



Payment of zoning application fees are required with submission of application. Type of application:

- () Deck () Porch () Addition
 () Shed () Patio () Detached Garage
 () Fence () Pool () Gazebo/Cabana/Pool House
 () Sign () Generator () Solar
 () New Commercial Bldg () Commercial Alteration () Change in business use/tenant
 () New Residential Dwelling Type: _____ () New Multi-Family Dwelling
 () Certificate of Non-Conformity Other: _____

114989

Property serviced by:

- () Sewer/Water
 () Septic/Well

TOWNSHIP OF MANALAPAN - REQUEST FOR ZONING PERMIT

ADDRESS OF CONSTRUCTION: 77 Pension Road, Suite 9 Manalapan, NJ BLOCK/LOT: 30 / 5.01

PROPERTY OWNER: Pulse Fitness by Wade LLC TEL#: 908 596 1485

PROPERTY OWNER'S ADDRESS: 69 Zimm Lane Freehold, NJ 07728

E-MAIL ADDRESS: wmillerlite@gmail.com,

APPLICANT: Wade Miller TEL#: (908) 596-0485

APPLICANT'S ADDRESS 69 Zimm Lane Freehold, NJ 07728

PROPOSED WORK: New tenant CCO DIMENSIONS: 1,125 square feet

SET BACKS: Front _____ Rear _____ Sides _____ Street Side _____ Distance between Structures _____ HEIGHT: _____

SIGNAGE: Square Foot: _____ ZONE: _____ BLDG COVERAGE: _____ NO. OF STORIES: _____

APPROVALS: Zoning Board _____ Planning Board _____ Resolution #: 2BE 1711

I am familiar with the Codes and Ordinances of Manalapan Township. The proposed project will not constitute nor create a non-conforming use or structure. I will not add nor delete from the requested project specifications without approval. I accept responsibility for any and all violations created by the requested project and understand such violations must be removed and/or abated as directed by the Zoning Officer.

Property Owner's Signature _____ Wade Miller _____ 11/5/18
 Print Name Date

Applicant's Signature _____ Wade Miller _____ 11/5/18
 Print Name Date

OFFICE USE ONLY:

APPROVED: ☒ DENIED: _____ PERMIT # 218-0004

REMARKS: _____

Nancy DeFalco _____ 1-5-18
 Zoning Officer Date

CERTIFICATE OF ZONING COMPLIANCE

To the best of my knowledge the finished project conforms to the Code and Ordinances of the Township of Manalapan.

APPROVED: _____ DENIED: _____ REMARKS: _____

Zoning Officer _____ Date _____

**ZBE 1711
RESOLUTION OF MEMORIALIZATION**

APPLICATION OF PULSE FITNESS BY WADE, LLC

**APPROVAL OF USE VARIANCE TO OPERATE A
PERSONAL TRAINING STUDIO**

IN THE MATTER OF
PULSE FITNESS BY WADE, LLC

: ZONING BOARD OF ADJUSTMENT
: TOWNSHIP OF MANALAPAN
: APPLICATION NO. ZBE 1711
: BLOCK 30, LOT 5.01
: 77 PENSION ROAD, SUITE 9

WHEREAS, Pulse Fitness by Wade, LLC (the "applicant") has requested use variance approval pursuant to N.J.S.A. 40:55D-70(d)(1) to operate a personal training studio located at Block 30, Lot 5.01, on the tax map of the Township of Manalapan, being commonly known as 77 Pension Road, Suite 9, Manalapan, New Jersey, and said premises being in the LI Zone where personal training studio's are not permitted; and

WHEREAS, the Board held a public hearing on said application on July 20, 2017; and

WHEREAS, the applicant provided adequate notice of the application and the hearing in accordance with N.J.S.A. 40:55D-12; and

WHEREAS, the applicant was represented by Daniel Green, Esq.; and

WHEREAS, the Board heard the testimony and the evidence presented by the applicant and received no comments from the public.

NOW, THEREFORE BE IT RESOLVED, that the Board of Adjustment of the Township of Manalapan, County of Monmouth, and State of New Jersey, on the 20th day of July, 2017, made the following findings of fact:

1. The Board found the application complete.
2. **According to the application the applicant is seeking the following variances:**
 - A. To operate a personal training studio, whereas such uses are prohibited in the LI Zone.

3. Based upon the comments of the applicant's attorney, Daniel Green, Esquire, the Board made the following findings of fact:
 - A. The applicant is requesting a use variance to operate a personal training studio in a large industrial complex comprised of smaller units throughout two buildings. There are a total of 140 parking spaces, four of which are handicapped stalls.
 - B. The applicant will be occupying a 1,125 square foot unit to operate the business. No other variances are needed.
4. Based upon the sworn testimony of the applicant, Wade Miller, the Board made the following findings of fact:
 - A. Applicant is the contract purchaser of the unit and plans to move his personal training business to this location. He currently rents space in Monroe Township to operate his business for the past eight years and seeks to own his own property by moving to this new proposed location.
 - B. Typically, the applicant conducts 1 on 1 training sessions and nutritional counseling, with one other part-time trainer. He never runs classes, and only has a maximum of two trainers and two clients during a session at any given time. The business operations will remain the same at this new location. Hours of operation during the week are typically from 6 a.m. through 9 p.m., and on the weekends from 7 a.m. through 2 p.m. There will not be any equipment or training conducted outside, with the exception of going for a brief walk outside.
 - C. The only exterior modification proposed at some point in the future is to add a window to the garage door. Interior modifications are limited to an office, addition of flooring and mirrors, and moving equipment into the space. Additionally, the applicant intends to only put a front window sign.
 - D. The applicant estimates that he will only need 4 parking spaces at a time for the trainers and clients. There are parking spots directly in front of the unit and more than enough space throughout the complex. Additionally, if a client needs handicapped access, they can park directly in front of the garage because there will not be any loading/unloading activities that would otherwise block this area.

5. Based upon the sworn testimony of the applicant's professional planner, Allison Coffin, P.P., the Board made the following findings of fact:

- A. The industrial complex consists of approximately 7 acres, with two fully developed buildings comprised of 40 separate flex space units. The units are occupied by a mix of light industrial office and recreational uses. The subject unit is located towards the front of the complex and is immediately adjacent to a dance studio.
- B. There are a total of 140 parking spaces at the complex, which equates to approximately 3 spaces per unit. During her site visit, Ms. Coffin observed that some units use more spots, while others use less. However, she observed a significant amount of unused parking spots in the immediate area of the subject unit. Additionally, there are loading zones in front of each unit, which can accommodate an additional two parked cars if loading is not taking place. Estimating the need of six parking spots in the event of client overlap, there is more than sufficient parking for the proposed use.
- C. Special reasons exist for approval of the use variance and can be granted in a way that will not impair the intent and purpose of the master plan or result in a substantial harm to the public.
- D. The purposes of the MLUL will be advanced because the site is particularly suitable for the proposed use. Personal training studios are a good fit for flex space type units, such as those located in the subject industrial complex, because they require open space for equipment and activities, and a smaller office space for the business operations. Likewise, the site can accommodate the proposed personal training studio because it only requires a maximum of six parking spots and there is more than sufficient space throughout the complex.
- E. There will not be any substantial detriment to the public good or the surrounding properties from this use because the personal training studio is a good compliment to the other uses occupying the complex. Furthermore, because the subject unit is located towards the front of the site and adjacent to the dance studio, through traffic is limited to the front of the property, reserving the rear for industrial uses. Additionally, the personal training studio will not generate significant traffic, noise or odors given that it is limited to one on one training within the unit.

- F. Furthermore, the proposed use will not impair the intent and purpose of the Master Plan or LI Zone because the proposed use compliments the other permitted uses in the complex, and does not require any substantial alteration of the site, thereby allowing the site to be used by a compliant use in the future.
6. The Board determined that the site is particularly suitable for a personal training studio because the industrial complex contains flex space units that provide open space, which is necessary for the housing of equipment and conducting personal training activities.
7. The Board determined that this use will not have a detrimental impact on the surrounding properties because the site can accommodate the parking demand of the proposed use, and the personal training activities are limited to inside the unit.
8. The benefits of this proposal outweigh its detriments.

CONCLUSIONS OF LAW:

WHEREAS, the Board determined that this application has met the requirements of N.J.S.A. 40:55D-70 (d)(1), finding that the proposed personal training studio is particularly suitable for the area as it is located in an industrial complex with flex space units that provide sufficient open space and parking, which is necessary for such types of uses; and

WHEREAS, the Board finds special reasons exist for an approval and that the proposal is reconcilable with the Master Plan because the personal training studio provides a use in a specific location that meets the needs of the community, requires minimal site improvements so as to remain compatible with the surrounding uses, and provides for an efficient use of the land by utilizing an existing industrial flex unit for a use that requires that type of space; and

WHEREAS, the Board finds that the benefits of this proposal outweigh any substantial detriment to the LI Zone or the public good; and

WHEREAS, the Board has determined that the relief sought can be granted without a substantial negative impact, provided all conditions of approval are satisfied or met; and

WHEREAS, the Board has determined that the relief sought does not impair the intent and purpose of the Master Plan or Zoning Ordinance of the Township of Manalapan.

NOW, THEREFORE BE IT RESOLVED, by the Board of Adjustment of the Township of Manalapan, in the County of Monmouth, and State of New Jersey, on the 20th day of July, 2017, upon a motion to approve made by Mr. Fisher and seconded by Ms. Strauss that the application of Pulse Fitness by Wade, LLC is APPROVED, subject to the following terms and conditions:

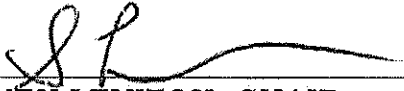
1. The applicant shall be bound by all exhibits introduced, all representations made, and all testimony given before the Board at its meeting of July 20, 2017.
2. The applicant shall pay, in a timely manner, all outstanding and future fees, and escrow charges and shall post all performance guarantees in connection with the review of this application prior and subsequent to the approval of this application.
3. The applicant shall provide all required Site Performance Bond and Inspection Fees in accordance with the Municipal Ordinance.
4. The applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to the Municipality's and State's affordable housing regulations; and the applicant shall comply with any requirements or conditions of such approvals or permits.
5. The applicant must comply with the Development Fee Ordinance of the Township of Manalapan, if applicable, which Ordinance is intended to generate revenue to facilitate the provision of affordable housing.
6. Equipment and training are not permitted outside.
7. A maximum of 2 trainers and 2 clients are permitted at the property at any given time.
8. The applicant is permitted to install a window(s) on the garage door without the need for additional variance relief, provided there isn't an expansion of the unit.
9. Notice of this decision shall be published in an official newspaper of the municipality at the cost of the applicant, and proof of such publication shall be provided to the Board Secretary.

ADOPTED this 20th day of July, 2017

ROLL CALL VOTE	YES	NO	ABSTAIN	ABSENT	NOT ELIGIBLE
Mr. Cooper	X				
Mr. Fisher	X				
Ms. Kamen	X				
Mr. Leviton	X				
Mr. Rosenthal	X				
Ms. Siminerio	X				
Ms. Strauss	X				
Ms. Byan (Alt. #1)					X
Mr. Cammarata (Alt. #2)				X	

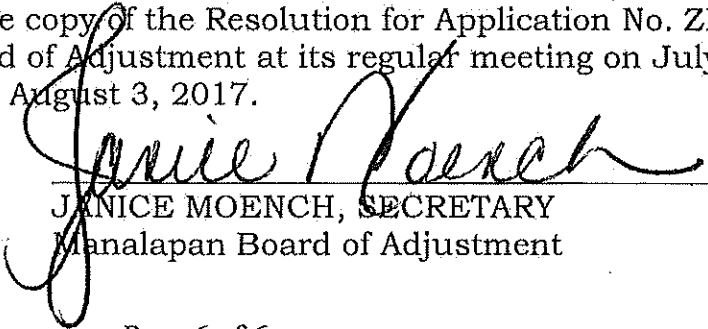
This Resolution is hereby adopted and memorialized by the following vote:

ROLL CALL VOTE	YES	NO	ABSTAIN	ABSENT	NOT ELIGIBLE
Mr. Cooper	✓				
Mr. Fisher	✓				
Ms. Kamen	✓				
Mr. Leviton	✓				
Mr. Rosenthal	✓				
Ms. Siminerio	✓				
Ms. Strauss	✓				
Ms. Byan (Alt. #1)					X
Mr. Cammarata (Alt. #2)					X


STEVEN LEVITON, CHAIR
Manalapan Board of Adjustment

CERTIFICATION

I, JANICE MOENCH, Secretary of the Zoning Board of Adjustment of the Township of Manalapan, County of Monmouth, State of New Jersey, do hereby certify the attached is a true copy of the Resolution for Application No. ZBE 1711 approved by the Board of Adjustment at its regular meeting on July 20, 2017, and memorialized on August 3, 2017.


JANICE MOENCH, SECRETARY
Manalapan Board of Adjustment

January 4, 2018

Re: Letter of Intent for Pulse Fitness by Wade LLC

To Whom it May Concern:

Pulse Fitness by Wade LLC is a premier personal training studio that is owned by Wade A. Miller. He has over 15 years of experience in the health and fitness industry. Specializing in sports conditioning, strength training, cardiovascular exercise and nutrition consulting tailored to meet the individual needs of clients. He has worked with all ages and levels, including teens, adults, and seniors, and enjoys using his creativity, focus, and expertise to guide clients to their goals. In the past 9 years he has rented a studio in Monroe Township "Franklin Plaza" and after years of success and positive results with his clients as well as encouragement from them he looks forward to continue operating his business with the same level of commitment in a safe, clean and professional atmosphere.

Mr. Miller plans to continue operating in the same diligent manner at his newly purchased 1,125 square foot unit at 77 Pension Road, Manalapan, NJ Suite 9 07726. The hours of operation will remain the same from 6 a.m. through 9 p.m. and on the weekends from 7 a.m. through 2 p.m, weather permitting. Day to day operations typically include certified trainer/owner Wade Miller along with one other part-time certified trainer conducting one-on-one training sessions and nutritional counseling. Trainers carefully design a safe, well rounded program of progressive resistance training around their clients personal fitness goals, history, and limitations. There will not be any equipment or training conducted outside, with the exception of going for a brief walk outside. There are 140 parking spaces in the large industrial complex, four of which are handicapped stalls. Mr. Miller anticipates the use of 4 parking spaces at a time for the trainers and clients which are located directly in front of the unit. Additionally, if a client needs handicapped access, they can park directly in front of the studio, since there will not be any loading/unloading activities that would otherwise block the area.

In closing, Pulse Fitness mission is to meet its client health and fitness goals in a larger space that is safe and just as close in proximity to its current location. Pulse Fitness is looking forward to continue accommodating the local community with a stronger, leaner and healthier population.

Sincerely,



Wade A. Miller
Pulse Fitness by Wade LLC
CPT/Owner

Nancy DePalco
Zoning Officer
218-0004
