

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: May 9, 2018

RE: Lester Glenn Chevy
Block 70.05, Lot 14 – 3712 Route 9
Amended Preliminary and Final Major Site Plan #300-2-18
Sheet Pile Retaining Wall Substitution

This review refers to the following:

- Preliminary and Final Major Site Plan for Lester Glenn Chevy, Block 70.05, Lot 14, Township of Freehold, Monmouth County, New Jersey, sheets 4 and 14 of 16 sixteen (16) sheets, dated November 22, 2016, last revised February 22, 2018, received by the Planning Board on April 23, 2018, prepared by Maser Consulting P.A., signed and sealed by Michael F. Gallagher, P.E.
- Three (3) Color Photos of a sheet pile retaining wall, submitted by the applicant and received by the Planning Board on April 24, 2018
- Color Samples for the proposed Sheet pile retaining wall, submitted by the applicant and received by the Planning Board on April 24, 2018

Executive Summary

The applicant is seeking amended site plan approval to substitute the approved reinforced concrete retaining wall along the northerly and westerly property lines at the subject site with a corrugated painted sheet pile retaining wall. The sheet piles are proposed to be painted with a neutral color to the satisfaction of the Township and will be installed in exactly the same location as the approved wall. As the wall is located approximately five (5) feet from the property line, the reason for this request is to eliminate the need to excavate and remove mature trees located on the adjoining property, which according to the applicant, would have been required to enable the installation of the concrete retaining wall.

This office has no objection to this request from an engineering standpoint and would suggest the Board review the examples and photographs that have been submitted to determine if the wall is acceptable from an aesthetic standpoint.

TIMOTHY P. WHITE
Township Engineer
TPW/tpw

TOWNSHIP OF FREEHOLD



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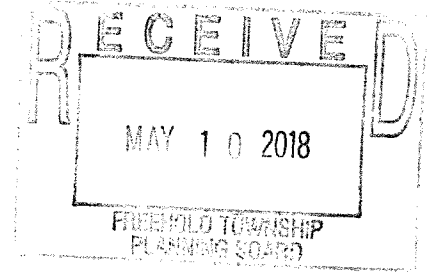
MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: May 10, 2018

RE: Tommy's Tavern & Tap
Tommy's at Freehold, LLC
Block 71, Lot 18 – 3492 Route 9
Minor Site Plan w/ Waiver of Site Plan Details #609-3-18 and Variance #003-18



This review refers to the following:

- Minor Site Plan, Tommy's Tavern & Tap, Block 71, Lot 18, Township of Freehold, Monmouth County, New Jersey, four (4) sheets, dated January 16, 2017, revised March 15, 2018, prepared by DW Smith Associates, LLC, signed and sealed by Syed B. Husain, P.E.
- Architectural Floor Plan and Exterior Elevations, Tommy's Tavern & Tap Renovations, two (2) sheets (A101 and A301), dated January 16, 2018, prepared by Nicholl Field Design, signed and sealed by Scott Nicholl, AIA.
- Signage Plan, Tommy's Tavern & Tap Renovations, Freehold, NJ, one (1) sheet, dated March 12, 2018, prepared by Nicholl Field Design, signed and sealed by Scott Nicholl, AIA.
- Architect's FAR Certification, Tommy's Tavern & Tap – Tommy's at Freehold, LLC, Block 71, Lot 18, 3492 Route 9, dated April 9, 2017, prepared by Nicholl Field Design, by Schott Nicholl, AIA.
- Parking Analysis, Tommy's Tavern & Tap – Minor Site Plan, Lot 18 in Block 71, Freehold Township, Monmouth County, dated March 26, 2018, prepared by McDonough & Rea Associates, Inc., signed by John H. Rea, PE and Scott T. Kennel.
- Stormwater Management Report prepared for Minor Site Plan #609-3-18 and Variance #003-18, Tommy's Tavern & Tap, Block 71, Lot 18, 3492 NJSH Route 9, Freehold Township, Monmouth County, dated April 10, 2018, prepared by DW Smith Associates, LLC, signed by Syed B. Husain, PE, PP.
- Engineer's Summaries for Water and Sanitary Sewer, Minor Site Plan #609-3-18 and Variance #003-18, Tommy's Tavern & Tap, Block 71, Lot 18, 3492 NJSH Route 9, Freehold Township, Monmouth County, dated April 10, 2018, prepared by DW Smith Associates, LLC, signed by Syed B. Husain, PE, PP.
- Environmental Impact Statement, Tommy's Tavern & Tap, Block 71, Lot 18, Freehold Township, Monmouth County, dated March 5, 2018, prepared by DW Smith Associates, LLC, signed by Syed B. Husain, PE, PP.

PB G.

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To: Planning Board
Re.: Tommy's Tavern & Tap
Block 71, Lot 18 – 3492 Route 9
Minor Site Plan w/ Waiver of Site Plan Details #609-3-18 and Variance #003-18

May 10, 2018

- Project Summary, Tommy's at Freehold, LLC (FRIDAY'S), 3492 Route 9, Block 71, Lot 18, dated March 23, 2018, prepared by Sonnenblick, Parker & Selvers, signed by Gerald N. Sonnenblick, Esq.
- Explanation Letter for Items Marked N/A on Minor Site Plan Checklist, Tommy's Tavern & Tap, Block 71, Lot 18, 3492 Route 9, Freehold Township, prepared by DW Smith Associates, LLC, undated, unsigned.
- Monmouth County Planning Board, Letter of No Interest, Site Plan for Tommy's at Freehold, LLC, Block 71, Lot 18, Freehold Township Planning Board, dated February 12, 2018, signed by Edward Sampson, PP, AICP.

Executive Summary

The applicant is seeking minor site plan approval convert an existing TGI Fridays Restaurant into Tommy's Tavern & Tap restaurant and bar. The proposed conversion includes façade and signage upgrades, an outdoor expansion including a dining area with seating for 48 patrons, a garden area with bench seating for 36 patrons and an outdoor dry bar with seating for 9 patrons (total of 93 seats). Associated site improvements include paver walkways, paver patios, gravel areas, open framed arbor structures with retractable shades, a 2' x 40' "linear water feature", and a metal fence surrounding the proposed outdoor expansion. No additional site improvements are proposed as part of the application. The site is located within the Corporate Multi-Use-10 Acres (CMX-10) Zone and contains several existing non-conformities including lot area, lot width, lot frontage, lot depth and rear yard setback. An additional variance is requested for encroachment of the proposed outdoor expansion into the required side yard setback.

It should be noted that the existing building was approved by the Planning Board in 1997 as a 6,830 s.f. restaurant under Site Plan #609-95. Subsequently in 1998, the Planning Board approved a 730 s.f. addition to the existing restaurant under Site Plan #609-1-98. In 2008, an application for a 2,958 s.f. bank was submitted for review by the Board professionals (Site Plan #797-08); however, the application was withdrawn prior to being heard by the Board. A bank was later constructed as part of the development on adjacent lot 19 to the north of the site.

The following comments are provided:

1. The applicant is requesting various site plan submission waivers for the omission of certain requirements not associated with or required as a part of this application. This office has no objection to these waivers unless otherwise mentioned in this report or other Township professional or consultant reviews.
2. Revise signature lines on the cover sheet to be in accordance with T.O. 190-38B(2)(n) and update the signature line for the Township Engineer to the following:

TIMOTHY P. WHITE, TOWNSHIP ENGINEER
NJ Professional Engineer & Land Surveyor
NJ License No. GB42576

DATE

3. The applicant shall expand the project summary (operations statement) to describe the proposed number of employees, hours of operations, etc.



To: Planning Board

May 10, 2018

Re.: Tommy's Tavern & Tap

Block 71, Lot 18 – 3492 Route 9

Minor Site Plan w/ Waiver of Site Plan Details #609-3-18 and Variance #003-18


4. There are numerous discrepancies provided within the application submission related to the square footage of the existing restaurant. For example, site plan sheet 2 describes the building as 7,535 sf., the Stormwater Management Report describes the building as 6,380 s.f., and the project summary letter describes the building as 6,830 s.f. It is apparent that the applicant did not include the addition constructed as part of site plan approval #609-1-98. The applicant shall update the architect's certification to include the actual square footage of the existing building with updated F.A.R. and revise all related application documents and zoning schedule accordingly.
5. Revise the "Dimension & Grading Plan" (sheet 3 of 4) to depict all existing site features. The plan shall be based on a recent survey of the site. The plan sheet shall also show all existing utilities (sanitary, storm and water) with existing valves, cleanouts etc. clearly shown as they relate to the proposed improvements.
6. The site plan describes a proposed 2' x 40' "linear water feature" within the outdoor expansion area. The applicant shall provide additional information related to the water feature including service location, details, height, and renderings for consideration by the Board and their professionals.
7. The applicant shall provide sidewalk along Route 9 fronting the site.
8. The ordinance standard for the number of parking spaces for a restaurant has changed since the TGI Fridays was initially approved with 77 additional spaces. The additional spaces were provided for future expansion not known at that time. The current parking analysis and plan cover sheet describe the additional required parking based on the current ordinance definition to be 47 spaces but does not account for additional employees which would bring this number to 49 spaces. Therefore, the applicant should revise the plan sheet and parking analysis, accordingly.
9. The provided parking analysis describes the possibility of overflow parking at adjacent Lot 19 due to an existing cross-access agreement. Unless the existing cross-access agreement describes shared parking, the adjacent lot shall not be considered in the parking analysis. Or for overflow parking unless the agreement is amended accordingly.
10. The proposed improvements add approximately 1,950 sf of impervious surface (85% of the proposed patio/walkway paver surface) to the site, which is less than a 2% increase. As the total impervious coverage at the site is within the maximum allowable for the zone and the site contains an existing detention facility, this office takes no objection to the proposed increase. Additionally, as the project disturbs less than 1 acre of land and provides less than 0.25 acres of additional impervious coverage, it does not meet the NJDEP definition of a Major Development nor requires any additional stormwater management improvements.
11. This office performed an inspection of the site and several deficient site related items were observed. It is suggested that the Planning Board require the applicant to address the following items:
 - a. The site exhibits several areas of cracked and/or failed pavement, curb and sidewalk that should be repaired in accordance with Township standards. It should be noted that repaving of the parking lot will require the existing storm inlets to be upgraded to meet the design requirements of Chapter 270, Article V of the Township Ordinance.
 - b. The existing curb ramps do not appear to meet existing ADA requirements; the applicant shall provide ADA compliant access from the parking lot.



To: Planning Board
Re.: Tommy's Tavern & Tap
Block 71, Lot 18 – 3492 Route 9
Minor Site Plan w/ Waiver of Site Plan Details #609-3-18 and Variance #003-18

May 10, 2018

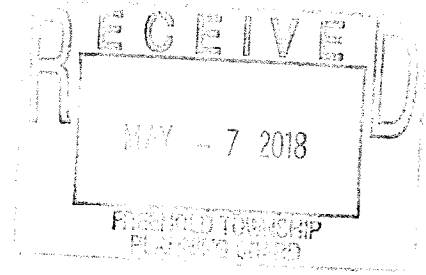
- c. Two (2) non-enclosed refuse containers are located within the rear parking lot. All refuse containers shall be relocated to be within the existing enclosure at the rear of the building. If an additional enclosure is warranted, the applicant shall provide the proposed location on the plans and seek appropriate approval from the Board.
 - d. The existing detention basin appears to be lacking in maintenance. The applicant shall provide inspection and maintenance logs for the existing stormwater management system.
 - e. Portions of the existing guiderail at the rear of the site and fronting the detention basin are in disrepair. Plans shall describe repair and/or replacement of the existing guiderail.
 - f. In comparison with the original approved site plan it is apparent that a significant amount of site landscaping (inclusive of trees) has been removed or is in poor condition. The applicant shall improve the landscaping at the site to be in conformance with the original site plan approval.
- 12. Applicant must obtain an NJDOT Highway Access and/or Occupancy permits, or a Letter of No Interest as necessary.
 - 13. Revise construction plans to include and/or revise all necessary construction details to comply with Freehold Township site plan standards. Further coordination of these items will be subject to and following approval by the Planning Board.
 - 14. Applicant must obtain and provide copies of all necessary permits and/or approvals from all other involved outside agencies.



TIMOTHY P. WHITE
Township Engineer

TPW/mb

M
M
MOTT
MACDONALD



Mr. Timothy P. White, P.E.
Township Engineer
Freehold Township
One Municipal Plaza
Freehold, New Jersey 07728

Tommy's Tavern & Tap
Block 71, Lot 18 – 3492 Route 9
Site Plan No. 609-3-18 & Variance No. 003-18
Sanitary Sewer and Water System Review

Our Reference
375713AK01

May 2, 2018

3 Paragon Way
Freehold NJ 07728
United States of America

Dear Mr. White:

T +1 (732) 780 6565
F +1 (732) 577 0551
www.mottmac.com/americas

As requested by the Township of Freehold (the Township), we have reviewed the submitted plans entitled "Tommy's Tavern & Tap, Minor Site Plan, Block 71, Lot 18, Tax Map Sheet Nos. 29 & 30, Township of Freehold, Monmouth County, New Jersey", dated January 16, 2017, as prepared by DW Smith Associates, LLC., for the applicant Tommy's at Freehold, LLC., and dated as received by the Township on March 27, 2018. The following items were included in the Township's March 27, 2018 submittal to this office:

- The set of plans, consisting of four sheets, referenced above;
- A set of architectural drawings consisting of two sheets prepared by Nicholl Field Design and dated January 16, 2018;
- A Township application for Minor Site Plan, dated January 26, 2018;
- A Township application for Variance, dated April 16, 2018;
- A letter from the applicant's attorney, dated March 23, 2018;
- An Engineer's Summary for Water and Sanitary Sewer letter, prepared by DW Smith Associates, LLC and dated April 10, 2018.

Executive Summary

The site is located on Lot 18, Block 71, which is located on Route 9 South between Schanck Road and Three Brooks Road. The project site currently consists of an existing TGI Friday's restaurant, which has 300 seats and 6,830 square feet of floor space. The applicant is proposing to construct an outdoor dining area for the restaurant as part of the proposed building renovations. The outdoor dining area will add 93 additional seats. The Applicant is proposing to utilize the existing water service and sanitary sewer service to the site for the increase in seats to the restaurant.

The Applicant's Engineer has estimated the projected wastewater flow for this project to be approximately 13,755 gallons per day (GPD) in accordance with TWA Regulations (N.J.A.C. 7:14A-23). This represents an increase of 3,255 GPD compared to estimates of the existing facility. We have estimated the proposed water demand for this project to be approximately 11,790 GPD, in accordance with

D.B.C.

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Safe Drinking Water Regulations (N.J.A.C. 7:10-12.6). This represents an increase of 2,790 GPD compared to estimates of the existing facility.

Sanitary Sewer Review:

The comments on the sanitary sewer design are as follows:

1. The Applicant should provide a signed and sealed sanitary sewer report for the project that includes a calculation of the wastewater flows anticipated to be generated for this project. The report should detail the difference in projected flow versus previously generated flow from the existing facility. Wastewater flows should be calculated in accordance with N.J.A.C. 7:14A-23.3.
2. The existing sanitary sewer lateral should be of adequate size for the project's anticipated sanitary sewer flows. There is adequate downstream capacity in the sewer system to handle the project's anticipated sanitary sewer flows.
3. It is not anticipated that this project will require a Treatment Works Approval from NJDEP. However, approvals may be required from Ocean County Utilities Authority (OCUA) and from Manasquan River Regional Sewerage Authority (MRRSA).
4. Final approval should be contingent upon the review and approval from the OCUA, MRRSA, and the Township of Freehold Plumbing Code Official.

Water System Review:

The comments on the water design are as follows:

1. The Applicant should provide a signed and sealed water system report for the project that includes a calculation of the domestic water demand anticipated for this project. The report also should detail the difference in projected demand versus previous generated demand from the existing facility. The water demands should be calculated in accordance with N.J.A.C. 7:10-12.6.
2. The Township has adequate water supply capacity for the project's proposed water demands.
3. It is not anticipated that this project will require a Safe Drinking Water permit from NJDEP.
4. Final approval will be contingent upon approval of the Township Fire Inspector and the Township Plumbing Code Official.



Should you have any questions or require any additional information, please do not hesitate to contact this office.

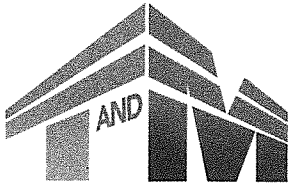
Very truly yours,

Mott MacDonald, Inc.

A handwritten signature in black ink that reads "Brian T. Dougherty".

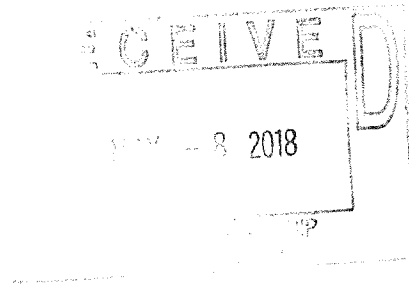
Brian T. Dougherty, PE
Senior Associate
T +1 (732) 780 6565
brian.dougherty@mottmac.com

cc: Peter R. Valesi, Township Administrator
Robert Koches, Supt. Water & Sewer Utility
Danielle Sims, Planning Board Administrative Officer
Paul Vitale, Construction Official
Sean Reilly, Fire Code Inspector
Kyle Smith, PE, CME (MM)
Rafael Mercado (MM)
File 375713.AK.01 (Tommy's Tavern & Tap)



YOUR GOALS. OUR MISSION.

FRTW-R3870



May 8, 2018

Danielle Sims, Administrative Officer
Township of Freehold
One Municipal Plaza
Freehold, NJ 07728

**Re: Tommy's Tavern & Tap
Block 71, Lot 18
SP# 609-3-18
Drainage and Landscape Review**

Dear Ms. Sims:

We have completed review of the proposed plans and calculations for the proposed drainage facilities and landscaping for the above referenced site prepared by DW Smith Associates, LLC., plans dated January 16, 2017, latest revision March 15, 2018; Stormwater Management Report dated April 10, 2018.

The existing site, containing 2.96 acres, is located along the westerly right-of-way line of NJSH Route 9 South and is adjacent to existing commercial development. This site is presently developed with a 6,380 sf, one-story restaurant building (TGI Fridays) and contains existing parking and a stormwater collection system.

The applicant's proposed improvements include seasonal outdoor seating, which will consist of a paver walkway, a gravel area and associated landscaping. It should be noted there is a slight discrepancy in seating between the attorney's statement (95 seats) and the engineers calculations (93 seats). Site runoff is currently managed by the existing stormwater collection system, which the applicant states will be maintained after construction.

I have the following comments and concerns with the proposed drainage facilities:

1. The current application will disturb approximately 0.10 acres of the total tract and increase impervious coverage by 0.05 acres, therefore the project is not considered a "major development".
2. The applicant shall confirm the ground cover calculations. Areas that appear to be gravel covered are labeled as garden areas. Additionally, the calculated areas, as shown on the plans, shall be confirmed. There appears to be discrepancies between labels and the areas measured.
3. The applicant shall provide reason for the gravel covered area. Based on existing conditions, it appears grass cover is being removed for the construction of the gravel with no additional benefits in regard to stormwater management.
4. The applicant shall provide calculations confirming there will not be an increase in site runoff post construction. Additionally, if runoff is increased post construction, calculations shall be provided stating the existing basin can handle the increased flows and meets the current standards for stormwater management.

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FRTW-R3870
May 8, 2018
Page 2

**Le: Danielle Sims, Administrative Officer
Township of Freehold**

**Re: Tommy's Tavern & Tap
Block 71, Lot 18
SP# 609-3-18
Drainage and Landscape Review**

5. The stormwater report states the proposed pavers will sit on a bed of gravel whereas the plan detail shows the pavers on compacted dense graded aggregate. The compacted subbase will not allow vertical drainage as stated in the stormwater report.
6. A detail shall be provided for the proposed 'Linear Water Feature' along the west side of the outdoor seating area.
7. After a recent inspection of the site, it was noted that the existing basin has not been properly maintained. The applicant shall clean and remove all debris and sediment from the basin.
8. All non-complaint curb pieces shall be replaced with Type 'N' Eco heads.
9. An Operation and Maintenance Manual shall be provided which clearly outlines the schedule and maintenance requirements for the existing stormwater facilities. The O&M Manual shall provide specific maintenance requirements and schedule.

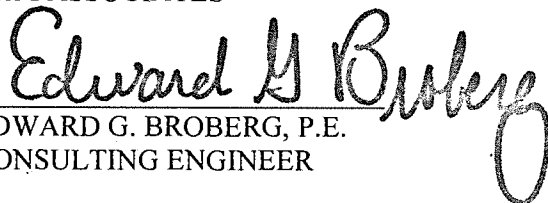
LANDSCAPING

1. There are five (5) existing shade trees in the lawn area adjacent to the proposed improvements. The applicant shall provide tree protection around each in a manner that will ensure that the roots, trunk and branches will not be damaged during construction.
2. The applicant shall restrict the stockpiling of paver sand, pavers and planting mix to the parking area.

If you have any questions or require additional information, please do not hesitate to call.

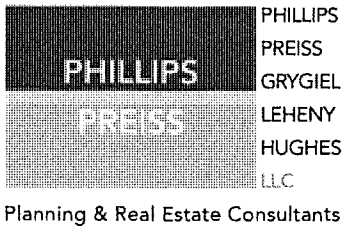
Very truly yours,

T&M ASSOCIATES


EDWARD G. BROBERG, P.E.
CONSULTING ENGINEER

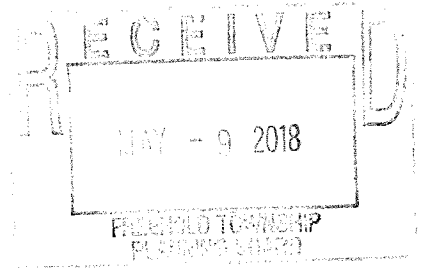
DMD:EGB:AWD:dk

cc: Mr. Timothy White, Township Engineer



May 9, 2018

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



RE: **Minor Site Plan #609-3-18**
Variance #003-18
Planner's Review Letter
Tommy's Tavern and Tap / Tommy's at Freehold, LLC
3492 Route 9
Block 71, Lot 18
CMX-10 Corporate Multi-Use District

Dear Chairman and Members of the Board:

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

- Minor Site Plan for Tommy's Tavern and Tap, Block 71, Lot 18, consisting of 4 sheets, prepared by Syed B. Husain, PE, of DW Smith Associates, LLC, dated 1/16/17 and revised through 5/7/18
- Floor Plan and Elevations for Tommy's Tavern and Tap Renovation, consisting of 2 sheets, prepared by Scott Nicholl, AIA, of Nicholl Field Design, dated 1/16/18
- Signage Plan for Tommy's Tavern and Tap Renovation, consisting of 1 sheet, prepared by Scott Nicholl, AIA, of Nicholl Field Design, dated 3/12/18
- Parking Analysis, prepared by John H. Rea of McDonough & Rea Associates, Inc., dated March 26, 2018

Project Description

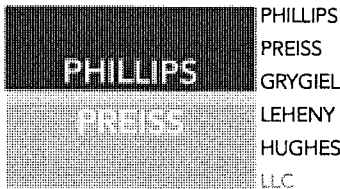
The subject property is developed with a TGI Friday's restaurant. The applicant is seeking minor site plan and bulk "c" variance approval in order to renovate the existing building, construct a new outdoor dining area, and complete various site improvements for a new restaurant use, Tommy's Tavern and Tap.

The subject property measures 2.936 acres and is located on the southbound (west) side of Route 9, approximately a half mile south of Schanck Road. The lot has approximately 400 feet of frontage along Route 9 South. The surrounding area is commercial in nature along both sides of Route 9, including shopping centers, car dealerships, and standalone commercial. Provident Bank and Golden Corral restaurant are located immediately to the north of the site. Smaller retail and

33-41 Newark Street
Third Floor, Suite D
Hoboken, NJ 07030
201.420.6262
www.phillipspreiss.com

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Planning & Real Estate Consultants

wholesale uses are located to the south of the property. An undeveloped portion of an adjacent lot is located directly west of the restaurant. The Stonehurst Condominiums are located further west of the site. Juniper Business Plaza office and commercial center is located across Route 9.

The existing one-story, 7,535 square foot TGI Friday's building would remain and be renovated to accommodate the proposed use. A new outdoor dining and lounge area is proposed to be constructed adjacent the northerly façade of the building. Exterior renovations to the existing building would include the removal of an existing stone parapet and extension of the existing roofline in its place, construction of two additional entrances on the north and south facades, and relocation of windows along the east façade.

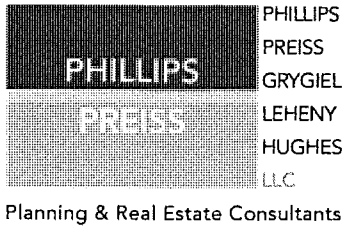
No changes are proposed to the parking area, which presently contains 177 spaces.

The outdoor area consisting of three sections is proposed in an existing grass area located to the south of the building:

- A paved patio area located directly adjacent to the restaurant with table seating, to be covered by a retractable pergola-style shade; seated occupancy of 48, paved area of 1,204 square feet
- An outdoor "garden" with porous gravel surface and bench seating at tables; seated occupancy of 34 on benches
- A dry bar with 9 seats to be located in the southernmost portion of the patio, to be covered by a retractable pergola-style shade; area immediately around the bar to be paved and measure 304 square feet.

All of the outdoor space except the paved dining area, paved bar area, and paved path would have a porous gravel surface. A "semi-pervious" paved path is proposed to connect the main restaurant to the patio and continue out an exit on the south façade. A decorative open-beam trellis would cover a portion of the new outdoor space. In total, the new outdoor areas would comprise approximately 4,000 square feet. LED pendant lighting is proposed to be strung overhead across the patio. A decorative metal fence is proposed to enclose the entire patio area. The applicant has provided a detail and indicated that the fence would vary in height around the perimeter, but would not exceed 4 feet.

The applicant is also proposing new landscaping around the new patio area, including inkberry holly shrubs and a variety of groundcover and decorative grasses near the entrances along the southern and eastern facades. Existing shade trees on the property are proposed to be retained. Ten (10) inkberry shrubs will be located along the easterly (Route 9) side of the patio to provide screening from the front parking area. A water feature measuring 2 feet wide by 40 feet long is proposed on the westerly side of the patio.



Signage

West and south elevations:

- Non-illuminated black, pin-mounted letters (“Tommy’s Tavern & Tap”)
- 36.75 square feet (1.5 feet high by 24.5 feet long)

East and north elevations:

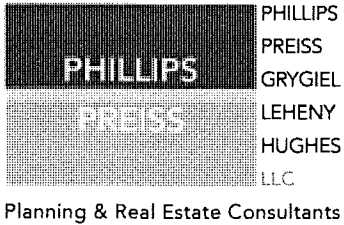
- Externally illuminated black, pin-mounted letters (“Tommy’s Tavern & Tap”)
- 36.75 square feet (1.5 feet high by 24.5 feet long)
- Gooseneck “barn-style” lighting fixtures; 8 on east elevation, 4 on north elevation

Freestanding signage:

- Internally illuminated pole-mounted sign
- 71 square feet/side (12 feet wide by 8 feet, 11 inches high)
- Mounted at 21 feet; total height of 29 feet, 11 inches
- Light brown with black text; black banner with white text
- To remain in existing sign location; south of entrance/exit drive, 34 feet, 10 inches from Route 9 property line

Zoning Compliance & Planning Comments

1. Full-service restaurants with liquor licenses are permitted as a conditional use in the CMX-10 district. The applicant meets all of the required conditions.
2. The existing TGI Friday’s restaurant originally received a conditional use permit with “c” variance and preliminary and final site plan approval in October 1997 (Resolution #609-95). The applicant at that time, Briad Restaurant Group LLC, returned to the Planning Board for amended site plan approval in June 1998. At this time, the Board granted their request to increase the size of the restaurant from 6,830 square feet to 7,560 square feet.
3. The following variances related to the site and building were granted as part of the original approval and are not proposed to change as part of the current application:
 - a. Min. Lot Area: 2.936 acres where 10 acres is required
 - b. Min. Lot Width: 397 feet where 1,000 feet is required
 - c. Min. Lot Frontage: 391 feet where 1,000 feet is required
 - d. Min. Lot Depth: 282 feet where 400 feet is required
 - e. Min. Rear Yard Setback: 78.9 feet where 100 feet is required
4. The patio is proposed to be covered with a trellis structure that extends from the existing building wall. The retractable pergola shade would be attached to the trellis. The southernmost portion of this structure is located 90.24 feet from the side yard property line shared with Block 71, Lot 17. A side yard setback of 100

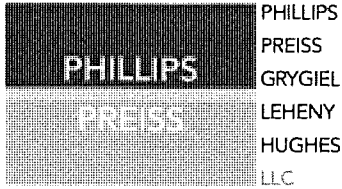


feet is required in the CMX-10 zone. As such, bulk “c” variance relief is required. The applicant should provide testimony as to the impacts (e.g. noise, visual, etc.) of the patio on adjacent properties in light of the reduced setback.

5. Testimony should be provided as to proposed general operations of the proposed new restaurant/bar, including hours of operation, number of employees, etc. The applicant should specifically address activities on the patio, such as whether live music is proposed. The floor plans depict an “outdoor music” area in the southeast corner of the patio but no additional details have been provided.
6. The Township’s parking standards for restaurants have changed since TGI Friday’s was approved in 1998. The ordinance at that time required one parking space per 4 customer seats and per 2 employees. Under this standard, 100 parking spaces were required (75 spaces for 300 customer seats; 25 spaces for 50 employees). TGI Friday’s exceeded this requirement by providing 177 spaces.

Since then, the off-street parking requirement for restaurants has changed such that presently, per Section 190-163, off-street parking for restaurants shall be provided at one space per “2 persons allowed within the maximum occupancy load established by fire, building or health codes.” No changes are proposed to the indoor portion of the property, while 93 new seats are proposed outside. The Township Fire Official has estimated a proposed occupancy of 98 for the outdoor area. At one parking space per 2 occupants, 49 new parking spaces would be required. Given the existing 77 excess parking spaces on the site, the proposal complies with the parking requirement. The applicant should revise the plans to reflect the estimated occupancy load.

7. The applicant has provided a parking analysis concluding that the existing 177 parking spaces would sufficiently accommodate the existing restaurant and proposed patio seating. The parking analysis describes an existing cross-access agreement with Lot 19 (located to the north of the site) that could accommodate any overflow parking. Testimony should be provided as to existing and anticipated parking conditions on the site. Details regarding the cross-access agreement should also be provided.
8. The applicant is proposing a combination of gravel and pervious and semi-pervious pavers to cover the patio area. Per the zone table, 2,122 square feet of gravel and 2,290 square feet of pavers are proposed. Impervious coverage on the site would increase from 56% to 59.7%, where 60% is the maximum permitted in the zone. The applicant should provide testimony describing the nature of the proposed surfacing material and how it may impact stormwater management on the site. We note there is an existing stormwater basin and



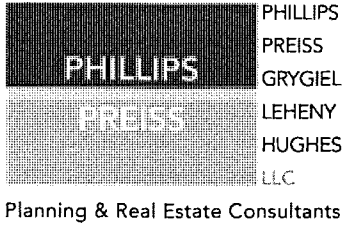
Planning & Real Estate Consultants

detention system on the site, which the applicant has agreed to maintain. We defer further to the Township Engineer with regard to stormwater.

9. The applicant has provide documentation that there is an existing refuse storage area on the western side of the building, adjacent to the kitchen. This area also contains chiller units and dry storage and is currently enclosed with 6-foot high board-on-board fencing with a slatted chain link gate. This should be shown on the plans and a detail should be provided to determine compliance with Section 190-146D(3), which requires refuse enclosures to be constructed of a material compatible with the principal structure.
10. The applicant should provide testimony as to how trash collection, deliveries and loading would be expected to operate on the subject property (e.g., timing, frequency, type of truck, etc.).
11. Signage:
 - a. Façade signs: Four (4) façade signs are proposed, one of which would be located on each of the 4 building facades. Per Section 190-183A, signs are permitted only facades facing the street on which the lot fronts. As such, bulk "c" variance relief is required to permit signs on the south, west, and north facades.
 - b. Freestanding signs: Each lot is permitted one double-faced freestanding sign, not to exceed 10 feet in height and 64 square feet in area per Section 190-183B. The applicant is proposing a freestanding sign measuring 71 square feet in area and 29 feet, 11 inches in height; bulk "c" variance relief is required.

Testimony should be provided in support of the requests for sign variances. The applicant should also provide testimony as to compliance with the Township's approved color palate (Section 190-1760) in order to determine compliance.

12. 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.



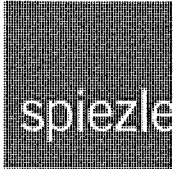
We trust that the above information is responsive to your needs.

Respectfully submitted,

Kate Keller, P.P., AICP
for Paul Phillips, P.P., AICP, Board Planner

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

J18134



SPIEZLE ARCHITECTURAL GROUP, INC.

1395 Yardville Hamilton Square Road, Suite 2A
Hamilton, NJ 08691

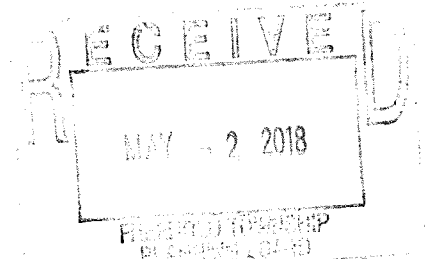
866-974-7666

www.spiezle.com

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May 2, 2018

Ms. Danielle Sims
Administrative Officer, Planning Board
Township of Freehold
One Municipal Plaza
Freehold, NJ 07728



**Re: Architectural Review: Minor Site Plan w/Waiver of Site Plan Detail #609-3-18 and Variance # 003-18
Tommy's Tavern & Tap
Tommy's at Freehold, LLC.
Block 71, Lot 18 - 3492 Route 9**

Dear Ms. Sims:

Pursuant to your request, we respectfully submit our architectural review of the above noted development project. We have received and reviewed the documents noted below:

- Application for Minor Site Plan
- Variance Application form
- Sign Application dated 3/7/18
- Summary letter prepared by Gerald N. Sonnenblick of Sonnenblick, Parker & Selvers, dated 3/23/18
- Letter confirming FAR prepared by Scott Nicholl, AIA of Nicholl Field Design and dated 4/9/18
- Site/Civil engineering drawings 1-4 prepared by DW Smith Associates, LLC and dated 1/16/17
- Architectural drawings A101 and A301 prepared by Nicholl Field Design and dated, 1/16/18
- Design material board
- Drawing S101 labeled Signage, prepared by Nicholl Field Design and dated 3/12/18

Our review is based on our experience and specific reference to architectural design requirements noted in the Freehold Township Ordinance (T.O.), Chapter 190, Article XII, Section 114, Architectural Design Requirements for Commercial, Office and Industrial Development. With regard to this particular application, our comments are as follows:

1. The design as proposed does not meet the intent of the T.O. (Township Ordinance) with regard to maintaining a traditional "colonial" appearance. It should be noted that the proposed renovations do not significantly affect the original design of the building however a variance may be required by the Planning Board.
2. There are no details with regard to materiality or color noted on the drawings. Materials and colors presented on the sample board do not key into the elevations on the drawings. Drawings should be noted accordingly. It appears from the notations on the sample board that the entire

AB FC

P-6



- ground floor facades are proposed to be painted black. We believe that this approach is inappropriate as it will be extremely dark and uninviting. There is no articulation on that level to provide relief on the façade. We suggest lighter coloring and/or introduction of some variation along those facades.
3. The most significant addition to the existing building is an open structure or “pergola” on the south side of the building and intended for outdoor dining. The structure appears to be constructed of posts and beams with a railing completely surrounding the area with gates for entry/exit. There are no further details with regard to materiality or color. Colors shall comply with T.O. Drawings and should be noted accordingly.
 4. Principal facades are noted to include surface mounted lighting. Applicant shall submit product information on all visible lighting fixtures including style, color and performance criteria.
 5. Drawings do not address or note any roof-top or ground mounted building conditioning equipment. Applicant shall confirm that any new roof-top or ground mounted equipment if proposed, will be shielded from public view.
 6. All signs shall comply with Article XVII of the Township Ordinance. We defer to further review by the sign review committee.

The above comments are in regard to architectural design only and do not address issues such as, but not limited to, structural design, construction details, building code/NJUCC compliance, compliance with the Americans with Disabilities Act, or technical site considerations such as but not limited to lighting levels, landscaping selections and traffic engineering. Please feel free to contact me if there are any questions regarding the above.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Leone". The signature is fluid and cursive, written over a horizontal line.

Steve Leone, AIA, LEED BD+C
Principal
SPIEZLE ARCHITECTURAL GROUP, INC.

Shropshire Associates LLC

ESBE / SBE Certified

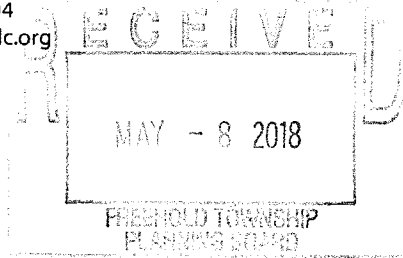
Traffic Engineering, Transportation Planning & Design

277 White Horse Pike, Suite 203, Atco, NJ 08004
P: 609-714-0400 F: 609-714-9944 www.sallc.org

David R. Shropshire, PE, PP
A. Andrew Feranda, PE, PTOE, CME
Randal C. Barranger, PE
Nathan B. Mosley, PE, CME

May 8, 2018

Mr. Timothy P. White, P.E.
Freehold Township Engineer
1 Municipal Plaza
Freehold, NJ 07728-3099



(via email: TWhite@twp.freehold.nj.us)

Attn: Danielle Sims, Administrative Officer

(via email: DSims@twp.freehold.nj.us)

Re: **Minor Site Plan w Waiver**
SP # 609-3-18 & V # 003-18
Tommy's Tavern & Tap
3492 Route 9 South; Block 71, Lot 18
Freehold Township, Monmouth County
SA Project No. 18511

Dear Mr. White:

At the request of Freehold Township, a traffic review was performed for the above referenced site plan application. The materials submitted for review include:

1. Tommy's at Freehold Cover Letter with corresponding application documents; prepared by Sonnenblick, Parker Selvers; dated March 23, 2018.
2. Minor Site Plan set (5 sheets) for Tommy's Tavern & Tap; Block 71, Lot 18; prepared by DW Smith Associates, dated January 16, 2018 and revised to May 7, 2018.
3. Parking Analysis Letter Report for Tommy's Tavern & Tap; Block 71, Lot 18; prepared by McDonough & Rea Associates; dated March 26, 2018.

The Minor Site Plan set, parking analysis and corresponding application documents were reviewed with respect to the Applicant's request for Minor Site Plan approval and variance to re-occupy the 7,535 square foot (sf) restaurant and bar formerly occupied by a Friday's restaurant and for the addition of 93 outdoor seats for seasonal use. The 2.94 acre site is located in the CMX-10 Zone and shares cross access with adjacent commercial sites to the north. The Applicant is not proposing any changes to existing access, circulation or parking. A total of 177 parking spaces are available on-site, including seven (7) handicap parking spaces.

Based on review of the site plans, parking analysis and corresponding documents the following traffic comments are offered:

Access:

Access to the existing restaurant/bar will remain as currently configured with a right-in/right-out driveway along Route 9 southbound and cross-access with Block 71, Lot 18 (Provident Bank) adjacent to the north.



- 1. Access to the restaurant is under the jurisdiction of the New Jersey Department of Transportation (NJDOT). The proposed Tommy's Tavern & Tap will re-occupy the existing 7,535 sf restaurant and add 93 outdoor seats. NJDOT approval will be required, either a letter of no interest or access permit. Freehold Township shall be copied with NJDOT determination.**
- 2. It is recommended that a stop bar be provided for the Route 9 exit. A 24" wide white thermoplastic stop bar be installed adjacent to the exit stop sign.**
- 3. It is recommended that a no left turn sign (R3-2) be placed on the curbed island at the site entrance facing exiting movements to reinforce the right-out only movement.**

Circulation:

Circulation within the restaurant site will remain as currently configured. Circulation aisles are 25 ft wide for two-way circulation between access driveways and parking.

- 1. The restaurant site has no sidewalk along its frontage and none is proposed. Freehold Township may require contribution in lieu of providing sidewalk along the site's frontage. It should be noted that sidewalk does not exist to the north or to the south.**
- 2. The Applicant shall provide information regarding trash storage & removal.**
- 3. The Applicant shall provide information regarding deliveries such as the size of typical delivery trucks, delivery times and where deliveries will occur. Deliveries shall not block circulation aisles.**

Parking & Loading:

The existing 7,535 sf restaurant/bar has a total of 177 parking spaces including seven (7) handicap parking spaces. Existing parking spaces are shown to be 9 ft by 18 ft. typical. No changes are proposed to parking. An outdoor area is proposed with 93 seats and 5 additional staff to service the outdoor seating. There is no designated loading area.

- 1. The 7,535 sf restaurant was previously approved for 300 seats with a maximum staff of 50 employees. The parking requirement at the time of the original approval required 1 space per every 4 seats, plus 1 space per 2 employees. The requirement was 75 spaces for the 300 seats and 25 spaces for staff or a total requirement of 100 parking spaces where 177 spaces were proposed and constructed.**
- 2. The Freehold ordinance currently requires 1 space for every 2 persons allowed for the maximum occupancy. The 93 outdoor seats and 5 employees increase the restaurant's occupancy by 98 persons. By ordinance, for the additional 98 persons, a total of 49 additional parking spaces would be required.**



- 3. The 100 spaces required for the restaurant per the original approval and the additional requirement of 49 parking spaces required for the outdoor seating combine for a total parking requirement of 149 spaces where 177 parking spaces exist on site.**
- 4. A total of seven (7) handicap parking spaces are provided. American's with Disabilities Act (ADA) requires 6 handicap parking spaces for up to 200 spaces provided. The seven (7) available handicap parking spaces satisfy the ADA requirements.**
- 5. Testimony shall be provided regarding the location of deliveries.**

Parking Analysis:

- 1. Parking analysis was provided to review existing parking conditions and calculate parking requirement. The parking analysis details the parking requirement for the existing 7,535 sf restaurant (100 spaces per previous approval at 1 space per 4 seats plus 1 spaces per 2 employees maximum staff) and for the proposed 93 outdoor seats (47 spaces at 1 space per 2 persons of maximum occupancy). It should be noted that the parking analysis did not consider staffing for the outdoor seating which was determined to be 5 employees. (Outdoor staff shall be confirmed by the applicant). Based on the parking analysis a total of 147 (149 with 5 outdoor staff) would be required where 177 spaces exist.**
- 2. The parking analysis compared the Freehold parking requirement to a parking standard commonly used by other municipalities of 1 space per 3 seats. This parking requirements would result in a requirement of 133 parking spaces for the 393 indoor and outdoor seats.**
- 3. The parking analysis concludes that the existing 177 parking spaces can accommodate the existing 7,535 sf restaurant with the addition of 93 outdoor seats. Parking testimony shall be provided.**

Additionally, the Applicant shall obtain all required approvals including, Monmouth County, Freehold Fire Department and any other outside agency approvals.

Sincerely,
Shropshire Associates LLC

A handwritten signature in black ink that reads 'A. Andrew Feranda'.

A. Andrew Feranda, PE, PTOE, CME
Traffic Consultant
AAF/jab

TOWNSHIP OF FREEHOLD



MAYOR
Anthony J. Ammiano

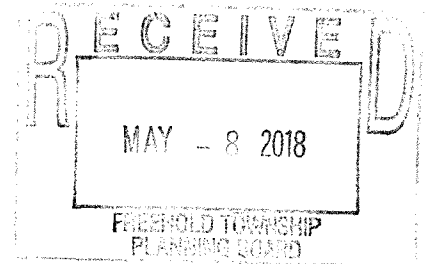
TOWNSHIP COMMITTEE
Thomas L. Cook, Deputy Mayor
Barbara J. McMorrow
Lester A. Preston, Jr.
David M. Salkin

"Preserving and Enhancing the Quality of Life"

To: Danielle Sims
Township of Freehold
Planning Board Administration Officer

May 8, 2018

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



RE: Sign Review
Tommy's at Freehold, LLC
Block-71/Lot-18, 3492 Route# 9 (Zone: CMX-10)
Variance App# 003-18, Minor Site Plan & Detail Waiver# 609-3-18

Ms. Sims,

As per the May 3rd, 2018 distribution received by this office, a Zoning review of the proposed signage for the above referenced application was performed, revealing the following:

Signs Proposed:

1. One (1) internally illuminated, 107Sf (12'W X 8'11"H), Pylon sign advertising; **"Tommy's TAVERN + TAP"** with logo. The proposed sign is to replace the existing "Friday's" sign. The sign color will consist of a wood grain and dark brown background, with a gold outline and white and brown lettering.
2. Four externally illuminated façade signs advertising; **"Tommy's TAVERN + TAP"**. One sign is proposed per elevation. The signs color will be brushed nickel.

The following must be considered by the Board:

1. Sign color detail for the proposed pylon sign was not provided and does not reference the Township's color palette. Sign colors must either be from the Township's approved color palette or be very similar. Referencing: T.O. 190-176.0(2).
2. The pylon sign as proposed will contain four colors exceeding the three color limitation. Referencing T.O. 190-176.0(1)(b).

P-8

DR Sims



3. The pylon sign area proposed and documented on the plans is 71Sf though a calculation performed by this office shows that the sign area when calculated by the area of the smallest parallelogram (12'W X 8'11"H) containing all contents of the sign equals 107Sf. Either way the pylon sign exceeds the maximum pylon sign area of 64Sf per sign face. Referencing: T.O. 190-176.L(1) & T.O 190-183.B.
4. Pylon sign height is described as, Not To Exceed 30'. Township ordinance limits sign height in the CMX-10 zone to 10'. Referencing T.O. 190-183.B.
5. The pylon sign is in the shape of a shield with a ribbon overlay on the bottom. Township ordinance requires that "The face of freestanding signs shall be of a recognized geometric shape". This office defers this determination to the Township's Sign Sub-Committee. Referencing: T.O. 190-183.B & 190-176.Z.
6. The elevation rendering shows the proposal of façade signs on the east, west, north and south elevations where signage is only permitted on the face of the building's east elevation. Referencing T.O. 190-183.A.

Should you have any questions or concerns please feel free to contact this office.

Respectfully,

Pasquale Popolizio
Township of Freehold
Director of Zoning & Housing

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"

TO: The Freehold Township Planning & Zoning Board

FROM: Margaret B. Jahn, Health Officer

DATE: May 11, 2018

SUBJECT: Tommy's Tavern & Tap
Tommy's at Freehold, LLC
Block: 71, Lot: 18
3492 Route 9
Minor Site Plan and Variance # 609-3-18, # 003-18

We have reviewed the site plan for the above referenced project. As per the proposed project, we have no concerns. However, the outside location and maintenance of the solid waste container are poorly maintained and substantial amounts of grease are seeping into the storm water disposal system. The area must be maintained and/or redesigned to prevent further discharge.

604-3-18

MAYOR
Anthony J. Ammiano

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

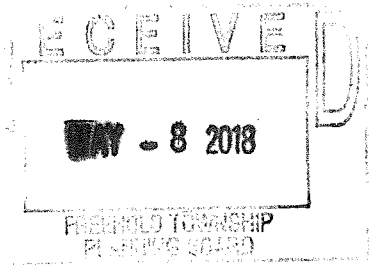


TOWNSHIP OF FREEHOLD

"Preserving and Enhancing the Quality of Life"

May 8, 2018

Freehold Township Planning Board
1 Municipal Plaza
Freehold, NJ 07728
ATT: Mrs. Danielle Sims



RE: Minor Site Plan with Waiver of Site Plan Details # 609-3-18 and
Variance # 003-18
Tommy's Tavern & Tap
Tommy's at Freehold, LLC
Block 71, Lots 18 - 3492 Route 9

Dear Mrs. Sims

The fire board met and approved this application as it was submitted.

Sincerely,

Shaun M. Reilly
Fire Official / Chief of the Board

P-10

PB File

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: April 23, 2018

RE: Michael & Suzanne Caracappa
Block 85.56, Lot 20
62 Harvard Oval
Variance Application #006-18
REVIEW #2

This review refers to the following:

- Bulk and "D" Variance Plan, "Caracappa," Lot 20, Block 85.56, 62 Harvard Oval, Township of Freehold, Monmouth County, New Jersey, one (1) sheet, dated January 2, 2018, revised March 27, 2018, prepared by Concept Engineering Consultants, P.A., signed and sealed by John J. Ploskonka, P.E.
- Architectural Plans (Elevations & Floor Plan), Addition for Caracappa, 62 Harvard Oval, Freehold, New Jersey, two (2) sheets, dated February 13, 2018, prepared by Feldman Architects, signed and sealed by David H. Feldman, RA, AIA.
- Certification of Floor Area, 62 Harvard Oval, Freehold, New Jersey, dated March 27, 2018, prepared by Feldman & Feldman Architects, PC, by David H. Feldman, RA, AIA.

Executive Summary

The applicant is seeking approval to construct a 1722 sf two-story (basement and first floor - 861 sf footprint per level) addition, a 254 sf sunroom addition for a total of 1976 sf of additional space at the above referenced property. Additionally, the applicant is proposing an 80 sf covered porch extension at the northwest front corner of the existing dwelling. The proposed addition will serve as a home for the applicant's elderly parents whom require 24/7 care. The subject property is a corner lot with frontage on both Harvard Oval and Yale Drive. The property is located within the Residential R-25 Zone, however it was developed under the R-15 Zone requirements as per prior litigation with the original developer. As the subject property is a corner lot, bulk variances for front yard depth are required along both Harvard Oval and Yale Drive. Additionally, a "D" variance is required for exceeding the maximum floor area ratio (FAR) permitted in the R-15 Zone.

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To: Planning Board
Re: Michael & Suzanne Caracappa
Block 85.56, Lot 20 – 62 Harvard Oval
Variance Application #006-18

April 23, 2018

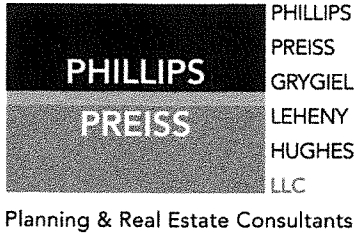
The following comments are provided:

1. It should be noted that in 2006, the applicant filed a permit with the construction department to finish their basement. However, the work never received final inspections or a C.C.O. The applicant shall provide testimony to the Board related to the outstanding construction permit. If all work is completed, it is recommended that the applicant work with the construction department to close out this permit.

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

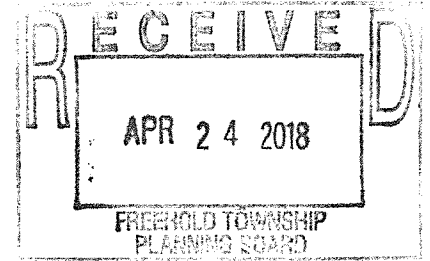
TIMOTHY P. WHITE
Township Engineer

TPW/mb



April 24, 2018

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



RE: **APP #006-18**
Planner's Review Letter
Caracappa, Michael/Suzanne
62 Harvard Oval
Block 85.56, Lot 20
R-25 Residential Zone

Dear Chairman and Members of the Board:

The applicant has submitted revisions to the site plan for this project, dated 1/2/18 and revised through 3/27/2018. A prior report dated 3/13/2018 was prepared and submitted to the Township for review.

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

- Bulk and "D" Variance Plan, Lot 20, Block 85.56, "Caracappa," 62 Harvard Oval, Township of Freehold, Monmouth County, New Jersey, consisting of 1 sheet, prepared by John J. Ploskonka, P.E., of Concept Engineering Consultants, P.A., dated 1/2/2018 and revised through 3/27/2018
- Preliminary Elevations and Floor Plans, Addition for Caracappa, 62 Harvard Oval, Freehold, New Jersey, consisting of 2 sheets, prepared by Feldman & Feldman Architects, PC, dated 2/13/2018

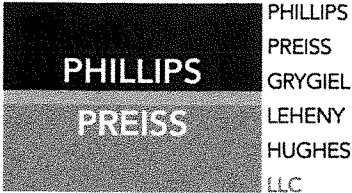
Project Description

The applicant is seeking "c" bulk, "d(1)" use and "d(4)" FAR variance approval in order to construct an addition on an existing single-family residence. The addition would contain an accessory apartment intended to house and provide care for the applicants' elderly parents, as well as a three-season room and covered porch.

The subject property measures 21,468 square feet and is developed with an existing two-story single-family residence with an attached two-car garage. The subject property is a corner lot located to the southeast of the T-intersection of Harvard Oval and Yale Drive. The residence is oriented towards Harvard Oval and a paved driveway is provided from Harvard Oval. The subject property is located within a single-family residential subdivision to the north of Route 524 and to the east of Iron Bridge Road.

PA G.

P-3



Planning & Real Estate Consultants

PHILLIPS
PREISS
GRYGIEL
LEHENY
HUGHES
LLC

The addition would be located along the western side of the residence, to measure 16 feet in width by 53.81 feet in length (861 square feet); a new basement area (790 square feet) would be provided below. A new covered porch (80 square feet) would be located at the northwestern corner of the residence and would be accessible from the new addition, as well as from an existing covered porch at the front (north) of the residence. An existing wood deck and cantilevered bay at the rear of the residence would be removed. A three season room (254 square feet) would be located proximate to the southwestern corner of the residence. The total first floor area of the proposed addition is 1,108 square feet. The applicant has provided an architect's certification regarding the existing and proposed square footage.

Plans indicate that existing A/C units and a trampoline on the western side of the residence would be relocated. The A/C units are proposed to be located to the rear of the new addition.

There is an existing row of evergreen shrubs extending from the northwestern side of the residence to the sidewalk along Yale Drive; along portions of the eastern and western property lines; and along the entire rear property line.

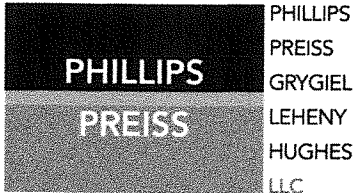
The applicant has provided preliminary building elevations and indicated that the proposed addition will be clad in vinyl siding to match the existing home.

The building addition would contain a living area, kitchenette, full bathroom, bedroom, and washer/dryer. The new basement area would be accessible via a stairwell in the addition, as well as from the main, existing basement.

Zoning Compliance & Planning Comments

1. Though the subject property is located within the Township's R-25 Residential zone, it was developed under the R-15 Residential zone standards per litigation with the original developer (Hovnanian).
2. Accessory apartments are not a permitted use in the zone. As such, "d(1)" use variance relief is required.

The MLUL at N.J.S.A. 40:55D-70d(1) permits a board of adjustment to grant a variance to allow "a use or principal structure in a district restricted against such use or principal structure." Per the MLUL, a "d" variance may be granted only "in particular cases for special reasons." These "special reasons" for a use variance may include that the use is inherently beneficial, that the property owner would suffer undue hardship if compelled to use the property in conformity with the permitted uses in the zone, or that the site is particularly suited for the use so as to promote the general welfare.



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In addition, a variance applicant must address the “negative criteria,” and affirmatively demonstrate that the variance can be granted “without substantial detriment to the public good” and “without substantial impairment to the intent and purpose of the zone plan and zoning ordinance” of the municipality. A “d(1)” variance applicant for a use that is not inherently beneficial is further required to address the “enhanced quality of proof” per Medici v. BPR Co. (107 NJ 1 [1987]): “the grant of a use variance is not inconsistent with the intent and purpose of the master plan and zoning ordinance.”

The applicant should provide testimony as to how the proposed accessory apartment is anticipated to be used.

3. With regard to FAR, we note that the proposed addition contains a basement area of 790 square feet that would adjoin the existing 1,791 square foot basement. The Township ordinance defines “gross habitable floor area” and “cellar” as follows:

FLOOR AREA, GROSS HABITABLE

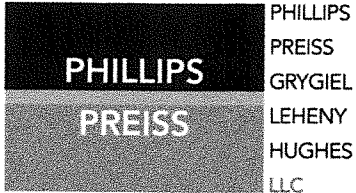
The sum of the areas of the floor or floors of a building which are enclosed and suitable for human occupancy and have a clear ceiling height of at least seven feet, six inches, including closet space, attached garages and hallways, and excluding cellars, attics, dead air space, open porches, breezeways, and all accessory buildings. Such area shall be measured from outside to outside of exterior walls or from the center line of the wall separating two dwelling structures.

CELLAR

A story partly underground and having more than 1/2 its height below the average level of the adjoining ground.

Based on the building elevations provided by the applicant, it appears that a significant portion of the foundation level is located above grade. The applicant’s professionals should confirm whether the existing and proposed basement level meets the ordinance definition of “cellar” in order to determine the existing and proposed FAR.

4. A maximum FAR of 0.20 is permitted, where the proposal would exceed this whether or not the basement is determined to be “habitable” area. If the basement is determined to be habitable, a FAR of 0.26 currently exists on the subject property and 0.34 is proposed. If the basement is not considered habitable, the existing FAR is 0.18 and 0.23 is proposed. As such, “d(4)” FAR variance relief is required.

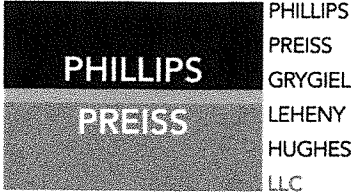


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LEHENY
HUGHES
LLC

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The standard of proof for a d(4) variance comes directly out of the Randolph Town Center case. In such instances, an applicant has a lesser burden as compared to a d(1) or Medici-type variance. Thus, although special reasons must be advanced for an FAR variance, an applicant need not show that a site is particularly suited for the use as it is already permitted within the zone. Instead, an applicant need only demonstrate that the site can accommodate any problems associated with an FAR that is greater than what the zone allows. In addition, as with any variance, the applicant must satisfy the negative criteria (i.e., demonstrate that the granting of relief will not cause substantial detriment to the public good or substantially impair the zone plan). The applicant should address these proof requirements in the context of the subject application.

5. A front yard setback of 50 feet is required, where: 1) 59.7 feet currently exists and 43.1 feet is proposed to the building addition (Yale Drive); and 2) 52.7 feet currently exists and 49.70 feet is proposed to the covered porch (Harvard Oval). Note, however, that the building addition would be set back 61 feet from Harvard Oval. As such, "c" variance relief is required for the undersized front yard setbacks. The applicant should provide testimony as to any impacts of the undersized front yard setbacks on the streetscape along Harvard Oval and Yale Drive and the character of the surrounding neighborhood, in general.
6. Lot depth, which is defined in the ordinance as "a mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines," is noted on plans as 127 feet (i.e., from Yale Drive to the eastern (side) property line). Based on the ordinance definition, lot depth should be measured from Harvard Oval to the southern (rear) yard. A lot depth of 140 feet is required, where ± 170 feet appears to be existing and proposed. No changes are proposed to the lot depth as part of this application. The applicant should revise the zoning table to accurately reflect the lot depth.
7. We note that a permit to finish the basement was filed in 2006; final inspections and a C.C.O. were never received for the renovations. Note also that the notation on the permit states that the space was not to be used for sleeping quarters. The applicant should provide testimony as to the status of the basement renovations. We defer to the Township Engineer for any additional comment on this item.
8. 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



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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,

Kate Keller, P.P., AICP
for Paul Phillips, Board Planner

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

J18072

TOWNSHIP OF FREEHOLD



"Preserving and Enhancing the Quality of Life"

Timothy White, PE, PLS, CME
Township Engineer

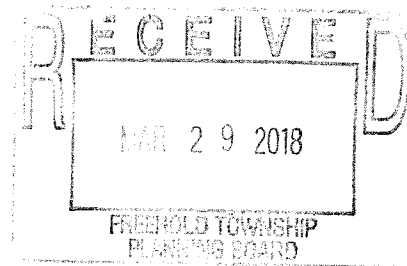
MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: March 29, 2018

RE: Freehold Skin Clinic & Cancer Center
Centurion Real Estate Holding II, LLC
Block 52, Lot 3 – 145 Moreau Avenue/250 South Street
Preliminary and Final Major Site Plan w/ Waiver of Site Plan Details #894-17
"D" Variance #011-17
REVIEW #3



This review refers to the following:

- Freehold Skin Clinic & Cancer Center, Preliminary and Final Major Site Plan, Tax Lot 3, Block 52, Freehold Township, Monmouth County, New Jersey, ten (10) sheets, dated January 18, 2017, revised March 5, 2018, prepared by Geller Sive & Company, signed and sealed by Robert D. Sive, P.E.
- Architectural Plans, Freehold Skin Clinic & Cancer Center, 250 South Street, Freehold, New Jersey, Interior Renovation and Enlargement to Existing 1 Story Building, six (6) sheets, dated December 13, 2016, revised March 9, 2018, prepared by Pallante Design, Inc., signed and sealed by Joseph J. Pallante, A.I.A.
- Boundary and Topographic Survey, Tax Lot 3, Block 52, 250 South Street, Township of Freehold, Monmouth County, New Jersey, dated October 27, 2016, signed and sealed by James J. Heiser, P.L.S.
- Architects Certification, Freehold Skin Clinic & Cancer Center, 250 South Street, Freehold, NJ 07728, dated December 20, 2017, prepared by Pallante Design, Inc., signed and sealed by Joseph J. Pallante, A.I.A., LEED A.P.
- Stormwater Management Report for Tax Lot 3, Block 52, Township of Freehold, Monmouth County, New Jersey, dated January 18, 2017, revised December 5, 2017, prepared by Geller Sive & Company, signed and sealed by Gary Chiang, P.E.
- Operations Statement for Freehold Skin Clinic & Cancer Center, 250 South Street, Freehold, NJ 07728, prepared by Pallante Design, Inc., undated, unsigned.
- Statement of Waivers Requested, Freehold Skin Clinic & Cancer Center, Centurion Real Estate Holding II, LLC, Block 52, Lot 3, dated May 25, 2017, prepared by Mehr, LaFrance & Williams, signed by William J. Mehr, Esq.



To: Planning Board
Re.: Freehold Skin Clinic & Cancer Center
Block 52, Lot 3
Major Site Plan w/ Waiver of Site Plan Details #894-17
“D” Variance #011-17
REVIEW #3

March 29, 2018

- Waiver Request from Requirement of Preparation of a Traffic Impact Statement for Freehold Skin Clinic & Cancer Center, Block 52, Tax Lot 3, 250 South Street, Freehold Township, dated January 18, 2017, revised March 5, 2018, prepared by Geller Sive & Company, signed by Robert Sive, PE, PP, CME.
- Waiver Request from Requirement of Preparation of an Environmental Impact Statement, Freehold Skin Clinic & Cancer Center, Block 52, Tax Lot 3, 250 South Street, Freehold Township, dated January 18, 2017 prepared by Geller Sive & Company, signed by Robert Sive, PE, PP, CME.
- Sanitary Sewer Calculations for Block 52, Tax Lot 3, Freehold Township, Monmouth County, New Jersey, dated December 5, 2017, prepared by Geller Sive & Company, signed and sealed by Robert Sive, P.E.
- Potable Water Calculations for Block 52, Tax Lot 3, Freehold Township, Monmouth County, New Jersey, dated December 5, 2017, revised March 5, 2018, prepared by Geller Sive & Company, signed and sealed by Robert Sive, P.E.
- NJDOT Letter of No Interest, Route 79, MP .35, Block 52, Lot 3, Freehold Township, Monmouth County, dated February 22, 2018, signed by Larry D. Cotton, CPM.

Executive Summary

The applicant is seeking preliminary and final major site plan approval to construct a 1,320 square foot one-story addition on the northerly side of the existing Freehold Skin Clinic & Cancer Center Office. The expanded first floor office will contain a waiting area with 24 seats, six (6) exam rooms, three (3) lab areas, a reception area, nurse’s station, staff lounge, office, and two (2) bathrooms. The existing second floor residential living area will remain the same with the exception of minor modifications to accommodate a new stairway and access to a new roof deck containing planters and a 42” parapet above the expanded first floor. The proposed addition will also include an approximate 1,200 sq. ft. basement. To accommodate the addition, the existing garage and shed will be razed. The site is located in the Professional Office (P-1) Zone and contains several existing non-conformities related to lot area, lot dimensions, building setbacks, building size, impervious coverage, and buffer widths. Additional variance relief is requested for exacerbating the existing non-conforming side yard setback and impervious coverage at the site. Design waivers are requested for parking setbacks and not providing an off-street loading space.

The hours of operation of the office are Monday, Wednesday and Friday 9:00 AM to 5:00 PM; and Tuesday and Thursday 9:00 AM to 7:00 PM. Staffing consists of five (5) employees including two (2) medical doctors, two (2) assistants, and one (1) front desk greeter/book keeper. The occupant of the 2nd floor apartment is one of the doctors who lives out of state utilizing the apartment only when attending the office approximately 2 weeks per month.

The following comments are provided:

1. The applicant is requesting various site plan submission waivers for the omission of certain requirements not associated with or required as a part of this application. This office has no objection to these waivers unless otherwise mentioned in this report or other Township professional or consultant reviews.



To: Planning Board
Re.: Freehold Skin Clinic & Cancer Center
Block 52, Lot 3
Major Site Plan w/ Waiver of Site Plan Details #894-17
"D" Variance #011-17
REVIEW #3

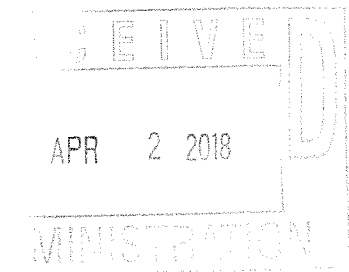
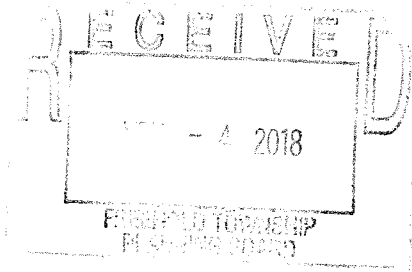
March 29, 2018

2. Although the project does not meet the definition of a Major Development as it relates to stormwater, the applicant is exceeding the maximum impervious coverage at the site. To mitigate this increase an exfiltration trench is proposed to capture the runoff from the net amount of impervious coverage over the maximum allowed. This office has no objection to the mitigation measures proposed.
3. The applicant has proposed a 4' x 6' trash enclosure at the rear (west side) of the proposed addition. The applicant shall provide testimony to the Board with respect to the frequency and method of trash pick-up and hauling.
4. Applicant must obtain an NJDOT Highway Occupancy permit for sidewalk installation on South Street.
5. Revise construction plans to include and/or revise all necessary construction details to comply with Freehold Township site plan standards. Further coordination of these items will be subject to and following Planning Board approval.
6. Applicant must obtain and provide copies of all necessary permits and/or approvals from all other involved outside agencies including but not limited to NJDOT, MRRSA, Monmouth County Planning Board, etc.

TIMOTHY P. WHITE
Township Engineer

TPW/mb

M
M
MOTT
MACDONALD



Mr. Timothy P. White, P.E.
Township Engineer
Freehold Township
One Municipal Plaza
Freehold, New Jersey 07728

Our Reference
375713AJ01

Freehold Township
Freehold Skin Clinic & Cancer Center
Block 52, Lot 3 – 145 Moreau Avenue
Site Plan No. 894-17 and “D” Conditional Use Variance No. 011-17
Sanitary Sewer and Water System Review #3

March 26, 2018

3 Paragon Way
Freehold NJ 07728
United States of America

T +1 (732) 780 6565
F +1 (732) 577 0551
www.mottmac.com/americas

Dear Mr. White:

As requested by Freehold Township (the Township), we have reviewed the submitted plans entitled “Freehold Skin Clinic & Cancer Center, Preliminary & Final Major Site Plan, Tax Lot 3, Block 52, Freehold Township, Monmouth County, New Jersey”, dated January 18, 2017, with a last revision date of December 20, 2017, as prepared by Gellar Sive & Company, LLC. (Applicant’s Engineer), for Centurion Real Estate Holding II, LLC. (Applicant), and dated as received by the Township on March 14, 2018.

The following items were included in the Township’s March 14, 2018 submittal to this office:

- The set of plans listed above, consisting of ten sheets, with a last revision date of February 28, 2018;
- A six (6) sheet set of architectural plans prepared by Pallante Design Architecture Interiors (Applicant’s Architect), dated December 13, 2016, received by the Township on March 14, 2018;
- A response letter from the Applicant’s Engineer, dated March 14, 2018;
- A report entitled “Potable Water Calculations for Block 52, Tax Lot 3 Freehold Township, Monmouth County, New Jersey”, prepared by the Applicant’s Engineer, dated December 5, 2017, with a last revision date of March 5, 2018.

Executive Summary

The building to be renovated is on Lot 3, Block 52 located at the northwest corner of South Street and Moreau Avenue. The project site currently consists of an existing doctor’s office with a 2-bedroom apartment over the office area and an existing garage on the site. The building areas consist of a 1,320 SF office, a 663 SF apartment and a 528 SF garage. The applicant is currently proposing to renovate the existing office and apartment and add a 1,298 SF addition to the office area. The project also includes a renovation of the existing apartment, the demolition of the existing garage, and other site improvements such as new sidewalks and traffic striping. The Applicant is proposing to utilize the existing water service to the site for

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P-3

the building proposed to be renovated. The Applicant is proposing to reroute the existing sanitary sewer service on the site to the building.

The Applicant's engineer has submitted a sanitary sewer report with the estimated projected wastewater flow for the project to be approximately 487 GPD in accordance with Treatment Works Approval (TWA) regulations (N.J.A.C. 7:14A-23). This represents an increase of 130 GPD compared to estimates of the existing facility. This project should not require a TWA permit or approval from Ocean County Utilities Authority (OCUA) but will require approval from Manasquan River Regional Sewerage Authority (MRRSA).

The Applicant's engineer has submitted a water report with the estimated water demand for this project to be approximately 552 GPD, in accordance with Safe Drinking Water Regulations (N.J.A.C. 7:10-12.6). This represents an increase of 162 GPD compared to estimates of the existing facility. This project should not require a BSDW permit and the Township should have sufficient water supply for the project.

Sanitary Sewer Review:

There are no further items which need to be addressed. The plans are acceptable as they relate to the sanitary sewer system.

Water System Review:

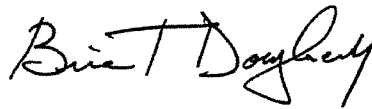
The comments on the water design are as follows:

1. The Applicant has provided a revised signed and sealed water system report for the project that includes a calculation of the domestic water demand in accordance with Safe Drinking Water regulations (N.J.A.C. 7:10-12.6). The report also details the difference in projected demand versus previous generated demand from the existing facility. However, there is a minor error in calculating the proposed water demand for the new addition. The proposed addition is listed as being 1,298 SF and the report indicates 1,320 SF. The report should be revised to reflect the correct square footage. The Applicant should also provide the required fire flow demand prior to final approval.

Should you have any questions or require any additional information, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, Inc.



Brian T. Dougherty, PE
Senior Associate
T +1 (732) 780 6565
brian.dougherty@mottmac.com

cc: Peter R. Valesi, Township Administrator
Robert Koches, Supt. Water & Sewer Utility
Danielle Sims, Planning Board Administrative Officer
Paul Vitale, Construction Official
Sean Reilly, Fire Code Inspector
Kyle Smith, PE, CME (Mott MacDonald)
Rafael Mercado (Mott MacDonald)



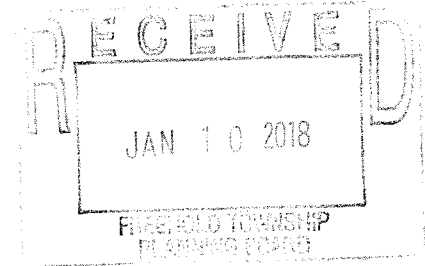
YOUR GOALS. OUR MISSION.

FRTW-R3840

January 8, 2018

Danielle Sims, Administrative Officer
Township of Freehold
One Municipal Plaza
Freehold, NJ 07728

**Re: Freehold Skin Clinic & Cancer Center
Block 52 Lot 3
SP# 894-17
Drainage and Landscape Review No. 2**



Dear Ms. Sims:

We have completed review of the plans and calculations for the proposed drainage and landscaping for the above referenced site prepared by Geller, Sive & Company, plans dated January 18, 2017, revised December 20, 2017, calculations dated January 18, 2017, revised December 5, 2017.

The existing site consists of a 2-story commercial building, a detached garage and shed with associated parking, utilities and landscaping.

The proposed improvements include a 1,298 SF expansion of the existing structure, demolition and removal of the existing garage and shed, minor expansion and reconfiguration of the existing parking area, installation of concrete sidewalks, and landscaping. The plan proposes an underground infiltration system to mitigate the increase in peak flows as a result of the increase in impervious coverage.

The applicant has addressed all comments from the letter dated October 12, 2017:

1. **Informational.**
2. **Addressed.**
3. **Addressed.**

LANDSCAPING

1. **Addressed.**
2. Section 190-166.A requires a 30 foot landscape buffer be provided along a property line adjoining a residential district. The Residential Zone R-9 adjoins the property along its westerly property boundary. No buffer area has been indicated on the plan in this area. The landscape buffer areas to consist of lawn areas and massed evergreen and deciduous trees and shrubs planted in a manner that will provide a continuous visual screen throughout the entire year. There is an existing privet hedge along this property line which provides an approximately three foot-wide deciduous buffer. The existing privet hedge does not satisfy the ordinance requirement for a continuous visual screen throughout the year. It is recommended that additional evergreen shrubs potentially supplemented by a solid fence, be provided. **Addressed. The applicant has stated that they have requested a variance for the 30-foot landscape buffer.**
3. **Addressed.**
4. **Addressed.**

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FRTW-R3840
January 8, 2018
Page 2

**Le: Danielle Sims, Administrative Officer
Township of Freehold**

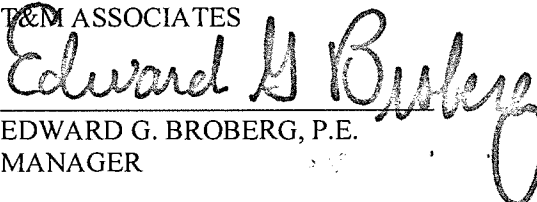
**Re: Freehold Skin clinic & Cancer Center
Block 52 Lot 3
SP# 894-17
Drainage and Landscape Review No. 2**

- 5. Addressed.
- 6. Addressed.
- 7. Addressed.
- 8. Addressed.

At this time our office has no further comments. If you have any questions or require additional information, please do not hesitate to call.

Very truly yours,

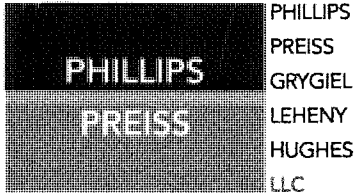
T&M ASSOCIATES



EDWARD G. BROBERG, P.E.
MANAGER

EGB:DMD:MCM:dk
cc: Timothy White, Township Engineer

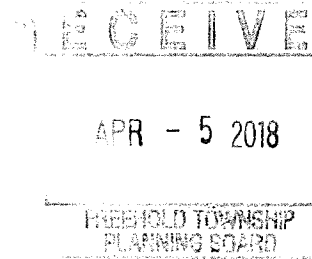
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March 30, 2018

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



RE: Preliminary and Final Major Site Plan w/Waiver of Site Plan Details #894-17 and "d" Variance #011-17
Planner's Review Letter
Freehold Skin Clinic & Cancer Center
Centurion Real Estate Holding II, LLC (Applicant)
145 Moreau Avenue
Block 52, Lot 3
P-1 Professional Office Zone

Dear Chairman and Members of the Board:

The applicant has submitted revisions to the site plan for this project, dated 1/18/2017 and revised through 3/5/2018. Prior reports dated 10/5/2017 and 1/16/2018 were prepared and submitted to the Township for review; additional details regarding the proposed project can be found in the prior reports.

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

- Preliminary and Final Major Site Plan, Freehold Skin Clinic & Cancer Center, Lot 3, Block 52, Freehold Township, Monmouth County, New Jersey, consisting of 10 sheets, prepared by Robert D. Sive, P.E., of Geller Sive & Company, dated 1/18/2017 and revised through 3/5/2018
- Floor Plans and Building Elevations, Interior Renovation and Enlargement to Existing 1 Story Building, Freehold Skin Clinic & Cancer Center, 250 South Street, Freehold, New Jersey, consisting of 5 sheets, prepared by Joseph J. Pallante of Pallante Design, dated 12/13/2016
- Boundary and Topographic Survey, Tax Lot 3, Block 52, 250 South Street, Township of Freehold, Monmouth County, New Jersey, consisting of 1 sheet, prepared by James J. Heiser of DPK Consulting, dated 10/27/2016

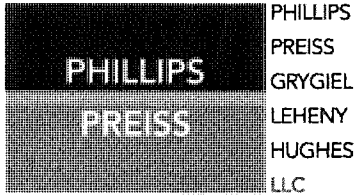
Project Description

The subject property is developed with an existing dermatologist's office and associated parking and circulation areas. The applicant is seeking "d" use and "c" bulk variance approval in order to remove an existing detached garage and shed structure on the subject property and construct a one-story addition (1,320 square

33-41 Newark Street
Third Floor, Suite D
Hoboken, NJ 07030
201.420.6262
www.phillipspreiss.com

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P-5



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feet) on the northerly side of the building. The applicant is also proposing to use the second floor as a part-time apartment for use by a doctor that works in the office and lives outside of the state. Site improvements would include a stormwater exfiltration trench, site lighting, landscaping, and a small expansion of the parking lot area.

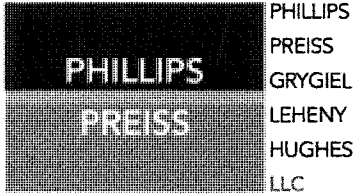
The subject property measures 0.3716 acres and is located at the northwestern corner of the intersection of South Street and Moreau Avenue. There are a number of small offices along South Street in the vicinity of the subject property (e.g., medical, dentistry, tax consulting, etc.), as well as more intensive commercial uses traveling along South Street towards Route 33 (e.g., Shop Rite plaza). There are single-family residential neighborhoods to the west of the subject property along Moreau Avenue. Across South Street to the east of the subject property, there is an administrative building and maintenance facility owned by the New Jersey Department of Transportation.

The existing office building is located in the southwestern portion of the subject property and measures 1,320 square feet at the first floor level and 663 square feet at the second floor level. The detached garage is located to the northeast of the building, and the shed is located to the north of the building. Vehicular access to the subject property is provided by a two-way, full movement driveway along South Street and a secondary, smaller driveway from Moreau Avenue. There is a post and chain gate at the Moreau Avenue driveway limiting vehicular access. In addition, floor plans indicate that there is currently a two-bedroom apartment at the second floor level. The applicant should indicate whether this space is currently being used as an apartment.

Seventeen (17) parking spaces currently exist on the subject property, as shown on Site Plans. The applicant is proposing 15 parking spaces, inclusive of one ADA space. Parking spaces would be restriped to comply with Township standards. Concrete curbing would be provided along the northern and southern perimeters of the parking lot. The South Street driveway would be used as a one-way entrance only, and vehicles would exit onto Moreau Avenue. Plans have been revised to provide a sidewalk along the subject property's South Street frontage.

An existing monument sign (24 square feet) along South Street would be relocated slightly, such that it would be set back 5 feet from the property line, where the existing sign setback is 6 feet. Currently, the sign is mounted such that it is angled, and would be relocated to be perpendicular with South Street. Sign colors are noted as black lettering with a white background. No changes are proposed to the sign face or structure.

Floor Plans depict four existing exam rooms. There is an existing two-bedroom apartment at the second floor level. The proposed first floor would contain three exam rooms, three exam/procedure rooms, two waiting areas, patient restrooms, an



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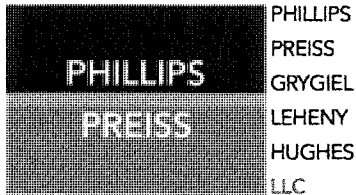
office, nurse station, reception and check-out areas, several lab areas, staff lounge, and restroom. There would be a new ADA ramp along the eastern side of the building. No major changes are proposed to the second floor apartment. The apartment would continue to have two bedrooms; however, the laundry area and stair to the outside would be relocated and a new roof deck would be provided above the building addition. A basement area with a ceiling height of 7 feet would be used for storage and mechanical equipment.

Per the architect's certification, dated December 20, 2017, the first floor measures 1,320 square feet with a proposed addition of 1,320 square feet (2,640 square feet) and the second floor measures 663 square feet (total 3,303 square feet). The existing door on the Moreau Avenue (south) façade would be removed. The main building entrance would be located on the east building façade facing the parking area and South Street. The building would be clad with siding to be "butterfly" in color (i.e., off-white) and would have a stone veneer base and roofing to be pewter in color. The exterior of the doors and windows would be black and the interior would be pine.

Plans have been revised to propose a trash enclosure measuring 4 feet by 6 feet along the western side of the building. The enclosure would be comprised of concrete block with cement plaster to match the building. Garbage and recycling cans would be used for regular curbside trash pick-up. Biohazard waste is stored separately in a specialized unit that is picked up by a specialty waste hauler from the interior of the building. The exterior of the building (e.g., landscaping, snow plowing) would continue to be maintained by a private contractor year-round. All deliveries would be made via UPS or similarly-sized trucks.

Currently, there are five employees comprised of two doctors, two assistants and one front desk greeter/bookkeeper. Hours of operation are Monday, Wednesday and Friday from 9:00 am to 5:00 pm and Tuesday and Thursday from 9:00 am to 7:00 pm. Patients are seen by appointment only. The exam rooms would be used for "quick turnaround" appointments (e.g., assessment of general skin conditions, follow-up visits, etc.), and the exam/procedure rooms would be used for minor procedures (e.g., excisions, skin cancer treatment, etc.). Procedures would be scheduled twice per day at 9:00 am and 11:00 am; exam/procedure rooms would not be used after this time.

Plans have been revised to show a shade tree easement (9 feet in width) along the right-of-way lines. One existing tree would be removed in order to accommodate the new addition. One new Japanese Lilac tree would be planted in the northeastern corner of the subject property. Rows of inkberry holly would be provided along the northern and southern perimeters of the parking area. A row of winterberry holly would be provided to the south of the building, as well as along a portion of the eastern side of the building. A decorative stone planter would be provided along the



Planning & Real Estate Consultants

handicapped ramp, to be planted with annuals. Three Nellie R. Stevens Holly trees would be provided in the northwestern corner of subject property.

Three wall-mounted light fixtures would be provided on the eastern building façade to be mounted at 10 feet to 22 feet in height.

Zoning Compliance & Planning Comments

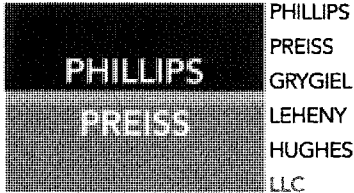
1. Residential uses, specifically residential apartments, are not permitted in the P-1 zone. If the applicant can provide evidence that the second floor apartment is a legally preexisting, non-conforming use; or that a variance has previously been granted for the residential apartment, the applicant would require a “d(2)” type variance to allow for the expansion/intensification of a non-conforming use. In the case of a “d(2)” variance, the applicant need not show that they would be entitled to a use variance in the same way as a completely new use would require proof. Because the use which is being expanded/intensified already exists, a greater degree of liberality can also be shown toward the negative criteria, that is, the impact on the surrounding area and community.

If the applicant cannot provide evidence as described above, then a “d(1)” use variance would be required. The MLUL at N.J.S.A. 40:55D-70d(1) permits a board of adjustment to grant a variance to allow “a use or principal structure in a district restricted against such use or principal structure.” Per the MLUL, a “d” variance may be granted only “in particular cases for special reasons.” These “special reasons” for a use variance may include that the use is inherently beneficial, that the property owner would suffer undue hardship if compelled to use the property in conformity with the permitted uses in the zone, or that the site is particularly suited for the use so as to promote the general welfare.

In addition, a variance applicant must address the “negative criteria.” A “d(1)” variance applicant for a use that is not inherently beneficial is further required to address the “enhanced quality of proof” per Medici v. BPR Co. (107 NJ 1 [1987]): “the grant of a use variance is not inconsistent with the intent and purpose of the master plan and zoning ordinance.”

The applicant should discuss how it is expected that the second floor apartment would be used (e.g., number of days per week to be used, number of people to occupy the apartment, etc.). The applicant has indicated that use of the apartment would be limited to a doctor employed by the dermatology practice; confirmation should be provided that it is not the applicant’s intent to rent out the apartment to another party.

Testimony should be provided at the hearing.



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2. With regard to FAR, we note that a basement area of $\pm 1,200$ square feet is proposed. The Township ordinance defines gross leasable floor area as follows:

FLOOR AREA, GROSS LEASABLE

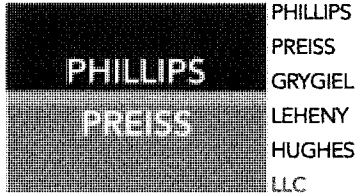
The sum of the areas of the floor or floors of a building or buildings which are enclosed and suitable for leasing to and utilized exclusively by commercial, office or service businesses. Covered sidewalks and enclosed mall open space areas, hallways, equipment rooms and entranceways, loading areas and similar space used in common or for the benefit of the shopping center or other areas not leased to tenants are excluded. Such area shall be measured from inside to inside of exterior walls or from a center line of the wall separating two commercial/ industrial structures.

While we note that this definition appears to have been written with a shopping center in mind (as opposed to a small office use, as is proposed here), a strict reading of the ordinance would suggest that the basement area should technically be included in the applicant's FAR calculation. The maximum permitted FAR in the P-1 zone is 0.20. Should the basement area be included in the FAR calculation, an FAR of approximately 0.27 would be proposed, necessitating d(4) FAR variance relief.

In the event a d(4) variance is required, the Board should note that the standard of proof for a d(4) variance comes directly out of the Randolph Town Center case. In such instances, an applicant has a lesser burden as compared to a d(1) or Medici type variance. Thus, although special reasons must be advanced for an FAR variance, an applicant need not show that a site is particularly suited for the use as it is already permitted within the zone. Instead, an applicant need only demonstrate that the site can accommodate any problems associated with a floor area ratio that is greater than what the zone allows. In addition, as with any variance, an applicant must satisfy the negative criteria (i.e., demonstrate that the granting of relief will not cause substantial detriment to the public good or substantially impair the zone plan).

The applicant has indicated that the basement area will be 7 feet high and will be utilized for storage and HAVC equipment. The applicant has further indicated that the existing garage to be removed is currently used for storage. If the Planning Board is predisposed to granting the d(4) variance relief (should same be deemed required), it should consider as a conditional approval that the basement space be restricted to commercial storage and HVAC equipment only.

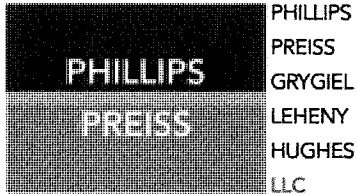
3. There are a number of preexisting, non-conforming conditions to which no changes are proposed:
 - a. A minimum lot area of 2 acres is required where 0.3716 acres is existing/ proposed



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- b. A minimum lot width of 200 feet is required where 100.07 feet is existing/proposed
 - c. A minimum lot frontage of 200 feet is required where 100.08 feet is existing/proposed along South Street and 163.77 feet is existing/proposed along Moreau Avenue
 - d. A minimum lot depth of 200 feet is required where 161.85 feet is existing/proposed
 - e. A minimum front yard setback of 75 feet is required where 23.3 feet is existing/proposed to Moreau Avenue
 - f. A minimum rear yard setback of 50 feet is required where 2.9 feet is existing/proposed to Lot 4 to the west
 - g. A minimum rear/side yard setback of 30 feet is required for accessory buildings where 2.9 feet is existing/proposed from an existing a/c unit to Lot 4 to the west
 - h. Per Section 190-150C(2), parking shall not be allowed within the front yard setback area required for a building fronting on a public road, where parking currently exists within the 75 foot front yard setback area along South Street and Moreau Avenue
 - i. Per Section 190-162E, no parking spaces, access drive or aisle shall be located any closer than 10 feet to any street line, or closer than 5 feet to any side or rear property line, or within any required buffer area. Existing parking spaces are located 9.5 feet from the property line along Moreau Avenue.
 - j. Section 190-166 stipulates that where any commercial property abuts a residential zone, a landscape buffer strip in accordance with the schedule of area, yard and building requirements under the heading "width and buffer zone" shall be permanently maintained along the property line abutting the residential zone. The subject property abuts the R-9 zone to the west. A buffer zone of 2.9 feet is existing and proposed adjacent to the R-9 zone, where a buffer width of 30 feet is required.
4. A minimum side yard setback of 50 feet is required where 40.2 feet exists on the subject property and 20.2 feet is proposed to the northern property line. As such, "c" variance relief is required. The side yard would be reduced in order to accommodate the proposed building addition. The undersized nature of the lot and the applicant's desire to accommodate the required parking on the subject property makes it difficult to comply with the setback requirement. The subject property abuts a medical office to the north. The applicant should discuss any impacts of the undersized yard on the adjoining property and if screening in the form of landscaping and/or fencing was considered as a means to minimize any such impacts.

Variance required. Testimony should be provided at the hearing.



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5. A maximum impervious coverage area of 50% is permitted where 58.7% currently exists on the subject property and 64.9% is proposed. As such, "c" variance relief is required. The applicant should provide testimony as to any impacts of exceeding the maximum impervious coverage on stormwater runoff and management on the subject property. We defer to the Township Engineer for any additional comment on stormwater management, etc.

Variance required. Testimony should be provided at the hearing.

6. Freestanding signs shall comply with the minimum side and corner yard setbacks of the P-1 zone as an accessory structure, but in no event shall a sign be closer than 15 feet to any lot line or building line. The freestanding sign along South Street is currently set back 6 feet, where the sign would be relocated to be set back 5 feet. As such, "c" variance relief is required. The applicant would be relocating the sign such that, rather than being angled, it would be perpendicular to South Street.

Variance required. Testimony should be provided at the hearing.

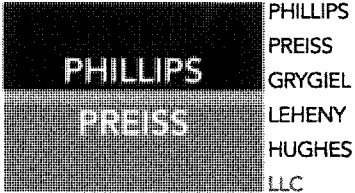
7. Per Section 190-164, one off-street loading space is required where no loading space would be provided. However, these requirements do not apply to such activities as professional offices and similar uses, provided the applicant can demonstrate that they do not normally send or receive any materials or supplies by means of large trucks or tractor-trailer. The applicant should provide testimony as to how loading and deliveries would be expected to operate on the subject property (e.g., timing, frequency, type of truck, etc.). We defer to the Township Engineer and/or Traffic Engineer for any additional comment on this item.

The applicant has indicated that all deliveries would be made via UPS or similarly-sized trucks. Testimony should be provided at the hearing.

8. The applicant should provide testimony as to any anticipated increase in staff and/or doctors working in the office from existing conditions. Are any changes expected in the hours of operation?

Testimony should be provided at the hearing.

9. The ordinance requirement for a professional office use is 1 parking space for every 200 square feet of gross floor area. The medical office would measure 2,640 square feet, and 14 parking spaces are required per the Township Traffic Engineer. We note that the applicant is proposing a two-bedroom apartment and, as such, we believe that two parking spaces would be required per RSIS standards. The applicant would be deficient one parking space, where 15 spaces are provided and 16 spaces are required. As such, "c" variance relief would be required. The applicant should provide testimony as to how parking is expected



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to operate on the subject property under proposed conditions (e.g., with additional office space and the removal of two parking spaces).

10. 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.

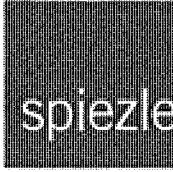
We trust that the above information is responsive to your needs.

Respectfully submitted,

Paul A. Phillips, P.P., AICP

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

J17299



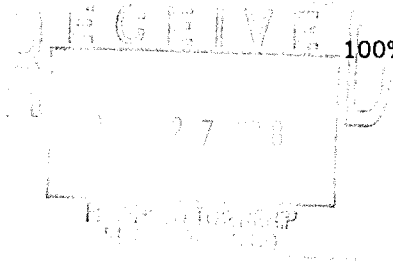
SPIEZLE ARCHITECTURAL GROUP, INC.

1395 Yardville Hamilton Square Road, Suite 2A
Hamilton, NJ 08691

866-974-7666

www.spiezle.com

100% employee-owned



March 27, 2018

Ms. Danielle Sims
Administrative Officer, Planning Board
Township of Freehold
One Municipal Plaza
Freehold, NJ 07728

**Re: 3rd Architectural Review: Preliminary and Final Major Site Plan w/Waiver of Site Plan Detail #894-17 and "D" Variance #011-17
Freehold Skin Clinic & Cancer Center
Centurion Real Estate Holding II, LLC.
Block 52, Lot 3 - 145 Moreau Avenue**

Dear Ms. Sims:

Pursuant to your request, we respectfully submit our architectural review of the above noted development project. We have received and reviewed the documents noted below:

- Letter of response to professional's comments prepared by Geller, Sive & Company and dated, 3/14/18
- Site/Civil engineering drawings 1-10 prepared by Geller, Sive, & Company and dated 3/5/18
- Architectural drawings D-101, A-101, A102, A-301, A-302 & A-401 prepared by Pallante Design Architecture Interiors and dated, 12/13/16

Our review is based on our experience and specific reference to architectural design requirements noted in the Freehold Township Ordinance (T.O.), Chapter 190, Article XII, Section 114, Architectural Design Requirements for Commercial, Office and Industrial Development. With regard to this particular application, our comments are as follows:

1. The design as proposed generally meets the intent of the T.O. (Township Ordinance) with regard to maintaining a traditional "colonial" appearance.

Original Comment

2. The building floor plans do not indicate the inclusion of an elevator. Architect shall confirm that no elevator is required per ADA Guidelines.

Comment was satisfied verbally in that an elevator is not required by code due to the residential use of the upper level. The dialogue occurred between this office and the architect of record for the applicant.

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3. All signs shall comply with Article XVII of the Township Ordinance. We defer to further review by the sign review committee.

The above comments are in regard to architectural design only and do not address issues such as, but not limited to, structural design, construction details, building code/NJUCC compliance, compliance with the Americans with Disabilities Act, or technical site considerations such as but not limited to lighting levels, landscaping selections and traffic engineering. Please feel free to contact me if there are any questions regarding the above.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Leone", written over a horizontal line.

Steve Leone, AIA, LEED BD+C
Principal
SPIEZLE ARCHITECTURAL GROUP, INC.

Shropshire Associates LLC

ESBE / SBE Certified

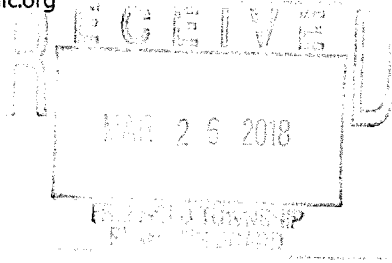
Traffic Engineering, Transportation Planning & Design

277 White Horse Pike, Suite 203, Atco, NJ 08004
P: 609-714-0400 F: 609-714-9944 www.sallc.org

David R. Shropshire, PE, PP
A. Andrew Feranda, PE, PTOE, CME
Randal C. Barranger, PE
Nathan B. Mosley, PE, CME

March 23, 2018

Mr. Timothy P. White, P.E.
Freehold Township Engineer
1 Municipal Plaza
Freehold, NJ 07728-3099



(via email: TWhite@twp.freehold.nj.us)

Attn: Danielle Sims, Administrative Officer

(via email: DSims@twp.freehold.nj.us)

Re: **Preliminary & Final Major Site Plan**
Freehold Skin Clinic & Cancer Center (SP #894-17 & V #011-17)
250 South Street (aka 145 Moreau Avenue); Block 52, Lot 3
Freehold Township, Monmouth County
SA Project No. 17529

Dear Mr. White:

At the request of Freehold Township, a traffic review was performed for the above referenced site plan application. The materials submitted for review include:

1. Cover letter with Responses for Freehold Skin Clinic & Cancer Center, prepared by Geller, Sive, & Company, dated March 14, 2018.
2. Preliminary & Final Major Site Plan for Freehold Skin Clinic & Cancer Center; Block 52, Lot 3; prepared by Geller, Sive & Company, dated January 18, 2017, revised to March 5, 2018.
3. Waiver Request from Requirement of Preparation of Traffic Impact Statement for Freehold Skin Clinic & Cancer Center – Lot 3, Block 52.
4. NJDOT Letter of No Interest for Skin Clinic and Cancer Center, Route 79, MP 0.35, prepared by the NJDOT, dated February 22, 2018.

The Preliminary & Final Major Site Plan set and corresponding application documents were reviewed with respect to the Applicant's request for Site Plan approval with variances for a 1,320 square foot (sf) addition to the existing medical office and apartment unit. The 0.37 acre site, located on Block 52, Lot 3 in the Professional Office (P-1) Zone currently contains a 2-story, 2,058 sf office building, detached garage/office, and shed with 17 parking spaces. The garage/office and shed will be removed and replaced with a 1-story 1,320 sf medical office addition. The second floor (663 sf) of the existing building will be used as an apartment for a doctor. A total of 3,135 sf of medical office/apartment is proposed. The parking lot will be restriped to provide 15 parking spaces including one handicap space. The existing site has two (2) driveways, the primary driveway along South Street (Route 79) and the other along Moreau Avenue.



A traffic review dated October 10, 2017 was issued. A Technical Review Committee (TRC) meeting was held on November 14, 2017 at which the traffic and other review comments were discussed. Plans were revised and additional analyses and information were resubmitted and a second traffic review dated January 12, 2018 was issued. The Applicant has since revised the plans and provided additional information to address comments found in the review letters.

Based on review of the revised site plan set and response letter, the following traffic comments remain:

Access:

The existing South Street (Route 79) and Moreau Avenue driveways permit full movement ingress and egress. The South Street driveway is 19.3 feet (ft) wide for two-way travel. The Moreau Avenue driveway is 13.8 ft wide for two-way travel. The proposal is for the South Street driveway to be converted to an inbound only driveway and the Moreau Avenue driveway to be converted to an outbound only driveway. Existing posts with chains will be removed from both driveways.

The existing Moreau Street driveway is 13.8 ft wide for two-way access. The proposal is to convert the driveway to one-way for exit only. No widening is proposed. The width of this driveway is subject to Freehold Fire Department approval.

Circulation:

Circulation between the two (2) driveways provides access to parking for the office building. The circulation aisle is shown to be 40.1 ft for two-way access to parking spaces. Circulation for the site remains unchanged.

A 4' x 6' trash enclosure is proposed west of (behind) the proposed addition. Testimony shall be provided regarding trash removal operation, such as location of pick-up, frequency and time of day of removal, etc. to ensure circulation aisles don't get blocked.

Parking and Loading:

The site currently has 17 parking spaces, 8 spaces each along the north and south property lines and one (1) space adjacent to the garage/office building. The proposal is to reconfigure the parking area to provide 15 parking spaces including one (1) designated handicap space. There is no designated loading space provided on-site.

- 1. The parking requirement is calculated on the Cover Sheet (sheet 1 of 10), No. 7, for the expanded 2,640 sf medical office and apartment. Based on requirement of 1 parking space per 200 sf of professional office space, 13 spaces are required for the medical office. The 2 bedroom apartment requires 2 parking spaces. A total of 15 spaces are required and 15 spaces are provided.***



- 2. The Americans with Disabilities Act (ADA) requires one (1) HC parking space for the 15 parking spaces provided. The one (1) HC parking space satisfies ADA requirements.**
- 3. The Freehold Land Use Ordinance, Section 190-164 B. requires one (1) loading space for commercial buildings up to 10,000 sf, whereas no loading space is proposed. Relief is requested and testimony shall be provided to justify relief.**

Traffic:

A waiver request is provided from the requirement to provide a traffic impact study for the proposed medical office/apartment expansion from approximately 2,600 sf to 3,135 sf, an increase of approximately 535 sf.

A Letter of No Interest was received from the NJDOT, thus a waiver from providing a traffic impact study can be granted.

Additionally, the Applicant shall obtain all required approvals including, NJDOT, Monmouth County, Freehold Fire Department and any other outside agency approvals.

Sincerely,
Shropshire Associates LLC

A handwritten signature in black ink that reads 'A. Andrew Feranda'. The signature is fluid and cursive, with the first name 'A.' and last name 'Feranda' clearly legible.

A Andrew Feranda, PE, PTOE, CME
Traffic Consultant
AAF/jab

TOWNSHIP OF FREEHOLD



MAYOR
Anthony J. Ammiano

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

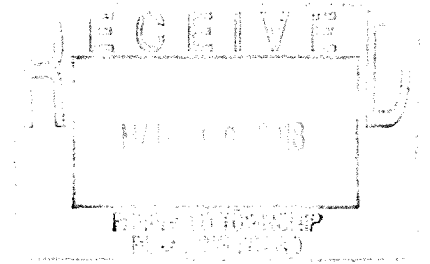
"Preserving and Enhancing the Quality of Life"

To: Danielle Sims
Township of Freehold
Planning Board Administration Officer

January 11, 2018
(Revised: 3/16/18)

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

RE: Sign Review
Freehold Skin Clinic @ Cancer Center
Block-52/Lot-3, 145 Moreau Ave. (Zone: P-1)
Preliminary & Final Major Site Plan w/Waiver of Site Plan Details #894-17
"D" Variance #011-17



Ms. Sims,

As per the distribution of plans dated March 3rd, 2018, a sign review for the above referenced application has revealed the following:

Sign Proposed:

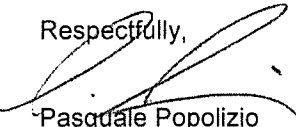
1. The relocation of an existing internally illuminated, 8 Ft tall double sided, 24 SF ground sign advertising Freehold Skin Clinic & Cancer Center. The sign also includes the street number and business phone number. The sign color will consist of black lettering on a white background.

The following must be considered by the Board:

1. While the sign permit submitted does indicate that the face area of the sign is 24 SF (which would be conforming), the sign dimension details on the provided site plan, sheet 8 of 10 were not to scale or proportionate with given measurements therefore sign size conformance could not be confirmed.
2. The ground sign advertisement contains the business name, street number and phone number, "signs shall advertise only the business or use occupying a space". Referencing T.O. 190-179.C(2)(a).
3. The ground sign is proposed at a 5Ft setback therefore not satisfying the required minimum 15Ft setback. Referencing T.O. 190-179.C(2)(b).

Should you have any questions or concerns please feel free to contact this office.

Respectfully,


Pasquale Popolizio
Township of Freehold
Director of Zoning

P-8

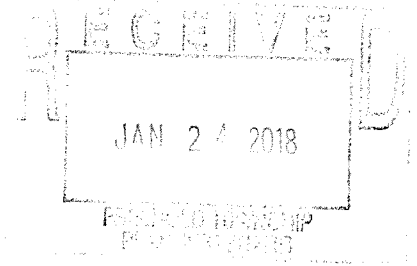
TOWNSHIP OF FREEHOLD



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"

TO: The Freehold Township Planning Board
FROM: Margaret B. Jahn, Health Officer
DATE: January 24, 2018
SUBJECT: Freehold Skin Center and Cancer Center
145 Moreau Avenue
Block: 52, Lot: 3
Pre & Final Site Plan w/ Waiver #894-17
"D" Conditional Use Variance #011-17



We have reviewed the additional information for the above referenced application. The Board of Health has no objection to the proposed project.

894-17

MAYOR
Lester A. Preston, Jr.

TOWNSHIP COMMITTEE
David M. Salkin, Deputy Mayor
Anthony J. Ammiano
Thomas L. Cook
Barbara J. McMorrow

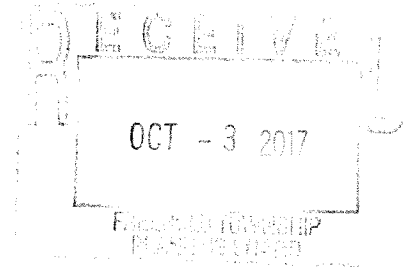


TOWNSHIP OF FREEHOLD

"Preserving and Enhancing the Quality of Life"

October 3, 2017

Freehold Township Planning Board
1 Municipal Plaza
Freehold, NJ 07728
ATT: Mrs. Danielle Sims



RE: Amended Preliminary and Final Major Site Plan w / Waiver of Site Plan Details #894-17 and "D"
Variance #011-17
Freehold Skin Clinic & Cancer Center (Project)
Centurion Real Estate Holding II, LLC (Applicant)
Block 52, Lots 3 – 145 Moreau Avenue

Dear Mrs. Sims

The fire bureau met and reviewed the plans submitted and have approved them as submitted.

Sincerely,

Shaun M. Reilly
Fire Official / Chief of the Board

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