

**Borough of Freehold
Planning Board
Agenda No. 15-4
February 11, 2015**

The Freehold Borough Planning Board will hold a meeting on Wednesday, February 11, 2015 at 7:00 PM in Borough Hall, second floor, Council Chambers, 51 West Main Street, Freehold, New Jersey.

1. Call to order and statement of compliance. Adequate notice of this meeting has been provided by posting a copy of public meeting dates on the municipal bulletin board and by sending a copy to the Asbury Park Press and the News Transcript and filing a copy with the Municipal Clerk.
2. Roll call of members and consultants.

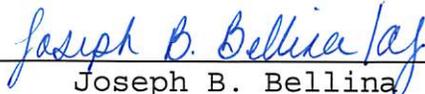
**Mr. Nolan Higgins, Mayor
Mr. Garry Jackson, Class II Member
Mr. George Schnurr, Class III Member
Ms. Danielle Sims, Class IV Member
Mr. Adam Reich, Class IV Member
Ms. Marjorie Goetz, Class IV Member
Mr. Robert Oakes, Class IV Member
Mr. William Barricelli, Class IV Member
Mr. Kevin Lewis, Class IV Member
Ms. Annette Jordan, Alternate No. 1
Ms. Jamie Bennett, Alternate No. 2**

**Mr. Ronald D. Cucchiaro, Esq., Board Attorney
Mr. William Wentzien, PE, Board Engineer**

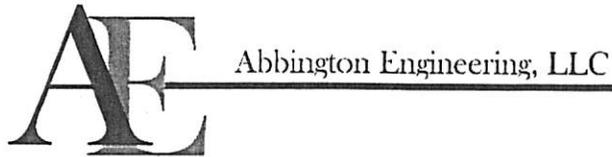
3. Approval of Minutes from the Reorganization meeting of January 14, 2015 and regular meeting of January 14, 2015. (See Attachment I).
4. Urban Land Institute - Technical Assistance Panel. (See Attachment II).
5. Application Number PB-UV-14-009.
Applicant - Robert Cusic.
Location - 30 Institute Street, Block 84, Lot 87.
Request - Use Variance Relief to construct a proposed two story, two family dwelling.
(See Attachment III).

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6. Application Number PB-UV-12-005
Applicant - CCM Properties - American Granite
Location - 56 Jerseyville Avenue, Block 108, Lot 10.
Request - Revised site plan.
(See Attachment IV).
7. Adjournment.



Joseph B. Bellina
Business Administrator
February 11, 2015



Abbingdon Engineering, LLC

1315.002.017
January 7, 2015

Joseph B. Bellina, Business Administrator
Borough of Freehold Planning Board
51 West Main Street
Freehold, NJ 07728

**RE: COMPLETENESS AND TECHNICAL REVIEW
ROBERT CUSIC – 30 INSTITUTE STREET
VARIANCE APPLICATION
BLOCK 84, LOT 87
BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY**

Dear Mr. Bellina:

Please be advised that I am in receipt of an application and supporting materials information for the above referenced matter, including the following:

1. Land Use Department Application Checklist dated December 9, 2014
2. Planning Board Application Form, dated December 9, 2014.
3. Zoning denial, dated September 9, 2014.
4. Plans entitled "Plan to accompany Variance Application, Tax Lot 87, Block 84, Borough of Freehold, County of Monmouth New Jersey", prepared by Geller Sive and Company consisting of one (1) sheet, dated July 15, 2014
5. Architectural plans entitled "New Duplex Residential Structure, Robert Cusic, 30 Institute St., Freehold, NJ", prepared by Bach & Clark, LLC Architecture, consisting of two (2) sheets, dated July 20, 2014.

The subject of this application is certain lands known as Block 84, Lot 87, located at 30 Institute Street, in the **R-5 Residential Zone** of the Borough. The total area of the subject property is approximately 6,800 square feet.

The site presently contains an existing 2 story dwelling, a 1 story 3-car garage, and a gravel parking area.

The applicant has requested **Use Variance Relief** to construct a proposed two (2) story, 2-Family Dwelling. The existing dwelling is to be removed, and the garage and gravel area will remain.

The documents submitted have been reviewed for the purposes of determining the Administrative Completeness, and a review of the application pursuant to N.J.S.A. 40:55-D-10.3, *The Municipal Land Use Law*, in accordance with Title 16 of the *Code of the Borough of Freehold*.

Application Fees

The following fees have been posted with the Borough in accordance with Title 16 with respect to this matter:

- a. Application Filing Fees \$670.00
- b. Escrow Deposit \$2,500.00

Administrative Completeness Determination

Based upon my review of the application materials and supporting documents, it is my finding that all required checklist items have been submitted by the applicant except for item 8, being photographs of existing conditions. All other items being complete it is recommended that the applicant supply photographs of the existing site at the Planning Board hearing.

Upon supplying the noted photographs, it would be recommended that this matter be deemed **Complete**.

The application materials have been reviewed for compliance with relevant ordinances and design standards found in *The Code of the Borough of Freehold*. Based upon my review, the following information is furnished to assist board members in their deliberation of this matter:

1.0 ZONING

1.1. The following is a summary of the Zoning Requirements of the R-5 Residential Zone as related to this application:

<u>BULK STANDARD</u>	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Minimum Lot Area (corner lot)	9,000 SF	6,800 SF *	6,800 SF *
Minimum Lot Width (corner lot)	75 FT	40.00 FT *	40.00 FT *
Minimum Front Yard Setback			
Institute Street	25 FT	4.8 FT *	4.8 FT **
Saint Michael Place	25 FT	3.41 FT *	3.41 FT **
Minimum Side Yard Setback-Principal	5 FT	18 FT	5.66 FT
Minimum Rear Yard Setback-Principal	25 FT	N/A	N/A
Accessory Structure			
Minimum Side Yard Setback	3 FT	5.2 FT	5.2 FT
Minimum Rear Yard Setback	3 FT	N/A	N/A
Maximum % of Lot Coverage	40%	42.3%*	51.2%**
Maximum Height of Structure	30 FT (2.5 Stories)	<30 FT (2 Stories)	<30 FT (2 Stories)
Floor Area-2 Story	1,050 SF	632 SF *	1,278 SF

Existing Variance: * Proposed Variance: **

- 1.2. Based upon my review of this matter, the following existing departures from the *Code of the Borough of Freehold* appear to exist and should be considered as part of this matter:
 - a. **§18.16.050 Minimum Lot Area – Corner Lots;** 9,000 square feet is required, and the existing lot contains 6,800 square feet.
 - b. **§18.16.050 Minimum Lot Width – Corner Lots;** 75 feet is required, and the existing lot provides 40.0 feet, along the Institute Street frontage.
 - c. **§18.72.080 Corner Lot Accessory Buildings;** Regarding corner lots, accessory buildings fronting on a public street shall be subject to the front yard requirements. A 25 foot front yard is required. The accessory garage has an existing setback of 5.9 feet from the Saint Michael lot line frontage, which is to remain.
 - d. **§18.72.110.D Garages and Accessory Structures;** In all Residential Zones, accessory structures shall be limited to 750 square feet in size with a maximum permitted height of 20 feet to the peak of the roof. The dimensions on the plan would indicate an existing garage area of approximately 900 square feet, which is to remain. The applicant will need to indicate the height of the garage.

- 1.3. Based upon my review of this matter, the following proposed departures from the *Code of the Borough of Freehold* appear and should be considered as part of this matter:
 - a. **§18.16.020 Permitted Principal Use;** 2 Family (Duplex) Use is not permitted in the R-5 Residential Zone. A Use Variance is required.
 - b. **§18.16.050 Minimum Front Yard Setback;** 25 feet is required. 4.8 feet is proposed along Institute Street, and 3.41 feet is proposed along Saint Michael Place.
 - c. **§18.16.050 Maximum Lot Coverage;** 40% is required. 42.3% exists, and 51.2% is proposed.

- 1.4. The applicant will need to provide sufficient testimony in support of the variances noted above, including testimony regarding positive and negative criteria for the Use Variance.

- 1.5. Per the New Jersey Residential Site Improvement Standards, for a 2 family duplex, single family detached requirements shall apply. For a 4 bedroom single family dwelling, 2.5 parking spaces is required. For the 2 units proposed, 5 parking spaces are required for the site. The plans indicate 3 parking spaces within the garage, and 2 spaces in the open gravel area, for a total of 5 spaces provided.

2.0 SITE

- 2.1 The application has been reviewed for Use Variance and Zoning items only. To aid in the Board's deliberations, the following items are provided.
- 2.2 The applicant should provide an overall review of the proposed site improvements.
- 2.3 The applicant should describe the surrounding neighborhood.
- 2.4 The plans indicate existing fencing in several locations, in a broken condition. The applicant should indicate what is proposed regarding fencing.
- 2.5 The rear porch, for the back unit, does not provide for walkway connection to sidewalks, etc. This should be reviewed with the Board.
- 2.6 The applicant should indicate if basements are proposed. If so, soil borings indicating soil types and depth of seasonal high water table should be provided.
- 2.7 Access to the garage and stone parking areas should be provided with depressed curbing along Saint Michael Place. Currently there are concrete ramps projecting onto Saint Michael Place that should be removed and non-depressed curbing. A construction detail for depressed curbing should be provided.
- 2.8 The area between Saint Michael Place and the front of the garage is grassed. A paved driveway connection should be provided, along with a construction detail.

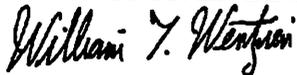
3.0 MISCELLANEOUS

- 3.1 It is recommended that any approvals granted by the board be subject to the applicant adequately addressing the items noted in this report.

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

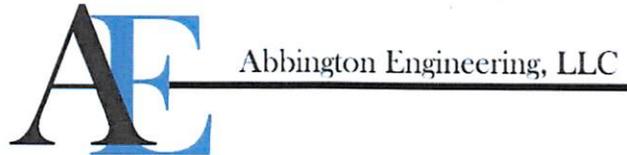
Very truly yours,

ABBINGTON ENGINEERING, LLC



William T. Wentzien, P.E., P.P., C.M.E.
Planning Board Engineer

cc: Vincent E. Halleran, Esq., Applicant's Attorney
Michael Geller, P.E., Applicant's Engineer & Planner
Greg Clark, Applicant's Architect



1315.002.012
January 21, 2015

Mr. Joseph Bellina, Borough Administrator
Freehold Borough Planning Board
Borough of Freehold
51 West Main Street
Freehold, NJ 07728

**RE: CCM PROPERTIES-AMERICAN GRANITE
ENGINEERING REVIEW
AMENDED SITE PLAN WITH VARIANCE
BLOCK 108, LOT 10
BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY**

Dear Mr. Bellina:

Please be advised that I have reviewed the referenced application for Amended Site Plan consisting of the following:

1. Application Checklist, dated January 6, 2015, for Amended Site Plan.
2. Planning Board Application Form dated January 6, 2015, for Amended Site Plan.
3. Site Plan application dated January 6, 2015, for Amended Site Plan.
4. Plan entitled "Preliminary Site Plan prepared for American Granite-56 Jerseyville Avenue, Lot 10 of Block 108, Tax Map Sheet No. 57, situated in Borough of Freehold, Monmouth County, New Jersey", prepared by Midstate Engineering, Inc., consisting of one (1) sheet dated March 7, 2012, revised to January 2, 2015.

The subject of this application is certain lands known as Block 108, Lot 10, also known as 56 Jerseyville Avenue. The site is located in the **C-M Commercial Manufacturing Zone**. The total area of the subject property is 41,169 square feet.

The site presently contains an existing one story masonry building near the front of the property, and an 8,000 square foot steel warehouse building in the rear portion of the lot. There is outdoor storage of company product in the open area between the buildings.

The applicant has requested **Amended Site Plan**, which amendment contains a **Parking Variance**. To aid in the review of the application the following is noted:

Previously Approved

The site was subject to previous site plan approval including:

1. Preliminary Site Plan Approval, with Parking Waivers and Variances, by Resolution dated August 8, 2012.
2. Construct an accessory steel warehouse building in the rear portion of the site containing 8,000 s.f.
3. Construct a second floor addition to the existing masonry building in the front portion of the site.
4. The use of the proposed accessory building to create a display area for their products, and to cover an operation exposed to the elements.
5. Per the resolution, the required parking was 50 spaces.
6. The Resolution adopted provided for 19 proposed parking spaces. This was 31 spaces short of that required, with parking waiver granted.
7. 4 of the parking spaces would be in front of the existing masonry building, and the balance of 15 spaces would be provided in the open area between the 2 buildings.
8. Existing bulk variances were acknowledged of: a) Lot Width of 105.9 ft. where 200 ft. is required, b) Front Yard Setback of 28.6 ft. where 50 feet is required, and c) Side Yard Setback of 13.6 ft. where 20 feet is required.
9. Proposed bulk variances were granted of: a) Accessory Building Side Yard Setback of 5 ft. where 20 feet if required, and b) Accessory Building Rear Yard Setback of 2 ft. where 40 feet is required.
10. Proposed waivers were granted for parking in the front and side yards of: a) front setback of 4 ft. where 50 feet is required, and b) side setback of 1 ft. where 20 feet is required.
11. Construct an underground roof runoff chamber.

Constructed and Current Conditions

There has been site improvements constructed, and site utilization as follows:

1. The 8,000 s.f. accessory building has been constructed in the rear portion of the site.
2. Applicant continues to utilize the central portion of the site for outdoor storage of product.
3. Creation of the 15 parking spaces between the buildings has not been provided.
4. The underground roof runoff chamber has not been installed.
5. The second floor addition to the front masonry building has not been constructed.

Proposed

The following is proposed for the Amended Site Plan Application:

1. Requesting Amended Site Plan Approval.
2. Maintain the constructed 8,000 s.f. accessory building in the rear of the site.
3. Not provide, and remove the request, for the previously proposed second floor addition to the existing masonry building.
4. Even with the 8,000 s.f. accessory building, maintain outdoor storage of product in the open central portion of the site, between the 2 buildings.

5. Per §18.73.A.17, with the second floor addition to the front building removed, the required parking is 40 spaces. This would be 10 parking spaces less required from the prior approval.
6. The amended site plan provides for 12 proposed parking spaces. The amended site layout will be 28 spaces short from that required, and will be in variance.
7. The proposed parking will be provided with 4 spaces in front of the masonry building, as before, along with 8 parallel parking spaces along the westerly side lot line.
8. Provide for a proposed 16 foot wide one-way aisle which circulates around the rear of the front building.
9. Eliminate the previously proposed underground roof runoff chamber.

A meeting was held with the applicant and their engineer on December 18, 2014 with our office and the Freehold Borough Building department. At the meeting the following was agreed to by the applicant:

1. **Building:** Applicant to provide a) design calculations for a crane system in the accessory building, b) footing certifications and c) submission of an amendment to the building permit. This to be provided by December 23, 2014. To date, only the amendment to the building permit has been addressed, which has been submitted to the building department. Per the Building Department, the design calculations for the crane system, and the footing certifications have not as yet been supplied.
2. **Amended Site Plan:** Applicant to submit for Amended Site Plan to the Planning Board, with an amended site layout plan. This to be provided by January 5, 2015. The Amended Site Plan has been submitted and is the subject of this review.
3. **Outdoor Storage:** a) Applicant to remove the outdoor stored stones from the street to the rear line of the front building. This to be performed by January 5, 2015. b) Applicant to remove the outdoor stored stones from the rear line of the front building to a point 16 feet behind the front building. This to be performed by January 19, 2015. The outdoor stones have been removed from the specified locations.

The application materials have been reviewed for compliance with relevant ordinances and design standards found in *The Borough of Freehold Code*. Based upon my review, the following information is furnished to assist board members in their deliberation of this matter.

ZONING

1. Manufacturing, sale of retail goods and warehousing are permitted uses in the C-M Commercial Manufacturing Zone.
2. The relationship of the site to the bulk zone requirements for the C-M Commercial Manufacturing Zone, as to existing and proposed conditions remain as per the previous approval. The particulars are outlined in #8 and #9 in the Previously Approved list noted above.

3. The plans indicate existing fencing at various locations throughout the site, including extending from both sides of the building to each of the side lot lines. The plan should indicate the location of any gates. In addition, the applicant should indicate the condition of the fencing, and whether any new or replaced fencing and gates are proposed as part of this application. If so, same will need to comply with Borough Fencing Ordinance 18.76.
4. Regarding parking, per §18.73.A.17, and as noted in #5 and #6 in the Proposed list noted above, the amended site will require 40 parking. The amended site plan provides for 12 spaces. **The site will be short 28 parking spaces and will be in variance.**
5. Per §18.74.010.A.18.a, for buildings over 5,000 square feet involved in the receipt and distribution by vehicles of materials or merchandise, there shall be a loading and unloading area of 12 feet in width, 25 feet in length and 14 feet in height. The plans label a loading area, to the west of the 8,000 s.f. building, which appears to cross some of the proposed outdoor storage of materials. The plans should more definitely indicate a separate loading area, and the applicate should indicate to the Board how access will be provided. The applicant should also indicate the types of delivery trucks, frequency and times of day.

SIGNS

1. The submitted plans do not indicate any new or amended identification signage for the project. This should be confirmed by the applicant.

VARIANCES

1. As a matter of record, the following departures from the *Code of the Borough of Freehold* were granted in the previous Site Plan approval:
 - a. **§18.56.050 Minimum Lot Width-Interior Lots**; 200 feet is required, and the existing lot provides 105.9 feet.
 - b. **§18.56.050 Minimum Front Yard Setback**; 50 feet is required, and the existing lot provides 26.8 feet.
 - c. **§18.56.050 Minimum Side Yard Setback**; 20 feet is required, and 13.6 feet exists, which will remain.
 - d. **§18.56.050 Minimum Side Yard Setback-Accessory Building**; 20 feet is required, and 5.0 feet is provided.
 - e. **§18.56.050 Minimum Rear Yard Setback-Accessory Building**; 40 feet is required, and 2.0 feet is provided.

2. Based upon my review of this matter, the following **proposed** departures from the *Code of the Borough of Freehold* appear to be required and should be considered as part of this matter:
 - a. **§18.73.010.A.17 Minimum Required Off-Street Parking Spaces**; 40 parking spaces required. 12 parking spaces are proposed, being 28 parking spaces short.
 - b. **§18.73.020 Parking Deficiency**; For parking variances, a contribution is to be made to the municipal parking capital improvement fund in the amount of \$100.00 for each space in variance, for a maximum contribution of \$5,000.00. The amended site plans has a shortage of 28 spaces. For all 28 spaces, the required contribution would be \$2,800.00.

The applicant will need to provide sufficient testimony in support of the variances noted above.

SITE

1. The Site Plan should label all building access points, both existing and proposed.
2. The Site Plan should clearly delineate areas of existing pavement to remain, existing pavement to be repaired, and proposed pavement replacement.
3. The applicant should indicate how trash and recyclables will be stored on the site, and how trash collection vehicles will circulate on site.
4. The applicant should review with the Board any changes to the front building exterior.
5. Where the paved circulation aisle is in close proximity to building access points, protective bollards should be provided, with 2 at each building access point.
6. The signature block on the Site Plan should be revised to read "Borough of Freehold Planning Board".
7. The site plans should be reviewed by the Fire Official for any required fire lane markings, and/or signage.

PARKING/CIRCULATION

1. The applicant should review with the Board the overall proposed site circulation for the site.
2. The plans indicate one way circulation entering the site on the west side, circulating around behind the front building, and exiting the site on the east side.

3. The amended plans indicate the outdoor stored material will be set back behind the front building, 26 feet at the east end, 37 feet at the west end, with 32 feet being provided at the rear center of the building.
4. Our review would indicate the circulation aisle as delineated should be able to accommodate passenger vehicles. It is anticipated that the largest vehicle that could be accommodated is a 30 foot vehicle, which would need a turning arc utilizing additional space beyond the lane as delineated. The turning arc at its most distant point could entail up to 30 feet off the rear center of the building, narrowing down left and right. The lane delineation shown should be amended to accommodate the additional space. It is further recommended that the lane delineation be provided with paint stripping.
5. The plans indicate 8 foot wide aisles between the outdoor material storage leading up to the door labeled "OH DOOR" facing north on the rear building. The applicant should indicate what type of access this door is intended to accommodate, given the narrow aisles in front of the rear building.
6. The handicapped parking space should be revised to provide an 8 foot wide parking space, with an adjacent 8 foot wide stripped aisle.
7. A waiver was granted for the previously approved site plans, for parking in the front and side yards. The minimum front yard setback is 50 feet, and side yard is 20 feet. The previously approved site plans continued the established on-going existing parking within the front yard (4 ft.) and provided for parking in the side yard (1 ft.).
8. As part of the conditions of the previous approval, the site plans should be amended to clearly delineate the edge of road along the frontage, curbing, and locations and dimensioning of existing depressed curbing for the driveway access points.
9. Concrete bumper stops should be provided for the parking spaces in front of the building.

GRADING & DRAINAGE

1. The amended site plans indicates it will maintain the existing drainage patterns as per the previously approved site plans.
2. The previously proposed underground roof collection chamber has been removed. The applicant should indicate the rationale and reasoning behind the removal.
3. The amended site plans indicates a calculation indicating the amount of runoff anticipated for a 25 year storm. Additional drainage information should be provided to indicate there will be no additional negative effect on drainage due to the elimination of the roof chamber.

LIGHTING

1. The applicant should review proposed site lighting with the Board.
2. The plans indicate 3 proposed wall mounted lights, with a 10 foot high mounting height. One at the rear of the front building, and 2 on the northerly and westerly side of the rear building.
3. There does not appear to be any lighting for the 4 parking spaces in the front, and the 8 parallel spaces along the westerly side.

ENVIRONMENTAL

1. At the above referenced meeting of December 18, 2014, mention was made of environmental concerns on the site, which led to the removal of the previously proposed underground roof runoff chamber. The applicant should review the particulars of any environmental issues with the Board.

DETAILS

1. The Bituminous Parking Lot Repair Detail should be revised to include a 4 inch layer of Dense Graded Aggregate underneath the pavement layers.
2. The Roof Leader Detail should be revised as there is no longer a proposed underground roof runoff chamber.
3. Provide a detail for proposed pavement markings.

WAIVERS

As a matter of record, the following waivers from the Code of the Borough of Freehold were granted in the previous Site Plan approval:

- a. **§16.24.030.A.13 Parking Setback:** The minimum front and side yards are not be used for off-street parking. The minimum front yard setback is 50 feet, and 4 feet is provided. The minimum side yard setback is 20 feet, and 1 foot is provided.

APPROVALS

It is the applicant's responsibility to obtain all required approvals/permits from outside agencies. These may include, but not be limited to the following:

1. Monmouth County Planning Board
2. Freehold Soil Conservation District Certification
3. New Jersey Department of Transportation

PRE-CONSTRUCTION MEETING AND INSPECTIONS

If approved and prior to the any continued construction,, the applicant shall contact the Freehold Borough engineer to schedule a preconstruction meeting, and a schedule of re-inspections during the construction process. All site improvements must be inspected during construction by the Freehold Borough engineer.

BONDING/FEES

1. As part of the previous Resolution of Approval, the applicant will need to post all required performance, inspection and maintenance fees.

DEVELOPER'S AGREEMENT

1. As part of the previous Resolution of Approval, the applicant shall enter into a Developer's Agreement with the Borough of Freehold

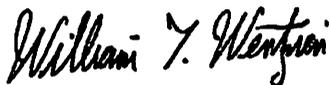
RECOMMENDATIONS

1. It is recommended that any action that may be taken by the Board is subject to the applicant adequately addressing all items noted within this report.

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

Very truly yours,

ABBINGTON ENGINEERING, LLC



William T. Wentzien, P.E., P.P., C.M.E.
Freehold Borough Planning Board Engineer

cc: Ronald D. Cucchiaro, Esq., Planning Board Attorney
Kerry Higgins, Esq. Freehold Borough Attorney
Henry Stryker, Freehold Borough Zoning Officer
Vincent Halleran, Esq., Applicant's Attorney
Chester DiLorenzo, PE, Applicant's Engineer