

BOROUGH OF OLD TAPPAN
PLANNING BOARD
REGULAR MEETING
WEDNESDAY, MARCH 13, 2013-7:30 p.m.
MINUTES

In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall as well as on the (www.oldtappan.net) web site.

Please note the fire exits at the entrance to the Council Chambers and at the rear of the Council Chambers.

MEETING CALLED TO ORDER:

ROLL CALL:

Present	William Weidman	Chairperson
	Police Chief Shine	
	Gary Mascolo	
	Charles Maggio	
	David Keil	
	Michael Alessi	Alt. #2
	Karen Nilsson	
	David Keil	

Also Present:	Robert Regan, Esq.	Board Attorney
	Sean Moronski	Board Planner
	Thomas Skrable	Board Engineer

Absent	Victor Cioce	Council Liaison
	Anna Haverilla	Council Liaison
	Nick Mamary	Vice Chair
	Julie Katz	Alt. #1
	Daniel Eller	Alt. #4

PLEDGE OF ALLEGIANCE:

OPEN TO PUBLIC: None

APPLICATIONS:

ChardelleBlassberg – Block 401 Lot 10

ChardelleBlassberg and Mr. Sugrue, architect are sworn in by Mr. Regan.Mr. Sugruehas a degree but is not a licensed architect.He has helped Ms.Blassberg as an architect to prepare this plan. It is mentioned that the board usually has someone who can have expert testimony, and also mentioned, the applicant can do total testimony for the application. Ms.Blassberg states that she wants to add a two car garage so that she can drive up safely and not fall on the ice, and go into the garage, and that Rockland Electric is all around her. She states that she wants a two car, attached garage so she can walk through the entrance way. It is asked what the existing site conditions are. Ms. Blassbergstates that there is currently a two story house, with the small connection encroaches the two only non-complying aspects, R40 zone, and property over 18,000 sq. ft. It is mentioned that the lot is not compliant. Ms.Blassberg states they had no opportunity, considering it is surrounded by Orange & Rockland. They bought it 24 years ago, and kept it the same.It is mentioned that a one car garage would have to be moved, and they were hard-pressed to find areasonable solution economically. It is non-compliant because it is encroaching on the rear yard. It has been there about 60 yearsand was

grandfathered in. If it were new it would be non-compliant. It is asked if a two car garage is being proposed. Ms. Blassberg is asked if she needs a two car garage, and she states she was hoping for that. It is mentioned that she has three violations. It is a non-conforming site, and then a rear yard and a side yard. It is mentioned to get rid of two of them, and then start with a one car garage, and then re-configure the garage differently. It is then mentioned to Mr. Chairman the rear and side yards need to be reconfigured. It is also pointed out that when looking at the right side lot, there is technically a right of way there, Avenue B, which is 40 ft. wide right of way, unimproved. Technically speaking by Borough ordinance, it would need a side street side, essentially a second front yard. Ms. Blassberg's setback technically is 50 ft., already non-conforming in terms of what she has on the property. It is 48 ½ ft. to the lot, although taking into account other issues, such as, this lot is less than ½ the size of the lots in a RA40 zone. If the Board complies with all the setbacks as they are they are talking about a very limited footprint to begin with, even if she were starting from scratch. Also with regard to the rear yard setback, there is an existing condition on the house of 23.9 ft., the expansion is set back 24 ft., so although a larger portion of the house is in the rear yard set-back, it is not further encroaching into the yard as it is, she is not going less than 23.9 ft. In terms of the rear yard variance, it is called a technical variance. It violates the ordinance but it is not further encroaching into that setback. It was pointed out regarding the two rights of way, because technically speaking it is a much larger set back, and any tweaks to the garage wouldn't make a difference, it is the same two variances. The addition wouldn't make a difference because the corner of the house is a covered porch, that is 48 ½ ft. from the lot. Mr. Moronski is asked, regarding that Avenue B is a right of way, and a second right of way is Orangeburgh Road, according to ordinance, is a public right of way. It is mentioned that if Avenue B went through, technically according to the ordinance, it is still subject to the 2nd front yard, the side street side. It is a public right of way. Ms. Blassberg is asked if she has petitioned the Mayor and Council to have that right of way vacated, Avenue B, and that she would probably get it if she asked for it. It is mentioned that it is a borough right of way, and it is suggested to Ms. Blassberg that she ask to do it. They would then ask the surrounding owners if they want it. The Borough would most likely vacate it, they would get at least ½ of it, and the variance would change to her favor. Ms. Blassberg would pay taxes for it. It is mentioned that she could make a request in the future. Ms. Blassberg would get at least 40 ft. right of way. Ms. Blassberg states she was hoping to buy the property from Rockland Electric and that the house is currently under construction. Mr. Sugrue states the dimensions for the existing home and covered porch are 1,704 sq., new mud room and garage are 666 sq. ft. for a total of 2,370 total sq. ft., a new asphalt driveway is also being added. It is mentioned Ms. Blassberg currently has a soil moving permit for the house, amended to add the new work to it, then justify from a drainage standpoint, might have to add seepage, and can amend the firewall. Ms. Blassberg states that she wanted a porch. It is mentioned that if the garage is pushed up flush against the house, it would remove part of the 50 ft. variance, and it is conceivable that the garage can be put in the back of the house. A motion is made to open the meeting to the public, motion seconded a motion is made to close the meeting to the public, motion seconded. It is mentioned that considering the fact the site is 18,000 sq. ft. in a R40, the recommendation is to approve, with the qualifications that the attorney, if Ms. Blassberg chooses to do that, would eliminate some of the variances in the future when she chooses to sell the house. There is a motion to have a 2nd roll call vote. On roll call vote the vote was as follows:

Roll call:

Ayes:	Mr. Weidmann, Mr. Maggio, Ms. Nilsson, Mr. Mascolo, Mr. Keil, Chief Shine, Mr. Alessi
Nays:	None
Abstain:	None

J.P. Morgan Chase Bank, N.A.- Block 1606, Lots 5 and 6

Gregory Meese Esq. of Price, Meese, Shulman and D'Arminio represents the applicant, J. P. Morgan Chase Bank, NA. In this application, JP Morgan Chase proposes to add a bank branch office to the Bi State Shopping center right across the street from the Municipal Building, and to add a remote atm in the parking lot of the shopping center. The shopping center is in a B1 zone, where the bank is a permitted use, and there are variances related to the application. In that the atm is eliminating parking spaces, there is a request for a parking space variance. The atm is also in the front yard, it's also closer to the front property line of the principle building. Also because of the sign configuration on the atm, as well as the request for a visual sign on the front of the case anchorage, there are sign variances. Mr. Meese states that there are a number of waivers requested, and noticed that Mr. Skrable, in his review, or Mr. Moronski his review indicated that there was no objection to those waivers. Mr. Meese states, we can ask the Engineer to review it, our Engineer has reviewed his testimony as well. It was mentioned, you haven't done that yet, and do you have any objections to our experts. Mr. Meese states, no, in fact they agreed with our waiver requests, and he didn't think there was anything that was objectionable in anybody's report. Gregory Meese, Esq. states, that they have three witnesses, and would like to start with Ken Dykstra. Mr. Dykstra is the Professional Engineer who prepared the site plans. Mr. Dykstra is sworn in by Mr. Regan. Simultaneously, sworn in are Mr. Skrable, and Mr. Moronski. Let the record reflect that Mr. Skrable, The Borough Engineer, Mr. Moronski, The Borough Planner, and Mr. Dykstra have been sworn in. Mr. Dykstra is asked to very briefly review his professional background and experience and also his current professional affiliations. He has a civil engineering degree from Rutgers in 1982, and currently is principle of Dykstra Walker Design Group, and is a NJ licensed Professional Engineer, a Professional Planner, and a Professional Land Surveyor, and he has been designing subdivisions and site plans for 30 years, and he has testified before numerous boards, and previously been qualified for civil engineering. His firm is engineering. And then it was recommended to the Chairman that he is deemed qualified by the Board. Mr. Dykstra stated that the plans show the general existing conditions of the BiState Shopping Center as well as the proposed improvements that Chase is proposing to make. He is asked to start with the location that Chase is proposing to occupy as well as the location of the atm. It was mentioned to mark the exhibit from the plans as A1. Mr. Dykstra has two exhibits, A1 – Bi-State Plaza arial plan, A2- colorized version of the site plan. Mr. Dykstra states that the arial indicates the current condition of the property, and also their proposal. The shopping center front is on Old Tappan Road. Mr. Dykstra mentions that Bi-State Plaza has five buildings, A&P, the largest building at the center of the site, another building that has multi uses including McDonalds, the closest building to Old Tappan Road, another building on the west side of the site, CVS, and other retail users, the building between the A&P building and the CVS building is the proposed location for Chase bank. They plan to occupy the space of 50 x 100 sq. ft., leasable space. The other part of their proposal is to build the atm. They plan to locate it near the center axis of the Bi-State Plaza where the sign is, just to the west of that area. Chase will also have a remote atm, a small structure that allows for remote access. Chase will actually have not only this remote atm but also two atm's at the building for walk-up purposes. When asked how the atm would function in the parking lot, Mr. Dykstra replied that the proposal of the atm would eliminate four parking spaces, taking two parking spaces and building a curb area within that, which would be the atm and the atm structure. The adjacent parking spaces that we're losing would be in the atm lane, 10 foot wide and will retain the 20 ft. access aisle. The parking area would lose four spaces, but maintain circulation by maintaining the access aisle on the end. At which point, as per this exhibit, there are a number of cars parked on there that, as per his understanding, are required by CVS employees to park in that location. It is important for Chase to have that location because of the remote atm. It was questioned that if they did, they would be in an area where cars would be there for a long period of time. It was stated that with respect to the parking, there is a deficiency from what the code would require for the shopping center. The Borough ordinance regarding BiState Plaza translates to 437 required parking spaces at present, reduced to 433, less than 1% change in parking count with respect to this property. There is a 100 ft. setback, there is a 78 ft. right of way easement required for the county. It was questioned whether there are any other reasonable locations

on the property. Mr. Dykstra stated that this is the best place on the property, and does not impact existing parking. They are not using parking spaces, they are lower demand spaces, a better location from a practical standpoint, everyone knows where it is located. Related to the variance in the front yard, there is no accessory structure in front of the principle building, the closest principle building has a 135 ft. setback. It was asked if there would be any impact on storm water drainage with respect to this proposal. It was stated that the area is highly impervious now. Mr. Dykstra also discussed the lighting on the atm, and said they proposed adding two lightpoles, taking the existing lighting and moving over 40 ft., having directly under 10ft. candles, within 5 ft. That area would be lit to just above the minimum standard of safety but no brighter. The free-standing lights would match to the rest of the existing lighting. Mr. Dykstra states that Mr. Skrable, in his report dated February 20th, had a couple of comments. One is that he would like a copy of the approved site plan for the shopping center to be submitted, it is marked as B1. A copy of that plan is requested to be provided to Mr. Skrable. It is already submitted, he does have a copy. Mr. Skrable also asked that the applicant confirm the canopy style and colors with respect to the atm. It is stated that there was a package of documents that were submitted for typical color. His copy is black & white, he is handed a color version. It was mentioned that the Board have a color copy. Mr. Dykstra states that he is going to match that. Mr. Skrable states that is all we need, just to be clear he is not objecting to the color, he did not have a color version and wanted to make sure the Board was comfortable. Mr. Dykstra hands out a color photo of a similar atm, which he said is an enlargement of the photo. He is asked if that is an exact replica. Mr. Dykstra also stated that it goes without saying that it is an unmanned facility and it doesn't require any type of utility. It is a free-standing facility, with no water or sewer, and would just require electricity. When asked where they were going to run the power from, it was stated that it hasn't been decided yet, whether from the street or another building. Underground trenching to the building was mentioned. With respect to the third comment of Mr. Skrable, he has indicated he is concerned regarding the circulation. Mr. Dykstra mentions, with respect to circulation, the Borough is going to maintain a 20ft. wide exit aisle. It is mentioned that adjacent to the A & P there is currently a 20 ft. wide aisle there, which is not marked if it will be two way or not and that typically aisles are 25 ft. wide. Mr. Skrable mentions it is one way with the current configuration. When asked which direction, Mr. Skrable states it is one way going north, circulation going to the atm, left past CVS. It is asked which way is the exit out of the atm. North is the reply. It is mentioned if somebody uses the atm and now they want to go to the shopping plaza, which direction would you have them go. Mr. Dykstra states it depends on which way they want to go, right or left. It is asked how they would get back to Old Tappan Road, how are they going to exit. It is mentioned, there are three entrances. If going Old Tappan westbound, make a right and use the west bound exit. It is asked if they are aware of how busy the intersection is, that is the entrance and exit, and that the main entrance is used for the bulk of the plaza, anyone heading east or west. It is mentioned, if when leaving the atm, do you feel a car can make a u turn and exit. It is mentioned there is an extra 20 ft. and then it is mentioned there is only 10 ft., right up against the curb, a little island between the parking lot and the entrance. It is asked, if a Cadillac Escalade were to use that atm, if it can make a u-turn to go out that exit. Mr. Dykstra replies yes. It was mentioned that 20 ft. from that curb, there is just a painted white line, to the right of the atm, there is no barrier there. And it was asked, what goes between that painted white line and the curb. There is another 20 ft., is it an exit lane. Mr. Dykstra replies, yes, that is going to be another exit lane for the main parking lot, and it was asked if there is going to be an exit lane off the atm and an exit lane for that part of the parking lot side by side. Mr. Dykstra states there is a by-pass lane. It is affirmed there are two lanes, an atm lane and a by-pass lane. Mr. Dykstra states this is fine for any traffic that wants to exit the plaza and continue westbound. Any vehicles that would be going eastbound, would be required to travel through the entire parking lot, into the traffic lanes, as they have to now. It is asked if they were going to make that aisle one way. It is mentioned that the aisle closest to the street is a 25 ft. aisle, it is going to stay two way. It is asked where they were going to make a one way. One way is the 20 ft. strip, one way going out. It was mentioned, there is already an existing 20 ft. lane now, that is two way, they're not doing anything to that lane, they're leaving that lane alone.

It was mentioned that making it one way instead of two way would be a lot safer, and in terms of the stacking, they would have to designate parking there for Chase employees in the event there was ever more than a one car stacking, and for CVS designated employees. It was mentioned that it is a low turnover. Mr. Skrable asked what fixtures to use, and asked to clarify the design of the lighting in regard to the copper fixtures. It was mentioned to match exact with the fixtures already there. Mr. Dykstra stated the atm will match the same style fixture or very similar as the existing lighting at the center to meet the minimum lighting standards for safety. The exact wattage is not known, probably 250 wattage range. It was mentioned that Mr. Dykstra emailed Mr. Skrable on 3/13/13, information about the fixtures which they do not have now. They would need to see a light level diagram based on the final design that they do not have yet. It was asked if it was going to be brighter than what is there now. Mr. Dykstra stated that the atm area would definitely be brighter than what is there now. It was mentioned, if the fixture that is there now would be moved 40 ft. to the west there is a concern about lighting spillage onto an existing property, as well as issues of style, spillover, meeting standards, not being a bright spot in town, being brighter than what is out there today. Mr. Dykstra stated that the hours of operation are 24/7 and that the lighting will be on during night hours, and that some of the large pole lights would have to stay on as well, to meet the state standard, probably one or two of the pole fixtures would stay on. Mr. Dykstra has a question to Mr. Chairman regarding Mr. Skrable's comments, and the other comments from the planner regarding the waivers. Mr. Dykstra states he is not sure if the board wants them to address those questions, it is mentioned that they should address them now and it is asked if they have a planner. It is mentioned that they have a planner. Mr. Moronski is asked who he would like to address. He states that he wants to address the planner. It is mentioned that there are no further questions of Mr. Dykstra, he is done with his testimony. The meeting is opened up to the Board. Mr. Moronski asks Mr. Dykstra about stacking, having the staff park there, and based on his experience, what kind of stacking might be anticipated there during the peak hours. Mr. Dykstra mentions that he does not have experience in stacking, but with personal experience, he doesn't think anyone would want to wait there. It is mentioned that if Mr. Moronski has further questions regarding operations he can address them to Mr. Spiek, their next witness. Mr. Moronski mentions the lighting and that there

would have to be enough to see the atm, but he is concerned with spillage going over the line, and that familiarity that this plaza has limited lighting in the off hours. He mentions that they do have a small scale lighting plan on sheet 4 or 5, and requests details regarding how the conclusion was reached, on how much light is seen in the lot line. The response is, to the effect, that the overages depends on exhibit A2, in the upper right-hand corner, it is not highlighted on this, but there is a lighting schematic that shows some curves for the fixtures that are out there, the only spillage would be towards the road, not toward any residential areas. Mr. Moronski states that the proposed lighting clearly would make this a prominent feature in the off hours on the site, it would be more likely to be seen by other buildings and properties on the site, and will be noticed at night. The reply is that it will be lit, there is to some point, the brighter spot will be near the primary access for the center. If there was any spillage, it would go into the main access aisle. To answer the question, they were going to come up with a point by point lighting analysis, with a proposal, and, in his view, will limit the lighting just to the vicinity of the atm area, and that the drivers around it would not have spillage. Mr. Moronski states, in looking at the sign details for the canopy and the sign that is on one of the supports, is the Chase sign on the canopy that's lit with LED lights, going to be lit as well as the front Chase signs as you come in. The reply is, that is lit. Mr. Moronski states to Mr. Chairman, that is all he has right now. Mr. Moronski states that he has another question regarding the utility, and normal trench excavation and requests further detail on that. He asks for detail on the drawing so he can see detail on the restoration, and more importantly although he is sure that they are going to protect their own utility, he would like to see further detail, and also see pavement repair details, as they have had some issues with that in the past. He also asks if the picture they are looking at of the remote atm, looks like it is directly next to the building with driving lanes underneath, is that correct. It is stated that is correct. There is a question as to what the picture

depicts, and if it is set all alone. It is stated no. It is asked if he is aware if the bank has any other atm's in a similar location or a similar situation, as this, in the middle of a parking lot, or are they all usually up (OTPB-3/13/13)

against buildings, because in this particular case it is out in the middle, out in front, as opposed to being up against the building. It is asked if the octogan logo is lighted, the reply is yes, that is a sign. It is then asked if the materials are interchangeable, if the bank were to change the color, for example, blue to yellow. It is mentioned that Chase is established. It is then mentioned what if Chase were to merge. Mr. Mascolo asked, if there are 2 atm's directly in front of the bank as sidewalk locations, or one, and further asks, there is one outside on the wall and one inside the vestibule where somebody would use their card to get in. Mr. Dykstra replies, yes, he states there are 2 atm's there, and another remote atm, for a total of three. Mr. Dykstra is asked, has there been any thought of any other locations for this, that are further back off the street, more inline with some of the buildings that are there, as opposed to out near Old Tappan Road. Mr. Dykstra points to the rendering, it is asked if the area he just pointed to would work there. Mr. Dykstra replies that it would interrupt the operations of the shopping center. It is mentioned that they were just trying to figure out possible alternatives. Mr. Dykstra is asked if it could be put directly to the east. Mr. Dykstra replies it is conceivable; he hasn't discussed alternate locations with his client. He is then asked if it could be in the front of the current bank or in the rear of the current bank, if there are any possibilities of that. Police Chief Shine is asked if, as far as the Police are concerned and traffic, is there any report or anything as far as how the traffic is going to flow. Police Chief Shine replies, they wouldn't need to change the traffic flows, it would remain the way it is now. It is mentioned that Mr. Weidman had a concern about a lot of traffic making that 180 degree turn to go back out. Mr. Maggio states he thinks Mr. Mascolo has addressed all the important questions about where else this has been done, all those questions on alternate locations. Mr. Maggio asks Mr. Dykstra if his firm is a Traffic Consultant in addition to being Engineers, Planners, and Surveyors. The reply is no. Mr. Maggio asks if a Traffic Consultant was asked regarding the layout to see if this really would work, and would we be able to find out. Mr. Dykstra replies that they could ask but they are not really changing the traffic. Mr. Maggio states he is not concerned about the traffic in the parking lot, he is concerned about the flow of people getting to the atm. It's just an atm, it is not a remote teller. There is no pneumatic tube going underground. He is concerned about how people will be pulling up, and to stop them from going in an alternate direction. When there is a remote atm, usually the flow is around the bank, with everybody going in the same direction. With this one, someone could pull in the wrong direction. He is concerned if the study of traffic flow would find if this is really a viable location. It is mentioned if that is one of the concerns. Mr. Dykstra, is asked if signage could be added to the front of that location to indicate that it is a one way and a do not enter location. The reply is that arrows and do not enter signs would be put there. It is mentioned that it seems to be an island out there, the board members have not seen one and they would like to have a better understanding of the traffic flow and see that it was well thought out in terms of its location and the flow. It was mentioned that people are not going to be anxious to come in and go all the way around the back and then go all the way around and pull up, there is a concern they may go the wrong way. It is also mentioned that it is observed to be obtrusive, beyond the property line, no indication about the line and whether vehicles traveling either east or west on Old Tappan Road would get distracted by the light especially at night. It is mentioned that presently, you have an unbroken siteline from the road, down through the parking lots to some of the buildings, to some degree this would brighten those site lines. It is also questioned from the Environmental Commission regarding vehicle stacking and the amount of idling. The biggest thing that came out of the review is the flow of traffic here, where vehicles accessing the atm and exiting north, those that want to make a u-turn and get back onto Old Tappan Road, that entrance is probably one of the most dangerous intersections in town right now. Ms. Nilson also stated that the entrance is one of the most dangerous intersections in town. It was mentioned that the rear parking lot is under used, and it is asked why the employees wouldn't park there, and that the front is more heavily used. It was also mentioned that if Chase moves out of the plaza, does the atm stay. Mr. Dykstra replied that Chase could consent to removing it at the end of their tenancy if that is a concern. It was mentioned regarding what Mr. Mascolo and Mr. Maggio talked about, to go to A1, and spin the atm location 180 degrees, that the

atm would be up against the hedge row and would be a better flow of traffic. It was mentioned that it was not found anywhere on any of the plans, but on this picture, there are two blue protection cones, (OTPB-3/13/13)

and since backing up to traffic, they recommended putting two more on the back side. A curbed island was mentioned, and that it covers a small portion, 40 x 10, curb protection. It was asked what the distance between the curb and the back of the atm is. The reply was six ft. to the cars parking behind it. Limited sight was mentioned, and concern about cars jumping the curbs. It is mentioned that there are concerns about the complex being busy during lunch hours, and at varying times the owner makes agreements with the church, and that the area has a tendency to be congested at varying times. It was mentioned that this type of facility would provide convenience for someone who doesn't want to leave the car, and would be a public benefit providing this type of service. There is no way, at this shopping center, to have a typical drive through teller window. Chief Shine mentions his concern regarding signage and snow removal, and that there are questions for the Fire Dept., regarding a tactical approach. Would this prohibit access to the fire hydrants. There is a concern regarding cameras. Chief Shine mentions that patrols are on constantly up and down Old Tappan Road. He also mentions that he can appreciate why they wouldn't want to put this in the back of a building for a variety of security reasons. It is asked what the back of the machine looks like since 50% of people will see that. Mr. Dykstra replies that the back is a metal box, the same coloring as the rest of the machine, and a photograph will be provided. It is also mentioned that the lights are very dim, high hats, and they are going to be sunken in the soffit if in a covered area. Also mentioned is that every other store will have dim lights, and then the bank will have the spotlight. It is mentioned that it has to be bright enough to meet safety standard. A motion is made to open the meeting to the public, seconded, all in favor, seeing none, motion closed. Robert Spiek is sworn in by Mr. Regan. He states that his position is Senior Project Manager with J.P. Morgan Chase. He states his job role involves taking projects from the early evolution stage through negotiations, to entitlement, such as this, through construction. It is questioned of Mr. Spiek, approximately how many branches are under his supervision. He states that at any one time, he probably has thirty projects or more under his supervision. The project that has been proposed tonight involves two facets. It is an inline store and is also the remote atm. It has 4,900 square ft., and was the former Blockbuster Store. It is asked approximately how many employees will be in the facility. Mr. Spiek states, we're proposing a 4,900sq.ft. bank branch, it will have all the typical functions of one of our typical bank branches. In addition, at this particular branch we are proposing to put a large vault for the safety deposit boxes, this branch will also have what's called our Chase Client Program, offices, upgraded furniture in this branch, new technology, with machines that are called self-service bankers, eliminate teller position to a certain extent, also a remote atm. Mr. Spiek states, when we looked at this opportunity to come to this plaza several months ago, we found a nice position within this center, the former blockbuster space. He further mentions they do want to be able to offer the elderly, and folks with children in their car, this service so they do not have to get out of their vehicles. We did explore different locations for parking also, but we settled on this location, and felt, based on our observations, it was one of the areas that was most isolated, and could be controlled in some extent, by the afore mentioned testimony related to employee parking. I know it's like an island out there we don't expect to see the stacking like other branches do. People will stop here, get cash, keep moving. This will be catering to the local community, serve the local clientele, not create an issue in that parking lot. There is signage that is proposed, and variances that are requested. Mr. Spiek stated that there is a sign that is proposed to be in front of the inline bank branch on the building on the front, a wall mounted sign similar to what the other tenants have on the other various retail units. There would also be a pedestrian walkway beneath the canopy in front of the stores with a small hanging medallion sign that is consistent with the other tenants. It is questioned that on the front wall of the bank branch itself, it is proposed to have another sign for the private client. Mr. Spiek states it is approx. a two ft. by two ft. bronze wall plaque. It is mentioned that the atm on the front of the bank branch would also have a sign on it. Mr. Spiek replies it would have our canopy. It is mentioned that the remote atm has a verticle sign on the canopy. It is mentioned that a variance is requested because of the height of that sign, but the area of the sign is well within what the

Borough would permit. Mr. Spiek is asked why he feels it needs a sign. He explains that it is a branding element. He is asked what the proposed hours of

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operation of the inline bank branch are. Mr. Spiek replies that the bank branch itself general operational hours are generally from 8:00 a.m. to 6:00 p.m., Monday through Friday, and Saturday, generally from 8:00 a.m. to 3:00 p.m., and because this is a Chase private client branch, that there could be evening hours by appointment only until 8:00 p.m. or 9:00 p.m. the latest. It is asked if the remote atm that is proposed would be a 24/7, Mr. Spiek replies that all the atm's on the property proposal are 24/7 including the remote drive up, the walk up, and the vestibule atm. A concern for lighting that is proposed for the atm is mentioned, not to make it a beacon. The lighting is for safety. Mr. Spiek replies that that they understand there is a sensitivity to lighting, especially around the center, and they are looking to do nothing more than what is required by state statute. It was mentioned that there seems to be concern, regarding some of the comments, for the particular location of the site. If there was a suggestion from the Board as to an alternative location, would he be willing to look at that. Mr. Spiek replies that they would certainly explore it. The other item he needs to point out when they researched their location is that they are working with their landlord on this, and they have to respect that the areas that he granted them to place this atm in order not to affect the other agreements he has with respect to their other tenants. As an example, even for this location, they had to get a sign off from CVS to locate in that area, so that was one of the driving factors with the location. Another question that came up is locating in the back of the center. It is mentioned that Mr. Dykstra had commented that it would not be an acceptable location. It is asked that Mr. Spiek state why that would not be acceptable to the bank. Mr. Spiek mentions, for a couple of reasons, either of the security reasons would be a factor, there is no visibility to the public and would probably have to try to overly directional sign the shopping center to direct people to that, it would get gaudy, the landlord would not be in support, that is why they would stay away from the rear of the building. It is mentioned regarding Mr. Skrable's concern with respect to the potential stacking by having Chase employees park there so that if there is any stacking, it would just be a Chase employee that would be parked there and no one else. Mr. Spiek replies that it is their intent it is their understanding that CVS employees park in this area, and their employees would park in this area so they would have low turn-over parking spaces there. The atm transaction times generally are 1 minute to 1 ½ minutes on average, due to the nature and the location for the local clientele, they don't expect to see four and five cars stacked that we might see in a different location. It is asked if there are any questions for Mr. Spiek. Mr. Moronski asks Mr. Spiek how is this atm serviced and how long does it take. Mr. Spiek explains. Mr. Moronski asks Mr. Spiek that he mentioned he didn't expect the type of stacking that you might see in other locations with four to five cars, with a stand-alone atm, and from his experience the typical stacking, what would be the peak hours. Mr. Spiek replies that it depends on the location. If it was on the interstate, or Rt. 17, stacks would be larger and longer. In this type of environment he doesn't anticipate more than a three car stack, worst case scenario, that stack would generally occur Friday evenings, and Saturday mornings. Mr. Moronski asks if the closest branch, two miles away is the Northvale branch, and states there is also a branch in Norwood. It is mentioned that the one in Northvale has a drive through. It is mentioned that there are no Sunday hours, with the exception of the atm. Mr. Regan is asked if it needs a variance for the deed. Mr. Regan replies no, just the variance for the machine. It was asked why Chase does not allow employees to park in the back. Mr. Spiek states it is for security reasons, they don't want their employees entering the rear of any branch building, they have to enter and open the branch on a daily basis through the front door. It is asked if they could park in the back and walk around to the front. Mr. Spiek replies, no. It is questioned, they are not allowed to do that. Mr. Spiek replies, we prefer not to, there are very few instances that he is aware of that their security team would internally approve a plan allowing that. It was also asked how they would discourage people from walking up to that atm. Mr. Spiek replies, we don't discourage them, we have a standard sign that advises people this is a drive up atm only. It was mentioned that people on the Board said it could be a fairly dangerous location in that parking lot, not only with the potential of people walking up, but also with the potential of people driving in the wrong way, a variety

of incidents could occur there, unrelated to security. Mr. Spiek mentions, that's why they are trying to have the additional offerings there, with the walk up right on the sidewalk, so there are other options, and there is also one in the vestibule. It is asked how long it would (OTPB-3/13/13)

take to build, referring to the remote atm. Mr. Spiek replies, about thirty days. It is mentioned about the area that is outlined as exhibit A1, which includes the bypass, to use it as a staging area, and that there is power from a pole in front, trench back, the pouring of the curb is the work. The unit comes on the back of a truck and is bolted down to the island. It is asked if there are going to be plantings in the island. Mr. Spiek mentions that they are not, they are grass areas, he hasn't proposed the opportunity and will work with the Borough. It is mentioned, that the landlord gave them limitations in terms of where you put the atm. It is asked if there is a better location that he would have preferred but was prevented by the landlord's requirements. Mr. Spiek replies, not really. We would love to have a pneumatic tube, but were prevented, McDonalds and the A & P had restrictions, and they had to get an agreement with CVS to even allow this location. It is asked, if that were a location where it was allowed would it cause more traffic problems. Mr. Spiek replies that it would cause traffic problems, and probably if it were up in that preferred area, they would have to change the circulation pattern, of that portion of the parking lot, probably re-stripe the entire thing. It is mentioned that would remove the variance about it being within the front set back, and that is a solution. It is asked where else they have the atms that are that far away from the bank, and literally a little island in the parking lot, so members of the Board could go see it, if it is somewhere in the area, because of the concerns about the flow. Mr. Spiek states the closest one that he knows of, because they don't do many of them, is in Newburgh, NY. A video is mentioned. Mr. Spiek states, he can research it further with their facility team, they don't do a lot of them, they are looked at on a case by case basis. Our preference is a free standing bank branch, with a drive-up, and the end cap with a drive-up situation wasn't available; CVS won't give up their lease, it is not practical in this building, we're trying to make the best of what we have. It is mentioned in the testimony before regarding convenience and value. It is mentioned, why here and why not in Norwood, Northvale, or somewhere else. Mr. Spiek mentions that he is not privy to how and why those projects came on line, it is an integral part of the business. Mr. Maggio is asked, if they required Chase to provide a more detailed description of traffic, could they provide it. Mr. Maggio replies, yes. It is mentioned they would definitely like to see a similar situation, pictures of the location are requested. It is important, going after high end is different. It was mentioned that Mr. Spiek did not answer the question of how many employees. Mr. Spiek states 6,8,10 on a maximum shift, as bankers rotate out, filter throughout the day. It is mentioned regarding the very serious problem with the drive up in front of the shopping center. This would be an eyesore. A lot of people would say why here, putting it on the outside. It was mentioned to possibly have two atms inside. Also around lunchtime, a line of cars going there to use the atm's is something to take a second look at. A motion is made to open the meeting to the public, anyone to address witnesses, none, motion to close. It is mentioned that they are willing to come back on 4/10, but may be limited to 1 ½ hours to 2 hours. If they are coming back next month, it is requested to visibly present samples of other locations, video, also traffic studies, how to mitigate flow, as well as site circulation study. It is mentioned that it is not necessary to deal with what is on Old Tappan Road. It is also mentioned that Mr. Skrable is flying back from Dublin on the 10th. The Board has questions regarding lighting and spillage. Chief Shine mentions site evaluations. Chief Shine asked if there would be visible observations, of day to day operations, particularly around lunchtime, regarding pedestrians from high school walking back and forth. Chief Shine also mentions Friday nights and Saturday mornings which are a big time for sports, right down the road, and that busses park there and there is food. He mentions that he wants to observe Friday and Saturday times. It is mentioned that no further notice is required. There is a three minute recess for Old Tappan matters. Mr. Maggio recuses himself.

Ed-Ella's Colonial dba Old Tappan Manor – Block 803 Lot 8

Mark Madeo on behalf of application dba Old Tappan Manor, 137 Orangeburgh Road, states they are not changing anything, they have occupancy. They are not trying to expand any component of the use and the building or its' footprint. The only thing that they want to do is A1, initialed and dated 3/13/13,

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which is the colorized version of what they have in their files. It is the location of an old leaching field that had septic, which was removed 20—30 years ago. It is now 8 ft. of gravel. The gravel was recently replaced, and is not counted as extra spaces, Mr. Emrani always felt better to have people parking on overflow gravel rather than parking on the street, even when shoveling snow. A bulk variance is already granted, it is supposed to be 60 ft. in every direction. They have pre-existing, non-conforming use. The gravel is pervious, permeable, under code. It should be the same as asphalt. It is calculated the same as asphalt. It is the most pervious land in the town, that counts as coverage under the ordinance up from 44.8% to 53.7% coverage. It has to be counted as impervious coverage. Harry Tuvel is sworn in by Mr. Regan. He has previously been qualified as an Engineer. There is a question regarding the A1 colorized version, with the building as it exists, with revision 3, which only includes additional gravel area, they are not changing anything about the site plan, other than leaving the gravel there. It has been an area where gravel had been a leachfield for a septic area, gotten green, counted as green prior to this, even though there is now a fresh layer of crushed stone, it has to be counted the same as asphalt, counted as impervious coverage. They will continue to use the residential standard, but need a variance for crushed stone that is already there for overflow parking. They are still restricted as to the number of guests. The pitch of the crushed stone is toward the parking lot, the run off would flow in to the existing system. Mr. Moronski is sworn in by Mr. Regan. He is asked if this is used for valet parking or general parking. Mr. Moronski thinks it would occur during valet parking. If used for overflow, it doesn't look like a logical way to get in, other than staff. It is mentioned that they are not proposing any additional lighting and think that it is sufficiently lit. The buffer should be at least 6 ft. and could be extended if screened by a vinyl fence. They have agreed to have a 6 ft. vinyl fence and have already lived up to the obligation. The approved plan was counted as a lawn, literally labeled as a lawn, labeled grass, based on prior approval, it was approved to park regardless of what the surface, it would have been required to come back to the board. That right didn't always exist, as far as impervious vs pervious, Mr. Skrable agreed regarding the runoff onto the gravel, normally a leachfield, if a regular area and then put gravel, the coefficient would be more than grass. Mr. Skrable mentions that when it is raining, in his experience, puddling would occur if not graded. If affects Dearborn Drive, Dorotocky's Run, people are affected, buffers are needed, he wants to bring back the old lighting plan. Also regarding the drainage plan, it is asked about plowing gravel, and would pitch change when it starts plowing up a neighbors yard, and to consider an alternative. The alternative can be considered, if being countered as impervious surface. Would prefer to approach with as few changes as possible. Ms. Nilsson states that visuals are coming in from other neighbors. Chief Shine had no additional questions, but had concerns about drainage. It was mentioned regarding the stone area, when it is a small party nobody parks there, but the valet uses it for parking. They didn't want to create more pavement with lots of white lines. It was mentioned that stone dust was too packed and to get rid of the stone dust, and then wouldn't see any puddles; if just leave crushed stone as opposed to packed dust would that alleviate concerns about drainage. Additional lighting is also mentioned regarding where the valets are going to park cars, and that the only thing to consider would be to go along the back property line next to the woods. A motion is made to open the meeting to the public, seconded. Charles Maggio is sworn in by Mr. Regan. Mr. Maggio states that they are good neighbors and honored all the things being questioned. It is mentioned that the Board would typically have a layout, especially for valet which is approved and documented. The brand new parking lot was not approved on the prior application, and it needs to be approved in a different form, in the very least the gravel area, if the intention is parking, a valet plan is needed. It is mentioned that it would not be giving them more space, they need to get out the hard pack and get it to crushed stone, submit a real drainage plan, and show where a valet is likely to put cars. A motion to close to public, seconded. Mr. Emrani is sworn in by Mr. Regan. He is a part owner and has been involved for

almost 15 years, and is on the property on an almost daily basis. He explains the property's history, and that it used to be a leachfield, then over the years became a dump yard, with grass, broken trees, railroad ties. He states the property has been leveled, cleaned, and fenced, and for 13 years has been used as over flow parking. He has trained his employees that they can only park four rows maximum. He states the last rows are for employees, and that one row is for valet. He is not (OTPB-3/13/13)

asking for any other change. He is only asking to continue as described, as has been used for the past 13 years. Old stone dust was put on 1 ½ years ago to make it neat and presentable. If the Board wants gravel stone dust to be put on it will be done. Mr. Emrani states regarding snow removal, he plows it himself, only if he can take snow from one area and move it forward, and store it in a corner. If there is too much snow, he may ask someone with a backhoe to move it. Mr. Emrani states guests are not allowed in that area because there are no lights. It is mentioned, regarding the valet layout, if a car is on fire, can the EMS get back there and put it out.

COMMUNICATIONS: None

CONSTRUCTION OFFICIAL REPORT: We have a construction official, no new news

BOROUGH ENGINEER REPORT:No new news.

ENVIRONMENTAL COMMISSION REPORT:

Gary Mascolo stated that a report was given to the Planning Board at the last meeting, which advised among other things, the ground certification as being sustainable. It was mentioned whether everyone had a chance to read it and review it, and noted that more time was needed to review, and add it. By the next meeting they will have the specifications on it.

COUNCIL LIAISON REPORT:No council liaison report

FINANCIAL SECRETARY REPORT:Ms. Nilsson stated that the bills are as follows:

\$1,125.00 from the budget and \$4,718.14 from escrow for a total of \$5,843.14. On roll call vote, all in favor, none opposed.

MINUTES TO BE APPROVED:A motion to approve the minutes of December 12, 2012 and January 9 2013 was made. All in favor, none opposed, motion carried.

RESOLUTIONS:Albarran Block 302, Lot 6

Resolution from last month that grants variance relief of the FAR variance with the connection of the construction of a cabana and a height variance with the construction of a fence, with the property known as 254 Orangeburgh Road. On roll call vote the vote was as follows:

Roll call:

Ayes:	Mr. Weidmann, Chief Shine, Mr. Keil, Ms. Nilsson, Mr. Mascolo, Mr. Maggio
Nays:	None
Abstain:	None

OLD BUSINESS: Temporary storage containers Sub Committee report

NEW BUSINESS:Ms. Noll stated as far as new business, at our next meeting we don't have anything new coming up so unless something carries from tonight we're not going to have a very busy meeting so we can concentrate more on that.

OPEN TO PUBLIC: None

Motion to open the meeting to the public to anyone wishing to speak on any non- agenda item, seeing none, motion to close.

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ADJOURNMENT:

Upon motion, seconded, all in favor, the meeting was adjourned at 10:23 pm

Respectfully submitted,

By: _____

Laurel Carnazza
Recording Secretary

/lc

Date Approved _____

cc: Mayor and Council
Robert Regan, Esq.
Thomas W. Skrable, P.E.
Construction Official
Fire Official
Board of Health
Burgis Associates