

**HIGHLAND PARK PLANNING BOARD
HIGHLAND PARK BOROUGH HALL
221 South Fifth Ave.
Highland Park, NJ**

**SEPTEMBER 12, 2019
7:30 PM**

Call to Order

The September 12, 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 7:36 pm; Ms. Hammond indicated the location of the fire exits.

Roll Call:

Present	Kim Hammond, Scott Brescher, Rebecca Hand, Alan Kluger, Paul Lanaris, Padraic Millet, Jeffrey Perlman, Coretta King Pinelli, Susan Welkovits arrived at 7:39 PM and Allan Williams
Absent	Stephen Nolan
Agency Professionals	Bruce Koch, Engineer, Chris Cosenza, Planner and Roger Thomas, Esq.

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

Unfinished or adjourned hearings. – None

Hearing of new cases.

31 River Road Urban Redevelopment LLC	P2019-03
31 River Road	Preliminary & Final Major Site Plan
Block 183, Lot 24	

Mr. Kluger indicated that two of the owners of the property are Board Members for the University for which he works. He has had no contact with those Board members, he works for a very large university, with a large board in which he has no connection to and does not believe that would raise any conflicts with himself or the application but wanted to make everyone aware. He indicated that he does not have access to the Board or the Board meetings. Mr. Thomas said based on the information provided he sees no statutory conflict and asked Mr. Tripp if he had any concerns or objections. Mr. Tripp indicated that he seen no conflict and had no concerns or objections.

Steven Tripp, Esq., Wilentz, Goldman & Spitzer, P.A. 90 Woodbridge Center Drive, Suite 900, Woodbridge, New Jersey 07095 represents the developer 31 River Road Urban Redevelopment LLC. He said the site is at the corner of Walter Avenue and River Road, 1.02-acre site, prior medical office use that has since been demolished. The development of the property is governed by the 31 River Road Redevelopment Plan and superseding Ordinance that sets forth the standards for the development. Forty units are being proposed, multi-family, 15% are affordable units, through the redevelopment plan there are two buildings which are attached to form a single structure with the idea that the building on Walter Avenue has a smaller massing and scale then the portion of the structure that fronts on River Road. There are varieties of architectural features that are required to break up the façade but minimize the impact of the building. In terms of parking, the plan has 48 spaces, but after taking another hard look at the plan they will be introducing an exhibit that shows an additional four spaces.

Mr. Thomas, Esq., asked the Board Engineer if the application had been reviewed and deemed complete. Mr. Koch responded yes.

Mr. Tripp indicated that development is designed to comply with the redevelopment plan, there a few waivers being requested that will be addressed, the developer is also requesting a de minimis exception from the residential site improvement standards, the Borough Ordinance requires less parking than RSIS and the traffic consultant will address that.

William Lane, Engineer, Menlo Engineering Associates, Highland Park NJ sworn and affirmed. He has been an engineer with Menlo Engineering for 34 years, and licensed professional engineer for 22 years, has testified in front of numerous boards in Middlesex County as a professional engineer. Exhibit A-1 Aerial dated September 12, 2019 showing the existing conditions. It is an approximately 1.2 acre site at 31 River Road, 159' frontage along River Road, 275' around Walter Avenue. The underlying zone is professional office zone, in and around the site, to the north, there are narrow residential lots, over to east, there is a mix multi-family building and to the south is the Saint Mary's Orthodox Church and to the west is the Education Center. Exhibit A2 – overall parking exhibit, dated September 12, 2019, which shows more area in and around the site. There are no wetlands or environmental concerns on the site; the existing office building was approximately 11,000-12,000 square feet, and has been demolished, the site has a driveway that came up Walter Avenue with approximately 48 parking spaces on site. There are two site plans, Exhibit A-3 original submission dated September 12, 2019, and Exhibit A-4 shows the modifications with the additional parking. The applicant is proposing 40 residential units in a multi-family building, facing Walter is a 3-story building, and River Road is 4-story building, slopes allowing for 4 stories. The developer is in compliance with the redevelopment plan having setbacks on Walter and River Roads; provides 40 bike spaces internally so each unit will have an internal space. The applicant is also looking for applicant provide for some parking storage for visitors (bicycles) (6 to 12 spots uncovered); fencing 6' vinyl fence white or beige to tie in with the existing fence. Trash enclosure southeast corridor of the parking lot, a 10x20 for trash and recycling. A transformer will need to be moved to accommodate more parking spaces to be worked out with the utility company. A2 additional parking on Lincoln on the right side there is signage for no parking, street is wide enough to strip out additional parking spaces while maintaining the one-way, and that will have to be worked out with Borough with additional parking on River Road, they are looking to cut off the entrance off Harris Avenue; clean-up, put some landscaping and have a one-way driveway in and a one-way driveway out and get approximately another 13 spaces. The redevelopment plan requires one space per unit and guest parking to be provided in terms satisfactory to the Board.

William Lane said access to River Road would be cut off, keeping access off Walter Avenue with two way circulation to Walter Avenue, the redevelopment there will be a two-way bike lane up Walter Avenue, from River Road to the end of their property. There will be access to the building from either a side door or the front of the building.

Mr. Lane indicated that they were in receipt of the memo from the Highland Park Safe Walking and Cycling Committee, and we will comply with several of the comments but specifically addressed the comments about the sidewalk as indicated in the CME report as well. Typically, if they follow what is being required which is a sidewalk that comes along from the corner of River Road, and Walter Avenue and follow the curb line up along to the driveway. There are three (3) large existing trees on Walter Avenue and grade from the curb slopes straight up. A sidewalk can be accommodated; it is going to be a big earthwork along Walter Avenue, and the three large

trees will need to be removed. There have been discussions with the Planner to try and possibly bring a walk, a small portion, from the corner, up Walter Avenue and cut into the site and tie into the sidewalk that ties into the parking lot, it is not typical of being out along the street but has the same intent for anyone coming onto the property.

Mr. Lane said that they are bring in sewer and water from Walter Avenue into the building, gas line will be coming off of River Road, stormwater will be collecting roof run off and tying in the system on River Road, the parking lot will be collected and also being brought down the storm sewer on River Road. To offset the slight impervious coverage increase they will be looking to oversize the existing pipes or add additional underground piping to the satisfaction of the Engineer to meet the flow there is today.

Mr. Lane indicated they are proposing retaining walls that faces the church parking lot to the south following both property lines. It starts out a foot high to about 4 feet then turns and follows that additional property line that goes an additional 50' to the back corner. The wall at the highest corner we can get it down to just under 4 feet, but with that but will be 6" from property line in order to accommodate the sidewalks and parking lot. A design waiver is being requested.

Mr. Lane said that there was currently 43 trees on site, and they are looking to take down 13 in the construction zone, and preserve the rest on the site. He said that they are looking to supplement on site an additional 47 trees and complies with Ordinance.

Mr. Lane said there are eight 12' decorative poles in and around the site with LED lights, they have been designed so there is no spillage off the edge of the property lines and conforms.

Mr. Lane said that Ordinance allows for monument sign and they are proposing it at the westerly side of the driveway along Walter Avenue, 5' off the right of way line, with match the building, with a brick bottom, a 2x4 area for lettering for address of the site. It is approximately 8 sq. ft. with a maximum height of 5' and 4' wide.

Mr. Lane said they have filed for County approvals, certification had been obtained from Freehold Soil but depending on the stormwater, you may have to back and get that. We may need a NJDEP water permit.

Mr. Lane said that there were comments in the report about an additional hydrant in the parking area, the developer agreed.

Ms. Welkovits asked about the entrances to the building. Mr. Lane said that there was a side door in the middle of the southerly side that faces the church parking lot, as you come into the parking lot just at the end of the handicap spaces there is a side door and then at the corner is the main entrance all accessed from the parking other then the one along River Road. Ms. Welkovits asked if some is walking out and walks to their friends house on Grant how are they suppose to do that. Mr. Lane indicated that they would have to cross Walter Avenue. Ms. Welkovits asked if he wanted them to cross Walter in the middle of the street. Mr. Lane until it is decided if we are bringing the sidewalk down to the corner.

Mr. Perlman said sidewalk questions, same location, if you have your additional parking spaces down River Road, and as they are walking to visit how they are going to do that, it sounds like

they are going have to cross in the middle of Walter Avenue to get around the building to go into the main entrance. Mr. Lane said that they would have to go walk down River Road and use the crosswalk and they could come down and use the side door.

Mr. Brescher asked if the parking lot would accommodate emergency vehicles. Mr. Lane said that if a fire truck needed to come out there is a hydrant along River Road and there is another on the corner of Walter and River Road, they could come into the parking lot and fight the fire from the third side. Mr. Brescher said his concern would be if something happened to the only access to the building, they would not have access to the building.

Mr. Perlman asked if you were a resident and you have indoor bicycle storage where would you be bringing your bike in and out of the building. Mr. Lane said that would be better addressed by the architect. Mr. Perlman asked about the width of the sidewalks on the southerly entrance. Mr. Lane said that it was proposed to be 5' but could be widen a little more.

Ms. Hammond questioned moving the transformer. Mr. Lane said that ideally they would like to put it in the island. He said the 18 total tandem spaces when they get leased they may want two spaces, and they will be policed by each individual owner, they could lease two spots and leave one for their guests, those spots would be for that specific unit. Ms. Hammond asked for clarification with the grade difference between the church lot and this lot. The church lot is lower and this site is about 4' higher. Mr. Lane said that was correct.

Brett Tanzman, K&K Developers, Short Hills, NJ sworn and affirmed principal of project - this has been a long deliberate process, they were attracted to the location close to transit and New Brunswick to attract the millennium generation, people who work in the area, students, empty nesters which will reduce the demands for parking, 1/2 mile to the train, possible shuttle stop in conjunction with Merriewold site have been in discussions with, bike storage, street scape, adding parking on Lincoln Ave, we would not be making this investment if they did not believe in that.

Mr. Martinez, Architect, 190 Avenue L, Newark NJ sworn and affirmed said he has been architecture mixed use and multi-family licensed in NJ 18 years, testified in other boards in the state. This is a 30-unit development at the corner of River Road and Walter Avenue, consists of two buildings attached as one structure. A combination of 3 and 4 story development. Interior corner is the lobby, mailroom, an elevator and two stairwells with a common corridor. There is a total 40 dwelling units, 34 at market rate and 6 affordable units, market 17 one bedrooms approximately 8—sq. ft.; 17 two bedrooms approximately 1200 sq. ft., the affordable units are broken down as 1 one bedroom, 3 two bedroom and 2 three bedroom units. The finishes are high end, stainless steel appliances, granite countertops, walk in closets. Most of the lower level units have balconies, and upper levels have Juliet balconies. The lower level of the building due to the grading is mostly buried so effectively a basement. The portion along River Road is fully exposed as a result there are four dwelling units fronting on River Road and the bowels of the lower levels dedicated to utilities, bike storage, tenant storage and amenities, amenities have not been finalized and will work with the applicant on that. The current bicycle storage can accommodate approximately 24 bicycles and the intent is to expand that to accommodate 40 bicycles at a minimum.

The exterior elevations on Walter Avenue and River Road, the idea is to have two buildings that are connected as one structure and in order to accommodate that, they were treated with different

characteristics. The building on Walter Avenue is broken down with a smaller rhythm in portion with a variation of different materials and elements, balconies, different colors to give the individual identities with a town home like appearance reflecting more of the Walter Avenue neighborhood. River Road would be a taller scale, different colors and signify the different buildings. Exhibit A5 – Exterior renderings. He said that they would be requesting a design deviation for the stories. One of the items in the Redevelopment Plan required that façade be broken up to break up the height of the building, the redevelopment talks about a fourth story with terraces and also that complies with design requirements of subsection g2 which talks about a combination of massing, scale roof type projections, recesses, materials, colors and other architectural treatments to minimize the visual impact. Originally, there were some terraces on the fourth floor and in working with the Borough Planner to work out details of the façade on River Road and ultimately resulted in elimination of those terraces and that is where we need a deviation from the design standard referencing the terraces. The elevations that were submitted comments were received after that submission, and went back to redesign that façade, Exhibit A6 dated September 6, 2019 design façade for River Road. It would be more effective to break up the height of the building by using a combination of colors and materials, the original design had gable roofs, mansard roof that effectively pitches back and away. The façade was broken up into four components, the corner element, and the main body of the building, intermediate portion and then there is the top of the building. The intent is to play with the colors and materials so that the lower level will be the darkest of the brick colors. The second and third stories would be a lighter brick, with balconies that extend three stories and the fourth story would be the lightest level in materials and colors, light colored siding and a combination of more delicate Juliet balconies. They believe that with the roof and these combinations of features satisfies the Redevelopment plan in terms of minimizing visual impact and breaking up the façade.

Mr. Martinez said that the rooftop is primarily flat, and the mansard roof extends approximately 6' above the flat roof behind that. The roof top equipment, residential condensing unit, generator located over one of the stair towers would be screened behind that.

There will be accent light fixtures on the building, which would be shielded and operated by the resident. Between the elevator and the stairs in the central portion of the corridor there will be a trash room, which would contain bins for recycling, and household trash, that would be transferred by Global Management to the dumpster enclosure in the parking lot and picked up by a private hauler. Based on the developers experience and prior similar project it is expected to be picked up twice a week for trash and once for recycling. There will be a Knox box and have a full sprinkler system installed and that will be coordinated with the Emergency Services.

Ms. Hammond asked if the side door entry was on the lower level. Mr. Martinez said that was correct. She asked if that was the main access to the bike storage otherwise you would have to go through the main entrance, go down the elevator to get to the interior storage unit, Mr. Martinez said that was correct, but the quickest route would be the south entrance of the building through the corridor. Ms. Hammond said that there is an access point at the lower level, and two public access points on the first level. Mr. Martinez said that on the main level the primary entrance would be the lobby in addition to the entrance on the lower level.

Mr. Lanaris said starting on the left starting at the gable end, and asked for confirmation that it is a flat roof building and behind that gable is a false façade. He also questioned the chimney in the drawings. Mr. Martinez said yes regarding the rood and that the chimney was not operational was just there is give it a more residential appearance. Mr. Lanaris asked if there were any

distinction between the fit and finishes of the affordable units as opposed to the market value units as well as parking. Mr. Martinez said that the square footage was a little smaller, but in terms of finishes, they are the same.

Mr. Tripp indicated that the redevelopment plan requires that the parking be unbundled, you do not get a space with your unit, you would rent a space and they would have the ability to rent spaces as the regular units would. Mr. Lanaris asked if the affordable units had balconies or Juliet balconies. Mr. Martinez said they did not.

Ms. Hammond asked for clarification on the setbacks requirements to accommodate three stories on Walter Avenue. Mr. Tripp said Walter Avenue has a 13.5' setback but if you go to three stories it has to be a 25' and we are 25' plus.

Mr. Perlman asked if there were any, architectural enhances to the entrances to accentuate that they are entrances. Mr. Martinez said that there are columns and a small roof over that portion and given the configuration of that corner, it is nothing more than that. Mr. Perlman said that most of the structure along River Road have entrances that front the street, and there is no entrances to the building on River Road or on Walter Avenue as it wraps around, the front entrance is on the South side. If you are trying to encourage bicyclist and walking and people working and commuting to the train station will walk there and come out the southern entrance and the lighting plan shows no lighting at night along there. There needs to be some visual cues that is the entrance to the building. Mr. Martinez said that they did not want a primary entrance on Walter Avenue and the intent was to keep that façade as a more of a single-family small-scale quiet facade. The primary entrance was intended to be from the parking garage in the rear, the door on the south side of the building would be lighted. Mr. Perlman said that he is recommending that the southern entrance is the primary entrance for people who are walking and biking and encourage them to look at the landscaping and the whole experience to encourage biking and walking.

Mr. Tanzman said that for the residents who live in the building they will know all the access points, we do not want to encourage guests to go through multiple access points and that was the idea with the central location. He said that they would be enhancing the lighting to ensure it is safe but encouraging multiple entrances becomes problematic from a safety standpoint when you have guests entering at points where the residents should utilize it. Mr. Perlman said that the Planner would agree that the southern entrance could be architecturally embellished with better lighting and landscaping, a wider sidewalk. Mr. Tanzman said that just to emphasize we want guests to one entrance from a safety and management standpoint but would be happy to get those thoughts and ideas on how to enhance it outside of lighting.

Mr. Kluger said that it was mentioned that the affordable units do not have balconies, are there any market rate units that do not have balconies. Mr. Martinez said that he believes there are market rate units without. Mr. Kluger asked if it was obvious which units were the affordable units. Mr. Martinez said no you could not tell which affordable units from the market rate units are. Mr. Kluger asked how the height of the building compared to the height of the residential buildings along Walter Avenue. Mr. Martinez said that it is higher but did not know what it was in comparison to the adjacent buildings. If measuring from grade to the highest point we are in the order of 44-45 feet, single family homes are usually in the order of 35 feet. Mr. Constantine said that the structures across the street range from 28-35 feet, some lower 2 story and then there are some with full attics.

Mr. Tanzman said that they manage their own properties and this is routine for them.

Mr. Tripp said that there was a question about the property that was on Walter. Mr. Lane said the distance between that structure and their proposed structure was over 80' from property line to property line from structure to structure approximately 120'.

Gary Dean, 181 West High Street, Somerville, NJ sworn and affirmed. Graduate of Leigh High University with a Bachelor's of Science degree in Civil Engineering, former member of the faculty of Leigh high University and Lafayette College, serviced as an adjunct professor teaching transportation, engineering, a licensed professional engineer in New Jersey as well as five other states in the northeast and qualified before approximately 350-375 Planning and Zoning Board. He prepared the traffic study that was submitted with comparisons with the prior use and proposed use. There is a letter forwarded to the applicant dated August 6, 2019 prepared by himself. His report sets forth a unique opportunity in terms of redevelopment of communities where in the former use generated more traffic than the proposed use. This former was roughly 11,000 sq. ft of medical office space would have generated twice as much peak hour traffic as would the proposed apartments. The statistics are developed looking at studies of comparable uses and in this case a medical office building. Traffic consultants go out study, perform traffic counts and variety of land uses and that data is compiled by the institute of transportation engineers, that data is published roughly every 7-8 years and refreshed as necessary but does reflect general trends in terms of land uses. Typical suburban traffic rates for the proposed apartments were used, in this typical application given the proximity to New Brunswick, the walkability of the community the intent within your redevelopment plan to include a substantial component of bicycle parking the whole objective is to decrease automotive traffic by having a variety of non-auto options available. Technology has brought out ride sharing services. He indicated that he works in Hudson County, Jersey City and there are thousands of units are being developed without any parking at all, future residents understand the parameters when they move into these buildings and they simply do not want or do not need cars. The projects in our study are conservative and ultimately the traffic generated by this project will be much less then was ever experienced in the neighborhood by the medical office. He said the last component and extensively consulted with the applicant pertains to parking. The redevelopment plan requires a minimum of one parking space per unit and this plan complies. The Redevelopment Plan also requires guest parking to be accommodated within a 1,000' of the site, and efforts have been made with the governing body to secure such parking that represents a net positive for the site and the abutting neighbors. With a combined 23 parking spaces on Lincoln and then the spaces within the Environmental Center lot on Rover road the total parking for this site is actually at 75 spaces. Those off site spaces will not be allocated for this building; they are available for anyone within the neighborhood but does comply with the requirements in the redevelopment plan and very nearly complies with the standards under RSIS. This is a transit accessible project, that the reliance on bus, rail and walk, and bike ability furthers that objective. He feels that the project is appropriately sized or "right sized" for the neighborhood and community and to meet the objectives, articulated in the Redevelopment Plan,

Mr. Millet said that the majority of the units are one and two bedrooms, and only the affordable have three bedrooms, are there any studies done with the number of bedrooms in a unit and the car ownership or usage. Mr. Dean said that he has not seen that, and it is very difficult for example, when a traffic engineer goes out and looks at a parking lot we can look at the number of cars in the lot and portion it based on bedroom count. He has not done that, it has always been

on a unit by unit basis and of course as you have heard and deferring to the Redevelopment Plan each space is unbundled so that there is a certain financial incentive or disincentive to own a vehicle if one chooses to live in this building. When a potential tenant leases they will know that if that want a parking space it is not free and not subsidized and comes with a cost and that maybe part of the decision-making where in future tenants recognize that elect to live here because of that very fact.

Ms. Hammond said Mr. Dean spoke about trips generated and spoke about using a typical suburban model, and to the people who live in that area they are going to feel as though the trips are going to go up a little since the site was underutilized for a while. Mr. Dean said where we are looking at a redevelopment site, the intent was to get rid of that medical office building and although its activity diminished over a time period, so sure there is going to be more cars he has not looked at that impact because logically what was there before operated and now we are half if not less than that former traffic. 18 trips in a hour means car movements, a trip is either an in or out of the site, and in the evening we are expecting that is the higher, in one hour 18 trips that is about one car coming and going every 3-4 minutes. That is hard to tell unless someone is literally sitting on his or her porch and doing nothing but counting cars. The impact is not significant traffic studies are usually done for trip generation of 50, 100 -200 and just from studying 18 trips is insignificant.

Ms. Hammond said there are really three ways to get of town on that side, so it does not just affect the neighbors on that street it really is everyone here who has to get out that side of town. She said when she comes down Walter Avenue now typically, how long one is going to wait. Mr. Dean in the morning peak hour from 8-9 am they counted 92 cars coming down Walter Avenue, 25 turned right to go north, the other 67 turned left, that level of service which they calculated is a function of the traffic on River Road which is about 1,000 vehicles per hour, and people wait it requires a break in the north and south directions, so in the morning if this site generates the traffic without any credits for ride share, waling etc. it would add about 10 leaving the parking lot in one hour adding to that 92, with a delay of a few seconds but its not going to go from one minute to five minutes.

Mr. Kluger asked how that related to that specific intersection, coming out on Walter from the driveway there is only one-way to go. He asked if traffic counts were done and how much of a wait there was between 8-9 AM on River Road without the medical office operating or operating at peak and now adding cars coming out of the driveway and only make a left turn. Mr. Dean said that it will have an impact, you have more cars but when looking at the numbers and temper it with the relative frequency, it is going to feel, look and operate almost the way it does today. Mr. Kluger referenced the 23 spaces on Lincoln and that area and asked if they had looked in the evening time to see how many of those are taken. Mr. Dean said zero, those spaces are not there today, and these are brand new spaces. Mr. Tripp said that the River Road spots are there and underutilized because of its condition.

Mr. Dean said that the whole intent of that exercise was to ensure that there would not be competition between this building and the existing neighborhood for on-street spaces that these new or generally found spaces that come into existence by virtue of this application. In his opinion, it is a benefit to those in the neighborhood who could use a little more parking themselves. Mr. Constantine said that the idea of adding some on street parking on Lincoln was suggested by neighbors at some of the meetings. He asked Mr. Dean to clarify the trip counts are those numbers accounting for potential students that might live here that are biking and walking

to closest Rutgers shuttle stop. Mr. Dean said that these are unadjusted numbers; the actual numbers in the report should be lower.

Ms. Hand asked if the developer taking on the financial responsibility of the improvements - Mr. Tanzman said they would pay for the off-site improvements.

Ms. Hammond questioned tandem parking and how will it really work. Mr. Dean said the concept is that if a unit owner elects to lease a parking space the thought the tandem spaces will also assigned to that unit. They would be numbered and designated, tenant parking only with a unit numbers painted on them, the nine spaces that are the tandem are identical and are under the control of the unit owner and their visitor or guest could use that space. If there is a surplus of spaces available, there certainly is the opportunity to open them up to other residents if they should want an extra space. The whole idea is they do not want up to four spaces to remain unused because the over flow spills out onto the streets.

Ms. Welkovits asked if the affordable units would have to pay the same amount as the market rate units for parking. Mr. Tripp said they did speak to someone who manages Affordable Housing and it is their understanding if you require payment for parking. If it is required that you have to include it with the affordable or if it is optional and in this case it is then an affordable housing person would like to have a space they can be charged the same amount as the market rate tenants but just for the parking component. Ms. Welkovits asked if the developer has considered

Jennifer Altman, 31 Walter Avenue asked if the balconies on Walter Avenue and was concerned with this because they don't have balconies on their homes and would uncharacteristic of Walter Avenue and was hoping that could not be a part of the design so people are not on the third floor looking into their homes. Mr. Dean said that there are no balconies on the third floor only on the first and second floor inhibiting someone from looking over. The balconies are to mimic a residential stoop or entrance for the residential effect. Ms. Altman requested that balconies not be placed on the second floor units because there are no balconies on the houses and would affect the neighbors privacy. She thought that the redevelopment plan said the height of the units on Walter Avenue would be the same as the other buildings on Walter Avenue and they seem to be a whole story higher. Mr. Tripp said that the Ordinance provides that the height is 2 ½ stories on Walter increased to three stories if you have a setback of 25' and we have three stories with a setback of 25' so it is in compliance with the redevelopment plan. Ms. Altman said that as a resident she did not get that, but is upset that it does not match the height of the existing buildings. She said that she is pleased with the design, she is concerned with the sign to the complex, it is a quiet little neighborhood and asked that the sign not be placed on Walter Avenue it would change the nature of their street. Mr. Tripp said that the sign has to be at the entrance to identify the entrance, it is an 8' square sign so it is not big at all about 15' off the street. Ms. Altman said that she was concerned with the traffic and indicated that she does not believe that the traffic study was accurate. She understands this was done by a professional but she feels that it misrepresented that neighborhood and does not represent the comparisons that were used in terms of the amount of traffic there for the office building. She has been there about 17 years and very few cars come out of there, we are not a Jersey City so she doesn't see there being much more walkability or biking. She felt that they were agreeable to the forty units with the understanding of an accurate traffic study and fair, and if forty units were, too high they would adjust the forty units. She was ignorant to how planning works and the redevelopment plan was passed for the forty units and it is a done deal no matter what the traffic study says and it is really

disappointing, she has been waiting for this traffic study and in many ways feels this was misrepresented. She said that she loves the idea of parking on Lincoln but thinks they talked about parking on Lincoln between Walter and Lawrence because people zoom down there. The only way for her to get out of her house, pull out of her driveway and go left. If there is going to be an abundance of people at rush hour sitting there waiting, River backs up, is there a way to widen the end of Walter so there is painted line so anyone going right could go right and anyone going left stays to the left. She is concerned with using a parking spot across the street at the Environmental Center, but for it to work other than beautifying it, as a resident she can now park in front of her home. When this property comes, she may not be able to park in front of her house. Are you also asking the residents that have been there 30-40 years they have to now walk down the street in the night and park in some parking lot far away and that scares her, being hit by a car, being a woman at night and for many other reasons. Her and her children cannot cross River Road now where there is walk and a blinking light, so adding another thing. She asked if the town could please get another opinion on the traffic study.

Alan Kluger asked she Ms. Altman lives there how many cars she sees backed up at River Road. Ms. Altman said that she could not answer that, but would leave that to her neighbors who work a 9-5 job but appreciates the question. Her neighbors tell her they already have to wait to get onto River but she does not want to be the one to give that number. She does know as an academic who gets to work from her porch she never see hardly anyone coming out of that parking lot for 15 years so to say it is going to be a decrease really rubs her the wrong way. Mr. Kluger said that there could be academics such as herself moving into the complex who will not be using cars. She said that you are also taking away the entrance and exit to that complex on River Road, right now those doctors leave from River Road so you are taking that away because we stupidly allowed forty units on this lot and you need the land. This is our home and if you are going to squeeze forty units, you have screwed up our ability to exit and enter on River.

Mr. Constantine said he is encouraged to hear the comments that you are generally pleased with the design. On the egress on Walter Avenue, the original approval for the medical building only allowed egress from River Road, and when he visited the site, he mistakenly went out that driveway and realized that most people did. There was a worn out arrow and there was sign that said ingress only and the County approval was ingress only so legally anyone who exited which explains why you did not see a lot trip out on Walter was actually doing that in violation of what the actual site allowed by County approval on the County road. We did a series of images on the pool table at the Senior Center and one of the images green dots from the neighbors did have balconies on the second story on page 16 of the redevelopment plan. This has come from that feedback from the neighbors; the setback issues the homes across the street are generally 10'-15' and one is 20' from the property line and the office building was 13.5' and going taller was required that they pushed back 25' and is almost double the setback on average across the street.

Gabrielle Wilders, 24 Walter Avenue, sworn and affirmed said that Jennifer rose questions about balconies what faces the parking lot, she and her husband live right behind next to the parking and asked if there were balconies on the side facing her home. Ms. Hammond indicated that there would not be any balconies on that side. Ms. Wilders said that the developer has agreed to put in a 6' vinyl fence. Mr. Tripp said yes, there is a 6' vinyl fence along there. Ms. Wilders asked if they have any say in the materials being used. Mr. Tripp said that there are comments in the Planner's report that they match or blends architecturally with the building as opposed to a white fence and we agreed to that. Ms. Wilders asked if it had to be vinyl or could it be wooded, she asked that the trash disposal be moved to a different location as indicated in other meetings.

The dumpsters are catty-corner to their property and asked that it be moved toward the church parking lot where it is not up against someone's backyard with the concern of odor and rats. The apartment house on River Road and Lincoln they have their dumpsters out in that parking lot on Lincoln and rats are an issue there. She said that she is also concerned with the garbage truck coming three times a week, sitting there, and emitting emissions into our yards and the noise. Is there any sound limitations for roof top equipment, she has been to places where it is not a problem, and she has been to places where you can hear the air conditioner fan gear up and that is all you can hear. Her immediate concern is noise pollution, sound pollution, light pollution and she does not want to have to put her shades down at night because there is excessively much light. They live in a ranch style home and much lower than the homes across the street. She asked if there was going to be a building manager on site at all times or just 9-5. Mr. Tanzman said that it will not be on-site but they have many communities in the area so accessible at all times. There will not be an actual office in the building but there will be management will be in and around the area. Ms. Wilders said that is a concern because they are rentals, it's not housing people who have long term investments in the community and that is why she was asking if there was going to be a full-time staff person dedicated to that building who does have an investment. Mr. Tanzman said that they are long-term holders and manager owned properties so we have an investment in ensuring that there is a good product and is well received in the community. We want to be proud of this project just as much as the Borough wants to be proud of it, and many of the renters could be the empty nesters that have been living in town for years and want to stay in town and no longer want to take care of a house and the management issues there. Ms. Wilder asked if moving the trash was possible. Mr. Lane said that it was designed so a garbage truck could get in and back out; no matter the location it is placed in the parking lot, we need access to the dumpster location. He said that the garbage is inside until maintenance staff brings it to the dumpster so there is a lot more control. Regardless of the location a garbage truck will need access to pull in and back out safely, we provided landscaping, fencing and gates to close it off and the applicant does maintain their sites very well, there is good landscaping and we are doing everything we can to mitigate it but in any event a dumpster is needed on-site.

Ms. Hammond asked if they could move it somewhere else on the site while maintaining the number of parking spots, put it further back on the site and still have access for a garbage truck. Mr. Lane said ideally it is the right spot for it in terms of parking spots and the safety of the garbage collection. Mr. Tripp said that this is not going to be tenants throwing things in the dumpster it will be handled by building management so the trash will be maintained internally and brought out in a controlled manner. Ms. Wilders said that she appreciates that but garbage still accumulates and it still smells.

Ms. Wilders asked how far the bike lane goes down is it just in front of the site. Mr. Lane said across their property they are doing a dual lane as called out in the redevelopment Ordinance. Ms. Wilders said if it goes all the way up Walter, when you have bikes coming in and out and people coming in and out it is a recipe for disaster. She said that she works at Rutgers and wanted to be one of those people who walks to work everyday and have come to find out it is not so easy. If you walk down River Road to Route 27 and try to cross over the people making the right from Route 27 onto River Road are still able to do that while pedestrians are crossing. Pedestrians have only 15 seconds to cross and it is very dangerous, the bridge is not that walkable, and not maintained in bad weather, going under the underpass at night coming off Route 18 onto Route 27 cars do not stop and at night going under that underpass is not safe there are some strange characters there. She does not walk anymore because of those reasons. If we are counting on people to walk, we need to look at the timing of the traffic lights and really

pedestrian and cycling safety in many different ways. Rutgers no longer has a stop along River Road, the closest Rutgers bus stop is on College Avenue so that is not a help. Buses and trains are all in New Brunswick.

James Caporossi, 15 Walter Avenue, sworn and affirmed. He thinks that the project is just a little too big; they have come up some convoluted plan for the parking. The parking lot, the tandem parking and he does not plan to live there because he does not understand it. Two sided parking on Lincoln Avenue and has anyone told anyone who lives on Lincoln Avenue about that. The other stuff on River Road and having to cross River Road, talks with Middlesex Water that they are putting parking there it is just a little too big you could probably get rid of 10 units and it will fit better into the neighborhood. The fact that they have to go through all this architectural units so these taller units don't look like they are bigger than the houses across the street, and he understands they need to maximize their profits, it's an investment but it is just cramming to much in that spot.

Catherine Denning, 52 Lawrence Avenue, sworn and affirmed. She said the back of her property abuts onto Walter Avenue. She said people coming southbound on River Road, from Rutgers University towards New Brunswick, how are they getting onto Walter Avenue. Mr. Dean said if you are going, South on River Road to get in the left hand turn lane you will swing down Lincoln Avenue and then come up. Ms. Denning said no one is going to do that, they are going to come down River Road, turn on Harrison to Lawrence and get off of Lawrence to River Road and how people are going to accommodate extra traffic coming through there is not something that has been addressed. Mr. Dean said that he has been on Cleveland Avenue for 34 years, he comes down River Road every day and what he would do is go past Walter Avenue because it is a one way. Ms. Denning said since you have to buy parking at the complex and is guessing it will not be cheap and people are not required to buy it and will not be assigned a space, what are the incentives to not have people parking in the street why do I need to pay for parking. Mr. Tripp said that the Ordinance does require them to unbundle the parking but obviously, they will have to price the spaces so people with cars will rent them and that will be a decision that will have to be made. It is in no one's interest to price him or her so high that no one wants him or her. Ms. Denning said that her other concern was outing this extra parking space a couple blocks away up River Road, and asked if anyone has ever tried crossing River Road. If she had a guest coming to her home, she would ask them to park around the corner or somewhere on the street because she would be very concerned with their safety at night crossing a county highway with very little lighting, especially in the winter. She said that there is going to be a lot of spill over from parking and traffic and we do not have any spaces, if we put more spaces on Lincoln that could help but I do not think it is a solution.

John Hulme, 31 Walter Avenue, sworn and affirmed. He said that Cathy was definitely right in that the left hand turn light is only up for about four cars on a good day and if that first car doesn't react really fast you're not making it through that light and you just sit there while traffic backs up. Most of us on Walter Avenue drive all the way around. He said the big fear and issue he has is imagining this place filled with empty nesters and millennials who want to walk across the street he does not get. If he has to walk across that crosswalk with my children he is taking his life into hands every single time, the blinking light does not work, people don't respect the rules. Best-case scenario and everyone only has one car and students and they all want to walk back and forth across the bridge that is not maintained. All these cars respect the laws and all these walkers are walking across the street it is going to create massive jam there especially if they are crossing to catch the train between 8 am and 9:30 am with all the cars jamming up now.

Are we creating a nightmare, is there a plan to really direct them to the best-case scenario, a traffic plan to figure out the timing on all the lights to maximize the flow. If a bunch of little kids move in, they play on Walter Avenue and it always incredibly scary because people come rocketing down, it's a one way street so it is a landing strip, they came in and put down a speed bump which 90% of SUV's are too high to slow down anyway. Is there a plan to protect the little kids that might want to play on this setback grassy area from cars rocketing down and from someone coming down the wrong way because the current signage is not very clear and it feels as if none of these things has been taken into account by the town or the developers? This whole area needs to be reoriented if we are going to incorporate forty units worth of people.

Mr. Kluger asked Mr. Constantine about the parking on the other side of River Road, that there would be discussions with the town, Council, Public Works, Fire and Safety to make sure it is safe, I do not think that we would agree to something without considering these issues. He said from the applicant's perspective if you had to respond to some of the questions about the potential children and activity that fact that these are almost all one and two bedroom apartments and does not foresee a significant amount of children.

Shawn Meehan, 123 South Adelaide Avenue, sworn and affirmed. He said that he heard that the bike lane was only going to the length of the property edge and was hoping it would extend to the end of the street so it could provide a little more access to the entire north side of town. There are hills so it is difficult to bicycle up some of the other streets and would like to see that continued. He agrees with many of the comments made there are many safety issues surrounding the crossings on River Road. He knows that there are plans and ideas out there to make those crossings better and the idea of this development is to get more people biking and walking. He has many of the same concerns that were mentioned earlier about making that side entrance from River Road prominent. People need to know that is a place that they can freely 24 hours a day enter and exit that building because if he lived in that building and had to go out the door in the back parking lot walk all the way around go down the side of Walter where there is no sidewalk, cross the street where there is no crosswalk, go to the other side of Walter, come down cross the street again and walk along River Road that is ridiculous and discourages walking.

Alvin Chin, 111 South 4th Avenue, Apt. 1, sworn and affirmed. He said that he has been a tenant for 10 years and some of us are invested in our community, but agrees that cars are going to go to that left turn and going up or cutting through Harrison or Cleveland, he cuts through on Cleveland. He said that he bicycle to College Avenue on a regular basis, and he does not think that someone commutes to New Brunswick on a bicycle is going to use this the way you think they are going to use it. The other concern was with the offsite parking that is going to increase impervious coverage increasing pollution; he would like to know that there would be some mitigation if the parking areas that are informal were not asphalt.

Eric Schmeling, 49 River Road, sworn and affirmed. He asked about the height of the building on River Road from the corner. Mr. Martinez said River Road from grade to the highest point of the mansard roof is 50' 7". Mr. Schmeling said that there is a 50' façade in the front and to fill in, as many properties are there four units added to the bottom. Mr. Martinez said yes. Mr. Schmeling asked what the setback from River Road. Mr. Martinez said it was 15' from the right of way. Mr. Schmeling said that it is his understanding that you can have a 50' building 15' from River Road. Mr. Tripp said yes, it is 15' per the redevelopment plan. Mr. Schmeling said that reiterate the parking issue, he is tasked with turning into his driveway coming from the

north. Going south the traffic is typically always backed up to, Harrison completely stopped usually takes him about 10 minutes, getting out onto River Road is extremely difficult adding another 40 cars in the morning is going to make it difficult. He asked if there could be another traffic study or confirm that those numbers make sense.

Harriet Lindblom, 9 Walter Avenue, sworn and affirmed. She said that she is the last house faces Walter Avenue before River Road. She asked if there would be balconies facing Walter Avenue and \on what floors. Mr. Martinez said that balconies are on second and third floor, On River Road there is a patio on the lower level and there are balconies as well. Ms. Lindblom said that she has lived there since 1972, she remembers when the office building added a second floor and at that point, the parking became impossible for them, their driveway was blocked about once a week and she is concerned that this is going to happen again.

Ross Baker, 35 Walter Avenue, sworn and affirmed. He asked if the unbundling was a part of the redevelopment plan. Mr. Tripp said yes that is a requirement of the plan. Mr. Baker said that he sees this as a moral hazard. What is the incentive for any resident of the building to purchase a parking space when there is abundant parking all around it seems to be an open invitation to people to freeload on the Borough streets rather than pay the money to buy a parking space. Ms. Hammond asked if unbundling was a common practice in some of their other projects. Mr. Tanzman said to his knowledge they have never done this before but would be in the interest of the resident who resides there to be able to park close to where you live, not sure, how it would be priced at this point.

Mr. Constantine said that there was a growing body of research that has found that transit riders, who tend to be coming from situations where its transit the car ownership is lower and sometimes non-existent. Self-selecting locations where they are getting an apartment and paying for two parking spaces that they clearly do not use and the unbundling of the parking is a best practice that is being rolled out increasingly in the DC Metro areas. They can have a requirement that everyone has to lease a space unless they provide proof that they do not own a car. The Board could also waive the requirement away but research indicates unbundling it tends to heighten the number of transit riders with lower automobile ownership per household that will be attracted because they are looking to not pay for parking. Mr. Tripp said that the language specifically says the provision of resident parking for market rate units shall be “unbundled” from the cost of units and subject to a separate change.

Mr. Perlman said that the redevelopment says it must have at least parking spot per unit, was that ratio based on experience with other projects without the unbundling. Mr. Martinez said that they looked at the engineering of the site to see what would fit appropriately. Mr. Perlman said that the parking is right sized for project, location, and access to transit, jobs so even if you charged zero, the 1.3 parking spaces is determined with the bundling and with the unbundled you might be able to the ban on parking down. Mr. Tanzman said that they believe what they have is enough.

Alex Kemeny, 17 Harrison Avenue, sworn and affirmed. He said that the design is wonderful, he heard some comments from other residents and shared some of the concerns but of things raised, he has a slightly different perspective such as the traffic study. He heard the concern about the comparison not being a legitimate comparison because we are talking about an office that really did not have that much traffic coming and going for the past several years which is a legit concern. But the reason he was not to concerned they heard the number of cars going back

and forth at peak hours so if there is an increase of twenty cars in hour you are talking about one additional car every three minutes, he gets that is an average so certain it could be a little more, sometimes less. Maybe there will be times you have to wait an additional 30-40 seconds occasionally and other times you are not going to notice it at all. There is a plan in place where there is parking on-site, there is an idea for parking off-site nearby, he lives on Harrison which is not that far away and pretty empty. When you think about where this is located it is close to the bridge, he has walked to the train station a number of times, his wife has done it, and he understands at certain points maybe people have concerns with walking that bridge but at least during the day when the weather is not too bad. He has a neighbor on Harrison who is on his bike almost everyday heading into New Brunswick, it is a great location for people who want to live in Highland Park and be able to walk or take a bike to either work in New Brunswick or catch the train. He heard the concerns with the unbundled parking and believes the Board could work with the developer to find a solution but it does not sound like it is the developers fault. It is something that the Borough decided to do in terms of the redevelopment plan and he is not saying that it is a mistake the idea of unbundling parking sounds like a really good idea because it will decrease the amount of commuters, you will have people specifically interested in biking, walking with a disincentive for cars. Maybe here it is not perfect but sounds like there was a potential solution in the works with regards to that either the cost or the parking spot could be reduced or a requirement that if you are purchasing a unit and you have a car then you are required to purchase a spot. He said overall he was very happy to see something new in the neighborhood that is walkable to New Brunswick and is going to look nice.

Tony Shanahan, 24 Walter Avenue sworn and affirmed. He said there was a lot said here but he thinks anyone in this room, if you live next door to this building would have a completely different view on it. This is great for the town and it is to a certain extent but it is too big for this spot and he knows how apartment buildings go, empty nesters, and millennials but in the end you are going to rent it to whomever is willing to rent the apartment and that is what is going to happen. This whole thing makes him sad and he hopes it is not as bad as he thinks it is going to be.

Mr. Koch, Board Engineer, said on September 9, 2019 the project overview there was testimony was given regarding that, general site improvements, the RSIS governs this site, we should have a letter signed and sealed by the professional engineer and the applicant indicating where they are in conformance, where they are not and where they are offering a solution. Mr. Tripp indicated that they are complying with RSIS with the exception of the parking which we want a de minimis exception and agreed to the letter as requested by the Board Engineer.

Mr. Koch said the next item has to do with the change of use and your fact that this will be used for residential occupancy, he said that he spoke from someone from the developers office about a letter from an LSRP and asked if any due diligence has been done prior to purchase. Mr. Tanzman said yes, a lot of that overlaps the phase one and should have the phase one done. Mr. Koch asked if there were any areas of concern. Mr. Tanzman said no areas of concern; they had a preliminary assessment and will have a phase one. Mr. Koch asked for a statement from the LSRP indicating that everyone complies and that would be a condition of approval.

Mr. Koch said as discussed there will be no sidewalks on Walter Avenue, will there is a requirement or a waiver granted which is entirely up to the Board but that would have to be considered.

Ms. Hammond asked the developer if they were willing to put the meandering sidewalk in. Mr. Tripp said it would be on their property as opposed to the right of way. Ms. Hammond requested that they have a sidewalk connecting River Road to their driveway and do a regular right of way sidewalk from that point on. Mr. Martinez said at that corner the grade does keep coming and there is existing vegetation and we run the risk of taking down existing vegetation and cutting into the hill. He said that it can be done unfortunately we may be taking down some vegetation and you are going to come up to a grade and the sidewalk is still going to be up pretty high, if something comes in here later on he could understand doing it but makes sense to end it at the driveway.

Mr. Millet said if going from the parking lot down towards River Road on that meandering sidewalk, is there an issue especially with the handicap access, and is there a slope where the sidewalk would hit River Road would you have problems there. Mr. Martinez said that they took a preliminary look at it. They may be able to get where it is not a ramp, once they get away from the corner we have start breaking away from the curb line because the slope comes up, they may be able to get it down under a ramp but less than 5% and it will be close, if anything they may need a small section that has a ramp but do want to meander the site to avoid that. Mr. Tripp said that there is still concern about doing it on the other side of the driveway because of the grade. Mr. Martinez said that you're looking at about 20' maybe, from the curb up to where the property is it is about 3-4 feet, it can be done but it will be kind of hooky because you are worried about taking down vegetation etc. and it is going to led to nowhere.

Mr. Constantine said that they had recommended that the sidewalk come to the curb edge on Walter Avenue bike lane so that you could cross Walter mid-block without having to walk in the driveway per say, just a short extension of the driveway/walkway to at least the curb edge. If you were on the other side of Walter and crossed over you would not have to walk in the driveway you would be on a walkable after you are cross the bike lane. Mr. Koch suggested that the Board grant the waiver from installing the sidewalks along the property fronting Walter Avenue given the fact that the developer is willing to construct the other sidewalk.

Ms. Welkovits asked if that other strip of sidewalk be installed if the neighbors or future neighbors decide to install sidewalks as well. Mr. Tripp said that if in the future if sidewalk if put there we would connect.

Mr. Koch said there is a need for a geotechnical engineer aspects of the property. Mr. Tripp agreed. Mr. Koch said that they spoke about the HVAC units, and asked for confirmation that the roofline as described would be the adequate density in order to suppress the sound of the HVAC units. Mr. Martinez said that they would comply. Mr. Tripp said that the NJDEP has certain requirements for decibels during the day then from 10 pm – 7 am, it is 50 and 65 and would comply if needed sound deafening were needed. Mr. Koch said that there will be forty condensers on the roof and suggested reviewing that themselves or have that reviewed prior to because if you don't meet the standards it will be a nightmare and am asking that you take care of that. He suggested it be a condition of approval and that he and the Construction Official would look at it. Mr. Tripp said that they would prepare an analysis as to compliance with DEP and if we needed noise attenuating materials in order to meet the requirements, we would do that. Mr. Koch said that the Board Attorney could put a condition in the Resolution that indicates that they demonstrate that the architecture is designed to attenuate the sound of the forty air conditioner units on the roof to within the state standards. The most prudent course of action for

that is to hire a sound engineer and make a recommendation to the architecture, submit that to the Borough professionals and we will have that on file.

Mr. Koch asked if there would be a generator and where that was located. Mr. Tripp responded that it would be on the roof and ran on natural gas and tested monthly.

Mr. Koch said that the parking is showing just the new portion be paved and he is recommending that the other portion be milled and paved as well. Mr. Tanzman agreed.

Mr. Koch asked if there was a plan for snow removal. Mr. Tanzman said that this was routine and will be providing snow removal, if they have to truck it out, we will do that as well. Mr. Thomas said with regard to 10 to have the plan submitted to the Board Engineer for his review and approval. Mr. Tripp agreed.

Mr. Koch said in regards to the retaining wall, asked for calculations the plan calls for the contractor to get a design and this should be handled before and that can be submitted to the Construction Department. Mr. Tripp agreed.

Mr. Koch asked that the shop drawings for the hydrants be presented. Mr. Tripp agreed. Mr. Koch said that the Board would have to grant the waiver for item 15, item 16 all the parking spaces would be striped. Agreed.

Mr. Koch asked if it was understood what he meant with regard to the retaining wall with the width of the block. Mr. Tripp said yes. Mr. Koch said house service detail has to be changed to the buffalo block; requested a water and sewer report items 20-21 demonstrating the flows a condition of approval for both. Mr. Tripp agreed.

Mr. Koch asked about the demolition, and asked if the services were abandoned at the main or are they abandoned at the shutting and suggested that they be abandoned at the main to avoid leaks or infiltration. Mr. Tanzman said that the Borough has advised them that they were unable to shut off the water so they could not do it from the main but if the town gives them permission to do it will be done because it is in the right of way. Mr. Koch said it should be abandoned at the main and believed there is one on the property.

Mr. Koch addressed Mr. Lane on the storm sewer report; he would like a summary statement and confirmation that there is no blockage of the overland swell by the development of this site. Mr. Lane agreed.

Mr. Koch said an amended Freehold Soil plan based on these revisions. Mr. Tripp agreed.

Mr. Koch said the sewer drain system, there is one connection coming in and asked if there was one for all of those drains and asked if they were going to be internal. Mr. Martinez said that they have drains that circle around the building and tie into the existing inlets in River Road or enter a new pipe system. Mr. Koch asked that be shown more clearly.

Mr. Koch said that there were discussions regarding the traffic report. Mr. Koch asked if the water table had been reviewed. Mr. Martinez said they were matching what was out there which was 20.3 and we are at 21 so we are matching what was out there; they have not had any soil

testing yet other than what was done in this phase. Mr. Koch asked if they would deal with this so there are not wet. Mr. Tripp agreed.

Mr. Koch asked if they were in agreement with the Title 39 agreement. Mr. Tripp has no objections.

Mr. Tripp said that the Environmental report had storm water questions which they have addressed and the only other comment was lighting and we addressed the lighting as well. He said that they would work with the Shade Tree Advisory Commission as well as the staff, STAC was looking for another species and that is not a problem and will work with the Planner as well that satisfies everyone. The Safe Walking and Cycling looking for a plan consistency and they will revise that; they raised the questions about the 5' sidewalk and we spoke about that. They want lower floor doorways convenient recommends door be available have sufficient lighting, have architectural features and consider whether a 5' sidewalk is sufficient and we spoke about that area and agreed to widening that area to 6-7' along with landscaping

Mr. Perlman said that he feels completely entrance area should be treated and would be happy if they would work with the Borough Planner on that. Mr. Tripp agreed.

Mr. Tripp addressed the Fire Marshall's report regarding the installation of a knock box, fire hydrant in the parking lot and showing FOC plans for the sprinkler system. Mr. Tripp said that this would be shown on the plans.

Mr. Constantine said section 6.3 it was recommended that the applicant expand the amusement area on the ground level porches with a little more of a terrace space on River Road. Mr. Tripp agreed.

Mr. Constantine said the applicant agreed to extend the bikeway all the way to the intersection of Lincoln Avenue. Mr. Tripp agreed

Mr. Constantine said item 6.8 some of the railings we wanted to explore whether there was a color that blended better architecturally. Item 6.9 verifying the house shields on the lighting and suggested that some of the lighting be dropped at the perimeter, this was something raised by the neighbors. Mr. Tripp agreed.

Mr. Constantine said that on building lighting they had identified there was no accent lighting at the entrance, recommending that the architect come up with individual lights for those porches facing Walter Avenue to add to the individuality and the same on River Road. Item 6.12 landscaping and suggested when putting the walkway along Walter shift some of the trees out towards Walter Avenue. Item 6.13 – recommended trying to have townhouse varied landscaping to capture that individuality of front yard landscaping. 6.14 retaining walls – recommended just trying to review that and incorporate some landscaping to soften the appearance.

Ms. Hammond asked if there would be any flexibility use in the material of the fencing and working with the neighbor. Mr. Tanzman said that he would be happy to speak with her.

Mr. Constantine said he knows the town is looking to seek some level of ability for electric vehicle charging stations. Mr. Tanzman said that they have two electric spots and agreed to lay the conduit for two additional spots if there becomes a need.

Mr. Constantine asked for a review over the freestanding sign. He suggested them to continue to work on the townhouse elevation, colors and material choice on Walter Avenue so that the individuality comes out a bit more. On the south facing elevation there is some further articulation that can be done, there are no windows and suggested looking at some panels, or maybe another window or two. Three key decision points is in the adequacy of the parking, two that relate to the building itself, making sure the relief that applicants requested on section E1. The planning board may permit the buildings to be attached is they appear to be multi buildings to the satisfaction of the Board, section G2 that the building be designed using some combination massing, scale, roof type, projections, recesses, materials and colors and other architectural improvements to minimize the visual impact of the height. Mr. Tripp said that they will need a design waiver, that we satisfy G2 with a waiver because there is no terrace on the upper level. The only other relief the applicant is seeking is the sidewalk waiver because it is not in the right of way, except for the condition that if it is ever developed in that other area that we would connect it. Retaining wall setback is a waiver not from the redevelopment plan, from the underlying ordinance. They will get the height down, there were two things in the CME report, one was the height and they will get that down to the maximum of 4' but need the setback because it requires a 6' setback and they are on the property line and the RSIS relief.

Mr. Constantine said in regards to the tandem parking, about 3 ½ miles from this site in Franklin Square in Metuchen, is tandem parking that has existed for over 20 years and he is not aware of any problem that has ever occurred with those spaces.

Ms. Hammond reviewed the waivers, concerning parking they have with prior applications said you must prove that you have provided X number of spots within a 1,000 feet and she was not comfortable saying that the particular spot. Mr. Kluger said that the plan only requires 40 spaces so that means by the plan they are already providing 12 guest spots. Mr. Tripp said that the plan indicates that guest parking shall be located on site or off site within 1,000' of the redevelopment area in an amount distribution and location to satisfaction of the Planning Board.

Mr. Constantine said that if the Board finds that their increasing the neighborhood on street parking through what's been proposed on Lincoln and River Road, in combination with some of the other mitigation measures, they do not have to necessarily dedicate just increase the pool of what is out there. He said that he thinks most guests would come to the site first; he personally has visited people who have indicated to use their tandem spot behind their car or garage, which is not an uncommon practice.

Ms. Hammond said that is the same as saying parking in my spot, the way this is described says that there should be guest parking and does that comply with guest parking or does there have to be X number of sports. There are still more than 40 spots do you designate three spots as guest and does that fulfill everything. Mr. Koch said that and the striping on another street.

Mr. Tripp said under RSIS there is a provision that specifically allows the Board to consider on street parking satisfying the requirements, section 521414F. Mr. Constantine said they could consider putting more on Lincoln on the other lot coming in. The tightness that is on Walter Avenue, he looked that evening and there was maybe one space and part of what they heard was some of the folks on Lincoln pull down Walter because that is the way you naturally progress out.

Mr. Koch said that at some point it transitions into the County, there is also green acres, he does not want to see anyone caught up in a situation where they are bound by something and cannot do it. If you strip, the road and label 2-4 spots as guest, and the rest are delineated upon approval of the Borough.

Mr. Tripp said that they agree to do the stripping of the spaces on Lincoln Avenue, strip the bike lane but that is subject to the approval by Borough Council. Same thing with River Road, they will agree to make improvements that will be discussed with the Borough professionals again subject to governing body approval.

Mr. Kluger said that worse case scenario if Council does not agree, there are 52 spots, which meets the 40 plus. Ms. Welkovits said correct but if no one buys a spot, they begin to park on the streets.

Mr. Millet said that if you were to offer the residents of Highland Park off street parking that would sell out.

Ms. Welkovits asked about the driveway onto Walter Street, they received many complaints with another project because of the way it is curved allowed people to speed into the driveway and asked that it be built in a way to calm that. Mr. Tanzman said his only concern would be getting the garbage truck or any other truck such as fire in or out of the site. Mr. Thomas suggested in indicate subject to the safe and adequate for service vehicles. Mr. Tripp agreed.

There being no further comments from the public, the public portion is closed.

Mr. Thomas suggested incorporate all the waivers requested by the applicant as outlined and incorporate all of the conditions as outlined in the testimony and the applicant be bound by those representations and conditions and will be incorporated into the resolution that will be distributed to the Board for the review and consideration.

It was MOVED by KLUGER and seconded by HAND that the application be approved incorporating all the waivers requested by the applicant as outlined and incorporate all of the conditions as outlined in the testimony and the applicant be bound by those representations and conditions and will be incorporated into the resolution that will be distributed to the Board for the review and consideration, be approved.

ROLL CALL: Ayes – Brescher, Hand, Kluger, Lanaris, Millet, Perlman, Pinelli, Welkovits,
Williams, Hammond

Nays – None

There being ten (10) ayes and no nays, the motion passed.

Correspondence and reports.

Zoning/Building Officer report – Scott - None

Rehabilitation Screening Committee report – Kim - None

Mt. Laurel status update - Roger/Jim - None

Fair Share Housing Obligation report - Jim/chair of FSHO committee - None

Master Plan Prep report - None

Action on any other business and work session.

Conduct a Preliminary Investigation of Conditions of the Study Area for Determination as an “Area In Need of Redevelopment” with Condemnation Powers (Block 173, Lots 41, 42, 44 and 45

Ms. Hammond said that the materials had been previously distributed. Mr. Thomas indicated that there was a provision under the redevelopment law that there a study and that you have a public hearing on the study, tonight is for the Board to make the decision to authorize LRK to proceed with the study on behalf of the Board.

It was MOVED by PERLMAN and seconded by MILLET authorizing Mr. Constantine, LRK to Conduct a Preliminary Investigation of Conditions of the Study Area for Determination as an “Area In Need of Redevelopment” with Condemnation Powers (Block 173, Lots 41, 42, 44 and 45, be approved.

ROLL CALL: Ayes – Brescher, Hand, Kluger, Lanaris, Millet, Perlman, Pinelli, Welkovits,
Williams, Hammond
Nays – None

There being ten (10) ayes and no nays, the motion passed.

Ms. Hammond asked everyone to take the survey online regarding the master plan and make comments, there will be another public meeting on October 2, 2019 and might need a couple volunteers to help man some of the tables.

Public comment on any item not on the agenda. - None

Adjournment

There was a motion to adjourn from MILLET with a second from HAND and at 11:50 PM, the meeting was adjourned.

Respectfully submitted,

Jennifer Santiago, Board Clerk