

MANCHESTER TOWNSHIP PLANNING BOARD REGULAR MEETING MINUTES  
MONDAY, APRIL 4, 2022  
1 COLONIAL DRIVE, MANCHESTER, NEW JERSEY

The Regular Meeting of the Manchester Township Planning Board was called to order by Chairperson Barron at 6:00 P.M. on Monday, April 4, 2022.

A Salute to the Flag and Pledge of Allegiance was repeated.  
This meeting has been advertised as required by enactment of the Sunshine Law.

ROLL CALL:

William Barron	Chairperson	Present
Felicia Finn	Vice Chairperson	Present
Rory Wells	Mayor's Designee	Present, but not at Roll Call
Michele Zolezi	Councilwoman	Present
Bill Foor	Member	Absent
James Teague	Member	Absent
Timothy Poss	Member	Present
Frank Stavallo	1st, Alternate	Present
Todd Luttmann	2nd. Alternate	Present
Gregory Hock	Board Attorney	Present
Robert Mullin	Board Engineer	Present

MEMORIALIZATIONS:

None.

APPLICATIONS:

1. Preliminary/Final Site Plan  
Property Address: 420 Lacey Rd.  
Block: 109 Lot: 1.02  
Applicant: Paramount Commons at Whiting, LLC  
Engineer: Landcore Engineering Consultants, PC  
Attorney: Greg I. Adelman, Esq.  
Case #2020-00258  
Application carried from March 7, 2022

Mr., Adleman: Introduced the application as an application for Preliminary and Final Site Plan Approval for a proposed Starbucks, Jersey Mikes, AT&T and an empty restaurant site with no tenant to date.

He passed out an exhibit packet prepared by his firm all Exhibits to be presented to the Board.

He introduced "A1" as a copy of the application submission to the Board and "A2" as the Affidavit of Service and explained that there was one issue with Notice, which was a typo with the Notice to Verizon. In in effort to remedy the situation, they sent an Overnight FedEx with the Notice to Verizon and confirmed it was received.

Mr. Hock: Confirmed that Verizon was served multiple times, but the technical 10 days were not met. He also explained that there is a gray area about needing the name of a contact to be included on the utilities on the list. He also said that the Applicant and Mr. Adleman agreed to keep the application open for thirty days to avoid any issues.

Mr. Adleman: Put on the record that there were technically no procedural issues, but he would keep the application open for thirty days.

Mr. Adleman introduced exhibit "A3" as the credentials for Ryan Whitmore, P.E.

The Board accepted Mr. Whitmore's credentials as a professional engineer to provide expert testimony regarding engineering.

Mr. Barron: Announced the arrival of Mr. Rory Wells.

Mr. Whitmore: Introduced Exhibit "A4" as the Existing conditions and overall Development Plan dated March 18, 2022.

He described the site as being in the Southwest corner of the property that is in the WTHD Zone.

The property in question currently has a Wendy's on lot 1.01, the subject property or pad proposed on lot 1.02, and the shopping center on lot 1.03.

There is a Wawa across the street and all the lots on the proposed site, along with said Wawa drain into the same stormwater basin.

He said that the entire site was approved at the same time, but the pad was not developed. The pad was previously approved as a 5,000 SF Restaurant.

"A5" was introduced as the Site Plan sheet of the Site Plans dated March 18, 2022.

He explained that Unit 1 is proposed as a Starbucks. Unit 2 is proposed as a Jersey Mike's. Unit 3 is proposed as a Cell phone retail store (AT&T). Unit 4 is proposed to be a 3,600 SF Restaurant with no tenant yet.

There is indoor and outdoor seating proposed for all restaurant on the site, both of which were used to calculate the parking requirements. Protection from cars has been provided for the outdoor seating by concrete planters, which are both aesthetic and safe.

He explained that there are two access points for the pad, one from Lacey Road through the Wendy's and the other through the existing curb cut from the parking lot of the shopping mall.

He mentioned the cross-access easement in Mr. Mullin's report and referred to it as a reciprocal easement agreement.

He explained that the proposed Drive-Thru is in accordance with all Starbucks models with a minimum 11 cars in stack. 12 cars are noted in stack now and it will still operate efficiently.

The parking was calculated as 1 spot per 6 seats plus one per employee. Retail 1 required 66 spots where 67 is provided. (153 seats and 32 employees). He made the correction that there are 20 employees proposed at the spec based restaurant, not 24 employees so no parking relief is required. He also confirmed that there will be two EV charging stations in the top left corner of the lot, closest to the shared access with Wendy's and they will be "EV Ready."

Pedestrian sidewalks are proposed along the perimeter and to the Lacey Rd. sidewalk and to the bank. Mr. Whitmore explained that 5 ft. wide pedestrian sidewalks are required and proposed, with the exception of two pinch points at 4 ft.

Loading and trash collection will be at the rear and will almost mirror Wendy's with two enclosures to the west. There would be a deviation from Bulk requirements in that a 10 ft setback from the rear property line is required for accessory structures, where 5 ft is provided and 4.7 ft was previously approved.

Loading would occur from the rear bypass area during off peak hours and would take approximately 15 minutes for Starbucks and approximately an hour for the Restaurant. They would exit through the southern access.

"A-6" was introduced as the Grading and Stormwater Plan, dated March 18, 2022. There is a regional stormwater basin in the front shared with Whiting Shopping Center and Wawa.

The proposed impervious cover is 5,000 SF less than what was previously approved. The originally approved plans pre-dated the current stormwater regulations so two bio retention areas

were added. They would need grading and drainage easements. The Applicant is also seeking design waivers for small basins, from an incline of 3 to 1 to an incline of 2.5 to 1, which would make the basin steeper. This would be to prevent erosions and a wooden guard rail would be provided to avoid cars driving in. A posted rail fence would be provided for pedestrian safety as well.

Exhibit "A-5" was referred to in order to address Lighting and Landscaping. The hours of the lighting operation will be associated with the requirements for the businesses.

The landscaping will include shade trees and evergreens, 180 shrubs and ornamental grass. The Applicant will need a variation for foundation plantings due to the front side walk configuration they will need to omit the 3ft foundation planting.

Exhibit "A-7" was introduced as the Vehicle Movement Plan dated March 18, 2022 and it articulates the largest vehicles accessing the site. It was reviewed and approved but the Fire Marshal.

Exhibit "A-8" was introduced as the Architectural Plans. There are two plans, the first being the floor plan as it is on file with the Site Plan and the second is the front, side and rear elevations. The left side elevation includes the pick up window for the drive-thru.

Exhibit "A-9" was introduced as the Signage and Striping plan dated March 18, 2022, which includes a compliance chart and Starbuck's signage details.

Exhibit "A-4" shows the free-standing pylon off Lacey rd. It would be a four (4) panel sign for the multi-tenant site, 19.25 ft in height and 60 SF of signage setback 10 ft. A variance is required for location, size and height. A 25 ft setback is required from the right of way so 15 ft of relief is needed. If the Applicant were to comply with the required 25 ft setback, the sign would be in the basin.

Each tenant is proposed to have a panel on the sign at 15 SF each. The sign will be back-lit and internally illuminated.

Exhibit "A-9", sheet BT5, dated March 18, 2022

Exhibit "A-10" is a list of required variances and waivers requested, dated March 18, 2022.

Wall signage is set forth on A-9A.

Exhibit "A-8" has graphical illustrations of the proposed signage. The Code allows for 1 wall sign per tenanted in a multi-tenant unit.

Starbuck's is proposing five (5) signs. The restaurant is proposing two wall signs.

1 sign per wall that is facing a public street is permitted. For this project, 2 wall signs are permitted, where 9 signs are proposed.

There are three directional signs set forth in A-9A all in the landscaping islands. Two SF of signage is permitted so the applicant requires a variance.

Mr. Whitmore explained that in Mr. Mullin's review letter he requested that the Applicant fill in the gaps of the impact buffer. ADA ramps are proposed in the gaps, which are a minimum of 5 ft wide. 1 bollard will be spaced 6 ft.

Exhibit "A-10"- Mr. Whitmore read through the variances and waivers on the list.

Exhibit "A-4" provides appropriate topographical detail.

Exhibit "A-11" was introduced as Collier's review letter dated March 18, 2022.

Exhibit "A-12" was introduced as the Fire Marshal's review letter dated March 18, 2022.

Exhibit “A-13” was introduced as the approval email from the Fire Marshal dated March 18, 2022.

Exhibit “A-14” was introduced as the meeting minutes from the Ocean County Planning Board where the application was conditionally approved, dated May 5, 2021.

Exhibit “A-15” was introduced as the Traffic Impact statement.

Mr. Adleman: Asked what outside approvals are pending. It was asserted that County Soil Conservation approval was received, Pinelands Final Approval was pending and Town Water and Sewer has been submitted.

Mr. Mullin: Asked to confirm that there are 20 employees proposed for the restaurant, not 24.

Mr. Whitmore: Confirmed that it was always 20 employees proposed and the 24 employees noted on a previous plan was just a typo.

Mr. Mullin: Asked to confirm the amount of directional signs proposed because he counted 4 not 3.

Mr. Whitmore: Confirmed it was four and not three.

Mr. Mullin: Asked if the applicant would consider a monument sign instead of a pylon sign.

Mr. Adelman: Explained that their lead tenant, Starbucks, is adamant about a pylon sign. He also mentioned that Rite Aid, Stop and Shop and Wendy’s all have pylon signs.

Mr. Mullin: No more questions.

Mr. Wells: Has some questions about the EV charging stations. He asked how many parking spaces are provided.

Mr. Whitmore confirmed the amount of parking spaces as 67 spaces.

Mr. Wells asked for 1 more EV station to be provided if they would consider it. He acknowledged that it is not required and does not know what the financial burden is associated with adding the additional spot.

Mr. Mullin: Explained that the ordinance counts every EV parking space as 2 spaces in the parking total.

Mr. Wells: Repeated that he would like to see one more EV parking station. He also asked to confirm that none of the signs were digital or LED.

Mr. Whitmore confirmed.

Mr. Luttman: Asked to confirm that the building mounted signs will comply with the 60 SF permitted.

Mr. Whitmore confirmed.

Mr. Luttman asked about the timing of trash pick-up.

Mr. Whitmore stated that trash pickup would be during off peak hours.

Mr. Luttman asked to confirm that trash pickup would be during business hours.

Mr. Adleman responded that trash pickup would be once per day whenever the Town required.

Mr. Luttman asked that it be confirmed that it would be after 8:00 am and before 4:00 pm. And whether there would be sound dampening material under the dumpster.

Mr. Adleman: Said that he was not sure but that the applicant would comply with that request.

Mr. Finn: Asked to confirm that the store hours of operation were 5:30 am to 10:00 pm Monday through Friday and 6:00 a.m. to 9:00 pm Saturday and Sunday.

Mr. Adleman: Confirmed that the garbage trucks would come during business hours but off peak hours.

Mr. Wells asked whether the outside agencies are requiring environmental impact statements and whether all documents were submitted for final approval and if the documents they received were the same documents the Township received.

Mr. Whitmore asserted that the outside organizations do not require a separate impact statement and that all required documents were submitted and awaiting approval.

Mr. Mullin wanted to know who maintains the shared storm water basin.

Mr. Adleman said that he was not sure, but didn't think that it was the responsibility of Paramount Commons and that there is probable a Master Agreement.

Mr. Mullin required that the Applicant provide the Board with an Operating and Maintenance Agreement for the basin and Mr. Adleman said the he would provide that on behalf of his client.

Mr. Luttmann again asked for confirmation of the off peak hours and wanted to make sure that the garbage pickups would not be at 5:00 a.m. Mr. Adelman responded that the pickups would be in later mornings or early afternoons.

Mr. Barron had concerns that the 2 to 1 slope would make the proposed basins hard to manage and hard to mow, but Mr. Whitmore said it should be manageable. He also asked Mr. Mullin whether the town allowed for outdoor dining.

Mr. Mullin confirmed that the Township does allow outdoor seating.

Mr. Barron was also concerned with the number and location of fire hydrants and asked if the Applicant would be willing to add one in the island on the western entrance coming in. Mr. Whitmore assured the Board that the property was surrounded by hydrants and Mr. Barron was satisfied and withdrew his request for the additional hydrant.

Mr. Barron opened to the public for questions of the engineer. There were none. Public questions portion of the engineer was closed.

Mr. Adleman called the Applicant's Architect, Virginia Seminara, AIA. Mr. Hock swore in Ms. Seminara, Mr. Adleman introduced her credentials through Exhibit "A-16," and the Board accepted her credentials and over thirty years' experience in the field.

Ms. Seminara testified that the planters will be well maintained and the plan would provide a nice environment. She explained that Starbuck's has a specific corporate identity and that are the project's top biller. The proposed project will be aesthetically pleasing and anchored to the main tenant. There is outdoor seating proposed for the spec tenant, which will be covered and the utilities will be on the roof and screened in from street view. The materials being used along the front will be mostly glass, but the project will also include a special wood chemically altered to avoid rot and deterioration, synthetic stucco, brick panel, pura-wood panel (which is the brown that you see), and painted concrete block. All materials for construction will be non-combustible and the structure will be fully-sprinklered with a roof system that is water resistant and the storm water will be directed toward the proposed storm water management facilities.

Mr. Mullin let Ms. Seminara know that he has only been provided signage details for Starbucks and that all other signage details will be required and Mr. Adleman agreed that the Applicant would submit it.

Mr. Barron asked if the Board had any questions of the Architect and there were none. He then asked if the public had any questions of the Architect and there were none. The Architect's portion of testimony was closed.

Mr. Adleman introduced Mr. Alex Meitzler, PE, PTOE and Mr. Hock swore him in. His credentials were introduced by way of Exhibit A-17. The Board accepted his credentials and over 30 years' experience in the field.

Mr. Adleman referred the Board to A-15, the Traffic Impact Study from October of 2021.

Mr. Meitzler referenced A-4 where they looked at proposed vs. previously approved and analyzed the three (3) access points from a capacity standpoint during AM and PM hours. The project was previously approved as a high volume fast food restaurant whereas the proposed building is a combination. He calculated that the amended project would generate 75 new trips in the AM and 56 new trips in the PM where 33 new trips were previously approved in the AM and 18 new trips in the PM, bringing the applicant to a difference of 42 more trips in the AM than previously approved and 38 more trips in the PM. That is equivalent to roughly 1 more car per minute, which is not a large increase.

He said that COVID has presented problems with traffic calculation so the initial submission taken from COVID was compared to historical and other information to gather a "reasonable base condition," which is not perfect but a very conservative estimate.

Mr. Meitzler explained that he did not observe problems with the middle access point. Table 8 of the report shows that the proposed project has a de Minimis effect on the current condition.

Mr. Mullin confirmed that both roads are county roads and Manchester does not have jurisdiction.

Mr. Barron asked if there were any questions from the Board and there were none. He asked if there were questions for Mr. Meitzler from the public and there were none. His testimony was closed.

Mr. Adleman introduced Elizabeth McManus PP, AICP, LEED AP and Mr. Hock swore her in. Her credentials were introduced as Exhibit A-18 and the Board accepted her 20 plus years of experience in her field. Mr. Adleman then asked Ms. McManus what the Applicant hired her to do.

Ms. McManus said that she was asked to analyze the request for variances. She said that the Applicant is requesting C2 variances as set forth in A-10. It is her position that the variances requested can be supported by the MLUL because the project will encourage health and safety, encourage the location and design of transportation routes that will promote the free flow of traffic, and it will promote a desirable visual environment.

Ms. McManus stated that the accessory building setback for the dumpster is almost double what was previously approved and that it is tucked all the way in the back of the site and of the entire property. Placing the dumpster where it is proposed allows the Applicant to maximize the parking potential while keeping the dumpster out of site, limiting the visual impact.

As for the number of façade signs, the variance would be supported by both "a" and "i" of the C-2 criteria by encouraging health and safety and promoting a desirable visual environment. She doesn't see a cluttered appearance, there will be appropriate placement of the signs and it will be a safe way to direct the public into the buildings.

The freestanding sign would be the most important sign for directing people in to the site. It would catch the attention of both locals and the traveling public. The property fronts on two county roads and provides a route to many out of area travelers so the sign would be critical for the presence of Starbucks. The setback and size are important for visibility and location of the property and the proposed placement would avoid the sign being in the basin. The proposed size and style is not inconsistent with the surrounding area (Wawa, CVS the liquor store and Wendy's were given as examples). The proposed sign would encourage health and safety, encourage the

location and design of transportation routes that will promote the free flow of traffic, and it will promote a desirable visual environment.

The Applicant is also proposing a directional sign of 3.2 SF where 2SF is permitted. Only one tenant has a drive-thru so there would not be any confusion as to where the signs were directing the public. The proposed size of the signs encourages health and safety and encourages the location and design of transportation routes that will promote the free flow of traffic.

Concluded the positive criteria for the requested variances.

Ms. McManus asserted that there would be no negative impacts from the proposed variances. There would be no detriment to the public good because the signs are similar to the surrounding properties. There would be no detriment to public impact because the dumpster is placed out of sight. Finally, there would be no detriment to the zoning plan. After a review of the Master Plan for Manchester Township, last revised in 2017, it supports the following goals:

1. To create a balance of residential and commercial;
3. Permit future residential and non-residential growth; and
6. Encourage and enhance Beautification

It is McManus' professional opinion that the benefits of the application outweigh the detriment.

Ms. McManus also testified that the Applicant is requesting two waivers. The first is for the basin side slope with an increased slope to allow for maximum function. Any detriment will be mitigated by the benefit. The second waiver is for the landscaping foundation beds. The project as it is proposed will improve the appearance of the project and improve the function of the outdoor dining areas.

Mr. Adleman put on record that A-10 omits the variance for the ground directional sign and dumpsters, but that the Applicant still requests those variances.

Mr. Mullin had no questions.

Mr. Barron asked if the Board had any questions. There were none. He asked Mr. Adelman if the proposed signs were going to stay on all night long. Mr. Adleman said that the hours of the lighting will commensurate with the business operation hours.

Mr. Barron then opened questions of Ms. McManus to the public. There were none. Ms. McManus' testimony was closed.

Mr. Adleman had no further witnesses.

Mr. Barron asked the Board if they had any comments. There were none.

Mr. Barron opened to the public for comments.

Ms. Susan Wolfe of 9 Plymouth Drive was sworn in by Mr. Hock. She asked about the Town Council requirements about decorative signage.

Mr. Mullin responded that there were no requirements for decorative signage.

Ms. Wolfe stated that the signs will take the drivers' eyes to the sign and asked if Starbucks does statistical analysis of the proposed store.

Mr. Adleman said that they would not enter in a 15-year lease without determining that the area was suitable for a Starbucks.

Ms. Wolfe asked if that is corporate that would do that and Mr. Adleman informed her that he has no access to that analysis. She then asked if an analysis gets done to see how it effects other businesses and if the Applicant and the Board had considered the empty store fronts in Whiting.

Mr. Wells responded that typically corporations don't destroy or cannibalize each other. In general, the other businesses will do better because of each other.

Ms. Wolfe asked to confirm that even the local businesses will do better and Mr. Wells confirmed. He said that typically they do and that Starbucks will increase business in the area with its presence alone. With no guarantee of course.

Ms. Wolfe addressed the concern that the income for the Crestwood villages are low and that many residents would not be able to afford a \$3.00 cup of coffee. She was also concerned that the tenant for the proposed restaurant is unknown and she would not know if she is alright with what is proposed if she does not know what is going there. She wanted to know if the site would be vacant.

Mr. Barron said that that owners are paying taxes.

Mr. Adelman said that it is the Applicant's hope that the site will be filled soon.

Ms. Wolfe had a final comment that she hoped the restaurant would be a family restaurant.

Mr. Barron closed the public portion.

Mr. Mullin and Mr. Hock had nothing further to add.

Mr. Adelman entered in all Exhibits.

Ms. Zolezi commented that she thought the pylon sign was grossly out of character.

Motion to approve Application #2020-00258- Amended Preliminary and Final Site Plan Application-Paramount Commons @ Whiting made by, Felicia Finn, seconded by Frank Stavalo  
ROLL CALL: Chairperson Barron-Yes, Ms. Finn-Yes, Ms. Zolezi-Yes  
Messrs. Foor-Absent, Teague-Absent, Wells-Yes, Poss-Yes, Stavalo-Yes, Luttman-Yes

#### ADMINISTRATIVE SESSION:

Mr. Barron: Called for a Motion for approval of the Minutes from the March 7, 2022.

Motion to approve March 7, 2022 Minutes made by Felicia Finn, seconded by Michele Zolezi  
ROLL CALL: Chairperson Barron-Yes, Ms. Finn-Yes, Ms. Zolezi-Yes  
Messrs. Foor-Absent, Teague-Absent, Wells-Yes, Poss-Yes, Stavalo-Yes, Luttman-Yes

#### PAYMENT OF BILLS:

Bill report given by Amanda Kisty on behalf of Bill Foor:

We are in receipt of 11 invoices from Collier Engineering and Design total of 24.25 hours and an amount of \$4,541.72. We are in receipt of three invoices from Mr. Hock, ESQ for 1.75 hours and \$262.50. The total of the invoices is \$4,804.22. The services are in support of:

Project No.	Project
MCP001	General Planning Board Service (two Invoices)
MCP009	Presidential Gardens Major Site Plan
MCP072	Minor Site Plan – Leisure Knoll Manchester Association, Inc.
MCP073	Paramount Commons at Whiting
MCP074	Preliminary and Final Site Plan for 2132 Route 37)
MCP0076	Preliminary and Final Site Plan and Major Subdivision -2065 Highway 37
MCP0084	Minor Subdivision - Ronald Raisin (Three invoices)
MCP0085	Minor Subdivision - Nicolas Ortense (Two invoices)
MCP0086	Strovola Properties GDP
MCP0087	Minor Site Plan – Inspire NJ)

The services are in support Correspondence; Application and Litigation Review; Resolution Compliance, and Preparation for and Attendance at Planning Board and Applicant Meetings.

The charges were found to be reasonable and appropriate and recommend approval.

Motion made to pay bills by Michele Zolezi, seconded by Frank Stavalo  
ROLL CALL: Chairperson Barron-Yes, Ms. Finn-Yes, Ms. Zolezi-yes  
Messrs. Foor-Absent, Teague-Absent, Wells-Yes, Poss-Yes, Stavalo-Yes, Luttman-Yes

PROFESSIONAL REPORTS:

Mr. Mullin: None.

Mr. Hock: None.

Comments from the Board:

OPEN PUBLIC PORTION:

Hearing none. Closed public portion.

MOTION TO ADJOURN: by Rory Wells, seconded by Felicia Finn.

ALL IN FAVOR  
NONE OPPOSED

ADJOURNMENT: 8:05 P.M.

EXECUTIVE SESSION: 8:10 P.M.

Mr. Hock: The purpose of the executive session is to discussion pending litigation.  
Motion made to enter executive session made by Michele Zolezi, seconded by Timothy Poss  
ROLL CALL: Chairperson Barron-Yes, Ms. Finn-Yes, Ms. Zolezi-yes  
Messrs. Foor-Absent, Teague-Absent, Wells-Yes, Poss-Yes, Stavalo-Yes, Luttman-Yes

RETURN FROM EXECUTIVE SESSION. 8:16 P.M.

Respectfully submitted

Amanda Kisty  
Secretary to the Board