

# 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

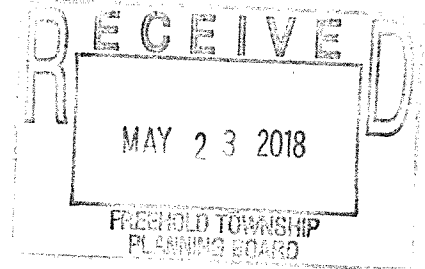
## MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: May 21, 2018

RE: William and Susan Searby  
Block 72, Lot 24 – 51 Koenig Lane  
Variance Application #012-18  
REVIEW #2



This review refers to the following:

- 2 Car Garage Addition Plan, Block 72, Lot 24, 51 Koenig Lane, Freehold, NJ, dated November 17, 2017, revised May 5, 2018, prepared by W. Searby.
- Zoning Schedule, 2-Car Garage Addition (Detached)/William Searby, 51 Koenig Lane, Freehold (twp), NJ 07728, Block 72, Lot 24, dated May 5, 2018, prepared by William Searby
- Impervious Coverage Worksheet/Calculator, dated May 4, 2018, prepared by W. Searby.
- Survey of Property, Lot 21, Block D (on Map Entitled "Subdivision Plat, Wynnewood Section 3, dated April 24, 1961), Township of Freehold, Monmouth County, N.J., dated January 17, 1991, signed by Walter J. Partington, P.L.S.
- 2 Car Garage with Loft Area for Storage, Plan Drawing Number 2018-WVS-0305, one (1) sheet, undated.

### Executive Summary

The applicant is seeking approval to construct a detached 2-car garage with a footprint of 24 ft x 32 ft and height of approximately 20 ft within the rear yard of the subject property. The proposed garage will contain a second story loft area for storage. The subject lot is located at the southeast corner of the intersection of Koenig Lane and the Wynnefield Park Access Road which is considered public right-of-way. In conjunction with the proposed garage, the applicant is proposing to install a second driveway along the Wynnefield Park Access Road. The applicant's existing one-car attached garage was recently converted into living space (bathroom and storage). The new detached two-car garage will be used for street bike storage and retirement hobbies. The property is located within the Residential R-9 zone and the applicant is requesting variance relief for exceeding the maximum allowable size of a private garage (24 x 24 ft) and the maximum height of a private garage. There are no existing non-conformities on the subject lot.

PRG

P-2



To: Planning Board  
Re: William and Susan Searby  
Block 72, Lot 24 - 51 Koenig Lane  
Variance Application #012-18  
REVIEW #2

May 21, 2018

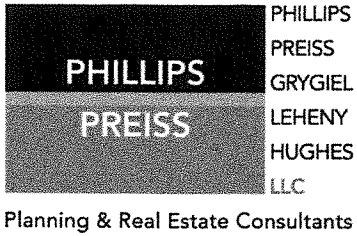
The following comments are provided:

1. Should the Board approve this application; the applicant will be required to submit a plot plan depicting topography and all proposed improvements for further review and approval by this office.

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

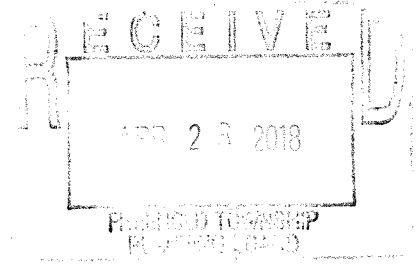
TIMOTHY P. WHITE  
Township Engineer

TPW/mb



April 16, 2018

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



RE: **Variance Application #012-18**  
**Planner's Review Letter**  
**William Searby and Susan Searby**  
**51 Koenig Lane**  
**Block 72, Lot 24**  
**R-9 Residential Zone**

Dear Chairman and Members of the Board:

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

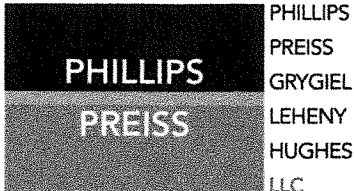
- Survey of Property for Block 72, Lot 24 in Township of Freehold, Monmouth County, prepared by William J. Partington, PLS, and dated January 17, 1991;
- Plan for 2-Car Garage Addition at 51 Koenig Lane, Freehold, NJ, prepared by Applicant, dated 11/17/2017
- Architectural diagram for 2-Car garage, unsigned, undated.

**Project Description**

The applicant is seeking bulk "c" variance approval in order to construct a new detached two-car garage on the subject property, which contains a single-family dwelling.

The subject property measures 15,487 square feet (0.36 acres) and is presently developed with a one-story, single-family residence with an attached one-car garage that the applicant has indicated has been converted to living space. The existing residence measures 16 feet in height. A rear patio and a frame shed are also located on the subject property. The subject property has 75 feet of frontage on Koenig Lane and measures approximately 220.5 feet deep along the adjacent access road.

The property is a corner lot located to the southeast of the T-Intersection of Koenig Lane and an unnamed road leading to Wynnefield Park, which is located to the south of the subject property. The residence is oriented towards Koenig Lane, which is connected to the attached garage via an asphalt driveway. The subject property is located within a single-family residential subdivision south of Willow Brook Road and Route 33 and east of Route 9.



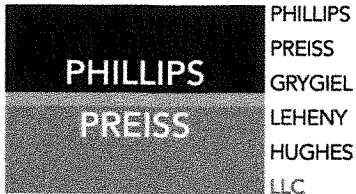
PHILLIPS  
PREISS  
GRYGIEL  
LEHENY  
HUGHES  
LLC  
Planning & Real Estate Consultants

The proposed two-car garage would be located in the rear (south) portion of the property and measure 24 feet wide by 32 feet long (768 square feet). The garage is proposed to measure 20 feet in height and include an upper-floor storage loft to be accessed via an interior ladder. The loft would measure a maximum of 294 square feet. A 12-foot wide new asphalt driveway would connect the proposed garage to the unnamed access road. The plan submitted by the applicant indicates that there is existing fencing along both side yard property lines and the rear property line.

The applicant has provide a diagram of the proposed garage that depicts a barn-style structure with a trussed gambrel roof. One large garage door is proposed for vehicular entrance from the new driveway. An entry door is proposed to be located on the north side of the garage to face the existing dwelling. While colors and materials have not been provided, the plan drawing indicates that the shingles and siding to be used for the garage are proposed to match the primary structure in both color and style.

### Zoning Compliance & Planning Comments

1. The subject property is located within the Township's R-9 Residential zone. There is one preexisting nonconforming condition associated with the subject property and existing dwelling, where the lot width at building line for corner lots is required to be 100 feet and 75 is existing and proposed.
2. As per Section 190-3, the front yard of a corner lot is determined to be the area between the street and the main entrance to the building, which in this case is Koenig Lane. Accessory structures in the R-9 zone must be located at least 5 feet from all property lines. The applicant complies with this requirement, as the garage is proposed to be located 18 feet from the access road side yard property line and 6 feet, 7.25 inches from the rear yard property line.
3. Per Section 190-104A, any building accessory to a residential structure shall not exceed one story or 16 feet in height, where the proposed garage would measure 20 feet in height. As such, "c" variance relief is required. The applicant should discuss the need for a garage that is greater in height than that which is permitted. The applicant should also provide testimony as to any impacts associated with exceeding the maximum permitted height for accessory buildings; in particular, visual impacts on adjacent properties. We note that the garage is proposed to be located in the rear of the property adjacent to Township-owned land.
4. Per Section 190-137B, private garages in the R-9 zone may not exceed 2 automotive vehicles in capacity and 24 feet by 24 feet (576 square feet) in area. The applicant is proposing a 2-car garage measuring 24 feet by 32 feet (768 square feet). As such, "c" variance relief is required. The applicant should discuss the intended use of the structure and the need for a garage that is greater in size



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than that which is permitted. Testimony should also be provided as to any impacts that may be associated with the increased size.

5. Per Section 190-110B, in all residential zones, any accessory structure exceeding 192 square feet in area shall be constructed of materials that are the same or similar to the materials of the principal structure. The applicant should provide testimony as to conformance with this standard.
6. The zoning schedule provided by the applicant should be revised to reflect the correct percentages for building coverage and impervious coverage, which are shown as 17% and 16.62%, respectively. While the proposal appears to comply with the maximum requirement of 35% for each, the impervious surface calculation should include all buildings and paved areas on the site.
7. TAs "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, Board Planner

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

J18116

# TOWNSHIP OF FREEHOLD



MAYOR  
Anthony J. Ammiano

TOWNSHIP COMMITTEE  
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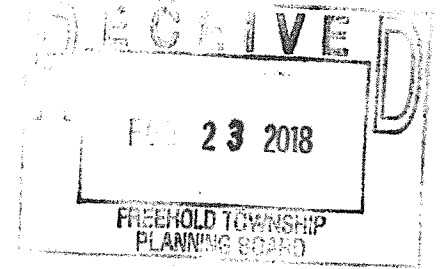
## MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: February 14, 2018

RE: Shake Shack  
Leemilt's Petroleum  
Block 3, Lot 1 – 4431 Route 9 North  
Preliminary & Final Major Site Plan #893-17 and "D" Conditional Use Variance #015-17  
REVIEW #3



This review refers to the following:

- Preliminary & Final Major Site Plan for Getty Realty Corporation Proposed Shake Shack Restaurant, Block 3, Lot 1, Township of Freehold, Monmouth County, New Jersey, fifteen (15) sheets, dated April 7, 2017, last revised January 31, 2018, prepared by Bohler Engineering, signed and sealed by R.L. Streker, P.E.
- ALTA/NSPS Land Title Survey, Getty Petroleum Marketing, Inc., 4431 N.J.S.H. U.S. Route 9, Lot 1, Block 3, Freehold Township, Portion of Lot 1.01, Block 24, Manalapan Township, Monmouth County, State of New Jersey, one (1) sheet, dated March 24, 2017, prepared by Control Point Associates, signed and sealed by James D. Sens, P.L.S.
- Colored Architectural Plans, Shake Shack Freehold, 4431 Route 9, Freehold, NJ 07728, three (3) sheets, dated November 28, 2017 (plot date stamp), prepared by BAI Architecture, Inc., Signed and sealed by Michael R. Davis, R.A.
- Report of Geotechnical Investigation, Proposed Shake Shack Restaurant, 4431 N.J.S.H. U.S. Route 9, Block 3, Lot 1 & Block 24, Portion of Lot 1.01 Freehold Township & Manalapan Township, Monmouth County, New Jersey, dated March 21, 2017, prepared by Whitestone Associates, Inc., signed by Mudar Khantamr, P.E. and Kevin A. Feath, P.E.
- Traffic Impact Analysis for Getty Realty Corporation, Proposed Shake Shack Restaurant, Block 3, Lot 1, 4431 NJSH Route 9 Northbound, Township of Freehold, Monmouth County, New Jersey, dated December 6, 2016, revised December 5, 2017, prepared by Atlantic Traffic + Design, signed by John R. Harter, P.E. and signed and sealed by Corey M. Chase, P.E.
- Stormwater Management Statement for Proposed Shake Shack Development, Prepared for Getty Realty Corporation, Block 3, Lot 1, 4431 Route 9, Township of Freehold, Monmouth County, New Jersey, dated April 2017, last revised February 2018, prepared by Bohler Engineering, signed and sealed by Robert L. Streker, P.E.



February 14, 2018

To: Planning Board  
Re: Shake Shack  
Block 3, Lot 1  
Site Plan #893-17 and Variance #015-17

- Domestic Water Demand Report for Getty Realty Corporation, Proposed Shake Shack, Block 3, Lot 1, 4431 Route 9, Township of Freehold, Monmouth County, New Jersey, dated October 2017, revised February 2018, prepared by Bohler Engineering, signed and sealed by R.L. Streker, P.E.
- Sanitary Sewer Demand Report for Getty Realty Corporation, Proposed Shake Shack, Block 3, Lot 1, 4431 Route 9, Township of Freehold, Monmouth County, New Jersey, dated October 2017, prepared by Bohler Engineering, signed and sealed by R.L. Streker, P.E.
- Certification of Floor Area, Shake Shack Freehold, NJ, dated November 28, 2017, prepared by Bergmeyer, signed by Michael Davis, FAIA.
- Waiver Request, Environmental Impact Statement, Proposed Shake Shack Restaurant, Block 3, Lot 1, 4431 Route 9, Township of Freehold, Monmouth County, New Jersey, dated June 26, 2017, prepared by Bohler Engineering, signed by Bryan Ehnes, P.E. and Robert L. Streker, P.E.
- Remedial Investigation Report, Getty Service Station #00655, 4431 Route 9, Englishtown (Freehold), Monmouth County, New Jersey, SRP PI #001732, Case #14-08-25-1102-46, dated June 23, 2017, prepared by EnviroTrac Environmental Services, signed by Justin Piegaro.
- Statement of Operations, Shake Shack, dated June 8, 2017, by Mike Iaia, Regional Director of Operations.
- Colored Sign Drawings, Shake Shack, 4431 Route 9, Freehold, NJ 07728, seven (7) sheets, dated March 28, 2017, prepared by Jones Sign and Murdoch Engineering, signed and sealed by Jere Murdoch, P.E.

### Executive Summary

The applicant is seeking preliminary and final major site plan approval to construct a new 3,514 S.F. Shake Shack Restaurant at the above referenced property located within the CMX-3A zone. Associated site improvements include a 63 space parking lot, storm sewer infrastructure, utility service lines, sidewalk, a refuse enclosure, landscaping and lighting. Access to the restaurant will be provided via a single ingress/egress driveway at Pond Road and one-way circulation around the site. The existing driveway at U.S. Route 9 will be eliminated. It should be noted that the northwest corner of the property is located in Manalapan Township (Lot 1.01, Block 24); however no site improvements are proposed within this portion of the site at this time.

A conditional use variance is requested as the minimum seating for a conditional restaurant use in the CMX-3A Zone is 125 seats where only 84 seats are provided. Additionally, several bulk variances for front and rear yard setbacks, maximum impervious coverage, minimum building size, parking space size, parking setbacks, number of loading spaces, and relief relative to signage are also being requested.

The restaurant will be open from 11:00 AM – 10:00 PM Sunday through Thursday and 11:00 AM – 11:00 PM Friday and Saturday. There will be approximately 45-60 employees with approximately 15-22 employees per shift during peak hours and 8-12 employees during off-peak hours.

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: Shake Shack  
Block 3, Lot 1  
Site Plan #893-17 and Variance #015-17

February 14, 2018

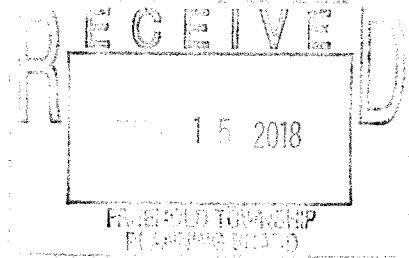
2. Revise signature lines on the cover sheet to reflect the Planning Board (not Zoning Board) and provide an additional signature line for the Planning Board Secretary below the Planning Board Chairman.
3. It should be noted that the site previously served as a former fuel station with three (3) separate cases listed with the NJDEP Site remediation Program. The applicant shall comply with the requirements of the Freehold Township Health Department related to any open NJDEP cases and on-going monitoring at the site in relation to the proposed development.
4. The applicant shall provide a letter of no interest or approval from Manalapan Township for the proposed use/development as a portion of the property is located within their jurisdiction.
5. The applicant has requested variance relief for parking space size. The proposed lot will contain thirty-two (32) 9' x 18' spaces, sixteen (16) 9' x 19' spaces, twelve (12) 9' x 20' spaces, and three (3) conforming ADA spaces. This office has no objection to this request as hairpin striping is provided and traffic circulation is one-way. However, the applicant shall meet the ordinance requirement for parking space width at all end spaces by providing an access surface at adjacent islands.
6. The applicant has requested variance relief from providing an off-street loading space. As such, the applicant shall provide testimony to the Board including but not be limited to the frequency of deliveries, size of delivery trucks, unloading location, and anticipated delivery times.
7. Although the proposed light fixtures appear to match the style and design of the building, the Planning Board may request a fixture which is more traditional or colonial in style. The applicant shall provide testimony in this regard.
8. Applicant must provide a letter rescinding any and all previous Board approvals granted for the subject property.
9. The applicant indicates that the project will require an export of approximately 1,000 c.y. of fill. As such, a separate application for a soil removal must be made and a permit must be obtained from the Planning Board.
10. 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 approvals.
11. Applicant must obtain and provide copies of all necessary permits and/or approvals from all other involved outside agencies as may be necessary, including but not limited to NJDOT, NJDEP, WMUA, Monmouth County Planning Board, etc.

TIMOTHY P. WHITE  
Township Engineer

TPW/mb

**M**  
**M**  
**MOTT**  
**MACDONALD**

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



Our Reference  
375713AI01

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**Shake Shack**  
**Leemilt's Petroleum**  
**Block 3, Lot 1 – 4431 Route 9 North**  
**Site Plan No. 893-17 and "D" Conditional Use Variance No. 015-17**  
**Sanitary Sewer and Water Systems Review # 3**

February 12, 2018

Dear Mr. White:

As requested by the Township of Freehold (the Township), we have reviewed the plans entitled "Preliminary & Final Major Site Plan for Getty Realty Corporation Proposed Shake Shack Restaurant, Block 3, Lot 1, 4431 Route 9, Township of Freehold, Monmouth County, New Jersey; CMX-3A Zone; Tax Map Sheet # 1", with a last revision date of January 31, 2018, and prepared by Bohler Engineering for Leemilt's Petroleum, Inc. (the Applicant) and dated as received by the Township Planning Board on February 2, 2018.

The following items were submitted by the Applicant and reviewed for this project:

- A set of signed and sealed plans referenced above Sheets 1 through 15, with a last revision of January 31, 2018;
- A response letter prepared by the Applicant's Engineer, Bohler Engineering, dated February 1, 2018;
- One sheet survey plan, prepared by Control Point Associates, Inc., dated March 24, 2017;
- A report entitled "Domestic Water Demand Report for Getty Realty Corporation Proposed Shake Shack Block 3; Lot 1 4431 Route 9 Township of Freehold Monmouth County, New Jersey", prepared by Bohler Engineering and dated October 2017, revised February 2018.

#### **Executive Summary**

The site in question (Block 3, Lot 1) is located on the northbound side of Route 9 between the Manalapan border and East Freehold Road. Currently the property is vacant and was previously a Getty gasoline station. The Applicant is proposing to demolish the existing facilities on the site and construct a one-story restaurant with a floor area of approximately 3,514 square feet. The applicant is proposing to provide

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access to the site from Pond Road on the east side of the site and is proposing to provide storm water management facilities and other site improvements.

### **Water and Sewer General Comments**

The Applicant is proposing to provide sanitary sewer service to the site via a sanitary sewer lateral which will connect to the existing Western Monmouth Utilities Authority manhole located within the site.

The Applicant's Engineer has previously provided a sanitary sewer report for the project that included an estimate of wastewater flows. They estimated the projected increase in wastewater flow to be generated to be 425 gallons per day (GPD) for the proposed building. This project should be reviewed by the Western Monmouth Utilities Authority (WMUA) since it falls within their service area.

The Applicant is proposing to install a new water service to the site for the proposed building and an additional hydrant on the site. The Applicant's Engineer has provided a water report for the project that includes an estimate of water demands. The report estimates an increase of approximately 1,580 GPD for the new building. It is anticipated that this project will not require a permit approval from the NJDEP for the water service.

### **Sanitary Sewer Comments**

The comments on the sanitary sewer design from earlier reviews have been acknowledged by the Applicant's Engineer. This project will require the approval of WMUA and proof of same should be provided by the Applicant.

### **Water System Comments**

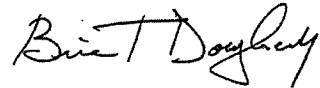
The comments on the water system design are as follows:

1. The Applicant has provided a signed and sealed water system demand report for the project that includes a calculation of the anticipated domestic water demand according to Safe Drinking Water regulations (N.J.A.C. 7:10-12.6). We concur with the report.
2. The proposed fire hydrant connection to the existing 12-inch water main should be shown as a wet tap connection with a valve located near the main. The valve, which is shown on the proposed water line for the hydrant behind the curb line, can be eliminated. The size of the proposed main (6-inch DIP) should be indicated at the plans.

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

Very truly yours,

Mott MacDonald



Brian T. Dougherty, P.E.  
Senior Associate  
T 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 A. Smith, PE, CME, (MM)  
Rafael Mercado (MM)  
File 375713AI01 (Shake Shack)

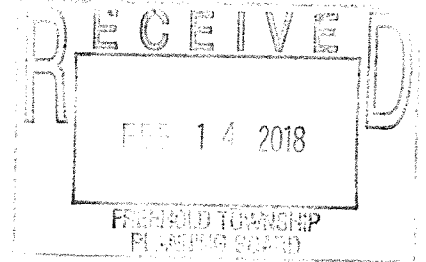


YOUR GOALS. OUR MISSION.

FRTW-R3830

February 13, 2018

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



**Re: Proposed Shake Shack  
Block 3, Lot 1  
SP# 893-17  
Drainage and Landscape Review No. 3**

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 Bohler Engineering, plans dated April 7, 2017, revised January 31, 2018; Stormwater Management Statement dated April 2017, revised February 2018; Geotechnical Engineering Study prepared by Whitestone Associates, dated March 21, 2017.

All drainage and landscaping comments outlined in my previous letter dated January 8, 2018 have satisfactorily been addressed.

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

Very truly yours,

T&M ASSOCIATES

*Edward G. Broberg*  
EDWARD G. BROBERG, P.E.  
MANAGER

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

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**PHILLIPS PREISS GRYGIEL LLC**

Planning & Real Estate Consultants

33-41 Newark Street

Third Floor, Suite D

Hoboken, NJ 07030

201.420.6262

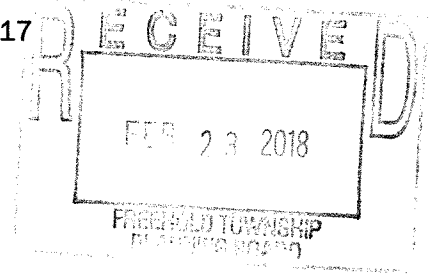
Fax 420.6222

www.ppgplanners.com

February 20, 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 #893-17**  
**"d(3)" Conditional Use Variance #015-17**  
**Planner's Review Letter**  
**Shake Shack (Project)**  
**Leemilt's Petroleum (Applicant)**  
**4431 Route 9 North**  
**Block 3, Lot 1**  
**CMX-3A Corporate Multi-Use District**



Dear Chairman and Members of the Board:

The applicant has submitted revisions to the preliminary and final major site plan for this project, dated 4/7/2017 and revised through 1/31/2018. Prior reports dated 8/21/2017 and 1/12/2018 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 for Getty Realty Corporation, proposed Shake Shack Restaurant, Block 3, Lot 1, 4431 Route 9, Township of Freehold, Monmouth County, New Jersey, consisting of 15 sheets, prepared by R.L. Strecker, P.E., of Bohler Engineering, dated 4/7/2017 and revised through 1/31/2018
- ALTA/NSPS Land Title Survey, Getty Petroleum Marketing, Inc., 4431 N.J.S.H. U.S. Route 9, Lot 1, Block 3, Freehold Township, Portion of Lot 1.01, Block 24, Manalapan Township, Monmouth County, New Jersey, consisting of 1 sheet, prepared by James D. Sens, P.L.S., of Control Point Associates, Inc., dated 3/24/2017

#### Project Description

The subject property is developed with a former Getty gas station. The applicant is seeking "d(3)" conditional use and "c" bulk variance approval in order to construct a new Shake Shack restaurant on the subject property.

P-5



The subject property measures 0.87 acres, is long and narrow and is bounded on all sides by public roadways: Pond Road to the east, a ramp to Pond Road to the north, Route 9 North to the west, and Craig Road to the south. There is also a bus stop along Route 9 to the west of the subject property.

The existing gas station building and overhead canopy on the subject property would be removed. The applicant is proposing to construct a new Shake Shack restaurant. The building would be located in the northern portion of the subject property and would measure 3,514 square feet with 84 seats. Sixty-three (63) parking spaces would be provided to the south of the building, inclusive of three ADA spaces. Parking spaces would measure 9 feet in width by 18 feet to 20 feet in length. Vehicular access to the subject property would be provided via an entrance driveway from Pond Road and right- and left-turn driveways that exit onto Pond Road. A sidewalk with ADA ramp and hand rail would be provided from the bus stop area into the subject property.

A trash enclosure would be provided to the southeast of the building, to measure 10 feet by 10 feet and 6 feet-4 inches in height. The enclosure would have masonry walls painted to match the building, wood gates and would be screened with evergreen shrubs and daylilies.

Additional landscaping (e.g., evergreen and deciduous shrubs, ornamental trees and grasses, etc.) would be provided along the subject property's Route 9 frontage behind and to the south of the bus shelter, as well as along the northwestern side of the building. A row of shrubs (i.e., inkberry holly) would be provided along the parking area on the subject property's Pond Road frontage. Parking islands would be planted with a mix of evergreen and deciduous shrubs, perennials and ornamental trees and grasses. Lawn areas would be seeded.

Lighting would be comprised of two double and two single pole-mounted light fixtures in the parking lot area, to be mounted at 20 feet in height. Twenty-six (26) canopy lights would be mounted at 10 feet in height, and 11 wall-mounted lights would be provided on building façades, to be mounted at 6 feet to 8 feet in height.

Much of the western and southern façades of the building would be comprised of a bronze aluminum storefront system; the remainder would be comprised of brick. A canopy would be provided along the southern side and a portion of the eastern side of the building. The eastern and northern façades would also be comprised of brick. Brick façades would be painted to match Sherwin Williams "Grizzle Gray." Rooftop equipment would be screened with "Atlas Equipment Screens," comprised of black perforated metal.



## Signage

### *South Elevation (Craig Road)*

- Illuminated channel letters (“Shake Shack”) measuring 59.13 square feet
  - White acrylic face with white LED illumination; back and aluminum returns to be painted Smoky Silver Metallic (MP 18140) in color – matte finish; raceway and stand-offs to be painted Iron Ore (SW 7069) – matte finish

### *East (Pond Road) and West (Route 9) Elevations*

- Illuminated channel letters (“Shake Shack”) measuring 22.75 square feet/sign
  - White acrylic face with white LED illumination; back and aluminum returns to be painted Smoky Silver Metallic (MP 18140) in color – matte finish; raceway and stand-offs to be painted Iron Ore (SW 7069) – matte finish
- Freestanding Site Signage
  - Internally illuminated pylon sign, 95 square feet/side (sign face ±40.49 square feet)
  - 30 feet in height
  - Matte black (RAL 9004) with white acrylic lettering
  - To be set back 5.4 feet from the western property line

## Zoning Compliance & Planning Comments

1. Conditional use standards for “family-style restaurants; restaurants without liquor licenses” in the CMX-3A zone are as follows:
  - Minimum floor area devoted to an individual restaurant use: 2,500 square feet  
*Complies. The restaurant would measure 3,514 square feet.*
  - Minimum floor area for each restaurant where two or more family restaurants are located in the same building: 2,500 square feet  
*Not applicable.*
  - Minimum number of seats: 125  
*Does not comply. Eighty-four (84) seats are proposed.*
  - No separate take out service is permitted  
*Complies. No separate take out service has been proposed.*
  - No drive-up windows are permitted  
*Complies. No drive-up windows have been proposed.*
  - Video interactive devices, video games and children entertainment uses in conformance with Chapter 75, Article 11, Section 75-19, provided that the



area used for such uses shall not reduce the minimum required restaurant floor area and shall not exceed 25% or 1,000 square feet of the total floor area, whichever is less

*Complies. No video interactive devices or similar have been proposed.*

The proposal does not comply with all of the Township's conditional use standards for restaurants in the CMX-3A zone. As such, "d(3)" conditional use variance relief is required. The Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70d(3) enables a board of adjustment to grant a variance to permit "a deviation from a specification or standard pertaining solely to a conditional use." The applicant must provide proofs for the variance per the standards determined by the MLUL.

#### Special Reasons

The Courts have determined that the Coventry Square v. Westwood Zoning Bd. of Adjustment case provides the standard by which to review a "d(3)" variance application. In Coventry, the emphasis is not on whether the land use is compatible with other uses in the zone (it is effectively deemed appropriate in the zone by its inclusion as a permitted use with conditions). Rather, the Board's analysis should center upon the magnitude of the applicant's deviation from the conditional use standards of the ordinance, whether the deviation is appropriate for the site, and whether the site may sufficiently accommodate the proposed deviation.

#### Negative Criteria

In addition, the 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. In other words, the Board should weigh the appropriateness of the proposal and determine whether a restaurant in this location would pose any negative impacts on surrounding properties and the Township as a whole. Finally, the Board should consider whether the granting of the variance is reconcilable with the fact that the Township has imposed these standards on restaurants within the district.

#### *The applicant should provide testimony at the hearing.*

2. There are several preexisting non-conforming conditions to which no changes are proposed:
  - Minimum lot area: a minimum of 3 acres is required where 0.87 acres is provided
  - Minimum lot depth: a minimum of 400 feet is required where 337.9 feet is provided



*The applicant should provide testimony at the hearing.*

3. Yards
  - a. A minimum front yard setback of 100 feet is required where:
    - 5.2 feet would be provided to the restaurant building (Pond Road)
    - 8 feet would be provided to the canopy (Pond Road)
    - 14.1 feet would be provided to the restaurant building (Route 9)
    - 13.4 feet would be provided to the canopy (Route 9)
  - b. A minimum rear yard setback of 50 is required where 1.7 feet would be provided to Block 24, Lot 1.01 in Manalapan Township, which is under common ownership with the subject property.

As such, "c" variance relief is required for these items.

*The applicant should provide testimony at the hearing.*

4. A maximum impervious surface coverage of 65% is permitted where 79.9% is proposed. As such, "c" variance relief is required.

*The applicant should provide testimony at the hearing.*

5. The minimum permitted size of a principal building is 5,000 square feet, where the proposed restaurant building would measure 3,514 square feet. As such, "c" variance relief is required.

*The applicant should provide testimony at the hearing.*

6. Per Section 190-103C and Section 190-108B, accessory structures are not permitted in the front yard area, where the trash enclosure would be located in the front yard area along Pond Road (3.5 feet from the property line). As such, "c" variance relief is required.

*The applicant should provide testimony at the hearing.*

7. Where any commercial property abuts a residential zone, a landscaped buffer strip of 50 feet shall be permanently maintained along the property line abutting the residential zone. A landscape buffer has not been provided along the eastern side of the subject property along the Pond Road frontage. As such, "c" variance relief is required. It should be noted that the property does not directly abut the R-20 zone as the dividing line between the CMX-3A and R-20 zones runs down the center line of Pond Road.



*The applicant has indicated that the zone line between the CMX-3A zone and the R-20 zone runs down the center of Pond Road and creates a natural buffer from the site and adjacent residential uses to the east. The applicant should provide testimony at the hearing.*

8. 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. Parking spaces would be located 2 feet from Pond Road; 0.5 feet from Craig Road; and 0.6 feet from Route 9. As such, "c" variance relief is required.

*The applicant should provide testimony at the hearing.*

9. Per Section 190-1620, parking spaces shall measure a minimum of 9.5 feet by 19 feet, where parking spaces would measure 9 feet by 18 feet to 20 feet. In addition, parking spaces at the ends of parking aisles which abut grassed or landscaped islands shall provide for an additional width of one foot or provide for decorative access surface at the level of the grassed or landscaped island, where an additional one foot of width would not be provided. As such, "c" variance relief is required. We defer to the Township Engineer and/or Traffic Engineer for comment regarding the proposed undersized parking stalls and any impacts such stalls may have on parking and circulation on the subject property.

*The applicant has indicated that parking spaces at the end of parking aisles will remain at 9 feet in width. Plans indicate that where planting beds are adjacent to parking areas, landscaping would be set back a minimum of 2 feet from the back of the curb.*

10. Per Section 190-164B, one loading space is required where no loading space would be provided. As such, "c" variance relief is required. 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 additional comment on this item.

*A truck turning plan depicting the delivery route to the site for an SU-30 vehicle has been provided. Plans have been revised to indicate that trash removal and deliveries would take place outside of the hours of operation (which are noted to be 11:00 am to 11:00 pm) and that trucks are prohibited from using the bus pick-up/drop-off area for deliveries to the site.*

11. Signage
  - a. Sign setback: the freestanding sign would be set back 5.4 feet from the western lot line, where a minimum setback of 15 feet is required. Though the sign would be set back 5.4 feet from the lot line, it is adjacent to



NJDOT road-related property at the intersection of Craig Road and Route 9. As such, the sign would be set back greater than 15 feet from Route 9.

- b. Signs mounted over canopy: as per Section 190-176K, signs on a canopy or awning shall be painted or printed directly on the canopy or on the front and/or drop portions of the awning or canopy, where the signs would be mounted atop the canopy. We defer to Township Architect for comment on this item.

*The applicant should provide testimony at the hearing.*

- c. The sign colors Smoky Silver Metallic (MP 18140) and Iron Ore (SW 7069) are not from the Township's approved color palette. The applicant has indicated that Smoky Silver Metallic and/or Iron Ore may be similar to that of Dark Gray (ID #3650-41) from the Township's approved color palette. Paint samples will be provided for review.
12. We defer to the Township Architect regarding the applicant's compliance with the general architectural design requirements for commercial, office and industrial development per Section 190-114 of the zoning ordinance, as required in the CMX-3A zone per Section 190-146F(6).
  13. 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.



PHILLIPS PREISS GRYGIEL LLC  
Planning & Real Estate Consultants

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

J17231



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GROUP

SPIEZLE ARCHITECTURAL GROUP, INC.

120 Sanhican Drive  
Trenton, NJ 08618  
866-974-7666

[www.spiezle.com](http://www.spiezle.com)



January 8, 2018

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

Re: 2<sup>nd</sup> Architectural Review: Preliminary and Final Major Site Plan #893-17 and "D"  
Conditional Use Variance #015-17  
Shake Shack  
Leemilt's Petroleum (Applicant)  
Block 3, Lot 1 - 4431 Route 9 North

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:

- Engineering response letter prepared by Bohler Engineering and dated, 12/5/17.
- Letter confirming building area prepared by Bergmeyer and date, 11/28/17
- Response letter to architectural review prepared by Bergmeyer and dated, 10/17/17
- Letter in response to sign comments prepared by Jones Sign and dated, 12/18/17
- Sign drawings 0.0, 0.1, 1.0, 2.0, 3.0, 4.0, s-1 prepared by Jones Sign and dated 03/28/17.
- Architectural drawings 001 General Arrangement Plan, 002 Exterior Elevations, and 003 Exterior Views (1 black and white and 1 rendered in color) prepared BAI Architecture, Inc., LLC, undated
- Site/Civil drawings 1-15, and Truck Turning Plan 1 of 2 and 2 of 2, and sheet 1 of 1, prepared by Bohler Engineering, dated 12/1/17

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. The proposed design can be better described as contemporary. A variance will be required for approval of the design as proposed.

In response to this comment, the applicant has changed materials and shapes significantly towards meeting the T.O. While not fully compliant with the T.O., the changes which include the use of brick, removal of angled shapes on the façade and colors that meet the Township's



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existing color palette, illustrates an attempt by the applicant to better conform with the T.O. This office takes no further exception however a variance may still be required by the Planning Board.

2. No further response required.
3. No further response required.
4. No further response required.
5. No further response required.
6. No further response required.
7. No further response required.
8. No further response required.
9. No further response required.

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,

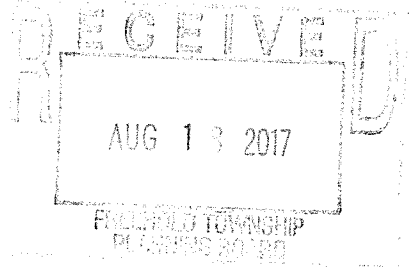
Steve Leone, AIA, LEED BD+C  
Principal  
SPIEZLE ARCHITECTURAL GROUP, INC.



ARCHITECTURAL GROUP

SPIEZLE ARCHITECTURAL GROUP, INC.

120 Sanhican Drive  
Trenton, NJ 08618  
866-974-7666  
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August 17, 2017

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

Re: Architectural Review: Preliminary and Final Major Site Plan and "D" Conditional Use Variance #015-17  
Shake Shack  
Leemilt's Petroleum (Applicant)  
Block 3, Lot 1 - 4431 Route 9 North

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:

- Executed copies of Application for Preliminary Approval Major Site Plan, Application for Final Approval Major Site Plan, Application for Variance, and application for Conditional Use Permit.
- Operations Statement prepared by Mike Iaia of Shake Shack and dated 6/8/17.
- Executed Sign Application.
- Architect's letter of confirmation of building area prepared by Michael Davis of Bergmeyer, dated 7/27/17.
- Architectural drawings 001 General Arrangement Plan, 002 Exterior Elevations, and 003 Exterior Views prepared BAI Architecture, Inc., LLC, undated
- Site survey prepared by Control Point Associates, Inc., dated 03/24/17
- Site/Civil drawings 1-13, and Truck Turning Plan 1 of 1, prepared by Bohler Engineering, dated 07/27/17

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. The proposed design can be better described as contemporary. A variance will be required for approval of the design as proposed.
2. The building area noted on drawing 001 is listed as Total Gross Building SF: 3,530. Bergmeyer letter lists the building square footage as 3,514 SF. Applicant is asked to reconcile this difference.

P-6(b)



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3. Drawing 001, General Arrangement Plan includes no written data such as dimensions, seating count, room names, etc. Please update plan with such.
4. The proposed façade material types include metal panels which are not permitted by T.O. A variance will be required for approval of the design as proposed.
5. The proposed façade material colors shall comply with T.O. color palette. Applicant shall confirm that the colors noted are compliant.
6. The proposed number of principal façade materials, do not comply with T.O. as they exceed a maximum of two. A variance will be required for approval of the design as proposed.
7. There are no provisions noted in the submitted drawings for coverings (canopies) over any secondary and emergency entry/exits with the exception of the main entrance. Consideration should be given to provide such for safety during inclement weather.
8. Drawing 002 indicates that there are roof top units which are exposed to view. All mechanical equipment whether roof top or ground mounted must be shielded from public view according to T.O. Applicant shall confirm that in fact, roof top units re proposed and what methodology will be used to screen them.
9. 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,

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

# Shropshire Associates LLC

ESBE / SBE Certified

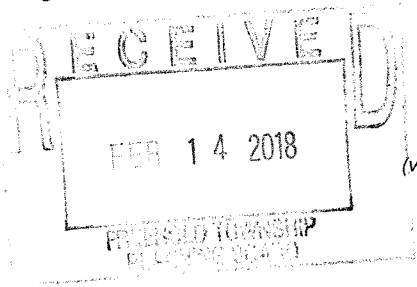
Traffic Engineering, Transportation Planning & Design

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

February 14, 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**  
**Shake Shack (SP #893-17 & V #015-17)**  
**4431 Route 9; Block 3, Lot 1**  
**Freehold Township, Monmouth County**  
SA Project No. 17526

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 Proposed Shake Shack Restaurant; Block 3, Lot 1; 4431 Route 9 prepared by Bohler Engineering, dated December 5, 2017.
2. Preliminary & Final Major Site Plan for Shake Shack Restaurant; Block 3, Lot 1; prepared by Bohler Engineering, dated April 7, 2017, revised to February 1, 2018.

The Preliminary & Final Major Site Plan set, Traffic Impact Report, and corresponding application documents were reviewed with respect to the Applicant's request for Conditional Use Variance and Site Plan approval for a 3,514 square foot (sf) restaurant. The site, located in the CMX-3A Zone, currently contains a gas station that will be removed and replaced by the proposed restaurant. The existing site has two (2) driveways, one along Route 9 and the other along Pond Road. Only the Pond Road driveway will remain for access to the proposed restaurant. A total of 63 parking spaces are provided.

A traffic review letter dated August 21, 2017 was issued. A Technical Review Committee (TRC) meeting was held on September 12, 2017 at which the traffic and other review comments were discussed. The Applicant has since revised the plans and provided additional information to address comments found in the review letters. A second traffic review letter was issued January 11, 2018 and plans revised to address remaining comments.

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



Access:

The existing driveway along Route 9 northbound will be eliminated. The full movement driveway along southbound Pond Road will be retained and configured with one inbound lane and two (2) outbound lanes, one for left-turns and the other for right-turns.

***Route 9 is under the jurisdiction of the New Jersey Department of Transportation (NJDOT). Freehold Township shall be copied with NJDOT approval.***

Circulation:

The proposal is for a one-way 24 foot (ft) wide circulation aisle looping around the site for access to parking. Sidewalk exists for the site's east, west and south frontages. Sidewalk is available to the south of the proposed restaurant building for access between the parking area and the building entrance. Sidewalk is also proposed connecting the Route 9 and Pond Road frontages sidewalk with the internal sidewalk adjacent to the building.

***Testimony shall be provided regarding deliveries, such as size of delivery trucks, frequency, and time of day. No loading areas proposed. Deliveries must not interfere with circulation.***

Parking and Loading:

The 3,514 sf restaurant is proposed to have 84 seats and up to 22 employees at peak shift. The maximum occupancy is indicated to be 121 persons. A total of 63 parking spaces including three (3) handicap (HC) spaces are provided for employees and customers. There are no loading spaces provided.

- 1. Based on Freehold parking requirement of 1 space per 2 persons maximum occupancy, the parking requirement for 121 persons is 61 spaces. A total of 63 spaces are provided which satisfies the parking requirement.***
- 2. The Americans with Disabilities Act (ADA) requires three (3) HC parking spaces for the 63 parking spaces. The three (3) HC parking spaces provided satisfy ADA requirements.***
- 3. The Freehold Land Use Ordinance (LUO) Chapter 190-162 O. requires that parking spaces be 9.5 ft wide by 19 ft long and spaces at the ends of parking aisles, which abut grassed or landscaped islands, shall provide an additional width of one (1) ft or provide for decorative access surface. Parking spaces are shown to be 9 ft wide by 18 ft to 20 ft long, typical. Testimony shall be provided to support requested relief for parking space size and end space size.***
- 4. The Freehold LUO Chapter 190-164 B. requires one (1) loading space for up to 10,000 sf of commercial building. Testimony shall be provided to support requested relief from the required loading space.***
- 5. The Applicant shall provide testimony regarding bus stop operation and any impact to onsite parking. It is recommended that signage be provided in the parking lot that parking is for restaurant customers only.***



Traffic:

A Traffic Impact Analysis (TIA) report was provided for the 3,514 sf restaurant. The site will generate a total of 99 PM trips and 192 Saturday peak hour trips. With removal of pass-by trips, the new site trips are 51 PM and 98 Saturday peak hour trips. The report then analyzes the impact on the signalized intersections of Route 9 & Craig Road and Pond Road & Craig Road as well as the stop controlled driveway. The report concludes conversion of the gas station to the proposed restaurant "will not have a significant effect on traffic conditions in the vicinity of the site" and that the driveway will not be blocked by vehicles queuing southbound on Pond Road to the Craig Road intersection. Parking analysis demonstrates that the 63 parking spaces provided on site can accommodate peak parking demand based on parking demand provided by the ITE and parking data collected at another Shake Shack located in New Jersey.

***Based on parking data collected at the Paramus Shake Shack and applying the calculated rate of 17.6 spaces per 1,000 sf, the proposed 3,514 sf restaurant will have a peak parking demand of up to 62 parking spaces. This equates to a full parking lot. The Applicant shall provide testimony regarding the adequacy of the 63 parking spaces available onsite.***

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 "Andrew Feranda". The signature is written in a cursive, flowing style.

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

893-17

MAYOR  
Lester A. Preston, Jr.

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



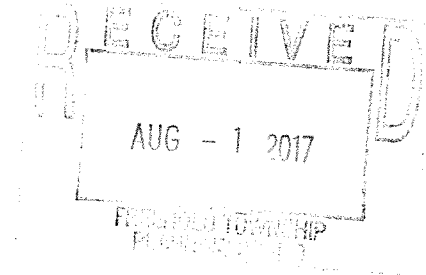
# TOWNSHIP OF FREEHOLD

*"Preserving and Enhancing the Quality of Life"*

To: Danielle Sims  
Township of Freehold  
Planning Board Administration Officer

August 1, 2017

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



RE: Sign Review  
Leemilt's Petroleum / Shake Shack  
Block-3/Lot-1, 4431 Route#9 North (Zone: CMX-3/A)  
Preliminary and Final Major Site Plan# 893-17 & Var.# 015-17.

Ms. Sims,

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

**Signs Proposed:**

1. One internally illuminated 95 Sf double-faced pylon sign colored white and matte black, advertising "SHAKE SHACK". The sign is proposed at a height of 30 Ft with a setback of 5.4 Ft from the property line and +/- 27 Ft from the concrete curb and/or roadway located on the south west corner of Route#9.
2. One internally illuminated 53.75 Sf building mounted sign, on the south elevation, advertising "SHAKE SHACK", with a white acrylic face and a smoky silver metallic-matte finish.
3. Two internally illuminated 19.5 Sf building mounted signs. One sign is proposed on the east elevation and the other on the west elevation. Both signs will be advertising "SHAKE SHACK", with a white acrylic face and a smoky silver metallic-matte finish.

P-8

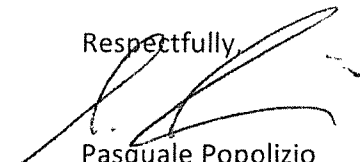


**The following must be considered by the Board:**

1. The sign color proposed: MP 18140 Smoky Silver Metallic is not from 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.O(2).  
**Note:** Smoky silver metallic may be a close match to Dark Grey I.D.# 3650-41 from the Twp. color palette. A color sample must be provided for comparison.
2. The proposed building signs method of mounting is by way of a mounting plate on the base of the sign. This method of mounting is not permitted. Signs located on buildings within the CMX-3 zones are limited to flat wall signs displayed on the face of the building or space in which the business occupies. Wall signs are defined as "a flat sign attached to or painted upon a building wall which extends not more than 15 inches from the wall and is not extended above the top or beyond the ends of the façade". Referencing T.O. 190-173 & 190-179.C(1)
3. The pylon sign is proposed at a setback of 5.4 Ft from the property line, "Freestanding signs shall comply with the minimum side and corner yard setbacks of the applicable zoning district as an accessory structure but in no event shall a sign be closer than 15 feet to any lot line or building line". Referencing T.O. 190-179.C(2)(b).
4. A zoning sign application must be provided for all proposed signs: Applications were only provided for the façade signs.

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

Respectfully,



Pasquale Popolizio  
Township of Freehold  
Director of Zoning

# TOWNSHIP OF FREEHOLD



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

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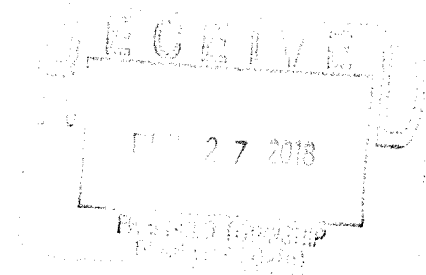
*"Preserving and Enhancing the Quality of Life"*

**TO:** The Freehold Township Planning Board

**FROM:** Margaret B. Jahn, Health Officer

**DATE:** February 27, 2018

**SUBJECT:** Leemilt's Petroleum – Shake Shack  
4431 Route 9 North  
Block: 3, Lot: 1  
Pre & Final Site Plan #893-17  
"D" Conditional Use Variance #015-17



We have reviewed the additional information for the above referenced project. The Board of health's concerns have been addressed and has no objection to the proposed site plan.

443-17

MAYOR  
Anthony J. Ammiano

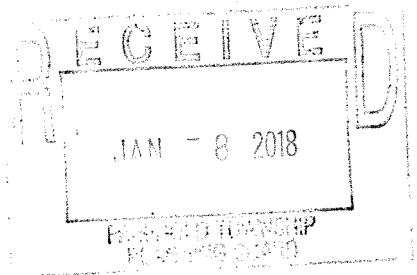
TOWNSHIP COMMITTEE  
Thomas L. Cook, Deputy Mayor  
Barbara J. McMorrow  
Lester A. Preston, Jr.  
David M. Salkin



# TOWNSHIP OF FREEHOLD

"Preserving and Enhancing the Quality of Life"

January 8, 2018



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

RE: Amended Preliminary and Final Major Site Plan #893-17 and "D"  
Conditional Use Variance #015-17  
Shake Shack (project)  
Leemilt's Petroleum (applicant)  
Block 3, Lots 1 - 4431 Route 9 North

Dear Mrs. Sims

I reviewed the re-submitted plans and have approved them.

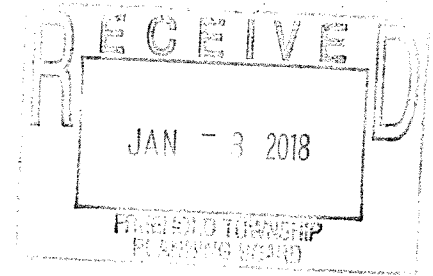
Sincerely,

Shaun M. Reilly  
Fire Official / Chief of the Board

P-10

SP#843-11

Freehold Township  
Environmental Commission



MEETING MINUTES

Call to Order

The December 11, 2017 meeting of the Freehold Township Environmental Commission was called to order by Chairman Moskal at 7:35pm. Board members present: Dave Puchalski, Anthony Ammiano, and Tom Moskal.

The following statement was read by Chairman Moskal: "In accordance with the Open Public Meetings Law, c.231, P.L. 1975, this meeting was announced by posting a notice on the bulletin board reserved for that purpose, by mailing such notice to the office of the official newspapers of the Township, and by filing such notice with the Township Clerk."

The Commission discussed the following two projects:

- 1. Shake Shack, Block 3, Lot 1 – 4431 Route 9 North - Site Plan # 893-17
- 2. KDC Solar, Block 86, Lots8, 8.03 & 11

Comments:

Both projects were previously reviewed by the Commission and we had concerns. Both projects submitted written responses to our concerns and the Commission is satisfied with their responses.

The Commission has no further comments or concerns regarding these two projects.

The meeting was adjourned at 8:15 pm.

Tom Moskal  
Chairman

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