



State of New Jersey
DEPARTMENT OF TRANSPORTATION
P.O. Box 600
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PRIYA JAIN
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

August 25, 2026

Craig Peregoy, PE
Dynamic Traffic, LLC
245 Main Street, Suite 110
Chester, NJ 07930

RE: **Proposed McDonald's Restaurant**
Lot Consolidation and Driveway Access Permit Application
Block 23 – Lots 4 & 5
US Route 202 (Speedwell Avenue) (MP 46.58)
Borough of Morris Plains, Morris Co., NJ
A-202-N-58348-2025
LC-202-N-58347-2025
Denial Of Waiver Request

Dear Mr. Peregoy,

The New Jersey Department of Transportation (NJDOT) has completed its comprehensive review of the applicant's request for a waiver to permit left-turn ingress into the proposed development along Route 202 at Milepost 46.58 without providing a dedicated left-turn lane. Following thorough evaluation of roadway conditions, Access Code requirements, and the operational and crash history of this corridor, the Department hereby **denies** this request based on the following determinations:

1. Non-Compliance with Access Level 4 Requirements

The subject segment of Route 202 is designated as Access Level 4, which mandates that left-turn movements from State highways must utilize a dedicated left-turn lane where warranted by design and safety considerations. The applicant's proposal fails to satisfy these requirements.

2. Inadequate Roadway Cross- Section for Safe Left-Turn Operations

The existing roadway cross-section does not provide sufficient width to accommodate installation of a dedicated left-turn lane in accordance with NJDOT safety and design standards.

3. Documented Safety Concerns Based on Crash Data

Crash analysis for Route 202 between Mileposts 46.10 and 46.99 reveals significant safety deficiencies:

- The corridor exhibits an elevated crash rate of 11.13, substantially exceeding the statewide average of 4.6, indicating existing safety challenges.
- Within this segment, 61% of crashes occur between intersections, demonstrating a concerning pattern of mid-block conflicts.

The introduction of a new unsignalized left-turn movement without a dedicated turn lane would increase vehicular conflict points in an area already experiencing elevated crash activity. This addition would further exacerbate existing conditions.

4. Legacy Conditions vs. Current Standards

While the applicant references existing left-turn movements along Route 202 within this segment, these driveways represent legacy conditions that predate current access management standards. Notably, no Major Access Permits have been issued within the Route 202 corridor between Mileposts 46.10 and 46.99 since the early 2000s. All new access applications must be evaluated in accordance with current Access Code requirements and contemporary safety data.

CONCLUSION

Based on the foregoing analysis, permitting left-turn ingress at this location without a dedicated left-turn lane would not satisfy NJDOT's access management standards and would compromise public safety. Accordingly, the Department **denies** the waiver request pursuant to N.J.A.C. 16:47-4.1.

If you have any questions concerning the above matters, please contact me via email at Rahmiati.anthony@dot.nj.gov.

Sincerely,
Rahmiati Anthony

Rahmiati Anthony
Project Management Specialist 2.
Office of Major Access Permits

Copy:
Tessa Nolan



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August 26, 2026

Craig Peregoy, PE
Dynamic Traffic, LLC
245 Main Street, Suite 110
Chester, NJ 07930

RE: **Proposed McDonald's Restaurant**
Lot Consolidation and Driveway Access Permit Application
Block 23 – Lots 4 & 5
US Route 202 (Speedwell Avenue) (MP 46.58)
Borough of Morris Plains, Morris Co., NJ
A-202-N-58348-2025
LC-202-N-58347-2025

Dear Mr. Peregoy,

The NJDOT SMEs have completed their first review of this application and have the following comments.

A. Permits, Electrical and Claims: (Contact E.J. Saridaki at (609) 475-5408 or Edward.Saridaki@dot.nj.gov)

No further comments.

B. Hydrology & Hydraulics Unit: (Contact Monica Patel at 609-963-1270 or Monica.Patel@dot.nj.gov)

1. This unit only reviewed the project for impacts to NJDOT right-of-way and/or NJDOT drainage infrastructure. Other governing bodies associated with the project may impose different requirements that must be met.
2. Based on the submitted information, it appears that the applicant intends to utilize option one at N.J.A.C.7:8-5.6(b)1 to address the water quantity standards. To demonstrate compliance with this option, please provide a tabular comparison of the runoff hydrographs generated by the current and projected 2-, 10- and 100-year storm events. The hydrograph comparison should show that the post construction runoff hydrographs do not exceed, at any point in time, the preconstruction runoff hydrographs for the same storm events.
3. Segment labels for the Tc flow paths do not match between the Drainage Area maps and the HydroCAD model. Please revise the labels for consistency.
4. In the existing condition, HydroCAD model shows pervious Tc flow path (EX-1p: EX. PERV) beginning from a smooth surface. Additionally, In the proposed condition, model shows impervious Tc flow path (P-1i: PRO.IMP) beginning from grass area. Please revise the Tc flow paths.
5. Please show on DA maps, separate Tc flow paths for impervious and pervious areas for all the drainage areas under existing and proposed conditions.
6. Sheet flow must be a minimum of 100 feet in existing conditions. Please use McCuen-Speiss to calculate TC for proposed conditions with a maximum limiting length of 100 feet.
7. It appears a portion of the Sanitary Sewer Easement drains away from the site. Please provide additional contours to verify the flow direction.
8. Based on the spot elevations shown on the existing DA map, it appears that a small portion of the area near the driveway (including both impervious and pervious surfaces) may drain toward Dayton Road and be captured by the roadway inlets prior to reaching the NJDOT ROW. Please confirm this and/or provide a Tc flow path for this area.
9. For the pervious areas, the web soil survey does not provide an onsite classification. In lieu of performing soil testing the applicant may model all four soil groups (A, B, C, and D) under existing site conditions and compare each corresponding HSG to the same HSG under proposed conditions to demonstrate compliance with the water quantity standards.

C. Traffic Control: (Contact Lee Steiner at 609-963-1799 or Lee.Steiner@dot.nj.gov)

The included TCP plans appear to be acceptable at this time. We have no additional comments.

D. Bureau of Safety, Bicycle & Pedestrian Programs: (Contact Elise Bremer-Nei at 609-963-2203 or elise.bremer-nei@dot.nj.gov)

In accordance with the 2017 New Jersey Complete Streets Design Guide and the 2024 NJDOT Complete Streets Policy (Policy No. 703), I offer the following comments:

1. Original BPP comment: Sidewalk and Buffer

[illegible]

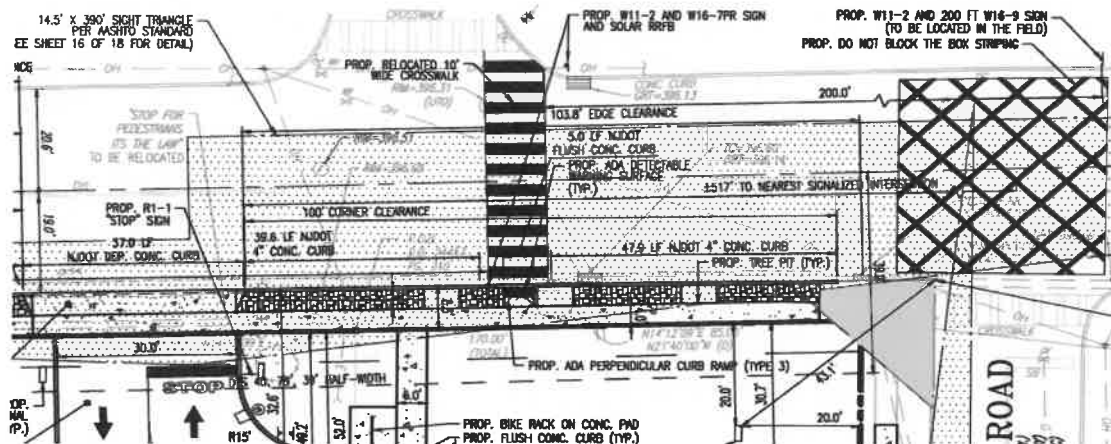
BPP response: Thank you.

2. Original BPP comment: Relocated Crosswalk

The location of a fast-food restaurant with a drive-through in such close proximity to a street crossing for an elementary school is concerning and should be handled carefully so as not to adversely affect the safety of students as they travel to and from school.

Sheet 3 of the Site Plan indicates a proposed relocated 10-foot-wide crosswalk with Pedestrian Crossing (W11-2) Warning Signs and a Diagonal Downward-Pointing Arrow (W11-6P) plaque, along with solar Rectangular Rapid Flashing Beacons (RRFBs) at the northbound approach to the intersection of Route 202 and Hillview Avenue (see screenshot below).

We support the installation of the RRFB at the proposed crosswalk, but are concerned about the crosswalk treatment at the corner of Hillside Avenue and Speedwell that seems to leave students and other pedestrians in the street as they wait to cross. Please indicate the ADA curb ramp(s) at this corner on the plans and consider tightening the turn radius at the corner to provide a space for pedestrians to see and be seen by motorists.



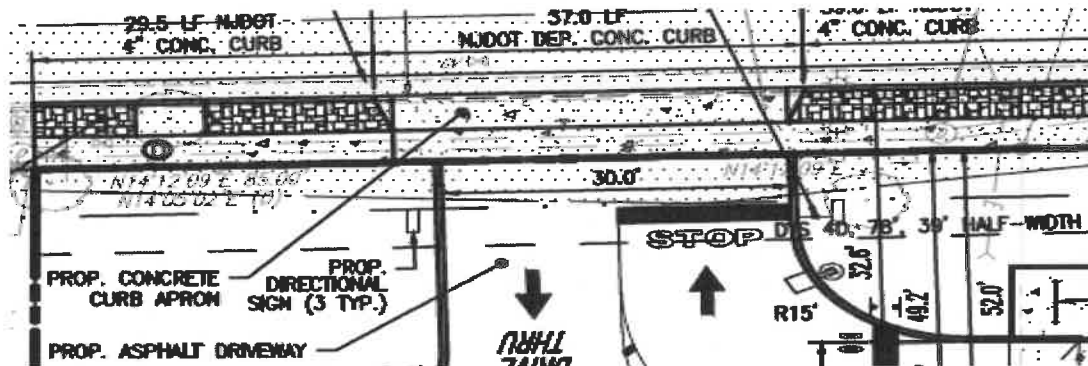


Designer response: The pedestrian crossing has been relocated closer to Dayton Road and will be served by an overhead RRFB.

BPP response: Thank you.

3. Original BPP comment: Site Driveway Design

On Sheet 3 of the Site Plan, we are unable to confirm if the sidewalk continues across the site driveway along Route 202 NB. Please note, the design of driveways should provide a continuous and level pedestrian zone across the vehicular route to encourage drivers on their way in and out of the site to stop for pedestrians. Please continue the sidewalk across the proposed site driveways along Route 202 NB as indicated on pages 38-39 of the NJ Complete Streets Design Guide *or* provide a high-visibility, ladder-striped crosswalk and ADA-compliant curb ramps at the site driveway to ensure pedestrian pathway continuity.



Designer response: The sidewalk continues across the site driveway and vehicular access is proposed via a concrete apron in order to prioritize the pedestrian pathway.

BPP response: Thank you.

4. **Original BPP comment:** Please ensure safe pedestrian and bicycle access and mobility through the project area during construction, as per NJDOT Policy #705 – Accommodating Pedestrian and Bicycle Traffic During Construction.

Designer response: Safe pedestrian and bicycle access and mobility will be maintained through the project area during construction.

BPP response: Thank you.

5. **New BPP comment: Please consider installing bicycle parking within the site for employees and customers.**

E. Traffic Engineering:

A. TRAFFIC SECTION: (M. Elhefnawi, 963-1917 / U. Ahmed, 963-1749)

A) General:

- The NJDOT is designing RRFB at the intersection of Rt. 202 at Rosedale Ave. In the design, we are proposing new pavement marking (AHEAD PED XING). Please include this pavement marking in your design and install it in the field. The pavement marking is highlighted in light blue boxes on the TSS plan.

B) Sheets 21 & 22 (NJDOT SIGNING AND STRIPING PLAN & Traffic Signal Plan):

- Please see attached file. All comments on the Traffic Signal Plan should be addressed in the Traffic Signing and Striping Plan and vice versa.

C) Sheet 23 (Electrical Plan):

- RRFB Timing Notes: The flashing operation shall last for a period of 20 seconds.

B. ELECTRICAL SECTION: (E. Markos, 963-1536 / J. Monteagudo, 963-2267 / V. Patel, 963-1773)

- Please verify the need for a push-button extension, and if it is required, please provide the extension length. DTE prefers to limit the extension length to 6 inches; if more than 6 inches is required, justification must be provided.

F. Mobility Engineering – Work Zone: (Contact Gregory Pniewski at (201) 421-2923 or Gregory.Pniewski@dot.nj.gov).

All comments from the memo dated March 24, 2025, from the Mobility Engineering & Operations – Work Zone have been addressed and meet the satisfaction of the unit.

G. Pavement Management: (Contact Alexander Semler at 609-963-2569 or Alexander.Semler@dot.nj.gov)

No further comments

H. Geometric Solutions Unit: (Contact Nithin Polala at 609 963-2789 or Nithin.polala@dot.nj.gov)

1. Sheet No. 3 (NJDOT Site Plan):

- a) On the plan sheet, there is a callout “Proposed Brick Paver Sidewalk” pointing to the landscape area and not the actual sidewalk. Also, if this area is intended to be a sidewalk, no obstructions such as tree pits should be located within the sidewalk area.
Designers response: The callout has been revised to indicate proposed brick pavers. The brick paver area is not intended to be a sidewalk.

GS units response: Noted

- b) The plan sheet depict a proposed 8.3’ border width along Route 202 and the development site’s frontage. The desirable border width is 15’; the minimum is 10’. If the 15’ is not provided, please provide justification. Regardless, the minimum 10’ should be provided. It is our understanding that the Developer should dedicate the necessary R.O.W. to the Department to include the required border width. Depict the proposed border width on the plan sheet.

Designers response: A right-of-way dedication is proposed to provide the required border width as shown on the revised plans.

GS units response: Noted

- c) The plan sheet depict a propose 4’ sidewalk with a 3.9’ buffer. Desirably the sidewalk should be 5’ wide (4’ min.) with a 3’ buffer. See Section 5.7.3 of the NJ RDM– Sidewalk Design.

Designers response: The plans have been revised to provide a 5-foot sidewalk width with a 3.9-foot buffer.

GS units response: Noted.

- d) All proposed geometry along Route 202 must be tied to a relevant baseline. Provide stations and offsets for all proposed control points at: begin/end and transitioning of curb, curvature information, sidewalks, and striping; PC's, PT's & transitioning for curb returns at streets/driveways and concrete islands; fire hydrants/utilities, drainage structures, etc.

Designers response: The baseline has been added to the revised plans along with stations and offsets for all proposed control points, etc. as requested.

GS units response: Noted.

- e) Where proposed vertical curb meet the existing, provide a callout with control point. A 10' curb transition is needed where proposed curb meets the existing and the respective reveals are different. These 10' curb transitions need to be labeled on the plan sheets. The NJDOT construction details for the proposed curb must be included within the plans.

Designers response: Callouts are included on the revised plans where proposed curb meets existing. Additionally, 10' curb transitions are shown and the NJDOT construction details for the proposed curb are included.

GS units response: Noted

- 2. **Sheet No. 4 (Grading):** According to Table E-1 of the State Highway Access Management Code, the driveway grade must be 4% maximum within 25 feet of curbline. Please provide a profile detail of the proposed driveways to ensure this standard is complying.

Designers response: The revised plans include a driveway profile to demonstrate compliance with the 4% maximum grade,

GS units response: Noted. It is observed that the driveway gradient of Dayton Road is shown as 6.58%, which exceeds the maximum value of 4% within 25' of curbline specified in N.J.A.C. 16:47, Appendix E, Figure E-2 (latest revision).

- 3. **Sheet No. 6 (Landscape):**

- a) Based on the plan sheet, there is an existing tree (located at the corner of the site property) that appear to be obstruct the sight line for the right turn egress at the proposed driveway on Route 202. Remove the tree to improve sight line distance.

Designers response: The tree has been removed as requested.

GS units response: Noted

- b) Show the complete Stopping Sight Distance and Intersection Sight Distance on a separate plan sheet with its calculated values.

Designers response: The revised plans include a separate plan sheet showing the sight distances and calculated values.

GS units response: Noted

New observations from Geometric Solutions unit dated May 15,2026

4. Sheet 1 of 23 (NJDOT Cover sheet):

- a) Show graphical scale wherever map is shown
- b) Change the web site description from
<https://State.nj.us/transportation/eng/specs/2019/Division.shtm> to
<https://dot.nj.gov/transportation/eng/specs/2019/Division.shtml>
- c) Change the web site description from
<https://State.nj.us/transportation/eng/specs/2019/Division.shtm> to
<https://nj.gov/transportation/eng/CADD/v8/stdconsdtls.shtml>

5. Sheet 4 of 23 (NJDOT Grading and Drainage Plan):

- a. Show the direction of flow in drainage pipes. Additionally, invert elevation may need to be checked and verified to provide for proper flow.
- b. Coordinate with NJDOT Operations regarding usage of existing drainage inlets in our R.O.W and with Jurisdiction unit to assess the need for Drainage agreement.

I. Mobility System Design & Construction (ITS): (contact Hirenkumar Patel at 609-963-1176 or Hirenkumar.patel@dot.nj.gov; Fady Abu Raida at 609-963-2698) or Fadi.aburaida@dot.nj.gov)

No Involvement.

J. Roadway Design: (contact Sardar Khan at 609-963-2777 or sardar.khan@dot.nj.gov)

General Comments:

1. Ensure to include any necessary Detectable Warning Surface construction details and notes as per CD 606-2 for accuracy during construction.

Sheet No. 20/23: NJDOT Grading Plan

2. Label the slope of the flares for proposed ADA Curb Ramps on US Route 202

K. Major Access Permits: (Contact Rahmiati Anthony at 609 963-2630 or Rahmiati.Anthony@dot.nj.gov; Elmer Baird@ 609-963-1342 or elmer.baird@dot.nj.gov)

1. Since our team opposes the newly proposed concept for dedicated left turn, there is no need for crosswalk relocation.
2. Due to the denial of the ingress left turn movement, please resubmit revised plans that address one of the following alternatives:
Option 1: Remove the ingress left turn movement from the site access design.
Option 2: Remove the ingress left turn movement from the site access design and reconfigure the site access design to accommodate full movement access on Dayton Road.
3. Please provide a revised developer agreement that reflects lots consolidation.
4. Please provide lot consolidation deed.
5. Please show a new lot consolidation block and number on the cover sheet.
6. Other governing bodies associated with the project may impose different requirements that must be met.
7. Please provide response in comment resolution format.

Please be advised that the SMEs' comments contained in this document represent input from multiple subject matter experts based on the current version of the plan. As the plan undergoes revision, SMEs' feedback will be updated and expanded accordingly to reflect the new design.

Please note that you have 90 calendar days from the date of this correspondence to respond to the above in its entirety. A partial response or response which does not directly address the comments will not be accepted. If a response is not received by Major Access Permits within that time, the application will be considered withdrawn without notification pursuant to N.J.A.C. 16:47-9.6 (d).

If you have any questions concerning the above matters, please contact me via email at Rahmiati.anthony@dot.nj.gov.

Sincerely,
Rahmiati Anthony

Rahmiati Anthony
Project Management Specialist 2.
Office of Major Access Permits

Copy:
Attachments