



Township of Freehold

OFFICE OF THE PLANNING BOARD

One Municipal Plaza, Freehold, NJ 07728

REGULAR MEETING MINUTES

March 7, 2019

The Regular Meeting of the Planning Board was called to order by Chairman Gatto on Thursday, March 7, 2019 at 7:00 p.m. at the Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey. Mr. Gatto read the Notice of the Open Public Meetings Law: "In accordance with the Open Public Meetings Law, (c.231.P.L. 1975), this meeting was announced by posting the notice on the bulletin board reserved for that purpose; by mailing such notice on January 18, 2019 to the official newspapers of the Township and by filing such notice with the Township Clerk."

Present: Mayor McMorrow, Mr. Ammiano, Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer, and Mr. Asadi (late).

Absent: Mr. Bazzurro, Ms. Kurtz and Mr. Levy.

Also Present: Frank Accisano, Esq.; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; Timothy P. White, Township Engineer; and Danielle B. Sims, Administrative Officer.

There was the Pledge of Allegiance.

MINUTES:

Approval of Minutes: October 19, 2017

Mr. Shortmeyer made a motion, and was seconded by Mr. Kash, to approve the minutes. The motion passed with the following roll call vote: Mr. Bruno, Mr. Coburn, Mr. Gatto, Mr. Kash, and Mr. Shortmeyer.

Approval of Minutes: February 21, 2019

Mr. Ammiano made a motion, and was seconded by Mr. Kash, to approve the minutes. The motion passed with the following roll call vote: Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer and Mr. Asadi.

RESOLUTIONS:

**Use Variance Application #007-19 and
Preliminary and Final Major Site Plan w/ Waiver of Site Plan Details #302-2-19
Gibson Place Offices, LLC (Foley Prep, Inc.)
Block 69, Lot 36.02 – 2 Gibson Place**

MEMORIALIZATION OF ACTION TAKEN ON FEBRUARY 21, 2019

Mr. Shortmeyer made a motion to memorialize both the Variance and the Major Site Plan resolutions regarding the action taken by the Board on February 21, 2019, which was seconded by Mr. Kash. The motion passed with the following roll call vote: Mr. Bruno, Mr. Coburn, Mr. Gatto, Ms. Jahn, Mr. Kash, Mr. Shortmeyer and Mr. Asadi.



NEW APPLICATION:

**Site Plan Waiver Application #828-1-19 and Variance # 008-19
Meadowbrook Associates, LP – Valvoline Signage Instant Oil Change Signage
6879 Holdings, LLC (Owner)
Block 47 Lot 12 – 725 Park Avenue**

Proposal to replace signage/branding of the existing automobile service facility. Sign application submitted on August 28, 2017 was denied by Zoning Officer, indicating variance relief would be required for the proposed non-conforming signs (Ref. §190-176 and §190-179). Some examples of the necessary relief include: sign colors, signs containing more than the permitted three (3) colors, signage on a facade not facing a road, etc.

Salvatore Alfieri, Esq. appeared for the applicant. Mr. Accisano stated he reviewed the proof of notice submitted by the applicant which was correct in form, published and served in a timely fashion so the Board has jurisdiction to conduct a public hearing Mr. Alfieri had no objection to the exhibits that were marked and Mr. Gatto read the review letters into record.

Mr. Alfieri addressed Mr. White’s review comments and stated that the Applicant is prepared to address comments #1 through #5. Comment #6 regarding the outdoor storage of the 55 gallon drums, Mr. Alfieri stated that if they have not already been removed, they will be immediately and will no longer be stored outdoors. Mr. White was satisfied with this response.

Ms. Keller noted that comment #3 on page 3 of the Planner’s review letter has an error. The sign proposed on the side of the building is proposed to be 19.6 s.f., not 27.5 s.f. as indicated in the review. She noted that no variance is required for the size of the sign since the sign itself is a variance, as it is not permitted, and this comment was only for awareness. Comment # 3 was stricken from the record.

Mr. Alfieri stated that there are only five (5) colors proposed. The sixth color noted in the Planner’s review (yellowish orange) on the front façade sign was really a variation of red and will be changed to entirely red. A revised drawing has been prepared and will be submitted.

The following witnesses were sworn: Glenn Holderbach, Meadowbrook Associates, LP-Valvoline Instant Oil Change; Kate Keller, Phillips Preiss and Grygiel, Township Planning Consultant; and Timothy P. White, Township Engineer. Mr. Gatto explained that the application was before the Board because the signs that are currently on the building were never approved and were never “Engineered.” He said he wasn’t sure how everything got this far, but would like to address it at this time.

Mr. Alfieri stated some additional items were submitted to the Planning Board office, but not before the ten (10) day statutory requirement, although they were pre-marked as exhibits, they would need to be introduced. He described these exhibits. There was a plan described and presented for reference, but not marked as an exhibit, which addressed most comments in the Township Engineer’s review letter and reflected the elimination of the yellow color from the front facade sign.

Glenn Holderbach, Meadowbrook Associates, LP, the Applicant, stated that the “SUNOCO” decals on the front glass garage doors have been removed and are not proposed. He stated that they have been the tenant on the site for two years and have been using temporary banners for the signage until he recently became aware of the issue with the banner signage. Mr. Holderbach explained the need for the sign on the side of the building, explaining that it faces the adjacent carwash and would bring to people’s attention that Valvoline is located there. He said the sign is also visible to people driving past. Mr. Gatto confirmed that this façade doesn’t face any residential lots. He stated that they are a franchise operation, and they abide by the national color scheme, which is what is proposed. Mr. Alfieri added that the proposed signage is smaller than that what currently exists.



Mr. Gatto stated that since they had to take down the temporary signage, the site is advertising the previous tenant, “The Oil Well,” whereas the tenant is actually Valvoline, which is why he wanted to bring this matter directly to the Board. He stated that the request is for five proposed colors (vs. three permitted), being two blue, one red, a white and a grey. Mr. Gatto asked if the applicant felt that the proposal would clearly identify the existing business vs. the current signage. The applicant agreed.

Ms. Jahn inquired about the discrepancy in the colors that are described as being similar to the Township color palette. Mr. Ammiano asked if the proposed “bright red” is in the permitted color palette, as he didn’t believe it was. Mr. Alfieri stated that the proposed colors are similar to the Township colors, but not exact. They tried to get the colors as close as possible. Mayor McMorrow stated that the review letter comment says that they are not compatible.

Mr. Gatto asked if the Board gives permission for the five colors, would the applicant use a softened red or match the color palette. Mr. Alfieri offered to eliminate the silver from the signs, bringing the total colors to four. Mr. Ammiano stated that the Board, many times, has turned down almost this same color red. Mr. Gatto stated that each application stands on its own. Mr. Ammiano suggested that red be “toned down.” Mr. Gatto asked if the Applicant can match the red from the color palette. Mr. Alfieri stated that they are appearing for variance relief, but would abide by the Board’s decision.

The Board took no exception to the use of five colors, and agreed that if the color matched an approved color, they didn’t take exception.

Ms. Jahn asked what the Board’s standards are when they grant this kind of relief. Mr. Gatto explained that each case stands on its own. He stated that the business currently has no signage and has been in business for two years, and now, the old signs are visible, advertising the previous business. Mr. White explained that the Zoning Officer and Construction Department have been dealing with the Applicant for a year and a half, to get this straightened out. Ms. Jahn stated that there have been several recent applications that were denied similar relief.

Ms. Keller reminded the Board that they need to weigh whether the benefits outweigh any detriments. She stated that sometimes the benefit can be the recognized branding or maybe that the requested relief may be appropriate for a specific location.

Mr. Gatto noted that the Board would likely require the Applicant to use an approved red.

Ms. Keller explained that the Board Architect would normally comment about the design, but noted that the design of the sign does not meet the design of the building. The building is very simple and plain, but Ms. Keller took no exception to this relief. Ms. Keller noted that there are four (4) variances required.

Mr. Alfieri indicated that to the best of his knowledge, the Applicant would still comply with the conditions of the previous Board approval. Mr. Holderbach stated that they provided similar services and operate in a similar manner.

Mr. Gatto opened the application to the public.

Delores Malysa of 116 Havens Mill Road appeared and was sworn in. She owns a commercial building down the road from this site. She stated that when she sees a brand logo on a sign while driving down the road, she recognizes the business. Changing the colors can sometimes make it more difficult to locate a building. She would prefer to see franchised branding as designed to help commonly identify it. She would rather see a local business succeed than having vacant building or business not thriving due to signs.



There was no one else from the public who came forward. A motion to close the public portion was made by Mr. Shortmeyer and was seconded by Ms. Kurtz, all in favor, aye.

Mr. Ammiano stated that this area of Rt. 33 Business has significantly changed over the years, noting it has improved, dramatically.

Mr. Alfieri asked if the Board would allow the Applicant to put their temporary signs back up for up to 90 days in order to allow for the Applicant to have the signs fabricated since there is currently no signage advertising the business. The Board stated that ninety (90) days is too long, particularly since the ordinance only permits temporary signs for approximately twenty days (Ref. T.O. §190-176 (H) states "not to exceed 15 (fifteen) days"). Mr. Gatto offered a sixty (60) day timeframe on the temporary signs to be used. Mr. Holderbach stated they would cover the monument sign and would cover the "Oil Well" façade sign with a temporary sign that looks similar to the proposed signage.

Mayor McMorrow made a motion to authorize Mr. Accisano to prepare a positive resolution with the conditions noted on record, which was seconded by Mr. Ammiano. With Mr. Asadi confirming the condition that the colors would match the Township's approved color palette, all Board members in favor, Aye.

DISCUSSION:

Mr. Gatto and Ms. Sims reviewed the upcoming agenda items, including a residential "C" variance and the junkyard on Hendrickson Road (A&A Truck Parts) scheduled for March 21, 2019.

ADJOURNMENT:

There being no further business, Mr. Gatto adjourned the meeting. The meeting concluded at 7:35 p.m.

Respectfully Submitted,

Robert H. Shortmeyer
Secretary