



TOWNSHIP OF FREEHOLD

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

"Preserving and Enhancing the Quality of Life"

Timothy White, PE, PLS, CME
Township Engineer

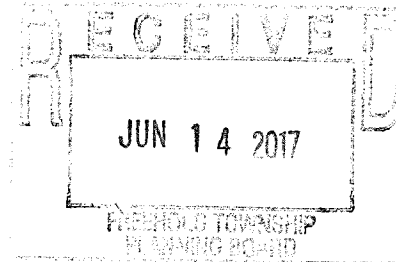
MEMORANDUM

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

FROM: Timothy P. White, Township Engineer

DATE: June 14, 2017

RE: JB's Diner
John Bochis (Owner)
Block 90.01, Lots 1 & 2 – 205 Monmouth Road
Site Plan Waiver Application #889-16



This review refers to the following:

- Site Plan Waiver for JB's Diner, Block 90.01, Lots 1 & 2, 205 Monmouth Road, Freehold Township, Monmouth County, New Jersey, three (3) sheets, dated March 15, 2017, prepared by Mark A. Blasch R.A. LLC, signed and sealed by Mark A. Blasch, R.A.
- Colored Renderings, three (3) sheets, undated, unsigned.
- Waiver Request Letter, JB's Diner, 205 Monmouth Road, Block 90.01, Lots 1 & 2, Freehold Township, NJ 08030, dated March 18, 2017, prepared by Mark A. Blasch R.A. LLC, signed and sealed by Mark A. Blasch, R.A.
- Operations Statement, JB's Diner, 205 Monmouth Road, Block 90.01, Lots 1 & 2, Freehold Township, NJ 08030, dated March 18, 2017, prepared by Mark A. Blasch R.A. LLC, signed and sealed by Mark A. Blasch, R.A.
- Waiver of Environmental Impact Statement, JB's Diner, 205 Monmouth Road, Block 90.01, Lots 1 & 2, Freehold Township, NJ 08030, dated March 18, 2017, prepared by Mark A. Blasch R.A. LLC, signed and sealed by Mark A. Blasch, R.A.
- Architects Certification, JB's Diner, 205 Monmouth Road, Block 90.01, Lots 1 & 2, Freehold Township, NJ 08030, dated March 18, 2017, prepared by Mark A. Blasch R.A. LLC, signed and sealed by Mark A. Blasch, R.A.



To: Planning Board
Re: JB's Diner
Block 90.01, Lots 1 & 2
Site Plan Waiver Application #889-16

June 14, 2017

Executive Summary

The applicant is requesting a Site Plan Waiver approval for the reconstruction of JB's Diner that was damaged by fire on May 26th 2016. The restaurant is an existing non-conforming use within the residential R-40 Zone, however the applicant is filing for this waiver under Township Ordinance Section 190-239 (Restoration) which allows a nonconforming structure or building to be restored or repaired in the event of partial destruction as determined by the Zoning Officer. The applicant proposes to rebuild the restaurant within the exact area of the current structure and without expanding or increasing the non-conforming use of the structure as described in the section 190-239. In association with the rebuilding, the applicant is proposing a new façade for the building. Variance relief is required since the proposed façade improvements do not comply with the Township's Architectural Ordinance.

The following comments are provided:

1. The signature for the Municipal Engineer should be shown on the plan as follows:

TIMOTHY P. WHITE, TOWNSHIP ENGINEER
NJ Professional Engineer & Land Surveyor
NJ License No. GB42576

DATE

2. The renderings describe a new structure which appears to be within the general footprint of the existing building; however the new structure appears to be taller and the entranceway appears to be enlarged due to the façade improvements. The applicant shall provide testimony related to the proposed building height, number of floors, and any expansions due to façade improvements. In accordance with T.O. 190-239, in no event shall restoration or repair result in any increase in the size of the non-conforming structure or building or an increase in intensity of the nonconforming use.
3. The applicant's operations statement indicates that customers will park across the street from the restaurant at Case Equipment. It is suggested that any off-site parking not be considered as a part of this application.
4. In 2014, the applicant constructed a gravel parking area that extended off the existing parking lot along Route 537. This office subsequently issued a letter requiring this area to be cordoned off or put back to its original state. To date the area has been cordoned off, although somewhat ineffectively. At this time, it is recommended that the gravel be removed and the entire area be topsoiled and seeded. Any future expansion of the lot will require site plan approval as noted above.
5. The applicant shall repair any areas of failed or cracked pavement and sealcoat and restripe the parking lot. The parking lot shall meet all current ADA standards. Otherwise, this office has no objection to the layout, size and location of the existing parking.



To: Planning Board
Re: JB's Diner
Block 90.01, Lots 1 & 2
Site Plan Waiver Application #889-16

June 14, 2017

6. Given that the applicant is seeking approval for a site plan waiver to reconstruct the restaurant to the pre-existing condition (with the exception to façade upgrades), this office has no additional comments relative to engineering issues. However, if the applicant is proposing any expansion to the restaurant or modifications to the site, they shall be required to submit a major site plan application for consideration by the board.

TIMOTHY P. WHITE
Township Engineer

TPW/mb

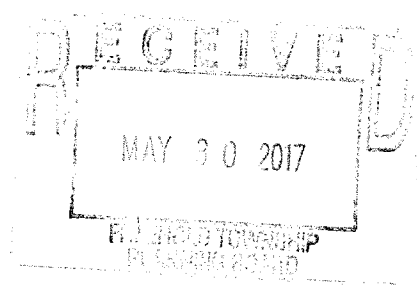
889-16



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

May 9, 2017

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



RE: **Site Plan Waiver APP #889-16**
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:

- Site Plan Waiver for JB's Diner, Block 90.01, Lots 1 & 2, 205 Monmouth Road, Freehold Township, Monmouth County, New Jersey, consisting of 4 sheets, prepared by Mark A. Blasch, R.A., LLC, dated 3/15/2017

Project Description

JB's Diner received extensive damage in a fire in May 2016. The applicant is seeking to rebuild the diner on the existing footprint. The building would measure 2,146 square feet and would be brought up to current construction codes and would comply with ADA requirements. As per the applicant, work on the subject property would involve removing the old structure, repairing any foundation damage, removing the existing concrete floor as needed to install new plumbing lines, and removing two existing outbuildings.

The subject property measures 29,017 square feet and is developed with a 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. There is a construction equipment supply business known as Case Equipment to the west of the subject property along Monmouth Road in Manalapan.

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The restaurant would have 75 seats and 40 parking spaces. As per the applicant, solid waste would be handled by a licensed waste removal company. There would be two shifts from 6:00 am to 2:00 pm and 2:00 pm to close. Each shift would have approximately seven employees, with more on the weekends and fewer on weekday nights. Hours of operation would be Sunday through Thursday from 6:00 am to 8:00 pm (10:00 pm on days when Great Adventure is open) and Friday and Saturday from 6:00 pm to 12:00 am.

The northern, eastern and a portion of the southern façade would have a stone base, gooseneck light fixtures and canvas awnings at windows. The remainder of the building would be clad with EIFS, with EIFS trim details. A standing seam metal roof would be provided and “Nauticus Bulkhead” sconces are shown on all façades.

Zoning Compliance & Planning Comments

1. The applicant is 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. 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. All restoration and repair shall be in accordance with current development standards and requirements except as protected by the non-conforming status.
2. There are several preexisting, non-conforming conditions to which no changes are proposed:
 - Lot area: 40,000 square feet is required where 29,017 square feet is existing/proposed
 - Front setback: 65 feet is required where 41.70 feet is existing/proposed to Monmouth Road. The front setback to Elton-Adelphia Road has not been provided; however, it looks to be undersized. Plans should be revised accordingly.
 - Impervious coverage: a maximum of 25% is permitted where 62.50% is existing/proposed
3. Bulk “c” variances are required for deviations from Section 190-114, Architectural Design Requirements for Commercial, Office and Industrial Development, as follows:
 - The proposed design does not meet the intent of the ordinance with regard to maintaining a traditional “colonial” appearance.
 - The proposed number of façade materials exceeds the maximum allowable of two.



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Planning & Real Estate Consultants

- The proposed number of façade material colors exceeds the maximum allowable of three.

In addition, the applicant should indicate if any rooftop or ground-mounted mechanical equipment is proposed and confirm that any such equipment would be shielded from public view.

We defer to the Township Architect for comment on these items.

4. The applicant has indicated that employees would park across the street at Case Equipment. The applicant should provide testimony as to whether any formal parking agreement has been made with Case Equipment, as well as discuss any safety concerns relating to employees parking off-site. There are no sidewalks and/or crosswalks linking the two properties, and the speed limit in the vicinity of the subject property appears to be 50 miles per hour. Note that the applicant is not seeking a variance for off-street parking, where 38 spaces are required and 40 spaces are provided.
5. There are approximately five parking spaces to the south of the building that appear to back out directly on to Elton-Adelphia Road. We defer to the Township Engineer for comment on this item.
6. Details should be provided as to the type and construction of any proposed wall signs. Signs should comply with Section 190-177D of the Township Ordinance or a variance should be sought. Would the existing freestanding sign on the subject property along Monmouth Road be retained as-is?
7. Is any landscaping proposed as part of this application? If so, plans should be revised accordingly.
8. Plans depict existing fencing to the west of the building. The applicant should provide testimony as to any alterations to fencing on the subject property, if any, and plans should be revised accordingly.
9. Plans should be revised to indicate that the two existing sheds would be removed, as noted in application materials.
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 detri-



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ment. 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.

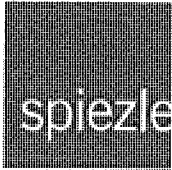
Respectfully submitted,

Paul A. Phillips, P.P., AICP

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

J17127

889-16



ARCHITECTURAL GROUP

SPIEZLE ARCHITECTURAL GROUP, INC.

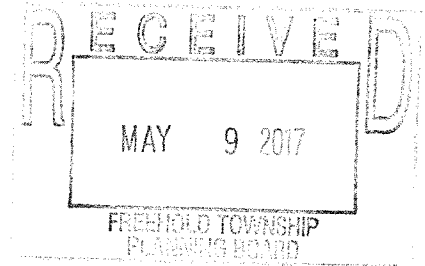
1395 Yardville Hamilton Square Road, Suite 2A
Hamilton, NJ 08691

866-974-7666

www.spiezle.com

May 8, 2017

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



Re: **Architectural Review: Site Plan Waiver Application #889-16**
JB's Diner
Block 90.01, Lots 1 & 2 - 205 Monmouth Road

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:

- Application for Site Plan Waiver
- Operations Statement prepared by Mark A. Blasch and dated 3/24/17
- Waiver of Environmental Impact Statement prepared by Mark A. Blasch and dated 3/18/17
- Architect's Certification letter prepared by prepared by Mark A. Blasch and dated 3/24/17
- 3 - 8-1/2 x 11 sheets with colored 3-D renderings of proposed building, otherwise unidentified
- Architectural drawings C-1, A 1.0 First Floor Plan and A 2.0 Elevations prepared by Mark A. Blasch and dated 3/15/17
- Drawing 1 of 1, Existing Conditions prepared by Environmental Resolutions, Inc. and dated 10/6/16

Our review is based on our experience and specific reference to architectural design requirements noted in the Freehold Township Ordinance (T.O.), Chapter 190, Article XII, Section 114, Architectural Design Requirements for Commercial, Office and Industrial Development. With regard to this particular application, our comments are as follows:

1. The design as proposed does not meet the intent of the T.O. (Township Ordinance) with regard to maintaining a traditional "colonial" appearance.. A variance will be required for approval of the design as proposed.
2. The proposed number of principal façade materials, do not comply with T.O. as they exceed a maximum of two. A variance will be required for approval of the design as proposed.

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3. The proposed façade material colors do not comply with T.O. as they exceed the maximum allowable of three. A variance will be required for approval of the design as proposed. It should be noted that the colors are in keeping with T.O. requirement in that they are muted earth tones.
4. Drawings do not address or note any roof-top or ground mounted building conditioning equipment. Please confirm that roof-top or ground mounted equipment if proposed, will be shielded from public view.
5. There are no provisions noted in the submitted drawings for coverings (canopies) over any primary or secondary and emergency entry/exits with the exception of the main entrance. Consideration should be given to provide such for safety during inclement weather.
6. Please provide information regarding the type and construction of all signs depicted on building elevations.
7. All signs shall comply with Article XVII of the Township Ordinance. We defer to further review by the sign review committee.

The above comments are in regard to architectural design only and do not address issues such as, but not limited to, structural design, construction details, building code/NJUCC compliance, compliance with the Americans with Disabilities Act, or technical site considerations such as but not limited to lighting levels, landscaping selections and traffic engineering. Please feel free to contact me if there are any questions regarding the above.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Leone", written over a horizontal line.

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

889-16

MAYOR
Lester A. Preston, Jr.

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



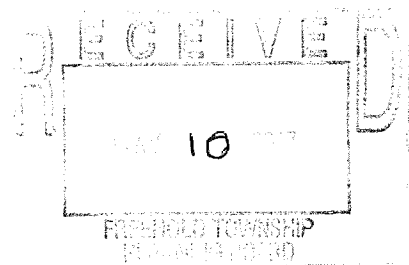
TOWNSHIP OF FREEHOLD

"Preserving and Enhancing the Quality of Life"

To: Danielle Sims
Township of Freehold
Planning Board Administration Officer

May 10, 2017

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



RE: Sign Review
JB's Diner
Block-90.01 / Lot(s) 1 & 2, 205 Monmouth Road A.K.A. CR# 537 (Zone: R-40)
Site Plan Waiver App# 889-16

Ms. Sims,

As requested, a Zoning review of the proposed signage for the above referenced application was performed by this office and has revealed the following:

1. The site plan indicates an existing internally illuminated ground sign with a 15ft setback from county road #537. This sign is pre-existing/non-conforming. Pursuant to T.O. 190-176.I, existing nonconforming signs may be displayed and maintained provided that they are properly maintained.
2. Site plan cover page C-1 shows a "JB's (Red Color) Diner (Light Blue Color)" façade sign over the side, southwest elevation on Elton Adelpia Road.
 - Sign color detail was not provided therefore conformance with the Township's color palette could not be determined.
 - Sign dimension was not provided therefore allowable sign size could not be determined.
 - Sign illumination was not provided therefore illumination type could not be reviewed for conformance with Township regulations.
 - The detailed façade sign does not face Elton Adelpia Road as required by T.O. 190-177.D.

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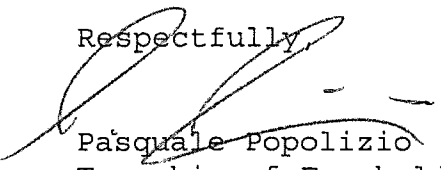
TOWNSHIP OF FREEHOLD

Please note that the structure in question is a pre-existing non-conforming business within the R-40 Residential zone, that has been partially destroyed by a structure fire. Pursuant to T.O. 190-239, "A non-conforming structure or building may be restored or repaired in the event of partial destruction" where, " all restoration and repair shall be in accordance with current development standards and requirements **except as protected by the non-conforming status**".

It is this office's determination that the structure has been partially destroyed and that restoration is permissible.

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

Respectfully,



Pasquale Popolizio
Township of Freehold
Director of Zoning & Housing

§ 190-176 General requirements.

I.

Nonconforming signs. Existing permanent-type signs or displays which do not conform to the requirements or standards provided in this section may be displayed, maintained or copy changed (wording or pictures), provided that they are properly maintained. In the event, however, that such signs or displays are not maintained or as established to be unsafe or in a state of neglect by the Zoning Officer of the Township, and in the event that the condition has not been corrected within 30 days from the time that the owner has been notified in writing by the Zoning Officer of the condition, the sign or signs shall be removed at the expense of the owner, and no permit shall be issued for a similar nonconforming structure.

V.

Replacement of signs that are damaged or destroyed. In the event that any nonconforming sign is damaged or destroyed, it may be replaced with the same sign, notwithstanding any other provision in this chapter. In that event, the advertising message on the sign shall remain the same. Where any such damaged or destroyed sign is to be replaced in conjunction with a change of business or message, said replacement sign shall conform in all respects with the requirements of this article.

§ 190-178 Signs permitted in R-E, R-R, R-80, R-60 and R-40 Residential Zones.

A.

Those signs permitted in § 190-177 of this article shall also be permitted in this section. The rules and regulations pertaining under § 190-177 shall also pertain under this section.

§ 190-177 Signs permitted in R-9; R-12; R-15; R-20 and R-25 Residential Zones.

D.

A business or store which has been allowed in this area may have one illuminated, flat sign against the building, and if located on a corner, two such signs shall be permitted, one facing each street.

(1)

The area of each sign shall not exceed 10% of the area of the side of the building to which the sign is attached or 32 square feet, whichever is the lesser.

(2)

Such business or store, instead of having a sign affixed to the building, may have an illuminated freestanding sign which shall not exceed 10 feet in overall height.

§ 190-239 Restoration.

A nonconforming structure or building may be restored or repaired in the event of partial destruction thereof. In no event shall restoration or repair result in any increase in the size of the nonconforming structure or building, or an increase in intensity of the nonconforming use. All restoration and repair shall be in accordance with current development standards and requirements except as protected by the nonconforming status. "Partial destruction" as used herein shall be determined on a case-by-case basis. As a guide in this determination, the Zoning Officer shall liberally apply the concept of partial destruction. Until more definitive guidance is provided by the legislature or through judicial determinations, in circumstances where the decision is debatable, the Zoning Officer shall determine the destruction to be partial.