Tree Commission.

Ms. Hammond suggested asking Sustainable Highland Park what resources they could make available so that it does not all fall to the Building office and let Sustainable Highland Park be a resource. Ms. Monk said that was a great idea.

Mr. Millet said that the only problem with that is when people are coming in to fill stuff and getting their permits they are looking to do it sooner rather than later.

Ms. Hammond said that no of this is required and will be used as resource and education.

Mr. Millet said that if the goal is to educate suggested having Sustainable Highland Park come up with something. He indicated that when he chaired the committee they came up with improving "R" values in the home and suggested using those types of items as reference documents.

Ms. Monk said that her one problem, and maybe a burden of knowing too much on how it works, is when you tell someone that this performs at a certain "R" value that one thing performs at a certain "R" value in a vacuum and this is why she was even hesitant to include the percentages. She said anytime you get into that and you're expecting a certain performance such as reducing your waste by 40% and expecting to save at least 20% and then there are repercussions to those

types of things. She said that any of these projects need to be dealt with holistically to be the most effective. She said that isolated choices are better than not so good choices but they are not going to give the complete benefit that they could possibly offer. She said that she was hesitant in doing anything that had prescriptive underpinnings in terms of "you are going to see a 20% reduction". Mr. Millet said that he agreed.

Ms. Hammond indicated that she was confused by all the questions asking for descriptions and there being nowhere to describe anything and suggested that the language be changed to "take consideration of" or something along those lines.

Mr. George said that there were similar concerns that the Planning Board or Zoning Board could be asking these questions in a hearing so it is a good hint for someone to consider that because several members ask environmentally related questions and thinks that this is a benefit. He said like Ms. Monk had mentioned these are questions they might encounter in a more formal setting and will hopefully consider them and if all of the moving parts of the clock are not there at least a lot of the gears are but also a question sheet for the Board members if they are asking sustainable related questions. He said like Mr. Nolan indicated someone doing a dormer this may not apply but one of the stores on Main Street that is renovating may be able to utilize it. He said that they could probably enact Ms. Monk's version, which he likes, send it to the Borough and if the Borough feels the need to address the concerns or send to Complete Street to have them put it together.

Mr. Millet stated that the Borough was accumulating points and the reference is a work in progress, it is too large of a document to make piece meal changes other than true to temper any language that seems in imply that action must be taken.

Ms. Hammond asked where the applicant was to describe what they are doing. Ms. Monk indicated that in the first paragraph of the packet it indicates "The Borough of Highland Park wishes to encourage all who are undertaking construction and development projects within the Borough to incorporate sustainable building practices early in the process of their projects. As such the submission of a Green Building and Development Information Statement is requested as part of the major site plan and major subdivision submission and for any cases coming before the Planning and/or Zoning Boards."

Ms. Hammond asked if every and any applicant has to submit this. Ms. Monk said that it is requested but not required.

Mr. Nolan said that the problem is when a homeowner who is doing a relatively minor project and they get a packet of papers and see this and think that if they do not do this they might be rejected and hire a planner and they are going to panic. He said that they are already out of their element and very nervous about what they are supposed to do and if this looks like anything more than a request and indicated that there needs to be a way to temper this and ensure that it presents as a resource.

Mr. Millet suggested putting a paragraph in the introduction spelling out that this is not a requirement, some of the items will not apply to the average homeowner and is to be used as a resource guide to use with your home and help save the environment or something along those lines.

Ms. Hammond said that the only requirement would be to have them read the whole document and then you would have the people that are skimmers and find two things that they could do and jot it down and others will take it in earnestly. She said that she is just trying to figure out how to make this most valuable and indicated that she is most often the applicant and the person leading the homeowner through the process and is trying to picture how this will go down. She asked who will be looking at this and asked if this was something that the Construction office will have to do or does it go into a file and no one actually reads it. She said that she know that we are doing it for the points and there is a lot of good reasons to do this and thinks that there are certain size development that need to be looking at this but you can't cherry pick, so she is trying to get a sense of what it is that we are really asking for.

Mr. Nolan asked if everyone who is doing a deck or a dormer has to fill out this checklist and answer every question.

Mr. George said that Mr. Nolan made a very good point and it was mentioned in re-doing the introduction to say what they really want to do and suggested calling the document "green building and design recommendations" and strongly encourage people to read this. He said that if the Borough wanted to look at its major applications for redevelopment it could be incorporated into the redevelopment application; projects of a certain size would have to do it like a Rite-Aid or Stop and Shop or homes built from the ground up. He said that in general just to call it recommendations, to make it a requirement is really something that the Borough would need to look at in conjunction with the Planner.

Ms. Hammond asked if it could be a requirement just for site plan review and not anyone who is just applying for permits for a project.

Mr. George suggested passing Ms. Monk's as recommendations that urging applicants to read, they are not required, and recommend in the resolution that the Borough consider the criteria for which a green building checklist would be mandatory, new construction, commercial development and so on.

Ms. Hammond asked who was going to review the document. Mr. George said that for education purposes you would not necessarily have to but if in a hearing the Board members could ask.

Ms. Hammond asked if this full filled Sustainable NJ expectations if it is part of a site plan application. Ms. Monk indicated that Sustainable NJ does not have any expectation that this is required in any capacity for anyone.

Mr. George said that if they make it as a recommendation that everyone consider, review or study then the Borough gets the 5 points. Ms. Monk said to change the title to green building practices resource.

Mr. Brescher asked if this could be made more of a question and answer and these are things that you could do instead of making people fill it out.

Ms. Monk said that in her perspective that is more like making professional recommendations and predisposes the Board and the Borough to certain solutions that will occur over and over again and become ubiquitous and won't have unique and inventive solutions.

Ms. Hammond suggested sticking to it as more of a resource and for site plan applications.

Mr. Nolan said if the only time this would be completed is with site plan applications then there would be a professional involved who could do this.

Ms. Monk said that to give the document to site plan applicants ahead of time and indicate that they are in a place where these items are really important and can expect a ton of questions regarding them.

Mr. Nolan indicated that this is a road map to a successful application. Ms. Monk agreed.

Ms. Hammond agreed and indicating that everything in that first paragraph would still apply because every application is different and a majority of these items may not apply to your application. Ms. Monk agreed and indicated that she could then leave in the verbiage of describe and would now feel free to say no.

Mr. Constantine said that certainly in terms of the small homeowner applicants and if the Board wanted to pull some of the items out of and create a one-page reference for homeowners so it is not so complicated and list some of the easier things that could be done that the Borough would like to encourage. He said that there is a lot literature that has been published that is geared towards the small applicant and easy to understand. He said that there could be resources available in the construction office that may help guide that and make it user friendly. He said that West Windsor was the first to adopt this and has had something similar in place that they have been using for some time.

Ms. Hammond said that two things would come out of this, keep something similar to what has been presented for larger projects and create a smaller one-page resource for homeowners. She it sounded like the Board was unanimously on the same page.

Mr. George suggested treating this like they do an applicant, take a voice vote on the application and have the formal resolution ready this way the Board can advise Sustainable that it has been done and have the written resolution at the next meeting. He said that he believes the deadline was for September.

Ms. Hammond said that the Resolution was to recommend it to Council. Mr. George said that was correct.

Mr. Nolan indicated that he would be comfortable moving this with the recommendations.

Mr. George said that they would take what they have, make the minor changes and then that is what goes to Council.

Ms. Monk indicated that the smaller checklist could be put together at a later date. Mr. George said that was correct and indicated that it would already be adopted.

It was MOVED by Mr. Nolan and seconded by Mr. George that the model Sustainable Landuse Pledge Resolution, the Green Building Policy Resolution and the Green Building and Development Practices resource be adopted.

ROLL CALL: Ayes – Mr. George, Mr. Millet, Mr. Nolan, Ms. Monk, Mr. Brescher,
Ms. Hammond
Nays – None

There being six (6) ayes and no nays, the Resolutions were adopted.

Ms. Hammond thanks Ms. Monk for all her hard work on this project.

Correspondence and reports:

Ms. Hammond said that the Rite-Aid windows were open and up waiting for the art to be hung. She asked what the status was on the art.

Mr. Brescher indicated that he spoke to Mason and Gross and they have been in contact with Rite-Aid and the art should be hung by September, he indicated that they were also ready to start the clinic.

Mr. Nolan asked where the Borough was in the Master Plan cycle. Mr. George indicated that it was up for review.

Ms. Hammond indicated that a brush up review was done. She said they looked at what had happened since the last time a Master Plan review was done, and made sure that the Master Plan was consistent with what was currently going on but there was no serious consideration on making further changes.

Mr. Constantine asked if that was the 2010 Rexam. Mr. Nolan indicated that was a re-exam and there have been Court cases for COAH and that required zoning changes, and it was discovered when going forward with other things so changes were made to match what was decided by the court case and consistency within the last two or three years.

Public Comment:

Ms. Hammond opened the meeting for public discussion and called upon all those wishing to speak to identify themselves. There being no one, Ms. Hammond closed public discussion.

There was a motion to adjourn from Mr. Millet with a second from Mr. George at 8:39 pm the meeting was adjourned.

Respectfully submitted,


Jennifer Santiago
Board Clerk