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Planning
Landscape Architecture
Municipal Consulting
Streetscape Design
Economic Development
Parks and Recreation

Zoning Board of Adjustment
Borough of Fair Lawn
PO Box 376
Fair Lawn, New Jersey 07410

**Ref: First Planning Review for McDonald's
Amended Site Plan
Block 2320, Lots 10-12; 37-01 Broadway
Borough of Fair Lawn, Bergen County, New Jersey
TDG Project No. 2006-103.05**

Dear Mr. Chairman and Board Members:

Please be advised that we are in receipt of the following items submitted in support of the above-referenced application:

- *Sign Plan* drawings consisting of 3 sheets, prepared by Dynamic Engineering Consultants, PC, **last revised March 2, 2006.**

I. PROPOSAL

Applicant proposes to (1) revise the current traffic control and parking signs on-site, (2) gain approval for a modification of the shared access between McDonald's and IHOP, and (3) gain *ex post facto* approval for a 4'+ fence located at the front building entrance. The lot is located in the B-2 Zone on Broadway.

II. SITE PLAN COMMENTS

- A. The plans should be revised to eliminate the access to 37th Street. This access has been closed per Resolution 276-2006 of the Borough Mayor and Council. Signage, bollards and chains should be removed, and curbing and landscaping installed. A drop curb may be appropriate for emergency access to the site if this concept is supported by applicable Borough staff and consultants. If Applicant prevails in litigation to keep the 37th Street access open, the plans can be revised and resubmitted for approval.
- B. The fence at the front building entrance appears to cut off access to the front door from the western parking area; the portion of the site with the most parking spaces. If there is no building entrance on its western face, then access to the front door should be provided through the fenced area and the existing fence and site plan should be modified accordingly.
- C. The plans should be revised to indicate revisions to the sign plan at the site's Broadway exit, as discussed at the April 23, 2007 hearing, to improve safety in the area. Modifications include adding a Stop sign and seeking permission from NJDOT to install a One-Way sign on the concrete barrier in the roadway.

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- D. The sign plan at the site's Broadway entrance was also discussed at the April 23, 2007 hearing. The sign plan should be revised to incorporate safety improvements as decided upon by the Board at future hearings.
- E. Signs A and A1 (12 total) refer to a superseded / repealed Ordinance number that regulates booting and towing in the Borough. This incorrect reference will lead to confusion in police and legal proceedings. The signs also do not comply with Section 221-23 (trespass towing and booting) of the Borough Code and should be revised accordingly. Section 221-23 reads as follows:

B. Posting of warning signs.

- (1) *No vehicle shall be booted or towed from a private parking lot for designated parking violations unless a sign is conspicuously posted and clearly visible from all vehicle and pedestrian entrances to the property, indicating the following:*
 - (a) *A warning that the property is a private tow-away zone and a vehicle not authorized to park on the property will be towed at the owner's expense.*
 - (b) *The telephone number of the person or entity from whom a towed vehicle can be recovered.*
 - (c) *A statement that the vehicle may be recovered between the hours of 7:00 a.m. to 9:00 p.m. on any day.*

When revised, these signs should continue to be greater than 18" x 24" per Chapter 157 of the Borough Code.

- F. Per Section 221-23, re: booting and towing, only "a sign" is required to be visible from all vehicle and pedestrian entrances to the property, whereas Applicant currently has 12 such signs. The signs should be revised as discussed above to comply with Section 221-23 and to remove references to the incorrect Ordinance. We offer concern regarding the number of signs (12), which appear excessive on such a small site and may detract from the effectiveness of the rest of the signs on-site to control vehicular traffic.

We reserve the right to make additional comments based upon the submission of additional documents or testimony presented to the Board.

Very truly yours,

TAYLOR DESIGN GROUP, INC.


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