



**MANCHESTER
TOWNSHIP**
OCEAN COUNTY, NEW JERSEY

Non-Condensation Area in Need of Redevelopment Investigation

2156 Route 37 (Block 38, Lot 5)

Prepared: May 14, 2020

Adopted by the Planning Board: _____

Adopted by the Township Council: _____

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Project No. MCP-065

The original of this document has been signed and sealed in accordance with N.J.S.A. 45:14A-12.

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INTRODUCTION

The purpose of this report is to determine whether the Study Area, known as Lot 5 in Block 38 (hereinafter referred to as the “Study Area”) within of Township of Manchester, Ocean County, New Jersey, qualifies as a Non-Condensation Area in Need of Redevelopment, as defined by the Local Redevelopment and Housing Law (N.J.S.A. 40:12A-1 et seq., “LRHL”). This analysis has been conducted pursuant to the LRHL, which specifies the criteria that must be met within the delineated Study Area and the process to be undertaken by the Planning Board during the investigation.

This report is written pursuant to Section 6 of the LRHL (N.J.S.A. 40-12A-6), which requires the following:

- a) No area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of P.L. 1992 (C.40A:12A-5). Such determination shall be made after public notice and public hearing as provided in subsection b. of this section. The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality. The resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain.

- b) (1) Before proceeding to a public hearing on the matter, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein. There shall be appended to the map a statement setting forth the basis for the investigation.
- (2) The Planning Board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area.
- (3) The hearing notice shall set forth the general boundaries of the area to be investigated and state that a map has been prepared and can be inspected at the office of the municipal clerk. If the governing body resolution assigning the investigation to the planning board, pursuant to subsection a. of this section, stated that the redevelopment determination shall establish a Non-Condensation Redevelopment Area, the notice of the hearing shall specifically state that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.



Photo 1: Principal Structure and Driving Range Bays

The Township Council, in Resolution #20-118, dated February 24, 2020 (see Appendix), requested that the Planning Board undertake a preliminary investigation as to whether the Study Area identified in the resolution is in need of redevelopment pursuant to the LRHL. This resolution does not allow for the use of condemnation. On May 4, 2020, the Township Planning Board passed a resolution (see Appendix) authorizing Maser Consulting P.A. to conduct a preliminary investigation to determine if the Study Area is an area in need of redevelopment pursuant to the LRHL.

Section 6b(4) of the LRHL also 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).

Before presenting the Study Area investigation and parcel level analysis, it is important to note that the determination of need presented in this analysis is only the first step of the redevelopment process and does not provide guidance with respect to planning, development or redevelopment of the Study Area.



Photo 2: Mini-Golf Facility

Section 40A:12A-7 of the LRHL describes the tool (the redevelopment plan) which specifies how the redevelopment should be planned, in addition to the process through which such a plan is prepared.

A redevelopment plan, which may supersede the zoning of an area or serve as an overlay thereto, specifies the following:

- 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.
- Proposed land uses and building requirements in the project area.
- 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.
- An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan. (Note: A Non-Condemnation Redevelopment Area prohibits the use of eminent domain to effectuate redevelopment. In such cases, redevelopment and related property transactions are limited to those between willing buyers and sellers.)
- 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.
- Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

This report and investigation are aimed only at determining whether the Study Area meets the statutory criteria to be identified as an Area in Need of Redevelopment and therefore does not contain any of the specific planning guidance contained in a redevelopment plan.

This investigation focuses on whether the Study Area qualifies for designation as an Area in Need of Redevelopment, as such designation can facilitate the redevelopment of neglected parcels. This Investigation Report is the culmination of information collected from site visits, analyses of historic aerial images, tax maps, zoning maps and ordinances, Google Maps & Street View (accessed in 2020), Bing Maps (accessed in 2020), environmental reports, and other available historical and official documents and maps.¹ Unless otherwise mentioned, all photos were taken during a site visit on April 2, 2020.

¹ The maps prepared for this report were developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.

CRITERIA FOR REDEVELOPMENT AREA DETERMINATION

Section 5 of the LRHL outlines the criteria to be considered in evaluating a Study Area for Redevelopment. An area may be determined to be in need of redevelopment if, after investigation, notice and hearing, the governing body of the municipality concludes by resolution that any one of the following relevant conditions is found:

Criterion ‘A’

The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

Criterion ‘B’

The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

Criterion ‘C’

Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

Criterion ‘D’

Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community.

Criterion ‘E’

A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

Criterion 'F'

Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

Criterion 'G'

In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c. 303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c. 79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c. 431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c. 441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c. 79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

Criterion 'H'

The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Other Parcels (Section 3)

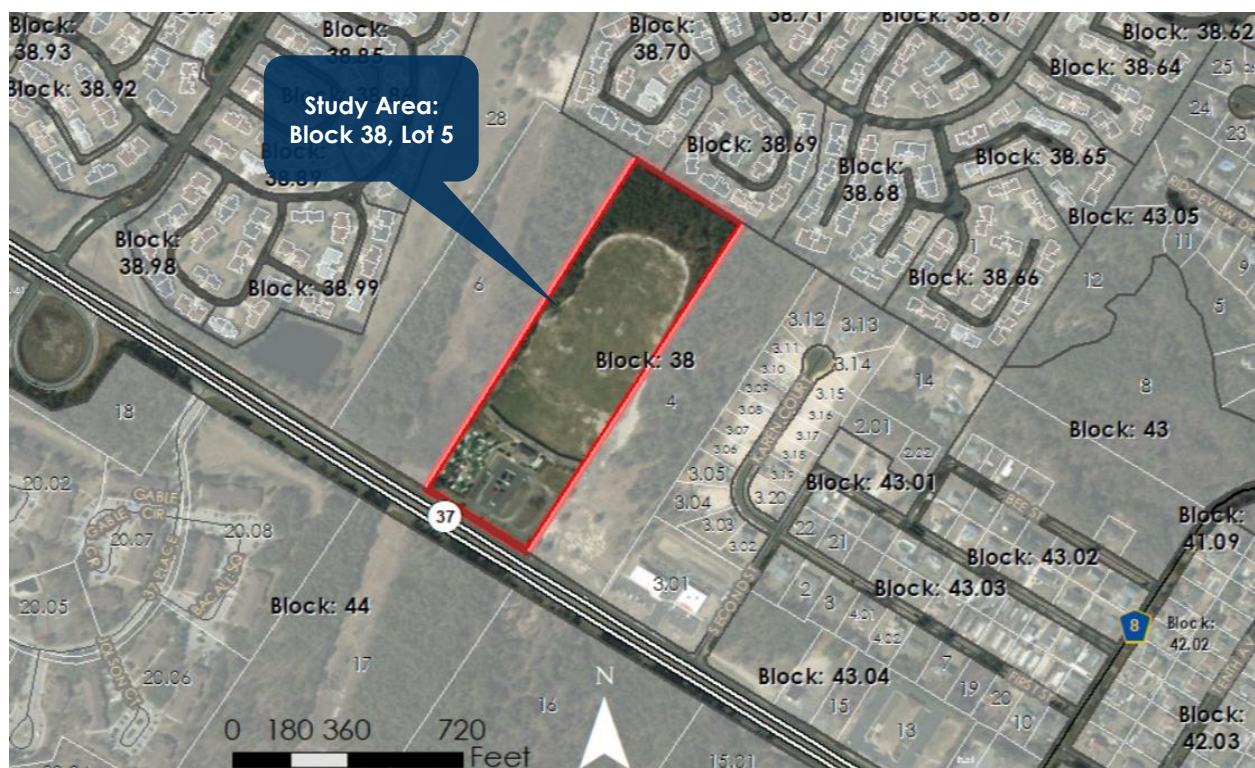
In addition to the above criteria, Section 3 of the LRHL, which defines the redevelopment area, allows the inclusion of parcels necessary for the effective redevelopment of the area, by stating "A redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part."

DESCRIPTION OF STUDY AREA

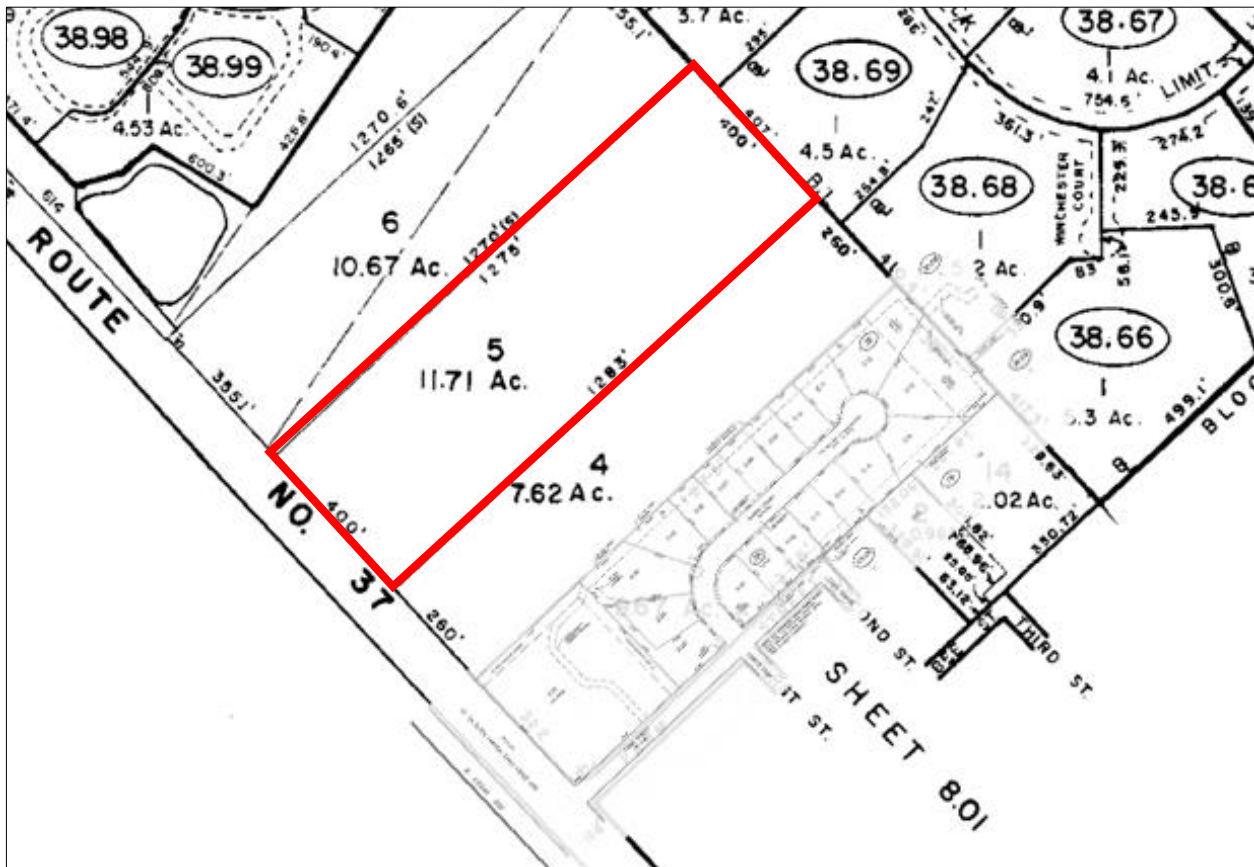
SITE DESCRIPTION

The Study Area consists of one parcel known as Lot 5 in Block 38 (See **Map 1-Study Area Map**) located at 2156 Route 37 on the westbound side of Route 37. It is currently home to the Manchester Family Golf Center, a miniature golf and driving range facility. The principal building also provides office space for additional tenants. The Study Area is bounded to the north by the Leisure Village West residential community. The Study Area is bounded to the east by an undeveloped vacant lot (Lot 4), which previously contained a commercial retail structure before it was demolished in 2010. Said lot was designated a Non-Condemnation Area in Need of Redevelopment by the Township Council (Resolution #20-144) on March 9, 2020. The property to the west of the Study Area is owned by Jersey Central Power and Light (JCP&L) and is used as a utility right-of-way. To the south, opposite Route 37, adjacent properties include another JCP&L utility right-of-way (Block 44, Lot 17), and a vacant lot (Block 44, Lot 16), which is part of the Heritage Minerals tract.

The Study Area measures 11.71 acres in size, with 400 feet of frontage along Route 37. The site is presently owned by Karays, LLC.



Map 1: Manchester Study Area (Study Area Outlined in Red)



Map 2: Manchester Twp. Tax Map (Study Area Outlined in Red)

STUDY AREA HISTORY

According to historic aerial imagery, the site remained undeveloped and completely wooded until sometime after 1956 but no later than 1963. By 1963 the site was cleared for what appears to be most of the same infrastructure that exists on the site today, including the mini golf facility, driving range bays, and building.² While the site was relatively isolated at the time it was constructed, subsequent aerial images show the development of the surrounding area, including Leisure Village West by 1986.

From 1963 to the near-present (2019), aerial imagery suggests that the site has undergone few, if any noticeable changes. A visit to the site suggests that some cosmetic modifications have been made to the building since 1963 based on the appearance of the existing windows, vinyl/stucco siding, roof, and doors. Office space inside the main structure has been leased to different businesses over the years, unrelated to the golf center operations.

² It is not clear if the principal structure currently existing on the site is the same as the one that existed in 1963. Property tax records indicate that the structure was built in 1970.



1956



1963



1986



2002



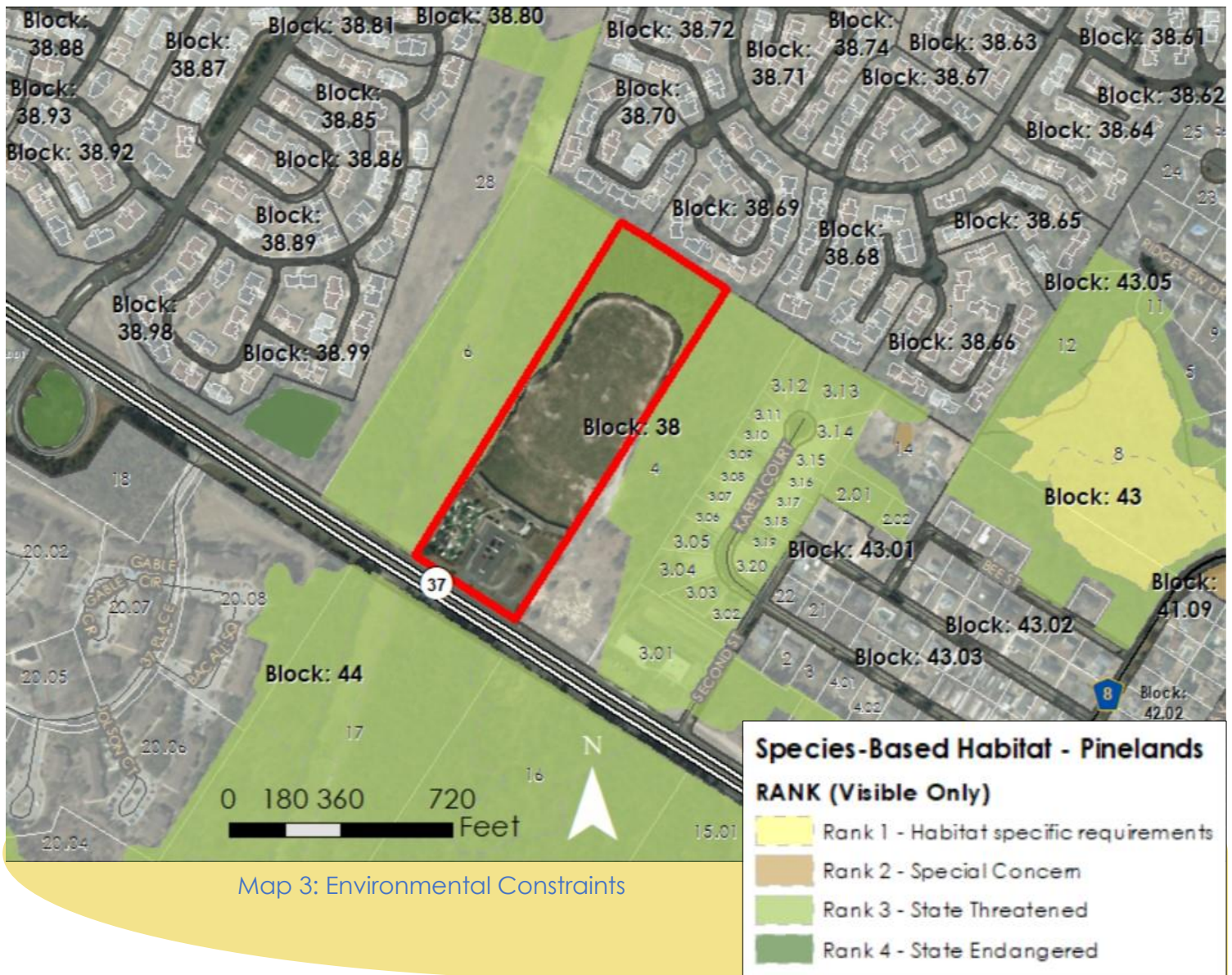
2010



2019

ENVIRONMENTAL CONDITIONS

The following map of environmental constraints³ (**Map 3: Environmental Constraints**) will be applicable to the property evaluation of the Study Area. The site does not contain any known contamination. The most recent data from NJDEP's Landscape Project (version 3.3) for the Pinelands region suggests that the rear portion of the site contains habitat for a state threatened species. Considering that the use has required the majority of the site to remain cleared for over 50 years, it is not surprising that the site contains a limited amount of identified species habitat.



³ Mapping is based on publicly available data from the New Jersey Office of GIS, and the New Jersey Department of Environmental Protection's NJ GeoWeb, which was incorporated into the Environmental Constraint Map for this report. This map was developed using NJDEP digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.

While the site has not been identified for contamination, the use itself—a driving range—requires environmentally consumptive practices as part of its operations and maintenance. Water features are utilized throughout the miniature golf course as part of the course design. Water is also necessary for maintenance of the use, in this case irrigation of the turf grass driving range, which occupies nearly half of the entire site. Excessive water consumption can create broader problems to the surrounding area, including saltwater intrusion and habitat modification. Further, chemical amendment to the soil to help support grass growth (i.e. fertilizers, lime, herbicides) can impact surface waters from stormwater runoff, but also affect groundwater supplies.

PROPERTY ASSESSMENT

Table 1 shows the current valuation of the property based on property tax data for the present year (2020). Generally, a property that is generating normal economic productivity will be developed with improvements that are valued at least as much as the land itself (equal to or greater than an Improvement Ratio of 0.50 or 50 percent). Properties where the land is worth more than its improvements often indicates that the improvements are old, obsolete, and/or deteriorated. They depreciate rather than appreciate as economically productive properties would.

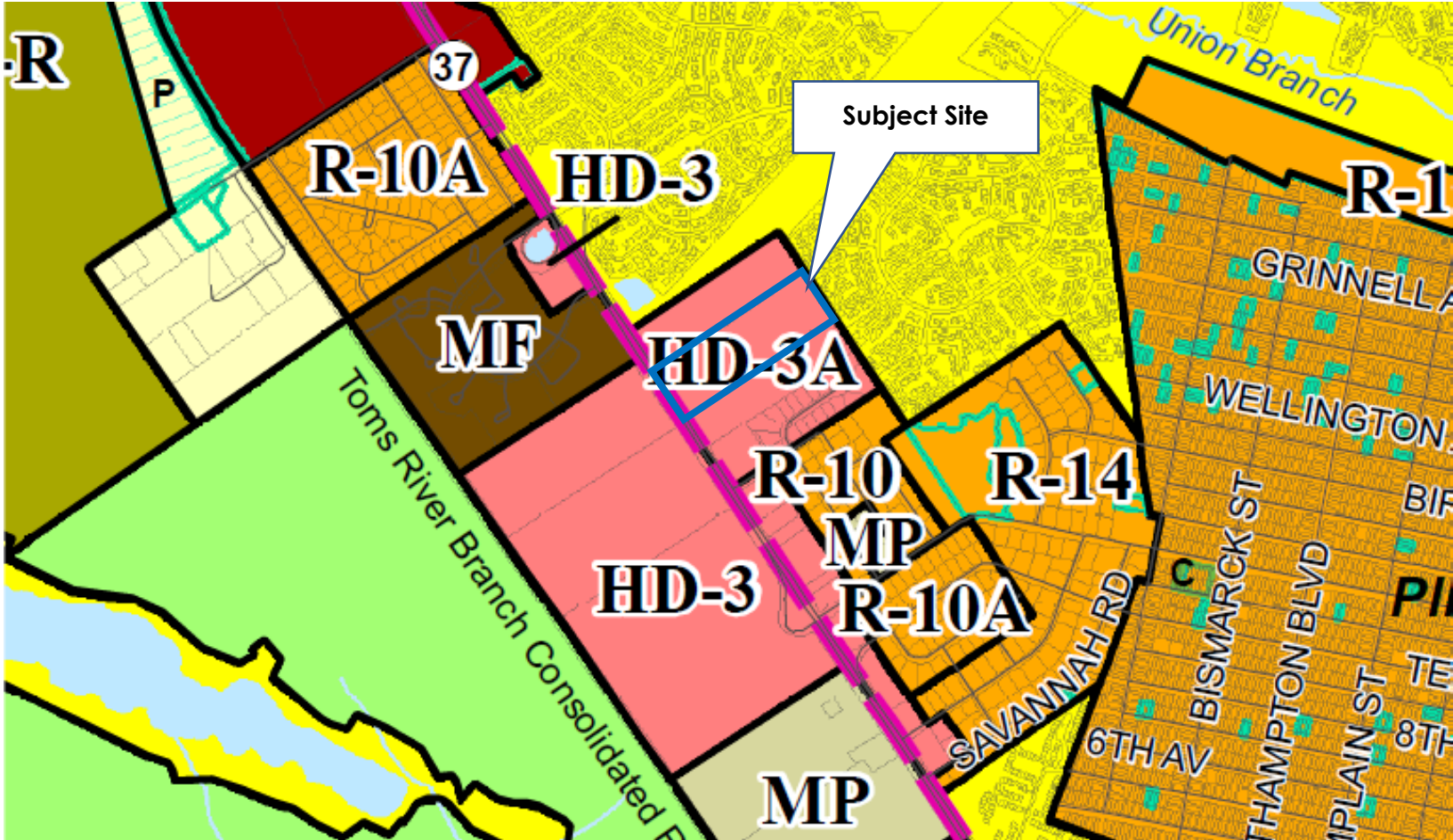
Table 1: Property Data (2020)						
Block	Lot	Use	Assessed Value			Improvement Ratio
			Land	Improvement	Total	
38	5	Commercial	1,873,600	657,000	2,530,600	35%

Given the nature of the current use necessitates a large portion of the lot to remain undeveloped, it is not surprising that Lot 5's improvement ratio falls below 50 percent. That said, assessment data from recent years shows that the improvement value has decreased significantly from \$862,200 in 2016. Conversely, the land value in 2016 was \$1,405,200, decreasing further to \$1,321,000 for 2017-2019 before increasing to the present figure. Improvement ratios calculated for these past years suggest a decline; the value from 2016 at 61 percent, increasing to 64 percent for years 2017-2019, before decreasing to the current value of 35 percent.⁴ Information provided by the Township's Tax Assessor office indicate that a tax appeal for the site was settled in 2017.⁵

Table 2: Assessment History (2016-2020)				
Year	Land Value	Improvement Value	Total Value	Improvement Ratio
2016	1,405,200	862,000	2,167,200	61%
2017	1,321,000	846,200	2,167,200	64%
2018	1,321,000	846,200	2,167,200	64%
2019	1,321,000	846,200	2,167,200	64%
2020	1,873,600	657,000	2,530,600	35%

⁴ Ocean County Board of Taxation, Tax List Search. <http://www.tax.co.ocean.nj.us/frmTaxBoardTaxListSearch> Accessed April 13, 2020.

⁵ April 14, 2020 communication with Manchester Township Deputy Tax Assessor, Mr. Raymond C Hall, CTA.



Map 4: Zoning Map Excerpt (Study Area Outlined in Blue)

ZONING IN THE STUDY AREA

The Study Area lies entirely within the HD-3A Highway Development Zone District (See [Map 4-Zoning Map Excerpt](#)). [Table 3](#) shows a summary of the permitted uses within the Study Area, and [Table 4](#) shows select bulk standards for the HD-3A zone. The zone permits a variety of office and recreational services, however, a mix of uses, or multiple uses on one site is not explicitly permitted.⁶ (Both tables have been truncated from the full text provided in Section 245 of the Land Development Ordinance for brevity.)

⁶ An April 17, 2020 communication with Matthew Quinn, Chief Code Enforcement Officer for Manchester Township indicated that the site is free of any code violations, and has been for at least the past five years.

Table 3—Generalized Permitted and Conditional Uses

Permitted Uses	Conditional Uses
Contractors (Various)	Nursing Care Facilities
Confectionary Manufacturing	Continuing Care Retirement Communities
Retail Bakeries	Child Day Care Services
Textile Mills (Various)	Automotive Repair and Maintenance
Manufacturing (Various)	Car Washes
Commercial Printing	Religious Organizations
Laboratories (Various)	Public Utilities
Shopping Centers (Various)	Gasoline Stations with Convenience Stores
Wholesale Trade Agents and Brokers	Other Gasoline Stations
Vehicle/Equipment Dealers (Various)	
Retail (Various)	
Publishers (Various)	
Communication Services (Various)	
Professional Services (Various)	
Real Estate Services (Various)	
Rental and Leasing Services (Various)	
Photography Studios, Portrait	
Travel Services	
Research and Development	
Offices (Various)	
Private Mail Centers	
Security System Services	
Services to Buildings and Dwellings (Various)	
Packaging and Labeling Services	
Other Miscellaneous Waste Management Services	
Training and Educational Services (Various)	
Medical Services (Various)	
Performing Arts Services (Various)	
Museums	
Recreational Services (incl. Fitness and Recreational Sports Centers, Bowling, Golf Courses, etc.)	
Hotel Convention Centers, Hotels and Motels, Bed and Breakfast inns, Other Traveler Accommodations	
Restaurants (Full Service, Limited Service, Cafeterias, Buffets, Snack Bars, Caterers, Food Service Contractors)	
Drinking Places	
Repair and Maintenance Services (Various)	
Personal Care Services (Various)	
Funeral Homes and Funeral Services (Various)	
Dry Cleaning and Laundry Services (Various)	
Pet Care Services (Various)	
Parking Lots and Garages	
Foundations and Organizations (Various)	

Table 4—Select Bulk Standards

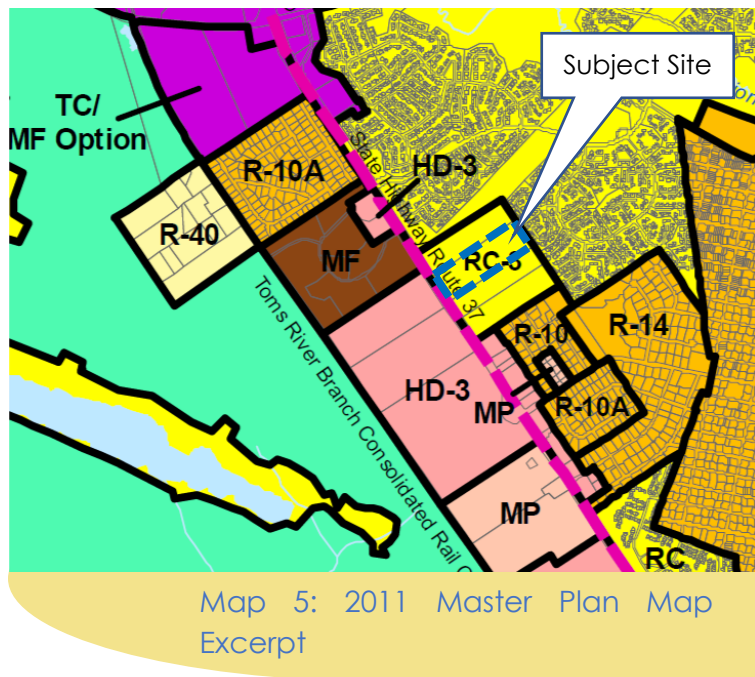
Standard	Required
Minimum Lot Area	3 acres
Minimum Lot Frontage	300 feet
Minimum Lot Width	300 feet
Minimum Improvable Lot Area	40,000 square feet
Minimum Front Yard Setback	100 feet
Minimum Rear Yard Setback	100 feet
Minimum Side Yard Setback	*
Maximum Site Improvement Ratio	0.18
Maximum Building Coverage	18 percent
Maximum Lot Coverage	65 percent
Maximum Building Height	3 stories; 40 feet
Minimum Floor Area	15,000 square feet
* Minimum side yard setbacks of HD-3A District are 100 feet along western and northern property lines and 15 feet along eastern property line.	

RELATIONSHIP TO THE MASTER PLAN

2011 TOWNSHIP MASTER PLAN

The 2011 Master Plan notes that the Land Use Plan Element had been previously amended in 1999 for areas designated HD and HD-2 Highway Development to HD-3 and HD-3A Highway Development, requiring a minimum lot area of 3 acres and 300 feet of frontage along Routes 37 and 70, consistent with NJ Department of Transportation Highway Access Management Plan guidelines.

It should be noted, however, that the 2011 Land Use Plan Element cited the 2006 Master Plan, which recommended planned retirement communities be permitted within the CAFRA regulated area of the Township, including the north side of Route 37 between Farm Lane and Leisure Village West currently planned and zoned as HD-3A. Noting the difficulties presented by CAFRA regulations related to business and commercial uses, the Land Use Plan Element and Land Use Map recommended that the subject site be rezoned to RC-3 (Retirement Community 3), permitting multi-family townhouses and flats at a maximum density of 3 dwelling units per acre, on a minimum 20-acre tract. Development would also include an affordable set aside, which could result in a density



bonus if a developer exceeded the minimum inclusionary requirement. The recommended RC-3 zone has not been adopted by the Township.

NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The State Development and Redevelopment Plan (“SDRP”) was adopted in 2001. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP; however, the updated plan was never adopted. Therefore, the 2001 is the most current version.

The Study Area is located just north of the Pinelands National Reserve but is located within an area of the Township which is subject to the Coastal Management Program under the Coastal Area Facilities Review Act (“CAFRA”). It is located within CAFRA Suburban Planning Area (PA2). The SDRP recommends the promotion, growth and environmentally sound development and redevelopment in areas designated as Suburban Planning Areas. It also recommends revitalization of cities and towns, protection of natural resources, and reversal of urban sprawl in these areas.

STUDY AREA EVALUATION FOR CONFORMITY WITH REQUIRED REDEVELOPMENT CRITERIA

STUDY APPROACH

An analysis of the Study Area's existing physical characteristics was conducted during a site visit on April 2, 2020. In addition, this study also included an examination and analysis of Township records, historic aerial photographs, the Township Master Plan, environmental constraints, and Zoning Ordinance regulations, as detailed previously in this report.

PROPERTY EVALUATION

The Study Area has frontage on Route 37 and is currently home to the Manchester Family Golf Center. In addition to golf operations, the principal structure on the site includes office space, which has been leased to a variety of different tenants over the past few years.⁷ The property immediately adjacent to the west is owned by JCP&L and is used as a utility right of way. The property east of the site is currently vacant and was recently declared an Area in Need of Redevelopment by the Township Council. North of the Study Area is the Leisure Village West residential community. South of the Study Area is another JCP&L-owned utility right of way as well as a vacant tract that is part of the Heritage Minerals tract.



Photo 3

The Manchester Family Golf Center normally operates year-round, 10:00 A.M. to 6:00 P.M. every day⁸. Outdoor operations include a two-level driving range and mini-golf course, and the indoor activities include golf sales and maintenance, party space, snack bar, and

⁷ At the time of the site visit, the building contained signage for Sunlight Care, a home health care company. A sticker on the second-floor access also indicated that the space had been utilized by Ronald A. Sebring Associates, LLC, an Architecture, Planning and Design firm. A 2013 Community Health Needs Assessment for Barnabas Health in Ocean County indicated that the site had been home to Preferred Behavioral Health and Preferred Children's Services for Intensive Case Management Services.

⁸ The current restrictions by the State as part of the COVID-19 pandemic have mandated the temporary closure of non-essential businesses, including the Manchester Family Golf Center, until conditions improve.



Photo 4



Photo 5

virtual golf simulator. Some of these operations are seasonally limited. The visit to the site in April 2020 suggested that the mini-golf facility was also operated seasonally, as water features (“water hazards”) were drained, presumably as part of winterization (**Photo 3**). Many of the driving range bays, particularly on the upper-level appeared to have been removed and stored away for the season (**Photos 4-5**).⁹

The existing driving range includes the expansive turf grass area and the 72 hitting bays, stacked into two levels of 36 each. The condition of this structure appears to be in functional condition, with only slight deterioration—rusting metal and peeling paint—observed (**Photos 6-7**). Considering that the age of the facility pre-dates the 1990 Americans With Disabilities Act by several decades, accessibility is a concern, however. Access to the upper-level hitting bay is limited to two staircases and no elevator is provided. The lack of improvements to enhance accessibility could passively discourage business to the site, particularly when considering that the average age of Manchester residents is over 65 years, in contrast to the statewide average age of 38.9,¹⁰ and that recent estimates suggest that 39.13 percent of Manchester households contain at least one person with a disability.¹¹

The driving range design also exhibits signs of operational obsolescence, even creating a hazard to off-site people and property, as no containment netting is provided around the site. Such netting may not have been a concern when the site was developed over 50 years ago and the surrounding areas were vacant and wooded, but is increasingly a concern as

neighboring properties develop.¹²

⁹ According to the Golf Center’s website, the driving range contains over 70 hitting bays, including 9 heated booths. The facility also includes an indoor virtual golf simulator. Source: <https://www.manchesterfamilygolf.com/>.

¹⁰ The 2010 Census indicated that the median age of Manchester residents to be 65.1 years. Since 2020 Census data is still being collected, estimates compiled by ESRI for 2019 suggest the township’s median age has increased to 68, compared to 40.2 statewide.

¹¹ 2014-2018 (5-Year) Estimate, American Community Survey of the US Census Bureau.

¹² Minutes from the June 7, 2010 meeting of the Manchester Township Planning Board concerning a development application for the neighboring property (Lot 4) included comments from the property owner of the subject lot, who expressed concern about how future development would impact driving range operations, suggesting that any development (And cars associated with development) could be hit by golf balls.

Site-related operations observed as part of the site visit suggest that maintenance activities are not well-organized and impact neighboring properties. Equipment from the driving range operation, including golf ball collectors, were found on or near the neighboring property as part of a separate redevelopment investigation in January 2020, and subsequently as part of this investigation (**Photo 8**). As evident by the photograph, the lack of a clearly defined storage area or structure makes it unclear if this equipment was being stored in this location or was abandoned. Similarly, the partial dumpster enclosure near Route 37 no longer appears to be utilized correctly, as dumpsters are located outside the enclosure and the enclosure appears to be used for the storage of bulk materials (**Photo 9**). In addition to the dumpsters, the haphazard storage of golf and maintenance materials on the site appear to be a recurring theme throughout the site (**Photo 10-11**).

As previously described, the office spaces in the principal structure have been leased to a variety of different tenants over the years, and interior pictures from a recent real estate listing were found online (See Appendix).¹³ The listing indicates that at least 2,500 sq. ft. of the principal structure is dedicated to office space. Pictures taken as part of the listing show several basic office spaces and a kitchen area, but no additional amenities. Communications with the property owner revealed that the office space had been vacant for 4-5 years, however, he recently leased the space to a tenant after providing an incentive of 3 months free rent.¹⁴



Photo 6



Photo 7



Photo 8

¹³ Century 21 Action Plus Realty, MLS # 21909299.

¹⁴ April 14, 2020 communications with property owner, via Chad Warnkin, Esq.



Photo 9

CONFORMITY WITH REQUIRED REDEVELOPMENT CRITERIA

As described in the previous sections, an area may be determined to be in need of redevelopment, if after notice and hearing, the governing body of the municipality concludes by resolution that the area is found to meet one or more of the criteria described in Section 5 of the LRHL.

The following redevelopment criteria apply to the Study Area and are explained below:

CRITERION 'B'

The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

The subject site has limited development potential for the following reason:

- While golf operations have taken place on the site for over 50 years, the office space in the principal structure has exhibited patterns of vacancy. While the office currently has a tenant, this was accomplished after the property owner provided the incentive of free rent for three months. Before that, the office was vacant for at least 4 years.



Photo 10

CRITERION 'D'

Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community.



Photo 11

The obsolete use of the site is detrimental to the community for the following reasons:

- Portions of the site are not ADA accessible, limiting the use and enjoyment of the site by those with limited mobility.
- While the site is predominantly used for commercial recreation (the Golf Center), the property also contains office space that is leased to separate tenants. While the Township has not identified any recent code violations on the site, the Zoning Ordinance does not explicitly permit multiple uses in the HD-3A zone, suggesting that this may be a preexisting nonconforming use. As a result, improvements to the site may require use variance relief.
- The Master Plan recognizes the difficulties in building coverage presented by CAFRA regulations related to business and commercial uses on the site. As a result, the Land Use Plan was revised to designate the site as RC-3 (Retirement Community 3); however, a corresponding zoning amendment for an RC-3 district has not been adopted. The disconnect between the Master Plan and Zoning would create difficulties for new development, particularly if variance relief is required.
- The trash enclosure for the site does not appear to be correctly utilized, with dumpsters located outside the enclosure. Given its location along the highway, in addition to the aesthetic detriment to neighboring properties created by this situation, unsecured dumpsters in this location are an attractive nuisance for unauthorized dumping. Additionally, an enclosure helps to contain litter, which is not possible with the existing configuration.
- The existing driving range operation is obsolete in its design in that it is not enclosed by a protective perimeter net. Without this protection, the use is detrimental to existing and future development and property on neighboring lots.
- The driving range located on the site is obsolete compared to modern facilities. A 2014 article from the Urban Land Institute, *As Traditional Golf Courses Fade, Hybrids Like Topgolf Tee Up*, outlines some of the features found in more modern facilities, including:
 - Expansive indoor areas (65,000 sq. ft.) that include restaurant, bar, and gathering spaces;
 - Protective netting that may be as high as 150 feet;
 - 13 acres of space¹⁵;
 - Location near existing shopping and entertainment districts near employment centers; and,
 - Climate controlled year-round use and covered seating areas.¹⁶

¹⁵ Minimum space needs are also reflected in *Building a Practical Golf Facility: A Step-by-Step Guide to Realizing a Dream*, by Dr. Michael J. Hurdzan, published by the American Society of Golf Course Architects (2005). This report recommends that a “Simple” driving range be 300 feet wide by 900 feet long on approximately 6 acres, while an “Elaborate” driving range be 500 feet wide by 1,200 feet long on approximately 14 acres.

¹⁶ Berton, Brad. *As Traditional Golf Courses Fade, Hybrids Like Topgolf Tee Up* (August 11, 2014). *Urban Land*, The Urban Land Institute. <https://urbanland.uli.org/development-business/traditional-golf-fades-hybrid-sports-life-topgolf-tee/>. Accessed May 12, 2020.

STUDY CONCLUSION AND RECOMMENDATIONS

The first two findings/declarations of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-2(a), (b)) are applicable to the Non-Condensation Area in Need of Redevelopment determination of the Study Area:

“ a. There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.

b. From time to time the Legislature has, by various enactments, empowered and assisted local governments in their efforts to arrest and reverse these conditions and to promote the advancement of community interests through programs of redevelopment, rehabilitation and incentives to the expansion and improvement of commercial, industrial, residential and civic facilities.”

As set forth in detail above, the Study Area qualifies as “in need of redevelopment” based on Criteria “b” and “d” of the Local Redevelopment and Housing Law of N.J.S.A. 40A:12A-05. This site exhibits patterns of vacancy (as it relates to its office space), and its obsolete design is deleterious to the surrounding community. By declaring this parcel in need of redevelopment, development can be incentivized through the preparation of a redevelopment plan that will advance the Township’s ability to foster development consistent with its Master Plan and improve the health, safety, and welfare of the Township.

APPENDIX

COUNCIL RESOLUTION #20-118

#20-118

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, REFERRING TO THE MANCHESTER TOWNSHIP PLANNING BOARD FOR A DETERMINATION AS TO WHETHER BLOCK 38, LOT 5, (2156 HWY 37) IS AN AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12A-1 et seq

WHEREAS, the Township Council of the Township Manchester, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has been approached by the owners of Block 38, Lot 5, Manchester Township, Ocean County, New Jersey, (hereinafter referred to as the "Property") for a determination as to whether the Township finds the subject Property to be an area in need of Redevelopment, and therefore the subject of a Redevelopment Plan and Redevelopment Agreement in accordance with the provision of N.J.S.A. 40A:12A-1 et seq; and

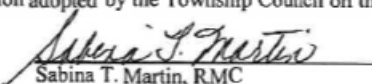
WHEREAS, the Township believes this issue should be first addressed by the Planning Board, so that the Planning Board can determine whether or not the Property is in need of redevelopment, without utilization of eminent domain powers, in accordance with the aforementioned Statute; and

NOW, THEREFORE, BE IT RESOLVED, this 24th day of February 2020, by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. The Planning Board is hereby directed to determine whether the subject Property is in an area in need of redevelopment, in accordance with the provision of N.J.S.A. 40A:12A-1.
2. The Planning Board is authorized to undertake a public hearing in order to determine this issue, and thereafter report to the Township as to their findings and conclusions.
3. The Mayor, Township Clerk and Township Administrator are hereby authorized to execute the Escrow Agreement, a true copy of which is on file at the Office of the Township Clerk and can reviewed during normal business hours, as well as any other documents to implement the intent of this Resolution.
4. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:
 - (a) Honorable Kenneth Palmer, Mayor;
 - (b) Donna Markulic, Business Administrator;
 - (d) Gregory Hock, Esquire, Attorney for Planning Board
 - (e) Chad Warnken, Esquire, Attorney for Property Owner
 - (f) Robert Mullin, PE, Township Engineer
 - (g) Al Yodakis, PE, PP; and
 - (f) Jerry J. Dasti, Esquire

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 24th day of February 2020.


Sabina T. Martin, RMC
Municipal Clerk

PLANNING BOARD RESOLUTION

RESOLUTION OF THE MANCHESTER TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE IF THE PROPERTY SHOWN AS BLOCK 38, LOT 5 IS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-6

WHEREAS, the Township Council of the Township of Manchester believes the property identified on the official tax map of the Township of Manchester as Block 38, Lot 5, commonly known as 2156 Route 37 (“property”) may be an area in need of redevelopment; and,

WHEREAS, prior to making such determination, the governing body must authorize the Planning Board to undertake a preliminary investigation to determine whether the property meets the criteria of a non-condemnation area in need of redevelopment as set forth in N.J.S.A. 40A:12-5; and,

WHEREAS, the Township Council of the Township of Manchester adopted Resolution #20-118 on February 24, 2020 authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether the property is “an area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board understands that any designation of the property for redevelopment shall only be as a “Non-Condensation Redevelopment Area” under N.J.S.A. 40A:12A-6; and

WHEREAS, to assist the Board with its investigation, the Planning Board has determined to direct the Planning Board Planners, Maser Consulting, P.A. to prepare and submit to the Board a map of the properties being studied and a report as to their findings upon an analysis of the applicable statutory criteria; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Manchester that it authorizes and directs Maser Consulting, P.A., to undertake inspections of the property shown on the municipal tax map as Block 38 Lot 5 and to submit to the Board a map of said area and a report of their findings as to the conditions within the delineated areas with reference to the provisions of N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law; and

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Secretary of the Planning Board to be a true copy be forwarded to:

- a. Sabina T. Skibo, RMC, Clerk of the Township of Manchester
- b. Donna Markulic, Business Administrator
- c. Hon. Kenneth Palmer, Mayor
- d. Jerry J. Dasti, Esq., Township Attorney
- e. Gregory J. Hock, Esq., Planning Board Attorney
- f. Daniel Bloch, PP, AICP, Planning Board Planner

- g. Robert Mullin, PE, Planning Board Engineer
- h. Al Yodakis, PE, PP
- i. Pasquale Pololizio, Township Zoning Officer; and
- j. Chad Warnken, Esq., Attorney for Property Owner

Moved By: Mr. Barron

Seconded By: Mr. Hudak

ROLL CALL VOTE

Those in Favor: Mr. Barron-yes, Mr. Hudak-yes, Chairperson Zolezi-yes
Finn-yes, Foor-yes, Teague-yes, Wells-yes

Those Opposed: None

Those Absent: None

Those Not Voting: None

CERTIFICATION

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by The Manchester Township Planning Board at its regular meeting on May 4, 2020 in the Manchester Township Municipal Building.


MARIANNE BORTHWICK
Secretary of the Board

OFFICE SPACE REAL ESTATE LISTING

CENTURY 21 Action Plus Realty

2156 Route 37 Manchester NJ 08759

Sale Price	Bedrooms	Bathrooms	MLS Number
\$74,181			21909299

A photograph of an office interior. On the left, a white door frame is visible. The wall is white. To the right, there is a window with white blinds. The ceiling is white with a recessed light fixture. The floor is covered with a dark green carpet.

#0010 Monmouth Ocean Regional Division

2500 sq. ft. of office space for lease. Several private offices, private bathrooms and plenty of closets for storage. \$2,000/mo. gross plus utilities.

Contact Information

CENTURY 21 Action Plus Realty

2218 Route 9 South Howell NJ 07731

Office Phone: 833.740.1234

Fax:

clayton@actionplusealty.com

www.actionplusealty.com



Property Details for 2156 Route 37 Manchester NJ 08759

Tax Information

Parking

Parking: Lighted, Visitor

Basic

Lease: Yes	Lease Price: 2000	Lease Price Per Sq Ft: \$1
MLS Number: 21909299	Property Sub Type: Commercial	Property Type: Commercial
Sale Price: \$74,181	Status: SLD	Sale Date: 08/13/2019
		Use: Professional/Office

Location

Area: None	Building Number: 2156	County: Ocean
Directions: Rt 37 West to #2156	Municipality: Manchester (MAC)	State: NJ
Town: Manchester	Zip: 08759	Street: Route 37

Building

Construction Siding: Block Floors: W/W Carpet Garage: No
Num Levels: 1 Square Feet: 2,500

Property

Lot Description: Level

Interior

Exterior

Utilities

Electric: 110 Volt Gas: On Site Heat AC: Central Air, Forced Hot Air
Heat Fuel: Natural Gas Sewer: Public Sewer Water: Public Water
Water Heater: Natural Gas

Property Information

Amnt Land: 1321000 Available Sq Ft: 2,500

Amenities

Water Body

Legal

Amnt Total: 1321000 Assessment Status: Assessed Deed Restricted: No
Zoning: Office

Other

Additional Photos



Listed by George J Shenewolf of Crossroads Realty Executive Office



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