



**REMINGTON  
& VERNICK  
ENGINEERS**

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December 29, 2025

Ms. Dawn D'Agostino, Zoning Board Clerk  
Jackson Township Zoning Board  
95 West Veterans Highway  
Jackson Township, New Jersey 08527

**Re: Preliminary & Final Site Plan Application #938 / Escrow #Z32607  
Use Variance Application #3525 – Review #2  
Applicant: Falzarano Group, LLC/Enzo's Restaurant  
Location: 237 West Commodore Boulevard (C.R. 571)  
Zone: LC – Limited Commercial Zone  
Block 2507, Lot 25  
Our File: 1512-Z-538**

Dear Ms. D'Agostino & Zoning Board Members:

**REMINGTON & VERNICK ENGINEERS** has received revised plans and other documents for the above captioned Application for review. The Applicant seeks Minor Site Plan approval as well as Use Variance relief to retain the existing ±2,400 sf restaurant building, convert the existing ±400 sf single-family dwelling to a storage area for the restaurant, convert the existing 1,080 sf single-family dwelling to a sales office, delineate a 25,855 sf area for storage of outdoor sheds and prefabricated buildings, convert the existing 2,590 sf garage to a multi-tenant warehouse consisting of a maximum of 4 tenants, delineate 2 areas for on-site leased parking consisting of area #1 with 24,112 sf and area #2 with 6,900 sf, delineate a 5,000 sf area for storage of landscape materials, and delineate a 28,250 sf storage area for Landscape nursery stock in the LC – Limited Commercial Zone.

The subject parcel is located on the south side of West Commodore Boulevard (C.R. 571), approximately 105 ft east of Broadway Avenue. According to the Jackson Township Tax Map Sheet 25, the site has a 25 ft frontage along West Fish Road. The 8.12-acre site is located within the LC - Limited Commercial Zone and a portion of the site is within the Conservation Zone Overlay. The existing site improvements include a ±2,400 sf 1 story framed building known as Enzo's Pizza, a ±400 sf 1 story frame single-family dwelling, a 1,080 sf 1 story frame single-family dwelling, a 2,590 sf 1 story framed garage, 2 carports, a partially curbed and asphalt/gravel parking area for the restaurant consisting of 25 parking spaces, and a gravel access drive to a large gravel area to the rear of the property. There is currently storage of sheds, a gazebo, a 2 car garage (for sale), and miscellaneous operable and non-operable vehicles in the rear of the property. There are several rows of arborvitae at the rear of the property which appear to be within the riparian buffer and wetlands buffer. The existing stone areas on the property appear to encroach onto adjacent Lots 22, 23 & 26. The site contains wetlands, wetland buffers, and a riparian buffer. The site is serviced by an existing potable well and on-site septic system. Access to the site is by-way of 2 full movement access drives along West Commodore Boulevard.

The Applicant proposes the following:

1. Retain the existing ±2,400 sf restaurant building. The improvements related to this use are as follows:
  - a. Restriping is proposed for the existing 25 paved parking spaces to provide 26 parking spaces (including 1 accessible space and 1 EV Ready space).
  - b. Wheel stops provided for 13 parking spaces adjacent to the building.
  - c. Construct a 10 ft x 19 ft trash enclosure.

- d. No other changes appear to be proposed for the restaurant use.
2. Convert the existing ±400 sf single-family dwelling to a storage area for the restaurant. The improvements related to this use are as follows:
  - a. No improvements appear to be proposed.
3. Convert the existing 1,080 sf single-family dwelling to a sales office. The improvements related to this use are as follows:
  - a. The variance plan delineates a 24 ft gravel access aisle.
  - b. Construct a concrete pad for an accessible parking space.
  - c. An accessible ramp is shown along the north side of the building.
  - d. Delineate a total of 6 parking spaces consisting of 1 concrete space and 5 gravel spaces for the sales/office use.
  - e. Install an accessible parking sign.
4. Convert the existing 2,590 sf garage to a multi-tenant warehouse consisting of a maximum of 4 tenants. The improvements related to this use are as follows:
  - a. Install additional concrete in the area of the proposed parking to supplement the existing concrete.
  - b. Provide a total of 6 parking spaces (including 1 accessible space) for the warehouse use.
  - c. Install 6 concrete wheel stops.
  - d. Install an accessible parking sign.
  - e. Install a trash enclosure for the sales office and warehouse uses.
5. Delineate a 25,855 sf area for storage of outdoor sheds and prefabricated buildings. The improvements related to this use are as follows:
  - a. Install a 6 ft vinyl fence around the perimeter of the storage area.
  - b. Proposed changes to the existing gravel area.
6. Delineate 2 areas for on-site leased parking. Area #1 is 24,112 sf and Area #2 is 6,900 sf. The improvements related to this use are as follows:
  - a. Proposed gravel surface.
  - b. Install a 6 ft high vinyl fence for Area #1 along the south side and a portion of the west side.
  - c. Install a 6 ft high vinyl fence for Area #2 along the north, south and west side.
7. Delineate a 5,000 sf area for the storage of landscape materials.
  - a. 3 proposed storage bins.
  - b. Proposed gravel surface.

8. Delineate a 28,250 sf area for the storage of landscape nursery stock.

a. No improvements appear to be proposed.

This report consists of our review of the Subject Application for conformance with the Jackson Township Land Use and Development Regulations Ordinance (Chapter 244) and is limited to planning issues. Engineering and legal issues shall be deferred to the Board Engineer and Solicitor, respectively.

Comments are limited to the information presented to date. Applicant may present additional information and testimony at the Board hearing.

## I. OWNER & APPLICANT INFORMATION

Applicant	Owner
Falzarano Group, LLC c/o Pasquale Falzarano 237 W. Commodore Boulevard Jackson, NJ 08527 908-216-2118	Carmelina Falzarano c/o Falzarano Group, LLC 7 Sunshine Way Jackson, NJ 08527 732-833-9324

## II. SUBMITTALS

Title / Description	Prepared / Signed / Sealed By	Date	Date Last Revised
Letter of Transmittal	Dawn D'Agostino Zoning Board Clerk	1/27/2025	
Letter of Transmittal		11/21/2025	
Certificate of Zoning Permit	Jeffery Purpuro Zoning Officer	1/27/2025	
200 ft Certified Property Owners List	Peter Maher, CTA Tax Assessor	2/2/2024	
Planning Board Resolution No. 88-38	William Clayton Secretary	3/22/1988	
Planning Board Resolution No. 88-60		4/26/1988	
Planning Board Resolution No. 2002-20	Ronald E. Hampton, Jr. Secretary	3/6/2002	
Land Development Application	Applicant	Undated	
Land Development Checklist		Undated	
Escrow Account & Fees		1/27/2025	
Variance Application		6/6/2024	
Escrow Agreement		7/25/2024	
Certification By Owner/Applicant		6/6/2024	
Corporate Disclosure Form		7/25/2024	

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Title / Description	Prepared / Signed / Sealed By	Date	Date Last Revised
Land Use Disclosure Statement	Applicant	Undated	
Deed of Ownership		12/28/2018	
Proof of Taxes Paid		11/04/2024	
Letter of Consent	Owner	6/6/2024	
Certification By Owner/Applicant		6/6/2024	
Consent of Owner Form		6/6/2024	
Right of Entry Consent Form		6/6/2024	
Land Use Disclosure Statement	Salvatore Alfieri, Esq. Cleary Giacobbe Alfieri Jacobs, LLC	Undated	
Letter of Submission	Graham Macfarlane, P.E. Professional Design Services, LLC	10/10/2024	
Letter of Submission		12/17/2024	
Letter of Submission		11/14/2025	
Land Use Disclosure Statement		Undated	
Statement of Operations		1/30/2024	10/15/2025
Letter of Submission		12/12/2023	
Letter of Submission & Application to Ocean County Planning Board for approval		10/10/2024	
Letter of Submission to the Ocean County Health Department for approval		10/10/2024	
Letter of Submission to the Jackson Bureau of Fire Prevention District #4 for approval		10/10/2024	
Letter of Submission to the Jackson Township Environmental Commission for approval		10/10/2024	
Letter of Submission to the Jackson Township Police Department Traffic Bureau for approval		10/10/2024	
Site Plan and Variance Plan for Enzo's Pizza / 237 West Commodore Boulevard, Tax Block 2507, Tax Lot 25, Township of Jackson, Ocean County, NJ consisting of 10 sheets	Steven Metelski, P.L.S. Professional Design Services, LLC	10/9/2024	10/14/2025
Boundary & Topographic Survey, consisting of 1 sheet	Richard Tokarski Jr., A.I.A. Tokarski + Millemann	10/6/2022	
Architectural Change of Use & Alterations Plans		10/23/2025	

Title / Description	Prepared / Signed / Sealed By	Date	Date Last Revised
Traffic Impact Analysis	John H. Rea, P.E. Scott T. Kennel McDonough & Rea Associates, Inc.	8/6/2024	
Letter of No Concerns	P.O. R. Reiff #278 Traffic Safety Unit	10/17/2024	
Email Correspondence		10/17/2024	

### III. ZONING

#### A. Use

The subject property is located in the LC – Limited Commercial Zone District §244-55 and within the Conservation Zone Overlay.

The Applicant seeks Minor Site Plan approval as well as Use Variance relief to retain the existing ±2,400 sf restaurant building, convert the existing ±400 sf single-family dwelling to a storage area for the restaurant, convert the existing 1,080 sf single-family dwelling to a sales office, delineate a 25,855 sf area for storage of outdoor sheds and prefabricated buildings, convert the existing 2,590 sf garage to a multi-tenant warehouse consisting of a maximum of 4 tenants, delineate 2 areas for on-site leased parking consisting of area #1 with 24,112 sf and area #2 with 6,900 sf, delineate a 5,000 sf area for storage of landscape materials, and delineate a 28,250 sf storage area for Landscape nursery stock in the LC – Limited Commercial Zone.

1. Restaurant Use
  - a. Per §244-55A a restaurant use is not a permitted use.
2. Office/Retail Sales
  - a. Per §244-55A an office/retail sales use is not a permitted use.
3. Warehouse Use
  - a. Per §244-55A a warehouse use is not a permitted use.
4. Leasing Parking Spaces
  - a. Per §244-55A leasing parking spaces is not a permitted use.
5. Landscape Business Use
  - a. Per §244-55A a landscape business use is not a permitted use.
6. Multiple Principal Uses on a single lot
  - a. Multiple principal uses is not specifically mentioned for non-residential uses.
7. Storage Building Accessory Use
  - a. Per §244-55B(6) other customary accessory uses, buildings and structures which are

clearly incidental to the principal use and building is permitted.

**B. Area & Bulk Standards**

LC – Limited Commercial Zoning District §244-55D:

ITEM	REQUIRED	PROVIDED	STATUS
<b>Lot Requirements</b>			
Min. Lot Area	1 acres	8.12 acres	Conforms
Area of Wetlands		TBD <sup>(1)</sup>	
Lot Area Remaining		TBD <sup>(1)</sup>	
Min. Lot Width	200 ft	±282 ft	Conforms
Min. Lot Frontage (W. Commodore Blvd)	200 ft	281.31 ft	Conforms
Min. Lot Frontage (W. Fish Road)	200 ft	25 ft (V) <sup>(2)</sup> Per Tax Map	Variance
Min. Lot Depth	225 ft	1967.28 ft	Conforms
Max. Building Height	35 ft	<35 ft	Conforms
Max Building Coverage	25%	1.9%	Conforms
Max Lot Coverage	60%	7.4%	Conforms
<b>Principal Building (Restaurant Building)</b>			
Min. Front Yard Setback	50 ft	±75 ft	Conforms
Min. Rear Yard Setback	50 ft	>50 ft	Conforms
Min. Side Yard Setback	30 ft	±35 ft	Conforms
<b>Principal Building (Office/Retail Sales Building)</b>			
Min. Front Yard Setback	50 ft	±175 ft	Conforms
Min. Rear Yard Setback	50 ft	>50 ft	Conforms
Min. Side Yard Setback	30 ft	±45 ft	Conforms
<b>Principal Building (Warehouse Building)</b>			
Min. Front Yard Setback	50 ft	±285 ft	Conforms
Min. Rear Yard Setback	50 ft	>50 ft	Conforms
Min. Side Yard Setback	30 ft	±31 ft	Conforms
<b>Accessory Building (Storage Building)</b>			
Min. Front Yard Setback	Not Permitted	Not in Front Yard	Conforms
Min. Rear Yard Setback	20 ft	>20 ft	Conforms
Min. Side Yard Setback	15 ft	±63 ft	Conforms
Max. Building Height	15 ft	TBD <sup>(3)</sup>	TBD <sup>(3)</sup>
<b>Parking Area Setbacks</b>			
From Right-of-Way	20 ft	11.5 ft (V) <sup>(4)</sup>	Variance
From Residential	20 ft	±11 ft (V) <sup>(5)</sup>	Variance
From Non-residential	10 ft	9.12 ft (V) <sup>(6)</sup>	Variance

ITEM	REQUIRED	PROVIDED	STATUS
<b>Parking Requirement</b>			
Restaurant ( $\pm 2,400$ sf) 1 space/50 sf of gfa	$2,400 \text{ sf}/50 \text{ sf} = 48 \text{ parking spaces}$	26 parking spaces + 1 EV credited space = 27 parking spaces (V) <sup>(7)</sup>	<b>Variance</b>
Accessible Parking	1 space	1 space	Conforms
Office/Sales Retail (1,080 sf) 1 space/200 sf of gfa	$1,080 \text{ sf}/200 \text{ sf} = 5 \text{ parking spaces}$	6 parking spaces	Conforms
Accessible Parking	1 space	1 space	Conforms
Warehouse Building <sup>(3)</sup> (2,590 sf) 1 space/1,500 sf of gfa + 1 for each vehicle used in connection with the business. 4 vehicles are proposed in connection with the business.	$2,590 \text{ sf}/1,500 \text{ sf} = 2 \text{ parking spaces} + 4 \text{ for vehicles used in connection with the business}$	6 parking spaces	Conforms
Accessible Parking	1 space	1 space	Conforms

V – Variance TBD – To Be Determined

- (1) Per §244-45C(1)(c) all wetlands, as identified and verified, pursuant to the LOI (letter of interpretation) shall be excluded from the gross acreage for purposes of calculating maximum lot coverage (building and impervious) for nonresidential developments. The plans delineate the wetlands per a wetlands investigation. The Applicant shall submit a copy of the NJDEP LOI when obtained and provide the area of the wetlands and calculations. It appears that the maximum lot coverage (building and impervious) is in compliance.
- (2) Per §244-55D the minimum lot frontage required is 200 ft, whereas per the Jackson Township Tax Map Sheet 25 the site has frontage along West Fish Road with a length of 25 ft. The Applicant may require a variance.
- (3) Per §244-55D the maximum height of an accessory structure is 15 ft, whereas the Applicant is proposing to convert the existing  $\pm 400$  sf single-family dwelling into a storage building for the restaurant. The height of the existing  $\pm 400$  sf single-family dwelling shall be provided to determine compliance. The Applicant may require a variance.
- (4) Per §244-55D the minimum parking area setback from the right-of-way is 20 ft, whereas 11.5 ft is existing. A dimension shall be shown on the plan. The Applicant has requested a variance.
- (5) Per §244-55D the minimum parking area setback from a residential property line is 20 ft. The existing/proposed parking for leased vehicles is  $\pm 11$  ft from adjacent Lot 14. A dimension shall be added to the plan. The land use of adjacent Lot 14 should be discussed to determine if variance relief required.
- (6) Per §244-55D the minimum parking area setback from a non-residential property line is 10 ft. The existing parking for the restaurant is 9.12 ft from adjacent Lot 23. A dimension shall be provided. The Applicant has requested a variance.

(7) Per §244-197N(1) the parking space requirements for a restaurant, cafe, diner, luncheonette is 1 parking space for each 50 sf of gross floor area. The restaurant is approximately 2,400 sf, which requires 48 parking spaces. A total of 27 parking spaces are proposed (including an accessible parking space and 1 EV credited space). A variance may be required.

**C. Conservation Zone Overlay**

1. Per §244-45C(1) all properties which fall within the Conservation Zone Overlay shall be regulated by the underlying zone or district within which they are found, except that the following additional requirements shall apply.
  - a. Per §244-45C(1)(a) all applications for major site plan or major subdivision approvals shall be required to submit a valid NJDEP letter of interpretation and/or permit which identifies all freshwater wetlands and wetlands buffers/transition areas on the property or properties included in the application before the application can be deemed complete. **The plans delineate the wetlands per a wetlands investigation. The Applicant shall submit a copy of the NJDEP LOI when obtained. The Applicant shall provide testimony to discuss the status of submission to the NJDEP.**
  - b. Per §244-45C(1)(b) all wetlands, wetlands buffers, transition areas, and riparian buffers must be properly identified and delineated on all submitted plans for major site plan or major subdivision approvals before the application can be deemed complete. **The plans delineate the wetlands per a wetlands investigation, along with a riparian buffer. The Applicant shall submit a copy of the NJDEP LOI when obtained. The Applicant shall provide testimony to discuss the status of submission to the NJDEP. Testimony shall be provided.**
  - c. Per §244-45C(1)(c) all wetlands, as identified and verified, pursuant to the LOI (letter of interpretation) shall be excluded from the gross acreage for purposes of calculating maximum lot coverage (building and impervious) for nonresidential developments. **The plans delineate the wetlands per a wetlands investigation. The Applicant shall submit a copy of the NJDEP LOI when obtained and provide the area of the wetlands and calculations. It appears that the maximum lot coverage (building and impervious) is in compliance. Testimony shall be provided.**
  - d. Per §244-45C(1)(d) all required setbacks shall be taken from the wetlands limits pursuant to the LOI (letter of interpretation). **The plans delineate the wetlands per a wetlands investigation. The location of the wetlands does not affect the required setbacks.**

**IV. SITE PLAN COMMENTS**

*With the exception of the following, site plan issues are deferred to the Board Engineer.*

**A. Use Variance**

1. The Applicant should address the impact of the application on the following:
  - a. Compatibility of the proposed use with surrounding uses; and
  - b. Mitigating factors for the use variance.
2. The Applicant should address the following items for the Board to be able to evaluate the impact of the proposed application on the neighboring properties and the Township:

- a. That the use will not injure or detract from the use of neighboring property.
- b. That the use will not detract from the character of the neighborhood.
- c. That the use of property adjacent to the area included in the plan is adequately safeguarded.
- d. That the property is suitable for the intended use.
- e. That the use will serve the best interests of the Township.
- f. That the use will not adversely affect public sewers and facilities such as water, sewer, police, and fire protection.
- g. That the use will not adversely affect the drainage facilities in the adjacent neighborhood.
- h. That the use will not adversely affect the safe flow of highway traffic and that adequate roadway access is provided to protect roadways from undue congestion and hazards.
3. The Applicant should be prepared to discuss surrounding land uses in relation to the property in question and anticipated impacts as a result of the proposed development.
4. The Applicant shall provide testimony to discuss the existing restaurant use including number of employees, hours of operation, and the number of vehicles used for deliveries.
5. The Applicant shall provide testimony to discuss the proposed storage building use.
6. The Applicant shall provide testimony to discuss the proposed sales office and retail sales area for the shed and manufactured building business. The plans delineate an area for the storage of outdoor sheds. There are currently sheds on-site outside of the area delineated. There is also a 2 car garage and gazebo that appear to be for purchase. The discussion should include exactly what is intended to be for sale on the property and whether all the existing sheds will fit within the area proposed.
7. There is currently a sales trailer on the property. Testimony shall be provided to discuss whether the Applicant intends to retain or remove the trailer. The sales trailer is not shown on the survey or the variance plans.
8. The Applicant shall provide testimony to discuss the warehouse use for 1 to 4 tenants.
9. The Applicant shall provide testimony to discuss the proposed leasing of parking spaces.
10. The Applicant shall provide testimony to discuss the proposed landscape business use.
11. The Applicant shall provide testimony to discuss the proposed operations for all of the uses proposed in sufficient detail to indicate the effects of the use in producing traffic congestion, noise, glare, air pollution, fire hazards or safety hazard, the number of vehicles to be stored or parked on the site and provisions to be made for site maintenance.

B. Items To Be Discussed With The Board

1. The Applicant has applied for a Minor Site Plan approval. Testimony shall be provided to determine the approval required. The discussion should include the exterior building renovations, the additional parking requested for the lease vehicles, and the stormwater basin. According to the definition of a minor site plan indicates (1) does not require the construction of drainage facilities as determined by the Township Engineer, (2) involves proposed exterior

façade alterations and/or new building construction and/or building additions which do not exceed 2,000 sf of gross floor area or 10% of the gross floor area of the existing building, whichever is greater, (3) does not increase the parking requirements of the proposed development by more than 50 spaces or increase the existing parking by more than 20%, whichever is greater, and (4) conforms to all standards and regulations of the Township..

2. Per §244-152B no bulk storage of materials or equipment shall be permitted between any side or rear lot line and the required side or rear setback line. The required side and rear yard setback are 50 ft, whereas approximately 2 ft is proposed to the fence of the storage area for the sheds. Testimony shall be provided. It appears a waiver/variance of this section may be required.
3. Per §244-152B no bulk storage of materials or equipment shall be permitted between any side or rear lot line and the required side or rear setback line. The required side and rear yard setback are 50 ft, whereas approximately 10 ft is proposed to the storage area for the leased parking spaces. Testimony shall be provided. It appears a waiver/variance of this section may be required.
4. Per §244-152D no fence used to screen a bulk storage area shall be placed closer to any property line than the distance constituting the required front, side or rear setbacks, and all setback areas shall be landscaped in accordance with the requirements of § 244-193, whereas approximately 2 ft is proposed to the fence of the storage area for the sheds. Testimony shall be provided. It appears a waiver/variance of this section may be required.
5. Per §244-152E all service roads, driveways and bulk storage areas shall be paved with bituminous concrete or other surfacing materials, as required by the municipal agency, which shall be of sufficient strength to handle the anticipated use. Testimony shall be provided to discuss the surface materials for the service roads, driveways, and bulk storage areas to determine if they are of sufficient strength to handle the proposed uses.
6. Per §244-152F in no instance shall on-site bulk storage of material exceed the height of 10 feet. Testimony should be provided to indicate the types of materials and equipment to be stored outdoors as well as the maximum height for the items to be stored on the site.
7. There are currently numerous operable and inoperable cars, trucks, trailers, buses, boats, etc. being stored on the property. The Applicant shall provide testimony to discuss their ownership and future disposition.
8. There are several rows of arborvitae at the rear of the property which appear to be within the riparian buffer and wetlands buffer. The Applicant proposes this area as storage of landscape nursery stock. Testimony shall be provided to discuss the use of this area. This area is within the riparian buffer and wetlands buffer, the Applicant shall obtain a permit or a jurisdictional determination from the NJDEP.

C. Architectural Considerations

1. The Applicant shall provide testimony to discuss any proposed changes to the existing restaurant building.
2. The Applicant shall provide testimony to discuss the conversion of the existing ±400 sf single-family dwelling to a storage building for the restaurant. The modifications to the exterior and interior of the building shall be discussed. Architectural plans may be required.
3. The maximum height of an accessory building is 15 ft. The height of the proposed storage

building shall be provided to determine compliance.

4. The Applicant shall provide testimony to discuss the conversion of the existing 1,080 sf single-family dwelling to a sales office. The modifications to the exterior and interior of the building shall be discussed.
5. The Applicant shall provide testimony to discuss the conversion of the existing 2,590 sf garage into a multi-tenant warehouse. The modifications to the exterior and interior of the building shall be discussed.
6. There is a discrepancy with regard to the proposed locations of the overhead doors for the multi-tenant warehouse as shown on the architectural plans and the site plans. Revise accordingly.

**D. Signage**

1. The Applicant is proposing changes to the existing freestanding sign. Testimony shall be provided to discuss the proposed changes.
2. Per §244-207B(5)(a) freestanding signs shall be permitted for retail, service and similar activities in the HC, RC, and LM Zones, whereas the site is within the LC Zone. A variance may be required.
3. Per §244-207A(26) the minimum distance to the street right-of-way for a sign with an area of 26 sf to 75 sf is 25 ft, whereas the existing sign is setback 11 ft. The Applicant has requested a variance.
4. The Applicant shall provide testimony to indicate if there are any proposed wall signage for the proposed uses.
5. There is a temporary advertising sign for C & S Landscaping along West Commodore Boulevard. The Applicant shall provide testimony to discuss the existing sign. Per §244-207C(3) signs not exceeding 2 sf in area are permitted without a sign permit. The size of the sign shall be provided.

**E. Traffic Circulation and Parking**

1. Per §244-197N(1) the parking space requirements for a restaurant, cafe, diner, luncheonette is 1 parking space for each 50 sf of gross floor area. The restaurant is approximately 2,400 sf, which requires 48 parking spaces. A total of 27 parking spaces is proposed (including an accessible parking space and 1 EV credited space). A variance may be required.
2. The existing accessible space for the restaurant appears to encroach in the access drive. The location of the accessible space should be discussed. An accessible sign shall be provided.
3. Per §244-197N(1) the parking space requirements for a warehouse is 1 parking space for each 1,500 square feet of gross floor area, plus 1 for each vehicle used in connection with the business. The 2,590 sf warehouse requires 2 parking spaces plus 4 for the proposed vehicles used in connection with the business. The Applicant proposes 6 parking spaces which meets the parking requirements.
4. Per §244-197H all parking areas shall provide pavement in accordance with the requirements of local street and minor collector streets set forth in §244-210, whereas the proposed leased area for parking is proposed gravel. Testimony shall be provided to discuss the surface for the

parking. The Applicant has requested a waiver.

5. Per §244-197H all parking areas shall provide pavement in accordance with the requirements of local street and minor collector streets set forth in §244-210, whereas the parking area for the sales office is existing stone with the exception of the accessible space which is concrete. The Applicant has requested a waiver.
6. It appears that all the gravel areas will be proposed gravel. The Applicant shall provide testimony to confirm. Details shall be provided for the gravel access drive and a gravel section for the storage areas to determine compliance with township design standards.
7. The Applicant shall provide testimony to discuss the condition of the existing pavement for the restaurant use.
8. Per §244-197G the perimeter of all parking areas and internal islands within all parking areas open to the general public shall have continuous cast-in-place concrete curbing, whereas curbing is not proposed. The Applicant has requested a waiver.
9. Per §244-197J(1)(c) not more than one two-way access drive or two one-way access drives shall be permitted on any street, whereas two two-way access drives exist. The Applicant has requested a waiver.
10. Per §244-203A sidewalks and curbing shall be required along all street frontages as a condition relating to any development for which approval is granted by the Planning Board or Board of Adjustment. There is no sidewalk proposed along West Commodore Boulevard. The Applicant has requested a waiver and will contribute to the Jackson Township Pedestrian Safety Fund. Testimony shall be provided to discuss the need for sidewalk along West Commodore Boulevard.
11. The Applicant shall provide testimony to discuss pedestrian and accessible circulation.
12. The Applicant shall provide testimony to discuss the truck circulation for the landscape storage areas. A circulation plan may be required.
13. The Applicant shall provide testimony to discuss emergency vehicle circulation. A circulation plan may be required.
14. Our office defers all fire prevention and fire safety issues to the Township Fire Official.
15. The Applicant indicates in the statement of operations that deliveries will be made by a single unit truck for the restaurant business, and tractor and flat bed/low boy trailers will typically make deliveries of storage sheds and prefabricated buildings. The Applicant does not indicate if any deliveries are anticipated for the warehouse. Testimony shall be provided.
16. The Applicant shall provide testimony to discuss the timing of the deliveries and indicate where the delivery vehicles will be standing during deliveries.
17. The Applicant shall provide testimony regarding the anticipated size of trucks and equipment entering and exiting the site for the warehouse use and for the leased parking area.
18. The statement of operations indicates that “Various vehicles associated with the landscaper business will enter and exit the site during the day in the course of conducting its’ business activities”. Testimony shall be provided to discuss the types of vehicles associated with the landscape business and where these vehicles will be parked.

19. Testimony should be provided regarding the traffic impacts associated with the proposed uses.
20. Testimony should be provided to discuss any anticipated frontage improvements and off-site roadway improvements proposed for West Commodore Boulevard. Ocean County Planning Board approval is required.
21. According to the Jackson Township Tax Map Sheet 25, the site has a 25 ft frontage along West Fish Road. The survey provided does not reflect the same. Testimony shall be provided to determine if the site has frontage along West Fish Road.

**F. Lighting**

1. Per §244-197J(1)(f) lighting is required for all parking lots and shall provide a minimum lighting level of 0.5 footcandles throughout the parking area and access drives. There is no lighting proposed. The Applicant has shown the locations of the existing lights. Our office recommends that a point-by-point analysis be provided to determine the existing lighting levels. The Applicant has requested a waiver.
2. The Applicant shall provide testimony to discuss the need for additional lighting for the proposed uses. The hours of operation for each use should be discussed to determine if adequate lighting is provided for safe vehicle and pedestrian circulation.

**G. Landscape Design**

1. Per §244-193B(1) All proposed uses, other than single-family and two-family dwellings shall provide buffer areas along all side and rear property lines which abut areas zoned for residential use. For buildings less than 15,000 square feet, a 10 ft wide buffer is required. The Applicant shall provide testimony to discuss the existing uses of the adjacent properties to determine if buffering is required.
2. Per §244-197I(3)(a) all required tree and shrub plantings shall be placed on the on-site portion of the safety island, whereas none is provided. The Applicant has requested a waiver.
3. Per §244-152C all bulk storage areas shall be screened from public view by means of suitable fencing and/or evergreen plantings as required by the municipal agency. Testimony shall be provided to discuss the adequacy of the proposed screening of the shed storage area and the leased area for the parking of vehicles.
4. There is no landscaping proposed as part of this application. The rear of the site is partially wooded. There is no existing decorative landscaping. The Applicant shall provide testimony to discuss the need for landscaping in the front of the site along West Commodore Boulevard.
5. General Note #6 on sheet 1 of 3 indicates that "There is no tree removal proposed with this application." Testimony shall be provided.

**H. Utilities**

1. The site is serviced by an existing potable well and on-site septic systems. The Applicant shall provide testimony to discuss the existing utilities.
2. The Applicant may be required to obtain Ocean County Health Department approval for the change of uses.

I. Storage of Solid Waste & Recyclable Materials

1. A detail shall be provided for the proposed trash enclosure for the warehouse and the sales office.
2. Per §244-208B the refuse storage area shall be surrounded on three sides by a solid uniform fence or wall not less than five feet nor more than eight feet in height. There are dumpsters at the rear of the site that are not within enclosures. Testimony shall be provided.
3. Per §244-208C a five-foot-minimum-width landscaping area shall be provided along the fence or wall enclosing the refuse storage area, whereas none is proposed for the proposed trash enclosure for the restaurant. The plan shall be revised, or the Applicant shall request a waiver.
4. Per §244-208C a five-foot-minimum-width landscaping area shall be provided along the fence or wall enclosing the refuse storage area, whereas none is proposed for the proposed trash enclosure for the warehouse and the sales office. The plan shall be revised, or the Applicant shall request a waiver.
5. Per §244-208I no refuse storage area shall be placed within 10 feet of any public right-of-way or any property line, whereas the proposed refuse storage area is approximately 2 ft from the property line. The plan shall be revised, or the Applicant shall request a waiver.
6. The Applicant shall provide testimony to discuss where solid waste and recyclables will be stored.
7. The Applicant shall provide testimony as to the frequency the refuse will be removed from the site.
8. The Applicant indicates in the statement of operations that “the facility will not have storage of any hazardous material.” Testimony shall be provided.

J. Miscellaneous Comments

1. The boundary and topographic survey provided is dated October 6, 2022, and does not appear to reflect all current conditions. An updated survey should be provided.
2. The existing stone areas on the property encroach onto adjacent Lots 22, 23 & 26. Testimony shall be provided to discuss the encroachments.
3. The Applicant is required to obtain all local and outside agency approvals.
4. A list of any variances and waivers granted shall be provided on the plans.
5. The Applicant shall provide testimony to discuss any potential environmental impacts as a result of the proposed uses and site modifications.
6. Issues related to the Affordable Housing Non-Residential Development Fee are deferred to the Board Solicitor.

**V. VARIANCES & WAIVERS**

- A. The Applicant requests variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a “Use” variance) for the existing restaurant use in the LC – Limited Commercial Zone.
- B. The Applicant requests variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a

“Use” variance) for the conversion of the existing single-family dwelling to an office/retail sales use with a storage area for outdoor sheds in the LC – Limited Commercial Zone.

- C. The Applicant requests variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a “Use” variance) for the conversion of the existing garage to a warehouse use in the LC – Limited Commercial Zone.
- D. The Applicant requests variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a “Use” variance) for a leasing parking spaces use in the LC – Limited Commercial Zone.
- E. The Applicant requests variance relief under N.J.S.A. 40:55D-70(d)(1) (commonly referred to as a “Use” variance) for a landscape business use in the LC – Limited Commercial Zone.
- F. The Applicant has requested variance relief under N.J.S.A. 40:55D-70(c); commonly referred to as a ‘c’ or “bulk” variance, for minimum parking area setback from a right-of-way, and minimum parking area setback from a non-residential property line.
- G. The Applicant requires variance relief under N.J.S.A. 40:55D-70(c); commonly referred to as a ‘c’ or “bulk” variance, for minimum lot frontage along West Fish Road, the required minimum parking spaces.
- H. Additional variance or waiver relief may be required pending Applicant's response to the issues identified in the body of this report.

In order for the Board to grant a ‘d’ variance, The Applicant has the burden of demonstrating “Special Reasons” for granting the use variance as well as offering an “enhanced quality of proof” which states that the variance is not inconsistent with the intent and purpose of the master plan and zoning ordinance (Positive Criteria). The applicant should also demonstrate that the requested relief can be granted without substantial detriment to the public good and will not impair the intent and purpose of the zone plan and zoning ordinance (Negative Criteria).

“Special Reasons”, the applicant should demonstrate that the proposed use carries out the purposes of zoning as listed in 40:55D-2 of the Municipal Land Use Law or that the refusal to allow the project would impose an undue hardship on the applicant. The applicant must present support for the first test within a Statement of Reasons contending that the proposed use promotes the purpose of zoning. In lieu of the Statement of Reasons, the applicant should provide a statement regarding the undue hardship which must relate to the land in question or unique conditions of the site.

With respect to the first portion of the Negative Criteria, the applicant must demonstrate that the requested relief can be granted without substantial detriment to the public good. The applicant must demonstrate that the proposed use will not have a negative impact on the adjacent properties, and that it will not cause such damage to the character of the neighborhood as to constitute “substantial detriment to the public good”. The applicant shall provide testimony at the Zoning Board hearing.

In the second prong of the Negative Criteria, the applicant must demonstrate that the requested relief will not impair the intent and purpose of the zone plan and zoning ordinance. Testimony should be provided as to why the proposal will not impair the intent and purpose of the LC Zone and the Borough Master Plan

In order for the Board to grant a ‘c’ variance, an Applicant need only satisfy the Positive Criteria (although no variance may be granted which will be detrimental to the public good or the City’s Zone Plan). The granting of a ‘c’ variance requires the affirmative vote of a majority of the Board members present at the hearing.

Under N.J.S.A. 40:55D-2, the MLUL enumerates as its purposes:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;*
- b. To secure safety from fire, flood, panic, and other natural and man-made disasters;*
- c. To provide adequate light, air, and open space;*
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county, and the State as a whole;*
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;*
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;*
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all NJ citizens;*
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;*
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;*
- j. To promote the conservation of historic sites and districts, open space, energy resources, and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;*
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design, and layout of residential, commercial, industrial, and recreational development to the particular site;*
- l. To encourage senior citizen community housing construction;*
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;*
- n. To promote utilization of renewable energy resources;*
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.*

**Variance Justification**

Applicant has not provided justification for the approvals required. *Applicant is asked to address these issues within the context of the requirements for variance relief detailed above.*

Any resubmissions in response to this report should be accompanied by a point-by-point response to all items, *with revisions on the plans clouded or highlighted to indicate changes.* In order to facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

As always, Board members, Applicants and their professionals should feel free to contact me if they have any questions or require additional information.

God Bless America,

**REMINGTON & VERNICK ENGINEERS**



Ernest J. Peters, Jr., PE, PP, CME  
Board Planner

MMG/EJP:mr

cc: Mr. Jeff Purpuro - Zoning Officer  
Ms. Gina Tumolo – Assistant Zoning Officer  
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## RE: [EXT] 2026 Planning Board Meetings

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**Date** Mon 12/29/2025 12:30 PM  
**To** Laura Morrison <[lmorrison@jacksonwpnj.net](mailto:lmorrison@jacksonwpnj.net)>

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2-9 not good for me

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**From:** Laura Morrison <[lmorrison@jacksonwpnj.net](mailto:lmorrison@jacksonwpnj.net)>  
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**Subject:** [EXT] 2026 Planning Board Meetings

Good morning,

Attached are the proposed dates for the 2026 Jackson Township Planning Board meetings. The dates will be formally adopted at the January 12, 2026 reorganization meeting.

All of you have applications that need to be scheduled to be heard in 2026. If you or your applicants are not available on any of these dates please let me know so I do not schedule you for those dates.