

**Borough of Freehold
Planning Board
Agenda No. 15-5
March 11, 2015**

The Freehold Borough Planning Board will hold a meeting on Wednesday, March 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.

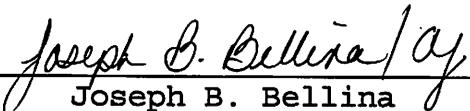
**Mr. Nolan Higgins, Mayor
Mr. Garry Jackson, Class II Member
Mr. George Schnurr, Class III Member
Ms. Danielle Sims, Class IV Member
Mr. Adam Reich, Class IV Member
Ms. Marjorie Goetz, Class IV Member
Mr. Robert Oakes, Class IV Member
Mr. William Barricelli, Class IV Member
Mr. Kevin Lewis, Class IV Member
Ms. Annette Jordan, Alternate No. 1
Ms. Jamie Bennett, Alternate No. 2
Mr. Cornelius Begley, Alternate No. 3**

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

3. Approval of Minutes from the meeting of February 11, 2015.
(See Attachment I).
4. Resolution of Amended Preliminary and Final Site Plan Approval with Ancillary Variance Relief.
Application Number PB-UV-12-005.
Applicant - CCM Properties - American Granite.
Location - 56 Jerseyville Avenue, Block 108, Lot 10.
(See Attachment II).

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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).
6. Application Number PB-ZI-15-001.
Applicant - Eunice Moya - Alex Barber Shop.
Owner - Peter Goranites.
Location - 26 West Main Street, Block 71, Lot 5.
Request - Interpretation of Land Use Ordinance.
(See Attachment IV).
7. Adjournment.



Joseph B. Bellina
Business Administrator
March 11, 2015



Abbingtion 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.

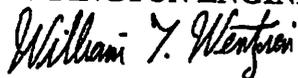
3.0 MISCELLANEOUS

- 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



1315.002.022
March 4, 2015

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

**RE: APPLICATION REVIEW
ALEX BARBER SHIP
MAP OR ORDINANCE INTERPRETATION OF SPECIAL QUESTION
BLOCK 71, LOT 5
BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY**

Dear Mr. Bellina:

Please be advised that I am in receipt of the following materials for the above referenced matter:

1. Land Use Department Application Checklist, dated February 11, 2015.
2. Planning Board Application Form, latest date February 20, 2015.
3. Site Plan Application, dated February 11, 2015.
4. Zoning Approval, dated February 6, 2105.

The subject of this application is certain lands known as Block 71, Lot 5, known as 26 West Main Street, located in the **B-2 General Commercial Zone, the Freehold Center Core Redevelopment Plan Area and the Freehold Center Historic District Area** of the Borough.

The site presently contains an existing structure utilized as a Nail Salon. Based on the Tax Maps Lot 5 contains approximately 3,008 square feet.

The applicant has requested **Map or Ordinance Interpretation of Special Question** in providing a change of use from a Nail Salon to a Barber or Beauty Salon.

Based upon my review, the following information is furnished to assist the board members in their deliberations of this matter.

ZONING - FCCRP

Based upon a review with the Freehold Center Core Redevelopment Plan Area (FCCRP) the following is noted:

1. FCCRP Section 1.02

A. Block 71, Lot 5, 26 West Main Street, is listed as a property in the Center Core Redevelopment Plan Area.

2. FCCRP Section 3.03.03 Use Requirements

A. Section 3.03.03.b Permitted Principal Uses.

1. Barber and Beauty Shops are permitted principal uses within the FCCRP.

3. FCCRP Section 3.03.02 Waivers

This section of the FCCRP acknowledges that the Planning Board may grant design exceptions or design waivers from the Bulk Requirements (Section 3.03.04) and Design Standards (Section 3.03.05) as set forth in the FCCRP. The applicant would need to seek all necessary design exceptions and or design waivers from the Bulk Requirements and the Design Standards of the FCCRP as part of the Land Use Application before the Planning Board.

4. Section 3.03.05.h Historic Preservation

The applicant will need to indicate if any changes are proposed to the exterior of the building. If so, same will need to be reviewed by the Historic Preservation Advisory Commission.

5. Section 3.03.03.i Parking

- a. Per §18.73.010.A.4 parking for Barber and Beauty Shops is to be provided at the rate of 1½ parking spaces per chair, plus 1 space for each employee.
- b. The application documents indicate 4 chairs and 2 employees. This will result in 8 parking spaces required for the proposed use. The documents also indicates a wash station. The applicant should clarify if the wash station is to function as an additional service space, or if it only serves as an ancillary use to the 4 chairs.

ZONING

The following is noted:

1. The documents indicate the proposed hours of operation are from 10:00 am to 9:00 pm.

COMMENTS

1. The applicant should indicate if any changes are proposed to the building access points.
2. The applicant should indicate how trash is accommodated presently, and if there are any changes.
3. The applicant should indicate how deliveries are accommodated for the existing use as to types of frequency, times of day, and types of vehicles. The applicant should indicate if there are any changes regarding deliveries from that existing.
4. The applicant should indicate if any signs are proposed.

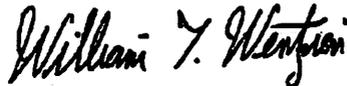
RECOMMENDATION

1. The applicant will need to present the details of the proposal before the Planning Board to answer any questions and provide sufficient information to the Board as regards the request for Ordinance Interpretation.

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

c. Ronald D. Cucchiaro, Esq