

**HIGHLAND PARK PLANNING BOARD
MINUTES
SEPTEMBER 10, 2020 @ 7:30 P.M.
Council Chambers, Borough Hall
221 South Fifth Ave. Highland Park, NJ
Via Zoom**

Call to Order

The September 10, 2020 regular meeting of the Highland Park Planning Board was held via Zoom, and was called to order by Kim Hammond at 7:32 PM. Annual Notice of this meeting was provided to The Star Ledger, Homes New Tribune and Highland Park Planet on January 13, 2020. In addition, notice of this meeting via zoom was faxed to The Home News Tribune and emailed to The Star Ledger and the Highland Park Planet on August 11, 2021 and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ on August 11, 2020 and has remained continuously posted as required by law.

Roll Call:

Present	Kim Hammond, Scott Brescher, Khahlidra Hadhazy, Matthew Hale, Rebecca Hand, Alan Kluger, Padraic Millet, Steve Nolan, Jeffrey Perlman, Allan Williams
Absent	Paul Lanaris
<u>Board Professionals</u>	Roger Thomas, Esq. Board Attorney, Jim Constantine, Board Planner, Chris Cosenza, Board Planner, Bruce Koch, Borough Engineer

Roger Thomas, Esq., administered oath of office to the new Planning Board member of Khahildra Hadhazy.

There was a moment of silence for the late Councilwoman Susan Welkovits.

Approval of Minutes:

August 8, 2019 Regular Meeting

It was MOVED by PERLMAN and seconded by WILLIAMS that the August 8, 2019 minutes be approved and with a voice vote by all present, with abstentions from Hadhazy, Hale, Nolan, Hammond, the motion was approved.

September 12, 2019 Regular Meeting

It was MOVED by MILLET and seconded by KLUGER that the September 12, 2019 minutes with a revision on page 5, be approved and with a voice vote by all present, with abstentions from Hadhazy and Hale, the motion was approved.

October 10, 2019 Regular Meeting

It was MOVED by WILLIAMS and seconded by PERLMAN that the October 10, 2019 minutes, be approved and with a voice vote by all present, with abstentions from Hammond, Hadhazy, Hale, and Nolan the motion was approved.

November 14, 2019 Regular Meeting

It was MOVED by MILLET and seconded by WILLIAMS that the November 14, 2019 minutes, be approved and with a voice vote by all present, with abstentions from Hadhazy, Hale, Kluger, Nolan the motion was approved.

December 12, 2019 Regular Meeting

It was MOVED by MILLET and seconded by WILLIAMS that the December 12, 2019 minutes be approved and with a voice vote by all present, with abstentions from Hadhazy, Hale, Kluger and Nolan the motion was approved.

January 9, 2020 Reorganization

It was MOVED by HALE and seconded by PERLMAN that the January 9, 2020 Reorganization minutes with revisions be approved and with a voice vote by all present, abstentions from Hadhazy and Kluger, the motion was approved.

January 9, 2020 Regular Meeting

It was MOVED by WILLIAMS and seconded by MILLET that the January 9, 2020 Regular minutes be approved and with a voice vote by all present, abstentions from Hadhazy and Kluger, the motion was approved.

February 13, 2020 Regular Meeting

It was MOVED by HALE and seconded by MILLET that the February 13, 2020 Regular minutes with revisions be approved and with a voice vote by all present, abstentions from Hadhazy and Perlman, the motion was approved.

March 12, 2020 Regular Meeting

It was MOVED by WILLIAMS and seconded by NOLAN that the March 12, 2020 Regular minutes be approved and with a voice vote by all present, abstentions from Hadhazy, Kluger, and Millet the motion was approved.

Memorialization of Resolutions. - None

Action of any other business and work session.

Review of Member Terms – Roger Thomas, Esq.

Mr. Thomas said that Jennifer had brought to his attention that the terms of the Board members in the Ordinance was a bit confusing and made things difficult to keep track of and, as a result of that, the Ordinance was amended so every member term when expires their new term will begin and end on a calendar year.

Correspondence and reports.

Zoning/Building Officer report – Scott

Mr. Brescher indicated that things were slow for a while and seemed to be picking up now. There is a home on the north side that is renovating from a fire; American Properties is moving along and has made 20 sales this week. Mr. Nolan asked about the status of 31 River Road and a timeline. Mr. Brescher indicated that the footing and foundation permits were released for the 31 River Road site. Mr. Koch indicated that he spoke to Mr. Lane and it is in the NJDEP's hands at the moment and it is hard to gauge a timeline with furloughs at the State. Mr. Brescher indicated to the Board that JSM had submitted their application.

Rehabilitation Screening Committee report – Kim

Ms. Hammond indicated that the Rehabilitation Screening Committee has not met but the Quarterly Chairs met which consists of Judy Richman, Zoning Board Chair, herself, Matt Hale, Jim Constantine, Borough Planner, Mayor Gayle Brill Mittler, Teri Jover, Borough Administrator, and they meet and keep each other apprised of what's going on in relation to development. She said that there was discussion of an Ordinance that would allow people to use

their detached garages for things such as an office or playroom. She said that this idea presented itself due to the pandemic and everyone being at home all the time and needing more living space.

Councilman Hale said that we have received a fair number of requests for what can be done in a garage. With the current situation of people working from home and children at home, they are running out of space. After some discussions, the primary goal is to not allow garages to become apartments at this point but to allow the homeowner to work in that space, for example, if you are a flute teacher, you could have your students come. The Ordinance does not allow for plumbing but does allow for electrical. It is pretty prescribed about explaining what a home office is. It is clear that there are not to be employees there during the day working. The goal is to make it clear you can have your own home office; a place for the owner of the home to work, not a place for business. There is a clause that indicates no signage. He indicated that the original ordinance was written so you could put a swimming pool in your garage but not a weight set and that has been cleared and asked the Planner to speak on that. The goal is to make it clear and easy for people to use their garages as a result of COVID.

Mr. Constantine said that the most antiquated provision of the Ordinance that is being cleared up is the fact that in Highland Park a garage must provide storage of motor vehicles so it is a cars only provision and prohibits a home occupation. He said that they have made it more workable.

Mr. Nolan asked if there were any restrictions on the type of home business, such as a machine shop, stamp metal or play the drums. Ms. Hammond indicated that they would still have to abide by the noise ordinance, and other provisions would still apply and this would be an extension of something that you are already doing in your home. Mr. Nolan asked if this was inadvertently setting something up that is easier and the neighbors are going to be saying “is it 7 pm yet, do I need to call the police” as opposed to not allowing this sort of thing in the backyard. Ms. Hammond asked the Planner or Mr. Hale to speak more to the process and whether we have more time to discuss and make recommendations, etc.

Mr. Hale said that there was an Ordinance that is ready to go before the Borough Council at the next meeting and after that it would go the Planning Board for consistency review with the Master Plan.

Ms. Hadhazy asked about installation of drywall and installation and if there were any provisions on how to outfit their garage to be used year round. Mr. Constantine said that the only thing they are doing is adding the garage as an accessory use and cannot contain the following: a sleeping facility, bathroom, toilet; shower, kitchen or cooking device. Permitted is a sink for gardening and arts and crafts and that would really address not allowing someone to turn their home occupation to an Airbnb. Under the current provisions, people are permitted to install electricity, sheetrock etc.

Mr. Perlman said that he bets there are already people with showers in their garages, they want to shower off before going into their home. Without seeing the Ordinance, it sounds like most of the potential uses for a garage have been covered and asked if we are going to permit people to convert their garages to other accessories uses and asked if there was anything in the residential site improvement standards requiring certain parking standards. Mr. Constantine said that he was not aware of any but the Ordinance is very clear on home occupations.

Mr. Williams asked what triggered a permit from the Building Department. Mr. Brescher indicated that a permit would be needed for electrical but not for sheetrock installation. Ms. Hadhazy asked about the installation of a heating/air conditioning in the garage. Mr. Brescher said that they would need a zoning permit and a building permit. He indicated that when people start doing this, they are essentially creating more living space, which is going to trigger a tax increase from the Tax Assessor's office.

Mr. Thomas, Board Attorney provided an update on the SOLOP easement. The easement has been reviewed by himself and Bruce Koch, Board Engineer and is now being discussed by the governing body.

Mr. Koch said that he has received revised plans for resolution compliance to address comments that he had. There were a couple field meetings to address some issues on the roadway, so once the Planner signs off and the governing body signs off he will look at any final comments he may have and if they are in compliance that is when the resolution compliance letter would be issued.

Mr. Williams asked Roger Thomas, Esq., if the draft could be circulated to the Planning Board. Mr. Thomas agreed to circulate the draft to the Board.

Mr. Constantine said that the 433 Cleveland Avenue Redevelopment Plan went through about a one and half-year process has been approved by a redeveloper agreement by the governing body, which include extensive infrastructure improvements: 5,000 linear feet of pedestrian and bicycle improvements, they are planning to submit their site plan application soon. The redevelopment entity has been looking at some opportunities that have come up downtown, there is an opportunity to take some of the downtown strategies from the Master Plan and advance them. LRK has been asked to prepare a plan for the Gateway area. He indicated that the redevelopment sites downtown are unique requiring custom planning as indicated in the Master Plan. He said that the buildings downtown are too small to develop an effective building in terms of upscale and density and the park on-site (parking access issue) and there is an opportunity for more centralized parking solution that would affect several sites. Tract A is the Gateway redevelopment area, phase one is the Gun and Boat and the two lots that wrap behind the cleaners. We are looking at other potential expansions of those properties and the Borough is the owner of the Bergen Auto, there is still environmental clean-up relative to the cleaners and there is an assemblage issue which they will be looking into. Across the street is (Tract B), the 130-134 Raritan Avenue next to the former Jack's Hardware, the governing body and the planning board acted on an amendment to the Redevelopment Plan allowing for a five-story building with a terrace back on the fifth level. There was a neighborhood meeting at the end of last fall and out of that meeting came an idea, rather than trying to put a limited number of parking spots down an eight foot alley way, perhaps the building might expand. Tract B would be a redevelopment plan amendment to that plan. Both the gateway site area (Tract A) and 130-134 Raritan Avenue (Tract B) need a parking solution and that is down at Tract D. Tract C is the Borough Square property / Farmers Market. We can use the combination of the redevelopment designation as well as the area in need of rehabilitation. Tract C issues are access from Magnolia Street, to how much parking, to how much that limits development of the site and with an off-site parking solution with the potential of the Borough to develop both Tract C and the site it is assembling down at Gateway and Tract A. Tract D which is entirely outside the redevelopment area that was designated in 2005, includes the widest right of way downtown at 75' wide and a concept that has been kicked around in a couple of different places and what would happen if we turned that block into a "festival street", can be parked on, driven on and closed to host public events including the Farmers Market, combined with the potential to redevelop at the corner of

North 3rd Avenue and Raritan Avenue (the Blue Horse site) as well as the Denison Street properties where a potential parking solution is being looked into as per the Master Plan. Some type of consolidated multi-level parking structure that would be lined with buildings for limited exposure but basically becomes parking for all of the sites they are looking at. Joe Baumann, the Redevelopment Attorney, and LRK have been looking at it and have been engaged by the Borough Council last week to explore this further. This will require outreach, kick-off presentation, stakeholder outreach sessions, and move into public presentations and potentially go back to the Council and referred to the Planning Board to be reviewed for consistency.

Ms. Hadhazy asked if this would require the Borough to acquire any of the buildings. Mr. Constantine said in Phase One in the Gateway, the Borough did apply (for the option of) the powers of condemnation, the Borough acquired the former Bergen Auto in Phase Two, and the Borough did acquire lands in Tract C where Main Street Highland Park is housed next to the Farmers Market and the back of the dentist office. The Borough has been assembling and putting the Master Plan that was adopted less than a year ago into action.

Public comment on any item not on the agenda

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

There was a motion to adjourn from WILLIAMS and a second by MILLET at 8:42 pm the meeting was adjourned.

Respectfully submitted,

Jennifer Santiago
Board Clerk