August 9, 2011

TO: Board of Selectmen
FROM: Norman Khumalo
RE: "No Parking" sign located behind/adjacent to Dunkin Donuts on Elm Street (Elmwood Park)

Hi All:

Following several discussions between business owners at Elmwood Park and town staff, it is proposed that the "No Parking" signs located behind or adjacent to Dunkin Donuts on Elm Street be removed. I will be bringing this proposal to the next board meeting for the board's review and consideration.

For your convenience and review, I have attached comments from respective town departments supporting the recommendation to remove the said signs. Removal of the parking restriction signs, in this case, will meet the parking needs of local property owners and businesses and will not adversely impact public safety on Elm Street.

Town staff could not find any record of the approval of the installation of these signs.

The email thread below also provides helpful background information.
If you have any questions please contact me and I will be happy to answer your questions.

I would greatly appreciate your individual comments and input prior to the August 16 meeting.

Norman Khumalo

From: Geri Holland
Sent: Monday, August 08, 2011 1:58 PM
To: Norman Khumalo
Subject:

Norman:
Below is your original email regarding agenda item Elm Street "No Parking" sign. Also, below that are the various department heads comments including Rick Flannery, Ken Clark, Elaine Lazarus and Chuck Kadlik. Please see Chuck's added comment about a "Do Not Enter" sign being removed. (Attached are the various department heads email responses to my request for their comments.)

From: Norman Khumalo
Sent: Friday, July 15, 2011 2:30 PM
To: Geri Holland
Subject: Agenda Item: FW: Elm Street
Agenda item.

JOHN WESTERLING: (July 15, 2011)
Norman,
With regard to Mr. Perry's request to have the NO PARKING signs removed behind the Mobil Station: neither Mrs. Lazarus nor Chief Flannery can find the reason that the signs were erected. Can we ask the Board to consider the removal of the signs at the request of the abutters, as Mr. Perry suggests? Thank you, John

EMAIL EXCERPTS FROM FINLEY PERRY TO JOHN WESTERLING (7/14/11)

"Dunkin' franchisee looking for an up-date on where things stand with respect to Elm Street behind her business...The No Parking (SIGN) issue... any luck finding the reason for the placement of those signs? Fin

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Original request sent by Geri to Permitting Department Heads (7/26/11):

To: Richard Flannery; Ken Clark; Elaine Lazarus; Dave Daltorio; Chuck Kadlik; John Westerling
Subject: FW: Agenda Item: FW: Elm Street
Hi All:
A request has been made to this office to remove the NO PARKING signs behind the Mobil Station (Elm Street). Would you kindly respond back with any comments and recommendations regarding the removal of these signs? I would like to place this on the Selectmen's August 16 agenda. Thank you for your consideration of this request.
Geri

Chief Flannery's response:
Geri -
I would recommend that these no parking signs be removed from Elm St. pursuant to this request. My reason for this is that when the request came to my attention, via DPW Director Westerling, I was not able to locate in any record that indicated approval for these signs. I also checked with Town Clerk Ann Click and Director of Land Use. Planning and Permitting Elaine Lazarus and they have not been able to locate any approvals for these signs. If we were to want this area posted for "No Parking" we should get the proper approvals. Thank you,
Rick

Chief Clark's response:
Good Afternoon: The Fire Department does not have an issue with removing these sign(s) and I endorse Chief Flannery's recommendation.
Ken

Elaine Lazarus' response:
Geri, I concur with the recommendations of Chief Flannery. After a site walk of the area with Norman, John Westerling and abutting property owners, I researched past decisions of the Planning Board and Board of Appeals and found no conditions of approval that required the installation of the signs.

Chuck Kadlik's response and added comment about a "Do Not Enter" Sign:
Elaine, I don't have any concerns regarding the No Parking sign, however I do have concerns that the Do Not Enter sign has been removed in violation of the terms of the Board of Appeals decision from 9/15/08. Please see the attached document.
Thanks! Chuck

Geri to Chuck (7/27/11)
RE: Do Not Enter Sign
Chuck:
Do I understand this correctly in that you are you saying that the Do Not Enter sign has been removed? Geri
I don't know if it was deliberately removed but it is no longer there. I will address this matter with the owner in the form of a violation letter.
Chuck
FIRE CHIEF CLARK'S REPONSE:
Good Afternoon,
I was not aware of the removal of these "Do Not Enter" signs. I agree with the Building Inspector's comments that this is a violation of the Board of Appeals terms as stated. If my memory serves me this action was to keep vehicles from jumping onto West Main Street at this location. Ken