

AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE REDEVELOPMENT PLAN FOR BLOCK 62, LOTS 30 & 31.01

WHEREAS, the Governing Body of the Township of Manchester, County of Ocean, New Jersey ("Governing Body") has designated an area known as Block 62, Lots 30 and 31.01 on Township of Manchester Tax Maps including rights of way (the "Redevelopment Area"), as an area in need of redevelopment; and

WHEREAS, pursuant to Ordinance #23-35, the Governing Body adopted a redevelopment plan to provide specific provisions for the redevelopment of the Redevelopment Area; and

WHEREAS, following adoption, the Governing Body was advised by the Pinelands Commission that changes to the redevelopment plan are needed to address pinelands credits and rooftop solar projects; and

WHEREAS, the Township Engineer has revised the redevelopment plan to reflect these comments, and wishes to adopt said plan.

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

SECTION 1. Pursuant to the authority granted to the Governing Body by N.J.S.A. 40A:12A-7, the redevelopment plan, is on file at the Office of the Township Clerk and can be reviewed by the public during normal business hours.

SECTION 2. Pursuant to the provisions of N.J.S.A. 40A:12-7c, the redevelopment plan shall constitute an overlay zoning district within the redevelopment area. The official Township Zoning Map shall be amended to henceforth coincide with the redevelopment plan.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment. The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 2nd day of January 2024 at 6:00 pm. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 22nd day of January, 2024, at 6:00 pm or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.



Teri Giercyk, RMC/CMC
Municipal Clerk

Redevelopment Plan for Block 62, Lots 30 and 31.01

Township of Manchester, Ocean County, New Jersey



October 9, 2023 rev. December, 28 2023

Prepared by:

Morgan Engineering LLC

130 Central Avenue

Island Heights, NJ 08754

Project No. MTE23-031

The original of this report was signed and
sealed in accordance with N.J.S.A. 13:41-1.2



Mathew R. Wilder, P.E., P.P., C.F.M., C.M.E.

New Jersey Professional Planner License #63770

TABLE OF CONTENTS

I. INTRODUCTION	3
A. Purpose and Statutory Basis	3
II. DESCRIPTION OF THE REDEVELOPMENT AREA	4
III. EXISTING ZONING	8
A. Zoning	8
IV. REDEVELOPMENT PLAN GOALS AND OBJECTIVES	10
V. LAND USE AND DEVELOPMENT STANDARDS	11
A. Proposed Permitted Principal Uses	14
B. Proposed Permitted Conditional Uses	14
C. Proposed Permitted Accessory Uses and Structures	15
D. Bulk Requirements	15
E. Parking Requirements	16
F. Site Design Standards	18
G. Technical Subdivision	22
H. Pinelands Development Standards	23
VI. CONSISTENCY WITH LOCAL, REGIONAL, AND STATEWIDE PLANNING POLICIES	24
A. Township of Manchester Master Plan	24
B. Master Plans of Contiguous Municipalities	24
C. Ocean County Master Plan	25
D. State Development and Redevelopment Plan	26
VII. REDEVELOPMENT ACTIONS	27
A. Redevelopment Agreement	27
B. Relocation	27
C. Property Acquisition	27
D. Non-Residential Development Fee	27
VIII. GENERAL PROVISIONS	28
A. Amendment to the Township Zoning Map	28
B. Definitions and Terminology	28
C. Subdivision and Site Plan Review	28
D. Deviations	29
E. Non-Discrimination Provisions	29
F. Completion of the Plan	29
G. Severability	29
H. Procedures for Amending the Plan	30

I. INTRODUCTION

A. Purpose and Statutory Basis

This Redevelopment Plan has been prepared for an area in need of redevelopment ("Redevelopment Area") consisting of Block 62, Lots 30 and 31.01 within the Township of Manchester ("Township").

CME Associates prepared a report titled "Area in Need of Redevelopment Investigation, Block 62, Lots 30 and 31.01, Township of Manchester, Ocean County, NJ," in accordance with the criteria specified in the Local Redevelopment and Housing Law (LRHL), to determine whether the subject property could be deemed a non-condemnation area in need of redevelopment. The Township Planning Board held a public hearing and recommended designation of the subject property as a non-condemnation redevelopment area pursuant to the LRHL on August 15, 2022. Based on the Planning Board's findings, the Township Council adopted a resolution to designate the area as a non-condemnation redevelopment area.

This Redevelopment Plan has been prepared pursuant to the LRHL at N.J.S.A. 40A:12A-7, which provides that "no redevelopment projects 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 in an area in need of redevelopment or an area in need of rehabilitation, or in both, as appropriate." This document constitutes the Redevelopment Plan for the Redevelopment Area comprising Block 62, Lots 30 and 31.01.

A Redevelopment Plan is required to be adopted by ordinance by the Township Council before any redevelopment or site improvements are initiated. Under N.J.S.A. 40A:12A-7a, a Redevelopment Plan is required to address the following:

1. *The plan relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.*

See following sections of this plan, specifically Section III. EXISTING ZONING, Section V. LAND USE AND DEVELOPMENT STANDARDS, and SECTION VI. CONSISTENCY WITH LOCAL, REGIONAL, AND STATEWIDE PLANNING POLICIES.

2. *Proposed land uses and building requirements in the project area.*

See following sections of this plan, specifically Section V. LAND USE AND DEVELOPMENT STANDARDS

3. *Adequate provisions for temporary and permanent relocation, as necessary, of residents in the project area.*

No relocation is necessary as the land is vacant. Further the existing road is being maintained subject to being realigned consistent with environmental constraints as identified by the NJ Pinelands Commission as discussed further in Section V. LAND USE AND DEVELOPMENT STANDARDS.

4. *Identification of any property within the Redevelopment Area which is proposed to be acquired.*

No property is proposed to be acquired.

5. *The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.*

See following sections of this plan, specifically Section VI. CONSISTENCY WITH LOCAL, REGIONAL, AND STATEWIDE PLANNING POLICIES.

6. *Pursuant to N.J.S.A. 40A:12A-7c, the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations.*

See following sections of this plan, specifically Section VIII. GENERAL PROVISIONS.

II. DESCRIPTION OF THE REDEVELOPMENT AREA

The Redevelopment Area consists of two parcels designated as Block 62, Lots 30 and 31.01, which forms an approximately 224-acre tract located at the boundary between Manchester Township and Jackson Township. Stavola Companies, the property owner, acquired the site in the late 1970s and intermittently mined the site for sand and gravel until the mid-1990s. At that point, mining activities ceased, and the property has remained underutilized and vacant since. **Figure 1** is a google map view of the subject property. A survey of the Redevelopment Area is included as **Figure 2** and an aerial photograph depicting the subject property is shown in **Figure 3**.

The Redevelopment Area is vacant and partially vegetated with the exception of trails and sand banks remaining from its prior mining use. In addition, a two-lane privately-owned roadway known as Freemont Avenue is located within the northerly portion of the Redevelopment Area. An age-restricted residential community to the southeast of the Redevelopment Area has easement rights to utilize Freemont Avenue as a secondary access road from dawn to dusk. Per a Maintenance and Indemnification Agreement executed in March 2014, Manchester Township is responsible for providing snow removal and light maintenance on Freemont Avenue.

As illustrated in **Figure 4**, there are several environmentally sensitive areas within the Redevelopment Area, including a wetland transition area associated with the Cabin Branch Tributary along the southerly boundary. The presence of critical habitat for threatened and endangered species is also known to exist in the northern portions of the Redevelopment Area. This area will require the creation of a Conservation Area, which is described in greater detail in Section V. LAND USE AND DEVELOPMENT STANDARDS.

The Redevelopment Area is bordered by the New Jersey Southern Branch Consolidated Rail tracks to the southeast, and to the southwest by an unnamed tributary to the Ridgeway Branch of the Toms River. The parcel to the northeast across Freemont Avenue is preserved open space owned by Ocean County. A recycling center and asphalt plant is located to the northwest across Freemont Avenue and an asphalt plant is located to the west. The Renaissance Village age-restricted residential community is located to the southeast of the rail tracks.



Figure 1: Key Map from Google Maps

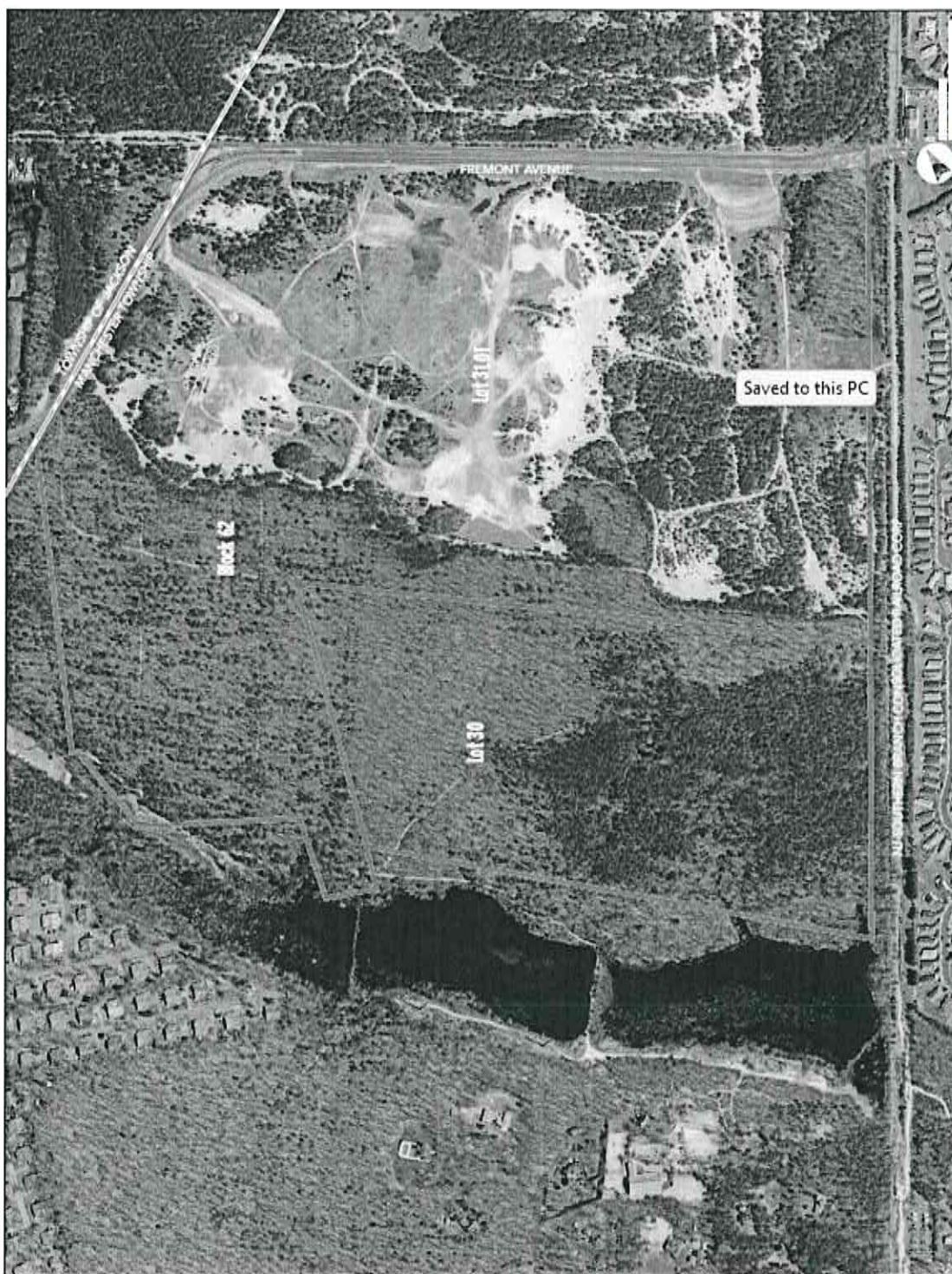
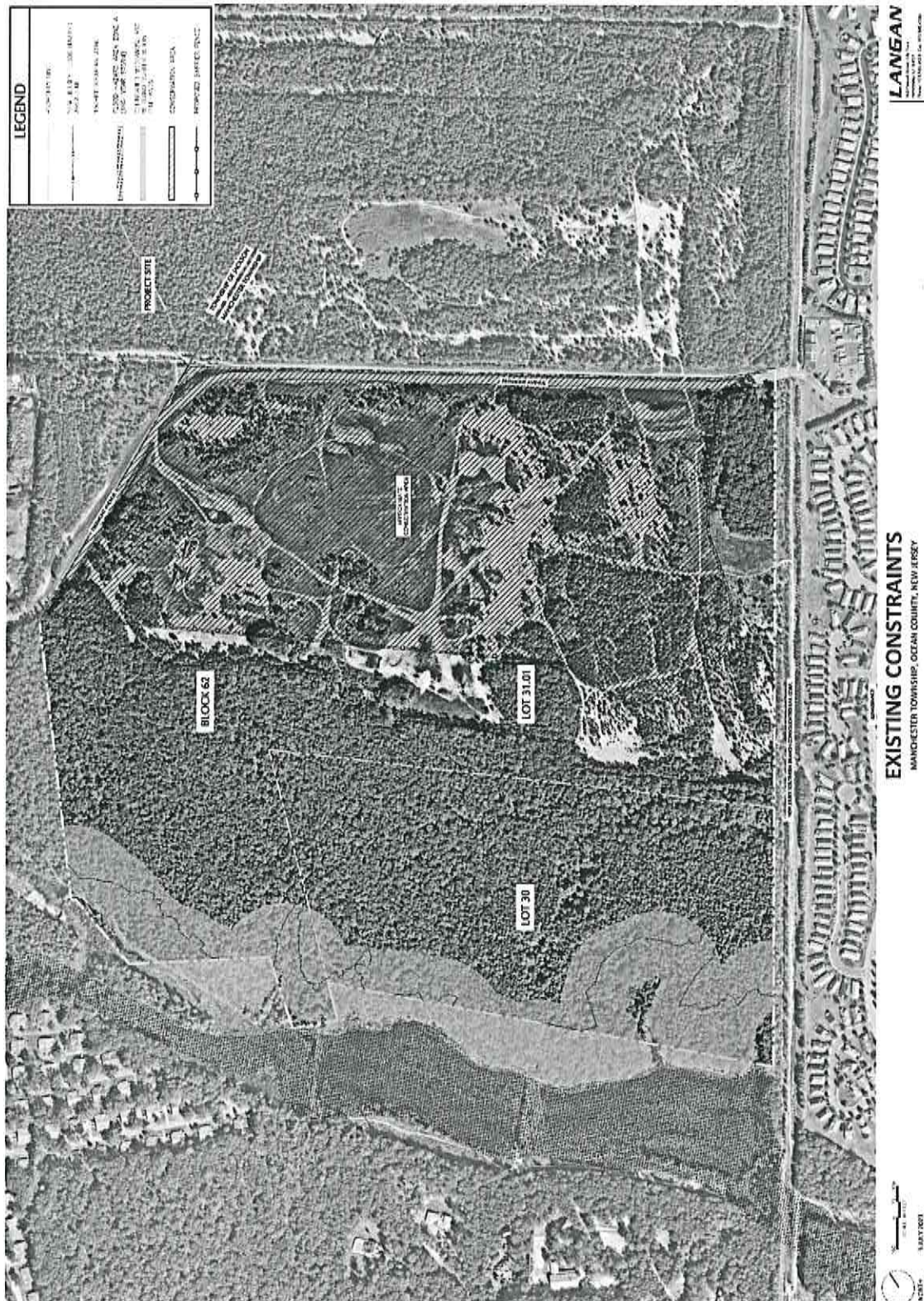


Figure 4: Environmental Constraints



III. EXISTING ZONING

A. Zoning

The Redevelopment Area is designated within the PED-1 Planned Environmental District -1 zoning district (see **Figure 5**). The purpose of the Pinelands Environmental Development District is to permit low-density residential development with a development option for a planned retirement community that requires development to be located outside of environmentally sensitive lands, particularly those that are identified as habitat areas for threatened and/or endangered species to designated development “receiving areas.” The PED-1 Zone permits single-family detached housing units on one-acre lots. The Pinelands Environmental Development District [§254-33.V(2)(d) of the Township Code] permits development at a higher density for planned retirement communities, provided that all development is clustered within the PED-1 Zone and limited to a maximum of 385 units on the property, inclusive of 350 single-family detached age-restricted units and 35 age-restricted affordable units on-site. Additionally, as part of an affordable housing builder’s remedy litigation instituted in 2000 and ultimately settled in 2004, of those 35 affordable units, the developer has the option to provide 17 units on-site plus 18 units off-site via an in-lieu contribution.

An additional 250 planned retirement community housing units from designated sending areas within the Jackson Township PED Zone are also permitted to be developed within the PED-1 Zone in Manchester Township, provided that the lands in Jackson Township from which the housing units are transferred are deed restricted in accordance with Pinelands Commission regulations for intermunicipal development transfers. Because the Subject Property is located within the Pinelands Regional Growth Area, it is also subject to applicable standards set forth in the Pinelands Comprehensive Management Plan.

Figure 5: Zoning Map



IV. REDEVELOPMENT PLAN GOALS AND OBJECTIVES

The specific goals and objectives of this Redevelopment Plan are as follows:

- To make productive use of a vacant and underutilized former mining site.
- To increase and diversify the Township's tax base with private non-residential development.
- To protect and conserve sensitive environmental areas.
- To take advantage of the tract's accessibility to U.S. Route 9, State Routes 37 & 70 and the Garden State Parkway.
- To encourage development of warehouse uses, for which there is a high regional demand.
- To design a non-residential development that has minimal impacts on residential and environmental areas.

The land use plan outlined in the following section is intended to implement the above goals and objectives.

V. LAND USE AND DEVELOPMENT STANDARDS

Pursuant to N.J.S.A. 40A:12A-7(c), this Redevelopment Plan shall constitute an optional overlay zoning district within the Redevelopment Area. The current PED-1 zone shall remain in full force and effect. For any project pursuant to this Redevelopment Plan, the requirements set forth herein shall supersede the Township's Land Use and Development Ordinance, except where specific provisions of the Land Use and Development Ordinance are expressly indicated as being applicable.

Figure 6 provides an illustrative concept plan for the Redevelopment Area. The known presence of critical habitat for threatened and endangered species within the redevelopment area will require the establishment of a Conservation Area within the redevelopment area. Prior to any development commencing under this Redevelopment Plan, a Conservation Area shall be permanently protected through recordation of a deed of conservation restriction to the satisfaction of the Pinelands Commission in accordance with the environmental standards of the Pinelands CMP. No development shall be permitted within the Conservation Area. Figure 6 contains a conceptual depiction of an approximately 80-90 acre Conservation Area, the exact limits of which will be established during review by the Pinelands Commission and Manchester Township Planning Board of a site plan application filed pursuant to this Redevelopment Plan.¹ The existing paved cartway of Freemont Avenue shall be removed, although existing utility poles and new unsurfaced access roadway adjacent to the existing utility poles along the existing alignment of and within the current road bed of Freemont Avenue will be preserved, and new Freemont Avenue improvements shall be constructed in the general alignment shown in Figure 6 (see detailed requirements in Section G.3 of this chapter). The balance of the Redevelopment Area shall be developed as a multi-building industrial park in accordance with the land use and development standards set forth herein and as conceptually shown in Figure 6. The overall design and layout of the industrial park, including but not limited to building dimensions, driveway locations, circulation aisles, parking configuration, loading areas, stormwater management areas, and utility configuration, may vary from Figure 6 as permitted under the requirements of this Redevelopment Plan. As set forth in Section VIII.C, the Redeveloper shall be permitted to obtain preliminary and final site plan approval for more than one potential site layout. For illustrative purposes and not as a limitation, Figure 7 depicts several alternative building prototypes that would remain compliant with the requirements of the Redevelopment Plan.

¹

The conceptual Conservation Area provided in Figure 6 aligns with a Proposed Conservation Area Plan submitted by the prospective redeveloper to the New Jersey Pinelands Commission in February 2023. The Conservation Area Plan depicted the conceptual realignment of Freemont Avenue, the removal of the existing paved cartway of Freemont Avenue and the establishment of an 88 +/- acre Conservation Area. In a letter to the prospective redeveloper, dated May 1, 2023, Pinelands Commission Staff found that, based upon currently available information, the proposed development would be consistent with threatened and endangered species protection standards of the Pinelands CMP, provided that the development is limited to approximately 100 acre "development area" and outside of the both the proposed 88 +/- acre conservation area and the required 300 foot buffer to wetlands.

Figure 6 – Illustrative Concept Plan

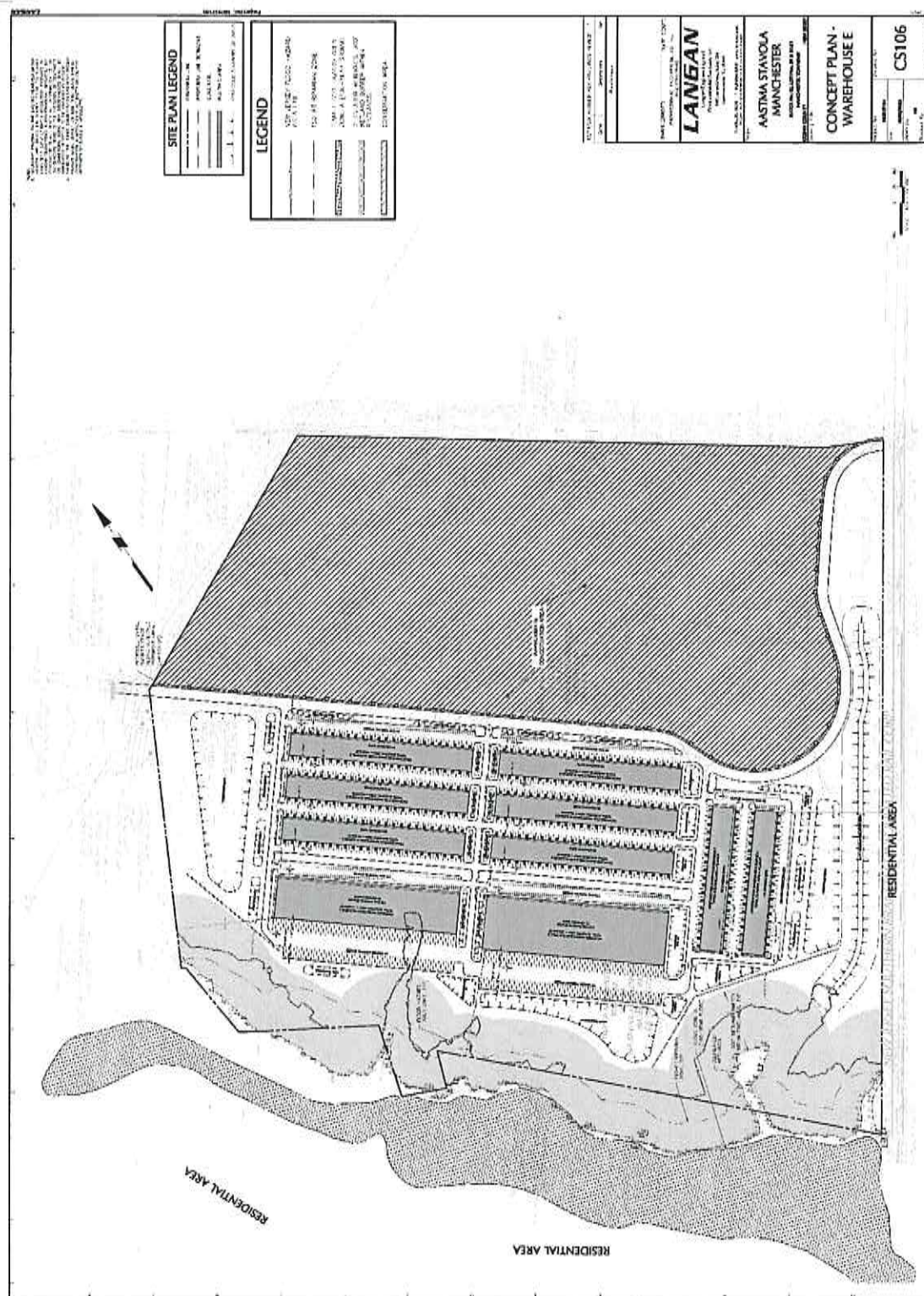
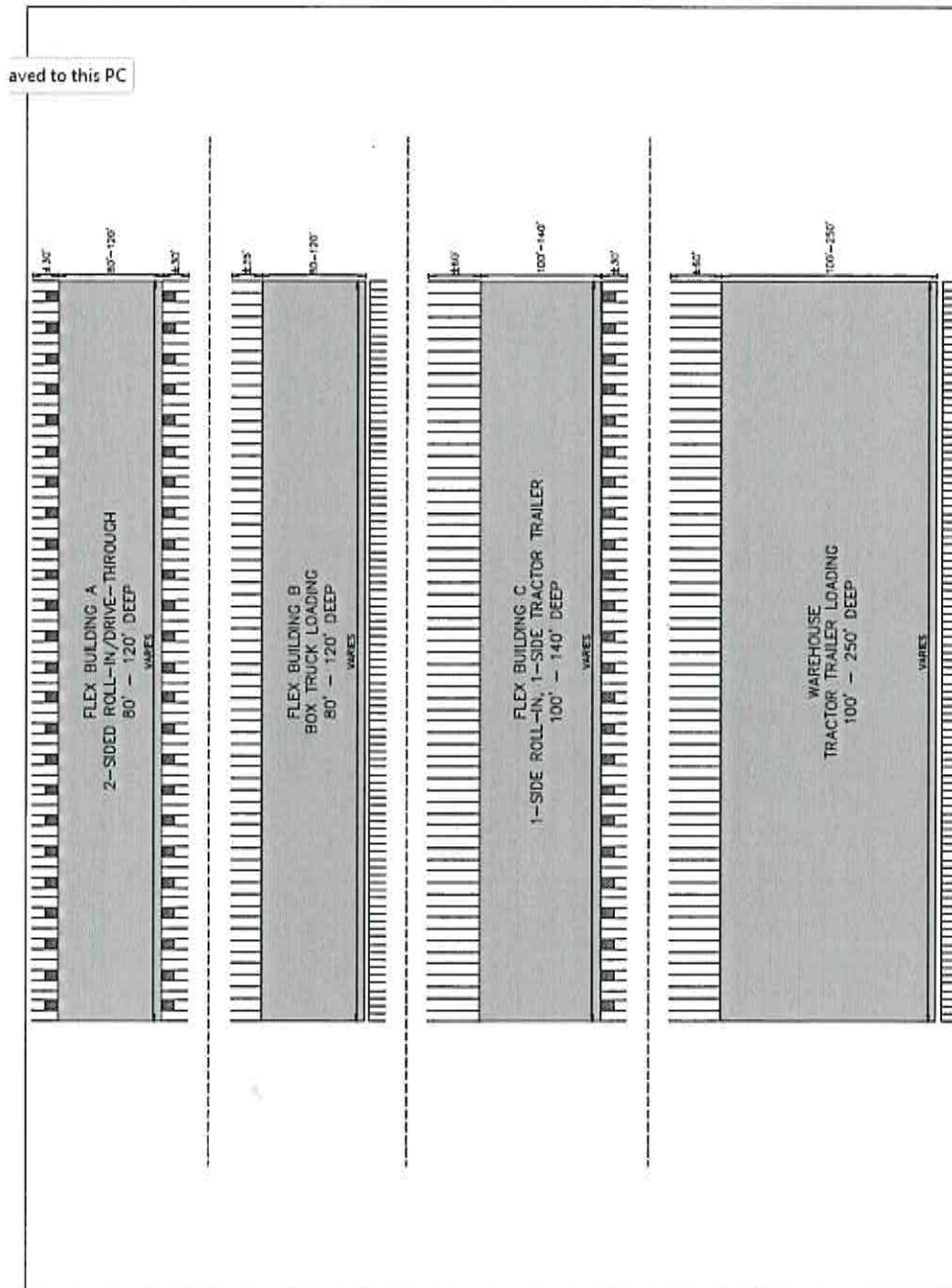


Figure 7



A. Proposed Permitted Principal Uses

1. Light industrial uses
 - a. Light manufacturing
 - b. Fabrication
 - c. Assembly
2. Warehouses²
3. Distribution centers³
4. Wholesaling⁴
5. Flex space⁵
6. Indoor recreation
7. Scientific or research facilities
8. Business or professional offices, including for contractors/tradespeople
9. Indoor agriculture

B. Proposed Permitted Conditional Uses

1. Online commerce businesses with both order fulfillment and direct-to-consumer retail sales operations, which may include areas for storage, package preparation, customer pick-ups and staging for deliveries, subject to the following conditional use standards:
 - a. The total gross floor area of such use shall not exceed 75,000 square feet.
 - b. The direct-to-consumer customer delivery and pick-up component is accessory to the principal use and shall not exceed 25% of total gross floor area.
2. Outdoor recreation, subject to the following conditional use standards:
 - a. The area associated with the use shall not exceed 4 acres.
 - b. The use is limited to recreation associated with the adjacent Renaissance residential community.
 - c. The perimeter setback from relocated Freemont Avenue right-of-way and all other property lines shall be 10 feet.

² Defined as a building used primarily for the storage of goods and materials, including cold storage.

³ Defined as an establishment engaged in receipt, storage and distribution of goods, cargo and materials.

⁴ Defined as establishments or places of business primarily engaged in selling merchandise to other businesses, including retailers; industrial, commercial, or professional business users; and other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. Wholesaling shall not include any direct-to-consumer retail sales.

⁵ Flex space, any combination of any permitted uses housed in an enclosed building or buildings, utilizing such common facilities such as parking, pedestrian walkways, shared truck courts and circulation, utilities, and sanitary facilities, having a combined minimum floor area of 100,000 square feet. Any combination of the above permitted uses.

C. Proposed Permitted Accessory Uses and Structures

1. Off-street parking and loading
2. Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces
3. Outdoor Tractor trailer parking and storage
4. Fences and walls, including retaining walls and sound walls
5. Retail space accessory to warehouse and distribution facilities, not to exceed 5,000 square feet per tenant
6. Gate house or security guard house
7. Roof-mounted wind, solar, and photovoltaic energy facilities
8. Mechanical equipment
9. Fire protection and potable water wells and supply storage tanks
10. Stormwater best management practices
11. Sewage treatment facilities
12. Bulk storage of non-hazardous materials
13. Restaurant, cafeteria, or luncheonette for the exclusive use of employees, permitted only as an accessory use and within the same principal building as a principal permitted use
14. Trash and/or recycling enclosures
15. Signage
16. Any other use which is subordinate to, and customarily incidental to a permitted principal use.

D. Bulk Requirements

Bulk requirements for principal buildings within the Redevelopment Area shall be as set forth the following table. These requirements shall be calculated based on the developable area remaining after deed restriction and/or dedication of the a Conservation Area as described above and dedication of Freemont Avenue.

Standard	Requirement
Min. Building Setback	
Con Rail right-of-way property line	300 feet
Relocated Freemont Avenue right-of-way	50 feet
All other perimeter boundaries of the Redevelopment Area	100 feet
Min. Distance Between Principal Buildings	70 feet

Max. Building Height ⁶	60 feet
Max. Building Coverage	25%
Max. Impervious Coverage	60%
Max. Gross Floor Area	1,200,000 square feet ⁷

Bulk requirements for accessory buildings and structures within the Redevelopment Area shall be as set forth in the following table.

Standard	Requirement
Max. Accessory Building Height	40 feet
Max. Water Tank Height	50 feet ⁸
Min. Setback	50 feet ⁹

E. Parking Requirements

Principal permitted uses within the Redevelopment Area shall meet the minimum off-street parking requirements set forth in the following table.

Use	Parking Requirement (spaces/gross floor area)
Warehouse/wholesale/distribution facilities	1 space per 5,000 square feet
Scientific or research facilities	4 spaces per 1,000 square feet
Light industrial	3 spaces per 1,000 square feet
Indoor agriculture	1 space per 5,000 square feet
Indoor recreation	1 space per 1,000 square feet
Offices	4 spaces per 1,000 square feet

⁶ Building height shall mean the vertical distance measured between the first floor elevation and the highest point of the building roof (excluding parapets, bulkheads, mechanical equipment, solar panels, access and utility penthouses and other similar appurtenances).

⁷ Shall not include mezzanine floor area, which shall not exceed 15% of the GFA in any building.

⁸ The maximum height of 50 feet for a water tank may be exceeded and waived by the Planning Board if it is demonstrated that additional height is necessary to establish the required water pressure.

⁹ The minimum setback shall not apply to site improvements that are not buildings, such as retaining walls, fences, sound walls, driveways, curbing, light poles, hot boxes and similar features.

Online commerce	4 spaces per 1,000 square feet
Flex space	1 space per 1,000 square feet
Outdoor recreation	As determined by the Planning Board

Where any calculation results in a fraction of a space, the required amount of off-street parking shall be rounded up to the nearest whole number. All projects shall comply with State law P.L. 2021, c. 171 (C.40:55D-66.18 through C.40:55D-66.20) regarding electric vehicle/service equipment (EVSE) and Make-Ready parking spaces, as applicable.

The redeveloper may request to land bank up to 30% of the total required parking spaces subject to the review and approval of the Planning Board.

Tractor trailer parking spaces for warehouse/storage or distribution facilities shall be limited to no more than two (2) trailer parking spaces per loading bay. There are no other limitations on the amount of vehicular parking spaces allowed within the Redevelopment Area and the Redeveloper retains the right to provide more parking than the minimum prescribed.

F. Site Design Standards

1. Landscaping and Buffers

- a) A landscaped buffer shall be required between the property line adjacent to the Con Rail ROW and any proposed structural improvements, including but not limited to curbing, paving and/or buildings.
 - i. For the southwestern developable area outside of the Conservation Area, for the area between said developable area and perpendicular to the Con Rail ROW, the buffer shall include a landscaped berm with a total width of at least 175 feet and a height of 25 feet.
 - ii. For the Conservation Area and relocated Freemont Avenue, for the area between said areas and perpendicular to the Con Rail ROW, the buffer shall include a landscaped berm with a total width of 125 feet and a height of 20 feet.
 - iii. In areas where outdoor recreation is provided along the Con Rail ROW, there shall be no requirement for buffer width and/or berm height.
 - iv. Landscaping within the required buffer area shall be composed of a mixture of deciduous and evergreen trees, shrubs, grasses and other plantings so as to provide a continuous, year-round buffer to mitigate impacts to adjacent properties.
 - v. Drip irrigation and similar types of treated wastewater disposal shall be permitted within the required landscape buffer.
 - vi. Landscaping shall be native and comply with the Pinelands Comprehensive Management Plan.
- b) A minimum of 1 tree for every 25 parking spaces shall be provided either in a landscaped island in the parking area, or within 10 feet of the perimeter of the parking area.

2. Lighting

- a) All parking areas, driveways, loading areas, and walkways shall be illuminated for safety and security purposes. Lighting shall be designed to provide for security and safety, while minimizing and impacts on adjacent properties.
- b) All proposed light fixtures shall be LED.
- c) All freestanding light fixtures shall have a maximum height of 30 feet.
- d) All building mounted lights shall have a maximum mounting height of 25 feet above first floor elevation.

- e) All light fixtures shall be arranged so that lights are directed vertically down or inwards towards the site, with recessed light source and shielded to prevent light spillage onto adjacent properties, except that light spillage shall be permitted onto relocated Freemont Avenue.
- f) All lights shall be directed down to prevent excess light pollution.
- g) All parking areas, loading areas, or pedestrian walkways shall have a minimum level of illumination of 0.2 footcandles, and an average minimum of 0.5 footcandles throughout.
- h) The average minimum lighting can be provided by motion activated lights.
- i) A maximum of 0.1 footcandles of illumination shall be permitted along any tract boundary line, except for along the relocated Freemont Avenue frontage.
- j) Lighting color temperature shall be limited to a maximum of 3,000 Kelvin.
- k) All lights shall be dark sky compliant.

3. Freemont Avenue Improvements

- a) The portion of the Freemont Avenue which is currently located within a 50-foot-wide roadway easement on Block 62, Lot 31.01 in Manchester Township shall be eliminated and incorporated into the required Conservation Area as depicted in Figure 6, subject to allowing existing utilities and maintenance access to same to remain.
- b) A new Freemont Avenue shall be constructed in the general alignment shown in Figure 6.
- c) The new Freemont Avenue shall be a 50-foot-wide right-of-way dedicated to Manchester Township.
- d) Lighting shall be installed to adequately illuminate the roadway.
- e) Curve signage shall be installed.
- f) Drainage, stormwater management facilities and other utilities shall be provided and include an easement to the Township of Manchester.
- g) All improvements to Freemont Avenue shall be subject to the review and approval of the Township Engineer.

4. Access, Circulation and Parking

- a) Tractor-trailer vehicle ingress and egress to the Redevelopment Area and relocated Freemont Avenue shall be limited to the intersection of Freemont Avenue and South Hope Chapel Road located in Jackson Township. No trucks shall be permitted to access the Redevelopment Area or relocated Freemont Avenue via the private roadway network of Renaissance Village.
- b) All parking areas, driveways and circulation areas shall be paved and curbed.
- c) Parking areas shall be setback a minimum of 50 feet from the perimeter boundaries of the Redevelopment Area and 10 feet from the relocated Freemont Avenue right-of-way.
- d) Parking stalls for standard vehicles shall have minimum dimensions of 9 feet in width by 18 feet in length.
- e) Parking stalls for tractor trailers shall have minimum dimensions of 12 feet in width by 55 feet in length.
- f) Internal circulation driveways shall have the following minimum widths:
 - i. One-way circulation – 12 feet
 - ii. Two-way circulation – 24 feet

5. Loading

- a) Warehouse and distribution facilities shall be required to provide at minimum one loading space with a minimum dimension of 12 feet by 60 for tractor trailer loading and 12 feet by 35 feet for all other loading for each 20,000 square feet or part thereof.
- b) For buildings located within 500 feet of the Con Rail right-of-way, building elevations with tractor trailer loading docks shall not be permitted to face the Renaissance Village development. This does not apply to any loading spaces designed to accommodate single unit trucks, box trucks and vans.

6. Hours of Operation

- a) There shall be no limitations on the hours of operation of any use permitted within the Redevelopment Area.

7. Noise Mitigation

- a) The Redevelopment Area shall be subject to the provisions of N.J.A.C. 7:29 Noise Control, which shall supersede Chapter 275 of the Township Code.
- b) Sound wall(s) shall be installed within the Redevelopment Area as needed in order to meet the provisions of N.J.A.C. 7:29 Noise Control relative to the adjacent residential areas to the south and west of the site.

- c) Sound walls shall not exceed a height of 30 feet from the adjacent grade.

8. Fences and Walls

- a) Fences and walls (excluding sound walls and retaining walls) shall not exceed a height of 10 feet as measured from adjacent grade.
- b) Chain link fences shall be screened, or vinyl clad in any area that will be visible from a public right-of-way to reduce visual impact.
- c) Barbed wire or razor wire on fencing shall not be permitted.

9. Stormwater Management

- a) All development within the Redevelopment Area shall be subject to Section 245-84 (Stormwater management in areas within Pinelands Management Area) of the Township Code.

10. Signs

- a) Three monument style signs may be permitted along the new Freemont Avenue.
 - i. The monument signs shall not interfere with any necessary sight triangle at the driveway intersection as defined by AASHTO.
 - ii. The maximum height of a monument sign shall be 10 feet, inclusive of any base structure.
- b) Monument signs shall be composed of a brick or stone base at least 18 inches in height and surrounded by decorative landscaping.
- c) Monument signs are permitted to be one or two-sided. The maximum sign area of each monument sign shall be 80 square feet per side.
- d) A maximum of one wall sign per façade per tenant space is permitted on each principal building or structure.
 - i. Wall signs shall have a total maximum signage area of 5 percent of the area of the building façade dedicated to the tenant to which they are affixed, except that a maximum of 25 square feet of area per sign shall be permitted.
 - ii. Building or wall signs shall have a maximum mounting height of 50 feet.

- e) A maximum of two building identification signs per façade are permitted on each principal building or structure. A maximum of 20 square feet of area per building identification sign shall be permitted.
- f) A maximum of one common industrial park building sign per façade is permitted on each principal building or structure. A maximum of 50 square feet of area per common industrial parking building sign shall be permitted.
- g) Building-mounted projection signs may project no more than 36 inches from the face of any building.
- h) Signs may be illuminated; however, the actual source of illumination shall be shielded from public view, with the exception of neon signs, which are prohibited.
- i) Directional or wayfinding signage may be provided throughout the site as needed to direct traffic to appropriate tenant spaces, parking or loading areas.
 - i. Directional signage shall have a maximum sign area of 8 square feet, and a maximum height of 4 feet.

11. Rooftop ready solar for buildings over 100,000 s.f.

- a. All buildings of 100,000 square feet or more shall be designed and constructed to support rooftop solar installation in accordance with P.L.2021, c.290.

G. Technical Subdivision

A project to be developed pursuant to this Redevelopment Plan may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore, a technical subdivision for such a project may be required for marketing or financing purposes. An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required subject to the following:

1. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
2. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.
3. A technical subdivision must not reduce, limit or modify parking or access to parking.
4. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, signage, stormwater management and/or utilities where necessary.

H. Pinelands Development Standards

All development within the redevelopment area shall be consistent with the minimum environmental standards of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-1.1 et seq).

In accordance with the Pinelands Comprehensive Management Plan, the acquisition and redemption of PDCs shall be required as part of any non-residential development permitted under the Provisions of the Redevelopment Plan for Block 62, Lots 30 and 30.01, in accordance with the following:

1. PDCs shall be acquired and redeemed at a rate of one quarter (1/4) PDC for every 11,500 square feet of gross floor area, excluding mezzanine areas, within principal use and conditional use buildings, except for buildings associated with a conditionally permitted outdoor recreation use.
 - a. Where any calculation of gross floor area is not evenly divisible by the 11,500 square feet of gross floor area, the PDC requirement shall be rounded up to the nearest quarter (1/4) PDC.
 - b. If the proposed gross floor area of the development is less than the 11,500 square feet of gross floor, then one quarter (1/4) PDC shall be required.
2. PDCs shall be acquired and redeemed at a rate of one quarter (1/4) PDC for every 1.34 acres conditionally permitted for outdoor recreation use.
 - a. Where any calculation of acreage is not evenly divisible by 1.34 acres, the PDC requirement shall be rounded up to the nearest quarter (1/4) PDC.
 - b. If the proposed acreage is less than 1.34 acres, then one quarter (1/4) PDC shall be required.

VI. CONSISTENCY WITH LOCAL, REGIONAL, AND STATEWIDE PLANNING POLICIES

A. Township of Manchester Master Plan

The Redevelopment Area is located in the PED-1 Pinelands Environmental Development-1 zone, which the 2011 Master Plan notes was created in 2006 in accordance with "A Regional Natural Resource Protection Plan for the Toms River Corridor for Jackson and Manchester Townships, Ocean County New Jersey" prepared by and endorsed by the Pinelands Commission on March 12, 2004. The Master Plan referred to a Pinelands Commission identification of critical habitat areas for threatened and endangered species in Manchester and Jackson Townships. The Master Plan further proposed an inter-municipal cluster development that would preserve threatened and endangered species habitat along the Toms River in the two Townships by clustering permitted development within Manchester Township along the Cabin Branch or southern portion of the PED area in Manchester. The southern portion was designated as PED-1 to provide for development of the site with single family homes on one-acre lots. The 2017 Master Plan Reexamination continued to retain the PED-1 designation for the Redevelopment Area.

The Redevelopment Area was part of an affordable housing builder's remedy litigation instituted in 2000 and ultimately settled in 2004 as part of the Township's Second Round affordable housing compliance plan. The settlement contemplated an inclusionary residential development with 17 affordable housing units. The Court obligated the Township to continue negotiating with the owner of the Redevelopment Area, Stavola Materials, Inc., with respect to the tract's future development, pursuant to the Township of Manchester's settlement agreement with Fair Share Housing Center dated February 7, 2017 and the Judgement of Compliance and Repose ("JOR") issued by the Court in 2018. The Redevelopment Area included in the Township's Third Round Obligation per its adopted 2017 Housing Element and Fair Share Plan. Currently, there is a pending application with the Pinelands Commission for an age-restricted development on the Redevelopment Area consisting of 385 units (350 market rate units and 35 affordable units per §254-33.V(2)(d) of the Township Code). However, the property has remained vacant since it was approved for inclusionary residential use by the Court in 2004.

In summary, the Redevelopment Area has been targeted for development for over two decades. The requirements of this Redevelopment Plan are intended to facilitate the development of the property in a manner that is sensitive to the environmental features of the area and mitigates any potential impacts on nearby residential areas. Therefore, this Redevelopment Plan is not inconsistent with the zoning, uses, or land development policy of Manchester Township.

B. Master Plans of Contiguous Municipalities

Manchester Township is located adjacent to various municipalities, including Pemberton Township, Plumstead Township, Jackson Township, Toms River Township, Berkeley Township, Lacey Township, and Woodland Township. Only Jackson Township and Toms River Township are located in the vicinity of the Redevelopment Area.

1. Jackson Township

The Redevelopment Area is located along the municipal boundary line with Jackson Township, which lies to the northwest. Their most recent Master Plan was adopted in 2009, and no reexamination has been adopted since that time. The Redevelopment Area is adjacent to the PED-1 and PED-9 Pinelands Environmental Development zones in Jackson Township as well as the PM-1 Pinelands Manufacturing zone. The PED zones are intended to permit low-density residential development with an option to develop a planned retirement community in coordination with Manchester Township, which would require the development to be located away from environmentally sensitive lands. The PM-1 Pinelands Manufacturing zone permits general, professional, and commercial office facilities; food processing; research and testing; warehousing or storage of goods and products; manufacturing of light machinery; fabrication of metal, paper, and wood products; other forms of manufacturing; office or industrial uses similar to permitted uses; industrial parks; and municipal and public uses. This Redevelopment Plan is particularly compatible with the nearby PM-1 zone in Jackson Township, which is located to the northwest of the Redevelopment Area. In addition, the requirements of this Redevelopment Plan are designed to be sensitive to nearby residential uses. Therefore, this Redevelopment Plan is not inconsistent with nearby portions of Jackson Township.

2. Toms River Township

The Redevelopment Area is located approximately one mile to the southwest of Toms River Township's R-800 Residential zone. The R-800 zone permits single-family dwellings, farm and agriculture activities, essential services, and community residences. The requirements of this Redevelopment Plan are designed to be sensitive to nearby residential uses. Therefore, this Redevelopment Plan is not inconsistent with nearby areas of Toms River Township.

C. Ocean County Master Plan

The Ocean County Comprehensive Master Plan was adopted in December 2011. The plan notes that Manchester Township has the most adult (age 55+) communities in the County, and that supply was expected to outweigh demand in the near term, but to balance out in the long term. The plan states that infill development was expected to continue, but that development will be limited by the amount of sensitive and protected land.

The Redevelopment Area is located in the Pinelands' Regional Growth Area. The Ocean County Master Plan describes Regional Growth Areas as those with "existing growth and adjacent lands capable of accommodating regional growth influences while protecting the essential character and environment of the Pinelands." Low-density residential development as well as commercial and industrial uses are listed as compatible with this part of the Pinelands. The warehouse development contemplated in this Redevelopment Plan is compatible with the intended use of Regional Growth Areas.

D. State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (SDRP) was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

While required by the State Planning Act to be revised and re-adopted every three years, the SDRP has only been revised and re-adopted by the State Planning Commission once since its original adoption, in 2001. A new State Strategic Plan (SSP) has been proposed as the revision to the 2001 SDRP; however, a timeframe for the adoption of the draft SSP is uncertain.

The State Plan Policy Map identifies the Redevelopment Area as within the Regional Growth Area of the Pinelands Management Area. The SDRP generally relies on the adopted plans and regulations of the New Jersey Pinelands under the Pinelands Protection Act. As described above, Regional Growth Areas are existing growth areas and adjacent lands that can accommodate regional growth influences, all while protecting the essential character and environment of the Pinelands. Low-density residential development of 3.5 units per acre in Manchester, as well as commercial and industrial uses, are permitted in this part of the Pinelands. The warehouse development contemplated in this Redevelopment Plan is compatible with the intended use of Regional Growth Areas.

VII. REDEVELOPMENT ACTIONS

This Redevelopment Plan provides for several actions in support of the plan's overall objectives.

A. Redevelopment Agreement

Once a redeveloper is designated by the Township Council, the Redeveloper will be required to enter into a Redevelopment Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

B. Relocation

Implementation of this Redevelopment Plan does not require the involuntary displacement and/or relocation of businesses within the Redevelopment Area.

C. Property Acquisition

This Redevelopment Plan governs a "non-condemnation area in need of redevelopment." Therefore, the Township cannot acquire property in the Redevelopment Area by eminent domain.

D. Non-Residential Development Fee

All redevelopment projects shall be subject to the State of New Jersey Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 et seq.), which shall be the sole and exclusive contribution for affordable housing.

VIII. GENERAL PROVISIONS

A. Amendment to the Township Zoning Map

Adoption of the Redevelopment Plan shall constitute an amendment to the Township Zoning Map.

B. Definitions and Terminology

Throughout this Redevelopment Plan, a meaningful distinction is made in the regulations between “shall” and “should.” “Shall,” “must,” or “is required to” means that a developer is required to comply with the specific regulation, without deviation. “Should” means that a developer is encouraged to comply with a specific regulation or guideline but is not required to do so. If the exact recommendation cannot be met, the Planning Board will entertain any modification that meets the underlying spirit and intent of the regulation and/or the Redevelopment Plan generally. The words “may” or “is permitted to” indicate where the redeveloper has the option of a particular approach.

Except as otherwise provided herein, words that appear in this Redevelopment Plan shall be interpreted in accordance with the “Definitions” section in the Township’s Land Use and Development Ordinance as set forth in §245-8.

C. Subdivision and Site Plan Review

Site plans for the construction of improvements pursuant to this Redevelopment Plan shall be prepared and submitted to the Planning Board in accordance with the requirements of this Redevelopment Plan and the Site Plan Requirements and Procedures of the Township Ordinance. Where a provision of the Redevelopment Plan conflicts with a provision of the Ordinance, the Redevelopment Plan shall control.

Any subdivision of lots or parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan and the Subdivision Requirements and Procedures requirements set forth in the Township Ordinance, except that where this Redevelopment Plan contains provisions that differ from those in the ordinance, the Plan shall prevail.

No construction shall take place until a site plan reflecting such construction has been submitted to, and approved by, the Planning Board and permits for the same issued by those agencies with jurisdiction. This pertains to revisions or additions prior to, during and after completion of the improvements.

The Redeveloper shall be permitted to submit for approval a preliminary and final site plan application that includes multiple compliant layouts of the overall site. This is intended to provide a reasonable degree of flexibility to allow the Redeveloper to modify the overall layout in accordance with the requirements of the Redevelopment Plan in response to the building, parking, circulation and other specifications of end users that are unidentified at the time of site plan review.

D. Deviations

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment to the intent and purpose of the Redevelopment Plan. Any deviation that would require “d” variance in accordance with the Municipal Land Use Law, NJSA 40:55D-70d et seq., shall require an amendment to the Redevelopment Plan by the Town Council, except that the Zoning Board of Adjustment may grant deviations from the conditional use regulations contained within this Redevelopment Plan pursuant to NJSA 40:55D-70d(3).

E. Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Town Council or by a redeveloper or any of its successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough Council, or the redeveloper, upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Plan Area on the basis of race, creed, color or national origin.

F. Completion of the Plan

Upon the inspection and verification by the Township of Manchester that the redevelopment within the Plan Area has been completed, a certificate of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such a certificate, or such later date as set forth in such redevelopment agreements.

G. Severability

If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

H. Procedures for Amending the Plan

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of State law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from any agency of the Township of Manchester. The Town Council, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.