

BOROUGH OF HIGHLAND PARK

WORK SESSION MEETING

September 24, 2024 – 7:00 PM

A Work Session Meeting of the Highland Park Mayor and Council was held on Tuesday, September 24, 2024, and was called to order by Mayor Foster at 7:00 PM. Annual Notice of this meeting was provided to The Home News Tribune, the Star Ledger and the Highland Park Planet on April 18, 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.

Pledge of Allegiance.

Flag salute led by Councilman George.

Roll Call:

Present: Mayor Foster, Councilpersons, Canavera, Hale, Hersh, George, Postelnik, Kim-Chohan (arrived at 7:03 PM), Borough Administrator Jover, Borough Attorney Shah, Borough Planner Christopher Cosenza and Affordable Housing Planner Brian Slaugh.

Absent: None

Mayor Foster informed that this meeting is a work session and no formal action would be taken.

Discussion Items

1. Affordable Housing Update

Borough Administrator Jover invited Brian Slaugh, Affordable Housing Planner to come up to share his presentation on how he is preparing to get the Borough ready for round four and what that means for the Borough.

Mr. Slaugh gave an overview of what affordable housing is: deed restricted for a specific time period typically rehabilitation 10 years to 30 years and that will be changing in the fourth round to a degree, the rent or the purchase price controlled during this period and then it's available only to income qualified households in your particular housing region the Borough was in housing region three. The fourth round started with legislation that was passed and signed by the Governor in March, and unlike the prior rounds the plan actually has to be done before the fourth round starts on July 1, 2025 and has created a timeline. He mentioned that they have been monitoring for the Borough for some time so it was relatively simple for us to do the monitoring the original deadline was June the 18th once the deadline was passed the legislature actually passed an amendment to the law which said never mind you can just hand it in in September but we had it in by June 18th. September the 16th which just has just passed was for what's called unit monitoring and that's the affordable housing units themselves and where they are, what kind of controls are on them, and that was just submitted a little time ago. October the 18th the Department of Community Affairs is supposed to issue affordable housing numbers for municipalities but they might not meet that deadline. The numbers are advisory and municipalities don't have to accept them but by the end of January you have to tell the State and they are very drastic measures if you do not do so. The firm has been crunching numbers all summer. He mentioned that Highland Park did very well in the third round and met all its obligations. By January 31st municipalities have to stipulate its numbers and by March 31 all challenges are resolved by "dispute" Resolution but if you don't challenge the numbers stand. By June the 30th municipalities must draft and adopt the fourth round housing element and fair share plan. August 31, 2025 is the deadline to challenge municipal housing plans, December 31, 2025 is the deadline to adopt any necessary amendments to the housing plan, and March 31, 2026 is the deadline to adopt all implementing ordinances. Mr. Slaugh explained the Dispute Resolution Program, and provided an NJDCA update and process for certifying administrative agents, municipal housing liaisons and expediting spending plan changes. The Housing Mortgage Finance Agency is supposed to finally update what are called Uniform Housing Affordability controls that's another implementing thing that says okay the way you do your deed restrictions, the way you income qualify the people that apply for the program all that will finally get resolved because there's inconsistencies that exist today.

Mr. Slaugh indicated some of the different rules: age-restricted units may be 30% of units, not 25% of total obligation, accessory dwelling units added as a compliance mechanism, transitional housing counts if household allowed to stay 6 months up to 10% of total number, affordability controls on rental units now extended to 40 years from 30 years, maximum percentage of uses remains 25% of the total obligation, age-restricted units get ½ bonus credit up to 10% of such units, 100% affordable project with land or funds from municipality, 3%+ is 1 bonus credit per unit, for-sale project developed with non-profit partner, ½ bonus credit per unit, special needs is 1 bonus credit per bedroom, extensions of controls, ½ bonus credit for rental units, market to affordable is 1 bonus credit per unit with a signed contract, three plus bedroom units about municipal required minimum is ½ bonus credit, very low income units about municipal required minimum is ½ bonus credit, conversion of non-residential use to residential units is ½ bonus credit per unit, units with ½ mile of transit facility or garden state growth zone is ½ bonus credit. They have expanded a bit, the numbers, the types of housing units that could be considered affordable and it's a matter of doing that, the Borough may be in good shape depending what your number is because you have quite a few bonuses that you can bring forward from the third round. Ms. Jover indicated that there are also some newer Redevelopment projects. She said that the main message is we are on top of it and we've been on top of it with the help of Mr. Slaugh and his team.

2. Tract C – 2021 Downtown Redevelopment Plan Amendments

Borough Administrator Jover discussed the amendments needed to be made to the development plan. We are actually amending Tract A through D from 2021 with the real focus on Tract C for this round of amendments. There was a Community meeting in June where we revealed the concept plans and design. We want to walk

through where we are in the process and we need to get moving on the amendments because we can't enter into a Redevelopment Agreement that would ultimately need to happen nor any financial agreements until we have a plan that includes all the properties and allow for the type of development you want and incorporates the feedback that we have been given and heard throughout this process. She indicated that Mr. Cosenza, Planner will give an overview of the amendments and it is hoped to have the document drafted and ready in the next week or so for review with hopes of introducing the second meeting in October. She mentioned that they were not talking about the future public plaza, and the Framer's Market, although very important they are components in the Redevelopment plan and are very important logistical things that we need to be sorted out with Main Street and we are committed to doing that but tonight is strictly about the needed amendments.

Chris Cosenza, Planner indicated the Borough went through the RFP process, the process designated Garden Homes as a conditional redeveloper for this parcel (Tract C), their concept plan went beyond the boundaries which the RFP anticipated and allowed for because the idea was to at least jump start Redevelopment downtown. Garden Homes did present a concept as it evolved you saw the building beyond the boundary of the 2021 plan. The Mayor and Borough Council decided to take a fresh look and see what we need to do with the bigger building from practical perspective. From a practical perspective it was necessary to really reconsider expanding Redevelopment designation and that's just from a financial perspective. He noted more importantly from an Urban Design perspective and from a community interest standpoint we were trying to figure out a way we can get access from South Second and having more elbow room on Magnolia. The Magnolia driveway was identified in numerous cases including at the public meeting as dangerous, a lot of cars go through there and there is only one access point and with a bigger project one driveway was not a good idea. The Borough asked LRK to do a study to see these properties met the criteria of an Area in Need of Redevelopment and it did. This expanded the ring designation to these properties. He reminded everyone the 2021 plan only considers the three properties, the Redevelopment concept that we're considering does not consider all those areas, it does include Lots 13 and 19 which is the house on Magnolia as well as South Third but more importantly the two properties at the corner of South Second and Raritan. At this time we are not including lots 37, 38, 39. Just to clarify one thing because it is confusing they are deemed Areas in Need of Redevelopment but for the purpose of the amendment that you'll be contemplating soon we have not included them in the downtown redevelopment plan amendment, that is going to be proposed with the corner of Third. The primary purpose is the last sentence in the redevelopment plan and the vision statement primary purpose is to bring more people to live, work and shop on Raritan Avenue and this really applies to all four tracts but this is particularly important here. Infill with one or more taller mixed-use or multifamily buildings; focal point to "terminate the vista"; connection/walkway from a public plaza to parking area to Magnolia Street, limited retail frontage as mentioned in 2021 plan because it's already not retail it's mostly office space with focus on retail environment at the corners. In terms of uses a whole range of permitted uses as with the current Redevelopment plan and the current CBD Zoning, we're going to encourage apartments because we do want people to live, work and shop downtown but also allow for residential on the ground floor in terms of refining division. We got to manage it right so this larger Redevelopment area means opportunities but also challenges and that's what we're trying to deal with in this amendment plan while preserving initial intent of that vision. The taller building in the center of the block, additional public gathering spaces now a possibility instead of small Borough owned properties and maybe small space since it got so much bigger you can add more public spaces and link it to the South Third Plaza, provision for public parking before it was not really possible to consider a large number of public parking spaces, now you have the ability to mandate it and that's part of the negotiation process and obviously with a larger footprint means we need to revise bulk regulations and design standards. That is really just trying to hone in the right standards to allow for something like this but still subject to negotiation, require minimum public open space indoor and outdoor, require building to be broken up into multiple smaller forms, address two levels of parking, provide accessibility from Raritan Avenue to Magnolia Street, add visual interest and make it safer; enhance the building design and streetscape standards to ensure the frontage is walkable, enjoyable and safe and that includes wider sidewalks, improved tree pit infrastructure, additional trees and foundation landscaping, shade trees roof decks with green roofs, blue roofs and other means of adding green infrastructure. Improve Stormwater Management, ensure flexibility which is already in the Redevelopment Plan, lack of retail space is intentionally born out of the vision of the 2021 Redevelopment Plan, and Affordable Housing will continue to require compliance and mixing affordable housing units with market rate units. He added part of the beauty of the plans is, one we received the go ahead from our Redevelopment Attorney is we've written one of the general provisions portion of the plan requiring a Redevelopment agreement to be executed prior to submission of a site plan.

Ms. Jover, Borough Administrator indicated that herself and the Planner will work on the draft, Mr. Baumann's office will review, it will go to the Mayor and Council to review and hopefully be introduced, then referred to the Planning Board for Master Plan consistency review, it comes back to the Mayor and Council for public hearing and possible adoption. She said that we are really talking about changing the plan to better implement the vision that we now have more specifics on, we heard we listened and we made the adjustments as the resident suggested and we have a strong incentive to get it done by December.

3. Zoning Map Update

Borough Administrator Jover stated there is a need to update the Zoning Map. There were a couple of Ordinances in 2004 that were passed by prior Governing bodies, prior Planners and Town Administrators that never were incorporated into the official Zoning Map. Borough Administrator Jover displayed a picture of the Zoning Map and said while we're updating the Zoning Map we should add in our more recent Redevelopment areas. Borough Attorney Shah added that's exactly what is going on. We're going to fix it and gave a history in the draft Ordinance that's going to be seen on our first reading. Borough Attorney Shah commended Borough Planner Cosenza for implementing what needed to be passed back in 2004 and nothing's been missed. We have a 2019 Zoning Map, everything from 2019 and forward is now going to be on this map. Everybody passed the Ordinances and the map

got lost so here we are. Borough Planner Cosenza went through the key changes that we're incorporating in the Zoning Map.

Public Discussion

Jonathan Lerner asked where the two story parking deck will be sitting on Magnolia Street. He asked regarding the additional plot that the Borough is looking to acquire that leads out to South 3rd will that be an additional point of egress from the property in the parking area onto South 3rd. Borough Administrator Jover addressed Mr. Lerner indicating she would be happy to follow up afterwards, having illustrations to explain this better, there are also graphics on the Borough's web-site that might help as well. Essentially it is a two level parking structure but it is taking advantage of topography so there on entrance off South Second and it lower level parking which is at grade, and then there is another level of parking but the access point is off Magnolia, the two levels do not speak to each other so it is not like a garage where you can circulate from the lower level to the upper level. She asked Mr. Lerner to send her an email and she would be happy to share the images. She said in reference to South Third there are no specific plans at this time.

There being no one further, it was moved by Councilwoman Canavera and seconded by Councilman Hale to close public participation, and carried by the following roll call vote:

ROLL CALL: Ayes: Councilpersons: Canavera, Hale, Hersh, George, Kim-Chohan, Postelnik
Opposed: None.
Absent: None.
Abstain: None.

There being no further business, on motion made by Councilman George, seconded by Councilwoman Canavera and carried by affirmative voice vote of all Councilpersons present, the meeting adjourned at 8:28 PM.

Respectfully submitted,

Jennifer Santiago
Borough Municipal Clerk