



AZZOLINA & FEURY ENGINEERING, INC.

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April 21, 2023

Zoning Board of Adjustment
Borough of Fair Lawn
Municipal Building
8-01 Fair Lawn Avenue
Fair Lawn, New Jersey 07410

Re: Variance Application For Freestanding (Monument) Sign
TC/CSL Fair Lawn Senior Living, LLC
Block 5724 – Lots 1.03
Formerly known as Block 5724 – Lots 1.02, 4, & 4.01
#1600 River Road
Borough of Fair Lawn
Our File No. FL-77-B

Dear Board Members:

Please be advised that we are in receipt of and have reviewed the application package received on March 15, 2023, via an e-mail communication from the applicant's attorney with the following drawings and documents attached thereto:

Drawings

- Sheet SS - 1, Site Sign, Chelsea Independent Senior Living at Fair Lawn, Lots: 1.02, 4, & 4.01 Block: 5724, 1600 River Road, Borough of Fair Lawn, Bergen County, New Jersey" dated May 11, 2022 and revised December 7, 2022, as prepared by Douglas J. Coleman AIA, PP, of Warren, New Jersey;
- A drawing entitled "Preliminary and Final Major Site Plan, Chelsea at Fair Lawn Proposed Assisted Living and Independent Senior Living Facilities, Block 5724, Lots 1.02, 4, & 4.01, 1600 River Road, Borough of Fair Lawn, Bergen County, New Jersey" dated September 24, 2019, revised through February 20, 2023, as prepared by Stonefield Engineering & Design, of Rutherford, New Jersey,
- "Sign Location Exhibit", dated 12/6/2022, as prepared by Stonefield Engineering & Design, of Rutherford, New Jersey,

Documents

- Fair Lawn Zoning Board Application
- W-9
- Fees
- Submission Letter to Fair Lawn
- Witnesses to Hearing

- Waiver Statement
- Public Notice to Property Owners
- Public Notice to Newspaper
- Site Pictures
- 200” Property Owners List
- Certificate of Tax & Water Payments
- Section 125-70.G Checklist for Variances
- Submission Letter to A. Peck

Pursuant to our review of these items and a field inspection of the subject site, we offer the following comments at this time:

I. Location and Description of Tract

1. The subject properties, previously identified as Block 5724, Lots 1.02, 4, & 4.01 and recently consolidated into a single parcel now identified as Block 5724 - Lot 1.03, with street frontage along the north side of Bergen Avenue and the west side of River Road, containing the Chelsea at Fair Lawn Assisted Living and Independent Living Facilities. The Independent Living Facility is partially occupied at this time while the Assisted Living Facility is still under construction.
2. The subject property has a Total Area of (59,305 s.f. 1.36 Ac.) and has been recently re-developed to include an Independent Living Building (now partially occupied) and an Assisted Living Building, still under construction.
3. That portion of the site on which the sign shall be placed is situated within the B-4 River Road Business Zoning District. Access to the site is originally proposed, with 1 (one) full movement driveway situated along River Road and 2 (two) full movement driveways situated along Bergen Avenue.

II. Applicant's Proposal

1. TC/CSL Fair Lawn Senior Living, LLC, as the Applicant in this matter, is seeking Variance relief for a proposed double sided, freestanding (i.e. monument style), business identification signage to clearly identify the types of care provided as well as the address of this facility.
2. As depicted on the above referenced “Site Plan”, the proposed monument sign shall be 8’-0” high and 16’-6” wide, covered in a brick veneer with a Herringbone Brick Pattern and a signage area of 47 square feet on each face. The message component of the sign shall read as follows:

CHELSEA
at Fair Lawn
Independent Living
Assisted Living
and Memory Care

1600 River Road Fair Lawn, NJ

3. The sign shall be constructed 12.8 feet east of the East Elevation of the Assisted Living Facility at or about the midpoint of this structure, as situated along River Road.

III. Zoning

1. As is noted hereinabove, the easterly portion of this site is situated in the B-4 River Road Business Zone.
2. Within this zoning district, "Freestanding Signs" are recognized as a permitted use subject to certain requirements as set forth under Section 125-41.B.7 et seq., of the Land Development Ordinance of Fair Lawn Borough.
3. Pursuant to our review of the above referenced drawings and documents, it is noted that the applicant has accurately identified the following departures from the literal requirements of the zoning ordinance, requiring Variance relief as follows:

a) Maximum Area of Sign (Code Section 125-41.B(7)b)

Permitted:	8.00 square feet/ side
Proposed:	47.00 square feet/ side

Notes:

- i. The above referenced section of the Code reads as follows:

In the case of premises on which the structure is set back not less than 20 feet nor more than 40 feet from the front curblin, a freestanding sign shall be set back at least 12 feet from the front curblin, five feet from any side property line and shall not exceed eight square feet per side.

- ii. As depicted on the above referenced Site Plan, the proposed freestanding sign is situated approximately 19 (nineteen) feet west of the "front curblin" satisfying the minimum setback dimension from the curblin as set forth under this section of the Code.

- iii. With respect to the maximum height of any such freestanding sign, it is noted that Section 125-41.7.a, specifically allows for a height of 10 (ten) feet as measured to the top of the sign from ground level: *In the case of premises on which the structure is setback at least 40 feet from the front curblin.....*
 - iv. However, with respect to signs regulated under Section 125-41.7.b of the Code, it is noted that there is no reference to the maximum height of any such signage.
 - v. Notwithstanding the lack of any such provision within the Code, the applicant is proposing a maximum height of 8 feet as depicted on the above referenced "Site Sign" drawing, which is noted to be less than 10 feet height if the sign were to be regulated under Code Section 125-41.7.a.
 - vi. Given the lack of a fully defined standard for freestanding signs situated on premises located within the River Road Business, the Board is asked to review and interpret its Ordinance as regards:
 - the required minimum area for each side of the sign,
 - the setback dimension as measured from the "Street Line" and/or the curblin and
 - the maximum height of any such sign as determined by the location of the Principal Structure.
4. Similarly, with respect to the other possible variance conditions associated with this application, the Board is asked to determine if relief is in-fact required with respect to the requirements of Section 125-41.B.4.b, which makes reference to "any attached sign" any mandates that: *the maximum distance from the top edge of the lettering on said sign to the bottom edge the lettering shall not exceed 16 inches.*
 5. Said Public Notice states that the applicant proposes a height of 27 inches. As the heights of the proposed letters are not indicated on the "Site Sign" drawing, by inspection, it appears that the 27" height shall be utilized at the uppermost portion of the sign for the text "CHELSEA".
 6. The applicant's professionals are therefore asked to provide specific testimony in this regard and should the Board grant its approval of the application, it is recommended that any such approval be granted in a conditional manner specifying that the "Site Sign" drawing be revised to depict the maximum height of the letters in each line of the message as well as the spacing to be used between the respective lines of the message.

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IV. Line of Sight Considerations

1. Given its location as currently proposed, it appears that a portion of the sign shall be situated beyond the easternmost projection of the building if extended in a northerly direction.
2. To ensure that an unobstructed sight distance in a northerly direction shall be provided at Bergen Avenue, the above referenced Site Plan drawing shall be revised or otherwise supplemented to include the Sight Triangle as observed from Bergen Avenue following the installation of any such freestanding sign.
3. Notwithstanding the result of an such future graphical depiction, it is the recommendation of this office that a "to-scale" (i.e. approximately 16'-6" wide x 8-0" high) model of the proposed sign be constructed with conventional wood framing materials and be installed at the proposed location, for the purposes of verifying that the line of sight shall remain unobstructed when viewed from Bergen Avenue.

If there are any questions, please feel free to call.

Very truly yours,

AZZOLINA & FEURY
ENGINEERING INC.

Zoning Board Engineers



Paul Azzolina, PE, CME.

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cc: Richard Bolan, Construction Official/Zoning Officer (via e-mail)
Marc E. Leibman, Esq, (via e-mail)
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