



**MANCHESTER  
TOWNSHIP**  
OCEAN COUNTY, NEW JERSEY

# 2121 Lake Road Redevelopment Plan

(Block 102, Lot 2)

Adopted by the Township Council: July 13, 2020

Prepared By:



**Daniel N. Bloch, PP, AICP**  
N.J. Professional Planners License #06107

**Nicholas A. Dickerson, PP, AICP**  
N.J. Professional Planners License #06287

Project No. MCP-056

The original of this document has been signed and sealed in accordance with N.J.S.A. 45:14A-1

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# INTRODUCTION

The property, known as Lot 2 in Block 102, is a 6.23-acre parcel located on the corner of Lacey Road (County Road 530) and Lake Road in the Whiting area of Manchester. Between 1931 and the present, the site remained largely undeveloped and vacant, save for a brief period in the mid-twentieth century, when, in 1956, a small building was constructed on the northeast corner of the lot, which remained on the site until sometime between 1963 and 1972 when it was removed (details on this structure were not available from the Township). The site was declared a Non-Condensation Area in Need of Redevelopment in January 2020. This Redevelopment Plan is prepared pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A et seq. (“LRHL”), which states that no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located within an area in need of redevelopment, according to criteria set forth in Section 5 of the LRHL.

Neighboring Block 300, Lot 3 to the north is an electric transmission line right-of-way owned by Jersey Central Power & Light. Across Lacey Road to the northeast is a pharmacy, which is surrounded by woods. To the east of the Redevelopment Area, across Lake Road, is also a large wooded area. Immediately south is a medical office. The Redevelopment Area shares its western border with an age-restricted residential community known as Crestwood Village VII.



Map 1: Redevelopment Area Map



## LOCAL REDEVELOPMENT HOUSING LAW REQUIREMENTS

This document has been prepared in accordance with Section 40A:12A-7a of the LRHL, which requires redevelopment plans to include for the planning, development, redevelopment or rehabilitation of the project area sufficient to include the following:

1. Relationship of the project area to local objectives as to appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing housing market.
4. An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan. (Note: not every property in a redevelopment area must be acquired and, in fact, none may be acquired; the redevelopment plan can specify buildings or uses to remain in the redevelopment area and to be incorporated into the future design and development of the area.)
5. Any significant relationship of the redevelopment plan to the master plan of contiguous municipalities, the master plan of the county, and the State Development and Redevelopment Plan.
6. An inventory of all housing units affordable to low and moderate-income households that are to be removed as a result of implementation of the redevelopment plan.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.
8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
9. Description of the plan relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law (MLUL). The plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the Redevelopment Plan area.
10. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.



Map 2: Tax Map with Redevelopment Area highlighted in red



## STATUTORY BASIS FOR THE REDEVELOPMENT PLAN

On October 28, 2019, the Manchester Township Council, in Resolution #19-374, authorized and directed the Planning Board to undertake a preliminary investigation to determine whether the Study Area identified in the resolution is an Area in Need of Redevelopment pursuant to the LRHL.

Section 6b(4) of the LRHL requires the Planning Board to hold a hearing on this matter prior to recommending that the delineated area, or any part thereof, be determined or not determined a redevelopment area by the governing body. After obtaining the Planning Board's recommendation, the Township Council may adopt a resolution determining that the delineated area, or any part thereof, is a redevelopment area (Section 6b(5) of the LRHL).

The Manchester Township Council adopted a resolution (Appendix A) on January 27, 2020 designating the site as a Non-condemnation Area in Need of Redevelopment. The designation was based upon a recommendation by the Manchester Planning Board, following a public hearing held at the January 6, 2020 meeting of the Planning Board in accordance with Section 6b(4) of the LRHL.

## REDEVELOPMENT AREA

The Redevelopment Area, situated within the jurisdiction of the New Jersey Pinelands Commission, is owned by J & J Associates and is vacant and wooded, containing no designated access points. The interior of site is predominantly a thick brush floor with large pine trees throughout, though stretches are covered with trash and other large refuse, especially along the street frontages. The most recent data from NJDEP's Landscape Project (version 3.3) for the Pinelands region indicates that the entire site is mapped as possible habitat for a state endangered wildlife species. The Redeveloper will need to address this as part of any Pinelands Application.

The property was owned by the Union Valley Corporation until 1993, when the company filed for bankruptcy and Fidelity Bank took control of the property. In April 1995, the site was the subject of a development application before the Board of Adjustment, which proposed an office/warehouse, restaurant, convenience store and/or car wash, which was denied by the Board. The site was later sold to the current owners in December 1995. For over a decade, the site was on the market, with several realtors unsuccessfully generating interest in the property. The latest attempt to sell the property lasted from 2015 to September 2019.

## PUBLIC PURPOSE

### GOALS

The Township of Manchester is committed to providing opportunities for economic development by retaining and enhancing existing businesses while also attracting new businesses.

The goals of the Redevelopment Plan are as follows:

1. To provide the tools necessary to effectuate the improvement of the redevelopment area, which has remained vacant and undesirable to developers for a period of more than 10 years.



2. To encourage the coordination between public and private entities to create a balanced and compatible arrangement of residential, commercial, office and industrial land uses in the community.
3. Encourage economic growth through creating a mix of commercial options.
4. Promote the diversification of Manchester's commercial base.
5. To continue to use practical and flexible development criteria, in order to protect existing open space, conserve the natural landscape, protect sensitive ecological areas and provide for development on a controlled and comprehensive basis.
6. To protect environmentally sensitive areas, such as wetlands and floodplains, and stream corridors.
7. To encourage and enhance, the beautification of the Township and retain its natural use through the proper land use, land subdivision, site plan and other development controls.

## RELATIONSHIP TO LOCAL OBJECTIVES

The Manchester Township Planning Board most recently reexamined the Master Plan in 2017, adopting a Master Plan Reexamination Report on August 7, 2017. The 2017 Reexamination Report does not specifically reference the Redevelopment Area. The 2011 Land Use Plan identifies the subject area as part of the Pinelands Town of Whiting, with the designation of Office Professional.

The 2011 Master Plan's Existing Land Use chapter identifies County Road 530 as the main corridor for most of the professional office uses within Manchester:

- "Cedar Crest Professional Offices and the Irish Branch Professional Offices are located on Route 530 just west of Schoolhouse Road, while the Schoolhouse Road Professional Offices are located just south of the intersection of Route 530 and Schoolhouse Road. One other professional office complex is located in the Whiting area on Lake Road."

Route 530 is also identified in the 2011 Master Plan as being scheduled for improvements by Ocean County:

- "Route 530 is proposed to be widened in Manchester Township to four lanes to the Berkeley Township boundary."
- "The Ocean County Transportation Plan has proposed two bikeways in the western portion of the Township. One runs the length of Route 539 within the Township, with the second bikeway branching off at Route 530 and running south to Lacey Road, paralleling Route 614. These proposed bikeways are shown on the "Ocean County Transportation Plan".

The 2017 Master Plan Reexamination mentions the WTO-P zone in recommending building height changes:

"It is recommended that the maximum building height be increased to 3 stories and 40 feet in all HD, MF, B, LI, OP PB-1, POR-LI, WTB-1, WTO-P, and WTHD Zoning Districts."

## RELATIONSHIP TO OTHER PLANS

This section of the Redevelopment Plan reviews the relationship of the Redevelopment Plan to the plans of Ocean County, the Pinelands Commission, and the State of New Jersey. The Redevelopment Area is located several miles from the nearest neighboring municipality.



## OCEAN COUNTY MASTER PLAN

The Ocean County Master Plan does not specifically discuss the Redevelopment Area, but it does mention the importance of implementing renewable energy throughout the County:

- Continue to work with the County Planners Association, State agencies and applicable municipalities to encourage realistic planning initiatives that can be adopted and maintained.
- Encourage municipalities to grow in a fashion that is true to smart growth principals and Town Center design standards, allowing for a mix of land uses in a singular area to increase accessibility by all residents.
- Work with the Pinelands Commission and applicable towns to preserve and protect the important environs and species located in the Pinelands, while coordinating long range land use and growth management plans.
- Encourage Low Impact Design techniques to minimize the disturbance of natural areas and maximize the recharge of stormwater on-site.
- Encourage local agencies to create Streetscape Plans aimed at establishing or retaining streetscape and architectural styles.
- Continue County economic development efforts to reduce unemployment, connect residents to local year-round employment opportunities, and enhance the tax base by encouraging compatible industrial and commercial operations to locate or expand in Ocean County.

## PINELANDS COMPREHENSIVE MASTER PLAN

The Pinelands Comprehensive Management Plan (“CMP”, N.J.A.C. 7:50-1 et seq.), which was adopted pursuant to the Pinelands Protection Act (N.J.S.A. 13:18a-1 et. seq.) in 1980, and last updated in November 2018, serves to protect the region’s ecological, agricultural, and historic resources, and it outlines several regulations and standards relevant to Pinelands Towns and Villages<sup>1</sup>:

### SECTION 7:50-5.27 OF THE CMP

Minimum standards governing the distribution and intensity of development and land use in Pinelands Villages and Towns:

- a) Any use not otherwise limited pursuant to N.J.A.C. 7:50-6 may be authorized in a Pinelands Village or Town, provided that:
  1. Public service infrastructure necessary to support the use is available, or can be provided without any development in the Preservation Area District, Special Agricultural Production Area, or a Forest Area;
  2. The character and magnitude of the use is compatible with existing structures and uses in the Village or Town;
  3. Only the following waste management facilities shall be permitted in a Pinelands Village in accordance with N.J.A.C. 7:50-6, Part VII:
    - i. Transfer stations, collection facilities and recycling centers in accordance with N.J.A.C. 7:50-6.76(a);
    - ii. Petroleum waste collection and transfer facilities in accordance with N.J.A.C. 7:50-6.76(b);
    - iii. Household hazardous waste collection and transfer facilities in accordance with N.J.A.C. 7:50-6.76(c);

<sup>1</sup> Pinelands Comprehensive Management Plan, Updated 11/19/2018, <https://www.nj.gov/pinelands/cmp/CMP.pdf>



- iv. Recycling centers accessory to an existing lawful resource extraction operation or asphalt or concrete manufacturing facility in accordance with N.J.A.C. 7:50-6.76(d);
  - v. Composting facilities in accordance with N.J.A.C. 7:50-6.77(b); and
  - vi. Regulated medical waste facilities accessory to a generator of such waste in accordance with N.J.A.C. 7:50-6.78(b); and
4. No hazardous waste facility, landfill or incinerator shall be permitted in a Pinelands Town, except as expressly authorized in N.J.A.C. 7:50-6.75 or 6.78.
- b) No residential dwelling unit or nonresidential use shall be located on a parcel of less than one acre unless served by either:
1. A centralized waste water treatment plant; or
  2. A community on-site waste water treatment system serving two or more residential dwelling units which meets the standards of N.J.A.C. 7:50-6.84(a)5 or 10.21 through 10.23, provided that the overall residential density on the parcel does not exceed one dwelling unit per acre.
- c) Any local approval, including variances, which grants relief from density or lot area requirements for a residential or principal nonresidential use shall require that Pinelands Development Credits be used for all dwelling units or lots in excess of that otherwise permitted, unless a Waiver of Strict Compliance for the dwelling unit or lot has been approved by the Pinelands Commission pursuant to N.J.A.C. 7:50-4, Part V. The requirement for use of Pinelands Development Credits shall not apply to use variances which authorize development on lots which conform to the area requirements for principal uses normally permitted in the zone.

## *NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN*

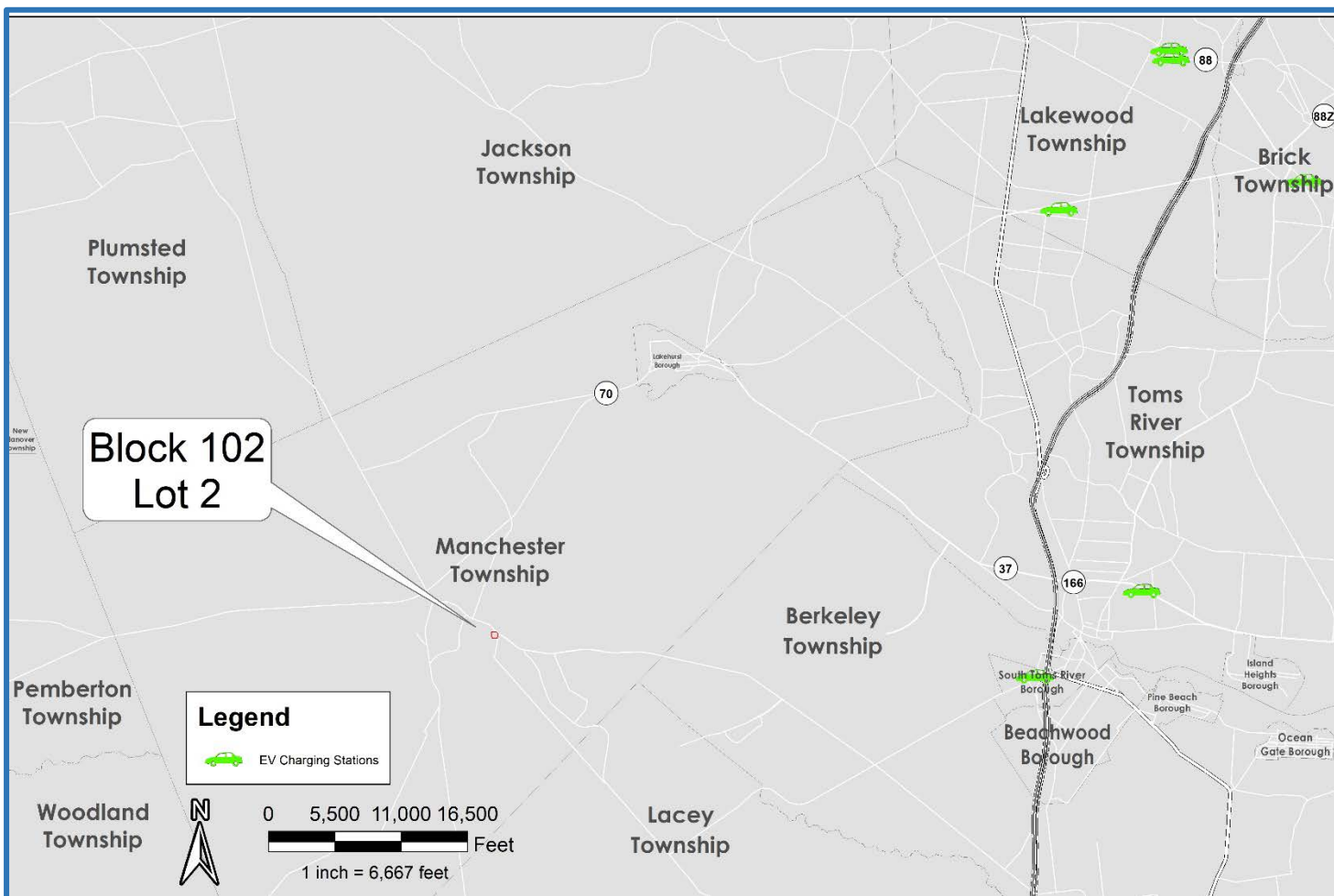
The 2001 State Development and Redevelopment Plan (“State Plan”) lists eight goals, derived from the State Planning Act, in which to coordinate public and private actions to guide future growth for New Jersey. Relevant goals furthered by this Redevelopment Plan include:

- **Goal 3:** Promote beneficial economic growth, development, and renewal for all residents of New Jersey.
- **Infrastructure Investments Policy 4:** Encourage development, redevelopment and economic growth in locations that are well suited with respect to present or anticipated public facilities and services and where infrastructure can be provided at private expense or with reasonable expenditure of public funds and in accordance with the provisions of the State Plan.
- **Infrastructure Investments Policy 18:** Make infrastructure investment decisions that shape growth, leverage and promote opportunities for economic development and redevelopment, and link places of residence with areas of employment opportunities.
- **Economic Development Policy 9:** Promote the retention and expansion of existing businesses, the expansion of businesses from other states or abroad, and the creation of new businesses by providing financial incentives, technical assistance, appropriate regulatory reform and information services and by ensuring that qualified workers are available in reasonable proximity to places of employment and by addressing such issues as, but not limited to, adequate public transportation, affordable housing, employee training and child care.
- **Economic Development Policy 12:** Provide financial and technical assistance for the redevelopment and adaptive reuse of obsolete or underutilized public and private facilities for appropriate economic development purposes.



## PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Section 7 of P.L.1992, c.79 (C.40A:12A-7) was amended on November 6, 2019 by the New Jersey Legislature requiring that redevelopment plans shall indicate the project area's relationship to the development of public electric vehicle charging infrastructure in appropriate locations. The plan shall also include proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network. The Essential Public Charging Network (EPCN), as noted by the nonprofit ChargeEVC, is a state initiative to jumpstart the electric vehicle (EV) charging station market by constructing a comprehensive network of charging stations throughout New Jersey. The effort is to address the concern of "Range Anxiety" for existing and potential EV drivers, of not having an adequate number of convenient charging stations available when and where needed by a driver. As shown on Map 3, the closest electric vehicle charging station to the Redevelopment Area is located at 379 Dover Road in South Toms River, roughly a 10-mile drive.



Map 3: Map of nearest EV Charging Stations



# REDEVELOPMENT PLAN

## LAND USE AND DEVELOPMENT REQUIREMENTS

The Redevelopment Area (Block 102, Lot 2) is in the WTO-P-Whiting Town Office—Professional Zone District. This Redevelopment Plan establishes the 2121 Lake Road Redevelopment Overlay District to encompass the entire Redevelopment Area. The 2121 Lake Road Redevelopment Overlay District shall act as overlay zoning for the entire Redevelopment Area. The underlying regulations of the WTO-P District shall remain in effect.

### 1. ZONING

#### PERMITTED PRINCIPAL USES

1. Mini warehouses and self-storage units (NAICS Code 531130) that provide indoor storage.
2. All other permitted WTO-P uses per Schedule G.
3. No more than one permitted principal use shall be permitted in the Redevelopment Area as per Section 245-32A(5) except Solar or Photovoltaic facilities or structures) may be used onsite in conjunction with another principal use.

#### PERMITTED ACCESSORY USES

1. Leasing offices associated with principal use.
2. Off-street parking associated with permitted principal uses.
3. Signage associated with permitted principal uses.
4. Solar or Photovoltaic facilities.
5. All other permitted WTO-P accessory uses.
6. Any other use that is deemed by the Planning Board to be customary, incidental, and accessory to the principal use or structures permitted herein.
7. Electric vehicle charging stations.
8. Outdoor storage of vehicles, including recreational vehicles (RVs), boats, trailers, cars, and other motor vehicles may be permitted as an accessory to a mini warehouse or self-storage facility. Outdoor storage of vehicles shall be limited to 20 percent of the building floor area of the mini warehouse and self-storage facility.
9. Accessory residential dwellings shall be prohibited.



LOT BUILDING AND INTENSITY REQUIREMENTS

Standard	Required
Minimum Lot Area	6 acres
Maximum Lot Coverage	65%
Minimum Lot Frontage	200 feet
Minimum Lot Width	200 feet
Minimum Improvable Area	18,750 sq. ft.
Front Setback	50 feet
Side Setback (each)	50 feet
Rear Setback	50 feet
Maximum Site Improvement Ratio	0.2
Maximum Building Coverage	20%
Maximum Building Height	30 feet
Maximum Building Height (Stories)	2
Minimum Floor Area per Building	2,000 sf.
Minimum Distance Between Buildings	25 feet
Parking Area to Lot Line*	
Parking Setback to ROW Line	20 feet
Parking to Rear Lot Line	25 feet
Parking to Side Lot Line	12.5 feet
<i>*The parking or storage of vehicles, materials, or equipment shall be prohibited in any buffer zone.</i>	

SIGN REGULATIONS

Signs shall comply with Section 245-27 for the underlying WTO-P zone, except for the following:

1. Ground Signs

- a. A total of two (2) ground signs are permitted within the 2121 Lake Road Redevelopment Overlay District, the combined area of which shall not exceed 60 sq. ft.
- b. The setback for all ground signs shall be at least 25 feet. However, the Planning Board may, without the need for a variance or design waiver, permit the required setback to be reduced to no less than 5 feet to accommodate stormwater detention facilities or other pertinent structures within the front yard, provided that such sign shall be at least 15 feet from the edge of pavement or curblin and shall not be located within the sight triangle.

2. Wall Signs

- a. A total of two (2) wall signs are permitted within the 2121 Lake Road Redevelopment Overlay District, the combined area of which shall not exceed 25 sq. ft.
- b. Wall signs shall only face the public street or driveway entrance.



### 3. Directional Signs

- a. Internal directional signage shall be permitted in accordance with Section 245-27.E(12)(k).

### OFF-STREET PARKING, LOADING AND CIRCULATION REQUIREMENTS

1. The number of off-street parking spaces for mini warehouses and self-storage units shall be 1 space per 7,500 square feet of floor area, all other uses shall be in accordance with Section 245-28B.
2. The number of truck standing spaces for mini warehouses and self-storage units shall be 1 space not less than 12 feet in width, 35 feet in length and a minimum vertical clearance of 14 feet.

### LANDSCAPING AND BUFFER REQUIREMENTS FOR NONRESIDENTIAL ZONES

1. When the occupied lot in the Redevelopment Area abuts a residential zone, a buffer area shall be provided, corresponding to building height. A buffer of 50 feet shall be provided for all buildings measuring 1 story in height. A buffer of 75 feet shall be provided for buildings measuring 2 stories in height, except a buffer of 50 feet is permitted to the JCP&L Right of Way. Natural existing buffer areas shall be sufficient if the existing vegetation is adequate in density and viability as determined by the Planning Board.
2. Motor vehicle screening and storage of 10 or more automobiles, truck or other motor vehicles and combinations thereof shall comply with Section 245-32 O.

### FENCES, WALL, SCREENING, HEDGES, TREES AND SIGHT TRIANGLES

1. Fences for mini warehouses and self-storage facilities shall not exceed six feet in height. Fencing shall not be located closer than the front building setback line but shall be permitted to enclose the entire facility area for security purposes.
2. Vegetative screening of mini warehouses shall be provided along the fence line for yard areas visible from a public street.
3. Outdoor storage shall be enclosed with a fence and screened from public view.

## **2. IMPROVEMENTS, REQUIREMENTS AND DESIGN STANDARDS**

### STREETS

Streets, Driveways and parking facilities shall comply with Section 245-81, except as modified below.

1. The outdoor storage of RV's, boats, trailers, cars and other motorized vehicles shall be prohibited in any required yard or buffer area.
2. The outdoor storage of RV's, boats, trailers, cars and other motorized vehicles shall be permitted only in areas that are surfaced and curbed in accordance with Section 245-81 N and O.
3. Outdoor vertical stacking of RV's, boats, trailers, cars and other motorized vehicles shall be prohibited.



## SITE PLAN AND SUBDIVISION DESIGN

Site plan and Subdivision Design shall comply with Section 245-82, to the extent not superseded by this Plan.

## ARCHITECTURAL AND BUILDING REQUIREMENTS

Architectural and building requirements shall comply with Section 245-82 C, except as supplemented below:

1. All ground-mounted and rooftop equipment shall be screened from view. This requirement shall not apply to materials related to rooftop solar or a vegetated green roof, which are permitted but not required.
2. Blank facades or walls exceeding 100 feet in length which do not contain any architectural features and are visible from a public right of way shall not be permitted. To mitigate the appearance and perception of a large monolithic building, developers shall consider, but are not limited to the following design elements: decorative patterns on exterior finishes, metal or synthetic paneling, fenestration, spandrel glass, horizontal banding, and vegetated “green” walls or espaliers, or a combination thereof.
3. Building articulation and fenestration shall be provided in the areas of the facility related to sales and office spaces. Such areas shall maximize natural lighting and incorporate the following:
  - a. Minimum area of window opening on facades of sales and office spaces: 40%.
  - b. Vertical and horizontal building offsets are encouraged.
  - c. Awnings and canopies are encouraged.

## ENVIRONMENTAL DESIGN REQUIREMENTS

The project shall comply with the requirements of the New Jersey Department of Environmental Protection, the New Jersey Pinelands Commission, and all other applicable regulatory agencies.

## CIRCULATION DESIGN REQUIREMENTS

1. Site circulation shall be designed to permit the convenient, safe, efficient and orderly movement of pedestrians and vehicles.
2. Minimum drive aisle widths of 18 feet for one way and 24 feet for two-way traffic are required.

## LANDSCAPING DESIGN REQUIREMENTS

Landscaping shall be in accordance with Section 245-82 F (1) and (2).

## STORMWATER MANAGEMENT

Stormwater management shall be in accordance with Section 245-84 and the Pinelands CMP.



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### STREETLIGHTING

Streetlighting shall be in accordance with Section 245-86, except as follows:

1. Buildings and areas may be illuminated; however, the actual source of illumination shall be shielded from public view so that no direct glare is visible from a public right-of-way or from adjacent properties.
2. Exterior lighting shall be dark-sky compliant.
3. Exterior LED light fixtures shall not exceed a color temperature rating of 3,000 Kelvin.

### SOLAR OR PHOTOVOLTAIC FACILITIES OR STRUCTURES

Solar or Photovoltaic facilities or structures shall be in accordance with Section 245-86.2.

### AFFORDABLE HOUSING DEVELOPMENT FEES

Affordable housing development fees shall be in accordance with Section 245-99.



# RELATIONSHIP TO THE ZONING ORDINANCE

## EFFECT OF PLAN

The 2121 Lake Road Redevelopment Plan shall serve to create an overlay zone to the existing zoning for the Redevelopment Plan area and the applicable provisions of Chapter 245 (Land Use and Development) of the Manchester Township Code.

## TERMS & DEFINITIONS

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the General Ordinances of the Township of Manchester.

## DESIGN AND PERFORMANCE STANDARDS

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the General Ordinances of the Township of Manchester.

## ZONING MAP REVISION

The Redevelopment Plan shall serve as an overlay zone to the parcel identified in this Redevelopment Plan for its existing zone and the applicable provisions of Chapter 245 (Land Use and Development) of the Manchester Township Code. As a result, the Official Zoning Map of Manchester Township is not required to be amended for the Redevelopment area.

## GENERAL PROVISIONS

### *RELOCATION*

A relocation plan is not applicable as there are no residential units or businesses currently located on the subject site. Therefore, no relocation assistance is necessitated by this Redevelopment Plan.

### *ACQUISITION*

The governing body adopted the Redevelopment Area as a Non-Condemnation Area in Need of Redevelopment, therefore, no private property is identified for acquisition.

### *VARIANCES AND WAIVERS FROM REDEVELOPMENT PLAN REQUIREMENTS*

Variation from one or more of the specific development requirements set forth in this Redevelopment Plan may be necessary in certain circumstances for the effective redevelopment of the Redevelopment Area or to meet state or federal permit



requirements. In such an instance, the Planning Board may consider variances or waivers for specific bulk or design requirements provided the designated redeveloper demonstrates that such variation is necessary for the feasibility of the project, will not substantially impair the intent of the Redevelopment Plan and will not present any detriment to the public health, safety and welfare. Use variances, as described in N.J.S.A. 40:55d-70 d will require an amendment to the Redevelopment Plan in accordance with the procedures set forth in the Local Redevelopment and Housing Law. Any such amendment shall be conditioned upon a finding that such deviation be would be consistent with and the furtherance of the goals and objectives of this Redevelopment Plan.

### ***AMENDMENTS TO THE REDEVELOPMENT PLAN***

This plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more Redevelopers and the Township, the provisions of the Redevelopment Plan amendment will be contingent upon the amendment of the Redevelopment Agreement to provide for the Plan amendment.

### ***REDEVELOPER SELECTION***

In order to assure that the vision of the Redevelopment Plan will be successfully implemented in an effective and timely manner and promptly achieve the public purpose goals of the Plan, the Mayor and Council, acting as the Redevelopment Entity, will designate the Redeveloper(s) for any redevelopment project in the area governed by this Redevelopment Plan. All Redevelopers will be required to execute a redevelopment agreement satisfactory to the Mayor and Council as one of the requirements to be designated as the Redeveloper(s).

### ***TAX ABATEMENT PROGRAM***

By designating this area as An Area in Need of Redevelopment, the Manchester Township Council is granted the authority to offer long-term (up to 30 years) tax exemptions or abatements as a financial incentive to encourage rehabilitation and/or redevelopment of the area, in accordance with N.J.S.A. 40A-20-1 et seq. Any tax abatement(s) for the rehabilitation and/or redevelopment of the area shall be addressed as part of the Redevelopers Agreement.

### ***REVIEW PROCEDURES***

1. The Mayor and Council, acting as the Redevelopment Entity, shall review all proposed redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant Redevelopment Agreement(s). Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board for site plan approval.
2. As part of its review, the Redevelopment Entity may require the Redeveloper(s) to submit proposed site plan applications to a subcommittee of the Redevelopment Entity prior to the submission of such applications to the Planning Board. Such Subcommittee may include members of the Redevelopment Entity and any other Township staff and/or professionals as determined necessary and appropriate by the Mayor and Council. Such Subcommittee shall make its recommendations to the full Redevelopment Entity for formal authorization to proceed to the Planning Board for development approval.
3. In undertaking its review, the Redevelopment Entity shall determine whether the proposal is consistent with this Redevelopment Plan and relevant Redevelopment Agreement(s). In addition, the review may address the site and



building design elements of the project to ensure that the project adequately addresses the goals and objectives of the Plan.

4. Following this determination, all development applications shall be submitted to the Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq.
5. The Planning Board shall deem any application for site plan approval subject to this Redevelopment Plan incomplete if the proposed project is required by this Redevelopment Plan to be addressed through a redevelopment agreement with a designated Redeveloper and the applicant has not been so designated by the Redevelopment Entity.

### *CERTIFICATES OF COMPLETION AND COMPLIANCE*

Upon the inspection and verification by the Redevelopment Entity that the redevelopment of a parcel subject to redevelopment and/or a redeveloper agreement has been completed, such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Council.

### *SEVERABILITY*

Any word, phrase, clause, section or provision of this plan, found by a court or other jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, section or provision shall be deemed severable and the remainder of the Redevelopment Plan shall remain in full force and effect.

# APPENDIX A

#20-061

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING LOT 2 IN BLOCK 102 OF THE TOWNSHIP OF MANCHESTER AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT, PURSUANT TO N.J.S.A. 40A-12A-1 ET SEQ.**

**WHEREAS**, the Township Council of the Township of Manchester adopted Resolution #19-374 on October 28, 2019, authorizing the Planning Board to undertake a preliminary investigation to determine whether the Block 102 Lot 2 qualifies as "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law; and,

**WHEREAS**, Block 102 Lot 2, as designated on the Township's tax map ("study area"), is located at 2121 Lake Road in the Whiting section of the Township of Manchester; and,

**WHEREAS**, to assist the Planning Board with its investigation, the Planning Board has directed the Township Planner, Daniel Bloch, PP, AICP, of Maser Consulting, P.A. to prepare and submit to the Board a map of the properties being studied and a preliminary report as to his findings; and,

**WHEREAS**, the Township Planner undertook an investigation of the lot in question and prepared a preliminary report and map as required by law, and filed same with the Township Clerk prior to the public hearing in this matter; and,

**WHEREAS**, the Planning Board gave notice of a public hearing to be held in the matter by publishing two Notices in the Asbury Park Press (once per week for two consecutive weeks) the last being at least 10 days prior to the hearing, and served a copy of the Notice on the owners of all lots in the study area and any other interested parties by certified mail at the address on file with the Township Tax Assessor; and,

**WHEREAS**, on January 6, 2020 the Planning Board held a public hearing to consider the preliminary report and map, and took testimony from Daniel Bloch, PP, AICP, of Maser Consulting, P.A. concerning his investigation, report and map; and,

**WHEREAS**, the Planning Board hearing was opened for public comment and the Board considered the testimony of all interested parties; and,

**WHEREAS**, the Planning Board agreed with the factual findings, reasoning and conclusions set forth in the report dated December 12, 2019 submitted by Daniel Bloch, PP, AICP and Nicholas Dickerson, PP, AICP, and found substantial evidence therein that Lot 2 in Block 102 meets the criteria set forth in N.J.S.A. 40A:12A-5(c), due to *inter alia*, its unimproved state for over 40 years, several failed attempts to sell the property, its limited access due to minimal frontage on Lacey Road and the raised median along Lake Road, debris scattered about the site that creates a social liability and attractive nuisance to the public, and its endangered species mapping constraints.

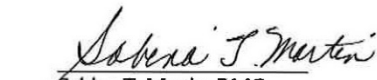
**WHEREAS**, the Planning Board memorialized a resolution on January 6, 2020, finding that Lot 2 in Block 102 is in need of redevelopment and recommended that the Township Council designate the area in need of redevelopment by resolution pursuant to Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et. seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey as follows:

1. The Township Council of the Township of Manchester hereby agrees with, adopts, and incorporates the findings of fact and conclusions of law of the Planning Board which are set forth in its resolution dated January 6, 2020, regarding the study area.
2. The Township Council of the Township of Manchester specifically agrees with the conclusion of the Board that Lot 2 in Block 102 meets the aforementioned criteria for a redevelopment area designation, and the Township Council of the Township of Manchester finds that such conclusion is supported by substantial credible evidence.
3. The Township Council of the Township of Manchester further agrees with the recommendation of the Board that Lot 2 in Block 102 be designated as a non-condemnation area in need of redevelopment.
4. Lot 2 in Block 102 in the Township of Manchester is hereby designated as a non-condemnation area in need of redevelopment, and that these properties are accordingly a Redevelopment Area.
5. The Township of Manchester shall not use the power of eminent domain in connection with any future redevelopment of the subject property, and any redevelopment plan prepared and adopted shall so provide.
6. The Township Council hereby authorizes a committee to be formed consisting of the Mayor, two members of the Township Council, three members of the Planning Board, and appropriate Township professionals to facilitate the preparation of a Redevelopment Plan for the subject property pursuant to the provisions of N.J.S.A. 40A: 12A-7, which shall be considered for approval by the Council.
7. This Resolution shall be transmitted to the Planning Board of the Township of Manchester, and shall take effect immediately.
8. This Resolution shall be transmitted by the Township Clerk to the Commissioner of the Department of Community Affairs pursuant to N.J.S.A. 40A:12A-6b(5)c.
9. The Township Clerk shall forward a certified copy of this Resolution to the following:
  - a. Manchester Township Zoning Officer
  - b. Manchester Township Planning Board
  - c. Gregory Hock, Esq. Planning Board Attorney
  - d. Township Clerk
  - e. Township Attorney

**CERTIFICATION**

I, Sabina T. Martin, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council on the 27<sup>th</sup> day of January 2020.

  
Sabina T. Martin, RMC  
Municipal Clerk