

Minutes
 Highland Park Planning Board
 Council Chambers, Borough Hall
 221 South Fifth Ave. Highland Park, NJ
 Regular Meeting–August 13, 2015

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 7:34 pm; Ms. Hammond indicated the location of the fire exits.

Mr. Thomas swore in Judi Monk as Alternate Two Planning Board Member

Roll Call

Present	Kim Hammond, Allan Williams, Alan Kluger, Paul Lanaris, Philip George, Padraic Millet, Steve Nolan, Stephany Kim, Judi Monk
Absent	Lita Greenberg, Scott Luthman
Board Professionals	Roger Thomas, Esq. Board Attorney Allen Schectel, Board Planner Bruce Koch, CME Engineering Board Engineer

Hearing of New Cases

Rite Aid

330-334 Raritan Ave.

Block 31 Lots 17,18,19,20,21,22,33

P2015-03

Preliminary and final site plan

C variance from signage standards

There was a motion from Mr. Millet with a second from Mr. Williams to deem the application complete.

Roll Call

Aye	Kim Hammond, Allan Williams, Alan Kluger, Paul Lanaris, Philip George, Padraic Millet, Steve Nolan, Stephany Kim, Judi Monk
Nay	None
Abstain	None
Absent	Lita Greenberg, Scott Luthman

Motion approved

Mr. Jim Bucci, Esq. of Genova Burns representing Rite Aid, Inc. reviewed the proposal before the board. Mr. Bucci stated that in 2007 Rite Aid appeared before the Planning Board for renovations to the Rite Aid building located on Raritan Ave. and South Fourth Ave. In 2007 Rite Aid received site plan approval with conditions and sign variances for the proposed renovations. Several months ago Rite Aid made a decision to add a medical clinic. Rite Aid received a construction permit from the Borough. Rite Aid proceeded to construct the clinic and received a stop work order from the borough. The stop work order noted violations of the prior board resolution for blocking the store windows; hours of operation; and signage. The proposed clinic will be located near the pharmacy and the elevator lift at the rear of the building.

Mr. Thomas swore in David Mahan, Regional Vice President for Rite Aid. Mr. Bucci marked exhibit A-1, "Rite Aid Store #2561 Highland Park, New Jersey," dated August

13, 2015; ten pages of drawings by Group Red. Mr. Mahan testified that he is responsible for the oversight of the Highland Park Rite Aid. Mr. Mahan testified that he was unaware of the restricted hours of operation and made a decision two years ago to change the hours of operation to twenty four hours. The sale of alcohol and the pharmacy hours are not twenty four hours a day. Mr. Mahan discussed the proposed clinic. Mr. Mahan was not aware of the prior resolution from the planning board. Mr. Mahan testified that the coolers were relocated to prepare space for the proposed clinic and the cooler space was increased. The clinic will have a reception area, two examining rooms and an accessible bathroom. Mr. Mahan met with borough representatives and reviewed options to correct the covered windows, but the options were not practical.

Mr. Mahan stated that Rite Aid is proposing an agreement with Mason Gross Rutgers University to display student art on the Rite Aid windows. Mr. Mahan discussed a proposal for a community bulletin board. Rite Aid is agreeable to installing additional seating outside of the "gallery" if it is requested by the board. The hours for the proposed clinic would be 8:00 am to 7:30 pm but hours can be expanded if necessary. Staffing for the clinic will be determined by state regulations. Mr. Bucci stated that the clinic is currently under review by the state. There was discussion about how the site could be redesigned if the clinic is not permitted by the state.

Mr. Bucci said that Rite Aid will partner with Rutgers Mason Gross to curate the art for the Rite Aid windows. The agreement for art work with Rutgers is a verbal agreement; Rite Aid will not be involved with the gallery. Rite Aid will formalize their agreement with Rutgers, and the borough will be a partner to the agreement. Rite Aid is confident that the clinic will be approved for New Jersey and that most insurances will be accepted. Rite Aid now has the planning board resolution from 2007 in their data base and the data base will part of reviews for the future. Rite Aid increased the cooler space for consumer goods, deli products and frozen foods. There was discussion about proper lighting for the South Fourth Ave. and Raritan Ave. corner. There was discussion about the request for twenty four hour operation; the number of customers typically from 10:00 pm to 7:00 am is between 30 and 40. The alcohol section will be gated after 10:00 pm. There was a question from Mr. Lanaris about whether clear windows increase store security in stores that operate 24 hours. There were other questions about the possibility of resources to maintain the agreement with Rutgers and the terms of the agreement and opportunities for other art groups to participate.

Ruth Bichardt, 307 Magnolia St. said that the renovations created noise in the parking lot and trucks are in the lot at 5:30 am. Mrs. Bickhardt said she was not in favor of a clinic. Mr. Mahon said that the clinic would be less expensive than an emergency room visit. Mrs. Bickhardt said that cars do not follow the directional signs and they exceed the speed limit when entering and exiting the parking lot, she suggested speed bumps. Mr. Mahon said he will look into speed bumps and he will address the delivery hours.

David Tawil, 23 South Third Ave. said that he was able to get a copy of the resolution easily. Mr. Mahon said that he would address pickup and delivery hours to be in compliance with the 2007 resolution.

Diane Feldman asked if the exam rooms for the clinic and the bathroom would be wheel chair accessible, and if the examining tables could be lowered if necessary, she is in favor of the clinic. Mrs. Feldman asked about the weight limits on the wheel chair lift. Mrs. Feldman suggested making magnifying glasses available to make it easier to read labels. Mr. Mahon said that the magnifying glasses would be available. Mr. Mahon said that the exam rooms and the bathroom will be accessible and he will inquire about the examining tables and the wheel chair lift.

Randy Solomon 334 Felton Ave. asked if Rite Aid consulted the town prior to construction, another witness will address this question.

Jeff Perlman 116 North 3rd. Ave. asked if the applicant will remove the frosting that obscures three of the windows facing Raritan Ave and use the windows for retail display. Mr. Mahon's answer was inaudible.

Matthew Hersh, 333 Felton Ave. asked what the original plan was for the windows. Mr. Mahon answered that the original design was a green covering.

Rebecca Hersh, representing Main Street asked if the lighting is on timers as was required in the original resolution. Mr. Mahon's answer was inaudible.

David Tawil said the 2007 resolution indicated that the lights in the parking lots were on a timer and that the lights create a glare on the adjoining residential properties. Mr. Mahon will look into options such as dimming the lights or providing shields on the lights.

Heather Wilkerson 247 Lincoln Ave. asked about the grade that was indicated on the drawings and said the awning would not work with the grade that was indicated.

Cassandra Oliveras-Moreno, 33 Livingston Ave. New Brunswick, NJ is employed by Mason Gross School of the Arts as a senior administrative assistant. Rite Aid approached Mason Gross with the opportunity to exhibit student works. Mason Gross students have exhibited work in public venues. Mason Gross sees this as a one to two year pilot program, and will probably rotate the work quarterly. Ms. Oliveras-Moreno discussed how the art pieces would be collected, and her understanding of the technical aspects of the windows. Ms. Oliveras-Moreno said there was verbal approval from the Deans at Mason Gross for the project. Rutgers would support displays by local artists. Ms. Oliveras-Moreno will oversee the project, students will install the work. There are nine windows; the window facing Raritan Ave will be a title wall with graphics about the exhibit and the Mason Gross logo.

Ms. Oliveras-Moreno said that faculty and staff at Rutgers is enthusiastic about this project. The store manager will notify the school if there are any maintenance

issues with the display. When the agreement with Rite Aid is reviewed Rutgers will review the specs for the windows as an area to display art. Currently there is no formal agreement between Rite Aid and Mason Gross, a pilot program is being considered for one to two years. The windows that are currently on the building are not the windows that will be used for the proposed gallery. Mr. Williams said that he would like to see art from Highland Park residents displayed at the proposed gallery.

The meeting was open to the public

Randy Solomon 334 Felton Ave. asked how Rite Aid will support the longevity of the program with Mason Gross. Mr. Thomas said that Rite Aid will continue to have a responsibility to maintain the space in the manner discussed as a condition of any approvals.

Jeff Perlman 116 North 3rd. Ave. asked if a financial contribution from Rite Aid would insure the continuation of the program with Mason Gross. Mr. Bucci said there is no financial contribution from Rite Aid. Ms. Oliveras-Moreno said that the proposal is mission driven and not a great expense to Rutgers; formal funding for the project is not a factor.

Matt Hersh 333 Felton Ave. asked if Mason Gross was willing to enter into an agreement with Rite Aid, Ms. Oliveras-Moreno answered yes.

The public portion was closed.

Paul Davidovicz, Vice President of Remodel Construction. Mr. Davidovicz testified about the internal design structure for Rite Aid stores, stores are assigned to a designer and also a legal team to review leases and prior approvals. Prior approvals for the Highland Park site did not show up in Rite Aid's data base. Rite Aid has instituted new policies to address prior approvals.

At 9:37 Mr. George left the meeting.

Mr. Davidovicz testified that Rite Aid has reduced the number of doors on coolers and increased the refrigerator capacity. Mr. Davidovicz reviewed sheet 9 and 10 drawings of the windows of exhibit A-1 "Rite Aid Store #2561 Highland Park, NJ" prepared by Group Red. Mr. Davidovicz reviewed Group Red's proposals for the windows and the awnings. There were questions about the ventilation and the hinging of the windows and UV protection for the windows. The awnings will protect the art work from UV exposure, all visible surfaces will be sheet rocked. Mr. Davidovicz reviewed lighting for the windows. Mr. Davidovicz testified that the awnings are 7'11" and conform to code and will provide UV blockage. Mr. Davidovicz reviewed the window facing Raritan Ave. The best design for the window facing Raritan Ave. is being investigated. The lighting for South Fourth Ave. was discussed. Mr. Davidovicz said that the LED lighting will cast enough light to illuminate the pedestrian area on South Fourth, but additional lighting will be considered. The applicant will do a light survey for the parking lot for the borough professionals to review.

The meeting was open to the public.

Randy Solomon asked if the applicant received a building permit, Mr. Davidovicz said yes.

Jeff Perlman 116 N. 3rd asked about awnings for the front of the building. Mr. Mahon said that if it was necessary to protect the art Rite Aid would provide an awning. Mr. Perlman asked about arranging the shelving so that the window is not blocked. Mr. Davidovicz said the frosting is used to hide the merchandise.

Marsha Schiffman 131 N. 6th suggested that the site plan could include the interior view of where coolers and merchandise are located. Mr. Davidovicz testified that the coolers runs across the windows, to modify the coolers would be expensive and would affect the entire design. Ms. Schiffman asked about the design for the Raritan Ave. window. Ms. Hammond suggested that Rite Aid may be waiting for direction from the board.

Heather Wilkerson 247 Lincoln Ave. asked about the awning height on the South Fourth side of the building. Mr. Davidovicz said there is a planting bed that would insure no one could walking under the awning.

Mr. Williams asked if a sun study was done. Mr. Davidovicz said that he could not testify that the design group did a sun study, but he will follow up on this suggestion.

Ms. Kim asked about additional seating, Mr. Davidovicz said it was a suggestion from the design group but is currently not part of the proposal.

The matter was carried to September 10, 2015 at 7:30 pm no further notice will be required.

Approval of Minutes

There was a motion from Mr. Kluger with a second from Mr. Nolan to approve the minutes from the July 9, 2015 regular Planning Board Meeting and with a voice vote from all present the minutes were approved. Ms. Kim, Mr. Lanaris, Mr. Williams, Mr. Millet abstained.

Memorialization of Resolutions

1. An Ordinance Recommendation for Chapter 230 Land Use Concerning Standards for Residential Reconstruction or Teardown and Replacement.

There was a motion from Mr. Nolan with a second from Mr. Kluger to approve the resolution.

Roll call

Aye	Ms. Hammond, Mr. Kluger, Mr. Nolan,
Nay	None
Abstain	Ms. Kim, Mr. Lanaris, Mr. Williams, Mr. Millet, Ms. Monk
Absent	Ms. Greenberg, Mr. Luthman

Motion approved

2. Adoption of the Highland Park Borough Housing Element and Fair Share Plan
Mr. Thomas reviewed the resolution that was approved at the Special July 30, 2015 Planning Board meeting. Mr. Thomas noted that resolution was revised to include clarifications received on this date from Mr. Jeffrey Surenian, Special Council. There was a motion from Mr. Millet with a second from Mr. Nolan to approve the resolution.

Aye	Mr. Kluger,, Mr. Lanaris, Mr. Millet, Mr. Nolan, Ms. Kim, Mr. Williams
Nay	None
Abstain	Ms. Hammond, Ms. Monk
Absent	Ms. Greenberg, Mr. Luthman

Motion approved

Mr. Millet made a motion to adjourn with a second from Mr. Nolan and by a voice vote the meeting was adjourned at 10:29 pm.

Respectfully submitted

Diane Reh,
Board Clerk