

**HIGHLAND PARK PLANNING BOARD
MINUTES
June 10, 2021 @ 7:30 P.M.
Council Chambers, Borough Hall
221 South Fifth Ave. Highland Park, NJ
Via Zoom**

Call to Order

The meeting was called to order by Chairperson Kim Hammond at 7:30 pm. Annual Notice of this meeting was provided to the Star Ledger on December 4, 2020 and to the Home News Tribune on December 4, 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 June 8, 2021, and was posted on the Borough website at www.hpboro.com and on the bulletin board and doors at Borough Hall, 221 So. Fifth Avenue, Highland Park, NJ on June 8, 2021, and has remained continuously posted as required by law.

Roll Call:

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| Present | Kim Hammond, Scott Brescher, Matthew Hale, Kahalidra Hadhazy arrived at 7:33pm, Matthew Hale, Rebecca Hand, Alan Kluger, Paul Lanaris arrived at 7:34pm and left at 10:15 pm, Padraic Millet, Stephen Nolan, Jeffrey Perlman, Allan Williams |
| Absent | None |
| <u>Board Professionals</u> | Roger Thomas, Esq., Jim Constantine, Planner, Bruce Koch, Engineer |

Minutes:

March 11, 2021 Regular Meeting

It was MOVED by HAMMOND and seconded by HAND that the March 11, 2021 Regular meeting minutes as distributed be approved and with a voice vote by all present, and one (1) abstention from Millet the minutes were approved.

Action on any other business and work session.

Continuation of Consistency Review of Draft Downtown Redevelopment Plan

Ms. Hammond indicated there was a presentation from Jim Constantine, Planner about four sites that are being recommended for areas of redevelopment and the Planning Board is being charged with determining whether they are not inconsistent with the Master Plan. She said that there were questions raised by the Board regarding parking circulation, incorporation of a bike/ped plan; there was talk about an RFP for parking management plan and other issues regarding parking and circulation.

Mr. Perlman said that he did have to leave early at the May meeting but did watch the recording all the way through from the time he left the meeting until its conclusion and wanted to attest to that. In the event there is a vote, he believes he is eligible to vote unless Counsel has other guidance. Mr. Thomas, Esq., said that is the requirement.

Mr. Baumann, Esq., said the Mayor and Council corrected it, he sent a letter that indicated that Jim Constantine would go into more detail on the plan for the benefit of the Board but there was one other issue that was raised at the meeting we thought should address. There appeared to be a sense among the public and maybe some of the members that there was not a complete appreciation for the amount of public participation that's gone into this process. He walked through a little bit of what has gone into this. It goes

back nine or ten months, the first stakeholder meeting, a series of four stakeholder meetings, October 26 for Tracts A and B, October 27 on Tract C, October 28 on Tract D. On November 7th there was a meeting of the Governing Body where all the concept plans were presented. Over a course of a month a number of outreach stakeholder meetings and then the Council meeting where we discussed it rolling into 2021. January 26, 2021 again there was another Council meeting to bring everyone up to speed on the process and progress and crafting of the redevelopment plan; in April there was another presentation on the plan, May 6th we scheduled a downtown meeting at the town tables outdoors where we also met with anyone that wanted to meet with use and answered questions. Over the course of this year there has been all those specific meetings then there has been a least eight Council meetings where we have discussed the process and progress of the redevelopment project. There has been numerous stakeholder meetings, there has been Council meetings on a regular basis, the Administrator, the Mayor and Council received and responded to calls and emails about the process, we have published a FAQ with comments and questions that we have updated on occasion, first published on March 5, 2021. The Plan has been published on the Borough's website since April 14. There has been a number of individual outreach meetings with some of the specific property owners, as well as meetings with Main Street Highland Park leadership. He wanted to ensure that the Planning Board was aware that this is a process that began over a year ago, has had a substantial amount, almost unprecedented among projects he dealt with in terms of outreach to the public and the community through this process. He thought it was important background for the Planning Board to have as they begun the deliberations.

Mr. Constantine said he would like to emphasize one other point, which is that this is really a redevelopment plan framework and these are not specifics different then the plans adopted for River Road/Walter Avenue site that is under construction today or the school on Cleveland Avenue. This framework is intended to lead us to something that will result in that. The four sites we have talked about before are highly consistent with the Master Plan; some of the sites were actually identified in the Master Plan. There was a great deal of visualization spent on redevelopment and what might happen on some of the sites and how it might address some of the community issues that were identified. The desire for public space, for handing parking in a better way, addressing vacant properties, empty storefronts and some of blank spots in parts of the corridor. He showed the slide about some of the changes that have been made based on community feedback and wanted to address the commitment to creating more permanent public space on Third Avenue. We were very deliberate at that point in identifying Third Avenue and the plan as we are revising it now will not propose a festival street for the relocation of the Farmer's Market and other events on North Third but will look to potentially accommodate that on South Third in the area where town tables is occurring now. That is a change to the plan that he feels addresses a lot of comments that have been heard of on a whole variety of issues. North Third will remain open as a two way street as it is today and we will talk about that in relation to garage access. There may be some sidewalk widening, bump outs, or better pedestrian treatment and to potentially have the town tables area on South Third serve as a potential future Farmer's Market location. This is a significant change because it relates to a number of comments that we have had from the public and from some of the neighbors. Mr. Constantine showed a blow-up plan of Tract D, North Third is still texture paved, remain a two way street so all the properties that have driveways on there would have access. There is a redevelopment site on the Blue Horse corner on the left and then there is the proposed parking structure with a liner facing Denison Street and another building that comes out where the Bridge Restaurant is towards Raritan, mixed use on the right of that. There was another issue raised which was about the traffic generation related to a parking structure, this parking structure is generally intended as a centralized facility for on-site parking for the residents that would live in the buildings that attach to the garage on Tract D. Also as centralized remote parking for folks that live elsewhere and it is primarily targets and really in our conceptual sizing for residents for the downtown residents and that was one of the Master Plan stratified. It was recognized one of the reasons that Highland Park hasn't had new development downtown is we have too many small properties where it is unfeasible to both build a building

and provide parking and then we have other policies where we don't want these individual driveways servicing properties off of Raritan Avenue for safety and pedestrian and bicycle concerns. The garage is different from other downtown garages because it is not primarily driven for shopper parking, there could be some additional employees there and we would recommend that part of the ground floor have spaces reserved for public use but that's not a multi-level public parking garage for customers like you might find in downtown Princeton. It is also not a commuter parking structure like you might find in Rahway, Metuchen, and New Brunswick, which has very intense periods of cars coming in and leaving because the mass transit schedules. He thinks that the function of this garage is very different although it is a downtown garage and it is easy to think of it as other downtown garages, it is primarily to facilitate residential development on all of the Tracts that have been identified. Potentially other sites as well and some characteristics that we saw looking through the Master Plan coming from both the American Community survey census data as well as from the survey that we did with about 600 resident for the Master Plan. We found that there is a lower car ownership in Highland Park than other communities in Middlesex County, folks that are living downtown right now that are less auto oriented, and so obviously, if some of what we found is correct, it parallels the experience in other downtowns although each is a little bit different. There are folks that are walking or biking over to New Brunswick to take the train or go to their job or go to school. They are less reliant on having their automobile parked right near them, which may make the remote parking structure actually meet the market in Highland Park. It may also attract folks that are more pedestrian/bicyclist, a downtown live, work, walk, learn type of lifestyle. The garage has an access point on North Third; there could potentially be a secondary access on Denison. We do not believe at the moment, approximately 350 spaces in here may be serving development with some minimal public parking on the ground level, that there is this intense traffic hot spot that would be created like you do find with rail station commuter garages and downtown parking garages and places that have a very strong customer demand and we think North Third can handle it. He said that he has been an advocate of having North Third remain open despite what we had in the plan. He thinks we have a garage that functions well and cannot be serviced adequately from North Third and that was an issue that was raised. He identified one modification from our planned document is where this liner space in the parking structure is located, there is some space on the ground floor that you don't want to have exposed with parking and you want to actually try to have kind of an active street front or storefront type use. Some of the liner uses are a restaurant on the ground floor and artwork in the stairwells and they pipe in music to create a different type of garage experience and a restaurant makes it much more pedestrian friendly experience on the street. He showed a slide with a parking garage called the arts garage that is in downtown Delray Beach, with a gallery space and a performance space that line the streets. He said that they have heard some interest for that type of thing in Highland Park and wanted to provide some examples. You can really take a twist on what happens at the ground level, you may not see garages lined in other situations in other downtowns and we think they are not on an active street, you can end up with dead space and space that makes people feel uncomfortable. Potentially what might happen here is a garage could be a point for a shuttle that runs between multiple stops in Highland Park and New Brunswick, which is discussed in the Master Plan. There may be some additional riders if there is some capacity in the garage there may be some folks that park here allot like an intercept location and go to New Brunswick. We do not see that as a major driver of the garage but again the shuttle combined with the type of demographic that we believe might be attracted in the market because they exist today and that's greater accommodation could work folks that don't need two cars next to their apartment door or within their building. We also provide for adding additional convenience service drop-off parking proposed, in modifying the plan, in front of or next to or behind sites that are in this redevelopment plan. Take the garage location, about a five minute walk that hits all of the Tracts, everything is within a five minute walk, within a block and a half to two blocks of that parking garage. Several parcels including North Third right of way that are all part of Tract D, along Raritan Avenue in the Central Business District zoning, a lot can happen today that's outside of a redevelopment plan. These Tract D parcels are not located in the Borough's redevelopment plan today, they are just under CBD Zoning where you can build with for instance zero sidewalks, zero side yard setback and up to four stories and 50 feet in height with a fairly

robust coverage of 90% impervious surface, 75% maximum lot coverage and what we have done actually in the plan is in most cases, increased some of the setbacks, kept most of the coverage fairly similar and so there is actually some greater bulk constraints that have been placed. Back of this block where most of the multi-level parking facility sits, a surface parking lot today, you can have a multi-level parking structure in that PO Zone (Professional Office), two and half story buildings, we have maintained in our bulk standards, 20 foot front yard setback because Denison is a residential street. The former Blue Horse side at the corner of North Third and what could happen under existing zoning is not very different from what is being proposed with the plan, a four-story building with the fifth floor terraced back. What we can do in the plan that cannot be done under existing zoning: require a high degree of transparency with design standards at the ground level, suggest in the plan that this should be an active type use that wraps the corner which under redevelopment powers we have greater control because we have the ability to negotiate and execute a redevelopment agreement. This could be a landmark building if it is taller and it really should be sort of exemplary design, under existing zoning four-story building can come in and we are basically faced reviewing that based on existing zoning and we have lost control and the ability to really help share and to work in a public private partnering approach to get a better fit that the community. Back to Tract D, since we have talked about the PO zone (Professional Office), that has been a parking lot for most everyone's lifetime or a good part of it, obviously this is also a gateway into the downtown from the North side neighborhood. We are proposing anchoring the corner with a slightly taller building a little closer to the street with some sort of ground floor, work, live or commercial space but not retail, perhaps office use that complements the office directly across the street and upper floor apartments. It is meant to be sort of a brick, midtown, pre-war apartment feeling that anchors it. Part of the reason this is slightly taller at this corner is so that it actually is a bookend and is a little taller in terms of the parking structure that next to it with the linear space which could be used for the arts gallery exhibit performance type space. Looking down Denison Street towards that same location and what is called for here is to actually have building that are scaled to have verandahs, porches and projections and recesses and a type of massing consistent with the North side residential neighborhood. Down into the next block of Denison you do find some of older four family row homes and suggested in the redevelopment plan with the design standards that articulate the bulk standards to really try to have a much more residential character feeling. It is currently zoned PO and basically what's called for here is office space, in the existing zoning where you can have apartments above the 20-foot setback that's in the existing zoning which is consistent with the homes on the left on the neighboring properties is maintained in the proposed redevelopment plan for this Tract. The bookend building down at the end that anchors and takes you around the corner and kind of brings you from residential neighborhood which we think Denison street should feel like to transitioning to the downtown. There have been a lot of those design concepts that have been wed into the framework level into the redevelopment plan. As mentioned we have increased some of the front yard and side yard setbacks from the existing zoning in the redevelopment plan, we have also reduced some of the coverage requirements in some locations from existing zoning in the redevelopment plan and some have maintained the same. Again, multi-level parking structures are permitted in the PO zone on Tract D and there is a whole section in the redevelopment plan on green infrastructure and sustainable design standards that is not contained in existing zoning or in the existing redevelopment plan. On permitted principal uses, there is a bundling that we have done in the redevelopment plan to include the uses that are permitted today in the downtown to also include the uses permitted under the redevelopment plan, which is not on all of the parcels downtown, for instance does not apply on Tract D. Taking a cue from the Master Plan, we have added in other uses and this was a goal of the Master Plan from day one to update and really bring some of the ground level particularly the ground floor zoning in the downtown into this century. For instance, things that are new that we added are things like where artists, artisan craftsperson studios, workshops similar creative workspaces, and maker spaces, which get into a friendlier light industrial making and assembly and are very popular in artistic oriented communities. Some of the language comes almost directly from the Master Plan, studios for visual and performing arts, entertainment uses have been added in as well. Offices shared and co-working spaces right now are not permitted everywhere in the downtown and then of course residential uses including some

of the common spaces for lobbies, fitness, passive recreation workspace business center other amenities although there are some restrictions on where you can place ground floor residential units. Live, work units is new, hotels are new and we do think that perhaps at the right moment in the market given the dynamics with New Brunswick perhaps it is geared towards Tract A closer to New Brunswick. There could be potential for a hotel and then public space was put in so that's a short summary of the permitted principal uses carried across all of the Tracts. Tract C that is the site where the Borough currently hosts the Farmers Market, one of the changes here in the plan would be to allow not just a single courtyard building but multiple buildings and to also carve out a multi-use plaza/green public space at the front of site along Raritan Avenue. In the draft plan, you have read previously we have talked about a small plaza connecting through the courtyard building to a courtyard that relates to the Reform Church and then has a walkway to connect to Magnolia. That would all still be true except for down at the street, we are calling for that to be a public multi plaza/green, the programming to be worked out and explored further and discussed with Main Street. That is a change on that site we had already made other changes in the plan on some setbacks and distances to neighbors for views and privacy. We are aware that there is a need for parking to also service all of the functions that the Reform Church has and they might even have a need for more parts than what is there today, there are challenges related to Tract C. The public space at the front would be somewhere in the vicinity of where the pavilion is today and then the parking lot in the rear would also extend into a courtyard but there would be pedestrian access and it's a second kind of quieter green courtyard that's in the concept plan between the church and whatever gets built on Tract C. Tract A which consists of several different properties from the Gun and Boat, the cleaners down to Ubry's and Bergen Auto which is owned by the Borough. The properties do drop back to Denison Street about a story change, we have incorporated into the plan, based on community feedback, that there could be some parking that could occur off of Denison Street for these properties and that could come in at the Denison Street level which would be below the Raritan Avenue level. He also pointed out the number of driveways exist along this stretch because this was identified in the prior Master Plan and one of the issue also raised in the ped/bike plan but it does go all the way back as a huge issue in the 2003 Master Plan. This stretch was identified with conflicts with pedestrians, bicyclists and what is proposed with redevelopment along here is consistent and this is segue into the ped/bike plan issues by utilizing the remote centralized parking facility we have the ability to take a number of active driveways and basically close them and create the safe pedestrian friendly streetscape. This has been a desire of Highland Park since the 2003 Master Plan, in the previous redevelopment plan, and adopted the ped/bike plan, 2019 Master Plan and contained in this redevelopment plan. We have talked about the height, not everywhere downtown, but at this particular location to establish a gateway, the design standards, ground level storefronts using expression lines that basically respect the fact that we have two and half story buildings that exist in the area, you don't want to have the scale change too abruptly so there's a shift back and steps back at the fifth level a slight articulation with tower and sign. On Tract D a similar thing but the idea is that this creates a real gateway coming in but one of the other things it does particularly on the left side on Tract A it allows us to create this pedestrian friendly streetscape because all of these driveways on Tract A can be closed. An alternate was shown back in October, there might be a future connection just a one way that would go from Raritan to Denison. Phase one Gun and Boat and the existing parking are located in the two vacant lots behind the cleaners. When you get into the issues that were raised from 2003 through the 2019 Master Plan this is where redevelopment really gives us a chance to create that better streetscape. The bike/ped plan want to ensure that development includes appropriate pedestrian accommodations so one thing that is already in the plan (in the back-design standards) is have a bicycle parking requirement and it is not just a bicycle parking, it's a covered bicycle parking requirement and incorporate those into the redevelopment site plans. He indicated that this came right out of the 2019 bicycle/pedestrian plan and already incorporated into this redevelopment plan. Leverage private development activity to advance, streetscape improvements such as fill in sidewalk gaps, repair existing sidewalks, modify/eliminate driveway access and install bicycle parking and intersection/roadway improvements. There would be improvements at the intersection at Third Avenue that could employ elements of the bicycle and pedestrian plan for the high visibility crosswalks and additional identification

daylighting if that becomes a critical intersection, if the Farmers Market is relocated to where town tables are located. The plan will be modified to include some of the pedestrian/bicycle plan recommendations such as how we can take traffic calming and bike corrals and tie those together with the gateway that we are trying to create on Tracts A and B coming up Raritan Avenue. The bike/ped plan talks specifically about how you can use landscape and seating, public art, there is some discussion right now about similar things on other stretches of Route 27 in other downtowns where there's discussion with the DOT about daylighting, bump outs, and bike corrals as some sort of reconfiguration of portions of the State highway, DOT does have final say. He thinks those things would work terrific if we are able to get a little eatery in the ground floor of one of those buildings, sidewalk tables out there and you can start to see the effect of creating this welcoming gateway into the downtown, which is again a goal in the Master Plan. Tract B that does have a developer, out of all the tracts this is the one that is closest to really wanting to advance and move forward. Some of things that we have done with bulk and design standards that go beyond the existing zoning, the challenge was always the rear parking access. They have an approval now that would use that narrow little eight-foot alley coming off Park. The Planning Board tried to have mirrors put up so you could see both ways. They have been working a process, neighborhood input and the idea came about of closing access completely; not having refuse from the rear, allowing the building to become a little larger using remote parking. There is a safety and congestion improvement for the Park Place neighborhood and the rear area behind the building would become a pocket park available to the public as well as an outdoor space for the residents of this site. Side yard setbacks have also been imposed to get windows on the side of this building in the design standards in the redevelopment plan, not possible under existing zoning. The sites we have are challenging in many ways, and there is never a perfect solution but we have tried to come up with a whole series of strategies that work. This is a redevelopment plan that one, Tract B is the closest to a project at this point everything else still needs to be worked through in a process. The protections and steps that we have and the things that we don't have if we don't adopt this because this would supersede the existing zoning. We have the Council as the Redevelopment Entity, it allows us to select a developer, there is a redevelopment agreement that Mr. Baumann would handle and negotiate for the Borough and for the Redevelopment Entity. There is amendments to the approved redevelopment as we get more information and feedback from the development community. We get to review a concept plan for any of the Tracts, under existing zoning someone could file and come straight in on a site plan review, we get to review this while selecting a developer, while we are putting together the redevelopment agreement, then we get the typical application for development and Planning Board review. All of those steps only come under a redevelopment plan. It is mentioned in the plan, we need to adjust it on section 8.1 but this plan would supersede the existing land development ordinance so the existing zoning would effectively be sidelined.

Mr. Millet asked if there were any drawings for Tract C that reflect the changes in what you were doing. Mr. Constantine indicated that they did not include drawings specifically because we do not have project yet on that site. Changes have been made to the text and the text would allow that to be multiple buildings.

Mr. Williams asked what the minimum number of parking spots that would be there at the Reformed Church. Mr. Constantine said that was still to be determined. We know that the church would like to see more kept, that is a challenge because right now some of that parking is occurring obviously on Borough property so it is something that needs to be looked into further. He said some of this is what is the ultimate parking strategy if there is not a centralized parking facility, and that will result in a different need for parking on the site.

Mr. Perlman said that there are changes in the text for Tract C, when were those changes made because he has not seen updated language that has been provided. Ms. Hammond said as the Board considers this we are doing so based on a slide presentation and our memory instead of a document. She asked if there was going to be a more formal plan that we are determining is consistent or are we sort of basing it on the

presentation. She asked what the appropriate process is since they do not have an actual plan. Mr. Baumann, Esq. said the plan that you have been asked to consider is the plan that you have, discussed at the last meeting. It is not the changes to described to you, Mr. Constantine was describing changes that he took away from the last meeting, he took notes, tried to figure out what the Planning Board was looking for in terms of changes and what he expected you to recommend back to the Governing Body that they would incorporate in the plan. The only plan that you asked to consider is the one that you have already received and discussed at the last meeting. Mr. Constantine was trying to make sense of the last meeting and the changes the Board might recommend and he put those down on a piece of paper, he was trying to anticipate the Board's recommendations and include them as changes. The plan you are asked to consider is the one from the last meeting.

Mr. Kluger said that what is basically being said is we are unable to come up with ideas of our own, so Mr. Constantine has now put those ideas into our mouths and he is proposing them but don't vote on that, what he proposed today and all these changes, sounds like something Mr. Constantine is in favor of and assumes that is what Council is in favor of as well but now you are telling us to ignore that and go back to the original plan.

Mr. Thomas, Esq., said that is not what he said, the plan is the plan, the original document which the Board has, there has been a lot of input by both members of the Planning Board as well as the members of the public and as a result Mr. Constantine has come up with some ideas and in anticipation of maybe addressing some of the concerns that you as an individual, the Board as a group, and maybe the public might have made in any event. Therefore, it is really saying that if you find that the suggestions that Mr. Constantine has come up with are reasonable recommendations you could include those as part of your recommendation to Council.

Mr. Nolan said that he did not take it the way Mr. Kluger did; he took it as Mr. Constantine was reacting to some of the comments at the last meeting and saying well here are some ideas that you may want to recommend or not. We could hear these recommendations and say that was not what we were thinking, but he thought it was an attempt to be helpful and to suggest things that he was hearing when people were speaking.

Mr. Hale said that we wanted to reiterate that we had very clearly from elsewhere and the Planning Board at the last meeting, that there were some significant issues with the closing of North Third. We looked at that, listened in many respects, and said we believe that there is a possible better way of doing this on South Third. Similarly, we heard very clearly again from Main Street, the Planning Board, the public, a dedicated public space on Tract C having more of a clearly delineated dedicated public space at the front of that. Those are all suggestions that he believes the Council and the Borough would be very much in favor of. Those are our attempts to listen to the concerns that we had heard from the Planning Board not to supersede them. If there were others the Planning Board has, they would certainly listen to those. We took the discussion seriously at the last meeting and other discussions that we have had with Main Street, other organizations, individuals throughout this whole process to do our best to try to incorporate them, and that was the intent.

Ms. Hand asked when the Board votes on whether or not the draft plan dated April 13 is consistent with the Master Plan and we send it back with these suggestions are we saying its not consistent triple negative or are we saying it is acceptable but we'd really like you to think about doing these other things. Mr. Thomas Esq., said if you were asked to take a vote at this moment, you would find as a Board, in terms of what we heard so far, what you would be looking at is an action that would say for example: we find the plan

consistent with the Master Plan subject to these additional recommendations that we suggest you incorporate into the plan, again not precluding any further comments by the Board and the public,

Ms. Hadhazy said that she thinks it is very important for Highland Park to maintain dedicated public space and does not think that using South Third Avenue in the manner in which it's currently been used for the town tables is an adequate alternative to what is currently being used in Tract C for the farmers market and various other town activities from small business to people just gathering. That space is used quite a bit in addition to just being parking for the Reformed Church. With the redevelopment plan, the re-examination in 2019 and she re-read that and saw like over half of residents (58) one of the characteristics that they were looking for in the town's redevelopment is the dedicated public space and it is only half of South Third Avenue from Raritan to Magnolia and it is not enough space. It would not be beneficial for us to have that be the sole empty space or dedicated permanent space for public use.

Mr. Hale said that one of the things that Mr. Constantine pointed out in moving this forward we believe that there can be a dedicated public space essentially at the front of where the existing pavilion is that would accommodate many of the activities that are currently used on that space, not the farmers market, but a lot of the other activities that are going on such as movie night, nutcracker, Hanukkah lighting, all of those things could take place on that public space and the courtyard space behind on Tract C.

Ms. Hammond said having sat on the Board for a very long time, and has seen all kinds of presentations, worked with Master Plan and with redevelopment, it does feel both that we are being told this plan is very vague, its very open, it's setting boundaries so that developers will come. Then as she understands, there is a second phase and beyond that, we are going to work with developers. She said Mr. Constantine did a great job in terms of a lot the questions with Tract D where there was real specific issues with some of the local neighboring businesses, there has been a lot of good work and a lot of the issues have been checked off. When a diagram was shown of that block that was very helpful although we understand we are just talking about a rough outline that could change and that a developer is going to end up ultimately working with the Redevelopment Entity to come up with the best plan. That sort of brought it home in terms of appreciating how you solved the problems. On Tract C now, we are sort of back where we were with D where under the best case scenario there is the right amount of space in front of whatever this things that is going to be built, whether that is 10 feet or 50 feet it sounds like we do not know and that is where people get nervous. What is the square footage, how much space do we feel we need to dedicate and would it be inappropriate in a plan to say a minimum amount of square footage needs to be kept for open space or for public square space. We do not know what the design is and we don't want a pigeon hole developer, but that there is some sort of more specifics about what space is left so we understand whether that really can be used for public space or whether its just a nod to appeasement. She said it would be great if there were some more understanding of what the town is going to keep for itself in that space for open space.

Ms. Hadhazy asked if not developing Tract C as a building but further developing the town square, is that an option. Ms. Jover said that was not what we have been exploring, we are trying to leverage development here to advance other priorities throughout the downtown and as much as she appreciates all those programs, the parking lot on most days of the week isn't fully packed full of programs and she thinks there's some in-between that we can find that works for the thinks you have expressed which are valuable to the community but also this site is a value to the community that can be leveraged to put more bodies downtown to create more energy, to create more shopping and it is an asset that we have. She said that she was not convinced that making it one big town square with nobody else living around it will succeed, it could just lay there empty and that would be failure. Some of the most dynamic places work because they are rather nestled in and apart of the mix. This is not something that the Council has contemplated not

developing that site, it is part of the entire scheme for the centralized parking that we have been exploring, part of how we anticipate if working from a financial standpoint.

Mr. Millet asked assuming we vote in the positive and it has recommendations but then a developer comes in and they have an interesting take on the property and it's different in some ways than what we had expected, what is the Board's role here is down the line a developer can come in, are we getting too much into the fine details when it is really going to be where the developer and the town Council get together and they iron it out.

Mr. Thomas Esq., said as you may recall at the last meeting there were a number of comments made by members of the public that said well this isn't really a plan, it's a zone, it's a zoning ordinance, he does not think it is that at all but does think if you end up getting detail after detail you do start to think about it as a zoning ordinance when in fact it is a plan and that plan is an evolutionary process with certain minimum requirements.

Mr. Baumann Esq., said what the Governing Body is expecting the following from the Planning Board: do are the provisions of the redevelopment plan substantially consistent with the Master Plan or designed to effectuate the Master Plan, yes or no; if it is no, give us the specific provisions in the redevelopment plan where its consistent with the Master Plan; do you have recommendations that don't have anything to do with this that you would like us to consider such as move town square to here, do this do that differently. That is what we are hoping to get from the Planning Board. Part of the statute hard answer yes or no, substantially consistent with the Master Plan designed to effectuate the Master Plan, yes or no, if the answer is no the provisions in the plan that are not consistent, if the answer is yes, you can still, in either case, provide recommendations. What Mr. Constantine tried to do was assist the Board by consolidating all the comments into what he thought the Board might give us as recommendations, they may not and you may say the plan's consistent, we've reviewed it, we think it is substantially consistent or designed to effectuate with the Master Plan but we have these recommendations we would like you to consider. The Governing Body will decide whether to incorporate those but the real question for us that we are hoping to get an answer to from the Board is whether you do or do not think the plan is substantially consistent with the Municipal Master Plan or designed to effectuate the Master Plan, yes or no.

Mr. Perlman asked if it was incumbent upon the Planning Board to actually cite the specific page and provision where it is inconsistent or that is what we have to do or generally, these are the reasons why without calling out certain pages and paragraphs. Mr. Baumann Esq. said that provision states, the language in the report shall include an identification of any provision of the proposed readable plan which are inconsistent with the Master Plan and recommendations concerning those inconsistencies.

Mr. Perlman said that some of the issues brought up Ms. Hadhazy and some others about Parcel C in particular and the response by Ms. Jover, feels like there is a competing vision about Parcel C that apparently the Master Plan did not resolve. There have been some concerns from the public about preserving Parcel C for some greater amount of public space and there is Council thinking no we want to leverage it, that is a different of a vision and that suggests there is something wrong with the Master Plan in setting a vision that is clear for everybody. Whether shared parking is the same as centralized parking those are different words, it says shared parking in the Master Plan it is not saying centralized parking.

Mr. Thomas, Esq. said Mr. Baumann has clearly defined what the statutory language is, Master Plan by definition is much more general and therefore whenever a Planner comes in and says our plan meets the Master Plan and then picks out those elements of the Master Plan or interprets it the way that maybe Mr. Perlman would. There is always interpretation in Master Plans for better or worse, that is just the nature of

the Master Plan. He does not know that you can resolve that tonight or say that is a flaw in the Master Plan, that just the function.

Ms. Hammond said that they were doing their best to make sure that is right, the major elements the things that everyone worked on, there has been a lot of input from the public. Mr. Constantine went back and made sure that D works, she thinks A and B already keeps with all the language that we have in this plan, but if our job is to look at these documents and see and make sure that they agree then we are going to take what we need to do that. Mr. Thomas, Esq., said there might be some that say by approving this plan it is abrogating the goal of a town square, there may be others that say it is not because we are providing for alternative spaces and that will likely be in negotiations with developers, they can be implemented in the recommendations.

Mr. Hale said the concept of Borough Square and what we are advocating with the permanent closure of South Third with a dedicated public space in front of Tract C and would argue that those are both borough square like components. Ms. Hammond said that would now be through the Board's recommendation, which is not in the plan.

Mr. Perlman said that South 3rd is not in the plan, it is not on the table, it is an intent and DOT has to approve partial closure of the street anyway. He said that he was not considering South Third as a realistic option because it is not in the plan.

Mr. Williams said at the beginning of the last meeting Joe Baumann said this is the first draft, no one has seen the whole thing yet so this is evaluated. It seems that the Council would be quite positive about some of these suggestions, why not go to a second draft. Concerning the municipal parking lot by the Reformed Church, in his experience that parking lot is frequently filled up with events at the church. The parking lot for the merchants along the River never mind from Third and Second, it would seem if we are eliminating 70 parking spots and not replacing them and not in the centralized parking that is not for the average person, it's not for residents in the rest of the Borough it is going to be a very negative economic effect. Which is certainly not something the Master Plan promotes. We want economic development improvement.

Ms. Hadhazy said to Mr. Perlman's point, she does think that the Master Plan does advocate for the use of public space and dedicated preserving of public space and the disconnect here is how do we go about having that public space and that is why we are able to have this very civil public discourse to discuss how we go about creating that. She said that she would like to know and hopes we all consider, taking away those parking spots from the Reformed Church, the Reformed Church is not just a church, it's a community center, there's so many organizations that operate out of that space, she is one of the beneficiary of one of those organization from who is my neighbor and they do cubs in the cave, etc. She has participated in this group for many years and cannot imagine not being about to park there when she is bringing very small children as other mothers, fathers, and parents bringing their small children to participate. People come from neighboring communities having to park two-three blocks away in a parking deck or parking garage to now walk over to that space, more studies need to be done about how that space is really used before we decide to take it away. She said that it would be hard for her to vote that this is consistent with the Master Plan when she does not see an adequate alternative.

Mr. Hale said that in the Master Plan public space is important and that it does not say that there should be 9,000-12,000 sq. ft. of public space but that public space is an important part of the Master Plan. He agreed as Mr. Constantine described and as is in the current plan there is a significant amount of public space that is dedicated for that. He said that there are plenty of places that Mr. Constantine stated tonight, and Council is in favor of. We have seen the town tables success on South Third Avenue and knows that is a specific area

that can work as a public space when you combine it with additional public space on Raritan Avenue where it is now and that seems to him a significant amount of public space, which is consistent to the plan. Ms. Hadhazy said she would disagree a little on the point of there not being a number, it is not arbitrary. It would be very prudent for us to find out how much space actually gets used to operate the successful farmers market. We can find out how much space we need and how much space in between vendors, how much space do all the stalls take up and compare that to what we are asking so that we could make a suggestion to a development in the future, so they are going to provide frontal space on Raritan Avenue for public use we know how much to recommend. Mr. Hale indicated that the Borough owns lot C and if we are able to move ahead with redevelopment plan not only does the Borough own it, meaning we don't have to sell it to anybody who is not going to give us what we want and second as if this is part of a redevelopment they are statutorily required to do a redevelopment agreement to have negotiated redevelopment agreement. We could have multiple developers saying we could do this, we could give this number of spaces, but at this point what our job and what our goal ought to be is to recognize that there is a strong commitment in this document to a significant permanent public space, not exactly as it is now but there is a significant constitution of where it is.

Mr. Perlman said that he wanted to address the public space, page 48 of the Master Plan says conservation open space and recreation goals, provide large public gathering spaces, and encourage smaller public spaces in future downtown and commercial corridor redevelopment project, larger than what we have, not less, not significant, larger than what we have and part of this redevelopment plan reduces the amount of public space, it does not provide more it provides less. Mr. Hale said in Tract B there is public space, in Tract C there is public space, in Tract D there is public space, there is additional public space on Third. Ms. Jover said that it is a parking lot with lines on it and right now where the pavilion is and the painting on the ground is kind of constant but a lot of the times it's a parking lot to Alan and other people's points earlier, so she would argue that it is not necessarily a reduction by eliminating a parking lot in favor of a building that would add people and foot traffic and bring a lot of other benefits. We do all look at that parking lot differently.

Mr. Kluger said there is obviously frustrations on both sides, from Mr. Baumann's, Mr. Hales's and Ms. Jover's perspective you are looking to move the plan along and have the Board vote whether it's one way or the other. The Board's perspective and possibly the public that there continues to be changes made or suggestions made, we don't get documents ahead of time so that we can actually have things to look at beforehand and digest these things, and be able to give good feedback and to work together on this. He said he thinks that happened at the last meeting, the first time the plan actually came out was at the last meeting and here tonight again. He said you are calling them Mr. Constantine's suggestions on our behalf but these are pretty significant whether you want to call it suggestions, changes, or amendments because that's really what the way Mr. Constantine put it. He said that what they heard for a long time was how great it was to have a town square, to have a festival street and that was really to him a core of these plans and now all of sudden it's just like that's gone and maybe we will things on South Third but he doesn't recall anyone at the last meeting say let's do it on South Third. We never thought through what the implications would be to move things to South Third so he thinks these are pretty significant changes that are being suggested and recommendations but haven't been worked through. He understands, Mr. Baumann, what was said in the beginning and thinks that his comment about how long this process has taken and the public input was directed at me and my at the last meeting about not having public input, that was not his point, his point wasn't that we have done things to quickly, he knows this has been going on for 9-10 months but a lot of things have changed over this time, at the beginning just having certain draft proposals and at each meeting, things have changed along the way, comments were received and we are trying to respond to them. What he would like to have had tonight is if there are recommendations or changes you wanted to put them in a plan or put them in a plan that shows alternatives and then we can have it, digest and vote on it. The same

thing with Tract C to sort of blindly think about well we may have multiple buildings, we may have this without what the implications are is tough to vote on. He thinks most of the comments that heard from the Board certainly for himself was the concern about not having any real traffic or parking or other types of studies done to show that the plan works and those have not been addressed. Instead of getting a list of proposed suggestions or changes that need to be made, he thinks it is challenging right now on both sides and he is not sure where we are at this point. Also what about people who live on South Third or have businesses on South Third have they heard anything about this, about pushing things to South Third, he doesn't know what discussions you may have had from the public. Maybe people on North Third may be happier that the festival street is going away but what about the people on South Third and what it will mean to them. He said that he would rather go out to the developer market with something that works and something that we all feel comfortable with than something that doesn't work and then the developer will come in and then come to the Board and everyone will start bashing it. Why not try to make sure that we get it right, now. Mr. Baumann agreed and said we want to get this right. He said that he was trying to articulate two things, it was not meant for you and the reason we listed those items primarily to make sure everyone understood that it's been a long process and there has been a lot of input into what we already have and he recognizes that at the end of the day not everyone will be satisfied for sure, but respect the process and that was all he was trying to say. There is a process and in the process we provided you with a plan, I guess it was our mistake by trying to be helpful by summarizing your recommendation from the last meeting and presenting them.

Ms. Hammond said she did not think that was wrong, that's part that the Board is responding to in respects was that Plan D was incredibly flawed as we saw it at the last meeting and in her mind now she thinks it works and is now consistent with the goals of the Master Plan. She said they understand it is a process, we are a Board that has looked at a lot of development projects for a lot of years and we also know the mistakes that we have made and the successes. She mentioned that it is difficult that we are not really looking at a document and that now we are basically looking at your first documents and deciding whether or not that's consistent and we might say that is not consistent however if we make these recommendations it just a more unwieldy process to capture all that but we will forge ahead and do what we can do.

Ms. Hand said that she wanted to engage with Ms. Hadhazy about Tract C because like Ms. Hammond said coming in to this meeting most of her comments were about Tract D. Tracts A and B were pretty much left alone and D was torn to pieces but with a lot of this feedback and update it makes much more palatable. To Ms. Hadhazy's points about the question of whether we should overall develop Tract C, one of the questions that came up when the Board bought that area behind the doctor's house, was that the neighbors all came in and started saying there's vagrants and transients and unruly teenagers making a mess back there and it is causing problems at night because it is unoccupied and undeveloped, there is trash thrown back there and it is not a good situation for the neighbors at the moment. She said that she does not think that information has come forth in this particular discussion of development and she does think that area needs to be redeveloped with consideration that the Reformed Church does wonderful work and there does need to be parking and the version of the plan before us, the April 13th version does in fact specifically say that the uses for the Reformed Church need to be accommodated in the refigured parking so the Reform Church is specifically contemplated for in this version of the plan, but does think that area as a whole needs redevelopment in order to improve its overall contribution to the neighborhood not necessarily during daylight hours but during night time hours. She said that with the other public spaces she doesn't think the Master Plan demands that the larger public gathering areas all have to be consolidated in one spot in one lot, we are allowed to spread it out over several blocks in several smaller spots in order to help make up the difference. She said that the square that we have is wonderful but does not think it is the only way to continue with public engagement as we have learned, with the southward closure, with the open area in front of Pino's, with the wonderful Welkovits pavilion and all the classes we have there, some events take

up a large amount of space but a lot of them take up a lot smaller spaces and she thinks we can continue to improve on public spaces across multiple sites and multiple lots and still be consistent with the Master Plan. Ms. Hadhazy said that she does not disagree; you can absolutely utilize those spaces in different areas. She would just like to see them before she is asked to vote. Ms. Hammond said she understood, but the language is there that is articulating that there both be those spaces and that there both be those spaces and that the parking considerations be met.

Mr. Perlman said that many of us were on the Planning Board when the Master Plan was adopted at the end of 2019, and the issue over the continuing operation of the farmers market and the space requirements for it have always have been front and center and important to the Planning Board and important to members of the public. When he voted to approve the Master Plan not just a vision or a plan but as policy it is policy, larger public spaces, bigger events like the farmers market have their adequate space not just for the space it currently uses but for growth and it has grown. We don't have to have one big space but this redevelopment plan remember we have to judge whether it is consistent with the Master Plan and what is apparent is in this plan is that the farmers market would need a new plan and this redevelopment plan does not provide a place for the farmers market. We have to decide if this is consistent with the Master Plan and he is still concerned over Parcel C and he understands Main Street has some visions, he is concerned with circulation goals and Master Plan they are evenly weighed between bicycle and pedestrian improvements and parking and parking management and what this redevelopment plan does is put parking supply right in the center of everything else and I understand that there's an RFP for a parking consultant and the parking consultant will look at the bike/ped plan, of that's a nice document, review but the deliverables are all on parking. Again it is sort of the emphasis on the Master Plan has shifted from a holistic where bicycle, pedestrian, and non motorized you modes of transportation and getting around are subsumed from the parking which seem to now take the literally center of all the discussion and then the whole redevelopment plan centers around one big parking garage. He said he does not remember that being the center of discussion in adopting the Master Plan in 2019.

Ms. Hand said that she has the opposite reaction; a centralized parking structure is specifically designed to limit vehicular traffic throughout the town to encourage a walking town and it's the consolidation of where we send the motor vehicles in town and that is consistent with the goals of limiting cars coming in and out of each individual business or each individual resident that gets set up. Mr. Perlman said it is the emphasis, when Mr. Constantine presented the Master Plan as it was being developed and we had the public outreach the idea was to manage parking, now that may include sharing parking, it may include at some point centralized parking but that was not the conclusion of the Planning Board when we adopted the Master Plan. A parking garage was not mentioned, if we had that would have come up and that his knowledge. It seems to him that you would do a parking management plan determine whether you need a parking garage then you put out a redevelopment plan for a parking garage.

Mr. Kluger said he has a few questions for Mr. Constantine. When Mr. Constantine talked about the parking garage, he mentioned that the intention is for most of the spaces to be used by residences of these new developments and it is limited use by the customers and shoppers in the downtown and not a commuter garage. Have you thought through that if we are going to be building on Lot C and taking away that's now the municipal parking lot, he thought the idea was that the loss of the spots on Tract C would be in the parking garage so the existing and new stores along Raritan Avenue their shoppers would be able to park in the parking garage. Now you are saying no that's its only very limited use for the stores. We may be losing 70-80 spots from Tract C and asked where shoppers are going to be parking. It was said that there could be a shuttle stop but at the same time, you said it is not a commuter garage. With parking on Lot D you added arrows for the in and out of the garage but does not think added arrows on the plan to cover where the people who would be parking for Rebarber, Provident Bank and Century 21. Where are they getting in and

out of the parking lot and are they still going to be coming across a curb cut across Raritan Avenue. Mr. Constantine said Rebarber and Provident Bank would come in from North Third in the Provident Bank driveway, that is what we are showing, and we had some discussions and feedback from them that they actually exit out of the drive-thru. They can either go back to North Third, which is not a problem under this. There are some easements that involve the other property owners on Tract D that need to be resolved. The primary purpose for the centralized parking facility is to facilitate redevelopment. He said to go back and address something Mr. Perlman said earlier, the Master Plan actually does address under prepare parking management plan, encourages shared parking and cooperative parking agreements and permitting off-site parking as a strategy to develop smaller properties which is effectively what we are doing for the strategy for all of these. He does not think that the centralized focus of this redevelopment plan is parking, its really trying to figure out how to rationalize parking and trip generation and traffic. There is actually a benefit to what is happening right now perhaps on some of the neighborhood streets in the downtown by actually consolidating it. Some advocates believe that this is actually pro pedestrian and bicycle and alternative modes of transit because it is taming the parking situation. One of the reasons the Master Plan says prepare a parking management plan is because right now we have an unmanaged unregulated downtown parking situation. It is very difficult, right now, to handle some degree of parking planning because it has not been studied and really put into holistic approach. Mr. Kluger said it is a chicken and egg as to what should come first and thinks that was really one of the main comments from a number of the Board members at the last meeting. Not being comfortable that there have not been studies related to traffic and circulation and parking to really be able to say this plan works and therefore consistent with the Master Plan.

Ms. Hammond said that we do know that there is a RFP for the circulation and for this study and that we also do know that this is a plan and there will be further back and forth so hopefully that information would get feathered in a critical time. Mr. Kluger said that we could agree or disagree when the critical time is whether the critical time should be now or when a developer wants to come in and do a project, do the study and say it does not work.

Ms. Hammond opened the meeting for public comment. She asked if someone spoke at the last meeting please allow persons who were unable to speak to speak first, we do want to hear from everyone, we value public input.

Daniel Stern-Cardinale, 221 Harper Street sworn and affirmed, said a lot of what is being discussed is about eliminating parking and pointed out that we have a lot of data on the questions of the economic impact of eliminating parking and eliminating parking is an economic benefit for downtown area especially when you replace it with living space. There is plenty of economic data on that and at this point it is not particularly ambiguous so the goal being economic development that should be something we aim to do is replace parking with places where people can actually live. This is a consistency review, he has read all of the documents, the redevelopment plan, and the master plan and watched all the meeting and this is what thinks look like to him, is the redevelopment plan broadly consistent with the Master Plan and the obvious answer is yes. On page 35 in the Master Plan under redevelopment projects it specifically calls out Tracts A and B – 137-139 Raritan Avenue with 131-134 Raritan Avenue, there is paragraphs on each of those down on page 37. There is another section on the gateway redevelopment project, page 43 under land use recommendations: amend the zoning ordinance to incorporate new permitted uses further down on the page, custom tailor infill/redevelopment by utilizing site-specific redevelopment plan. There are specific things in the redevelopment plan that are tailored to match specific provisions in the Master Plan. It is very broad right now but down the road when we have specific proposals we can ensure things like having equal or larger public spaces and after listening to the last couple of meetings it does not seem it is possible to make that determination at this stage in the process because there are no specific proposals on the table. Down

the road he thinks it is super important to has that stuff out but it doesn't look like without specifics you can actually make a determination based on the information we have now in terms of any specific projects, its just the framework consistent between document a and document b and to him the obvious answer is yes. Please vote yes in terms of the consistency review.

Randall Solomon, 331 Felton Avenue, sworn and affirmed said on the issue of the parking garage and the reason for the parking garage is not for its own sake although it does take what is currently an eye sore to make it fairly people centric but the purpose is to enable apartments and retail spaces in the rest of downtown. We tried very hard many years ago to bring in developers and we could not get big enough spaces that could accommodate what a developer thought was worthwhile to build and accommodate the required parking. This is very pedestrian centric way to be able to actually get all the vacant properties at downtown developed and this is the primary goal and we cannot lose sight of that. This is not a parking centric plan it is a building and people centric plan that happens to have a parking solution built in to make it work. He said he could not state whether or not the plan was consistent with the Master Plan, as Ms. Hammond indicated earlier identify some specific stakes you want in the ground, is there certain square footage or a certain operations benchmark that you want to see for a town square and a public space let's get those numbers in there. He said there are many moving parts, like a jigsaw puzzle, where we do not know which pieces are going to fit where and that is the wrong analogy because different things will fit with different spots and it is all not predetermined. He thinks we need to give the professionals the opportunity to work with it but the Planning Board should put a couple stakes in the ground and let it move forward.

Marcia Shiffman, 331 North 6th Avenue, sworn and affirmed said she was a member of the design committee of Main Street, the co-chair of the committee and on the Main Street board as of January. She is present to represent Main Street in terms of looking at certain issues that we wanted to highlight to the Planning Board and answer any questions the Board may have on the commentary. She said that she would focus on issues that have a direct impact of the operation of Main Street Highland Park and many of the questions raised by the Board is information she wants to present tonight. She was pleasantly surprised that Mr. Constantine did talk about expanding the public open space on Tract C. In conversations with the Borough that was a recommendation to provide a public square on that site and re-look at that site so we thought about how much space we needed to really incorporate and address the activities that Main Street does. We would need at least 7,000 square feet of open space as part of a borough square to accommodate the activities except the farmers market and we feel that should be written into the redevelopment plan specifically that the developer will know up front what kind of space and operation should be considered as part of this site. We need public storage space adjacent to the site, about 800 square feet and 600 square feet for Main Street office and visitor center and we think that could be incorporated in the buildings that may be developed on that site. The farmers market on South Third Avenue, we have looked at that with the Borough and we need a minimum of 18,000 square feet to accommodate our current pre-covered farmers market activities and that includes a substantial length of South Third. South Third would have to be rebuilt to accommodate 18,000 square feet and could constrain residential driveways which we think is an issue, the public parking lot off of South Third was discussed and we think that is a problem in terms of our businesses and farmers using it but that needs to be looked at. It may be South Third maybe it is accommodated on both sides of North and South Third which we did not talk with the Borough about.

Lois Lebbing, 100 North 2nd Avenue, sworn and affirmed said redevelopment plan, Tract A, page 25 and page 70 they both refer to a non-existent walkway there has never been on from Raritan to the Highland Montgomery apartments at the end of Denison Street. Tract A page 33 it talks about, as mentioned, all traffic will enter and exit off Denison, good luck because for decades she saw Sunoco's storage area and the tow truck even if it had nothing towed behind it has great difficulty heading up this hill which the Master Plan call 15 feet high so it is rather steep. The Highland Park Ordinance from 2016, number 16-1921 which

apparently that Planning Board had a say in, talks about the last line on the front page, the Borough applying for future state assistance related to infrastructure improvement since this is the ordinance that considered the entire Borough an area in need of rehab specifically because the 50 year old sewers in need of repair and substantial maintenance. She asked if anyone asked the State to enlarge or clean out the sewage line under Route 27 back in the 80's. In 88 and 89 it was found that part of the sewer flooding which was town wide here on North Second it was because DOT but whatever the sewer line near the Sunoco at the top of North Second was 99 cemented shut so rather than all the old sewage going straight under heading toward the river along the sewer line it would turn this way toward North Second so that did not work. She said CME, Bruck Koch will know, it is in their files, and an additional 500-600 people not causing a problem in the state's sewer line and asked them to look into that if that has not been done. South Third has an emergency sewer-funding cleanup but that to her is important point taken. In ordinance 1921 if you read the seventh paragraph it talks about the encourage infill development compatible with the scale design development density and the Borough's existing residential neighborhoods and to preserve and enhance the character and small town feel of the community and she does not know any small town with a parking deck three stories high, this will not at all enhance a small town feel. She asked if this was a true document or a false document, more of a question for the council, is it true that when this was passed or is it false.

Sasha Rudy, 247 Cleveland Avenue, sworn and affirmed, said she was not an urban planner but has played many multiplayer video games and virtual worlds in the last 20 years, residents in the game choose where to live, gather, associate with their neighbors and have a sense of space when a low population server closes and merges with another server those residents have to replace everything they have established since the new configuration changes where they live and spend time. Many would rather not bother and just quit the game to tie this in to tract three, the pavilion was only just built in the last few years, people took some time to get used to everything and have a sense of pride over it, to take it all away you are toying with a major part of the town's identity with no idea of how it will shake out. What would these smaller spaces consist of and how would they honor the original feel of the Main Street Highland Park lot. The City of Rowlett Texas announced that they were collaborating with a builder to use premium park land the city owned in order to build a sparkling lagoon wave pool that they thought would make a tourist destination, the city packaged this land for a developer who ensured them that it was possible, the developer then built a bunch of apartments and condos and a year or two later announced that the lagoon wouldn't be built and the city has to find a developer that would only build a lagoon. She fears these meetings are fast tracking things and any interested developer will focus on the living spaces and not the community spots. She said that she is for development of the other Tracts A, B and D but thinks that the community needs to be properly honored.

Peter Spool, 146 Graham Street, sworn and affirmed said the term centralized parking is a misnomer and is misleading. The proposed parking deck is right on the edge of all the proposed development, the need would be best for parking at each individual site and as suggested by Main Street Highland Park, expanding the individual tracts would allow for better development and parking on site, which would remove the need for a parking deck on Tract D. Tract D being the biggest site of all would be a much better site for a building that was residential, could have parking underneath. Taking more time is not a bad thing to try and develop bigger tracts. Tracts C and B are narrower and would not allow for substantial building size, Tract C he would like to keep as much of the open space for the community as possible. An interesting idea would be to be able to incorporate the Classic Cleaners into Site A would be to develop the later phases in combination first and then offer a space to Classic Cleaners in an already developed location which would enable, if they are willing to, incorporate the current Classic Cleaners site in what is now the first phase of Tract A.

Mary Forsberg, 317 Denison Street, sworn and affirmed said she was kind of at a loss on what is going on tonight because she sent a two-page document earlier today to every member of the Board explaining why

she belied this redevelopment plan is totally inconsistent with the Master Plan. The main reason is that Tract D has never been a part of any Master Plan; it was not part of the 2019 Master Plan. The problem with Tract D's inconsistency is that the majority of Tract D is zoned professional office, which does not permit a parking garage. She remembers Mr. Baumann saying that this is not a redevelopment plan this is in fact a zoning plan and if you read the document that she sent, it explains exactly why that is. She said she agreed with Jeff Perlman that this has become all about parking. She has lived her for over 30 years and parking has been a major discussion all the time. There have been any number of parking studies actually she knows there is an RFP out and I sent an OPRA request there are about four or five different parking studies that have been done, none of which really say there's a huge problem with parking. What they say is the problems that exist with parking exist towards New Brunswick towards the train station, which a parking garage on Denison Street and North Third would not solve. The pictures that Mr. Constantine presented showed a three-story parking garage that is wrapped and is the same picture as the original there is nothing new in there except the festival street is sort of gone, when you are talking about a three to five story parking garage. It does not fix the problems for Denison Street and Tract D and we will be looking at a five-story parking garage, if a five-story parking garage is built. She said that they have no idea about how many cars would actually be parked in that parking garage so by making the parking garage the center of the whole plan you are creating a potential problem. You do not know if you can fill apartments, you do not know whether you fill a parking garage. She asked the Board to please read what she sent. She said that David Copperman is a friend of hers who is very frustrated by this plan and he could not be on this meeting tonight and asked her to present what he also sent you, a four-page document which talks about the problems that he has with this plan. She said many of his problems consist of the fact that there is no data to support anything that is in this plan. He is concerned about pedestrian and vehicle safety, he does not believe that the farmer's market can fit into either North or South Third, he has sat through all of the town water and sewer meetings and believes that the sewer system cannot support any kind of new development. She read one of the think that he said, "I recently drove up New Jersey 27 from Princeton to Linden on that entire stretch of State road there was one building site of the sort proposed in the central business district in Linden. I do not know if it's what technically in their downtown or not but Highland Park is basically 27 is our main street, so any big development is going to impact Route 27 enormously". Ms. Forsberg indicated that she knows David sent his document and she sent hers, she has the parking studies there were done, she knows Marc Liebeskind has done a parking study, you have done no research and thinks this plan should be a non-starter. She said she thinks they need to start all over again.

Mr. Thomas, Esq., said that it is his understanding that you are in agreement with Mr. Copperman's opinions and that these are your opinions as well. Ms. Forsberg responded yes.

Ms. Hand said that Ms. Forsberg said that she emailed her comments directly to all the Board members and she wanted to be clear about something for everyone listening to the public. As a Board member I only consider information presented to me through the Planning Board process, through the Planning Board Attorney, through the Chair of the Planning Board and in this open public forum. She does not consider direct communications from the public designed to influence me outside of this public sphere and public realm. Someone from the public was asked specifically for all the Board members private email addresses and were told that members of the board do not have Borough sponsored email addresses and our private emails are not public information. This person then abused the OPRA process to usurp our personal emails in order to start sending multiple emails to our private email addresses and she wanted to be clear that is not a secret that that happened but she will only consider the information available in the public forum and will not consider unsolicited direct communications to her private email which is frankly is a violation of my privacy. If anyone out there is listening is the person who did this please be advised that I am blocking your email address and I will only consider information sent through the Board's Attorney and through proper channels.

Mr. Thomas, Esq. said it is very clear that he has indicated that private email addresses are not to be given publicly, I don't know how they got out but nonetheless any communication that is going to be coming should be coming to the Board Clerk Jennifer Santiago, it is not to go to individual Board members because as Ms. Hand indicated they will not be considering those individual emails, they will be distributed through the Board based upon his review.

John Webster, 95 South Adelaide Avenue, sworn and affirmed said he was a member of the Main Street Design Committee, he was one of the writers of the report you supposedly have in your possession. He said he would like to speak to the consistency review and give examples of why maybe you should consider it a different way. He knows that sometimes an applicant will come before the Board and they will be required to have 10 parking spaces but they only have room for eight. Then the solution is you get the applicant to sign a letter saying that they have leased parking stalls. He asked what happens in a course of 20 years is that you find out, if you do a little research, that a lot of the leased parking spaces have been leased maybe five or six cars. There is a big pile up in theory on that lot, well it never happens because nobody parks in those leased lots. In some cases, there is a chain going across the lot and now if you relate that to the redevelopment plan where you have got plus or minus 300 units and you are saying that all of those people have to park in an external lot. He knows there is an RFP out for the parking deck and it is some sort of consultant and he does not know if the Borough has one for traffic planning but when we hear that its going to work because there's going to be millennials, they are going to be using Uber, shuttles, bicycles, autonomous cars that park themselves, he thinks as a Planning Board who's going to be involved in ruling on all of the requirements that are required for site plan review on every single project that you will see in the future. This development is saying that the density of every one of those lots is going much higher obviously; every developer is going to do that. They are going to build up the density as much as they can. He asked Matt Hale whether or not the Borough was going to hire someone, he informed him at their last meeting that they already had and he called it essentially a parking garage guru, we pressed him a little bit further and asked if this person was going to write a report that the Planning Board will have access to and he did not really answer our question and later found out that this garage guru was going to be for the Borough's use not necessarily for the Planning Board's use, so he just cautions you on all development that it is going to be difficult.

Stephen Hambro, Esq. of Hambro Mitchell, Dayton NJ sworn and affirmed said he was an attorney representing Parikh Real Estate Holdings (Park Eye Center), 18 North 3rd Avenue, and the Center for Allergy and Asthma. He is a resident of Highland Park, Co-Counsel is Henry Kent Smith who submitted a letter dated May 19th to the Board to Mr. Thomas, Esq., and Mr. Constantine. He also submitted a letter dated May 12 prior to that and wanted those two letters included in the record as part of the proceeding in front of the Board. Mr. Thomas, Esq. indicated you have been received. Mr. Hambro, Esq. said that he was initially heartened because Dr. Parkih who is the owner of the LLC that owns those properties in vehemently opposed to the closure of North Third Avenue. He has been a long-standing 45-year medical practice there, which has many non-residents who come to Highland Park to that practice who are elderly, have disabilities, and the closure would be extremely detrimental to that practice and to those patients. He was excited when Jim Constantine advised or he gave his presentation and it seemed as if the closure of North Third was being taken off the board. He questioned what procedure was going to follow that whether the plan was going to be amended by the Council and sent back to the Board for the recommendation process and consistency process but that was undercut when Mr. Baumann spoke that the plan was moving forward as had been presented and passed by Council originally. He paraphrased from Mr. Kent Smith's letter: the Planning Board owns under the MLUL, owns the Master Plan which provides a statutory basis for the adoption of all zoning and development regulations, therefore the Board is free to make any recommendations the Board believes necessary to bring the proposed redevelopment regs in to greater conformity with the plan. That is what we are requesting the Board do, there are numerous deviations they

feel from the Master Plan relative to the closure of a public right of way in order to create a public space. There is no discussion with the Master Plan recommending the closure of any public street, in fact the plan recognized that the existing location of the farmers market on Borough owned property constitutes an appropriate space for a proposed Borough Square, on page 33 of the Master Plan, In addition, page 37 the plan recognizes that the best location for a downtown public gathering space is in the present location of the farmers market therefore the proposed closing of North Third to accommodate a public space is inconsistent with the Master Plan. More problematic yes is the parking deck which would access from North Third, its incomprehensible to close the public right of way providing access to the primary parking structure for downtown. The plan contemplates a moment to identify those areas that could provide needed parking for downtown businesses is our understanding based on presentation that no parking management plan has been prepared, but is in process now. This closure presents traffic concerns relative to local businesses most notably the medical practice of Dr. Parikh. It seems to him, the proper way to approach this is to go back amend the plan have Council amend the plan and represent it if you are going to give credence to what Mr. Baumann said about the process and listening to the public. This entity never received public notice, we learned first about this process in late November and we had meetings with Mr. Constantine and Teri Jover at that point. Amend the plan and present it again to the Board.

Nora Krieger, 19 North Sixth Avenue, sworn and affirmed said she wholeheartedly agreed with the Attorney that just spoke and what Peter Spool had brought up. The thing that stuck with her is that everything about this plan seems to hinge on that parking garage because structures that you want to put up are not including parking with them. She thought that the thrust of the plan was supposed to bring people in Highland Park, increase the shopping and so on and so forth. Then either Mr. Baumann or Mr. Constantine said that the parking deck was not primarily for shoppers, it was central parking for residents and visitors that was one think and also wasn't going to be for commuters and they might have a shuttle. She heard that the shuttle was to take people to the train station, not sure, but that would be a plus but still not to bring in shoppers it is not to bring in people who want to use the stores and restaurants. You build all of these new buildings that potentially have no parking connected to them, you will just have a big mess on your hands. She was surprised that the only job that the Planning Board has is either to say its consistent or inconsistent and I have to say maybe it should go back to Council and be reworked.

James Nichols, 232 Harrison Avenue, sworn and affirmed, said at the last meeting, he wanted to thank the Main Street volunteers, two of whom spoke this evening, but many other people and our staff people who really spent enormous amount of effort on this process over the last couple of months. He said that he would like to think the result of that would be a redevelopment plan that will be credible to the developer community because they will feel more certain that whatever comes out of the process will fly. He said that he was lauding the municipal officials as well as the Main Street people. At the end of the day, we are not naïve about the fact that a developer is not going to give us anything because they are nice, when it is turned loose they are going to go for the bucks and whatever is not obligatory they are not going to provide. We would like to see the specific requirements that Marsha summarized as necessary for Main Streets ongoing activities as specifically stipulated as possible in the planning document moving forward. In the 2019 Land Use Element of the Master Plan, it is very specific about Borough Square public gathering space promoting arts. To the degree that the plan that you have before you, that you are deciding on tonight does not adequately reflect the intent I would have to say it probably has to be ruled as inconsistent but we are going to keep working with you all to make this a success.

Harold Sackrowitz, 617 South 5th Avenue, sworn and affirmed said he was curious about the issue Mr. Webster brought up. He said that he has been thinking that for a while and has attended many Planning Board hearings and we do always ask new developers to have certain number of dedicated parking spaces and some of them are a few spots short and they do make arrangements with places they used to make

arrangements with places that have now gone out of business but it never dawned on him that we don't force people to use those spots. People can use any spots they want, in most of these cases they are talking about spots needed or maybe they were short four spots so now we are talking about 300 spots. These things are going to need 300 parking spaces at least and the developers are going to say do not worry I have them a couple blocks away, how are we going to force those residents to use the deck. If those 300 cars don't use the deck then where are we. The only thing he can think of and people have mentioned is you can do things like put parking meters on Raritan Avenue and on a couple of side streets, or resident parking stickers for everybody else except the residents of Raritan Avenue. This guru or whatever there could be some serious actions you have to take to make people use that lot and make that effective and some of those things may be not even close to things that are acceptable to the rest of Highland Park. You do have to think a little bit cleaner plan about parking.

Dan Stern Cardinale said that housing is a good thing, more places for people to live is an affirmative good for a downtown area and the Master Plan recognizes that specifically part of the Master Plan is about more housing where appropriate in town along Raritan Avenue is the appropriate location, so that is spot on consistent with the Master Plan. On the topic of parking, no developer is going to build less parking than they need to be economically viable, they are going to build what parking they need to make money on whatever they develop so we should not have parking minimums for sites, we should let developers have the flexibility to build what they think they need. Parking minimums are almost without exception an over estimate of what is needed and you end up wasting space that could be better used for the health of the community as living space. We should not have the attitude that we are trying to freeze the town in amber. We should not say I like it just the way it is, tough luck for anyone who wants to move here but cannot afford it. We should be encouraging more housing so more people can live in Highland Park, that is the single best thing we can do for the economic well-being of the downtown specifically and Highland Park in general. The redevelopment plan is consistent with the Master Plan so he hopes that everybody votes that they are consistent so we can move this process forward and hash out all of these specifics that we have talked about tonight.

There being no further comments, Ms. Hammond closed public comments.

Mr. Thomas, Esq, indicated to the Board that they have three choices; you could deem the plan consistent, you can indicate that the plan is inconsistent and give the reasons why you feel it is inconsistent, not necessarily chapter and verse but in general terms, or you can indicate that you find that it is generally consistent with the Master Plan but making recommendations from Mr. Constantine or the ones that have been mentioned during either the public hearing or the comments by the Board you feel as though those need to be incorporated as part of your recommendation in order to make it consistent.

Mr. Millet asked if there was a way to vote on the consistency of three out of the four and say that we still have issues about one or is this a unified plan that gets voted on as one document. Mr. Thomas Esq., said he believes the Redevelopment Entity/Council is looking for a unified vote, if the Board feels as an example: that Tracts A, B and C are consistent and D is not, you can have that vote. The Board can break it down if they feel that is the right way to go.

It was MOVED by HAMMOND and seconded by MILLET that Tracts A and B are not inconsistent with the Master Plan.

ROLL CALL: Ayes – Brescher, Hadhazy, Hale, Hand, Kluger, Millet, Nolan, Perlman, Williams,
Hammond
Nays – None

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

Mr. Thomas, Esq., said to Mr. Wiley Esq., thank you for your patience and notice has been given. Therefore, this matter, which is listed on the agenda as 2021-02 Suburban Real Estate Development LLC, Preliminary and Final Major Subdivision, will be carried without further notice until July 8, 2021 @ 7:30 PM, no further notice will be provided.

It was MOVED by MILLET and seconded by HALE that Tract D in not inconsistent with the Master Plan subject to the recommendations that the relocation of the open space from North to South Third Street, there will be housing on Denison Street as outlines in the presentation as well as the corner structure as buffers for the people on South Third and that the parking will be utilized for new residents and for multi-flexible use for either shoppers or other users.

ROLL CALL: Ayes – Brescher, Hadhazy, Hale, Hand, Millet, Nolan, Hammond
Nays – Kluger, Perlman, Williams

There being seven (7) ayes and three (3) nays, motion passes.

It was MOVED by HAMMOND and seconded by NOLAN that Tract C is inconsistent with the Master Plan unless it accommodates the following is incorporated: additional public space to accommodate the existing activities on site other that occur on site, other than the farmers market and there will be a goal to accommodate parking in regard to businesses on Raritan Avenue and the activities that occur at the Reformed Church; that the open space will be accommodated in a manner multiple buildings, multi-use plaza as indicated by Mr. Constantine and that the goal will be to have as part of this development a relocation of the activities involving the farmers market as part of a developers agreement.

ROLL CALL: Ayes – Brescher, Hadhazy, Hale, Hand, Kluger, Millet, Nolan, Williams, Hammond
Nays – Hand, Perlman

There being eight (8) ayes and two (2) nays, motion passed.

Consistency Review: An Ordinance of the Borough of Highland Park, County of Middlesex, State of New Jersey Amending Chapter 230, Article XX of the “Code of the Borough of Highland Park, 2010” Concerning Stormwater Management

Mr. Koch indicated that the Ordinance is what is required by the DEP to be adopted. Of all the pages there is only one item that the Borough really has a choice in and that is on page four, it is a definition of major developments. There are two options given from the State and the Borough has chosen the more strict, the more conservative of the two. There is very little decision to be made in this, the Borough took the high road on it and took the more strict definition for major development, most towns are just adopting it and by only making that decision. Ms. Hammond said we are agreeing to the higher standard and this was an update to our Stormwater ordinance.

Mr. Koch said that the current ordinance says if someone disturbs an area of land or creates an additional quarter acres of impervious coverage that triggers major development. On the top of page four under major development in this particular draft of the ordinance it speaks to the disturbance of one or more acres of land since February 2, 2004. The creation of one-quarter acre or more of “regulated impervious surface” since

February 2, 2004; The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more. Where it where it have been in the lesser one it would be an acre of disturbance and or a quarter acre more impervious. This one is even more detailed speaks to roadway surfaces which would not have been governed under the other and it speaks to the combination of two and three above, it is not a huge difference. It will have some effect, probably not on your capital projects, maybe on redevelopment projects but it really comes down to water quality and how things get treated prior to discharge.

It was MOVED by MILLET and seconded by WILLIAMS that the ordinance is not inconsistent with the Master Plan.

ROLL CALL: Ayes – Brescher, Hadhazy, Hale, Hand, Kluger, Millet, Nolan, Perlman, Williams,
Hammond
Nays – None

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

Hearing on New Cases:

Suburban Real Estate Development LLC
238 Cleveland Avenue
Block 169, Lots 31-33

P2021-02
Preliminary & Final Major Subdivision

This matter listed on the agenda as 2021-02 Suburban Real Estate Development LLC, Preliminary and Final Major Subdivision, will be carried without further notice until July 8, 2021 @ 7:30 PM, no further notice will be provided.

Correspondence and reports.

Zoning/Building Officer report – Scott
Rehabilitation Screening Committee report – Kim – None

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

There was a motion to adjourn from PERLMAN and a second by HADHAZY at 11:16 pm the meeting was adjourned.

Respectfully submitted,

Jennifer Santiago
Board Clerk