

**HIGHLAND PARK PLANNING BOARD  
MINUTES  
July 11, 2024 @ 7:30 P.M.  
Council Chambers, Borough Hall  
221 South Fifth Ave. Highland Park, NJ**

**Call to Order**

This meeting is called to order. Annual notice of this meeting was provided to The Home News Tribune, The Star Ledger and The Highland Park Planet on January 23, 2024. In Addition, notice of this meeting via zoom was emailed to The Home News Tribune, The Star Ledger and the Highland Park Planet January 23, 2024, and was posted on the Borough website at [www.hpboro.com](http://www.hpboro.com) and on the bulletin board at Borough Hall, 221 So. Fifth Avenue, Highland Park, NJ and has remained continuously posted as required by law.

Fire Exits are to the Left and Right of Council Chambers.

Please speak into the microphones.

**Roll Call:**

Present	Rebecca Hand, Scott Brescher, Khahlidra Hadhazy, Matthew Hale, Paul Lanaris, Padraic Millet, Jeff Perlman, Stephen Eisdorfer
Absent	Alvin Chin, Daniel Stern Cardinale, Allan Williams,
<u>Board Professionals</u>	Matt Lynch, Esq., Bruce Koch, Borough Engineer, Chris Cosenza, Borough Planner, Maureen Pampinto, Planning and Zoning

December 14, 2023 Regular Mtg.

Ms. Hand asked the Board Members if they had any concerns or changes on the December 14, 2023. There were no comments.

It was MOVED by Mr. Millet and seconded by Mr. Lanaris that the December 14, 2023 Regular meeting minutes be approved.

ROLL CALL: Ayes – Brescher, Hadhazy, Hale, Lanaris, Millet, Perlman, Eisdorfer  
Nays – None  
Abstain - Hand

There being seven (7) ayes, no (0) nays, and one (1) abstention, motion passed.

April 11, 2024 Regular Mtg.

Ms. Hand asked if anyone has any comments on the April 11, 2022 minutes. Mr. Hale, stated he was present at the April 11, 2023 meeting.

It was MOVED by Mr. Millet and seconded by Mr. Lanaris that the April 11, 2024 Regular meeting minutes with revisions be approved.

ROLL CALL: Ayes – Hand, Brescher, Hadhazy, Hale, Lanaris, Millet, Perlman,  
Nays – None  
Abstain - Eisdorfer

There being seven (7) ayes, no (0) nays, and one (1) abstention, motion passed.

Ms. Hand opened the meeting to the public. There being no public present, public comment was closed.

**Action on Any other Business:**

Consistency Review: Concerning Ordinance No. 24-2087 Amending Chapter 230, Land Development Concerning Signage Regulations and Other Design Standards.

Ms. Hand noted that this ordinance has been proposed by Council and referred to the Planning Board for consistency review. This means that the Board has to determine if this proposed amendment to Chapter 230 is not inconsistent with the town's Master Plan. Anyone needing guidance on where they can find the Master Plan, it's located at [hpboro.com](http://hpboro.com) under the tab government, sub tab planning and zoning and there's a link to the Master Plan and its re-examination reports.

Mr. Cosenza explained that the proposed sign ordinance amendment was borne out of the Neighborhood Preservation Program for the Woodbridge Avenue District. This was a Year 2 program to review, analyze, and amend the signage ordinance. He noted that this was not just for the benefit of the Woodbridge Avenue District, but for the entire community. He explained that the Borough had reached out to the State to confirm if that would be permissive, and it was determined to be acceptable. The bulk of the work was completed last year. Being that we are now in the Year 3 program, the task this year was mainly to review and finalize the proposed ordinance to make sure it is as content-neutral as possible, in light of US Supreme Court case in 2016, and to give Borough counsel an opportunity to review prior to introduction. Throughout the process, he had worked with a subcommittee involving several members of Main Street Highland Park, who were extremely helpful in giving their feedback on the proposed ordinance.

He explained that it would be difficult to give a comprehensive presentation on all of the changes to the ordinance, as there are a lot, and would provide a high-level review of the changes. Generally, it is a housekeeping and streamlining ordinance, that seeks to consolidate and simplify the existing signage regulations, come up with a mechanism to review/approve minor deviations, and provide some flexibility, in an effort to make it easier to do business in Highland Park.

The current land development ordinance has signage regulations in 3 different sections of the code, including specific sign regulations for each zoning district. As one can imagine, several residential development districts have nearly the same regulations, so there is a lot of redundancy. There are also rather complex regulations regarding primary, secondary, and tertiary signs, which meant that certain signs were not allowed unless other certain types were already there. These regulations make it more difficult and time-consuming than it needs to be for staff, designers, and business owners. Finally, there are a couple matrices that even to this day he cannot figure out. They are being removed.

Structurally, the proposed ordinance will be located in the design standards section, as opposed to the zoning chapter, which he would go into more detail shortly. The proposed ordinance is organized as follows:

- A. Purpose and intent, which is good practice for ordinances
- B. Revised Applicability and permits section, including a site plan exemption process
- C. General provisions including maintenance standards and clarifying how lawfully non-conforming signs must be treated, as per various case law
- D. Design standards and guidelines, which is basically something already in the existing ordinance but pulled into this section for clarity, and applicable to all signs, as opposed to just the downtown area
- E. Computation of sign area
- F. Proportion of sign content
- G. Illumination of signs, which describe external or internally illuminated signs
- H. Permitted residential development signs, which is a consolidation of the various garden apartment, townhome and mid-rise districts into one section, with limited changes.
- I. Permitted signs for ground-floor businesses in the CBD and C districts
- J. Permitted signs for ground-floor business in the PO and residential districts
- K. Permitted building name signs for buildings in the CBD and C districts
- L. Permitted directory signs for buildings in the CBD and C districts
- M. Permitted signs for other uses in other district
- N. Temporary signs, including temporary window signs, grand openings, construction sites
- O. Exempt signs and P. Prohibited signs, which have been modernized and an attempt was made to strip out content-based regulations

Other regulations were cleaned up regulating awnings, and additional standards were added to storefront window design.

Mr. Cosenza then went back to the site plan exemption process. If you recall we have zoning standards, where relief requires a variance which automatically means a site plan application requiring a public hearing. Then we have development and design standards, where relief requires an exception, which can be granted in a site plan applications as a minor or major site plan, depending on the ordinance. Here in Highland Park, a minor site plan still requires a public hearing, so a site plan exemption process is being implemented. In this case, as long as it is in the ordinance, you can have a process where certain deviations can be reviewed and approved administratively. In this case, we defined minor deviations such as 25% greater than the permitted dimension, for example, can be reviewed by the Zoning Official, who would consult with the chairperson of the Planning Board, a member of Main Street Highland Park, and the Borough Planner to consider the deviation. The Zoning Official can approve the permit administratively, without requiring a full site plan process, saving a lot of time and money. Any denied exemptions or other substantial deviations would be subject to site plan, and require an exception, as opposed to a variance. In addition to adding flexibility, the ordinance also seeks to "de-criminalize" deviations, and make it a little bit easier, but one still needs to prove hardship or impracticability for an exception, but not necessarily the positive and negative criteria as with a variance.

Mr. Cosenza summarized that the proposed ordinance is not inconsistent with the Master Plan. The Master Plan is a blueprint, but with regards to Economic Development this effort is part of trying to streamline and make it easier for businesses, it's not inconsistent.

Ms. Hadhazy asked does temporary signage affect events going on around town that are advertised. She also asked what the reason was for including the prohibited signs that are interactive or display animation scrolling flashing or intermit text, graphics or lights. Mr. Cosenza said this doesn't affect the ability to put temporary signs throughout town for events that they're having temporary signage it's not regulated by this. Every single property is allowed to have personal expression signs. It could also include real estate signs and political signs. The purpose of that is to regulate the display of signs which includes public safety, flashing signs that could be distracting.

Mr. Hale stated when we first started the NPP process, we put a stakeholder group together. We had the people from NPP and the County come in. We said here's a variety of things; facade grants and sign grants. The group said they didn't want sign grants; they wanted to figure out how to do the signs. There were at least two people who said they couldn't figure out how to start the process and it was too complicated and didn't do it. The Main Street Highland Park folks used their experience on Main Street to help Mr. Cosenza come up with the processes of this. This really came from the Woodbridge folks that were not part of Highland Park. They felt like they were separate, which part of NPP is to try and change this.

Mr. Cosenza briefly gave an overview of the signage regulations for ground-floor businesses in the CBD and C districts, which is the bulk of the signage regulations most people are familiar with. The proposed ordinance allows for various types of signs, without the complex primary, secondary requirements contained in the current ordinance, along with additional signs permitted under certain circumstances, like businesses on corner lots and fronting public spaces.

Mr. Perlman asked about regulations for storefronts, in the case of a cannabis business. Mr. Cosenza said the line was added that the storefront openness requirement applies unless superseded by other regulation.

Ms. Hand asked about mobile signs and asked how that would be regulated. Mr. Cosenza stated that those regulations - with respect to exempt and prohibited signs - were mainly cleaned up and modernized but there was not a lot of time spent on those sections. He indicated that this section refers to signage on vehicles, and was intended to prevent people from parking a vehicle with signage on it and having it parked for days or weeks at a time for the purpose of serving as a sign. It would not apply to everyday contractors doing business, or food trucks at sponsored events.

There was further discussion and it was determined that the Board would vote favorably on the ordinance, with the suggestion that P.(5) on page 17 be amended so that amended so commercial vehicles which display company names would not be potentially subject to liability.

Mr. Perlman stated he would like Mr. Cosenza to give an example of an exemption. He was concerned with the façade square feet and the height of a sign. Mr. Cosenza replied when someone complies with the code but if they're a little off, it's more of a process improvement. That could be allowed, you still have to review and approve it. That doesn't guarantee its

approval. I believe the site plan extension process allows for deviations related to one additional sign in addition to what's already permitted. Anything higher than the site plan approval as traditional. If you want to go above the top of the wall that doesn't fall under the site plan exemption and hopefully the plan will be denied.

Mr. Lanaris mentioned regarding the electronic signs, there was an issue a few years ago that business owner said they're allowed on the turnpike but we can't have them in town. Mr. Cosenza replied that's an electronic message center that doesn't constitute interactive or flashing. That type of sign is fine but still cannot be interactive with flashing.

Mr. Lanaris asked does Main Street Highland Park still administer the Grant Program? Mr. Hale answered that The Main Street does administer the Grant Program but not for the Woodbridge Avenue District. Mr. Lanaris said he heard that letters had to be smaller and certain blade sizes were not allowed. Mr. Hale said his sense is that these standards are ones that we're hoping will be town wide.

Mr. Eisdorfer stated our Master Plan expresses to divide the town into one or two family residential, multi-family residential, commercial and institutional. This ordinance has separate standards for each of those kind of uses right? Mr. Cosenza said any use other than single family or two family in basically house districts, any use other than a single family or two family and in the industrial district churches, synagogues and other places of worship in any district are okay. Mr. Eisdorfer asked if telephone poles are within the right of way. Mr. Cosenza answered signs on the telephone poles are not permitted. It is difficult to enforce.

Mr. Eisdorfer wanted to know what the standard is. Mr. Cosenza clarified that the standard by which deviations could be granted is the same as granting an exception in accordance with the Municipal Lane Use Law.

Mr. Eisdorfer said a troubling provision for him is it's the Zoning officials call. He said he takes it that development plans have ordinances superseded. Mr. Cosenza commented it's the same standards that exist in the current ordinance just moved to a different section. It can have standards that supersede the standard, but there are certain standards that do not talk about the underlying standards that are referenced. Mr. Eisdorfer replied typically our Redevelopment plans have their own design standards.

Mr. Perlman added that he was clarifying in terms of window signs and Window Coverings. It's a State law, so if the State has a regulation we honor the state's regulation. Mr. Cosenza answered yes. We discussed this with the Attorney to ensure that we didn't have a conflict with this.

Ms. Hand said she actually wanted to bring back up prohibited signs, in the very first section it says you can't include open flames in your sign. She's grateful for the safety concerns involved in that. She was concerned about signs that are fixed painted or placed in or upon any parked vehicle parked capable of being towed. As to advertise a business to passing vehicles or pedestrians is not permitted. There are vans that are parked around town that belong to businesses. There are several lawn care businesses around town who have paint all over their trucks that sit somewhere for several hours. You can get a concerned citizen calling saying

they're violating our sign ordinances by parking by me all day long. I'm concerned about how that gets implemented with the way it's written. Mr. Cosenza replied it was trying to clean up what we have in place. If the question is whether we should have a time limit that's a question I will defer to the Borough Attorney.

Ms. Hadhazy asked if that will apply to all of the car dealerships in town. Mr. Cosenza answered he believes those ordinances regulating the use include specific standards that allow them, unless superseded by local, State or Federal law.

Mr. Hale asked about food trucks. Food trucks are by design to have signs on them. They park and they moved around. We have them Farmers Market. They're there all day. Mr. Cosenza replied that's related to a public event, specifically invited and allowed. If you have a food truck that just randomly goes down to people's properties without permit or license that's a separate issue.

Ms. Hand asked if that would be also regulated by our parking ordinances. Mr. Cosenza said yes. Ms. Hand added that this provision is troubling because she sees it as a vehicle that can be abused by people who want to harass people who are tradesmen. I would recommend that this paragraph be revisited before being implemented.

Ms. Hadhazy said with regard to temporary construction signs, if we're having any kind of development in town and the developers are putting up signage advertising what is coming. This seems limited in terms of what size the signs can be, does this adhere to that. If someone's putting up a construction fence to keep people out of a job site and they use a space on the fence to put the name of the company on it or to advertise pictures of the future building, are there limitations on what a developer can do to advertise the development? Mr. Cosenza replied they are allowed three (3) signs any more than that, doesn't comply. I'm not sure I would suggest amending it but we would have to decide what is to be regulated. There should be some restrictions so if an issue comes up we could deal with it at site plan approval.

Mr. Perlman said all of that would be done at the site plan and if we wanted to permit a bigger sign, we would be able to do that. Mr. Cosenza said yes and in fact this is the perfect opportunity to say they should probably put on their plan a sample construction sign packet. The particular project may not have any issues as long as it complies or they long as they can prove it through the exemption process under those standards, that's the opportunity to regulate it.

Ms. Hand referred to no inflatable devices does that include that lovely Panda that gets put out in front of Okie Pokie Cafe because that thing is adorable and people take pictures in front of it. Mr. Cosenza said no.

Ms. Hand announced this ordinance has come to us on the question of whether this Board finds it not inconsistent with the Master Plan and solicited a motion.

It was MOVED by Mr. Millet and seconded by Mr. Eisdorfer that Ordinance 24-2087 is not inconsistent with the Master Plan.

ROLL CALL: Ayes – Hand, Brescher, Eisdorfer, Hadhazy, Hale, Lanaris, Millet, Perlman,

Nays – None  
Abstain - None

There being eight (8) ayes, no (0) nays, motion passed.

Ms. Hand made a strong recommendation that that paragraph number five be looked at.

**Public comment on any item not on the agenda.**

Ms. Hand opened the meeting to the public. There being no public present, public comment was closed.

Ms. Hand asked if there was anything else the Board would like to discuss questions or updates.

Ms. Hadhazy stated she thought this plan is really great in the fact that it's more use specific than content specific. The part that's on the back would be really helpful to be disseminated to any new businesses that register in town. She suggested that if we have a welcome packet for new businesses they should absolutely get a copy of it. Mr. Cosenza agreed.

**Correspondence and reports.**

Zoning/Building Officer report – Mr. Brescher reported we got a new home approved on Amherst. The house on South Third is coming along. The restaurant on Raritan is looking to open in about a month.

**Adjournment**

There was a motion to adjourn from Ms. Hadhazy and a second by Mr. Perlman at 8:29 pm the meeting was adjourned.

Respectfully submitted,

Maureen Pampinto  
Recording Secretary