

MINUTES  
PLANNING BOARD  
BOROUGH OF NEW PROVIDENCE  
TUESDAY, JUNE 6, 2017

A. CALL TO ORDER 8:05 p.m.

B. PUBLIC NOTICE: This is a Public Meeting of the Planning Board of the Borough of New Providence, County of Union, and State of New Jersey. Adequate notice of this meeting has been given in accordance with Public Law 1975, Chapter 231, in that an Annual Notice or Revision was made in conformance with Section 13 of the Act.

C. ROLL CALL: Present: Gene Castagna, Bill Hoefling, Chairman Lesnewich, Mayor Morgan, Robert Sartorius and Denise Torsiello. Absent: Matt Cumiskey, Gary Kapner and John Keane. Also present: Amanda Wolfe, Board Attorney; Susan Gruel, Borough Planner; Michael O’Krepky, Borough Engineer; Keith Lynch, Director of Planning and Development; and, Margaret Koontz, Secretary

D. PLEDGE OF ALLEGIANCE

E. PUBLIC HEARING

JPMorgan Chase Application #2017-01  
75 South Street, Block 171, Lot 25, CCD, New Providence, NJ 07974  
Preliminary and final site plan approval to redevelop the property for a bank with variances to allow three signs, rather than one; a freestanding sign having 36 SF and a wall sign of 36.9 SF, rather than 25 SF; and light poles having a height of 25 feet, rather than 20 feet, together with any additional variances, waiver or other relief required by the Board.

Gregory Meese of Price, Meese, Shulman & D’Arminio, attorney for the applicant, introduced the application to redevelop the former Friendly’s Restaurant site at 75 Street as a JPMorgan Chase bank branch. The application is more involved because of a land swap of two parcels: A portion of Block 171, Lot 13 presenting 7,862 SF or 0.1805 acres that belongs to the Borough, will be annexed to the applicant’s property (Block 171, Lot 25) and a larger part of the applicant’s property (9,756 SF or 0.2240 acres) will be turned over to the Borough. While the land swap has been agreed to between the parties, it has not been perfected because of Green Acres issues; therefore, the applicant proposes to redevelop the property in two phases. Phase 1 would be the development of the applicant’s (former Friendly’s lot) only. In Phase 2, which is contingent upon on the land swap, the rear of the

bank would be developed to add a drive-up ATM. An additional variance for the side-yard setback is required for Phase 1. Phase 2 complies with the zoning requirements. The applicant's property is in the Central Commercial District while the Borough-owned property to be annexed is in the R-2 Zone.

The proposed bank is 2, 687 SF with 25 parking spaces reduced from 44 spaces on the site. The property is in a flood hazard area floodway resulting in severe New Jersey Department of Environmental Protection (NJDEP) restrictions: Three sides of the building must be constant to the building; the first floor elevation has to be 1' above the NJDEP flood hazard design flood elevation which impacts access to the building in terms of Americans with Disabilities Act (ADA) requirements; and, fill can't be added on the site. The building will be expanded at the back.

The following witnesses were sworn in: Matt DeWitt, Project Engineer; Stephen McGrane, Project Architect; David Shropshire, Traffic Engineer; Paul Grygiel, Project Planner; Michael O'Krepky, Borough Engineer; Keith Lynch, Director of Planning and Development; and Susan Gruel, Borough Planner.

Matt DeWitt, Core States Group, presented his credentials as a licensed professional civil engineer and was accepted as such. The applicant proposes to redevelop the former Friendly's Restaurant site with a JPMorgan Chase Bank. The following exhibits were marked:

Exhibit A-1 – Flood Hazard Sheet-Existing Conditions dated April 10, 2017.

The property sits along the Salt Brook with a riparian zone and flood way. The entire parcel sits in the flood hazard area floodway. The bank is a permitted use. Phase 1 requires a side-yard variance and Phase 2 requires all the bulk variances as identified. The land swap involves a parcel along the northwest corner of the applicant's property and a 16' wide strip on the northern boundary of the applicant's property that will be conveyed from the Borough to the applicant. A parcel on the south and southwest side of the applicant's property will be conveyed to the Borough. The lot coverage for the proposed bank is not affected with the change in lot size as a result of the land swap.

Exhibit A-2 – Proposed Conditions Plan dated April 10, 2017.

This plan was submitted as part of the application to NJDEP and shows the elevations, parking area and striping, existing footprint and the bump out for the new building. The applicant met with NJDEP in February. Because of floodway, NJDEP permits the elevation or reconstruction of a lawfully existing building or the horizontal or vertical expansion of the existing building. The applicant proposes to demolish the existing building and rebuild on the same footprint holding the southern, eastern and western faces of the existing building as

required by NJDEP and expand the northern side by 418 SF. The elevation in the floodway is 215.4' and the proposed finished floor for the new building will be elevated to 216.4.' Fill cannot be brought into the site so the area under the ramp to the front door will be open to allow flood waters to pass underneath. Some of the existing pavement on the site will be removed to comply with the requirement for vegetation at the top 25' of the stream bank.

Exhibit A-3 – Conveyance Shadow Exhibit dated April 10, 2017.

The exhibit shows the upstream and downstream conveyances and ratios. The remote ATM is considered an accessory structure and is allowed within the conveyance shadow triangles.

Exhibit A-4 – Phase 1 & 2 Exhibit dated March 13, 2017.

The exhibit shows the differences between the two phases. Phase 1 shows the work to be done on Lot 25 without the land swap. Phase 2 shows the remote ATM to be constructed after the perfection of the land swap and the milling and paving for the drive through. Three spaces at the rear of the building in Phase 1 will be relocated in the middle of the island for the drive through. The two curb cuts remain in Phases 1 and 2. The ATM is above the existing grade and is allowed because it's in the conveyance triangle. The base of the ATM will field water, but the ATM mechanics are above flood level.

The building is oriented to front the parking lot rather than South Street which is not in keeping with the Borough's Design Standards. Mr. DeWitt stated that the building orientation is locked into the requirement to hold the western, eastern and southern faces of the building per NJDEP. The front door is elevated with access by stairs and the ADA ramp. It wouldn't be possible to have the ramp per ADA requirements if the building fronted South Street. Mr. Keith questioned why the applicant couldn't finish the building to meet the requirements for the floodway rather than elevate the building. Mr. DeWitt responded that it's possible to do this but the bank prefers to elevate the building and have the ramp. In addition, the orientation of the building is also driven by the bank's requirements for security and operational flow.

The bank doesn't generate much refuse: It's mostly paper and a shredding truck will pick it up. The refuse will be kept inside so there is no need for a dumpster which could be lifted up in a flood.

The existing monument sign on the southeast corner of the property will be replaced with a 32 SF sign which requires a variance for the size. The size is needed for visibility.

Mr. DeWitt described the lighting plan (Sheet C-5 of the site plan). The applicant plans to replace lights in location. The 25' fixture in the parking lot will have a three-headed fixture and a new free-standing light will be installed on the western side of the property toward the

stream. The foot candles are higher for the lights near the ATM and vestibule of the bank. Mr. DeWitt noted that the variance for the height of the lights is no longer required. There are three recessed LED lights in the overhang by the front door. Mr. DeWitt will add the lighting details to the elevations. The applicant can't add any more light poles or islands because it's considered fill. A 2-foot candle is required by the state for the ATM for safety. There shouldn't be any glare because the LED faces downward. The ATM is under the canopy which has recessed lighting. Mr. DeWitt doesn't think the site will be a hot spot of light for drivers. The interior ATM also has to be illuminated for 60' so the light bleeds by 10' into the street. Addition of the ATM is dependent on the land swap. If the land swap isn't perfected, the ATM lighting isn't an issue. Shields can be added to the light fixtures to limit spillage to the neighboring properties.

The existing utilities for gas, water and sanitary will be used. The building is elevated so there are no pitch issues. The landscaping is limited by the site's location in the floodway. Smaller decorative shrubs will be planted in front of the building and additional planted areas along South Street will be added per the Borough Planner's comments in her letter dated May 3, 2017.

Messrs. DeWitt and Meese reviewed the Borough Engineer's comments in his letter dated April 26, 2017. The sanitary sewer will be inspected by camera. The plans will be updated to show the parking lot setbacks. The curbing will be granite. The applicant will ask for a waiver for parking in the front yard and for loading requirements. The applicant will provide a copy of the entire DEP submission. The ADA ramp will be elevated and open underneath. The outfalls and associated pipes will be cleaned out. The NJDEP permits will be provided. The storm sewers will be inspected and repaired if damaged. The applicant will notify the Borough Engineer 48 hours in advance to witness the testing specified in Grading Note #2. Results of the inspection for the sanitary sewer service point of connection as described in Keyed Note "A" on Sheet C-4, Utility Plan, will be provided. The inverts for the sanitary sewer line will be provided. An on-site generator is not proposed. The site will have a transfer switch so that a portable generator can be brought in for a prolonged power outage. The transfer switch will be located at the back of the building above the 100-year flood line. The gas and electric meters are on the north side of the building at the back and are above the flood plain. They are not screened. The plans will be revised to show the location of the meters. Details of the sanitary sewer clean out will be provided. The mounting heights of the proposed lights are 25' and conform to the ordinance for site lighting. The applicant will use the existing lighting along the frontage of the property. The pole base will extend 36' above grade. The applicant will work with the engineer to keep the same grade for the parking lot and will provide information regarding the concrete pad for the remote ATM island as well as specify the location of the curb depression. The sign on the eastern elevation is smaller than depicted and is conforming: This will be corrected on the plans. The height of the ATM canopy is 9' 4" from the grade to the roof and will have a headache bar and warning for the clearance. There will be a vertical Chase sign on the side of the canopy. The applicant will

determine the terminus of the two pipes shown in the manhole located in the northeast corner of the lot. An easement is probably necessary for the Phase 2 land swap: The applicant will work with the Borough on the easement. There is a park area in the front of the property with a nice streetscape seating area that the applicant is willing to keep or leave. If the applicant leaves it, it will give it to the Borough. Mayor Morgan will bring this up with Council to see about taking it. Most of the shrubs are low-lying and can't be larger because of the NJDEP regulations. The applicant is happy to keep/add trees, grass and shrubs as long as NJDEP permits. JPMorgan Chase does a thorough landscaping job. The applicant will provide the documents filed as part of the Flood Hazard Area (FHA) application. The applicant has updated the runoff rates table and it conforms, and as of now, is increasing the vegetation in the riparian zone. It will also provide the camera inspection of the existing roof drain connections. The section plans for the flood storage calculation will be provided in the full flood-hazard plan. Sheet LM-I has to be revised. There are no proposed improvements in the northwest corner wetlands of the Borough property. The applicant will coordinate with the Borough on the construction of the Downtown Sidewalk improvements subject to the Borough's decision on the park-like area. Any damage within the Borough's right-of-way will be repaired.

Ms. Gruel pointed out that the bank will have 24 more parking spaces than required. Mr. Meese responded that the spaces may be used by others as the bank doesn't generally police the parking lot unless it becomes an issue.

There were no questions from the public.

Steven McGrane, Core States Group, presented his credentials as a licensed professional architect specializing in retail banking programs and was accepted as such. The following exhibits were marked:

Exhibit A-5 – Proposed Exterior Elevations dated June 6, 2017

Mr. McGrane described the proposed building which is 33'-3 3/4" wide and 84'-11 1/2" long with an average height of 26'-6.5" with cast stone at the bottom, brick, cast stone and more brick and an asphalt roof and anodized aluminum finishing. The front door faces south onto the parking lot. The proposed building has a tower on the southern elevation and also on the South Street (eastern) elevation. The orientation of the building on the site was dictated by the site but it serves as a gateway to the downtown when approaching from the south. The windows on the front of the building and South Street are clear glass as are the glass partitions for the interior offices to provide transparency.

Exhibit A-6 – Proposed Floor Plans dated March 13, 2017.

Customers will enter through a transaction vestibule, where there will be an ATM, and then into the lobby with two teller stations and additional ATMs and waiting area to the side. The area around the perimeter will be private offices.

The Board asked about making the front entrance on South Street. This is difficult to do because of the program requirements and functions of a bank. Most JPMorgan Chase branches are 3,500 SF and this branch is less (2,867 SF) so it's tight. The Board asked if the applicant could make the building smaller to allow the entrance to be located on South Street as other branches in the area are located on the street. Several Board members think a front-facing building is better for downtown. Mr. Meese responded that JPMorgan Chase wants this to be a successful branch: To require the bank to reduce the size and change the orientation of the building on the site could impede its success and might stop it from proceeding with the application. Even if the building were re-oriented to front South Street, the steps and ramp are still needed to get into the building.

The sign and logo above the front door are 36.9 SF which is allowed. The sign on South Street is 20.75 SF and also conforms. The plans were incorrect and no variance is required for the sign on South Street. The acrylic channel letters are internally illuminated.

#### Exhibit A-7 - Rendering of the Illuminated Sign

The exhibit shows the proposed signs at night. There is a blue LED strip light that up-lights the tower of the facade and lettering. The Board doesn't want to get rid of the bank's branding but asked why the strip light is necessary when the letters are illuminated. The proposed lighting is beyond the typical goose neck lighting that exists in town. The highlighted tower emphasizes the site as a gateway into town but the bank is agreeable to dimming or shutting off the strip light subject to a post-construction review of the brightness. If the lighting is too bright, Mr. Lynch stated that he can consider the blue area as background of the sign which would exceed the allowable signage. The building doesn't have "pipe" lighting around the exterior.

#### Exhibit A-8 – Color Rendering of the Monument Sign dated December 7, 2016

The metal sign sits on a brick base and has interior illuminated acrylic channel letters with a blue band below. It's 36 SF and requires a variance for the size. The Board asked why it has to be so large since the building sign acts as the gateway to town. Mr. McGrane stated that this is the standard sign for JPMorgan Chase and its size is most likely based on visibility and the scale of the building. The building sign is not visible when driving south on South Street until the driver is in front of the building whereas the monument sign is perpendicular to the building and can be seen before a driver reaches the building. It sits 10' back so it's outside of the sight line. A variance is still required because of the size of the monument sign and number of signs.

The HVAC mechanicals will be screened. The back of the building has lower ceilings so the roof will be lower and will allow higher parapets for screening.

Exhibit A-9 – Design Standards Drawings Version 16.1

The exhibit shows a generic section showing the parapet. The construction drawings will show this specific to the building.

There were no questions from the public for this witness.

David Shropshire, Shropshire Associates, LLC, presented his credential as a licensed professional engineer and planner specializing in traffic engineering and transportation planning and was accepted as such. Trip generation for the site as a bank is similar to what it was for Friendly's Restaurant. Operation of the site as a bank is also not much different than it was for Friendly's. Per comment #51 of the Borough Engineer's comment letter regarding the sight line going through on-street parking spaces, Mr. Shropshire testified that South Street is a county road and waivers would have to be granted to eliminate on-street parking spaces. In response to the comment letter from the Police Department dated April 7, 2017, Mr. Shropshire testified that the traffic study was completed when all schools, except for Chatham, were in session. There won't be any queuing on the site so the bank would prefer not to restrict left turns onto South Street. The bank would also prefer to keep both driveways with each operating in two directions.

The Board would prefer one driveway to be used as the entrance and the other as an exit and proposed the southern driveway to be used as the entrance and the northern driveway as the exit. Mr. Shropshire responded that if the southern driveway is the only entrance, customers will drive across the parking lot to get to the parking spaces closest to the bank entrance. If the northern driveway is used as the entrance, this would conflict with vehicles exiting the ATM. If there were more intensity on the site, he would be more concerned about changing the driveways to be in and out. Mr. Meese stated that this requires further discussion.

The Board also discussed visibility when exiting the ATM because of the ramp. It is 9' from the stop bar at the ATM to the front of the building. The ramp is 1.5' high and drivers can see through the railing of the ramp. The Board noted that getting out of the parking lot onto South Street is a problem. The applicant will look at access to the site and the parking spaces with consideration for the NJDEP limitations as to what can be done on the site.

The hearing will be carried to July 11, 2017. No further notice is required or will be given.

F. OTHER BUSINESS

No other business.

G. MISCELLANEOUS BUSINESS

No miscellaneous business.

H. MINUTES

Mayor Morgan moved to approve the minutes for May 9, 2017, as submitted. Mr. Hoefling seconded the motion and the minutes were approved.

I. ADJOURNMENT

Mayor Morgan moved and Mr. Hoefling seconded the motion to adjourn. The meeting was adjourned at 10:50 p.m.

Respectfully submitted,  
Margaret Koontz  
Planning Board Secretary