

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
ZOOM REGULAR MEETING  
Thursday, March 25, 2021**

**Manchester Township  
1 Colonial Drive  
Manchester, NJ**

**MINUTES OF MEETING**

1. The meeting of the Manchester Township Zoning Board of Adjustment was called to order at 6:34 p.m. by Chairwoman Linda Fazio.
2. This meeting had been duly advertised, filed and posted in accordance with the Open Public Meetings Act.
3. A Pledge of Allegiance and Salute to the Flag.
4. Roll Call: Members Present: L. Fazio, K. Vaccaro, W. Cook, C. Schwartz, P. Dambroski, S. Brustman  
Members Absent: M. Dwyer, H. Glen, R. Arace

Also Present: C. Reid, Board Attorney, Mark Rohmeyer, Board Engineer

**Administrative Session:**

**Approval of Minutes:** April 22, 2021 meeting

Motion to Approve by: Mr. Cook seconded by Ms. Brustman

Roll Call: Mr. Cook-yes, Ms. Brustman-yes, Ms. Vaccaro-yes, Mr. Dambroski- yes, Ms. Fazio-yes

**Payment of Bills:**

#MTZB R7580 Invoice SE404926 for T & M Associates in the amount of \$684.25 for Case 21-59

#MTZB R7400 Invoice SE404925 for T & M Associates in the amount of \$800.00 for Case 20-39

Motion to Approve by: Mr. Cook seconded by Ms. Vaccaro

Roll Call: Mr. Cook-yes, Ms. Vaccaro-yes, Mr. Schwartz-yes, Mr. Dambroski- yes, Ms. Brustman-yes, Ms. Fazio-yes

**Correspondence:**

Mr. Reid reviews an email received from RC Shea & Associates, applicant's attorney for Case #20-39 requesting the case be carried to Thursday, June 24<sup>th</sup> meeting via Zoom. Motion to Carry by: Mr. Cook and seconded by Ms. Vaccaro. Roll Call: All in Favor.

**Professional Reports:** None at this time.

**MEMORIALIZATIONS:** None.

**APPLICATIONS:**

- |              |                      |                     |
|--------------|----------------------|---------------------|
| 1. Case 2159 | Manchester Walk, LLC | Block 66 Lots 1 & 2 |
|              | 305 Main Street      | 3858 Ridge Avenue   |
|              | Lakewood, NJ         | Zone PR-15          |

Ms. Fazio reviews that this is a bifurcated application requesting a use variance to permit a 2 story commercial building with office and retail uses on a property located in the PR-15 Pinelands Residential Zone, where commercial, office and retail uses are not permitted. Donna Jennings, of Wilentz, Goldman & Spitzer inquires how many members are present- six- and requests to reserve vote. Mr. Reid suggests hearing testimony and vote, use variance only at this time. Ms. Jennings states if granted site plan approval and design waivers at a later meeting. Ms. Jennings states she will have both Ian Borden and John Rea present testimony and that the testimony will advance MLUL, through a, s, e, i, and m additionally without substantial detriment to the zone plan, refers to Medici case, will satisfy Master Plan. Mr. Rohmeyer reviews revised T&M letter with highlighted portions.

Ian Boren, 1245 Airport Rd. President, PDS, 35 years Professional Planner, sworn in and credentials accepted. Reviews Exhibit A1-Aerial map-PR15, region of Growth-Pinelands Area-across to East also PR15. PB1 Zone across street- Ridgeway Business Area, this property located on municipal boundary, white homes- Jackson Trails project- RG3 zone- 4.5 units/acre. Site plan to follow- 77,000 sq. ft. 2 story retail/office use. Refers to PB1zone and NAICS permitted uses- manufacturing, multi-family, auto service as a conditional use. Refers to Exhibit A2-Variance Plan- provides buffer, adequate parking, electric charge stations-great idea-agreeable to that, 2 access drives, loading zone behind building, 10% building coverage where in PB! Zone allows 20%, opines development not intense, wall and ground signage- will provide at site plan stage. C2 variance conform in all respects, owner responsible for walkways, parking, landscape, trash enclosure, etc. Trash pick-up between 7a and 5p, no overnight collection, not outdoor displays or activity, except signage. Will extend sewer from Jackson Trails project, conform with Pinelands Stormwater, landscaping will be addressed- buffer plantings, site lighting plan at site plan stage- no overlap in particular to residential homes across way, not on all night long. Ms. Jennings reviews comment section of T&M letter, #3, Mr. Borden replies 8a to 7p M-F 9a to 5p Saturday and Sunday, Ms. Jennings #5, Mr. Borden- not gated but no one, Ms. Jennings #6, #7, #8, #9, Mr. Borden- no storage, regular vehicles and deliveries, site plan, none and no warehouse. Ms. Jennings refers to #11, #12, #13, #14, Mr. Borden- none, possibly from storefront and already covered both 13 & 14. Ms. Jennings any previous approvals, Mr. Borden- 1976 variance. Ms. Jennings any existing or proposed easements, Mr. Borden- not aware of any- County Road. Ms. Jennings #5 comments from Public Works, Mr. Borden- accurate. Ms. Jennings comments from Environmental Commission, Mr. Borden already addressed charging stations, Environmental Impact Study (EIS) will be addressed at site plan phase, already done at the Jackson Trail project-

will most likely be similar. Ms. Jennings #6 buffering, landscaping compliance if approved, Mr. Borden- 40% forested. Ms. Jennings the list of proofs from outside agency approvals, Mr. Borden accurate and will provide at site plan.

#### OPEN PUBLIC PORTION FOR QUESTIONS

Mr. Dambroski- was Jackson Trails approved, Mr. Borden- it was denied. Ms. Jennings offers that Jackson Trails is a full conforming site plan currently being litigated. Mr. Dambroski this is PR15 not PB1, Ms. Jennings-yes. Mr. Dambroski- asphalt company-previously appeared before Board several structural issues, Mr. Borden- will be removed, Ms. Jennings applicant is contract purchaser. Mr. Cook stormwater only one basin shown, Mr. Borden multiple basins, will not affect parking will comply. Mr. Cook concern with deforestation, Mr. Borden will replace as required. Mr. Dambroski distance to Base, Mr. Borden entrance to Base 1 mile. Mr. Dambroski concern for emergency plan, transportation and vehicles, lots of them and training from the Base. Mr. Cook-EIS from Jackson property, Mr. Borden will provide for this property and the other just for background purposes, Mr. Cook the analysis is in contention. Ms. Jennings no it's not. Mr. Dambroski species exist at Jackson Trails, Mr. Borden none found, not known to have any-60% developed. Ms. Jennings- our proof to show. Mr. Dambroski clarifies that it will be residential in Jackson and to the north is asphalt company and horse farm. Ms. Jennings- correct.

#### CLOSED PUBLIC PORTION FOR QUESTIONS

John Rea-McDonough & Rea Associates, 1431 Lakewood Avenue Manasquan-40 year experience-Traffic Engineer- sworn in and credentials accepted. Mr. Rea exhaustive analysis provided, several visits to cite, Ocean County Road 547, peak hour counts, April 2021 versus June 2018, 2018 higher than 2021 due to COVID shutdowns, used higher volumes in study. Mr. Rea discussed volume of retail/office space, a 10-year horizon, projections up to 2031, onto S. Hope Chapel, included Jackson Trails traffic believing it will be approved, NJ DOT growth rate data included, off site- signaled intersection, how analyzed- amount of delay motorist experience, site driveway- acceptable parameter need to be Level C or better, at signal Level C in a.m., E or better is acceptable, Level D in p.m. peak hours. Mr. Rea also explains new traffic to area and credit for pass by traffic, did not take in this case, worst case analysis done. Mr. Rea testifies it's a level and straight road with no site problems from both entrances, adequate parking provided for the mixed use, meets ordinance requirements, site plan application will refine parking but no variances sought. Fire lanes will be discussed with Fire Marshal and roadway expansion will be discussed with OCPB and loading zones will be appropriately designed. Concludes that use variance can be granted without adverse or detrimental impact on future traffic conditions in the area.

#### OPEN PUBLIC PORTION FOR QUESTIONS

Mr. Cook inquiries if estimates of vehicles are without employees. Mr. Rea based on sq. ft. of office and shopping center, reviews chart with in/out numbers, OCPB may require road widening, will provide at site plan. Mr. Dambroski how will residential lots across the way be impacted if roadway requires expansion, Mr. Rea not on their side will come from ours, substantial frontage. Ms. Jennings along 1,500 feet of County road. Mr. Dambroski site triangle tricky-hope addressed.

Mr. Rea- yes at site plan, south bound left turn lane at South Hope Chapel to Ridge to remove traffic from the thru lane, County will also require. Mr. Dambroski- military base employees- time frame done. Mr. Rea- during peak hours, historical data higher of the counts, S. Hope Chapel & Ridgeway. Mr. Dambroski a lot of traffic there, going to and from work, any requirements from the base. Mr. Rea not for traffic concern.

#### CLOSED PUBLIC PORTION FOR QUESTIONS

Ms. Jennings brings back Mr. Borden to review planning proofs. Mr. Borden reviews threatened / endangered species with Exhibit A1: Aerial plan. Mr. Borden- Pinelands Commission Toms River corridor study- pine snakes where population is present, 2 miles to the North, Pine Barren Golf Course into the Toms river, study also included Manchester, nodes found, genesis of species, site not suitable for species, will provide proofs. Also introduced Exhibit A3- Rendering of Proposed building. Site located within the regional growth area, consistent Manchester Master Plan, regional growth influences, highest density development as opposed to preservation zones. PR15 zone currently on property, area of 15,000 sq. ft. where sewer is provided 2 units/acre, not developed because no sewer. B1 zone since 1959, neighborhood businesses, Master Plan in 2011 and follow in 2017-2 goals: 1 create balance and 2 coordinated managed approach to commercial and residential development. In Mr. Borden's opinion follows Chapter 245-2 under a., c., and g. Driven by Medici case- particular suitability. PB1 zone lawfully exists, County arterial road, exists across and down the road, only liquor store, nearest commercial 2.5 miles away, site can accommodate what is proposed, public infrastructure, particularly well suited, will not create negative criteria, already operating commercial, no impact to traffic as provided by Mr. Rea, no impact to noise, light, air. Operating commercially since 1976, buffers ensure protection. Ms. Jennings required to prove one, gave 3. Ms. Jennings also refers to 245-2i, Mr. Borden yes absolutely, Ms. Jennings and 245-2m.- Mr. Borden yes lesson costs of development, public cost, re-shaping lot. Mr. Rohmeyer inquiries to reference to PB1- site not in this zone but meeting requirements of this zone- Mr. Borden- yes, Mr. Rohmeyer this is an approved use in PB1 zone- Mr. Borden- yes. Mr. Rohmeyer negative impact to residential-all single family, Mr. Borden- mitigated and yes.

OPEN PUBLIC PORTION FOR QUESTIONS- None

#### CLOSED PUBLIC PORTION FOR QUESTIONS

Mr. Mordecai Einhorn, sworn in, sole owner of LLC, purchaser of property, also owner of Jackson Trails, initially 25 single family lots, fully compliant application to the Planning Board. Township had several issues with the property- quite a mess, understanding that previous application to grandfather existing mess, previous application withdrawn, when spoke with ZO and Code- residential versus commercial, all thought commercial. New fresh, something to be proud of, goal of this application, rather this than add more residential, bring some ratable to the town. Mr. Rohmeyer asks about types of business, Mr. Einhorn- no large national box stores, coffee shops, nice restaurants, local community friendly businesses.

OPEN PUBLIC PORTION FOR QUESTIONS- None

#### CLOSED PUBLIC PORTION FOR QUESTIONS

Ms. Jennings- Mr. Einhorn really summarized nicely, respectfully requests Board to grant use variance. Ms. Fazio reviews D1 variance, no manufacturing, no warehouse, no outside storage, comply with stormwater, comply and meet tree ordinance, electric charge stations, small retail stores. Mr. Cook- EIS will be reviewed at site plan, reserve hours of operation. Mr. Rohmeyer-satisfied. Mr. Reid- any other conditions. Mr. Cook- existing commercial uses on property removed, this is better.

This resolution was **APPROVED w/ conditions** on a motion by W. Cook and seconded by K. Vaccaro.

**ROLL CALL VOTE:** Mr. Cook-yes, Ms. Vaccaro-yes, Mr. Schwartz-yes, Mr. Dambroski-no, Ms. Brustman-yes, Ms. Fazio-yes

**Adjournment:** The meeting was adjourned at 8:11 p.m. on motion by Ms. Vaccaro and seconded by Ms. Brustman. All in favor.

Respectfully submitted,

Erin Mathioudakis  
Secretary