

Block 2802 Lot 2 and Block 2702 Lot 1.01 – The Shoppes at DePiero Farms – Mercedes Drive and Grand Avenue West – Application for North Market Building and Site Signage

Chairman DePinto: Okay, why don't we move forward.

Mr. Del Vecchio: A1 I think we made the affidavit of notice. A2 is the monument signed plans prepared by [indiscernible][00:29:52] dated March 2, 2021. A3 is the--.

Chairman DePinto: What is the date on that, Andy?

Mr. Del Vecchio: 03/02/2021. The A3 is the [indiscernible] sign presentation package of 29 pages dated September 3, 2021. And A4 is the North Market building sign set of the [indiscernible][00:30:23] with the same date of 09/03/2021. We'll have a couple additional exhibits when the [indiscernible][00:30:48], but now I would like to just state why we're here and what we propose to do. As you know the property is owned by a series of entities currently all under the name of SHG Montvale MB and MDA LLC. The SHG entity owns what is formerly known as the Mercedes Benz side of the street and the MDA owns The DePiero side or the Wegman's side of Mercedes Drive. Both entities of course are owned by the S. Hekemian Group family [indiscernible][00:31:21]. The property is currently known as 100 at 400 Market Street and Mercedes Benz side of the development and that is Block 2702 Lot 1.01 for a series of qualifiers as a property was condominiumized for development purposes. The DePiero side or the vacant side of the street is now 40-60 Farm View and is designated Block 2807 Lot 2 with two qualifiers for the same purpose. The AHPUD zone is laid over the reference side of the property. The MPUD zone is laid over the Mercedes Benz side of the property. Now, that the technical stuff is done. Why we are here. We're essentially here for two purposes. One is approval of monument signage to bring together all sides of the street into a collective entity known as North Market. The signage is intended to reflect that and we have proposed or are proposing a series of monuments and primary entrance signs to create the cohesiveness and entirety between both sides of the street and we've got Mr. Norian here. He's the creator of the brand as well as the [indiscernible][00:32:51]. He can go through that in detail as part of assessment. The second component of the application is to seek [indiscernible][00:32:59] global variables. We want the wall mounting signs to be placed on the retail space in building one, and the retail space in building two, and the retail space in building three. I'd like to and I'm sure certain members of my team would like to take credit for looking into how we did it, but [indiscernible][00:33:24]. The B zone essentially has letter size maximum of three feet and 90% of the wall [indiscernible][00:33:35] standard and apply it to the facility on retail basis and again Dave has created a number of drawings and he can take you through that as how that looks and how they are. As we speak this evening, we do not have any particular retail candidate lined up although there are many discussions happening across the board for a variety of users and for all of those users it's their visibility and signage in the project which is why we're here. We want to be able to present to them with some certainty what they might be allowed to do [indiscernible][00:34:19]. So, it's still proposed to present those signs when tenants come in for use permit. The actual sign present it to you, have you approve it or review it, and we've

dealt with all the other signs probably at The DePiero side of the street at least we know what the rules are as we present it to the tenants and make sure we're not misrepresenting what this board might be comfortable with as we do this. So, with that said, I would like to first call Mr. Norian. He is the author of what we marked as A3 and A4 [indiscernible][00:34:58].

Mr. Regan: Sir, would you raise your right hand please. I better do Mr. Hipolit and Ms. Green too. Do you swear or affirm that the testimony you're giving [indiscernible][00:35:16] so help you God.

Ms. Green: I do.

Mr. Regan: Sir, can I have your name please?

Mr. Norian: David Norian

Mr. Regan: Spell the last name.

Mr. Norian: N-O-R-I-A-N

Male Speaker: Okay with record [indiscernible][00:35:28].

Chairman DePinto: Mr. Norian, tell the board what you do and your participation in the preparation of the serious art designs that we marked previously before you got up?

Mr. Norian: Sure. I own and operating an advertising [indiscernible][00:35:52].

Male Speaker: And your firm and you have been directly involved in the signage that has been directed as The DePiero Farm side and the Wegman's side of the property.

Male Speaker: And you also been [indiscernible][00:36:24].

Male Speaker: And you have been in charge [indiscernible][00:36:35] scheme to [indiscernible][00:36:41] the street together through the various signage and monument signage, correct?

Male Speaker: That's correct.

Male Speaker: [Indiscernible][00:36:58]. If we can start with the wall mounted signage [indiscernible][00:37:17] and we mark that [indiscernible][00:37:23] as A4. Can you tell us what you developed and without [indiscernible][00:37:29] retail spaces for buildings one, two, three?

Mr. Norian: Yeah, so, we were tasked with developing a cohesive solution that would take into account all of the actual tenants [indiscernible][00:37:52] as well and work together to develop a

comfortable and visible size range and with maximum sizes for the signage to the tenants and there are a number of signs for those tenants as well.

Mr. Del Vecchio: So, you have assigned *[indiscernible]*[00:38:34]. Can you tell us what that represents?

Mr. Norian: Yeah. So, right now we're focusing simply on the tenant signage 20,000 square feet and below that. That is the maximum size *[indiscernible]*[00:38:55] that *[indiscernible]*[00:38:57] on 300 Market Street and depends on that size working together within the ordinates and moves we want to stay with them usually that's the maximum area per sign is 60 square feet. The maximum sign height is three feet and then the maximum sign width of 90% of the available area.

Mr. Del Vecchio: So the current standard that applies to the AHUD zone is maximum height inclusive of two signs per tenant and *[indiscernible]*[00:39:52] 60 square feet and the proposal is add one sign per side could be up to two per corner tenant or one per non corner tenant. The sign also of not more than three feet in height limited to a 90% of the sign as the maximum width, is that correct?

Mr. Norian: That's correct. And just to correct it for the record. The blue being the maximum area per sign in what we're proposing will simple be a maximum height and then a maximum width of 90%.

Mr. Del Vecchio: And you've developed some potential what if illustrations on pages five, six, and seven of your *[indiscernible]*[00:40:38]. Can you tell us or walk us through them, tell us what they represent?

Mr. Norian: Sure, so on page five we've shown the elevations of what we call building two or what we now know as Beattie Padovano and we looked at the ground floor tenancy there, retail tenants. We envisioned for example purposes what it might look like for a tenant for just in this case Starbucks really for illustration only and more potentially a restaurant would be a priority here as North Market Grill just to see how those signs would look if we follow the rules of the game we're proposing on the table. And it essentially show the maximum three foot height with 90% width and the architectural band where it would be the *[indiscernible]*[00:41:39]. 36 inches and you have not yet achieved the 90% width then there you have achieved the maximum size, it would be allowed. So, it's either the *[indiscernible]*[00:42:00] or the 90% width *[indiscernible]* [00:42:01].

Mr. Del Vecchio: So, both of them would act as constraints for these signs and for the size and you believe that those are appropriate given the elevations that we would be passing as will continue to see on subsequent pages.

Mr. Norian: Yes, you can see how that they were comfortable in the sense looking at that band on the building design that's there to accommodate them which is an item just under five feet

with 11 inches, so definitely, roughly one foot which will add and contain space above and below the sign so with great intentions usually within that space.

Mr. Del Vecchio: Could you turn to page six and walk us through what that represents?

Mr. Norian: *[Indiscernible]* [00:42:52] different numbers we're proposing in this scenario. So this shows us an example what we know as building one 100 Market Street, residential building retail *[indiscernible]* [00:43:11] and you'll see the side of the building varies from tenant space to tenant space for available sign band changes. And then you'll see what for example on the right the first tenant sign where it says tenant would have applicable at 36 inches high and within each space. And then subsequently the space to the right, *[indiscernible]* [00:43:45] a tenant sign there and in that case we're actually only able to achieve a 22 inch height because we do have another rule *[indiscernible]* [00:43:55] which is the same area minimum. So, you can *[indiscernible]* [00:44:02] that's available on the building.

Mr. Del Vecchio: That's a very—you mean it's six inches from top to bottom. From the top of the sign, it's six inches and from the bottom of the sign?

Mr. Norian: Yes, we referenced that as a footnote on that table on page three and *[indiscernible]* [00:44:20].

Male Speaker: So in terms of the three foot height, there are actually only two places where *[indiscernible]* [00:44:34] available for any signage, correct?

Mr. Norian: *[Indiscernible]* [00:44:46] the elevation we're looking at on page six. It's the site elevation for building one that faces access road that comes into Mercedes Drive that faces building two. And we're about to turn page seven and what we're going to see is the side elevation of building three that faces building two as well and you could tell by looking here here a bit. Right so, here would be essentially the opposite side to the building one that we just looked at. So, this is the retail ground floor tenancy of building three 300 Market Street and you'll see from left to right. There are two potential tenants represented. Now, of course, this space is going to be broken up in different ways, but we're just showing here for illustration purposes and you see now the maximum three-foot height and also the six-inch offset is put into effect and how design would look given those parameters.

Mr. Del Vecchio: Again, the constraints that are concerning, but there are constraints that are created not only by these parameters, but also the sign band that's typically available in the architecture that has been approved for this building. Yeah, we talked about sides. We talked about locations. What are these signs proposed to be constructed as that size? I guess we'll turn to page eight *[indiscernible]* [00:46:28].

Mr. Norian: Alright, so page eight talks about the parameters of each tenant *[indiscernible]* [00:46:37] they prefer, their brand, their color, and photography, etcetera, but we do want to sign some general parameter upfront. So, we would like to propose to tenants

they would use [indiscernible] [00:47:00] channel letter just shown as an example, you will see. This is what was installed at the Lululemon storefront. I mean, at the other side of the property The DePiero Farm, those letters have internal LED illuminations with a specified light temperature of 5,000K which is what we use elsewhere throughout the project and of course the design, color, finish will be TBD based on the tenant. You also see the [indiscernible][00:47:36] represented which needs to be [indiscernible][00:47:39] maintained in the options which is also referenced on that table down on page three [indiscernible][00:47:46].

Mr. Del Vecchio: Now, in only places where we could have other locations for retail would be the front corner of building one. Correct?

Mr. Norian: Correct.

Mr. Del Vecchio: The two front corners of building two. Correct?

Mr. Norian: Correct.

Mr. Del Vecchio: And the one front corner of building three?

Mr. Norian: That's correct.

Mr. Del Vecchio: Are those the only places where two signs will be possible with one on each elevation [indiscernible][00:48:34] for a single tenant?

Mr. Norian: Correct. And you're aware the design [indiscernible][00:48:43] prevents the rear façade to the space, so [indiscernible][00:48:51].

Mr. Del Vecchio: Correct, so the total 60-square-foot dimension that is permitted on the current code [indiscernible][00:49:12] if identified can never be achieved because all the other spaces will not have more than one elevation on the [indiscernible][00:49:20].

Mr. Norian: That's correct.

Mr. Del Vecchio: Chairman, I was going to now move into questions or presentation on monument signs and offer the opportunity maybe to stop and move on to building signs or continue or proceed at your direction.

Chairman DePinto: Why don't we first see if the board members have any questions to the building signs before we go into monuments. I do have a comment with respect to your notation on page eight which states design, color, finish to be determined based on 10, however, I presume we're going to follow the same procedure as we did with The Shoppes at DePiero that sign applications will be submitted along with use permit applications. So, therefore the approval

is not solely based on what the tenant is looking for, but also to be approved by the planning board.

Mr. Del Vecchio: Absolutely.

Chairman DePinto: So please correct that notation on this plan.

Mr. Del Vecchio: Absolutely.

Chairman DePinto: To be based on TBD based on tenant and Montvale Planning Board approval. And with respect to the facade signs or building signs, I guess, starting with Mr. Lintner?

Mr. Lintner: Thank you. I just have two questions or two comments. At this point, is there any limitation *[indiscernible]* *[00:51:06]*? Are we going to maintain Montvale color standard per 10?

Mr. Del Vecchio: Yes, we are not requesting or seeking variants of release for the color standards. It's in the ordinance, so by that very nature requesting relief where we remain subject to.

Mr. Lintner: Okay, and just one of the comments what I would like to see is the quality of logos limited to one per sign. I'm afraid because you got a situation where you've got 150 feet and your sign is only 30 feet long. I need to see 45 logos filling up the rest of the space.

Mr. Del Vecchio: In my opinion, that couldn't happen. You're allowed one sign per tenant, right? I'm sure as we're sitting here, your professionals are going to call, you know, if the text is John's Retail that's a sign. And if you put the logos somewhere else that's another sign and that couldn't happen to have two signs at one façade. I would stipulate—I'll try to get.

Mr. Lintner: I just wanted to ask if that's going to be limiting to you and your clients too because I mean for example, Starbucks is only going to want to show their Starbucks. And Chase is always going to have their...

Mr. Del Vecchio: One comprehensive sign. You wouldn't take that Chase logo to put it 20 feet and still have Chase over here. I would say you still have two separate signs.

Mr. Stefanelli: But what happens if Chase has a second logo? I know it was one *[indiscernible]* *[00:52:53]*.

Mr. Hipolit: Exxon is torturing us with this. They want to put a sign everywhere.

Mr. Regan: Right, right.

Mr. Stefanelli: Do we allow one in the front and one behind the sign?

Chairman DePinto: Well, I think that can be incorporated in a resolution, Bob.

Mr. Lintner: Yeah, I just wanted to make sure the available space doesn't get gobbled up by nonsense.

Chairman DePinto: Yeah, I think it's yeah

Male Speaker: The logos *[indiscernible]*[00:53:13].

Chairman DePinto: Yeah, exactly.

Mr. Regan: And also, obviously, we're going to come back with the sign as part of the approval as stipulated, so you're going to have *[indiscernible]*[00:53:21] say that anyway.

Male Speaker: Yeah, but *[indiscernible]*[00:53:25].

Male Speaker: I know *[indiscernible]*[00:53:25].

Mr. Stefanelli: We rather have the applicant know upfront, so it's an easy approval.

Male Speaker: *[Indiscernible]*[00:53:32].

Male Speaker: I'll just add this. Terminology can be used interchangeably. Some people *[indiscernible]*[00:53:47].

Mr. Norian: I think you're referring to a visual mark like Starbucks does when they have a circle mark right next to it.

Mr. Lintner: Typical question is the picture you showed of Lululemon, is that one sign or two signs?

Mr. Norian: It's one sign.

Mr. Lintner: Okay, and if they put that logo on the back of that sign that would still be one sign with two logos.

Mr. Norian: And when you say the back?

Mr. Lintner: Up at the end.

Mr. Del Vecchio: Yeah, I think as long as it's in close proximity. The further the sign part of that 90% calculation, it's just one.

Chairman DePinto: No, but I think that's a good point.

Male Speaker: That's you're trying to eliminate.

Chairman DePinto: Yeah, let's take that Lululemon sign and you have that red image whatever that thing is. What happens if they wanted to put one before the L and another one after the N?

Mr. Stefanelli: Right, in a different color *[indiscernible]*[00:54:54].

Chairman DePinto: In a different color, same color, whatever.

Mr. Del Vecchio: I would go back to the same standard answer which is image part of the singular sign and you draw a box around it which ordinance requires, and it stays within the 90%. It shouldn't matter whether there's text or a graphic in there.

Chairman DePinto: Right, but I don't agree. It may be a correct interpretation the way the code is written, but that definitely, if someone, if the name of the store was Lulu and not Lululemon and they put three or four of that those icons in front of the Lulu and another three or four behind it. That's exactly Bill is saying he doesn't want to see. So, therefore, let it be limited to one icon or call it whatever it is properly called or one logo. And then if they want relief from that when they come in for their sign approval and use approval then the board will consider it. But I think to allow the one is reasonable. More than one is not reasonable. So, I think it's very valid point.

Mr. Del Vecchio: If the formal Lululemon logo had, let's just say, three marks and that's what they use in their company branding and that's what's on their website and that's just on the *[indiscernible]*[00:56:28] let's just say that would make sense, but let's say they did that.

Chairman DePinto: They need relief. They're coming to us anywhere. They need relief and I think we're not unreasonable. If they show that this is what it needs to be based upon their national image or whatever it might be or certainly the board will take that into consideration, but I think they'll raise a very valid point. You could in theory wind up with a number of these things and that I think will destroy the aesthetics of this project which nobody wants to do.

Mr. Del Vecchio: I can't think of one off the top of my head so I'm not really--.

Chairman DePinto: Nor can I

Male Speaker: *[indiscernible]*[00:57:24]. *[indiscernible]*[00:57:26] that we embrace and that we wouldn't *[indiscernible]*[00:57:29] if it was *[indiscernible]*[00:57:37] allow that to be proposed if it was objectionable and of course you have that *[indiscernible]*[00:57:40] off which is your *[indiscernible]*[00:57:43] approval for them *[indiscernible]*[00:57:42].

Chairman DePinto: But it's a comfort to us to have it included in the resolution, so Bob, could you?

Mr. Regan: Okay, condition, one logo per sign.

Chairman DePinto: Okay, very good.

Male Speaker: Nothing else.

Chairman DePinto: Thank you Bill. John?

Male Speaker: You may want to refer to that as a visual mark or logo or a visual mark and that versus the text portion of the whole thing completely in different logos or signs.

Chairman DePinto: Good. John?

Male Speaker: For those tenants that are on the corner, the proposal that there would be potentially a sign and a sign either at the corner and also *[indiscernible]*[00:58:20] two potential signs on that or more corner. You said one per tenant *[indiscernible]*[00:58:26] two plus two.

Male Speaker: No, *[indiscernible]*[00:58:35] would be the match.

Male Speaker: Four seem like over hill.

Male Speaker: I think it's three. I think the way that the *[Indiscernible]*[00:58:42].

Male Speaker: Okay, that makes more sense.

Chairman DePinto: So, it's one blade sign per use, is that correct?

Male Speaker: That's what the original ordinance was written.

Chairman DePinto: And you're seeking to a maximum of three on the corner units?

Mr. Del Vecchio: No, I'm referring to Dave on what the vision is that for that.

Mr. Norian: Our original intention was that the reason why each façade is to be allowed a sign is because each façade can only be viewed in certain circumstances by itself. With that in mind, it was. And so, with that in mind *[indiscernible]*[00:59:30].

Male Speaker: *[Indiscernible]*[00:59:41].

Male Speaker: Originally, it was not *[indiscernible]*[00:59:56].

Chairman DePinto: Wasn't that theory that these bullet signs they work for the benefit the pedestrians walking along walkways being able to identify a store that maybe a few hundred feet ahead and not having to jump out into a roadway. I don't know if you need three to do that quite

frankly. I think the audience was correct in stating one per tenant and again the wonderful thing about the process that we employ is if they come in for their use approval and their sign approval, if they feel that three is better than one, and they could justify it then seek relief, but to grant a blanket on that right now I would not support that.

Male Speaker: Okay, I think what we will do is we'll do one blade sign per tenant and then all the tenants may have two wall signs otherwise you will have one wall sign to the non-corner tenant plus one blade sign.

Chairman DePinto: Right, I'll go with that.

Male Speaker: Let me go with that.

Chairman DePinto: Okay, Dante?

Mr. Teagno: *[Indiscernible]*[01:01:16].

Chairman DePinto: Very good. Thank you. Mr. Culhane?

Mr. Culhane: *[Indiscernible]*[01:01:20].

Chairman DePinto: Okay, thank you. Mr. Zitelli?

Mr. Zitelli: No question.

Chairman DePinto: Thank you. Mr. Gruber?

Mr. Gruber: The only question I have is that corner unit once again. Do you think it's really beneficial to the town to have a sign on both sides in such a tight corner like, take the center building for example, the corner units, they're just going to be facing buildings one and three? Who's going to see that sign?

Male Speaker: *[Indiscernible]*[01:01:55].

Male Speaker: *[Indiscernible]*[01:01:57] *[laughter]*.

Mr. Gruber: It's like overkill to have two signs and *[indiscernible]*[01:02:10].

Mr. Norian: Right, so I'll speak to that. So in that particular case, we actually *[indiscernible]*[01:02:17]. But I think it would actually be useful to have one on each side. Let's say you're on Mercedes Drive, when I'm driving on Mercedes, if I'm a tenant, I'm going to want to be visible on both sides.

Mr. Stefanelli: I don't think we're arguing that point.

Mr. Norian: Yeah. No, I guess just speaking. Yeah, so if we agree on that then we're okay to your point *[indiscernible]*[01:03:01].

Mr. Gruber: Right, there's no further question.

Chairman DePinto: Very good. Thank you. Frank?

Mr. Stefanelli: No, I think everything has been asked.

Chairman DePinto: And Dieter?

Councilmember Koelling: Same.

Chairman DePinto: You're good and Bill we started with you right? Okay, why don't we-- okay before we move onto monument signs, Andy and Mr. Regan with respect to a drafting of a resolution. This is a pretty comprehensive sign plan and that's what we want to do. We need a little more specificity set forth in some sort of spreadsheet I believe.

Mr. Regan: Kind of a listing.

Chairman DePinto: Andy, so that Bob could prepare a resolution to do ask your professionals to prepare something like that to be used as an attachment.

Mr. Del Vecchio: Yeah, *[indiscernible]*[01:03:58] inserted into this document directly that's fine.

Mr. Regan: That's fine. *[indiscernible]*[01:04:05] to be one sign plus one blade sign per tenant. For the corner units, it will be one sign on each corner.

Mr. Del Vecchio: Yeah, it could be if it's non glass. If the corner units do not have plastic, would be second sign on the wall in addition to the tenant on *[indiscernible]*[01:04:27]. In the situation where you have glass *[indiscernible]*[01:04:31] which occurs on building two predominantly, you would have the front sign facing Mercedes very likely and possibly a blade sign. That would be the only sign. So one sign per tenant per façade that is not glass and then--.

Mr. Regan: Let me write this down.

Male Speaker: Sure.

Mr. Regan: One sign per tenant.

Male Speaker: Per tenant if not glass.

Male Speaker: For non-glass, okay.

Mr. Norian: And then we would amend for the discussions and questions and answers here today, we would amend it to two to allow them one projecting blade sign per tenant.

Mr. Regan: One sign per tenant non-glass. Then to allow one projecting blade sign per side.

Male Speaker: Yeah.

Male Speaker: Okay.

Chairman DePinto: Anything more on that, Bob?

Male Speaker: No, I think I got it.

Chairman DePinto: Plus you will provide something for inclusion

Male Speaker: Yes.

Mr. Regan: *[indiscernible]*[01:05:49] as possible because we have a whole range of signage possibilities and this resolution will probably be referred to decades from now.

Chairman DePinto: Yeah, of course.

Male Speaker: I mean, this conflict is going to be around long after were gone.

Chairman DePinto: Yeah, Darlene?

Ms. Green: Can you clarify non glass because from Bob's point, we're going to be implementing this from here on out. Every tenant has a window so what I don't understand by this non glass because I don't have the building's façade of one and three in front of me but I'm pretty sure those corner units have windows facing Mercedes Drive.

Chairman DePinto: Yeah, but we're talking about the area above the window. Is that what you're referring to as glass?

Mr. Norian: Yeah.

Chairman DePinto: So not glass, but not window?

Mr. Norian: Correct.

Male Speaker: *[indiscernible]*[01:06:53].

Male Speaker: *[indiscernible]*[01:06:55] how much percentage of glass *[indiscernible]*[01:06:58].

Mr. Norian: We don't want to allow *[indiscernible]*[01:07:01] we didn't want to allow those tenants on the corner of that building *[indiscernible]*[01:07:11] to say well, this is a façade, we should be able to put a sign here right because these are all glass, so basically, you can't put a sign on glass.

Ms. Green: Do you think there's no sign band that wraps around 200 Market Place?

Mr. Norian: Correct.

Ms. Green: So I think for whoever has to implement this 10 years from now, it is sort of non-glass *[indiscernible]*[01:07:39] and able to say you cannot have two signs if you're a corner tenant *[indiscernible]*[01:07:42] at 200 Market Place. Whereas one and three were designed, to have potentially a sign on either side.

Mr. Del Vecchio: I was thinking the same thing before you said that. Maybe one and three yes and no one two.

Chairman DePinto: And no on two.

Mr. Del Vecchio: Right.

Chairman DePinto: Go with it that way, Bobby.

Male Speaker: Yeah, *[indiscernible]*[01:08:06].

Mr. Norian: Yeah, we just-- I think we're all in agreement. We don't want a tenant to come in and, in other words, you can't put a sign on glass. You can't put any type of decal or lettering on glass. We don't want to allow that right, so it has to be a signage. I like your idea.

Darlene Green: Okay.

Chairman DePinto: Okay.

Mr. Regan: Let me just be clear. One and three, buildings one and three can have two signs.

Chairman DePinto: The two signs within the band, the sign band area. Prohibited on corner units building two or not allowed actually. Okay, why don't we do the monument signs and is Dave going to testify on those or are we going to bring up Mike or?

Mr. Del Vecchio: Dave is going to testify on the designs, what they look like the theme and then Mike will testify on making comments and then a formal conclusion to tie it all together.

Chairman DePinto: Okay. Good.

Mr. Del Vecchio: *[Indiscernible]*[01:09:36]. and I will I'll propose we mark this at this point will be A5 and will call it a site aerial on L2A letterhead which has been labeled as EXO2

Chairman DePinto: Yes, Mr. Hipolit, I'm going to ask you to wait one second. We're missing a board member and I would like to have them back. Please continue.

Mr. Del Vecchio: Okay, so *[indiscernible]*[01:12:49] and Dave will walk you through it right in detail, but it's actually the *[indiscernible]*[01:13:01]. You have primary monument sign number one which would be just across the entrance from the Borough Hall driveway heading up to the office building two and The Shoppes at DePiero Farm and entrance sign two. *[indiscernible]*[01:13:19] and that's sign three and then we have primary monument sign four which is located on Grand Avenue just as you get off the parkway and then finally which is primary monument sign five which is at the intersection of Phillips and Grand phase two. They've just completed a site plan application before you. Dave, if you can walk us through your design and your thoughts on how you can combine two ends of the project together into a cohesive manner.

Dave: Sure. The last *[indiscernible]*[01:14:06] as I mentioned we have two signage types and the primary monument and again we got the entrance monument into the Mercedes side of the project. The primary monument has the branding for the entire project on it and so I'm just going to hold it up so we're all on the same page. *[indiscernible]*[01:14:39] for North Market need to be developed, but *[indiscernible]*[01:14:51]. and the rest of the sign will be *[indiscernible]*[01:15:27]. And then here you see the entrance were going to do a stainless-steel slat that you can see through and it will be a very nice visual effect and so that will be both sign types. On the entrance monument again you're *[indiscernible]*[01:16:16] and then the sign spaces for each tenant logo within parameters that are set and outlined in the document that you have been provided and again a flood light illumination for the whole sign in a soft light.

Mr. Del Vecchio: When you talk about *flood lights*, you're referring to the similar flood lights that are used in DePiero Farms to light the rear signage of the building that faces *[indiscernible]*[01:16:54]. And that sign type is specified in the plans that we provided.

Dave: Correct and that sign type is *[indiscernible]*[01:16:57].

Mr. Del Vecchio: So maybe you just walk us through *[indiscernible]*[01:17:00] what the signs are, maybe you just walk us through one page 9 and these are going to be double sided as well.

Dave: Sure. *[indiscernible]*[01:17:13] a primary monument. Again, these are going to be double sided *[indiscernible]*[01:17:31] and single sided *[indiscernible]*[01:17:34] so our primary monument is one and primary monument sign number four will be double sided with lettering on both sides of the sign *[indiscernible]*[01:17:50].

Mr. Del Vecchio: So primary monument signs are essentially located at the corners of the property and that kind of creates the North Market District.

Dave: Exactly, that is what will [indiscernible][01:18:17] the size and that's why we need to [indiscernible][01:18:21] you're entering North Market branding for those signs at this point but again [indiscernible][01:18:30]. So this is the system we came up with in order to tie both of the sides together [indiscernible][01:18:44] keep the identifies for the [indiscernible][01:19:24] vertical aluminum glass around in an aluminum frame, the concrete has no base and letters that are coated with aluminum. [indiscernible][01:19:37].

Mr. Del Vecchio: So the tenant monument sign is similar in terms of its construction but it's purpose and message is [indiscernible][01:19:55] , correct?

Dave: That would be a [indiscernible][01:19:58] and it's on page 16 in detail [indiscernible][01:20:05]. And the [indiscernible][01:20:29] again lighting will sideways [indiscernible][01:20:38]. Now that [indiscernible][01:20:43] tenant signage [indiscernible][01:20:52] to show you what that will look like. We actually are going to assign each tenant [indiscernible][01:20:54] specific area and you can see that on page 17 [indiscernible][01:21:00] so this will be the area that you will have as tenant to operate within [indiscernible][01:21:17]. This is the tenant in black letters only for sophistication of the sign.

Chairman DePinto: So all of-- I'm sorry. All of the tenant designations will be black on the middle background?

Dave: Yes.

Chairman DePinto: Okay.

Mr. Del Vecchio: So the [indiscernible][01:21:44] everything will be black [indiscernible][01:21:51].

Male Speaker: And that includes North Market?

Male Speaker: Exactly, that's where the sign [indiscernible][01:22:01].

Mr. Teagno: May I ask a question?

Chairman DePinto: Sure.

Mr. Teagno: So the picture we saw of Lululemon, that's not going to be duplicated in the area that says tenant?

Male Speaker: So let's take a little example, their brand logo would include the mark, their symbol and the word Lululemon.

Male Speaker: *[Indiscernible]*[01:22:40].

Male Speaker: No, there will be *[indiscernible]*[01:22:44].

Mr. Teagno: Okay, the reason I'm asking is that you drive in and see Dick's Sporting Goods on the top of the sign area which is not *[indiscernible]*[01:23:01] green or whatever it is a certain type of logo I think coming in, if I saw that same thing on this tenant sign and then look for that to get my bearings.

Dave: No, *[indiscernible]*[01:23:23].

Mr. Teagno: So, the same thing is on the sign on the store.

Male Speaker: Yeah, you might see a *[indiscernible]*[01:23:30] two logos essentially a logo type, right *[indiscernible]*[01:23:44].

Chairman DePinto: Yeah, Dante, that's not what you're talking about. You're talking about the color of the type style or the font.

Male Speaker: *[Indiscernible]*[01:23:57].

Chairman DePinto: And *[indiscernible]*[01:23:58], here let's say Vanilla Sky has kind of a street type of sign right. Starbucks is more of a block letter I would call it. If Starbucks has a green font and Vanilla Sky is blue, do you think that would be better than everybody having black.

Mr. Teagno: Yes, and the other thing is if it's not-- we're not letting them do whatever they want we're going to have to decide on that when we get the sign approval so maybe we should have a rule one way or the other on that. I was just thinking if they're all in black they might be difficult to distinguish them as opposed to being the same as what's on the building.

Mr. Stefanelli: I'd rather have them all the same.

Male Speaker: *[Indiscernible]*[01:25:02].

Chairman DePinto: No, it's just for the natures okay.

Male Speaker: *[indiscernible]*[01:25:08].

Chairman DePinto: No, no.

Male Speaker: Okay.

Chairman DePinto: Okay, strike that. As per design of Dave, one color black. Got it.

Male Speaker: *[indiscernible]*[01:25:30] nearly every retailer or *[indiscernible]*[01:25:32] on having black on their logo and that *[indiscernible]*[01:25:40].

Chairman DePinto: I want that *[indiscernible]*[01:25:45] [laughter]. attached to this application. Wow, that was a great line. God, will I remember that [laughter].

Male Speaker: *[indiscernible]*[01:26:04] on my side.

Chairman DePinto: No question.

Mr. Del Vecchio: Okay, *[indiscernible]*[01:26:17] what we just talked about the color of the sign themselves *[indiscernible]*[01:26:25] on page 22 and then I would like to cover page *[indiscernible]*[01:26:31].

Chairman DePinto: Before you do that, Dave. Let me take you back to page six which I believe you use this sign as the inspiration to design the signs for the site and I saw this earlier on and I thought it was very different. I think it had a uniqueness to it. What can you tell us about it that makes it so special before you go into the details of what you're proposing?

Male Speaker: So, you're correct this was our design inspirational reference. The design that we discovered and researched *[indiscernible]*[01:27:28] sign design has inspired of what we want to do here from a distance that *[indiscernible]*[01:27:42] and then the letter would sit on top of those slats. It's not *[indiscernible]*[01:27:53] on page six. Some of them maybe cut out *[indiscernible]*[01:27:58] that's not material *[indiscernible]*[01:28:02] but the letters in our case are going to sit on top of the slats and look similar to how it looks and what you see here is a natural color and then the letters stand out strong against that.

Chairman DePinto: I think what's important to point out is the width of the slats as well. So, when-- my understanding is when you look at the signs depending upon the angle at which you are looking at the sign, the background will appear differently. So, it will be somewhat translucent if you're standing directly in front of the sign, but because the sign is six inches in depth, if you move two feet to the right, it's going to appear to have more of a solid background. Is that correct, Dave?

Dave: That's correct.

Chairman DePinto: And I think that's important for the uniqueness of that sign and the concern that we had at site plan or review meeting was being able to see directly through the sign. The font on the reverse side of the sign which you believe is negligible, was that correct?

Dave: Correct and we come up with a solution to address that which is that the backs on any letters on either side would be finished in the same color as the slats themselves so they would blend in.

Chairman DePinto: So, when I look at the back of the sign, I'm not going to be seeing the reverse side of the front of the sign distorting the lettering on the back of that sign.

Dave: That solution will work to prevent that from happening. You may see the shadow of the letter, but you won't be able to read it because it will blend in with the sign.

Chairman DePinto: Okay, I got it.

Dave: And you know *[indiscernible]*[01:30:11] why we want to have unique signs and why do we want to have a sign that is very important because the developers want to create the impression that you create for people and by setting the stage for design up front shows that those details are going to be taken into account.

Chairman DePinto: Our most unique signs are our Sloan Kettering signs, so we're constantly getting compliments on the signage that we approved up on Sloan Kettering and they took great pains to come up with those signs and we're hoping that the work that you've done will result in that certain unique look that people will say wow what a great sign story you're doing.

Dave: Yes, exactly.

Chairman DePinto: So, we're not putting too much weight on your shoulders.

Dave: No, but there's a nice simplicity, but yes, there's that detail that we talked about with the slat and we took care of it *[indiscernible]*[01:31:28] with settled on a 1 ½ inch slat width and also a uniform look with the width and the gap.

Chairman DePinto: Okay.

Mr. Del Vecchio: *[Indiscernible]*[01:31:41] that you would see *[indiscernible]*[01:31:45]. *[indiscernible]*[01:31:45] talk about the *[indiscernible]*[01:31:46] on page 23, I think *[indiscernible]*[01:31:50] to show you how that lighting works *[indiscernible]*[01:32:11] because of the slash and not the solid background so *[indiscernible]*[01:32:23]. It feels more like a *[indiscernible]*[01:32:25] and then you see *[indiscernible]*[01:32:35]. We focused on the *[indiscernible]*[01:32:35] North Market and we're also discussing *[indiscernible]*[01:32:40]. So I think that concludes our monument sign presentation and *[indiscernible]*[01:32:53].

Chairman DePinto: Okay, let me first go to Andy, Andy do you have comment or question?

Mr. Hipolit: Yeah, so on lighting. So that's 5,000k *[indiscernible]* [01:33:24].

Male Speaker: *[indiscernible]* [01:33:39] now we've tried to move *[indiscernible]* [01:33:42].

Male Speaker: *[indiscernible]*[01:34:13] and they're going to have the market sign.

Male Speaker: *[indiscernible]*[01:34:19] you're putting two signs right next to it *[indiscernible]*[01:34:25].

Male Speaker: *[indiscernible]*[01:34:26] have both of them match *[indiscernible]*[01:34:32]. And what is being said is that *[indiscernible]*[01:34:43] onto this monument sign *[indiscernible]*[01:34:46] should match the *[indiscernible]*[01:34:51].

Male Speaker: Or you could change that to match yours as long as it's consistent that's I what I think *[indiscernible]*[01:34:56].

Male Speaker: *[indiscernible]* [01:34:59] but we just want to make sure the light around individual signs is persistent, so *[indiscernible]*[01:35:11].

Mr. Hipolit: And we agree with that. I don't have a problem with that.

Male Speaker: Or they change it.

Male Speaker: Okay, alright.

Chairman DePinto: Andy?

Male Speaker: *[indiscernible]*[01:36:08] with the suggestion.

Chairman DePinto: Okay, why don't-- does anyone have any questions with Dave with respect to the testimony? Anyone have anything with regard to the design?

Male Speaker: The only other thing I have is the dates *[indiscernible]*[01:36:27]. He mentioned time free phase, but there's no depth of that base. Is it that base just going to sit on the ground and I'm worried about the landscaping, so is there--?

Male Speaker: Yeah, we have some dimensions.

Male Speaker: I saw a dimension but it doesn't have the height of the base so the concern I have is you know is the base going to be high enough for *[indiscernible]*[01:36:52] around it to see because I'm just wondering what type of *[indiscernible]*[01:36:58] you're going to have around there. Low grown bushes or?

Male Speaker: No, I don't have a problem with that. I just worry about, you know, it's the aesthetics surrounding the base with [indiscernible][01:37:26] . You know and there's the main sign [indiscernible][01:37:29].

Male Speaker: Okay, I agree that's why I brought it up.

Male Speaker: [indiscernible][01:37:43] would be fine because [indiscernible][01:37:47] I'm okay. I just want to--. I don't want to get into the details, but I just want to make sure that when we go on site [indiscernible][01:37:57].

Male Speaker: [indiscernible][01:38:03] that is four inches [indiscernible][01:38:14].

Male Speaker: [Indiscernible] [01:38:22] landscape plans [indiscernible][01:38:30] so everybody is [indiscernible][01:38:35]. There's no surprises. We've been [indiscernible][01:38:39]. We worked with you. You worked with us. We don't want anybody being surprised [indiscernible][01:38:43] what you see. [indiscernible][01:38:46] you can look at it and once approved [indiscernible][01:38:50].

Male Speaker: That would be a condition. Do we have [indiscernible][01:38:57] tonight?

Male Speaker: Okay.

Male Speaker: Okay. Alright, we'll have a general condition [indiscernible][01:39:08] base of each monument sign.

Male Speaker: Yeah, our landscape signs will be submitted to [indiscernible][01:39:13] here [indiscernible][01:39:16] .

Male Speaker: I just want to say that [indiscernible][01:39:22].

Chairman DePinto: Within that right.

Male Speaker: So that's just the key, so [indiscernible][01:39:35].

Chairman DePinto: Yeah, I think we can deal with it. When the permits are submitted or when the application is submitted to the building department for permits.

Male Speaker: For the signs.

Chairman DePinto: For the signs, that a landscape plan be submitted with it and Chris, you forward it to [indiscernible][01:40:09] for approval or Andy and before you sign [indiscernible][01:40:15] on any permits. I think that is reasonable.

Male Speaker: Probably.

Chairman DePinto: Why don't we hear from Mike *[indiscernible]*[01:40:34] with regard to engineering and then move on to planning. Sure.

Male Speaker: *[indiscernible]*[01:41:18] the actual signage *[indiscernible]* is seven feet *[indiscernible]*[01:41:24]

Chairman DePinto: 7'2".

Male Speaker: 7'2" and then seven feet. 7'2" total and then *[indiscernible]*[01:41:35].

Male Speaker: *[indiscernible]*[01:41:49] behind the sign is 7'2" or 7'?

Chairman DePinto: 7'2".

Male Speaker: *[indiscernible]*[01:42:04] on the back sign or probably *[indiscernible]*[01:42:10] 28 square feet.

Male Speaker: 7'2" times *[indiscernible]*[01:42:16].

Male Speaker: Okay, I think *[indiscernible]*[01:42:19].

Chairman DePinto: Thank you. Anyone else, questions, comments? Okay, why don't we move on and let's hear from Mr. *[indiscernible]*[01:42:37].

Male Speaker: Mr. *[indiscernible]*[01:42:37] will you raise your right hand please. Do you swear or affirm that the testimony *[indiscernible]*[01:42:41].

Male Speaker: I do.

Male Speaker: Could you state your full name and spell your last name, please?

Male Speaker: Yes, Michael Deport DIPE*[indiscernible]*[01:42:48].

Male Speaker: Mr. Deport has previously not been here many times *[indiscernible]*[01:42:55].

Chairman DePinto: The chair will accept recommendation of council, please continue.

Male Speaker: *[indiscernible]*[01:43:09] and you may be familiar with the site plans as we have been assessing them this evening and I ask you *[indiscernible]*[01:43:21] here tonight to address two *[indiscernible]*[01:43:24] primarily and *[indiscernible]*[01:43:26] and the second is landscaping in and around the signs and any possible obstructions *[indiscernible]*[01:43:36] or may not impact *[indiscernible]*[01:43:44].

Male Speaker: Okay, can you tell the board what you determined?

Male Speaker: Well, In terms of the *[indiscernible]*[01:43:51] facility boxes which I believe Mr. Hipolit's letter brought up one location for where there might have been some concern and that was here at the primary entrance sign or primary monument sign number five at building two *[indiscernible]*[01:44:07] Parkway on West Grand Avenue and that location I believe and *[indiscernible]*[01:44:14]. I believe there's a whole *[indiscernible]*[01:44:20] and there's a drainage out there, so I don't believe that there's an obstruction there, but I can verify at that location. Another location would be primary entrance sign number one which is at the lower in the southeast corner of North Market or west side of Mercedes Drive. There's a transformer on the opposite side of the road. It is a large transformer which serves building one, I believe. We don't really see, there's some obstruction, but we don't think it's significant. However, the sign will be on the opposite side of the street, so there will be great visibility coming on the *[indiscernible]*[01:45:05] or Mercedes Drive. Otherwise, I don't figure any kinds of obstructions and stuff that I'm aware of.

Male Speaker: *[Indiscernible]*[01:45:14].

Male Speaker: That's correct and we put together a plan and I *[indiscernible]*[01:45:20] that it wasn't visible., It didn't come through well. We did create a plan which we did submit, so Mr. Hipolit, this is a large version of the same plan sheet *[indiscernible]*[01:45:36] and you do indicate on the plan in red line where the sign triangles are. We see no obstruction within the site triangles. We do not require any variances or set back to the right of way or any of these signs that I'm aware of and I should say that this exhibit is dated September 17th, 2021 which is four days ago and we did add additional site triangles to the primary monument sign five at the intersection of West Grand and *[indiscernible]*[01:46:15] Parkway and we show that that would *[indiscernible]*[01:46:18] at the signal light intersection turn at the standard and all that will be submitted with revised plans. We'll do landscaping which will include snow storage and will include large scale plans of the site triangles.

Male Speaker: And with Bob's permission, I propose to mark it *[indiscernible]*[01:46:43] on page six.

Male Speaker: What are we calling it?

Male Speaker: It's SK1 to SK3 site triangle exhibit prepared L2A.

Male Speaker: So make sure that the--.

Male Speaker: *[indiscernible]*[01:46:57] is 09/17/21.

Male Speaker: We don't have it.

Male Speaker: It's not here.

Male Speaker: I apologize.

Female Speaker: This is different than what we have.

Male Speaker: The second page has something.

Male Speaker: Design has the outside triangle *[indiscernible]*[01:47:15].

Chairman DePinto: Okay, very good.

Male Speaker: We're looking at the plans.

Male Speaker: Yeah, *[indiscernible]*[01:47:45].

Chairman DePinto: Yeah, I think it should it be included. Give it to Bob again.

Male Speaker: *[Indiscernible]*[01:48:07].

Chairman DePinto: It's instructed within the sign, fine.

Male Speaker: *[Indiscernible]*[01:48:25].

Chairman DePinto: Okay.

Male Speaker: And it should be. I don't see any conflict.

Chairman DePinto: There's adequate room to do that, okay. Okay, anything else Mr. DePort?

Male Speaker: *[Indiscernible]*[01:48:46] landscaping plans *[indiscernible]*[01:48:50] to finalize the landscaping *[indiscernible]*[01:49:06] and then the landscape *[indiscernible]*[01:49:08].

Male Speaker: That's correct.

Chairman DePinto: Okay, any board members have any questions for Mr. DePort?

Male Speaker: No.

Chairman DePinto: Okay, why don't we mark into evidence Mr. Del Vecchio, we have technical reviews from board H, from the board, fire department. You have a memo dated 09/20 and we mark that as B1. Andy, you have a copy of that?

Male Speaker: I do.

Chairman DePinto: Montvale Fire Department plan review committee has no comments.

Female Speaker: We definitely have no copy of that.

Chairman DePinto: You don't have a copy of one. We're going to mark D2 from Montvale Police Department. It states I looked at the plans and I don't see any issues or concerns signed by Captain Doug McDowell and that's dated 09/21.

Ms. Green: I just got a *[indiscernible]*[01:51:15].

Male Speaker: I do have one.

Female Speaker: Oh, you do? Oh, maybe I did.

Chairman DePinto: Okay and then finally I guess this will be the last court exhibit September 17. We have one for Andy though. What's Andy's date?

Male Speaker: 20th.

Chairman DePinto: Okay, Andy--.

Male Speaker: *[Indiscernible]*[01:51:46].

Ms. Green: And that's in regards to the resolution compliance for phase two.

Chairman DePinto: But let's go. This one first, Andy, September 20th.

Male Speaker: Make that D3.

Chairman DePinto: Oh, this is-- okay, this is B3. Is there anything in here that has to be addressed that has not been addressed?

Male Speaker: *[Indiscernible]*[01:52:10].

Chairman DePinto: Okay and then, finally, we have Darlene's September 16. We're mark B4 and Darlene could you summarize your technical review of that day.

Ms. Green: Yes, there are a lot of variants that's the short story. The variants will start on page three and the first variant is for the primary monument sign location and we permit one primary monument. So, it has to *[indiscernible]*[01:52:47]. They're proposing two at the North Market. The first is located along with Grand Avenue and the second is located on Southern Driveway, and then along Mercedes. The secondary is for the number of the primary monument signs.

Chairman DePinto: Excuse me, one second. Mr. Del Vecchio, now your planner is going to address these variances I presume.

Mr. Del Vecchio: Yes

Chairman DePinto: Okay, so just put him on the record and then we'll have a *[indiscernible]*[01:53:14].

Ms. Green: Yes. The second one is for the number of primary monument signs *[indiscernible]*[01:53:16]. There's two variances for the entrance monument sign size. The ordinance is permits entrance monument signs to be 36 square feet and proposing two entrance monument signs each 69.21 square feet. Fourth variant is for entrance monument sign height. The ordinance permits entrance monument height up to 60 in height. They're proposing seven feet eight inches in height. The fifth variant is for the number of wall signs. Our ordinance *[indiscernible]*[01:53:54] less than 10,000 square feet of one wall sign. The applicant is proposing as we discussed earlier one wall sign per side for the corners, and therefore they need a variant because we only permit one wall sign for the tenant. The sixth variant is for the size of the wall sign. We permit 36 square feet for each permitted wall sign. They propose wall signs would be the *[indiscernible]*[01:54:30], so they're not proposing any sign *[indiscernible]* [01:54:34] instead they're proposing the parameters of the *[indiscernible]* [01:54:38], so it's *[indiscernible]*[01:54:43]. They're not proposing any limits basing on those two parameters. The seventh variant is for the combined wall sign size. We permit *[indiscernible]*[01:54:56] two wall signs having been combined area 60 square feet *[indiscernible]*[01:54:59] .

Male Speaker: Again, no limit?

Ms. Green: No limit, correct. Number eight is actually a repeat of number six, I believe. Number nine is the variance triangle location. The ordinance requires only *[indiscernible]*[01:55:21] illuminated as we hear their testimony tonight. They're proposing a North Market text on the primary monument at the entrance monument signs to have LED *[indiscernible]*[01:55:32].

Male Speaker: Darlene, going back to eight, no limit on that as well.

Ms. Green: Eight is duplicate of six.

Male Speaker: Okay, so we could strike it.

Ms. Green: Yes.

Male Speaker: Okay.

Ms. Green: And then number 10 is more monument sign context, so our ordinance says that the primary monument sign can continue in the name of the development and create tenants that occupy these 10,000 square feet. They also allowed entrance monument signs in the name of

the development only. They're proposing quite the opposite, so they're proposing the primary monument sign at North Market to include the name of The Shoppes at DePiero. They're also proposing the entrance monument signs to include the name of full tenants. Number 11 is for the monument sign materials. The ordinance requires materials to resemble those used by The Shoppes at DePiero Farm. They're using materials that are not same as The Shoppes at DePiero. Then number 12 is for sign contacts and this is under the general ordinance provisions. It's not under the zone provisions and it prohibits signs that are not expressly and directly related to business being conducted on the premises. So, the primary monument signs in North Market refer to The Shoppes at DePiero. So, the sign is technically staying on North Market property referring to or the crossing street and then vice versa in phase two referring to North Market. So, the contact is not only to the business being conducted on that walking lot and that's why we decided that variant.

Mr. Regan: So, we now have 11 variants not 12?

Ms. Green: Yes.

Male Speaker: Okay.

Ms. Green: But we might go back on to 12 depending on how *[indiscernible]*[01:57:24].

Male Speaker: *[Indiscernible]*[01:57:27].

Ms. Green: So then you will find on these five waivers and these are for the sign on the *[indiscernible]*[01:57:37] and the reason I call them out as waivers is because they are listed under the design standards for the formal housing zone. So first waiver is for primary monument sign area *[indiscernible]*[01:57:51]. Second is for the primary monument sign height in order to make eight feet there. They're proposing *[indiscernible]*[01:58:02]. The third waiver is for the monument sign lighting. Same issue which is for the LED sign illumination which is in that waiver. And then item number four is for the monument sign content *[indiscernible]*[01:58:14] at North Market.

Male Speaker: Darlene, I agree as those are best described as design exceptions which would be waivers. The problem I have is a *[indiscernible]*[01:58:33] when you're doing a deviation from it. Zoning awareness categorizes as a variant not a waiver. A waiver is *[indiscernible]*[01:58: 40]

Ms. Green: Right. I have a *[indiscernible]*[01:58:42].

Male Speaker: Well, we can get some *[indiscernible]*[01:58:47].

Ms. Green: Yes.

Male Speaker: Because it's standard or rare.

Ms. Green: And I'm *[indiscernible]*[01:58:52]

Male Speaker: Mr. Del Vecchio, what do you think about that?

Male Speaker: I think they're variants.

Male Speaker: Do you agree or something?

Male Speaker: I think we're going to categorize those as variants.

Ms. Green: Okay and then going on to the comments. The first comment I'll draw your attention to is column number two. This is something *[indiscernible]*[01:59:16] so section 478 these potential signs that are not permitted within the Borough and that list includes billboards and the way that we define billboards is any sign erected or maintained for purposes of displaying or for advertising of products or services provided for a price. We had two monument signs one at North Market and one down at The Shoppes at DePiero that refers to the other site. So the question is whether or not we will need this text for referring to North market and The Shoppes at DePiero on the properties where the signs are located fits within the definition of billboard. If so, then *[indiscernible]*[02:00:09] the variants of 400-78.

Male Speaker: What I'm thinking just that sign reference or that location reference or complex reference, it's not product or services, It's just a designation of that complex or development.

Ms. Green: Well, that's why I want to raise it Bob because I wanted--

Male Speaker: Yeah, I looked at that and I wrote it in the margin. I don't think it's a billboard.

Ms. Green: And if you don't think that's a billboard that's fine. I wanted to just--

Male Speaker: Just because it doesn't talk about advertising products. It just says North Market for Shoppes at DePiero that's not really a product or location or a complex, I think.

Male Speaker: I would just add *[indiscernible]*[02:00:58]. What we tried to do here is to rebrand the entirety of the property, not Mercedes, not DePiero. The entirety of the property is the North Market which has the component The Shoppes at DePiero. They're not *[indiscernible]*[02:01:18] by this whole exercise. I would suggest to you that this is the name of the entirety of the project. *[indiscernible]*[02:01:32] and this is one particular area. The Shoppes at DePiero when you're Downtown that's what we're trying to do here. The North Market is its destination. The Shoppes at DePiero is one component part.

Male Speaker: I guess, maybe my interpretation is too narrow, but I just don't see that advertising for products or services.

Male Speaker: I agree with that. I'm just adding to it.

Ms. Green: *[indiscernible]*[02:01:56].

Male Speaker: *[indiscernible]*[02:02:02].

Male Speaker: It sucks *[laughter]*.

Ms. Green: Moving on to number five, we look at the monument sign package information and the table says that the primary sign monument is 100 square feet and it's 10X10 and the dimension that you show me actually when you multiply out is 96.7 square feet. So, if our math is correct, I would like to have a condition of approval because the numbers in the sign can be updated to be accurate.

Male Speaker: We will update *[indiscernible]*[02:02:34] for that one. So the other one you brought up is also on there

Ms. Green: Okay, so then I would skip because the next two are similar *[indiscernible]*[02:02:46]. Then we'll be going to comment number nine, section 400-*[indiscernible]*[02:02:55] or verify that. That we added *[indiscernible]*[02:03:05] that we are receiving

Male Speaker: We obviously as you indicated stipulated compliant and if it's part of the construction drawings if you need *[indiscernible]*[02:03:14] point determination. The light for that point area, we can provide them further instruction drawings for this purpose.

Ms. Green: So, I guess Andy, going back to your point of drivers, you know, you're not worried?

Male Speaker: Yeah, *[indiscernible]*[02:03:29].

Ms. Green: Okay.

Male Speaker: *[indiscernible]*[02:03:34].

Ms. Green: Alright and then the last item on the lease was item number 10 section 400-70, hours of operating the sign will be 11p.m and 7:00a.m. I would think *[indiscernible]*[02:03:55] for that or there's something about being uniform?

Male Speaker: I think there's two things happening with The Shoppes at DePiero. I think there was a condition proposed *[indiscernible]*[02:04:06] one of the signs. One of the tenants there that they look vague or requested that we agree that we would have local languages on wall *[indiscernible]*[02:04:17] presumably for the latest closing tenant within the *[indiscernible]*[02:04:23], so I think they agreed to that. I think the monument sign now because it's a destination sign stays on 24/7.

Ms. Green: So then--.

Male Speaker: Or you can say 24/7. Stays on *[indiscernible]*[02:04:36].

Ms. Green: So then would you be proposing the same thing for North Market?

Male Speaker: North Market, I think, yes. We're not *[indiscernible]*[02:04:46] and we would agree to do the same thing and *[indiscernible]*[02:04:49].

Male Speaker: We got to specify a particular time. I don't remember whether we did the *[indiscernible]*[02:05:12].

Male Speaker: We didn't. We just said *[indiscernible]*[02:05:13].

Male Speaker: Are we doing the same thing on North Market?

Male Speaker: I'm stipulating that we *[indiscernible]*[02:05:27] that's the request.

Male Speaker: So, what's the board's condition.

Chairman DePinto: What is the writing at *[indiscernible]*[02:05:33] right now?

Male Speaker: I think the *[indiscernible]*[02:05:36].

Male Speaker: You have to verify.

Male Speaker: Yeah, I have to verify.

Male Speaker: *[indiscernible]*[02:05:54].

Chairman DePinto: Yeah, that has to be addressed.

Male Speaker: *[indiscernible]*[02:06:01].

Chairman DePinto: The building license *[indiscernible]*[02:06:05].

Male Speaker: The education building *[indiscernible]*[02:06:08]. There's at least six or seven buildings *[indiscernible]*[02:06:17].

Male Speaker: *[indiscernible]*[02:06:18].

Male Speaker: I'm just looking for *[indiscernible]*[02:06:25].

Chairman DePinto: Well, there has to be uniformity.

Male Speaker: Yeah, why are *[indiscernible]*[02:06:33].

Male Speaker: *[indiscernible]*[02:06:32].

Male Speaker: But what time is the last one *[indiscernible]*[02:06:39].

Male Speaker: I got a *[indiscernible]*[02:06:37].

Chairman DePinto: Well, let's set a reasonable time.

Male Speaker: 12 midnight.

Chairman DePinto: 11 O'clock I think.

Male Speaker: *[indiscernible]*[02:06:47].

Chairman DePinto: When is *[indiscernible]*[02:06:51] closed?

Male Speaker: *[indiscernible]*[02:06:52] that's why I need to check.

Male Speaker: I think midnight.

Chairman DePinto: Oh I doubt the *[indiscernible]*[02:07:05] are open past 11 O'clock. Okay, what else do you need, Bob?

Male Speaker: That's it.

Chairman DePinto: Okay, why don't we hear from your planner and let's see we got a wrap on this.

Male Speaker: Do you swear or affirm that the testimony that you give this *[indiscernible]*[02:07:42], so help you God.

Male Speaker: I do.

Male Speaker: State your full name and spell your last name, please?

Male Speaker: *[Indiscernible]*[02:07:48] G-R-Y-G-I-E-L.

Male Speaker: Mr. Grygiel, *[indiscernible]*[02:07:52] here before and he's qualified *[indiscernible]*[02:07:58]. Thank you so much.

Chairman DePinto: *[indiscernible]*[02:08:01] recommendation to council, please continue.

Male Speaker: Mr. Grygiel, [indiscernible][02:08:04].

Male Speaker: Yes.

Male Speaker: And the plan that were presented to the board [indiscernible][02:08:10]..

Male Speaker: Yes.

Male Speaker: And [indiscernible][02:08:13] and you've been asked to review professional reports and also offer any variants that [indiscernible][02:08:26].

Male Speaker: Yes.

Male Speaker: And generally, do you agree with the variances that were read out by Ms. Green and recommended by [indiscernible][02:08:37] ?

Male Speaker: Yes, I do.

Male Speaker: Alright, so can you tell us whether or not variants [indiscernible][02:08:44] what standard [indiscernible][02:08:48].

Male Speaker: Certainly. In light of all the information of variants discussed, but I do believe the variants can be granted and proceed to criteria and there's a few general reasons. I'll try to put this roughly [indiscernible][02:09:01] in regard to the time being with these standards. I know that it's been over four years masterplan was abandoned to set forth the [indiscernible][02:09:10] about four years ago and certainly there have been changes in retail market generally plus COVID that wasn't at that time. There's also a different copy in trying to design standards for developments actually created [indiscernible][02:09:28] as time goes on, so in terms of the monument signs and site location, for example, was proposed to reflect the desire to [indiscernible][02:09:39]. We tried to make it uniform on both sides of Mercedes Drive. The other factor [indiscernible][02:09:50] you have a variety of uses so there's office, as naturally you have retail ground floor and that type of thing. There's more of a desire to make it [indiscernible][02:10:01]. So, I think there's a need to have a little more flexibility with marking signs and location of the signs [indiscernible][02:10:11] for the building office sign [indiscernible][02:10:18]. point out this initial planning [indiscernible][02:10:27] and what the extent [indiscernible][02:10:42] that type of thing in the MPUD zone. What matters here is the [indiscernible][02:10:56] having the signs fairly visible for the motorists and [indiscernible][02:11:06]. In terms of [indiscernible][02:11:22] that standards were written some time ago. We believe that they actually [indiscernible][02:11:27]. In this case, we have [indiscernible][02:11:39]. so I do believe [indiscernible][02:11:48] to have signs that are [indiscernible][02:11:55] we're trying to modernize developing [indiscernible][02:12:12] handle retail space into branded [indiscernible][02:12:24] and more consistent than. [indiscernible][02:12:31]. I do believe [indiscernible][02:12:34] identify the buildings

and [indiscernible][02:12:42] buildings in the development [indiscernible][02:12:42] and visitors. It also [indiscernible][02:12:48]. would be approved to what we're applying to be [indiscernible][02:13:19]. I just want to point out again that these masterplan [indiscernible][02:13:21] of MPUD zone sites [indiscernible][02:13:31] four years ago, but we do believe [indiscernible][02:13:34] and for those reasons, I think [indiscernible][02:13:43].

Male Speaker: Thank you Mr. Gygiel. I don't have any further questions.

Chairman DePinto: Okay, thank you. Any board members have any questions? Okay, with that said, the chair will entertain a motion to open the meeting to the public.

Male Speaker: It's all moved.

Chairman DePinto: Mr. Stefanelli, second on Mr. Culhane. On favor, aye. Anyone from the public wish to be heard? No, [indiscernible][02:14:09] a motion to close the meeting to the public.

Male Speaker: It's all moved.

Chairman DePinto: Mr. Stefanelli, Mr. Culhane all in favor aye. I think Mr. Regan, we've covered everything we have to cover. I think before we call for a vote to request the board attorney to prepare a resolution. I think we shall deliberate and I'm going to offer my opinion. I believe that the applicant has taken great pains to come up with a comprehensive sign plan. We all know driving around in other communities' vacant space is a problem of office space and retail space and I think what we are attempting to do and what this company Hekemian is attempting to do ultimately will benefit our community. I think the request that they made in the variances that they're seeking are reasonable and I think when all is said and done. We'll all have something that we can all be very proud of, so I will be supportive of this application. John, you have comments?

Mr. Ryan: No, I agree.

Chairman DePinto: Thank you. Dante?

Mr. Teagno: I agree as well.

Chairman DePinto: Thank you. John?

Mr. Culhane: Mr. Chairman, I agree with your response.

Chairman DePinto: Thank you. Mr. Zitelli?

Mr. Zitelli: I do agree.

Chairman DePinto: Okay, thank you. Mr. Gruber?

Mr. Gruber: I agree with you.

Chairman DePinto: Thank you. Mr. Stefanelli?

Mr. Stefanelli: I'm in agreement.

Chairman DePinto: Okay, thank you. Dieter?

Councilmember Koelling: Same here.

Chairman DePinto: Thank you. Andy?

Mr. Hipolit: Same here.

Chairman DePinto: Okay, with that said chair shall entertain a motion to request board attorney to prepare a resolution of approval setting poor terms and conditions as presented and instated on the record. Anyone care to make the motion for that one?

Male Speaker: It's all moved.

Chairman DePinto: Mr. Stefanelli, is there a second. Mr. Culhane. Discussion on the motion. Hearing none. Roll call vote please.

Ms. Hutter: Mr. Culhane?

Chairman Culhane: Yes.

Ms. Hutter: Mr. Gruber?

Mr. Gruber: Yes.

Ms. Hutter: Councilmember Koelling?

Councilmember Koelling: Yes.

Ms. Hutter: Mr. Lintner?

Mr. Lintner: Yes.

Ms. Hutter: Mr. Ryan?

Mr. Ryan: Yes.

Ms. Hutter: Mr. Stefanelli?

Mr. Stefanelli: Yes.

Ms. Hutter: Mr. Teagno?

Mr. Teagno: Yes.

Ms. Hutter: Mr. Zitelli?

Mr. Zitelli: Yes.

Ms. Hutter: And Chairman DePinto?

Chairman DePinto: Yes and thank you and good evening.