



| YOUR GOALS. OUR MISSION.

April 13, 2021

VIA EMAIL & REGULAR MAIL (EMathioudakis@manchestertwp.com)

Erin Mathioudakis, Secretary
Manchester Township
Zoning Board of Adjustment
1 Colonial Drive
Manchester, NJ 08759

Re: T&M File No. MTZB-R7580
Completeness and 1st Engineering Review
Zoning Board Case No. 21-59
Application: Use Variance (Commercial Use Retail/Office in PR-15 Zone)
Applicant: Manchester Walk, LLC
Site Address: South Hope Chapel Road (CR 547) & Ridge Avenue
Block(s)/Lot(s): 66/1&2
Zone: PR-15 "Pinelands Residential - 15,000 square feet"
Township of Manchester, Ocean County, NJ

Dear Ms. Mathioudakis:

Pursuant to your request, we have reviewed the above referenced application for completeness in accordance with the provisions of the Township's Municipal Land Use & Development Regulations.

COMPLETENESS

The following documents were reviewed in support of this report:

1. Township of Manchester Zoning Board of Adjustment Application;
2. Land Use Checklist;
3. Corporate Disclosure Form;
4. Variance Plans entitled, "Variance Plan for Block 66,- Lots 1 and 2, Township of Manchester, Ocean County, New Jersey" signed by William Stevens, PE, PP, of PDS Professional Design Services, LLC, consisting of the following (2) sheets:
 - a. Sheet 1, Cover Sheet for Proposed Major Subdivision, dated 3/9/2021, w/ no revisions;
 - b. Sheet 2, Variance Plan for Proposed Major Subdivision, dated 3/9/2021, w/ no revisions;

The above referenced Application has been reviewed for administrative completeness in accordance with Township Ordinances and the Municipal Land Use Regulations and has been found to be **complete**.

SUMMARY

The subject property is located on the northern corner of the intersection of Ridge Avenue & South Hope Chapel Road (County Rt. 547) and lies within the PR-15 'Pinelands Residential - 15,000 square feet' Zone.

Lot 2 currently contains (2) two driveway entrances on Ridge Avenue and contains (2) driveway entrances on South Hope Chapel Road. The lot contains multiple structures including, frame dwellings, masonry buildings, metal buildings, pergolas, stone storage bins, etc. The site previously existing as Commercial - Garden Center Use.

Lot 2 has received previous approval for a Use Variance to "Sell Nursey and Garden Products" adopted by resolution #7678 on July 22, 1976. At the time of the variance application, the site's improvements consisted of the following (7) structures: (1) residential dwelling, (1) garage, (5) chicken coops. This was documented by a certified property survey dated July 8, 1976.



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Sheet 2

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Lot 1 is located adjacent Lot 2, immediately to the North, fronts on South Hope Chapel Road (CR 547) and is currently vacant and wooded.

The Applicant is requesting *use variance* approval to permit the Use of "Commercial - Office/Retail" while it is not a permitted use within the zone. Along with the Use Variance request, the applicant is seeking a major subdivision to consolidate Lot 1 & Lot 2.

Should the subject application receive approval for the Use Variance from the Manchester Township Zoning Board, then the Applicant would be required to submit a Preliminary & Final Site Plan application to Manchester Township Zoning Board for approval.



USE VARIANCE

The Applicant has requested a use variance in accordance with the New Jersey Municipal Land Use Law (NJSA 40:55D-70). The specific use requested is for the construction of Commercial Use "Office/Retail" building, where that is not a permitted use listed in the PR-15 "Pinelands Residential - 15,000 square feet" Zoning District.

The Applicant shall provide testimony in support of the variance requested, and shall at a minimum address the following items regarding the proposed use:

1. A general description of the overall operations/use.
2. The maximum number of employees on any given shift.



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Sheet 3

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3. The hours of operation and access for employees and users of the building and site.
4. The means of access to the facility.
5. Access to the facility after normal operating hours.
6. Type of vehicles to be used on the property.
7. Site Circulation & Loading Areas
8. Types of Materials (Fire or Explosive Hazards) to be stored on lot
9. A description of each of the areas within the building (warehouse, office, etc.).
10. All Utilities proposed to the building, shall address if the indoor storage units will be conditioned (heated/cooled) and contain electricity, lighting, plumbing, etc.
11. Testimony shall address the intent to allow outdoor storage of any kind (boat, trailer, car, RV, etc..) on the site.
12. Testimony shall be provided regarding the intention to display goods outside of the subject building.
13. Testimony shall be provided regarding any proposed wall signs or ground signs compliance with #245-27.
14. Testimony shall be provided regarding refuse storage and pick-up for the subject property.

The Applicant has the burden of demonstrating "Special Reasons" for granting the *USE VARIANCE* (Positive Criteria). The applicant should also demonstrate that the requested relief can be granted without detriment to the public good and will not impair the intent and purpose of the zone plan and zoning ordinance (Negative Criteria).

"Special Reasons", the applicant should demonstrate that the proposed use carries out the purposes of the zoning as listed in 40:44D-2 Municipal Land Use Law or that the refusal to allow the project would impose an undue hardship on the applicant.

The Applicant shall demonstrate the following:

1. The compatibility of the proposed use and/or structure within the existing neighborhoods.
2. Any operational impacts from noise, light, dust, etc. on neighboring properties.
3. The adequacy of the parking and traffic circulation for the use and/or structure and the potential for traffic congestion and/or the creation of undue traffic hazards.
4. Compliance with the design standards of the Township.
5. Compliance with #245-26 Township Performance Standards (smoke, dust, noise, odor, etc.)

The Manchester Township Code defines permitted uses by zone in Chapter 245 Attachment 6, specifically Schedule F "Pinelands Area Residential Zoning Districts – Permitted and Conditional Uses". Permitted Uses in the PR-15 'Pinelands Single-Family Residential Zone' (per Ord. #245-33) include: 'Single-Family Detached Dwellings' and 'Agricultural Productions Crops'



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The proposed use of mixed-use "RETAIL" & "OFFICE" would fall under a designation code of "Retail Trade - Shopping Plaza" NAICS #44-45(2) and "Offices of Bank Holdings Companies" NAICS #551111 or "Offices of All other Miscellaneous Health Practitioners" NAICS #621399 or similar depending on the tenants which are not permitted in the subject zone, but are permitted in other zone's within the Township.

We note that the subject property is surrounded by properties within the PR-15 Zoning District, with the exception of Block 65 Lot 14 (south of subject property across intersection of Ridge Avenue & South Hope Chapel Road) which is located in the PB-1 "Pinelands Business District" Zoning District. Permitted uses within the PB-1 Zone are: Retail Trade - Shopping Plaza" NAICS #44-45(2), "Offices of Bank Holdings Companies" NAICS #551111, "Offices of All other Miscellaneous Health Practitioners" NAICS #621399, etc.

We note that the subject property borders on a Municipal Boundary (Jackson Township) and specifically Jackson Township's RG-3 "Regional Growth Zone" Zoning District, which permitted uses include: Agriculture, Single Family Detached Dwellings, Churches, Public Schools, Parks, Public Buildings, Community Buildings, etc.

ZONING

	PR-15 (Subject Zone)	PB-1 (For Reference)	
	REQUIRED	REQUIRED	SUBJECT PROPERTY
LOT REQUIREMENTS			
Minimum Lot Area	15,000 SF	20,000 SF	10.4 ACRES
Minimum Lot Frontage	100 ft.	125 ft.	1500 ft
Minimum Lot Width	100 ft.	125 ft	1500 ft
Improvable Lot Area	9,600 sf	13,500 sf	9 ACRES
PRINCIPAL BUILDING REQUIREMENTS			
Front Setback	30 ft.	50 ft	94 ft.
Rear Setback	26 ft.	25 ft	130 ft.
Side Setback	12 ft. (Each Side)	20 ft	160 ft.
Maximum Building Height	35 ft.	40 ft	35 ft.
LOT COVERAGE REQUIREMENTS			
Maximum Site Improvement Ratio	N/A	0.20	TBD
Maximum Building Coverage	25%	20%	10%
Maximum Lot (Impervious) Coverage	N/A	65%	TBD
Minimum Floor Area	Per # of Bedrooms	1,500 sf	40,000 SF

e = Existing Non-Conformance
 V = Proposed Variance
 TBD = Applicant to Provide



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Sheet 5

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RELIEF REQUIRED

Variance(s)

1. **Use Variance** – the proposed use is not permitted within the zone

Waiver(s)

1. **Land Use Checklist #B18:** Existing Structures on the property are not shown in the plans
2. **Land Use Checklist #B28:** Preliminary Architectural Plans required
3. **Land Use Checklist #B36:** Existing wooded areas must be shown
4. **Land Use Checklist #D1:** List of all federal, state, county, regional and/or municipal approvals or permits required.
5. **Land Use Checklist #D2:** Copies of any existing or proposed deed restrictions or covenants

COMMENTS

Upon review of the submitted materials, we offer the following comments requiring testimony from the Applicant:

1. The Applicant must provide testimony and reasons supporting all design waiver(s) and checklist waiver(s) required or identified during the course of the board hearing.
2. Provide testimony on any previous approvals for the subject lot.
3. Provide testimony on any existing or proposed easements.
4. Provide testimony on compliance with Township Zoning Standards #245 should the application be approved and be submitted for Preliminary & Final Site Plan Approval. (Specifically Buffering, Landscaping, Lighting, Stormwater Management, Parking, etc.)
Please note that the Applicant is required to address compliance with Zoning Standards during a Preliminary & Final Site Plan application, should the Use Variance be approved.
5. Provide testimony on any active and/or anticipated approvals from outside agencies.
6. Plot Plan Comments:
 - a. On the Variance Plan, the zoning table should be revised to indicate the required rear yard setback of 26ft.

CONDITIONS OF APPROVAL

In the event the Board approves the subject application any approval should be conditioned upon the following:

1. Compliance with any all items noted within this report unless specifically noted in the resolution of approval.
2. Compliance with any/all representations made by the Applicant during the course of the board hearing.
3. Any and all conditions specifically desired by the board.
4. Payment of any/all escrow fees.



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Sheet 6

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5. Prior to a building permit being issued, proof of the following outside agency approvals, as applicable:
 - i. NJDEP
 - ii. NJ Pinelands Commission
 - iii. NJDOT
 - iv. Ocean County Planning Board
 - v. Ocean County Board of Health
 - vi. Ocean County Soil Conservation
 - vii. Manchester Township Department of Utilities
 - viii. Manchester Township Fire Official
6. Posting of performance guarantees, restoration guarantees and inspection escrow as required by Municipal Ordinance and MLUL.

We reserve the right to request additional information, and/or plans should additional variances or concerns be indicated during the public hearing. Should you have any questions or require anything additional, please do not hesitate to contact my office.

Very truly yours,
T&M ASSOCIATES

MARK J. ROHMEYER, P.E., P.P., C.M.E.
ZONING BOARD ENGINEER
TOWNSHIP OF MANCHESTER

MJR:ls

cc: Christopher Reid, Esq., Zoning Board Attorney (via email chrisreid@theCRfirm.com)
Pasquale Popolizio, Zoning Official (via email Ppopolizio@ManchesterTwp.com)
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