

Minutes  
 Highland Park Planning Board  
 Council Chambers, Borough Hall  
 221 South Fifth Ave. Highland Park, NJ  
 Regular Meeting–September 10, 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 7:30 pm; Ms. Hammond indicated the location of the fire exits.

Roll Call

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

**Unfinished or adjourned hearings**

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
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This matter was carried to the October 8, 2015 meeting without further notice.

**Hearing of new cases**

Fox and Foxx Development 425 Donaldson Street Block 83 Lots 41, 42, 43 & 44	P2015-02 Minor Subdivision and Bulk Variances
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Jeffrey B. Lehrer, Esq. appeared on behalf of the applicant, Fox and Foxx Development, LLC. The applicant seeks to demolish an existing home and detached shed to create two lots for two single family houses on the subject site. The lots are located in the RA zone and are conforming and comply with the bulk standards for this zone. However, section 230-122.1 (b) of the zoning ordinance requires a variance for front facing garage doors. The applicant is seeking a waiver from the requirement for sidewalks.

There was a motion from Mr. Nolan with a second from Mr. George to deem the application complete.

Roll Call

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

Motion approved

Jeffrey W. Kraeft, a licensed surveyor and planner was sworn in. Mr. Koch recommended Mr. Kraeft as an expert in surveying and planning, the board accepted Mr. Kraeft as an expert.

Mr. Kraeft marked exhibit A-1 "Donaldson Street Parking Analysis Plan dated September 8, 2015. Mr. Kraeft reviewed the existing conditions of the site and the proposed sub division.

Mr. Kraeft reviewed the architectural renderings submitted with the application, prepared by Marcille Architecture dated July 20, 2015. Mr. Kraeft described the proposed homes as two story colonial four bedroom homes.

Mr. Kraeft reviewed the regulation for street facing garage doors. Street facing garage doors are permitted only when 50% of the existing homes on a block also have front facing garage doors. A block is measured from intersection to intersection. On the block in question there are 15 lots and 3 homes have front facing garage doors. Mr. Kraeft testified that the steep slopes and extreme grade differences in the area limited the ability to construct garages on homes. Also, many of the lots in the area are narrow, and were constructed between 1945 and 1955 at a time when people had fewer cars. Mr. Kraeft said that without garages more cars will be parked on the street. Mr. Kraeft reviewed the parking analysis plan. The width of Donaldson Street is not sufficient for two way traffic, and more cars parking on the street could create obstructions to emergency vehicles and trash and recycling vehicles. Mr. Kraeft stated that adding more cars to the street will increase congestion. Mr. Kraeft discussed the desirable features of garages, and said that no one on the block would be able to construct garages. Mr. Kraeft testified that in his opinion the proposed construction advances the purposes of the municipal land use law and provides a zoning alternative to the local land use law.

Mr. Kraeft reviewed the bulk standards, and the elevations. Ms. Hammond reviewed the history of the front facing garage ordinance. Mr. Kraeft reviewed the elevations for the garage and driveway. There was discussion about color choices for the homes. Mr. Kraeft testified that Fox and Foxx Development offers neutral colors and the customer chooses the color.

### **Public Comment**

Kristin Mateo, 420 Donaldson St. was sworn and stated that she is opposed to the sub division of the property. Ms. Mateo stated that in her opinion the site does not sustain 2 houses; she has concerns about the trees, storm water run-off and the environmental impact of the development. She said she is concerned about the aesthetics of the development and the driveways will take away parking spaces. She wants to retain the character of the neighborhood.

Susan Millner, 400 Donaldson St. was sworn in stated she agreed with the previous speaker, her home has a driveway and a garage. She has concerns about the environmental impact of removing trees and drainage and the narrowness of the street; she is opposed to two homes on the site.

Allen Schectel, Board Planner discussed the garage ordinance and discussed ways other applicants were able to comply. Mr. Schectel was not in favor of a waiver for sidewalks stating that as homes are developed each sidewalk will create connectivity throughout the town.

Mr. Schectel reviewed his report dated July 30, 2015. Mr. Schectel noted that the applicant meets the RSIS standards, but he asked about the first floor full bath and an adjacent room that is labeled as a study. If the study is converted to a bedroom it would require 3 parking spaces. Mr. Schectel suggested choices of colors for the houses so they will not look the same. He suggested a maintenance easement for the retaining wall and railings, materials will be specified by the board.

The Shade Tree Commission is in agreement with Mr. Schectel's comments on tree removal and replacement.

Mr. Lehrer noted that the colors will be neutral, the applicant has agreed to provide a maintenance easement and protective fencing above the retaining wall. The applicant agreed to meet the requirements of the Shade Tree Ordinance.

Ms. Hammond recommended a landscape plan, the applicant agreed.

Mr. Koch noted that the increase in storm water runoff is negligible. Mr. Koch recommended grading the area in the right away for sidewalks.

The board discussed the garage options and the den. Mr. Kraeft testified that the plans will be modified to indicate that the full bath on the first floor will be changed to a half bath, and that an optional bathroom in the basement will be a half bath. There will be two full baths on the second floor near the bedrooms. The storage area on the first floor will be eliminated and that space will become part of the family room.

The board discussed the garage ordinance, the choice of materials and landscaping.

Mr. Koch asked if the design of the garage could function as a parking area. Mr. Kraeft will review the drawing with the architect.

Mr. Kraeft distributed exhibit A-2, "a rendering for tract B, dated 9/9/15" and Exhibit A-3, a rendering for tract A, dated 9/10/15. Mr. Kraeft described the distributed plans; the garage would be replaced by a double door and the garage area would become a storage area. A shortened driveway is proposed with additional landscaping between the driveway and the house; two parking spaces would be required for each home but only one off street parking space per home is proposed.

Mr. Koch reviewed the CME report dated 7/31/15 the applicant will comply with items 7 to 16. Item 1; describes the proposal. Item 2; refers to the planner's report. Item 3; the applicant agreed to install sidewalks; Item 4; will include a maintenance easement. Item 5; the applicant will correct grading issues and provide a landscaping wall; Item 10; the applicant agreed to test pits prior to construction for the seasonally high water table.

### Public Comment

Christan Mateo suggested building one house with a garage in the back of the house. She said that the proposed houses will cause congestion on the street.

Ms. Hammond and Mr. Lanaris said the property is conforming and the applicant is entitled to a sub division under the land use ordinance and if the development does not require variances the board cannot deny the application.

The public portion was closed

There was a motion from Mr. Millet with a second from Mr. Nolan to approve the application with noted conditions; a variance for garages, plans will be modified to include a landscape plan to the satisfaction of the Mr. Schectel, board planner. The applicant will comply with tree replacement ordinance, the applicant has agreed to eliminate the full bath on the first floor indicated on the plans, and is seeking approval for a four bedroom house with two full baths on the second floor, and a half bath on the first floor; the basement will not have more than a half bath. The garage doors will be designed to mitigate the visual impact by way of color to be reviewed by Mr. Schectel. The applicant will comply with Mr. Koch's report Items 3, 4, 5 and 7 thru 16 and The garage usability will be reviewed by Mr. Koch.

Roll call

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

Motion denied.

Mr. Lehrer asked the board if he could bifurcate the application.

At 9:32 pm the applicant asked for a brief recess.

At 9:36 pm the meeting resumed.

Mr. Lehrer asked if the board would consider a vote on the sub division with all other conditions and then a separate vote on the garages.

After a brief discussion the board voted to rescind the prior vote and to take another vote to grant the sub division with the previously noted conditions, except for the inclusion of the variances for the garages.

There was a motion from Mr. Nolan with a second from Mr. George to rescind the prior vote.

Roll call

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

Motion approved.

There was a motion from Mr. Millet with a second from Mr. Nolan to grant the subdivision with all conditions previously noted, except the variance for the garages.

Roll call

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

Motion approved.

There was a motion Mr. Millet with a second from Mr. Williams to grant the variance for front facing garages on each of the proposed homes that were indicated on the original plans.

Roll call

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

Motion denied.

Approval of minutes of previous meetings

August 13, 2015 carried to the next meeting

Ms. Hammond suggested that the board members review the borough's "Social Media Policy." Mr. Williams said that he expected changes to the policy.

There was motion from Mr. George with a second from Mr. Nolan to adjourn and at 9:52 pm the meeting was adjourned.

Respectfully submitted

Diane Reh,  
Board Clerk