

# TOWNSHIP OF FREEHOLD



MAYOR  
Anthony J. Ammiano

TOWNSHIP COMMITTEE  
Thomas L. Cook, Deputy Mayor  
Barbara J. McMorrow  
Lester A. Preston, Jr.  
David M. Salkin

"Preserving and Enhancing the Quality of Life"

Timothy White, PE, PLS, CME  
Township Engineer

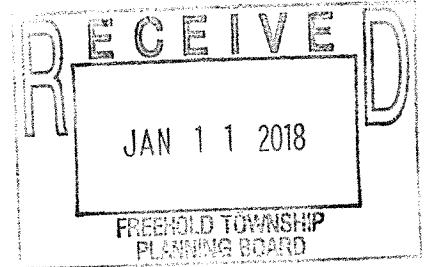
## MEMORANDUM

TO: Planning Board, c/o Danielle Sims, Administrative Officer

FROM: Timothy P. White, Township Engineer

DATE: January 9, 2018

RE: Primark US Corp.  
MS Portfolio LLC  
Block 69.01, Lot 18.07 – 3710 US Highway 9 (Freehold Raceway Mall)  
Amended Minor Site Plan with Waiver of Site Plan Detail #879-1-17



This review refers to the following:

- Minor Site Plan, Amended Site Plan Application with Waiver of Site Plan Detail, Primark, Freehold Raceway Mall, 3710 US Hwy. 9, Unit 1100, Freehold, NJ 07728, seven (7) sheets, dated November 13, 2017, prepared by Gensler, signed and sealed by Reid Brockmeier, AIA.
- Colored Rendering of Existing and Proposed Storefront w/ Signs, Primark, Freehold Raceway Mall, 3710 Route 9, Freehold, NJ 07728, one (1) sheet, dated November 9, 2017, last revised November 13, 2017, prepared by Ruggles Sign, unsigned.
- Architects Certification of Floor Area, Primark 'right sizing,' Freehold Raceway Mall, Freehold, NJ, Application Number: 879-1-17, prepared by Gensler, signed by Reid Brockmeier, AIA.
- Description of Proposed Operations, Primark, Freehold Raceway Mall: Amendment to the prior Approval of Minor Site Plan with Waiver of Site Plan Detail, dated December 11, 2017, prepared by Primark US Corp., signed by Bill Gabovitch.
- Statement of Request for Waivers, Primark US Corp, Primark Right Sizing Application 879-1-17, Amended Site Plan Application with Waiver of Site Plan Detail, dated November 13, 2017, prepared by Gensler, signed by Reid Brockmeier, AIA.

### Executive Summary

In February of 2016 the applicant obtained minor site plan approval for façade improvements and use of the second floor of the Sears anchor store. The applicant is now seeking amended Minor Site Plan approval to decrease the square footage of the second floor from 66,656 sq. ft. to 50,555 sq. ft. The remaining 16,101 sq. ft. will be vacated and leased back to the landlord (Macerich). In association with the decrease of space, the applicant is proposing to modify the façade of the building to eliminate/relocate the existing Primark front

P-2



To: Planning Board  
Re.: Primark US Corp.  
MS Portfolio LLC  
Block 69.01, Lot 18.07 – 3710 US Highway 9 (Freehold Raceway Mall)  
Minor Site Plan with Waiver of Site Plan Detail #879-1-17


January 9, 2018

entrance to the south along the same façade (existing entrance to remain for landlord use), remove an existing Primark sign located above the existing front entrance, and relocate the second existing Primark front elevation sign to above the relocated front entrance. Associated site improvements include approximately 385 sq. ft. of new sidewalk in front of the store and an ADA access ramp. The Primark retail store will operate in a manner consistent with its current operations.

The following comments are provided:

1. Revise the cover sheet and title blocks on the plan to read “Amended Minor Site Plan with Waiver of Site Plan Detail”.
2. The colored elevation and sign renderings shall be included within the overall site plan set. The set shall be numbered sequentially (i.e. 1 of 8, 2 of 8, 3 of 8, etc...).
3. The applicant shall provide testimony to the Board regarding the use of the prior Primark entrance and the occupancy of the space to be leased back to the Landlord.
4. This office has no objections to the increase in impervious surface resulting from the installation of the new sidewalk for the new Primark entrance.

This office has no additional comments relative to any engineering issues.

  
TIMOTHY P. WHITE  
Township Engineer

TPW/mb



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January 9, 2018

Freehold Township Planning Board  
% Danielle B. Sims, Administrative Officer  
Freehold Township  
1 Municipal Plaza  
Freehold, New Jersey 07728

RE: **APP #879-1-17**  
**Planner's Review Letter**  
**Minor Site Plan with Waiver of Site Plan Detail**  
**Primark US Corp. (Applicant)**  
**MS Portfolio LLC (Owner)**  
**3710 US Highway 9 (Freehold Raceway Mall)**  
**Block 69.01, Lot 18.07**  
**RMZ-1 Regional Mall Zone**

Dear Chairman and Members of the Board:

We have reviewed the above-referenced development application, including the following document:

- Minor Site Plan, Amended Site Plan Application with Waiver of Site Plan Detail, Primark, Freehold Raceway Mall, 3710 US Hwy. 9, Freehold, NJ, consisting of 7 sheets, prepared by Gensler, dated 11/13/17
- Signage Plan, Primark, Freehold Raceway Mall, 3710 Route 9, Freehold, NJ, consisting of 1 sheet, prepared by Heather Hisle of Ruggles Sign, dated 11/9/2017 and revised through 11/13/2017

### **Project Description**

The applicant is seeking minor site plan approval in order to decrease the square footage of Primark's leased space, which is located within a portion of the existing Sears department store in the Freehold Raceway Mall. The applicant is also proposing to construct a new building entrance and make certain changes to the signage on the building's east façade.

The applicant has indicated that the Primark store would operate essentially the same as under current conditions, with 30 employees on the early morning shift, 32 employees at store opening, 28 employees on the afternoon shift, and 40 employees at closing. With regard to the busiest shift, there would be not more than 50 employee cars on a weekday and 75 on the weekend.

Note that the applicant received minor site plan approval from the Board on February 4, 2016 in order to construct an emergency access door, undertake façade im-

provements and install signage associated with the then newly-proposed Primark store (Application #879-15).

Per the applicant's architect, the calculated current leased area is as follows:

- Primark first floor: 2,050 square feet
- Primark second floor: 64,606 square feet

Proposed alteration:

- Primark first floor: 2,050 square feet
- Primark second floor: 50,555 square feet
- Area for future tenant: 15,013 square feet
- New common egress: 1,088 square feet

Total: 66,656 square feet

The applicant is proposing to construct a new building entrance on the building's east façade, to the south of the existing building entrance. The existing entrance would remain, to be used by a future tenant. A total of 385 square feet of additional sidewalk area is proposed to provide access to the new building entrance; the proposed concrete sidewalk would match the existing color and core pattern of the adjacent sidewalk. Landscaping comprised of several small trees and shrubs would be removed to accommodate the new sidewalk. The new building entrance would be comprised of aluminum and glass entrance doors and show windows.

An existing Primark wall sign over the existing front building entrance would be removed. A second existing Primark sign (192 square feet) would be relocated above the new entrance. The mall façade would be patched and repaired after the signage is removed; EIFS would be repainted as needed, paint color to match the adjacent wall (SW-2848, Roycroft Pewter).

The total Primark façade area measures 2,062 square feet, where the total sign area would measure 192 square feet (or 9% of the façade area).

A letter from the Freehold Raceway Mall Senior Property Manager, dated November 2, 2017, indicates that the rooftop mechanical equipment on the Sears/Primark building would be either screened or removed by the property owner (i.e., Macerich).

### **Zoning Compliance & Planning Comments**

1. The subject property is located within the Township's RMZ-1 Regional Mall zone. Signage is subject to the general requirements set forth in Section 190-176 and the requirements for RMZ Regional Mall zones set forth in Section 190-181 of the zoning ordinance.



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Planning & Real Estate Consultants

2. Per Section 190-181A(10), the mall building itself and each anchor department store structure attached to the mall building may display one or more signs on the exterior of each wall of the building to identify its company name, logo and/or principal function or service. These signs shall be applied flat against the building façade and extend out from the building wall by not more than 15 inches at a location that is not extended above the top of the parapet or beyond the ends of the façade of any walls. Such signs shall be backlit, illuminated from within and/or under parapet or ground-, flood- or spotlighted. Such signs shall not exceed 15% of the exterior face area of each side of the building. The Board should note that there is a question as to whether Primark should be considered an “anchor department store.” An “anchor department store” is not defined in the Township ordinance. In the event Primark is considered an anchor department store, the proposed signage would comply with the above standard, where signage would comprise 9% of the exterior face area.

In addition, Section 190-181A(3) permits signs identifying stores within an enclosed mall on the façade, but not visible from the exterior of the mall building unless the store has an exterior entrance. As Primark has an exterior entrance, exterior façade signage would be permitted. However, permitted sign area for such signs has not been specified in the Township ordinance.

3. The applicant should indicate the materials and color of the wall surrounding the new building entrance.

We trust that the above information is responsive to your needs.

Respectfully submitted,

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Paul A. Phillips, P.P., AICP

cc: Frank Accisano, Planning Board Attorney  
Timothy P. White, P.E., Township Engineer

J17385

879-1-17

MAYOR  
Lester A. Preston, Jr.

TOWNSHIP COMMITTEE  
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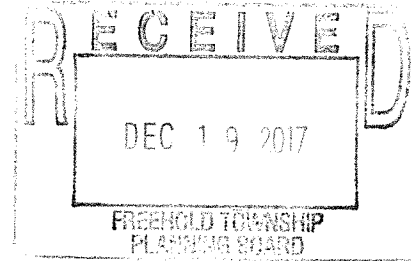
# TOWNSHIP OF FREEHOLD

"Preserving and Enhancing the Quality of Life"

To: Danielle Sims  
Township of Freehold  
Planning Board Administration Officer

December 18, 2017

From: Pasquale Popolizio  
Township of Freehold  
Director of Zoning/Housing



RE: Sign Review  
Primark  
Block-69.01/Lot-18.01, 3710 Route#9 (Zone: RMZ-1)  
Minor Site Plan with Waiver of Site Plan Detail# 879-1-17

Ms. Sims,

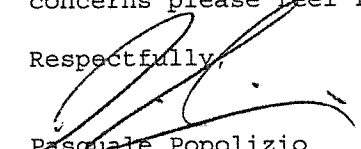
As requested, a sign review for the above referenced site plan application has revealed the following:

Signs Proposed:

1. The relocation of an existing internally illuminated, 192 SF façade sign, advertising "PRIMARK" and the removal of a second +/- 60 SF internally illuminated sign advertising "PRIMARK".

As a result of this office's review, it has been determined that the proposed sign is in conformance with the RMZ-1 Zone sign regulations. Should you have any questions or concerns please feel free to contact this office.

Respectfully,

  
Pasquale Popolizio  
Township of Freehold  
Director of Zoning

P-4

# TOWNSHIP OF FREEHOLD



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"Preserving and Enhancing the Quality of Life"

Timothy White, PE, PLS, CME  
Township Engineer

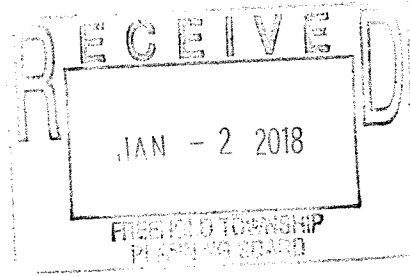
## MEMORANDUM

TO: Planning Board, c/o Danielle Sims, Administrative Officer

FROM: Timothy P. White, Township Engineer

DATE: December 29, 2017

RE: John and Delores Malysa  
Block 85.29, Lot 11  
116 Havens Mill Road  
"C" Variance Application #034-17  
APPLICATION REVIEW #2



This review refers to the following:

- Survey of Property (with "Mark-Up") for Lot 11 in Block 85.29, Township of Freehold, Monmouth County, New Jersey, one (1) sheet, dated July 26, 2000, prepared by Leo A. Kalieta & Co., signed by Leo A. Kalieta, P.L.S.
- Zoning Schedule, John and Delores Malysa, 116 Havens Mill Road, Block 85.29, Lot 11, Zone R-25, dated October 27, 2017, revised December 28, 2017, prepared by John Malysa.
- Manufacturer's Cut Sheet for 16 x 20 Workshop Garage with "Mark-Up" for 16 x 24 Workshop, undated, unsigned.
- Sample Photographs for Proposed Workshop, two (2) pages, undated, unsigned.

### Executive Summary

The applicant is seeking approval to construct a workshop/shed with a footprint of 16 ft x 24 ft and height of approximately 13 ft within the rear yard of the subject property. The workshop will contain a traditional doorway and an 8 ft x 7 ft garage door. The proposed workshop will serve as a space for the applicant's woodworking hobby and bicycle collection. The property is located within the Residential R-25 zone. The applicant is requesting variance relief for exceeding the maximum allowable size of a shed (192 s.f.) and for exceeding the maximum number of sheds on the property. There are no apparent existing non-conformities on the subject property.

DR Co.

P-2




To: Planning Board  
Re: John and Delores Malysa  
Block 85.29, Lot 11  
116 Havens Mill Road  
"C" Variance Application #034-17

December 29, 2017

The following comments are provided:

1. Given that there will be a garage door on the structure, the applicant shall confirm by testimony to the Board that the proposed workshop will serve exclusively as a shed and not a garage.
2. The applicant shall provide testimony to the Board related to the color of the proposed shed.

This office has no additional comments relative to any engineering issues.

  
\_\_\_\_\_  
TIMOTHY P. WHITE  
Township Engineer

TPW/mb



**PHILLIPS PREISS GRYGIEL LLC**

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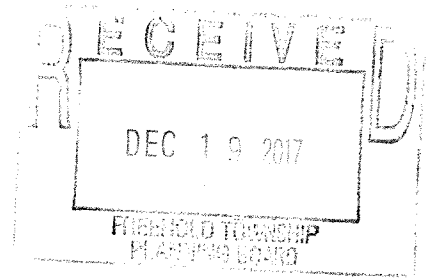
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December 11, 2017

Freehold Township Planning Board  
% Danielle B. Sims, Administrative Officer  
Freehold Township  
1 Municipal Plaza  
Freehold, New Jersey 07728



RE: "c" Variance Application #034-17  
Planner's Review Letter  
John and Delores Malysa  
116 Havens Mill Road  
Block 85.29, Lot 11  
R-25 Residential Zone

Dear Chairman and Members of the Board:

We have reviewed the above-referenced development application, including the following documents:

- Survey of Property, Lot 11, Block 85.29, Freehold, Monmouth County, New Jersey, consisting of 1 sheet, prepared by Leo A. Kalieta, P.L.S., dated 7/26/00

**Project Description**

The applicant is seeking approval in order to install a new workshop in the rear yard of the subject property.

The subject property measures 25,000 square feet and is developed with a one-story, single-family residence with an attached two car garage and patio to the rear. There is an existing shed proximate to the rear property line, measuring 10 feet by 12 feet (120 square feet). The shed has a rear yard setback of 5 feet and side yard setbacks of 45 feet/70 feet.

The subject property is located in a residential subdivision generally to the west of Stillwells Corner Road and to the north of Elton Adelpia Road (Route 524). Land use in the vicinity of the subject property is single-family residential in nature.

The proposed workshop would be located in the rear yard area to the southwest of the residence, to measure 16 feet by 24 feet (384 square feet) and 12 feet in height. The workshop would be clad with "DuraTemp" siding, to be painted a color yet to be determined. One façade of the workshop would have an entry door and two windows, and one façade would have an 8 foot by 7 foot overhead door. The workshop would have a rear yard setback of 50 feet and side yard setbacks of 10 feet/99 feet.

Note that for accessory structures in the R-25 zone, the required rear and side yard setback is 5 feet.



PHILLIPS PREISS GRYGIEL LLC  
Planning & Real Estate Consultants

The applicant has indicated that the workshop would be used for hobbies (e.g., wood-working), as well as to store bicycles; the workshop would allow the applicant to use the attached garage to park vehicles.

### Zoning Compliance & Planning Comments

1. Permitted accessory uses in the R-25 zone include a single toolshed or similar storage building not exceeding 192 square feet in building area. The applicant is proposing to install an additional similar accessory structure (i.e. workshop), where there is one existing shed on the subject property. In addition, the workshop would exceed the maximum permitted building area. As such, "c" variance relief is required. The applicant should provide testimony as to the need for the additional, oversized workshop structure, as well as any associated impacts on adjoining properties - visual impacts in particular.
2. Per Section 190-110B, in all residential zones, any accessory structure exceeding 192 square feet in area shall be constructed of materials that are the same or similar to the materials of the principal structure. The applicant should provide testimony as to conformance with this standard.
3. As "c" bulk variance(s) are required in connection with the application, the Board must find that there is either undue hardship or practical difficulty associated with the strict application of the requirements of the zoning ordinance in connection with this specific piece of property; or that one or more purposes of zoning would be advanced by the deviation and the benefits of granting the variance(s) for this specific piece of property would substantially outweigh any detriment. In addition, the Board must be satisfied that the granting of the variance(s) would not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.

We trust that the above information is responsive to your needs.

Respectfully submitted,

Paul A. Phillips, P.P., AICP

cc: Frank Accisano, Planning Board Attorney  
Timothy P. White, P.E., Township Engineer

J17368

# TOWNSHIP OF FREEHOLD



MAYOR  
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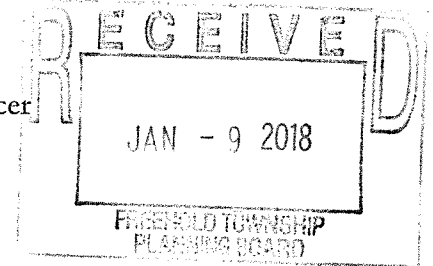
## MEMORANDUM

TO: Planning Board, c/o Danielle Sims, Administrative Officer

FROM: Timothy P. White, Township Engineer

DATE: January 9, 2018

RE: I.J.S. Properties, LLC  
Block 86, Lot 5.02 – 1043 West Main Street  
Final Major Site Plan #770-07  
Request for a One Year Extension of Approval



This review refers to the following:

- Extension Request Letter, dated December 18, 2017, prepared by Cleary, Giacobbe, Alfieri, Jacobs, signed by Salvatore Alfieri, ESQ.
- Resolution of Preliminary Major Site Plan Approval, Application No. 770-07, dated February 18, 2010.
- Resolution of Final Site Plan Approval, Application No. 770-07, dated February 18, 2010.

Following the June 30, 2017 expiration of the Permit Extension Act, the applicant is requesting a one-year extension of approval for their proposed two-story 26,000 sq. ft. office building with attendant site facilities located at 1043 West Main Street.

I have no objection to approval of an extension subject to submission of the plans for review for resolution compliance and by the appropriate Township professionals and consultants to ensure compliance with current regulations.

TIMOTHY P. WHITE  
Township Engineer

TPW/mb

P-1

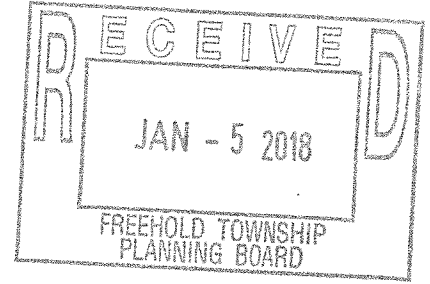


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**January 3, 2018**

**Freehold Township Planning Board  
c/o Danielle B. Sims, Administrative Officer  
Freehold Township  
1 Municipal Plaza  
Freehold, New Jersey 07728**



**Re: App #770-07  
Planner's Review Letter  
JS Properties, LLC  
Block 86, Lot 5.02  
Request for One-Year Extension of Approval**

Dear Chairman and Members of the Board:

We have reviewed the above-referenced development application, which is for a one-year extension of an approval obtained on 2/18/2010 for preliminary and final major site plan in connection with the construction of a two-story office building to contain 26,000 square feet with attendant site facilities on a property located at 1043 West Main Street (Monmouth County Route 537) in the P-1 zone. The applicant was also granted a bulk variance for encroachment into the scenic corridor buffer.

As the Permit Extension Act protection period expired on June 30, 2017, the applicant is seeking a one-year extension through June 30, 2018.

It should be noted that the MLUL at N.J.S.A. 40:55D-52a permits a planning board to grant an extension of final approval for a period of one year, but not to exceed three extensions, provided the developer has followed the standards prescribed for final approval.

Please be advised that the Planning Board is under no obligation to grant an extension. In that regard, the applicant should indicate for the Board the extent to which it has satisfied any of the expressed conditions of approval. Also be advised that if the Board does grant the extension, the effect of same is to protect said approval from any zoning changes for the period specified. It does not prevent the applicant from proceeding with the project if the extension is denied provided the zoning is not changed.

We trust that the above information is responsive to your needs.

Paul A. Phillips, P.P., AICP

Cc: Frank Accisano, Planning Board Attorney  
Timothy P. White, P.E., Township Engineer

J16189

P-2