



Submitted Via Email

April 16, 2026

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

Re: Manchester Township Planning Board Application No. **PB-2026-09**
Applicant: John R. Fels, Jr.
Application: Minor Subdivision with Bulk Variance Relief
Zone: R-40 (Residential – 40,000 SF) Zone
Block/Lots: 58/667
Site Address: 3219 Wilbur Avenue
Manchester Township, Ocean County, New Jersey
Completeness & Technical Review Letter #1
Morgan Municipal, LLC - Project No MTPB26-09

Dear Ms. Kisty:

Enclosed please find a completeness review for the above-mentioned application:

A. COMPLETENESS

The following documents were included in the original submission:

1. Checks Received:
 - a. Application Fee: \$500.00 (Check No. 1006)
 - b. Escrow Fee: \$1,500.00 (Check No. 1005)
2. Cover letter, prepared by RC Shea & Associates, signed by Robert C. Shea, Esq., dated 03/03/2026;
3. Land use and Development Application, signed by Applicant, dated 01/14/2026;
4. W-9 Form, signed by applicant, dated 01/14/2026;
5. Proof of taxes paid as of 11/01/2025, dated 02/06/2026;
6. Land use and Development Checklist filled out by applicant, unsigned, undated;
7. **Subdivision Plan** entitled, “Boundary, Topographic & Minor Subdivision Plan, 3219 Wilbur Avenue, Lot 667 in Block 58 – Tax Map Sheet 2, Manchester Township, Ocean County, New Jersey”, consisting of (1) sheet, prepared by DPCSS Land Surveyors, signed by Russell J. Palubniak., P.L.S., dated 11/20/2025;

B. SUMMARY

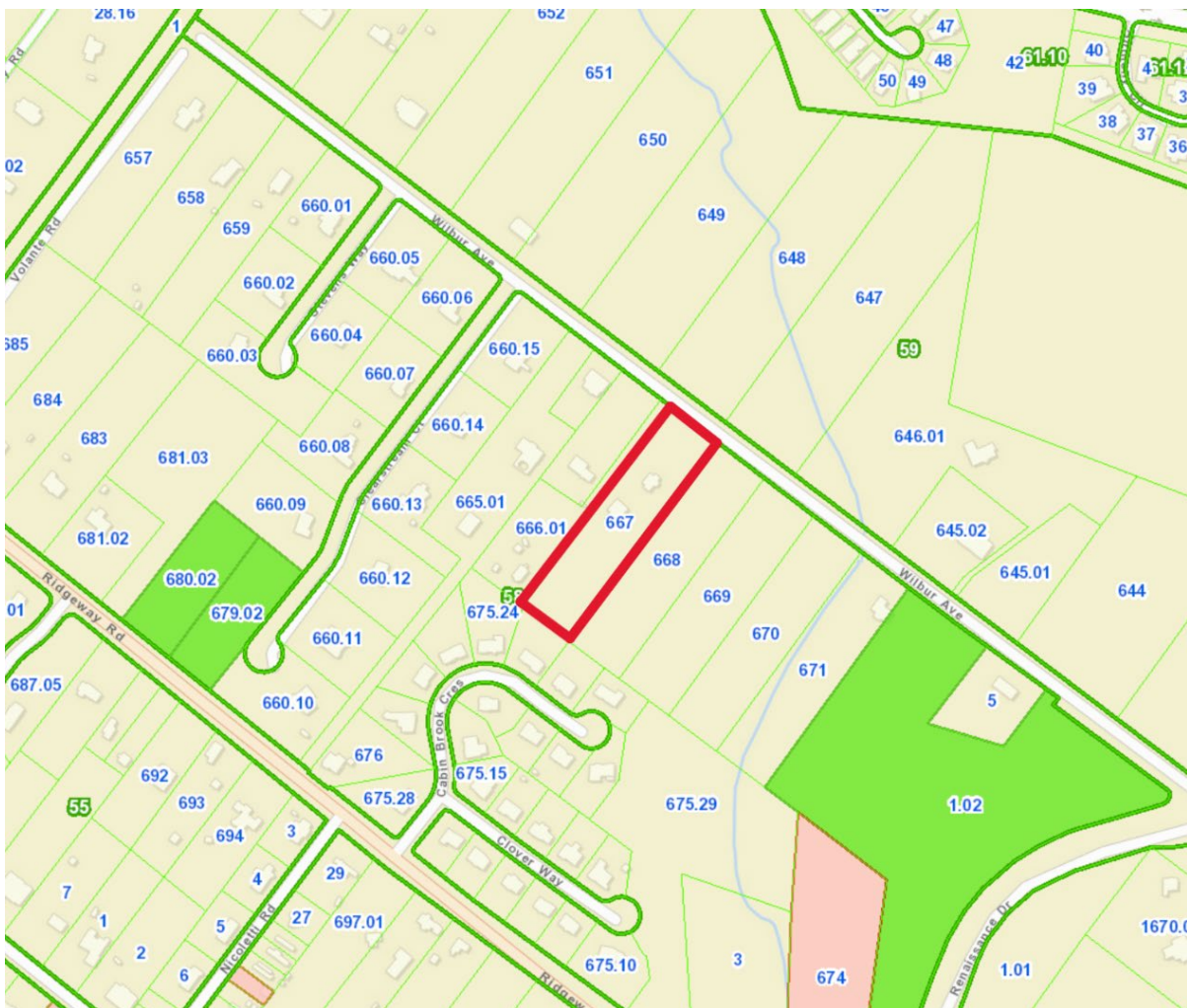
The subject property is located on the southwestern side of Wilbur Ave, approximately 500 ft southeast of the intersection of Clearstream Court & Wilbur Ave. The existing property consists of Lot 667. The subject property is currently developed and partially wooded in the rear of the property. The total tract area of the property is 104,900.9 SF (2.408 acres).

The Applicant is seeking Minor Subdivision approval to subdivide Lot 667 into (2) lots with conforming lot area, but non-conforming lot widths & frontages. Proposed Lot 667.01 will be 49,140 SF, and proposed Lot 667.02 will be 55,760.9 SF. An access easement is proposed within both new lots for the existing asphalt/paver driveway. Variances are required for Lot Frontage & Lot Width for both proposed lots, and bulk variances required for proposed Lot 667.01 for the existing site improvements.

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C. ZONING

1. The subject property is located entirely within the R-40 (Residential – 40,000 SF) Zone. The subject property is surrounded by the R-40 (Residential – 40,000 SF) Zone to the north, east & west, and abuts the R-15 (Residential – 15,000 SF) Zone to the south.
2. **R-40 “Residential – 40,000 SF” Zone (Ordinance Chapter #245 Attachment 6:6, Schedule A)**
 - a. We note that the proposed use of a single family detached dwelling is a permitted use within the zone.



Source: Manchester Township GIS

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R-40 Zoning Schedule (Schedule A)			
	REQUIRED	Proposed Conditions (Lot 667.01)	Proposed Conditions (Lot 667.02)
LOT REQUIREMENTS			
Minimum Lot Area	40,000 s.f.	49,140 s.f.	55,760.9 s.f.
Minimum Lot Frontage	200 ft.	135 ft. (V)	24.72 ft. (V)
Minimum Lot Width	200 ft.	135 ft. (V)	159.72 ft. (V)
Minimum Improvable Lot Area	18,700 s.f.	20,348 s.f.	23,891 s.f.
PRINCIPAL BUILDING REQUIREMENTS			
Front Setback	50 ft.	162.7 ft.	TBD
Rear Setback	50 ft.	154.9 ft.	TBD
Side Setback	25 ft.	36.7 ft.	TBD
Maximum Building Height	35 ft./ (2.5) Stories	35 ft./ (2) Stories	TBD
ACCESSORY BUILDING REQUIREMENTS			
Rear Setback	25 ft.	25.8 ft.	TBD
Side Setback	25 ft.	18.8 ft. (V)	TBD
LOT COVERAGE REQUIREMENTS			
Maximum Site Improvement Ratio	N/A	N/A	N/A
Maximum Building Coverage	25 %	9.7%	TBD
Maximum Lot Coverage	25 %	29.4% (V)	TBD
N/A – Not Applicable (V) – Variance Required TBD – To Be Determined; No improvements proposed on Lot 667.02 as part of this application.			

As Per “Land Use and Development, 245 Attachment 3, Township of Manchester, Appendix 3, Application Checklist and Documents Required to be Submitted”, our office finds the following to be deficient:

- #B.14 – Metes and bounds description showing dimensions, bearings of original and proposed lots.

Applicant has not provided. This office takes no exception to this submission item being waived for the purposes of completeness but shall remain as a condition of approval for Resolution Compliance.

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2. #B.15 – Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords, and central angles for all centerlines and rights-of-way and centerline curves on streets.

Applicant has not provided. This office takes no exception to this submission item being waived for the purposes of completeness but shall remain as a condition of approval for Resolution Compliance.

3. #B.40 – Percolation and soil logs (where septic system, retention basin, or groundwater recharge is proposed).

Applicant has not provided. This office takes no exception to this submission item being waived for the purposes of completeness but shall remain as a condition of approval for Resolution Compliance.

4. #D.5 – Statement from utility companies as to serviceability of the site.

Applicant has not provided. This office takes no exception to this waiver, however, testimony shall be provided at the public hearing regarding the serviceability for the proposed lot 667.02.

RELIEF REQUIRED

Variance(s) Requested

1. **Minimum Lot Frontage Requirement** – where a minimum of 200 ft is required, while 135 ft is proposed for Proposed Lot 667.01. **(Per Ordinance Schedule A).**
2. **Minimum Lot Frontage Requirement** – where a minimum of 200 ft is required, while 24.72 ft is proposed for Proposed Lot 667.02. **(Per Ordinance Schedule A).**
3. **Minimum Lot Width Requirement** – where a minimum of 200 ft is required, while 135 ft is proposed for Proposed Lot 667.01. **(Per Ordinance Schedule A).**
4. **Minimum Lot Width Requirement** – where a minimum of 200 ft is required, while 24.72 ft is proposed for Proposed Lot 667.02. **(Per Ordinance Schedule A).**
5. **Minimum Side Yard Setback Requirement** – where a minimum of 25 ft is required, while 18.8 ft is existing for Proposed Lot 667.01. **(Per Ordinance Schedule A).**
6. **Maximum Lot Coverage Requirement** – where a maximum of 25% is permitted, while 29.4% is existing for Proposed Lot 667.01. **(Per Ordinance Schedule A).**

Waiver(s) Required

1. RSIS *De Minimis* exception from providing curb along Wilbur Ave.
2. RSIS *De Minimis* exception from providing sidewalk along Wilbur Ave.

Based upon our review, we recommend that this application be deemed **COMPLETE** subject to the applicant paying all applicable fees and complying with all applicable notification requirements as required by the Township of Manchester and the Municipal Land Use Law. Applicant to contact Board Secretary to be scheduled on the next available meeting.

D. SURVEY COMMENTS

1. General Comments on Subdivisions are to confirm items such as access to R.O.W., access to utilities, existing homes included, HOA.
 - a. We note the applicant has requested variances.
 - b. We note that all proposed lots will be adjacent to public R.O.W.

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- c. We note the subdivision will result in (2) lots with conforming lot area, but non-conforming lot widths & frontages of 49,140 SF (Lot 667.01) and 55,760.9 SF (Lot 667.02).
- d. We note utility services are shown for proposed lot 667.01 that include an on-site septic disposal field & a well located to the northwest of the gazebo in the rear of proposed lot 667.01. Applicant to provide testimony on availability of utilities to service the proposed lot 667.02.
- e. We note that proposed lot 667.02 is currently undeveloped. Proposed lot 667.01 is currently developed with a 2-story frame dwelling, asphalt driveway, brick paver driveway, rear in-ground pool, rear paver patio, detached gazebo, detached garage, septic disposal field, & two detached sheds.

2. **Map Filing Law, N.J.S.A 46:26B-2. Requirements for Approval or Filing of a Map.**

- a. *A map shall not be approved by a proper authority unless it meets the requirements of this section specified for the kind of map involved. The following kinds of maps shall meet the following requirements:*
 - i. *Major subdivision plats shall meet all of the requirements of this section.*
 - ii. *Right of way parcel maps shall meet the requirements of subsections b. (1), (2), (4), (5), (6), (7), (11) of this section.*
 - iii. *Minor subdivision maps shall meet all of the requirements of this section except for the outside tract line monuments requirement of subsection b. (8).*

We note that the Applicant has submitted a Minor Subdivision Map, which is applicable under this chapter.

- b. *No map requiring approval by law or that is to be approved for filing with a county, shall be approved by the proper authority unless it conforms to the following requirements:*
 - i. *A map shall show the scale, which shall be inches to feet and be large enough to contain legibly written data on the dimensions, bearings and all other details of the boundaries, and it shall also show the graphic scale.*

The Applicant complies.

- ii. *A map shall show the dimensions, square footage of each lot to the nearest square foot or nearest one hundredth of an acre. Bearings and curve data shall include the radius, delta angle, length of arc, chord distance and chord bearing sufficient to enable the definite location of all lines and boundaries shown, including public easements and areas dedicated P.L.2011, CHAPTER 217 9 for public use. Non-tangent curves and non-radial lines shall be labeled. Right of way parcel maps shall show bearings, distances and curve data for the right of way or the center line or base line and ties to right of way lines if from a base line.*

The Applicant complies.

- iii. *Where lots are shown thereon, those in each block shall be numbered consecutively. Block and lot designations shall conform with the municipal tax map if municipal regulations so require. In counties which adopt the local or block system of indices pursuant to sections 46:24-1 to 46:24-22 of the Revised Statutes, the map shall show the block boundaries and designations established by the board of commissioners of land records for the territory shown on the map.*

The Applicant complies.

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iv. *The reference meridian used for bearings on the map shall be shown graphically. The coordinate base, either assumed or based on the New Jersey Plane Coordinate System, shall be shown on the plat.*

The Applicant complies.

v. *All municipal boundary lines crossing or adjacent to the territory shall be designated.*

The Applicant complies.

vi. *All natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines shall be shown. On right of way parcel maps all easements that affect the right of way, including slope easements and drainage, shall be shown and dimensioned.*

The Applicant complies.

vii. *All permanent easements, including sight right easements and utility easements, shall be shown and dimensioned.*

The Applicant complies.

viii. *The map shall clearly show all monumentation required by this chapter, including monuments found, monuments set, and monuments to be set. An indication shall be made where monumentation found has been reset. For purposes of this subsection "found corners" shall be considered monuments. A minimum of three corners distributed around the tract shall indicate the coordinate values. The outbound corner markers shall be set pursuant to regulations promulgated by the State Board of Professional Engineers and Land Surveyors.*

The Applicant complies.

ix. *The map shall show as a chart on the plat any other technical design controls required by local ordinances, including minimum street widths, minimum lot areas and minimum yard dimensions.*

The Applicant complies.

x. *The map shall show the name of the subdivision, the name of the last property owners, the municipality and county.*

The Applicant complies.

xi. *The map shall show the date of the survey and shall agree with the minimum survey detail requirements of the State Board of Professional Engineers & Land Surveyors.*

The Applicant complies.

xii. *A certificate of a land surveyor or surveyors, shall be endorsed on the map as follows: I certify that to the best of my knowledge and belief this map and land survey dated meet the minimum survey detail requirements of the State Board of Professional Engineers and Land Surveyors and the map has been made under my supervision, and complies with the "map filing law" and that the outbound corner markers as shown have been found, or set. (Include the following, if applicable) I further certify that the monuments as designated and shown have been set.*

Licensed Professional Land Surveyor and No. (Affix Seal)

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xiii. *If the land surveyor who prepares the map is different from the land surveyor who prepared the outbound survey, the following two certificates shall be added in lieu of the P.L.2011, CHAPTER 217 10 certificate above.*

A. *I certify to the best of my knowledge, information and belief that this land survey dated has been made under my supervision and meets the minimum survey detail requirements of the State Board of Professional Engineers and Land Surveyors and that the outbound corner markers as shown have been found, or set.*

.....

Licensed Professional Land Surveyor and No. (Affix seal)

The Applicant complies.

B. *I certify that this map has been made under my supervision and complies with the "map filing law." (Including the following if applicable) I further certify that the monuments as designated and shown have been set.*

.....

Licensed Professional Land Surveyor and No. (Affix seal)

The Applicant complies.

C. *If monuments are to be set at a later date, the following requirements and endorsement shall be shown on the map. The monuments shown on this map shall be set within the time limit provided in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) or local ordinance. I certify that a bond has been given to the municipality, guaranteeing the future setting of the monuments as designated and shown on this map.*

Municipal Clerk

The Applicant does not comply. While the certification provided on the Minor Subdivision in the bottom leftmost corner indicates that the "markers shown have been found, or set", the Legend on the Minor Subdivision indicates that the necessary monuments are "To Be Set" in the total of (6) monuments.

D. *If the map is a right of way parcel map the project surveyor need only to certify that the monuments have been set or will be set.*

Not Applicable.

xiv. *A certificate of the municipal engineer shall be endorsed on the map as follows: I have carefully examined this map and to the best of my knowledge and belief find it conforms with the provisions of "the map filing law," resolution of approval and applicable municipal ordinances and requirements.*

.....

Municipal Engineer (Affix Seal)

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xv. *An affidavit setting forth the names and addresses of all the record title owners of the lands subdivided by the map and written consent to the approval of the map of all those owners shall be submitted to the proper authority with the map.*

The Applicant complies as the certifications are provided, however, they have not been signed. At such time as the Minor Subdivision is submitted for signatures, the owner authorization certifications shall be signed and notarized.

xvi. *If the map shows highways, streets, lanes or alleys, a certificate shall be endorsed on it by the municipal clerk that the municipal body has approved the highways, streets, lanes or alleys, except where such map is prepared and presented for filing by the State of New Jersey or any of its agencies. The map shall show all of the street names as approved by the municipality.*

Not Applicable.

3. Map Filing timeline

- a. 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 Township of Manchester Land Use Board.
- b. 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 to provide testimony on the proposed access easement within proposed lot 667.01. It appears that this access drive will be dual access for both lots. Applicant to confirm.
 - a. We note the access easement within proposed lot 667.02 for the existing driveway must be utilized for both proposed lots, since the proposed access easement takes up the entire width of the proposed lot 667.02's frontage along the public right-of-way (Wilbur Ave).
2. Applicant to confirm what is intended to be removed & what will remain within proposed lot 667.01. There is a bold "to be removed" note on the northwestern side of the property, but points to nothing in particular.
3. The portion of concrete encroaching onto proposed lot 667.02 connected to the garage within proposed lot 667.01 must be removed.
4. Applicant to provide testimony on how the existing grading patterns affect runoff to surrounding properties or into the right of way.
 - a. We note that the current grading shows drainage heading east toward Wilbur Ave. R.O.W, and onto adjacent lot 668.
 - b. Due to the minimal frontage proposed for lot 667.02, stormwater runoff will be directed to adjacent lot 668, and onto the rear of proposed lot 667.01. When applicant proposes improvements to this new lot, installation of stormwater measures will be required to protect from affecting the surrounding lots.
5. **Off-Street Parking Requirements –**
 - a. Sufficient off-street parking is provided for the existing 2-story frame dwelling.

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F. PLANNING COMMENTS

1. The proposed use (Single Family Dwelling) is a permitted use within the R-40 Residence Zone District.
2. The following planning testimony must be provided by the Applicant.

Bulk Variance Testimony

- a. New Jersey Municipal Land Use Law requires the Applicant to provide evidence (aka proofs) of entitlement to variance relief.

The Applicant shall demonstrate the type of proof being sought.

- b. We note the following from NJ MLUL for “C” Variance aka “Bulk Variance”:

N.J.S.A. 40:55d-70(c)

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

- c. **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.***

1. Applicant must provide testimony acceptable to the Board.
2. Applicant to provide testimony on the reason/need for the variances being requested.

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3. Applicant to provide testimony on the effects of the proposed application on neighboring properties.
4. 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/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 shall be provided, as applicable:
 - i. Manchester Township Department of Public Works
 - ii. Manchester Township Fire Official
 - iii. Ocean County Soil Conservation
 - iv. Ocean County Board of Health
 - v. Ocean County Planning Board
 - vi. NJDEP (i.e. CAFRA, Flood Hazard, Freshwater Wetlands, etc.
6. Posting of performance guarantees, restoration guarantees, and inspection escrow as required by Municipal Ordinance.

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

Respectfully submitted,



By: **MATHEW R. WILDER, P.E., P.P., C.M.E., C.F.M.**
MORGAN MUNICIPAL, LLC
PLANNING BOARD ENGINEER

MW/cja

CC: Pasquale Popolizio, Township Zoning Official (ppolozio@manchestertwp.com)
Joseph D. Coronato, Jr., Esq., Planning Board Attorney (joejr@coronatolaw.net)
Gary T. Sylvester, CPWM, Twp. Director of Inspections & Land Use (gsylvester@manchestertwp.com)
John R. Fels, Jr., Applicant
3219 Wilbur Ave, Manchester, NJ 08759
R.C. Shea & Associates
244 Main Street, Toms River, NJ 08753
Russell J. Palubniak, P.L.S., Applicant's Surveyor (DPCSSNJNY@gmail.com)
15 Michalik Drive, Sayreville, NJ 08872