

# 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

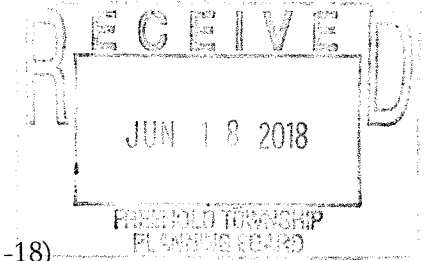
## MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: June 18, 2018

RE: JB's Diner (Bochis, John & Nancy)  
Block 90.01, Lots 1 & 2 – 205 Monmouth Road  
Bifurcated "D" Use Variance #021-18 (Ref. SP# 889-1-18)



This review refers to the following:

- Use Variance Plan, JB's Diner, 205 Monmouth Road, Block 90.01, Lots 1 & 2, Township of Freehold, Monmouth County, New Jersey, dated May 24, 2018, one (1) sheet (sheet 2 of 2), prepared by Environmental Resolutions, Inc., signed and sealed by Rakesh R. Darji, P.E..
- Existing Conditions, JB's Diner, 205 Monmouth Road, Block 90.01, Lots 1 & 2, Township of Freehold, Monmouth County, New Jersey, dated October 6, 2016, one (1) sheet (sheet 1 of 2), prepared by Environmental Resolutions, Inc., signed and sealed by Charles L. Walton, Jr., P.L.S.
- Resolution Approving Waiver of Site Plan Submission and Variances, SCMRL, LLC (JB's Diner), Application No: 889-16, dated June 20, 2017.
- Rider to Application, John Bochis' (JB Diner), undated, unsigned.

### Executive Summary

The applicant is seeking a bifurcated use variance for the construction of a one-story 2,264 square foot diner at the above referenced property. The proposed building will replace a restaurant which was previously damaged by fire on May 26<sup>th</sup> 2016. Associated site improvements include reconfiguration of parking spaces and the modification of circulation aisles and access driveways. The subject property is 29,017 square feet and located within the residential R-40 Zone where restaurants are not permitted.

It should be noted that the property was the subject of a prior Site Plan Waiver Application (#889-16) which was approved by the Board on July 20, 2017 for the reconstruction of the damaged building within the exact location of the previously existing structure without expanding or increasing the non-conforming use of the structure. As a condition of the approval, the applicant would be subject to review and approval by the Monmouth County Planning Board. To date, the applicant has not obtained said approval from the County and as such, the applicant is now requesting a bifurcated use variance to construct a new restaurant building in a new location on the property which would allow for additional County right-of-way dedication and road widening.

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To: Planning Board  
Re: JB's Diner  
Block 90.01, Lots 1 & 2  
Bifurcated "D" Use Variance #021-18

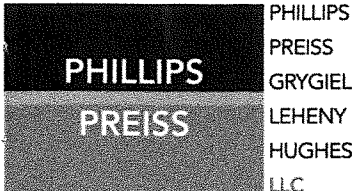
June 18, 2018

The following comments are provided:

1. Subject to approval of the bifurcated use variance, the applicant shall formally withdraw the previously approved Site Plan Waiver application.
2. The applicant shall clarify the square footage of the existing and proposed restaurant on the variance application (page 1) as there is an apparent discrepancy related to the existing building square footage.
3. The applicant is proposing to dedicate right-of-way along both County Route 537 and Route 524. As such, the proposed dedication (in addition to the new building location) will result in several "c" variances. The applicant shall indicate if these variances will be pursued at this time or during the site plan application process (subject to approval by the Board).
4. Applicant shall obtain approval from the Monmouth County Planning Board. The proposed right-of-way dedication shall also be reviewed and approved by the County.
5. Subject to variance approval and any right-of-way dedication, it is recommended that the applicant consolidate lots 1 and 2.
6. It is apparent that the proposed parking spaces are undersized. All parking spaces shall be a minimum of 9.5 ft x 19 ft with an additional one (1) foot of width at all end spaces.
7. Aisle width along one-way angled parking spaces shall be a minimum of 16 feet wide. Revise width at northern row of angled parking spaces to comply.
8. Subject to approval by the Board, the applicant shall be required to submit a separate site plan application for review by the Township professionals and their consultants.

TIMOTHY P. WHITE  
Township Engineer

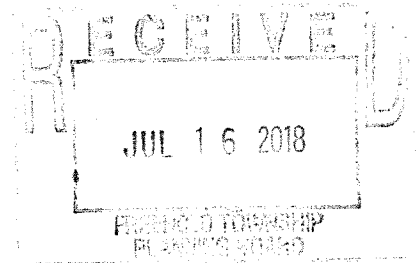
TPW/mb



Planning & Real Estate Consultants

July 6, 2018

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



RE: **Variance #021-18**  
**APP #889-1-18**  
**Bifurcated Use Variance**  
**Planner's Review Letter**  
**JB's Diner / John Bochis (Owner)**  
**205 Monmouth Road**  
**Block 90.01, Lots 1 and 2**  
**R-40 Residential Zone**

Dear Chairman and Members of the Board:

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

- Existing Conditions Plan, Block 90.01, Lots 1 & 2, prepared by Charles L. Walton, Jr. PE, PLS, of Environmental Resolutions Inc., dated 10/6/16
- Use Variance Plan, Block 90.01, Lots 1 & 2, prepared by Rakesh R. Darji, PE, of Environmental Resolutions Inc., dated 5/24/18

**Project Description**

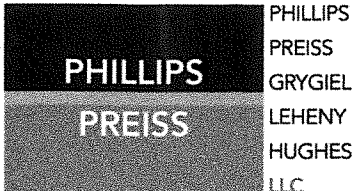
JB's Diner was extensively damaged in a fire in May 2016. The applicant appeared before the Planning Board in 2017 seeking to rebuild the restaurant per Section 190-239, which stipulates that a non-conforming building may be restored or repaired in the event of a partial destruction thereof. Per this section, in no event shall restoration or repair result in any increase in the size of a non-conforming building, or an increase in the intensity of the non-conforming use and all restoration and repair shall be in accordance with current development standards and requirements except as protected by the non-conforming status. Accordingly, the applicant received approval to rebuild the diner on the existing footprint (App. #889-16, dated July 20, 2017).

At this time, the applicant is returning to the Board seeking approval to reconstruct the diner outside of its original footprint, which requires deviations from Ordinance requirements and is not protected under Section 190-239 as a non-conforming use. As such, "d(1)" use variance approval is required.

33-41 Newark Street  
Third Floor, Suite D  
Hoboken, NJ 07030  
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**P-3**



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The applicant has indicated that this request is due to proposed future road widening work along Monmouth Road (CR-537) and Elton-Adelphia Road (CR-524) in the vicinity of the site, which would require dedicating a portion of the property to Monmouth County to for use as right-of-way. For this reason, the Monmouth County Planning Board has not approved the prior application to construct the diner in its existing location and the applicant cannot meet the Township's condition of approval requiring County approval where required. The applicant is now proposing to relocate the building and parking areas to accommodate future road widening. As the road widening plans have not yet been finalized, the applicant has chosen to bifurcate the application and is seeking only use variance approval at this time.

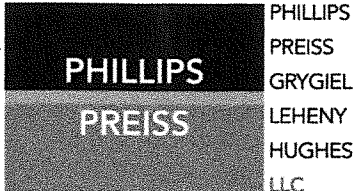
The subject property measures 29,017 square feet and is developed with a fire-damaged one-story diner and associated parking and circulation areas. The subject property is generally triangular in shape and is located at the intersection of Monmouth Road and Elton-Adelphia Road. The Township's municipal boundary with Manalapan is located across Monmouth Road to the northwest of the subject property.

Land use in the vicinity of the subject property is mainly single-family residential in nature, with tracts of undeveloped, Township-owned lands to the south of Elton-Adelphia Road. The Elton Corner apartments are located to the southeast of the site. There is a construction equipment supply business located to the west of the subject property across Monmouth Road in Manalapan.

The applicant has submitted a conceptual site plan indicating that portions of the property along both Monmouth and Elton-Adelphia Roads would be utilized by the County for the road improvements. Approximately 8 feet of the property along the entire Monmouth Road frontage and 23 feet along the entire Elton-Adelphia Road frontage are shown as proposed right-of-way areas. The size of the property would be reduced by approximately 9,700 square feet to measure 19,294 square feet.

The size of the building would slightly increase from 2,148 square feet (existing and previously approved) to 2,264 square feet. The building would still measure 1 story in height. The applicant is proposing to reduce the overall area of impervious coverage from 21,879 square feet to 16,977 square feet. The number of parking spaces has been reduced from 40 to 33. The applicant has indicated that there is a proposed maximum occupancy load of 66 persons.

Access to the site is proposed via full-movement entrance driveways along Monmouth Road and Elton-Adelphia Roads. A one-way drive aisle adjacent to Monmouth Road would provide access to 10 angled parking spaces and one head-in space at the end of the aisle. The one-way drive aisle would lead to an egress-only drive aisle to Elton-Adelphia Road.



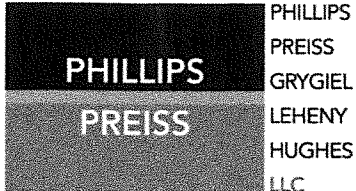
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### Zoning Compliance & Planning Comments

1. The subject property is located in the R-40 zone, which does not permit restaurant uses. As such, a “d(1)” use variance is required. The MLUL at N.J.S.A. 40:55D-70d(1) permits a Board 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,” 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.”

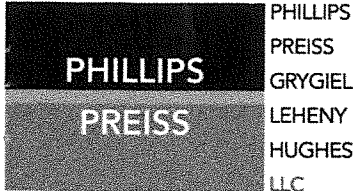
2. Based on a review of the concept plan, the following “c” variances would also be required, based on the proposed lot following the right-of-way dedications:
  - Minimum lot area: 40,000 square feet required, where 29,017 square feet is existing and 19,294 square feet is proposed.
  - Maximum lot coverage (impervious): 25% maximum permitted, where 75.4% is existing and 87.99% is proposed. Note that despite the increase in percentage due to the reduced lot area, the impervious surface area on the site would be reduced from 21,879 square feet to 16,977 square feet.
  - Minimum front yard setback to property line: 65 feet required, where 38.6 feet is proposed to Monmouth Road and 3.82 feet is proposed to Elton-Adelphia Road. The existing setbacks are 41.70 feet to Monmouth Road and 33.95 feet to Elton-Adelphia Road.
  - Minimum parking setback: 5 feet required to side/rear property lines, where 0 feet is proposed to Block 90.01, Lot 4.01 to the east of the site; 10 feet required to street lines, where 1 parking space in the western corner of the site appears to be set back less than 10 feet from Monmouth Road.
3. The applicant should provide testimony describing hours of operation, number of employees and their shifts, and any loading needs associated with delivery



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trucks and/or trash collection. A designated loading space appears to be proposed within a parking area on the eastern side of the building, though no space is required for uses measuring less than 2,500 square feet in floor area.

4. Testimony should be provided as to how circulation would function on the site in lieu of the reduced lot area. The site is presently uncurbed and several parking spaces back directly on to Elton-Adelphia Road. These spaces have been eliminated and it appears the applicant is proposing to provide curbing and striping to formalize the parking areas.
5. Per Section 190-163, restaurants must provide 1 parking space per every 2 persons allowed within the maximum occupancy load established by fire, building, or health codes. The applicant has indicated that the maximum occupancy would be 66 persons and 33 parking spaces have been provided, including two ADA-compliant spaces and 4 "compact" spaces measuring 9 feet by 16 feet. At least one space on the east side of the building has been designated as employee parking; an additional space in this location is labeled as a "loading zone." Testimony should be provided as to the adequacy of the proposed number of parking spaces. We note that the Board denied the applicant's request to provide off-site parking on a property across Monmouth Road as part of the prior application.
6. Testimony should be provided to confirm the proposed number of seats and address how the maximum occupancy was determined. We note that while the proposed area of the diner has increased, the proposed occupancy has decreased to 66 persons from 75, as previously approved.
7. The applicant should note that this portion of both Monmouth Road and Elton-Adelphia Roads are designated scenic corridors and as such, are subject to additional buffer requirements per Section 190-160. The applicant should indicate whether any landscaping is proposed as part of the application and if so, where it would be located.
8. No architectural plans have been provided as part of the application. Floor plans, elevations, and/or renderings should be provided. Testimony should be provided as to the proposed layout and architectural treatments.
9. If the applicant seeks approval at this time for the above-referenced "c" bulk variances in connection with this 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 variances for this specific piece of property would substantially outweigh any detriment. In addition, the Board



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must be satisfied that the granting of the variances would not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.

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

Respectfully submitted,

Paul A. Phillips, P.P., AICP

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

J18183



TOWNSHIP OF  
**FREEHOLD**

TOWNSHIP COMMITTEE  
Thomas L. Cook, Deputy Mayor  
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"Preserving and Enhancing the Quality of Life"

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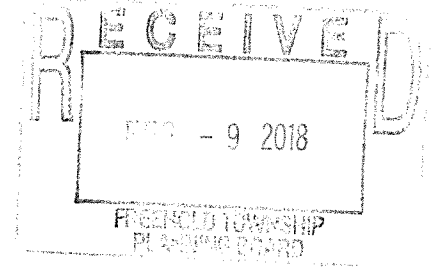
**MEMORANDUM**

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

FROM: Timothy P. White, Township Engineer

DATE: February 8, 2018

RE: Amboy Bank  
GS Realty Corp.  
Block 83, Lot 17 – 3224 Route 9 South  
Preliminary and Final Major Site Plan #887-16



This review refers to the following:

- Preliminary and Final Major Site Plan, Lot 17, Block 83, 3224 Route 9, Freehold Township, Monmouth County, New Jersey, fifteen (15) sheets, dated February 12, 2016, last revised November 27, 2017, prepared by WJH Engineering, signed and sealed by Walter Joseph Hopkin, P.E.
- Architectural Plans, Elevations, Renderings and Signs, Amboy Bank, Freehold Township, Monmouth County, New Jersey, two (2) sheets, dated August 25, 2015, last revised September 21, 2016, prepared by Chester, Ploussas, Lisowsky Partnership, LLC, signed and sealed by Robert S. Larsen, R.A.
- Stormwater Management Report for Amboy Bank, Block 83, Lot 17, Township of Freehold, Monmouth County, NJ, dated February 12, 2016, last revised August 26, 2016, prepared by WJH Engineering, signed and sealed by Walter Joseph Hopkin, P.E.
- Operation and Maintenance Manual for Stormwater Management Best Management Practices for Preliminary and Final Major Site Plan, Amboy Bank, Block 83, Lot 17, Township of Freehold, New Jersey, dated July 22, 2016, last revised November 27, 2017, prepared by WJH Engineering, signed by Walter Joseph Hopkin, P.E.
- Subsurface Investigation Report, Proposed Bank, Freehold Township, Monmouth County, New Jersey, Amboy Bank, dated September 13, 2016, prepared by Melick-Tully and Associates, P.C., signed by Mark R. Denno, P.E., signed and sealed by James H. Beattie, P.E.
- Environmental Impact Statement for Amboy Bank, Block 83, Lot 17, Freehold Township, New Jersey, dated February 15, 2016, prepared by WJH Engineering, signed and sealed by Walter Joseph Hopkin, P.E.
- Limited Phase II Investigation Report, 3224 US Route 9, Freehold Township, Monmouth County, New Jersey, dated May 23, 2017, revised December 11, 2017, prepared by Brinkerhoff Environmental Services, Inc., signed by Gary G. DiMartinis, LSRP.

PB file

P2



To: Planning Board  
Re: Amboy Bank  
Site Plan #887-16  
Block 83, Lot 17

February 8, 2018

- Traffic Impact Statement, Proposed 'Amboy National Bank,' Block 83, Lot 17, dated February 15, 2016, prepared by Jensen Design Group, signed by William Jensen, P.E.
- Truck Circulation Plans, WB-40 and WB-30, Amboy Bank, Lot 17, Block 83, Township of Freehold, Monmouth County, New Jersey, two (2) sheets (8.5 x 11), dated November 27, 2017, prepared by WJH Engineering, unsigned.
- NJDEP Permits 1316-15-0004.1 FWW160001 – 160004, Block 83, Lot 17, Freehold Township, Monmouth County, dated December 12, 2016, signed by Ryan J. Anderson.
- Permit Letter from NJDOT for Access Permit, Amboy National Bank, Block/Lot: 83/17, Freehold Township, Monmouth County, dated July 20, 2016, signed for Paul D. Menz.
- Certification Letter from Freehold Soil Conservation District, Ref. #2016-0205, Amboy Bank, Freehold Township, Block 87, Lot 17, dated October 4, 2017, signed by Ines M. Zimmerman.
- Monmouth County Letter of No Interest, Site Plan for GS Realty Corp., Block 83, Lot 17, Freehold Township Planning Board, dated April 11, 2016, signed by Edward Sampson, PP, AICP.
- Letter of Waiver Requests (w/ Operation of Facility), US Highway 9 South, Block 83, Lot 17, dated May 20, 2016, prepared by WJH Engineering, signed by Joseph J. Malison.
- Color Renderings, Amboy Bank, Freehold Twp., NJ, four (4) sheets, dated March 14, 2016, prepared by Chester, Ploussas, Lisowsky Partnership, LLC.
- Sign Package, Amboy Bank, Route 9, Freehold, NJ 07728, seven (7) sheets, dated July 7, 2016, prepared by NW Sign Industries.
- Engineer's Report – Sanitary Sewer & Potable Water for Block 83, Lot 17, Freehold, Monmouth County, NJ, dated November 27, 2017, prepared by WJH Engineering, signed and sealed by Walter Joseph Hopkin, P.E.

### Executive Summary

The applicant is seeking preliminary and final major site plan approval for the construction of a one-story (w/cellar) 2,283 SF bank at the above referenced lot located within the CMX-3 zone on the southbound side of U.S. Highway Route 9. The lot is 1.91 acres of which approximately 50% is encumbered by environmentally sensitive areas and a 30' wide easement to Manasquan River Regional Sewerage Authority (MRRSA). The proposed site improvements include a single right-in/right-out access from US Route 9 South, two (2) drive thru lanes, twelve (12) parking spaces, retaining walls, public sanitary sewer, a private well for water, an infiltration basin and associated stormwater infrastructure, fencing, lighting and landscaping. Additionally, the applicant is requesting relief from Township Ordinance requirements for minimum lot area, building size, building front setback, buffer width, parking stall size, loading zone requirements, and not providing a refuse enclosure.

The hours of operation are anticipated to be Monday – Wednesday 8:30 am to 3:00 pm, Thursday 8:30 am to 5:00 pm, Friday 8:30 am to 6:00 pm, and Saturday 8:30 am to 12:00 pm with 4-5 employees.



To: Planning Board  
Re: Amboy Bank  
Site Plan #887-16  
Block 83, Lot 17

February 8, 2018

The following comments are provided:

1. The applicant is requesting various site plan submission waivers for the omission of certain checklist items. This office has no objection to these waivers unless otherwise mentioned in this report or other Township professional or consultant reviews.
2. Revise Engineers Report (sanitary and water) to reflect the project location as Township of Freehold.
3. The Freehold Soil Conservation District certification contains the incorrect Block and Lot. Provide corrected approval.
4. Revise cover sheet to provide the following certification for the Township Clerk in accordance with T.O 190-38-B(2)(n) relative to the posting bonds. "I hereby certify that all the required improvements have been installed or a bond posted in compliance with all applicable codes and ordinances."
5. All supplemental (1 of 1) plan sheets shall be numbered sequentially as part of the site plan set.
6. The applicant has requested a waiver from providing sidewalk along Route 9 fronting the site. In lieu of installing sidewalk, the applicant shall be required to pay a sidewalk contribution fee in an amount determined by the Township Engineer's Office if the Board approves this request.
7. The Freehold Township Water System Master Plan identifies a future 12" water main along Route 9 and in the vicinity of the proposed site development. The applicant shall be required to pay a fair share contribution for the proposed future water main within the area of the site. The fair share contribution will be based on the anticipated water usage and lot frontage along Route 9.
8. It should be noted that subsurface investigations performed at the site revealed existing organic silt/peat in addition to uncontrolled fill materials consisting of concrete and brick fragments, buried stumps, topsoil, and trash and construction debris throughout the site. As such, the applicant has provided a Limited Phase II Investigation report prepared by a Licensed Site Remediation Professional (LSRP) in order to evaluate the extent of fill materials present at the site. The limited investigation revealed contamination in at least one of the samples tested. The applicant shall meet all requirements of NJDEP for development at the site and shall satisfy the concerns of the Freehold Township Health Department related to the presence of site contamination and uncontrolled fill at the site.
9. In addition to the provided soil boring plan, a scanned copy of each boring/test pit log performed shall be provided on an additional plan sheet to be included in the site plan set. This is due to the nature of the subsurface conditions as described above and as they relate to the proposed site improvements (i.e. - required removal and replacement of fill and organics in areas of pavement and all utilities).
10. Provide metes and bounds descriptions for the following easements to be dedicated to Freehold Township:
  - a. Conservation easement for all environmentally sensitive areas including flood hazard areas or wetlands and associated buffers.
  - b. 20' wide access and utility easement over the proposed sanitary sewer improvements.
11. The applicant has indicated that no deliveries are made to the site and as such has requested relief from providing an off-street loading space. The applicant shall provide testimony to the Board as it relates to the pick-up and drop-off made by armored truck.



To: Planning Board  
Re: Amboy Bank  
Site Plan #887-16  
Block 83, Lot 17

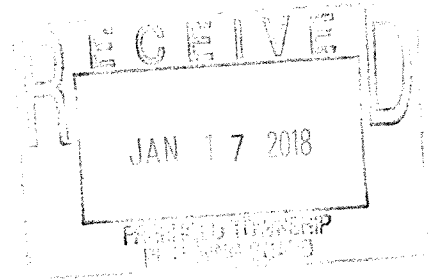
February 8, 2018

12. The applicant has requested a design waiver from providing a minimum parking space width of 9.5 feet. Instead, the plans describe 9 ft. wide spaces with hairpin striping. This office has no objection to this request as the spaces are angled and along a one-way drive aisle.
13. Variance relief is requested for not providing a landscape buffer along a portion of the southeast property boundary within the vicinity of the infiltration basin. This office has no objection to the variance request as the property is surrounded by wooded and environmentally sensitive areas.
14. As the export and/or import of fill is expected to exceed 100 c.y., a soil removal/fill permit must be obtained from the Planning Board. The permit application shall quantify the amount of unsuitable material which will be removed from the site in addition to the amount of replacement fill and additional fill that will be required.
15. 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.
16. The applicant must obtain and provide copies of all outstanding permits and/or approvals from all other involved agencies. This includes but is not limited to MRRSA for the proposed sanitary connection and all improvements (pavement, curbing, etc.) to be located within the existing 30' wide MRRSA easement, an NJDEP potable well permit, an executed NJDOT Access Permit, and a tree removal permit from the Freehold Township Shade Tree Division.

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

**Amboy Bank**  
**GS Realty Corporation**  
**Block 83, Lot 17 – 3224 Route 9 South**  
**Site Plan No. 887-16**  
**Sanitary Sewer and Water Systems Review #4**

**Our Reference**  
373671FH01

January 11, 2018

Dear Mr. White:

3 Paragon Way  
Freehold NJ 07728  
United States of America

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

As requested by the Township of Freehold (the Township), we have reviewed the plans entitled "Preliminary & Final Major Site Plan Application Lot 17, Block 83, As Shown on Tax Map Sheet 38, last revised 5/8/13, 3224 Route 9, Freehold Township, Monmouth County New Jersey", dated February 12, 2016 with a last revision date of November 27, 2017 and prepared by WJH Engineering for GS Realty Corporation (the Applicant). The plans were received by the Township Planning Board on December 13, 2017.

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, dated February 12, 2016, last revised November 27, 2017;
- A response letter prepared by the WJH Engineering, dated December 12, 2017;
- A report entitled "Engineering's Report – Sanitary Sewer & Potable Water for Block 83, Lot 17, Borough of Freehold Monmouth County, NJ", prepared by WJH Engineering, dated November 27, 2017;
- A plan sheet entitled "Utility & Access Easement Plan", dated November 27, 2017;
- A plan sheet entitled "Soil Boring Plan", dated November 27, 2017;

#### Executive Summary

The site in question (Block 83, Lot 17) is located on the southbound side of Route 9 between Elton Adelphia Road and Strickland Road. Currently the property is a vacant, wooded lot. The Applicant is proposing to clear the site and construct a one-story bank with a floor area of approximately 2,283 square feet. The applicant is proposing to provide access to the site from Route 9 southbound and is proposing to provide storm water management facilities and other site improvements, private well water service and a public sanitary sewer service to the site.

P3

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

The Applicant is proposing to provide sanitary sewer service to site via a short sewer extension and connecting to the existing Manasquan River Regional Sewerage Authority (MRRSA) manhole located within their 30-foot wide easement which passes through the site.

The Applicant's Engineer has provided a sanitary sewer report for the project that includes an estimate of wastewater flows. The report states that the proposed building will generate approximately 228 gallons per day (GPD) of wastewater flow. This project will not require a Treatment Works Approval (TWA) from NJDEP. However, the project will require approval from MRRSA.

The Applicant is proposing to install an on-site well to provide potable water for the building. The Applicant's Engineer has provided a water report for the project that includes an estimate of water demands. The report states that the estimated domestic water demand will be approximately 285 GPD for the new building. It is anticipated that this project will require permit approval from the NJDEP for the potable well proposed.

### **Sanitary Sewer Comments**

The comments on the sanitary sewer design are as follows:

1. The Applicant has provided a signed and sealed sanitary sewer report for the project that includes a calculation of the wastewater flows anticipated for this project in accordance with NJDEP Treatment Works Approval regulations (N.J.A.C. 7:14A-23.3). We concur with the report. It is noted that the report cover should be revised to indicate that the project is in the Township of Freehold.
2. An additional cleanout will need to be provided on the lateral within the proposed easement near the northern easement line.
3. The invert out elevation on the proposed manhole should be revised from 88.25 to 78.25.
4. The applicant will be required to pay a connection fee to the Township for sewer service based on prevailing rates. *The Applicant has acknowledged this requirement.*
5. Final approval should be contingent upon approval of the MRRSA, the Township Plumbing Code Official and the NJDEP. *The Applicant has acknowledged this requirement.*

### **Water System Comments**

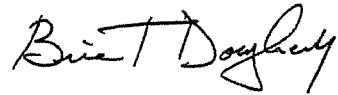
The comments on the water system design are as follows:

1. The Applicant has provided a signed and sealed water system report for the project that includes a calculation of the anticipated domestic water demand. Water demands were calculated in accordance with NJDEP Safe Drinking Water regulations (N.J.A.C. 7:10-12.6). We concur with the report.

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

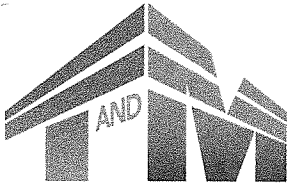
Very truly yours,

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 37671FH01 (Amboy Bank)

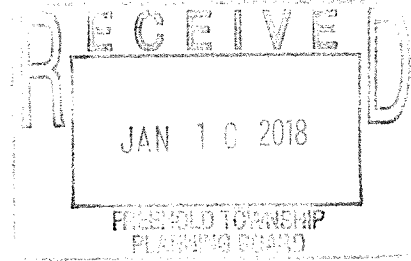


YOUR GOALS. OUR MISSION.

FRTW-R3750

January 8, 2018

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



**Re: Amboy Bank – GS Realty Corp.  
Block 83 Lot 17  
SP#887-16  
Drainage and Landscape Review No. 4**

Dear Ms. Sims:

I have completed review of the plans and calculations for the proposed drainage facilities and landscaping for the above referenced site prepared by WJH Engineering Plans dated February 12, 2016, revised November 11, 2017, stormwater operations and maintenance manual dated July 22, 2016, revised November 27, 2017.

The plans and drainage calculations have been revised in response to my letter dated August 4, 2017. All comments have been addressed with the exception to the note listed after comment No. 3:

1. **Informational – Addressed.**
2. **Addressed.**
3. The applicant may want to consider underdrains beneath the basin bottom to facilitate maintenance. Partially addressed. The applicant's plan has been revised to show a 4" PVC underdrain beneath the infiltration basin. The underdrain pipe connects to the proposed OCS. However, the intent of the underdrain is to facilitate maintenance. Therefore, a valve should be provided within the OCS for maintenance purposes. **Addressed. The gate valve control stem should extend to the top of the structure. This can be addressed at the time of the shop drawing submission.**
4. **Addressed.**
5. **Addressed.**
6. **Addressed.**
7. **Addressed.**
8. **Addressed**
9. Based on the Dam Safety Standard definition of a dam, it appears the proposed infiltration detention basin meets the definition of a Class IV dam. The applicant should request a jurisdictional determination from NJDEP. In addition, if applicable, the proposed basin shall meet the design requirements of these standards including the design of the overflow spillway. The applicant shall

P4



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

**Re:** Amboy Bank – GS Realty Corp.  
Block 83 Lot 17  
SP#887-16  
Drainage and Landscape Review No. 4

provide a copy of the NJDEP approval. **Addressed. A copy of NJDEP approval must be provided to the Township.**

10. The proposed plan shows the grading of the proposed infiltration/detention basin embankment encroaching into the state right-of-way. In addition, the 100 Year Water Surface Elevation encroaches into the state right-of-way. **Addressed. A copy of NJDOT approval must be provided to the Township.**

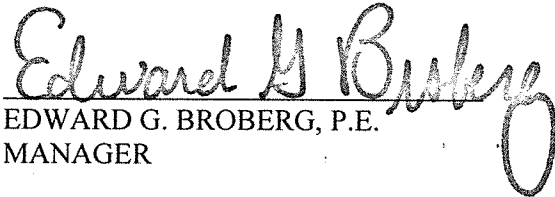
11. **Addressed.**

12. **Addressed.**

At this time, we have no further comments subject to the submission of the documents listed in comments No. 9 and No 10. These can be submitted as part of the final review.

Very truly yours,

T&M ASSOCIATES

  
EDWARD G. BROBERG, P.E.  
MANAGER

EGB:DMD:MCM:dk

Enclosure

c: Timothy White, Township Engineer

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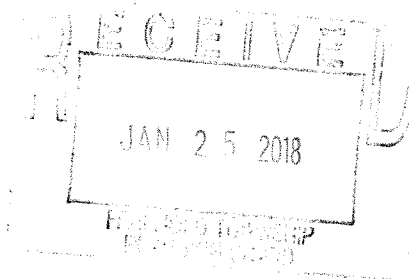


**PHILLIPS PREISS GRYGIEL LLC**

Planning & Real Estate Consultants  
33-41 Newark Street  
Third Floor, Suite D  
Hoboken, NJ 07030  
201.420.6262  
Fax 420.6222  
www.ppgplanners.com

January 15, 2018

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



RE: **APP #887-16**  
**Planner's Review Letter**  
**Amboy Bank - GS Realty Corp.**  
**3224 Route 9 South**  
**Block 83, Lot 17**  
**Corporate Multi-Use Development CMX-3 Zone**

Dear Chairman and Members of the Board:

The applicant has submitted revisions to the preliminary and final major site plan for this project, dated 2/12/2016 and revised through 11/27/2017. Prior reports dated 6/24/2016, 11/14/2016 and 8/7/2017 were prepared and submitted to the Township for review; additional details regarding the proposed project can be found in the prior report.

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

- Preliminary and Final Major Site Plan, Lot 17, Block 83, 3224 Route 9, Freehold Township, Monmouth County, New Jersey, consisting of 15 sheets, prepared by Walter Joseph Hopkin, P.E., of WJH Engineering, dated 2/12/2016 and revised through 11/27/2017
- Amboy Bank Signage Package, Route 9 Freehold, consisting of 7 pages, prepared by NW Sign Industries, dated 3/29/2016 and revised through 7/7/2017

**Project Description**

The applicant is seeking preliminary and final major site plan approval in order to construct a new Amboy Bank branch location (2,283 square feet) with two drive-thru lanes. The subject property measures 1.91 acres and is undeveloped and wooded. Debois Creek is located along the western boundary of the subject property. Land use along Route 9 is generally commercial in nature; however, there are a number of residential subdivisions in the vicinity of the subject property.

**Zoning Compliance & Planning Comments**

1. The applicant has confirmed that the pre-existing non-conforming condition relating to the undersized lot (i.e., 1.91 acres where 3 acres is required) cannot be

P-5



realistically cured, as adjoining lands are owned by NJDOT and/or are comprised of wetlands or other environmental constraints and are not buildable. **Comment addressed.**

2. "c" bulk variance relief is required for the following items (note that signage variances are listed separately) and these should be discussed by the applicant at the Planning Board hearing:
  - a. A minimum building size of 5,000 square feet is required where 2,283 square feet would be provided.
  - b. A minimum front yard setback of 100 feet is required along primary or secondary arterial roads where 41.9 feet would be provided to the drive-thru canopy and 87 feet would be provided to the bank building.
  - c. A landscape buffer of 50 feet is required, where such buffer has not been provided along all required property lines (i.e., adjacent to the NJDOT property and the rear wetlands area due to drainage basin).
  - d. As agreed at the TRC meeting, parking spaces would remain at 9 feet in width if "hairpin" striping was used, where parking spaces are required to measure 9.5 feet in width. An additional 1.5 feet in width has been added to end spaces to provide a 10.5 foot wide parking space (11 feet for the ADA space) to prevent encroachment on landscaped areas.
  - e. One loading space has not been provided, as required per Section 190-164. It was determined at the TRC meeting that a loading zone would not be required for deliveries. An armored vehicle would be parked in an "undesignated" space or along the front drive aisle.
3. The bank building would measure one story/less than 35 feet in height. This information has been added to the Zone Table on the cover sheet. Therefore, the proposed development complies with Section 190-146F(5), which stipulates that buildings within 200 feet of a residence or residential zone shall not exceed 2½ stories/35 feet in height. **Comment addressed.**
4. The applicant has indicated that the dormers on the bank building are decorative in nature. **Comment addressed.**
5. The planting list symbols for rhododendron and holly have been revised on the Landscape Plan. **Comment addressed.**
6. A retaining wall detail has been shown on plans (Sheet 11). A Clayton Block product in a color to complement the building would be used. Shop drawings will be provided for review at the time of the construction, as requested by the Township Engineer. **Comment addressed.**
7. The applicant has indicated that outstanding items pertaining to signage have been addressed at the sign subcommittee meeting and that changes to signage



have been addressed, with minor exceptions. Testimony should be provided at the Planning Board hearing.

8. Per Section 190-179C(2)(d)[1], signs may measure up to 30 feet in height along Route 9. The applicant has clarified that the sign would measure 25 feet in height, with a 15 foot setback from the property line along Route 9. **Comment addressed.**
9. The applicant has indicated the wall area of the front face of the building would measure 604 square feet. A maximum sign area of 45.3 square feet is permitted (7.5% x 604 square feet), where 22 square feet is proposed, in accordance with Section 190-179C(1)(a). **Comment addressed.**
10. It appears that the digital message center proposed to be located on the pylon sign has been removed. Note that per the Township Zoning Officer's sign review dated 10/28/2016, the digital message center does not conform to the Township's illumination requirements per Section 190-176E. In addition, digital signs are not specifically permitted in the CMX-3 zone and, therefore, are prohibited. **Comment addressed.**
11. Per Section 190-174A, directional signs for the convenience of the general public to identify parking areas, loading zones, entrances and exits or similar type signs, which shall not exceed 8 square feet in area, are allowed without a permit. Business names or personal names are allowed, but shall not include advertising messages. Two directional ground signs would measure 7 square feet and 3 feet-2 inches in height. The signs would not exceed the 8 square foot area threshold for directional signs and would, therefore, be allowed without a permit. **Comment addressed.**
12. The applicant should discuss compliance with the general sign requirements per Section 190-176 of the zoning ordinance regarding illumination and general sign requirements, such as architectural style, graphic design, etc. An illumination detail must be provided per Section 190-176E(2). The applicant has indicated that their sign company will provide additional information at the Planning Board hearing.
13. Sign colors proposed include blue, white, teal, and tan. 3M Intense Blue and 321C Teal are not from the Township's color palette. Sign colors must either be from the Township's approved color palette or be very similar per Section 190-176O(2). **Variance relief is required.**
14. A maximum of three sign colors are permitted per Section 190-176O(1)(b), where four sign colors are proposed. **Variance relief is required.**



PHILLIPS PREISS GRYGIEL LLC

Planning & Real Estate Consultants

Additional signage issues identified by the Township Zoning Officer in a letter dated 10/28/2016 include:

15. Variance relief is required to permit the Amboy Bank logo on the pylon, wall and ATM signs, where logos are not specifically permitted and, therefore, are prohibited. It should be noted that there are a number of signs in the vicinity of the subject property that display a logo. **Variance relief is required.**
16. The applicant has indicated that the wall sign would be mounted on the front building face (facing Route 9), where the wall sign was previously proposed to be mounted over the main building entrance on a side façade. **Comment addressed.**

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

J16184



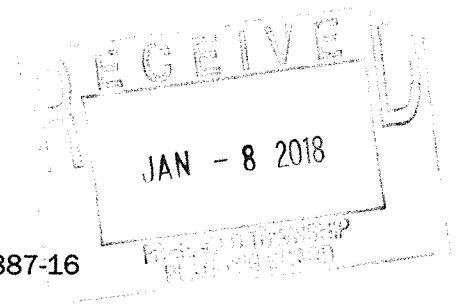
ARCHITECTURAL  
GROUP

**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: 4<sup>th</sup> Architectural Review: Preliminary and Final Major Site Plan #887-16  
Amboy Bank  
GS Realty Corp.  
Block 83, Lot 17 - 3224 Route 9 South

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 WJH Engineering and dated 12/12/17
- Letter regarding federal trademark prepared by Ezra Sutton, P.A. and dated 3/23/17
- Signage package prepared by NW Sign Industries and dated 7/7/16
- Site/Civil drawings 1-15 prepared by WJH Engineering and dated 11/27/17

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:

*Original Comment*

1. No further action required
2. It is unclear which signage package are to be included in this project. The pylon signs included in the package illustrate a digital clock and an American Flag graphic. Please clarify.

*Second Comment*

*Signage appears to be generally in compliance with T.O. with regard to aesthetics however this office does not recommend use of a "digital message center" as illustrated on the pylon sign. We believe this element is not in keeping with T.O. and creates a significant distraction for motorists.*

P-6



ARCHITECTURAL  
GROUP

*Third Comment*

*Signage package no longer indicates the inclusion of a digital message center however response letter notes that the decision to include a digital message center is deferred to Amboy Bank and NW Sign Industries. Applicant shall confirm that the digital message center is no longer planned for this development.*

**Current Comment**

**Answer to the comment above is unsatisfactory and remains open**

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

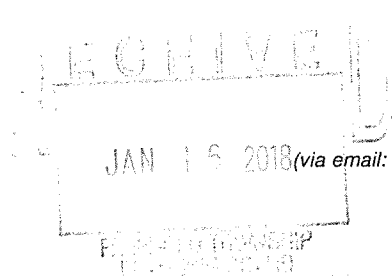
Traffic Engineering, Transportation Planning & Design

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

January 12, 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: **Amboy Bank (SP #887-16)**  
**3224 Route 9 South; Block 83, Lot 17**  
**Freehold Township, Monmouth County**  
SA Project No. 16515

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. Preliminary and Final Major Site Plan for 3224 Route 9 South, Lot 17, Block 83, Freehold, Monmouth County; prepared by WJH Engineering; dated February 12, 2016 and revised to November 27, 2017.
2. Cover Letter with Responses for the Major Site Plan Application – Amboy Bank/GS Realty, US Highway Route 9 South, Block 83, Lot 17; prepared by WJH Engineering, dated December 12, 2017.
3. NJDOT Access Permit # A-9-C-7232-2016 approval letter, Block 83, Lot 17, issued by the NJDOT, dated July 20, 2016.

The Preliminary & Final Major Site Plan set, NJDOT Access Permit, Circulation Plan, Cover Letter and corresponding documents were reviewed with respect to the Applicant's request of the Freehold Township Planning Board for approval of a 2,283 square foot (sf) single story Amboy National with two (2) drive-thru lanes. The site located at 3224 Route 9 South on Block 83, Lot 17, in the CMX-3 Zone. A total of 12 parking spaces are provided. A single right-in/right-out driveway is proposed along Route 9 southbound, just north of the Edinburgh Drive jughandle.

The Site Plan set, Traffic Impact Statement, NJDOT Access Permit and other documents that were reviewed and a traffic review letter dated June 30, 2016 was issued. A Technical Review Committee (TRC) meeting was held on July 14, 2016 at which traffic and other review comments were discussed. The applicant re-submitted revised plans and documents to address comments and additional traffic review letters dated November 16, 2016, and August 7, 2017 were issued. The Applicant has since revised the plans and provided additional information to address comments found in the review letters.

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Based on review of the revised plans and documents all traffic comments were addressed except for the following:

Access:

***All comments addressed.***

Circulation:

- 1. A trash enclosure is not provided. The Applicant shall provide testimony regarding trash storage and removal.***
- 2. Sidewalk is not proposed along the site's Route 9 frontage. Guiderail exists along the frontage. Relief is required and testimony shall be provided to justify relief. The Board may require payment in lieu of installing sidewalk.***

Parking:

***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:

***All comments addressed.***

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

Sincerely,  
Shropshire Associates LLC

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

# TOWNSHIP OF FREEHOLD



MAYOR  
Anthony J. Ammiano

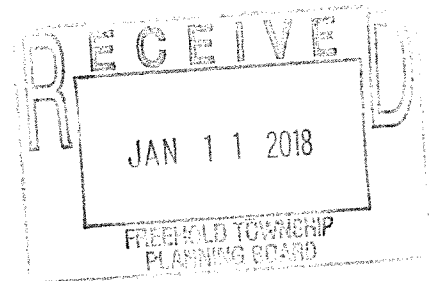
TOWNSHIP COMMITTEE  
Thomas L. Cook, Deputy Mayor  
Barbara J. McMorrow  
Lester A. Preston, Jr.  
David M. Salkin

"Preserving and Enhancing the Quality of Life"

To: Danielle Sims  
Township of Freehold  
Planning Board Administration Officer

January 11, 2018

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



RE: Sign Review  
Amboy Bank / GS Realty Corp.  
Block-83, Lot-17 - 3224 Route#9 South (Zone: CMX-3)  
Preliminary and Final Major Site Plan# 887-16.

Ms. Sims,

Pursuant to your December 27<sup>th</sup>, 2017 distribution of plans, a sign review for the above referenced site plan application has revealed the following:

**Signs Proposed:**

1. One internally illuminated 96 Sf double-faced pylon sign in white and teal (noted as sign #1 on plans), advertising "Amboy Bank" W/Logo (White triangle w/blue wave graphics). The proposed pylon structure also includes a non-illuminated 1/8" Aluminum Waves graphic finished in tan semi-gloss to match the building. The sign is proposed at a height of 25 Ft with a setback of 15 Ft from the front property line on Route#9 south.
2. Two non-illuminated 6.8 Sf double-faced directional ground signs (noted as sign #'s 2&3 on plans), proposed at a height of **3'2"**, painted teal with white lettering and finished in tan stucco to match the building.
3. One internally illuminated 22 Sf building mounted façade sign (noted as sign #4 on plans), on the side elevation, advertising "Amboy Bank" W/Logo (White triangle w/blue wave graphics), consisting of a white acrylic face with teal trim caps & returns.
4. One 10.5 Sf teal & white digitally printed building mounted sign incorporated with the drive thru ATM (noted as sign #5 on plans), on the front elevation, advertising "Amboy Bank" W/Logo (White triangle w/blue wave graphics).
5. One non-illuminated 1 Sf teal colored sign (noted as sign #6 on plans) with white lettering reading, Clearance 8'6", mounted above the ATM drive thru on the fascia of the roof structure overhang.

PB File

P-8



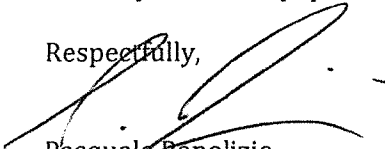
**The following must be considered by the Board:**

1. The proposed pylon sign does not meet the required 96 SF maximum size requirement due to the addition of the graphic aluminum waves on the supporting structure; Referencing T.O. 190-179.C(2)(a), "Chart A".
2. The pylon sign consists of four colors: Blue, White, Teal, & Tan, where a maximum of three colors are permitted; Referencing T.O. 190-176.O(1)(b).
3. The sign colors proposed: 3M Intense Blue & 321C Teal (also referred to as Teal# 3630-236) are 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).
4. In addition to the pylon sign, two ground directional signs are proposed (at a total of three) where only one ground sign is permitted. Referencing T.O. 190-179.C(2)(a).
5. As proposed, the façade sign will be mounted over the main entrance located on the side of the building and not on the face of the building facing the roadway. Each business or commercial use may have one or more illuminated flat signs displayed on the face of the building or the side of the building facing the street as it relates to corner lots; Referencing T.O. 190-179.C(1).  
**Note:** Due to the orientation of the building, this office defers to the sign sub-committee to interpret, on which side or sides, should wall signs be permitted.
6. Lighting detail was not provided though the renderings do note that the internally illuminated signs are lit by way of LED; Referencing T.O.190-176.E(2).
7. The location of ground signs #'s 3&4 as indicated on the colored renderings are not shown and/or clearly labeled on the site plan provided (Page 4 of 15).

---

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

Respectfully,



Pasquale Popolizio  
Township of Freehold  
Director of Zoning

SP # 887-16  
MAYOR  
Barbara J. McMorrow



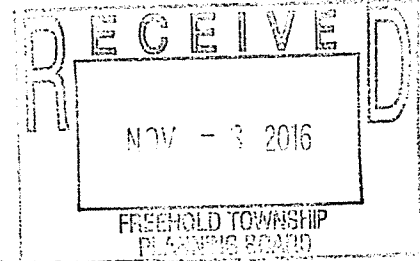
TOWNSHIP OF  
**FREEHOLD**

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

*"Preserving and Enhancing the Quality of Life"*

November 8, 2016

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

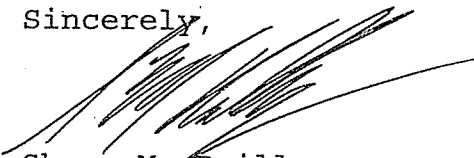


RE: Preliminary and Final Major Site Plan #887-16  
Amboy Bank  
Block 83, Lot 17 - 3224 Route 9 South

Dear Mrs. Sims

The fire bureau met and have approved the plans that were submitted.

Sincerely,

  
Shaun M. Reilly  
Fire Official / Chief of the Board

P-9

# 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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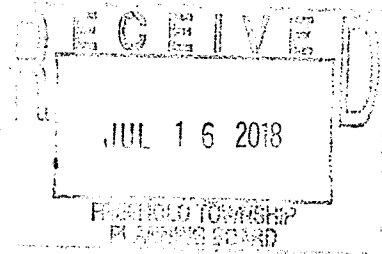
*"Preserving and Enhancing the Quality of Life"*

**TO:** The Freehold Township Planning and Zoning Board

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

**DATE:** July 16, 2018

**SUBJECT:** Amboy Bank  
GS Realty Corp.  
B: 83 L: 17  
3224 Route 9 South  
Pre & Final Major Site Plan #887-16



We have reviewed the additional information provided by the applicant for the above referenced project. At this time, the applicant has set the correct course for addressing the environmental concerns associated with the property. We have no objections to the proposed project, **provided the applicant submits timely information to the Township Health Department as to:**

1. The results of the ongoing site investigation
2. Recommendations specified for remediation
3. Formal correspondence with the NJDEP
4. A time line, regarding proposed clean-up activities and how they relate to construction of the site

If you have further questions, please contact me at 732-204-2060. Thanks you.

June, 14, 2016

Freehold Township Planning Board  
Mr. Richard Gatto, Chairman  
One Municipal Plaza  
Freehold, NJ 07728

Subject: Amboy Bank - GS Realty Corp. - Block 83, Lot 17, plan #887-16

The June 13, 2016 meeting of the Freehold Township Environmental Commission was called to order by Chairman Moskal at 7:35pm. Board members present: Steve Leone, Dave Puchalski, Brij Sharma and Tom Moskal. Also attending were Dan Incardone and Joe Malison (representing Amboy Bank).

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 reviewed the project with the project's representatives and has no comments or concerns.

The meeting was adjourned at 8:45 pm.

Tom Moskal  
Chairman

P.11

# 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: July 26, 2018

RE: Freehold Regional High School District  
Gas Tank Replacement  
Block 45, Lot 1 – 117 Crow Hill Road  
Capital Review Project #405-4-18

This review refers to the following:


- Minor Site Plan (Sheet 5) from previously approved project, Copy of 2012 Survey dated December 7, 2012, prepared by Midstate Engineering, Inc., signed and sealed by Chester Di Lorenzo, P.E., L.S., P.P., AutoCAD Drawing and Aerial Photo of site, Tank spec sheets

### Executive Summary

The Freehold Regional High School District has submitted an application for Capital Project Review to remove an existing older 3000-gallon gasoline tank and replace it with a new double wall 5000-gallon gas tank at their Transportation Department located at 117 Crow Hill Road. The new 5000-gallon tank has the same form factor footprint as their existing tank, and can be placed on the existing concrete pad that has no structural defects. The only dimensional change is in its diameter. All work will be completed by Slack Environmental Services, and will comply with all EPA and DEP regulations regarding above ground tank removal and installation.

This office has no objection to Board approval of this application subject to the following comment being addressed:

1. The applicant shall provide a copy of their Spill Prevention and Pollution Control plan prepared in accordance with the EPA regulations prior to issuance of a building permit.

  
TIMOTHY P. WHITE  
Township Engineer

TPW/vf

cc: Paul Vitale, Construction Official

# TOWNSHIP OF FREEHOLD



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

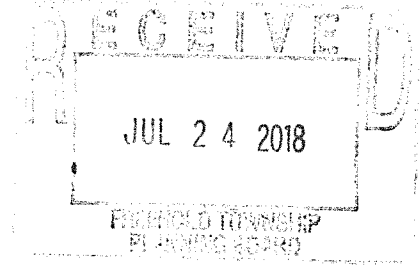
*"Preserving and Enhancing the Quality of Life"*

**TO:** The Freehold Township Planning Board

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

**DATE:** July 24, 2018

**SUBJECT:** Freehold Regional High School District – Tank Replacement  
B: 45 L: 1  
117 Crow Hill Road  
Capital Project Review Application/SP# 405-4-18



We have reviewed the information provided for the above referenced project. The Board of Health has no objections provided the applicant updates and maintains the Discharge Prevention, Containment and Countermeasures Plan.

# 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: August 10, 2018

RE: Austin and Katie Keelen  
Block 9, Lot 9  
1 Topanemus Lane  
Variance Application #024-18

This review refers to the following:

- Survey of Property (w/ mark-up of proposed porch), Tax Lot 9, Block 9, 1 Topanemus Lane, Township of Freehold, Monmouth County, New Jersey, one (1) sheet, dated October 25, 2016, prepared by Lakeland Surveying, signed by Marc J. Cifone, P.L.S.
- Zoning Schedule, Austin and Katie Keelen, Var. #024-18, 1 Topanemus Lane, Block 9, Lot 9, dated August 9, 2018, signed by Austin Keelen.
- Sketch of Proposed Porch, 1 Topanemus Lane, Township of Freehold, A & K Keelen, four (4) sheets, dated May 14, 2018, signed by Austin Keelen.
- Proposed Materials, one (1) sheet, undated, unsigned.
- Color Photographs of Existing Residence, one (1) sheet, undated, unsigned.

### Executive Summary

The applicant is seeking approval to construct an approximate 12 ft x 36 ft (length of house) front porch with roof structure at the subject property. The property is located within the Residential R-40 zone and the applicant is requesting variance relief for front yard setback (37 feet provided where 65 feet is required). It should be noted that the property has several existing non-conformities including lot area, lot width, lot depth, front yard setback, and accessory building side yard setback.



To: Planning Board  
Re: Austin and Katie Keelen  
Block 9, Lot 9 – 1 Topanemus Lane  
Variance Application #024-18

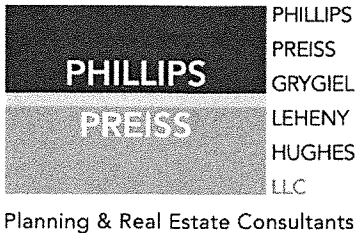
August 10, 2018

This office has no comments relative to any engineering issues.

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TIMOTHY P. WHITE  
Township Engineer

TPW/mb



August 8, 2018

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

RE: Variance Application #024-18  
Planner's Review Letter  
Austin and Katie Keelen  
1 Topanemus Lane  
Block 9, Lot 9  
R-40 Residential Zone

Dear Chairman and Members of the Board:

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

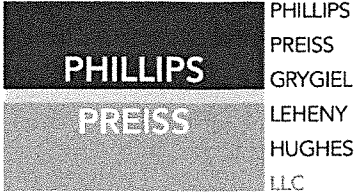
- Survey of Property for Block 9, Lot 9 in Freehold Township, prepared by Richard Marc J. Cifone, PLS, of Lakeland Surveying, dated 10/25/2016
- Sketches of proposed porch, prepared by Applicant, dated 5/14/2018
- Proposed porch materials, undated
- Site photographs, undated

**Project Description**

The applicant is seeking bulk "c" variance approval in order to construct a new covered front porch as an addition to an existing two-story single-family dwelling located on a corner lot. The proposed porch would encroach into the required front yard setback on Topanemus Lane.

The subject property measures 23,344 square feet (0.51 acres) and is developed with a two-story single-family residence and a detached garage. The property is located at the intersection of Waterworks Road and Topanemus Lane and has approximately 150 feet of frontage on each road. The property is located in the northern portion of the Township west of Route 9, south of Lake Topanemus, and north of the Township's border with the Borough of Freehold. All surrounding properties are also located in the R-40 Residential Zone.

The proposed porch would replace an existing concrete step landing that leads to the entrance of the house along Topanemus Lane. The porch would extend across the front façade of the house (36 feet wide) and extend 12 feet from the front building face.

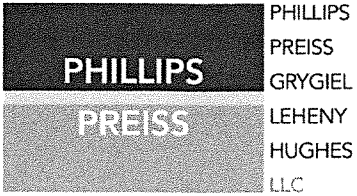


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Per the architectural diagrams provided by the applicant, the porch would have a sloped asphalt roof with white columns and railings to match the existing trim of the house. The porch is proposed to be constructed of “pebble grey” composite deck boards.

### Zoning Compliance & Planning Comments

1. The subject property is located within the Township’s R-40 Residential zone. The lot is undersized for a corner property in this zone and there are several preexisting nonconforming conditions, as follows:
  - Minimum lot area, corner lot: 40,000 square feet required, 23,344 square feet existing/proposed
  - Minimum lot depth: 165 feet required, 150 feet existing/proposed
  - Minimum side yard setback for an accessory structure (detached garage): 10 feet required, 4.9 feet existing/proposed
2. Per Section 190-103A, covered front porches are subject to the area, yard and building requirements for principal buildings as set forth in Schedule C of the Township Land Use Ordinance. The proposed front porch would be set back 37 feet from the front yard property line, where 49.2 feet is existing and 65 feet is required. As such, bulk “c” variance relief is required to permit the proposed porch to encroach on the setback. Testimony should be provided in support of this variance request.
3. There is a preexisting nonconforming condition related to the measurement of lot width at the building line, as required in Schedule C of the Township Land Use Ordinance. In the R-40 zone, a lot width of 200 feet is required at the building line, where 154 feet is existing. Due to the slightly irregular shape of the property, the lot width when measured from the building line of the proposed front porch would be reduced to approximately 153 feet. While a variance is technically required for exacerbating the existing nonconforming condition, this is de minimis in nature due to the slight irregularity in the property lines. No changes to the lot width, property lines, etc., are proposed.
4. The applicant should provide testimony regarding the proposed building materials/colors to be used to construct the porch and how they would relate to the cladding of the existing house and garage. The applicant has indicated that the trim and roof shingles will match the existing house.
5. As a bulk “c” variance is 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



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variance(s) for this specific piece of property would substantially outweigh any detriment. In addition, the Board must be satisfied that the granting of the variance(s) would not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.

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

Respectfully submitted,

---

Paul A. Phillips, P.P., AICP

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

J18222

# TOWNSHIP OF FREEHOLD



MAYOR  
Anthony J. Ammiano

TOWNSHIP COMMITTEE  
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"Preserving and Enhancing the Quality of Life"

Timothy White, PE, PLS, CME  
Township Engineer

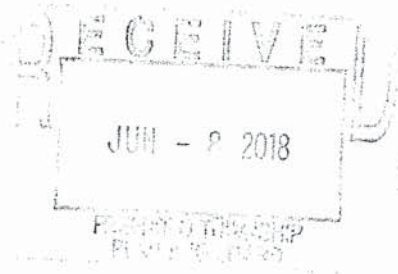
## MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: June 8, 2018

RE: Gerardas Balciunas & Lina Balciuniene  
Block 101, Lot 44  
466 Ely Harmony Road  
Variance Application #009-18  
REVIEW #2



This review refers to the following:

- Site Plans (Lot Grading Plan, Detail Sheet, Demolition Plan, Survey), #466 Ely Harmony Road for Gerardas Balciunas & Lina Balciuniene in Township of Freehold, Monmouth Co., New Jersey, four (4) sheets, dated January 9, 2018, revised May 10, 2018, prepared by Trenton Engineering Co., Inc., signed and sealed by Joseph Mester, P.E.
- Plan of Tree Removal, #466 Ely Harmony Road for Gerardas Balciunas & Lina Balciuniene in Township of Freehold, Monmouth Co., New Jersey, one (1) sheet, dated May 16, 2018, prepared by Trenton Engineering Co., Inc., signed and sealed by Joseph Mester, P.E.
- Architectural Plans, Architectural Floor Plans, Proposed Single Family Residence, 466 Ely Harmony Road, Block 101, Lot 44, Township of Freehold, Monmouth County, NJ, three (3) sheets (A-0.2, A-0.3, A-0.4), dated May 8, 2018, prepared and signed and sealed by David B. Singer, A.I.A.
- Stormwater Management Report for 466 Ely Harmony Road, Block 101, Lot 44, Freehold Township, Monmouth County, New Jersey, dated May 7, 2018, prepared by Trenton Engineering Co., Inc., signed and sealed by Joseph Mester, PE, PLS, PP.
- Application for Tree Removal Permit, Block 101, Lot 44, 466 Ely Harmony Road.

pb 5/20

P-2



To: Planning Board  
Re: Gerardas Balciunas & Lina Balciuniene  
Block 101, Lot 44  
466 Ely Harmony Road  
Variance Application #009-18

June 8, 2018

Executive Summary

The applicant is seeking approval to demolish an existing home and construct a new 3,798 s.f. one-story single family home with a 3-car attached garage and a full basement on an undersized lot. Additionally, the applicant is proposing to retain the two (2) existing garage outbuildings located at the rear of the property. The existing well and septic system will be decommissioned and replaced in new locations on the property. The subject lot is in the Rural Environmental (R-E) zone where variances are required for lot area, lot depth, front yard and side yard setbacks, building coverage, accessory structure coverage, total impervious coverage, and the number and size of accessory garages.

The following comments are provided:

1. Revise grading at the west side of the home to provide positive drainage with a minimum slope of 2%. Additionally, correct typo at contour line label on the driveway near the garage (El. 207 vs. El. 202).
2. In accordance with the Freehold Township Master Plan and the requirements of the Township Ordinance, the applicant will provide a 30 foot wide half-width right-of-way dedication to the Township of Freehold. The right-of-way dedication is measured 30 feet from the centerline of the existing physical roadway and will reduce the lot size from 2.50 acres to 2.21 acres. The applicant shall provide a metes and bounds description of the proposed dedication to this office for review. The deed of dedication shall be reviewed and approved by the Township Attorney's Office.
3. The applicant shall clear all trees within the limits of the right-of-way dedication. This tree removal shall be described on the site plans and the tree removal plan.
4. The applicant is seeking a variance for exceeding the maximum allowable impervious coverage at the site (18.38% where 5% is permitted in the R-E zone). However, it should be noted that the lot is significantly undersized (2.21 acres where 10 acres is required) for the zone. The maximum impervious coverage in residential zones with similar lot size (R-80 and R-120) is 15%. Per the recommendation of this office, the applicant is proposing a dry well to mitigate the increase in runoff. The provided dry well calculations shall be revised to provide infiltration for 3.38% (or 3,253 sf) of the lot area (i.e. the calculations shall demonstrate storage and infiltration for the entire volume of 1.25-inches of rain over 3253 sf of impervious area; equivalent to a volume of 339 cubic feet).
5. It is recommended to provide a clean out over the dry well consisting of 6-inch pvc pipe and a cap to observe water levels and permit maintenance.
6. The applicant shall obtain a tree removal permit from the Freehold Township Shade Tree Commission for any proposed tree removal.



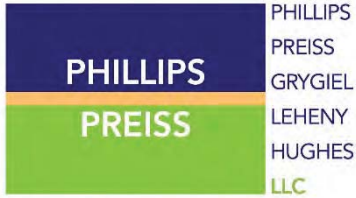
To: Planning Board  
Re: Gerardas Balciunas & Lina Balciuniene  
Block 101, Lot 44  
466 Ely Harmony Road  
Variance Application #009-18

June 8, 2018

7. The applicant shall obtain approval from the Freehold Township Health Department for the proposed new septic system and well and for the decommissioning of the existing well and removal of the existing septic system.

TIMOTHY P. WHITE  
Township Engineer

TPW/mb



Planning & Real Estate Consultants

August 14, 2018

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

RE: **Variance Application #009-18**  
**Planner's Review Letter #3**  
**Gerardas Balciunas and Lina Balciuniene**  
**466 Ely Harmony Road**  
**Block 101, Lot 44**  
**R-E Rural Environmental Zone**

Dear Chairman and Members of the Board:

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

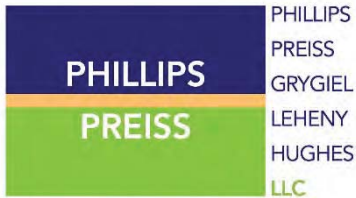
- Site Plan, including Topographic Survey, for 466 Ely Harmony Road consisting of 5 sheets, prepared by Joseph Mester, P.E., of Trenton Engineering Co., Inc., dated 1/9/18, and revised through 5/10/18
- Elevations and Floor Plans for Proposed Single-Family Residence, consisting of 3 sheets, prepared by David B. Singer, Architect, dated 2/26/18 and revised through 5/8/18.

### **Project Description**

The applicant is seeking approval to demolish an existing dwelling and construct a new single-family residence on the subject property. Two existing detached garages would remain on the property. As part of the proposal, lot frontage along Ely Harmony Road would be dedicated to the Township as part of the right-of-way. The applicant has submitted additional information indicating that a "d(4)" variance is required for exceeding the permitted floor area ratio (FAR) in the R-E Zone. A "d(1)" use variance may also be required to permit commercial storage on the property.

The subject property measure 109,813 square feet (2.52 acres) and is irregular in shape. The entire lot frontage along Ely Harmony Road is proposed to be dedicated to serve as right-of-way. The portion to be dedicated measures between 20 and 30 feet in width from the front yard property line and totals 13,478 square feet. The proposed new lot area would be 96,235 square feet (2.21 acres).

The property is currently developed with a 1.5-story single-family home with 2 detached garages, paved driveway and patio areas, and a small shed. The two detached garages are located in the northeastern portion of the property and are



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accessed via a stone driveway from Ely Harmony Road. A second driveway is located near the western portion of the property. Two movable trailers are located in the rear yard as depicted on the property survey provided by the applicant, which would be removed from the site as part of the current proposal. The rear portion of the property is forested.

The property is located on Ely Harmony Road, west of Monmouth Road (Route 537) and east of Hendrickson Road in the southwestern portion of the Township. There is single-family residential development to the east and west of the subject property along Ely Harmony Road and Crystal Court. Agricultural and forested land is located to the south of the property, including State of New Jersey and Township-owned conservation lands (e.g., West Turkey Swamp Park, etc.).

The applicant is proposing to demolish the existing residence and shed and a portion of the existing blacktop driveway and construct a new 3,798 square-foot, one-story dwelling. The dwelling would include four bedrooms, two-and-a-half bathrooms and an attached three-car garage at grade level. The basement level is proposed to be finished.

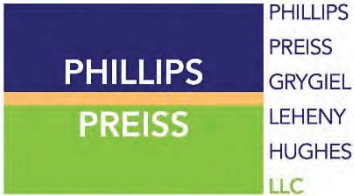
The applicant is proposing to retain the two existing detached garages on the site, which are an older wooden structure measuring approximately 31.6 feet by 36 feet (1,138 square feet) and a newer garage measuring approximately 36 feet by 45.5 feet (1,638 square feet). The applicant would retain the associated driveway and pavement areas, and resurface the existing stone driveway. The existing blacktop driveway in the western portion of the property would be removed and replaced with a new driveway to serve the proposed attached garage. A block concrete patio is proposed adjacent to the western side of the dwelling. A new septic system and well are also proposed as part of the application and would be located to the rear of the proposed residence.

The provided building elevations appear to show that the proposed residence would be clad in stone and vertical siding with a shingle roof. The one-story residence would measure 20.2 feet in height.

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

1. The applicant has provided a breakdown of the proposed living space as follows:
  - First floor living area: 2,966 square feet
  - Attached garage area: 832 square feet
  - Finished basement area: 1,696 square feet

This equals up to a building footprint area of 3,798 square feet (first floor + garage) and an overall building area of 5,494 square feet (first floor + garage + basement). The lot size is proposed to be 96,238 square feet following right-of-



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way dedication. As such, the applicant has calculated an FAR of 0.0484 using a “habitable area” of 4,662 square feet (first floor + basement). The R-E Zone permits a maximum FAR of 0.05.

We note that Section 190-3B of the Township Land Use Ordinance provides the following definitions related to floor area:

BASEMENT: A story partly underground, but having less than ½ its height below the average level of the adjoining ground.

CELLAR: A story partly underground and having more than ½ its height below the average level of the adjoining ground.

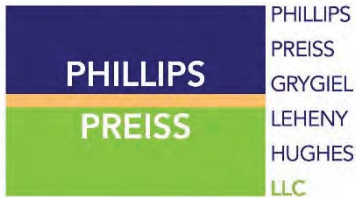
FLOOR AREA; GROSS HABITABLE; FLOOR AREA RATIO: In any and all buildings, the total gross area of all floors shall be calculated as follows for the corresponding types of buildings:

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.

FLOOR AREA RATIO (FAR): The sum of the floor area of all floors of buildings or structures, as calculated using the definitions set forth in “floor area,” compared to the developable total area of the site.

Per the definitions of “FLOOR AREA, GROSS HABITABLE” and “FLOOR AREA RATIO” provided in Section 190-3B of the Township Land Use Ordinance, attached garages shall be included as part of an FAR calculation. If the 832-square foot garage area was included in the FAR along with both levels of living space, the total floor area would be 5,494 square feet, for an FAR of 0.057 and “d(4)” FAR variance relief would be required. The applicant has indicated that both levels of the proposed home plus the garage area qualified as “gross habitable floor area” and as such, have requested a “d(4)” variance for exceeding the permitted FAR in the R-E Zone.

The applicant’s professionals should confirm whether the proposed lower level meets the ordinance definitions of “cellar” or “basement” in order to determine the existing and proposed FAR. If the lower level cannot be shown to be a “cellar” and rather meets the definition of “basement,” the “d(4)” variance



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would be required. If the proposed lower level meet the ordinance definition of a cellar, in that more than half of its height is below the average adjoining grade level, the lower level area would not be included in the FAR calculations and the proposed FAR would be 0.0395, which complies with the ordinance requirements.<sup>1</sup>

If a “d(4)” variance is required, the standard of proof 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. An applicant must advance special reasons but need not show that a site is particularly suited for the use. 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.

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). With respect to both the positive and negative criteria, the Board must find that there will not be a substantial negative impact as a result of granting the variance, nor will the character of the neighborhood be altered as a result of the variance. The applicant should address these proof requirements in the context of the subject application.

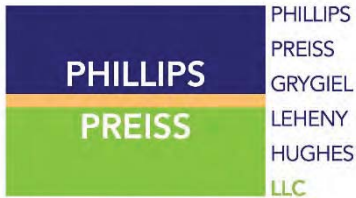
2. A minimum front yard setback of 150 feet is required for the principal building, where 39 feet is proposed; and a minimum side yard setback of 100 feet is required, where 48.68 feet is proposed to the westerly side yard property line. As such, “c” variance relief is required to permit deficient front and side yard setbacks for the proposed dwelling. The applicant should provide testimony as to any impacts of the undersized setbacks on neighboring properties or Ely Harmony Road.

We note that the existing dwelling has a front yard setback of 62.5 feet from the existing front yard property line, where the proposed dwelling would be 63 feet from the existing property line and 39 feet from the front yard property line following the right-of-way dedication. The existing dwelling has a westerly side yard setback of 118.96 feet, which complies with ordinance standards.

3. The applicant is proposing to keep both existing detached garages on the property. While these are existing structures, a review of Township records did not provide confirmation that these are either legal nonconformities or that zoning permits were ever received. There are no records on file for the smaller/older garage structure. A permit was filed for the newer/larger garage

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<sup>1</sup> 3,798 square foot habitable area (832 square foot garage + 2,996 square foot first floor) / 96,238 square foot property = 0.0395 FAR



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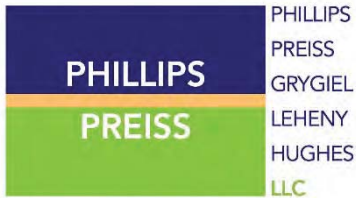
structure in 2005, which was approved but never finalized. No Certificate of Occupancy was issued.

Per Sections 190-126 and 190-3 of the Township Ordinance, one garage with a capacity for no more than 3 vehicles is permitted for residences in the R-E Zone, whether attached or as a freestanding accessory structure. A 3-car garage shall not measure more than 864 square feet or 24 by 36 feet. The applicant is proposing to keep 2 existing garages and construct an additional attached garage. Both of the existing garages exceed the size and area requirements. Additionally, there are deficient setbacks associated with the detached garages. As such, bulk “c” variance relief is required as follows:

- Maximum number of garages: 1 permitted, 3 proposed;
- Maximum number of vehicle parking spaces: 3 permitted, ±12 proposed
- Maximum size of an accessory garage: 864 square feet or 24 by 36 feet permitted, 31.6 feet by 36 feet (1,138 square feet) proposed for smaller detached garage and 36 feet by 45.5 feet (1,638 square feet) proposed for larger detached garage
- Side yard setback for an accessory structure: 100 feet is required, where the smaller detached garage is 77.9 feet from the westerly side yard property line and the larger detached garage is 54.7 feet from the easterly side yard property line;
- Rear yard setback for an accessory structure: 150 feet is required, where the smaller detached garage is 117.55 feet from the rear yard property line.

Testimony should be provided in support of these variances, particularly as to the rationale for retaining both existing detached garages.

4. The applicant has provided revised materials indicating that they wish to keep the existing garages for business and/or storage use. No commercial uses are permitted in the R-E Zone. One (1) commercial vehicle may be stored on the property per Section 190-3. If the applicant wishes to utilize the garage for storage of commercial equipment or products, “d(1)” use variance may be required. Per photographs provided by the applicant, the older garage has 2 overhead doors, while the larger garage has only one overhead door. Testimony should be provided as to the proposed use of the garages. Additionally, the applicant should discuss the existing conditions of each garage, including whether each has utility connections, plumbing, etc.
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 regarding the whether the existing detached garages would



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comply with the design of the proposed dwelling in this regard. Per photographs provided by the applicant, the exterior of the smaller, wood-frame garage appears to be fairly dilapidated.

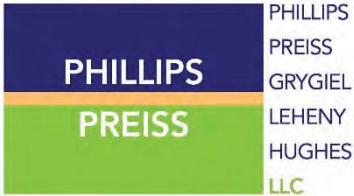
6. Several existing nonconformities would be exacerbated as a result of the proposed right-of-way dedication and would therefore technically require “c” variance relief:
  - Minimum lot area: 10 acres is required, where 2.5 acres is existing and 2.21 acres is proposed;
  - Minimum lot depth: 500 feet is required, where 366.68 feet is existing and 335.14 feet is proposed.

Testimony should be provided in support of these variances and as to the nature and details of the proposed right-of-way dedication.

7. The proposed application exceeds the permitted building, impervious surface, and accessory building coverage requirements. The site plans should be revised to indicate the correct proposed building coverage of 6.83% following the right-of-way dedication, where 3% is permitted. The maximum impervious surface coverage in the R-E Zone is 5%, where 18.38% is proposed. The maximum accessory building coverage is 2%, where 2.88% is proposed. As such, “c” variance relief is required for each of these conditions.

We note that the lot is undersized for its zone (10 acres required, where 2.5 acres are existing and 2.21 acres are proposed) and several of the required bulk “c” variances appear to be a function of this existing condition and the further exacerbated due to the right-of-way dedication. When calculated prior to the right-of-way dedication, impervious surface and building coverage would increase from existing conditions by approximately 1.8% and 1.7%, respectively. Accessory building coverage would decrease by approximately 0.2% due to the removal of the shed in the rear yard.

8. The applicant should provide testimony and plans should be revised to indicate the proposed building and roof materials.
9. Ely Harmony Road is a designated Township Scenic Roadway Corridor per Section 190-160 of the Township Land Use Ordinance. The applicant should provide testimony describing the existing and proposed vegetation on the property and whether trees are proposed to be removed as part of this application. Based on the provided survey and a review of aerial photographs, it appears that there is substantial mature tree cover between the existing residence and Ely Harmony Road.



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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,

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Paul A. Phillips, P.P., AICP

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

J18090

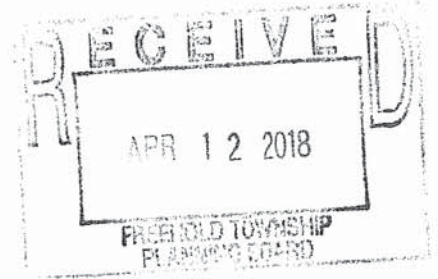
# TOWNSHIP OF FREEHOLD



*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:** Jeff Palatini, Principal REHS  
**DATE:** April 12, 2018  
**SUBJECT:** Gerardas Balcinuas & Lina Balciuniene  
B: 101 L: 44  
466 Ely Harmony Road  
Variance Application #009-18



We have reviewed the information provided for the above referenced project. The Board of Health has no objection to the application and is conducting a review of the individual septic system application. Our office will contact the applicant for the necessary permit fee and their engineer for additional information as needed.