

**MAYWOOD PLANNING BOARD
MINUTES
September 6, 2018**

A regular meeting of the Maywood Planning Board was held on Thursday, September 6, 2018 in the Council Chambers of the John A. Steuert, Jr. Municipal Complex, 15 Park Avenue, Maywood, New Jersey at 7:30pm. “This meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was published in the Our Town and The Record newspapers on or about November 23, 2017. In addition, copies of this notice were posted on the bulletin board in the Maywood Municipal Building at 15 Park Avenue, filed with the Borough Clerk and distributed to all persons, if any, requesting copies of the same pursuant to said act. This meeting is a judicial proceeding, any questions or comments must be limited to the issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”

Flag Salute

Call to Order

The meeting was called to order at 7:30pm with the following members present: Vice Chairman Paul Kuhn, Gary Neumann, John Montel, Harry Hillenius, John McManus, Anthony Klymenko and John Gargagliano. Zoning Officer James Mazzer and Board Attorney Kara Kaczynski were also present. Arthur Señor of Remington, Vernick & Arango Engineers was present on behalf of Board Engineer Brian Gillen.

Approval of Minutes

Harry Hillenius made a motion to accept the minutes from the August 2, 2018 meeting. John McManus seconded the motion. All eligible members present voted in favor of the motion.

Bills

Harry Hillenius made a motion to accept payment of the bills. John Gargagliano seconded the motion. All eligible members present voted in favor of the motion.

Correspondence

- 8/23/18 letter from Board Engineer Brian Gillen Re: SB One Bank Completeness Review
- 8/27/18 letter from Board Recording Secretary Tara Grunstra Re: 200 Route 17 LLC Hearing Date 9/27/18
- 8/27/18 letter from Job and Job, Rochelle Park Zoning Board Engineer Re: 200 Route 17 LLC Completeness Review
- 9/5/18 letter from Job and Job, Rochelle Park Zoning Board Engineer Re: 200 Route 17 LLC Completeness Review 2

Resolution

None

Hearing

SB One Bank
125 West Pleasant Avenue
Block 70, Lots 16 & 17
Calendar #2018-08
Variance Application

Holly Schepisi of Huntington Bailey, LLP represents the applicant, SB One Bank. The applicant is seeking bulk variance relief for signage. Two existing signs will be replaced and one sign is new where an analog clock is currently located. The pre-existing signage were granted variance relief in 2005 via Resolution #2005-02. The specific relief being sought includes variance relief from the following Borough ordinances in the commercial zone:

- §209-40 (P) (2) (a) [1] Wall Signs: One wall sign per established business expressly related to the business conducted on the premises for each street frontage
 - 1 wall sign permitted vs. 3 wall signs proposed
- §209-40 (P) (2) (a) [1] Wall Signs: The square footage of any wall sign shall not exceed a total of 10% of the building face, including the window area, associated with the business to which the signage relates, and not 10% of the total square footage of the entire face of the building
 - 25.6 square feet permitted vs. 92 square feet proposed
- §209-40 (P) (2) (a) [2] Wall Signs: No wall sign shall project higher than the highest point of the parapet or facade of the building to which it is affixed, nor shall it project over 12 inches from the face of the building nor beyond the property line bounding the property upon which it is erected
 - 12 inches permitted vs. 54 inches proposed

Two representatives from SB One were present as well as two representatives from the sign maker, CAD Signs. Ms. Schepisi confirmed that the hearing was noticed properly, property taxes are current, the CCO was issued and adequate escrow was submitted. She then marked Board Engineer Brian Gillen's 8/23/18 revised completeness review as PB-1. Prior to continuing with the hearing, Board Attorney Kara Kaczynski recommended proceeding with the completeness waivers identified in Board Engineer Brian Gillen's 8/23/18 completeness review. The only remaining waiver required is C (1):

§209-40 (P) requires a site plan review and approval for all signs located in commercial and industrial districts. The Plat be clearly and legibly drawn or reproduced at a scale not smaller than 1-inch equals 50 feet.

Arthur Señor of Remington, Vernick & Arango Engineers recommended that the waiver be granted but reserved the right to request additional information. Gary Neumann made a motion to grant a completeness waiver for checklist item C (1). Harry Hillenius seconded the motion and all eligible members present voted in favor of the motion.

Ms. Schepisi provided detail on the application. The property is located in the Restricted Commercial (RC) zone. The building is a single story and is developed as a bank with an accessory office, drive thru area and parking lot. All uses are permitted in the RC zone. Last year, Sussex Bank and Community Bank of Bergen County merged to become SB One Bank. The applicant has sought to change all signage to reflect the new ownership and name. In 2005, Community Bank received Board approval to replace exiting signs and install a second wall sign

and analog clock. The signs were internally illuminated light boxes. For this application, the applicant wishes to replace the acrylic faces of the existing atm and drive thru light boxes and replace the analog clock with a 4' high x 6' wide light box wall sign. Most of the signs were already replaced prior to the applicant learning that Board approval was required. There is a temporary vinyl sign above the entrance where the analog clock was located.

Ms. Schepisi called her first witness, Tania Molina of CAD Signs. Exhibits were marked and distributed:

- Exhibit A-1 dated 4/12/18: Signs Location
- Exhibit A-2 dated 4/12/18: Enlarged Signs Location
- Exhibit A-3 dated 4/12/18: New 4' x 6' Light Box Rendering & Dimensions
- Exhibit A-4 dated 4/12/18: New 4' x 6' Light Box Section Detail
- Exhibit A-5 dated 4/4/18: ATM Light Box Reface
- Exhibit A-6 dated 4/4/18: Drive-In Light Box Reface
- Exhibit A-7: Acrylic Sampler Color Tiles

Ms. Molina was sworn in. She is responsible for sign permitting. CAD Signs has been working with SB One Bank at multiple branch locations. Using Exhibit A-2, Ms. Molina indicated where the signs were located. Miguel Buga of CAD Signs was also sworn in. He is responsible for sign installation. Mr. Buga explained that they are proposing 1 new 4' x 6' light box wall sign and replacing the acrylic faces on 2 existing light box wall signs (atm and drive thru). The new 4' high x 6' wide x 6" deep light box will replace a temporary banner of the same size (Exhibit A-3). The analog clock was in this location previously so there is an existing power supply junction box. The light box body is aluminum, the face is acrylic and the lettering and logo are vinyl. The box is internally illuminated using LED matrix lighting system (Exhibit A-4). The light box is anchored to the stucco wall and the plywood beneath. Mr. Buga does not believe that the light will spill into residences since it is 3,500-5,000k and is projected out to West Pleasant Avenue. If there are any complaints, a dimmer could be added. The lighting intensity would be the same as the existing atm light box. He detailed the atm and drive thru light box face replacements (Exhibits A-5 & A-6). The signage that is proposed is consistent with the other branch locations.

Vice Chairman Paul Kuhn asked if the color change of the acrylic face for the drive thru from blue background to a white background will impact the light intensity. Mr. Buga answered that the light would have the same foot candle intensity. John Gargagliano confirmed that the lights would be on a timer in accordance with Borough code. Ms. Schepisi noted that the drive thru sign was installed in April with no known complaints thus far. Should there be any complaints, the applicant is prepared to make any necessary changes. Board Attorney Kaczynski believes that the photo renderings submitted with the application had significantly more pages. Mr. Buga noted that the directional and parking signs were unnecessarily submitted with the application. Vice Chairman Kuhn asked if directional and parking signs should be included in the signage calculations. Board Engineer Arthur Señor does not believe that those signs should be included in the signage calculations since the purpose is not advertising but directional especially with the drive thru being separated from the main building. Board Attorney Kaczynski clarified that like is being replaced with like. The sign colors are limited to 3 per Borough code (Exhibit A-7). Anthony Klymenko asked if the Borough code specifies the lumens permitted in sign lighting.

Board Attorney Kaczynski answered that the Borough code does not indicate a lumens limit. Vice Chairman Kuhn asked if there was additional lighting near the atm and Mr. Buga believes that there is lighting beneath the canopy. Ms. Schepisi agreed to conform to the Borough code and/or the Board Engineer's recommendation as a condition of approval. Mr. Buga offered to install a dimmer if necessary. John McManus asked about the vinyl window lettering rendering submitted with the application. Zoning Officer Mazzer was sworn in and pointed out the existing 2' x 20' wall sign on the western side of the building facing the parking lot has been removed. All of the window signs combined are less square footage than the removed wall sign. Ms. Schepisi cited Resolution #2005-02 (F):

The Applicant proposed to install lighting within the entire proposed overhang under this application which lighting shall illuminate an existing "ATM" machine located within the front or southerly façade of the building as well to illuminate the entire front or southerly façade and a portion of the side or westerly façade of the building, as shown on the Architectural Plans submitted to the Board and as testified by the witnesses. The Applicant also proposed to update and maintain existing wall lighting along the westerly side façade of the building.

Board Attorney Kaczynski cited Borough code §209-40 (F):

Lighted signs. Where permitted, lighted signs shall be so arranged as to reflect the light and glare away from adjoining premises and away from adjoining highways. No sign with red, green, yellow or blue illumination in a beam, beacon or flashing form resembling an emergency light, traffic light or other traffic signage shall be erected in any location where it may be confused with a railroad, traffic control or emergency signal. Lighted signs shall comply with the National Electrical Code and bear the Underwriters' Laboratories Seal. All externally lighted signs shall be shielded from residences and from streets or other rights-of-way carrying vehicular traffic.

No lumens limits are provided in the Borough code.

Ms. Schepisi noted that the 2005 Resolution approved an internally illuminated wall sign beneath the analog clock. Board Attorney Kaczynski cited Borough code §209-40 (Q) (2):

No illuminated sign shall be of the flashing, spelling or moving type. No outside sign shall be lighted or remain lighted between the hours of 12:00 midnight and 7:00 a.m. unless the establishment using said sign is open for business to the public during said hours, in which event any such establishment may continue the operation of said sign after 12:00 midnight and until said establishment is closed to the public.

Mr. Buga stated that the lighting will be on timers.

Vice Chairman Kuhn asked what was depicted in the window left of the entrance on Exhibit A-3. Mr. Buga answered that it is a poster on the inside the bank.

Vice Chairman Kuhn invited the public to ask questions of Ms. Molina or Mr. Buga.

Bonnie Hamilton of 141 Belle Avenue asked to see the sign location Exhibit. She asked about the new sign location. Since she lives behind the bank, she is more concerned about the signs in

the parking lot. Ms. Schepisi explained that there are no new signs being installed in the parking lot. In fact, the sign on the western side of the building has been removed.

Bon Lacanilao of 140 Belle Avenue asked about the notice that he received as a property owner within 200 feet. Vice Chairman Kuhn explained that the notice listed the previous 2005 approvals as well as what was being proposed in this application. Ms. Schepisi further clarified that the only new sign is 4' x 6' and two existing light boxes will be refaced. Mr. Locanilao asked how much the new sign weighs. Mr. Buga believes that the new sign weighs less than 100 lbs. Mr. Locanilao asked what is the wind velocity in this area. Mr. Buga answered that he doesn't have the calculations with him but could provide them. Mr. Locanilao was not satisfied with this answer and felt that Mr. Buga should have the calculations memorized. Ms. Schepisi confirmed that Mr. Buga has been installing signs for 18 years throughout New Jersey. Mr. Buga explained that his company employs engineers to calculate installation requirements. He offered to provide the engineer report to Mr. Locanilao. Ms. Schepisi confirmed that Mr. Buja is compliant with New Jersey regulations. Mr. Buja then detailed how many lag bolts were being used and their location on the sign. Mr. Locanilao was still not satisfied. Harry Hillenius tried to explain that the engineer would design the sign to be installed safely per New Jersey requirements. Zoning Officer Mazzer further explained that the applicant will submit a construction permit and the sign will be inspected. Mr. Locanilao wants to see the engineer report and Ms. Molina agreed to send it to him. Mr. Locanilao asked what the lumen rating of the new sign. Mr. Buja repeated his earlier testimony that the lighting intensity is 3,500-5,000k.

Ms. Schepisi offered that two representatives from SB One Bank were present if there were any questions for them.

Vice Chairman Kuhn invited the public to comment on the application.

Bonnie Hamilton is concerned about light spilling into her home once the trees have shed their leaves. She had a problem with a street light several years ago. Ms. Schepisi confirmed that the light was shielded once they were notified of a problem.

Ms. Schepisi agreed to work with the Board Engineer to ensure that the residents' safety and lighting concerns are satisfied. The lighting will be installed using timers. The relief being sought is for less signage than what was existing. The 2' x 20' wall sign on the western side of the building facing the parking lot has been removed. The applicant is seeking approval to replace the facing on two existing signs (atm and drive thru) and install one new 4' x 6' wall sign light box where an analog clock was located.

Vice Chairman Kuhn confirmed with Board Attorney Kaczynski that should the applicant wish to install any additional signage; a new application would be required to come before the Board for the necessary variance relief. Board Attorney Kaczynski listed the conditions of approval:

- Temporary license and indemnity agreement between the Borough and Community Bank for the overhang into the right-of-way should be updated to reflect SB One Bank and executed with the Borough Attorney
- Lighting timer to comply with the Borough code §209-40 (F) and (Q)
- Signage and installation be compliant with New Jersey laws specifically wind velocity

- Applicant would work with Board Engineer to provide certification
- Signage is restricted to what was proposed in the application and additional or different signage would constitute a new application to come before the Board
 - Ms. Schepisi confirmed that should the light boxes need new faces for a name change as an example, the applicant would come before the Board with a new application

Harry Hillenius made a motion to approve the application with the above conditions and John Montel seconded the motion. All eligible members present voted in favor of the motion.

Closed Session None

Informal Hearing None

Old Business None

New Business

- 9/27/18 Meeting Attendance
 - John Gargagliano was the only member in attendance that will not be able to attend the 9/27/18 meeting

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. John McManus seconded the motion. The meeting was adjourned at 8:38pm.

Respectfully submitted,

Tara Grunstra
 Planning Board Recording Secretary