

**HIGHLAND PARK PLANNING BOARD
MINUTES
August 8, 2024 @ 7:30 P.M.
Council Chambers, Borough Hall
221 South Fifth Ave. Highland Park, NJ**

Call to Order

A Regular Meeting of the Highland Park Planning Board was held on Thursday, August 8, 2024 and was called to order by Chairperson Hand at 7:30 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on January 23, 2024 and was posted on the Borough website at www.hpboro.com and on the bulletin board at Borough Hall, 221 South Fifth Avenue, Highland Park, NJ and has remained continuously posted as required by law.

Roll Call:

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

Action on Any other Business:

- Resolution No. 7-24-180 from Borough Council of the Borough of Highland Park authorizing the Planning Board to Conduct a Preliminary Investigation to Determine if Block 2201, Lots 6, 7, 8, 9, 10, 46, 47 and 48 Constitute an Area in Need of Redevelopment with Powers of Eminent Domain Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and Authorizing a Professional Services Agreement with Looney Ricks Kiss to Conduct the Area in Need of Redevelopment Study.

Ms. Hand announced for Resolution No. 7-24-180 we are simply undertaking the resolution that Council has directed us to undertake. There isn't anything to have public comments on.

It was MOVED by Mr. Millet and seconded by Ms. Hadhazy to authorize LRK to a Conduct a Preliminary Investigation to Determine if Block 2201, Lots 6, 7, 8, 9, 10, 46, 47 and 48 Constitute an Area in Need of Redevelopment.

ROLL CALL: Ayes –Eisdorfer, Hadhazy, Lanaris, Millet, Perlman, Stern Cardinale, Williams, Hand
Nays – None
Abstain - None

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

- Resolution No. 7-24-181 from Borough Council of the Borough of Highland Park authorizing the Planning Board to Conduct a Preliminary Investigation to Determine if Block 1704, Lots 43, 46 and 49 Constitute an Area in Need of Redevelopment with Powers of Eminent Domain Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and Authorizing a Professional Services Agreement with Looney Ricks Kiss to Conduct the Area in Need of Redevelopment Study.

Ms. Hand noted that Resolution No, 7-24-181 is pretty much identical to the previous Resolution with different blocks and lots, it's a Resolution from the Borough Council of the Borough of Highland Park

authorizing the Planning Board to conduct a preliminary investigation to determine if block 1704, Lots 43, 46 and 49 constitute an area in need of Redevelopment with powers of eminent domain pursuant to local Redevelopment and Housing Law and JSA 4A col 12 A-1 et seq. and authorizing a Professional Services Agreement with Rick's Kiss to conduct the area need of Redevelopment study.

It was MOVED by Mr. Millet and seconded by Ms. Hadhazy to authorize LRK to Conduct a Preliminary Investigation to Determine if Block 1704, Lots 43, 46 and 49 constitute an Area in Need of Redevelopment

ROLL CALL: Ayes –Eisdorfer, Hadhazy, Lanaris, Millet, Perlman, Stern Cardinale, Williams, Hand
Nays – None
Abstain - None

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

- Consistency Review: Concerning Ordinance No. 24-2089 An Ordinance of the Borough Council of the Borough of Highland Park, County of Middlesex, New Jersey, Authorizing the Adoption of the “Upper Raritan Avenue Redevelopment Plan” Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

Ms. Hand noted that Ordinance No. 24-2089 has been proposed by Council and referred to the Planning Board for consistency review. This means that the Board has to determine if this Plan is not inconsistent with the Master Plan.

Mr. Cosenza discussed the Upper Raritan Avenue plan. He noted the Borough Council decided to initiate a development plan, first a concept plan study, then prepare a plan for those blocks that had to re-up a new contract in 2023 to get this plan in completion. The Planning Board is undertaking a consistency study to determine whether or not it is consistent with the Master Plan. Then it goes back to Council for a second reading of adoption. That is when the Zoning picks up, the project area is dominated by open exposed parking lots. He said he thinks that it's relevant that we have a Welcome to Highland Park sign. High incidents of traffic and pedestrians fatalities have increased recently and it was proposed for the Upper Raritan Avenue Corridor to have bike lanes. The plan is to create a safer pedestrian environment and shifting the corridor towards a mix of uses rather than just solely an automotive focus. If there's no market for commercial on the ground floor we should give the flexibility of some residential on ground floor. If buildings are up front and you have sufficient parking in the back, and to try to eliminate curb cuts there would be more than sufficient space to reserve and add onto. If the property owner does not want to participate and continues to live in that home, there will be proper setbacks to protect that home except that the coverage requirements are reduced from what's allowed in C Zone. We could allow for a roof deck on a four story building with a stairwell/elevator housing unit, one and a half parking space, with an allowance of tandem parking in corridors with a minimum of one bicycle parking space per residential unit. Parking has to be located in rear as we try to eliminate the curb cuts along the front.

Ms. Hadhazy had two considerations; the primary school has full time Pre-K 3 and Pre-K 4 students. The addition of trailers have taken up significant amount of space on the playground. Did we consider the redevelopment area may be used to build additional spaces for the school? Mr. Cosenza commented we'll take that in advisement for future plans. Ms. Hadhazy's asked if there was any consideration to adding an additional traffic light to prevent fatalities. Mr. Cosenza answered that is not part of this plan, but they're working with Borough Administrator Jover and the New Jersey Department of Transportation to advance the planning of the road diet.

Councilman Postelnik commented pedestrian safety is a priority for the Council. Just by making this transformation it's going to have natural calming effects. We'd like to see this work in conjunction the

Upper Road Diet. I think that an additional traffic light make sense. We are exploring that as well as a variety of pedestrian safety and traffic features.

Mr. Stern Cardinale mentioned as you head towards Franklin you pass the Garden Point Apartments and it's very similar to this. There are parts that are two lanes and parts that are four lanes. There have been four or five buildings with three/four stories going up. It really changed the whole feel of that corridor. There's more people around and it has slowed traffic. One of my concerns too is that the corridor is the most dangerous part of town in terms of traffic. This puts emphasis on buildings up front. More people will be there. He really likes that it's on the front part of the lot and it has a well documented effect.

Mr. Millet asked Mr. Cosenza if he talked to property owners and is there interest in doing this type of project? Mr. Cosenza replied in this case the plan is not completely driven by a developer but we're trying, there's interest in it by at least two.

Mr. Perlman echoed Ms. Hadhazy and Mr. Stern Cardinale's comments about the calming nature of buildings that are close to the street. He said that he thinks equally important is the goal of eliminating cuts in the cross-sections to be able to put in ballards. It would protect the cyclists and the new residents who live along the street. The ground floor does allow nursery schools and daycare centers. Mr. Cosenza replied it would be better if it was amended in the future for a public use.

Mr. Eisdorfer said there's a State policy of mixed delivery for preschool in school districts. They must cooperate with private providers.

Ms. Hand noted the plan provides for three stories with a possible roof deck type fourth area that isn't residential. We've done a lot of Redevelopment plans in town over the last few years that had four stories with a fifth set back. What is the thought process on the difference with this development plan? Mr. Cosenza replied from the commercial areas are directly next to single family homes. Downtown has larger blocks. It allows for greater height, so it's determining what realistically can fit.

Mr. Eisdorfer asked if the Redeveloper Agreement and property owner want to build in accordance with the development standards, where do they go? Mr. Cosenza answered, in section seven they have to submit a concept plan to the redevelopment director and enter into a redevelopment agreement except for lot seven. Single family homes can do whatever they want just as long it confirms. Mr. Eisdorfer stated it's not governed by section 42 of the Municipal Land Use Law, dealing with contributions to utilities. Mr. Cosenza answered this concept plan is submitted for review to ensure it's consistent with the Master Plan. Then they submit for completion review and go to the Planning Board. Mr. Eisdorfer replied he looked at the Ordinance and it says that multi-family including first floor is a use of right. Mr. Cosenza said for this particular plan multi-family apartments are allowed including on the ground floor.

Mr. Eisdorfer said we ought to be shrinking to conform to the size of the market of the town. In the long run that's more economically viable than having commercial out to the Edison border. What does this plan do other than re-zoning? Mr. Cosenza said it helps bring the scale of potential buildings in line of what could be permitted. Mr. Eisdorfer said he would love to see these development standards applied to the entire corridor.

Mr. Perlman said this property currently is an area in need of rehabilitation, you talked about the rehabilitation incentives. What's the thought of the Borough in terms of offering those and then what elements of the project would encourage the town to do that. Mr. Cosenza replied that's a policy decision between the Mayor and the Council to consider as to what benefits are offered.

Ms. Hadhazy is it our practice to do a cost benefit analysis for offering something like that to a developer? Mr. Cosenza answered the financial agreement entered between is part of that but he's not part of the process.

Mr. Eisdorfer added as a matter of law, if they give a tax abatement there has to be a cost benefit. It's whatever is required in the underlying Ordinance or the Housing Fair Share Plan, will be required.

Mr. Perlman said we don't have a project yet but most likely it will be more than five units. Is some affordable housing part of any project? Mr. Cosenza answered absolutely, if anyone calls about this we tell them to expect to put in 15%.

Lois Lebbing North 2nd Ave., said it was promised on page 29 that it was excluded from condemnation. Where's the rain going to go people? We just had Ida after Cleveland Avenue was developed and 99 or 100% of this town flooded. Mr. Cosenza replied from a general perspective retention basins are a single solution as last year. This new small water regulation must be applied in compliance with the site plan. It would be reducing the coverage, which means removal of pavement so that the buildings footprint will be larger. That creates an opportunity for slow release. Ms. Lebbing mentioned she heard the Goldsmith is looking for someone to buy the veterinarian business. Has Main Street our Chamber of Commerce reached out to help out some of these?

Mr. Stern Cardinale mentioned there were a couple places where there were typos in the Redevelopment Plan packet. They will be corrected.

Councilman Postelnik had a couple of comments on a few of the items that the Board Members pointed out he loved Mr. Eisdorfer idea about re-zoning all the way up through Edison on 27. That's taken under advisement and then we're getting rid of the curb cuts, that's going to be traffic measures along with trees and street furniture. The point about the school district is really well advised. I don't know that this project is of the scale that would really be needed to provide something meaningful to the school districts. He's talked closely with school Board members and they're going to be doing what we can to help them get to where they need to be.

Ms. Hadhazy commented that she would love to see moving forward that we do take the needs of the schools including middle school and high school as well.

It was MOVED by Mr. Stern Cardinale and seconded by Ms. Hadhazy that the Board finds this Plan with these suggestions and recommendations not inconsistent with our Master Plan.

ROLL CALL: Ayes –Eisdorfer, Hadhazy, Lanaris, Millet, Perlman, Stern Cardinale, Williams, and Hand
Nays – None
Abstain - None

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

Public comment on any item not on the agenda.

Ms. Hand opened the meeting to the public.

Lois Lebbing, North Avenue asked Mr. Koch to please define what is in the right of way in residential and a commercial, if there's a difference. Mr. Koch replied the right of way generally is not from curb face to curb face it extends beyond that width of it. You'll either look at a survey of site or a tax map and that gives the rights to the general public to access that area. Ms. Lebbing asked who is responsible for repair and snow removal for commercial sidewalks versus residential sidewalks in the right of way. Ms.

Hand interjected and said she thinks that borders on a legal question and is definitely a question that is outside our Board's expertise. Ms. Lebbing added it is their property and that's what makes it their responsibility am I correct in this statement? Mr. Koch said they are responsible for the maintenance that is governed by the Borough Ordinance. Ms. Lebbing asked does the State law supersede or the New Jersey Supreme Court Supersede local laws? Ms. Hand replied that's beyond what we can answer here. Ms. Lebbing stated getting back to flooding, is there any answer from the Planning Board on what we were promised? Ms. Hand commented seeing the plans that have come before the Board if not every one of them have great concern for stormwater drainage and management it's something that we are hyper focused on as a Board in general. We get mandatory training on stormwater management requirements at the State level. When I looked at the redevelopment plan tonight and saw that the pervious coverage was reduced that is a positive flag towards proper stormwater maintenance and management. Ms. Lebbing said this is the last subject, South Third Avenue I think you guys had some part of agreeing that it could be a Closed Project Plaza. Mr. Millet said he didn't know whether it has been approved by the State. Speaking for the Council but not for all of South Third, for a certain section to close to the Avenue, the idea is to create a plaza but none of these plans have been finalized nor has the State given approval, we are at the mercy of the State Department of Transportation. We would have nothing to do with implementing it, only to review things that come before us, to see if they follow the law essentially and they are not inconsistent with the Master Plan. Ms. Lebbing requested having substation on the North side and the triangle.

There being no further public comments, Ms. Hand closed the public portion.

Mr. Stern Cardinale asked Councilman Postelnik if the State gave approval for South 3rd. Councilman Postelnik said yes.

Ms. Hand added but there is no formal plan yet correct? Councilman Postelnik answered there's just a general concept. The Council will solicit the public's input but we're not at that stage yet.

Correspondence and reports. None

Adjournment

There was a motion to adjourn from Ms. Hadhazy and a second by Mr. Stern Cardinale at 8:45 pm the meeting was adjourned.

Respectfully submitted,

Maureen Pampinto
Recording Secretary