

August 15, 2023 Rev. September 14, 2023

Ms. Amanda Kisty, Board Secretary  
Manchester Township Planning Board  
1 Colonial Drive  
Manchester, NJ 08759

Re: Manchester Township Planning Board Application No. **PB-2023-10**  
Applicant: Jeffrey R. Jerman  
Application: Minor Subdivision  
Zone: R-10 "Residential 10,000 square feet"  
Block 1.118, Lots 14 & 15  
Site Address: #1932 Sixth Avenue  
Manchester Township, Ocean County, New Jersey  
*Technical Review Letter #1*  
Morgan Engineering, LLC - Project No MTPB23-017

Dear Ms. Kisty:

Enclosed please find below a completeness & technical review for the above referenced application.

**A. COMPLETENESS**

The following documents were reviewed in support of this report:

1. "Minor Subdivision for Tax Block 1.118, Tax Lots 14 & 15", prepared by Professional Design Services, LLC and dated June 14, 2023.
2. "Boundary & Topographic Survey for Tax Block 1.118, Tax Lots 14 & 15", prepared by Professional Design Services, LLC and dated May 2, 2023.
3. Certified List of Property Owners within 200 Feet dated June 21, 2023.
4. Proof of Payment of Property taxes through the 2nd quarter of 2023.
5. Cover letter dated July 27, 2023, from the Applicant's Engineer.
6. Completed Planning Board Application with Completeness Checklist.
7. Proof of Submission to Ocean County Planning Board dated July 27, 2023;

***Application Fees & Escrow Amounts (Ordinance 245-12C)***

1. We note application fees have been submitted for the minor subdivision, however application fees are required for the proposed variances in accordance with ordinance requirements.

***Completeness Waivers***

The Applicant has requested the following submission waivers:

1. Metes and bounds descriptions with dimensions and bearing of the existing and proposed lots (B.14.).
2. Metes and bounds descriptions with dimensions and bearing of all existing right-of-way centerlines (B.15.).
3. Soil logs and permeability test results (B.40.).
4. Curb along property frontage (C.7.).
5. Sidewalk along property frontage (C.7.).
6. Serviceability statements from the utility companies (D.5.).

In addition to above waivers, the following waivers would also be necessary for the determination of completeness:

1. The Project plat should have the telephone number of the owner and applicant (B.1.).
2. List all federal, state, county regional and/or municipal approvals or permits required from: the Ocean County Planning Board, Ocean County Board of Health, Manchester Township Tax Assessor for block and lot numbering (D.1.).
3. The copies of any existing or proposed deed restrictions or covenant (D.2.).

***We take no exception to the waivers requested or required, which have been outlined within this letter.***

**Based upon the additional submitted documents, we recommend that the application be deemed COMPLETE.**

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**B. SUMMARY**

The subject property (existing Lot 14 & Lot 15) is located along the southern side of Sixth Avenue, mid-block between Beacon Street and Cumberland Boulevard. The total area is 200' wide and 100' deep for a total area of 20,000 square feet.

**Existing Lot 14:** (25' wide and 100' deep) Total Area of 2,500 square feet. Existing lot is vacant/wooded, and deficient in lot area, lot frontage, lot width, and improvable lot area.

**Existing Lot 15:** (175' wide and 100' deep) Total Area of 17,500 square feet. Existing lot contains a SFD known as #1932 Sixth Avenue and is improved with along with associated site improvements including, but not limited to, and asphalt driveway, a shed, an in-ground pool, and masonry wall.

The Applicant is seeking Minor Subdivision approval to adjust the shared lot line to create two (2) conforming lots. More specifically, existing Lot 15 will provide Lot 14 with 75' of its frontage.

**C. ZONING**

1. The subject property is located entirely in the R-10 "Residential 10,000 square feet" Zoning District, where a lot area of 10,000 square feet is required.
2. **Proposed Lot 14.01:** (100' wide and 100' deep) Total Area of 10,000 square feet. This lot is now proposed to be conforming in lot area/frontage/width. At this time, there lot is proposed to remain vacant, with an encroaching shed that is noted to be relocated prior to the signing of the map in general Note 18 on the subdivision plan.
3. **Proposed Lot 18.01:** (100' wide and 100' deep) Total Area of 10,000 square feet. Will remain conforming to bulk requirements.

**RELIEF REQUIRED**

**Existing Non-Conforming Condition(s)**

**Lot 14**

1. **Minimum Lot Area** of 10,000 sf – actual is 2,500 sf
2. **Minimum Lot Frontage** of 100 feet – actual is 25 feet.
3. **Minimum Lot Width** of 100 feet – actual is 25 feet.
4. **Minimum Improvable Lot Area** of 5,800 square feet – actual is 660 square feet.

**Lot 15**

1. **Minimum Front Yard Principal Building Setback** of 30 feet – actual is 19.5 feet.
2. **Minimum Accessory Building Side Yard Setback** of 5 feet – actual is 1.4 feet

**Variance(s)**

**Proposed Lot 18.01**

1. **Minimum Front Yard Principal Building Setback** of 30 feet – actual is 19.5 feet
2. **Minimum Accessory Building Side Yard Setback** of 5 feet – actual is 1.4 feet.

*Any other variances as may be required or identified during the board hearing.*

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**Waiver(s)**

1. The applicant has requested waivers for the installation of curb and sidewalk along the street frontages. This office takes no exception to this request as there are presently no curbs or sidewalks within the vicinity of these properties.

**D. SURVEY COMMENTS**

1. General Comments for Subdivisions

- a. Would the proposed subdivision create any undersized lots?

*We note that no undersized lots are created with this subdivision.*

- b. Would the proposed subdivision require any variances?

*We note that there are no variances associated with the land, only variances relate to the existing structure as indicated.*

- c. Do all proposed lots have access to public right of way?

*We note that both lots proposed will be adjacent right of way.*

- d. Do all proposed lots have access to public utilities?

*It appears utilities can be provided from the outer limit, however this is not applicable to this application.*

- e. Are there any existing homes included with the subdivision?

*We note there is one existing home included as part of this subdivision.*

- f. Survey Monuments

*We recommend monuments/property corners be set prior to the map being submitted for filing in accordance with the subdivision map.*

- g. Map Filing

- i. Minor Subdivision shall be filed by map in accordance with the time limits specified in the NJ M.L.U.L. 40:55D-47d specifically (190) days from the date on which the resolution of Municipal Approval was adopted by the Tuckerton Borough Land Use Board.
- ii. Extension - Should the Applicant be unable to file the map before the deadline, pursuant to N.J.S.A. 40:55D-47(f) and 40:55D-47(g) the Board may grant either an extension to the 190-day filing period or a one-year extension to the minor subdivision approval.

**E. ENGINEERING COMMENTS**

1. Applicant shall provide testimony on the accuracy and completeness of the survey provided.
2. Based off the topographic survey provided it appears stormwater grading is no issue with the development. Applicant to provide testimony.

**F. PLANNING COMMENTS**

**BULK VARIANCE TESTIMONY**

1. Positive Criteria:

Applicant shall provide testimony demonstrating the positive criteria c(1) and/or c(2). **N.J.S.A. 40:55d-70(c)**

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*c(1). Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or*  
*(b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or*  
*(c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship;*

*c(2). Where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in subsection d. of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board*

2. Negative Criteria:

*No variance or other relief may be granted under the terms of this section, including a variance or other relief involving an inherently beneficial use, without a showing that such variance or other relief can be granted **without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.***

- i. Applicant must provide testimony acceptable to the Board.
- ii. Applicant to provide testimony on the reason/need for the variances being requested.
- iii. Applicant to provide testimony on the effects of the proposed application on neighboring properties.
- iv. Applicant to provide testimony on how the proposed improvements fit in with the character of the neighborhood.

**G. 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.
5. Prior to a building permit being issued, proof of the following outside agency approvals, as applicable:
  - i. Manchester Township Department of Utilities
  - ii. Manchester Township Fire Official
  - iii. Ocean County Planning Board
  - iv. Ocean County Board of Health
  - v. Ocean County Soil Conservation

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- vi. NJDOT
- vii. NJ Pinelands Commission
- viii. NJDEP CAFRA

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.

Respectfully submitted,

For: *Frank Sadeghi, P.E., C.M.E.*  
*Morgan Engineering, LLC*  
*Manchester Township Planning Board Engineer*



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By: **MARK J. ROHMEYER, P.E., P.P., C.M.E.**

FS/MJR

CC: Pasquale Popolizio, Township Zoning Board Official  
Joseph D. Coronato, Jr., Esq., Planning Board Attorney  
Gary T. Sylvester, CPWM, Twp. Director of Inspections & Land Use  
William A. Stevens, PE, PP, Applicant's Engineer  
Jeffrey R. Jerman, Applicant