

PRELIMINARY & FINAL MAJOR SITE PLAN
MYSTIC ISLAND VOLUNTEER FIRE COMPANY
Block 326.101, Lot 14.01
116 Pilsudski Way
Zone – GB General Business Zone

Application No. 2022-01

**RESOLUTION OF APPROVAL 2022-11
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, an application has been made by Mystic Island Volunteer Fire Company for preliminary & final major site plan approval for Block 326.101, Lot 14.01, as set forth on the Tax Maps of the Township of Little Egg Harbor; and

WHEREAS, the site plan for the proposed new building was prepared by Robbie Conley, RA, AIA, PP, dated November 12, 2021; and

WHEREAS, the Planning Board, after carefully considering the evidence presented by the applicant, and the report(s) from its professional staff, hereby makes the following findings of fact:

1. The applicant has a proprietary interest in the subject property.
2. The applicant has requested approval in accordance with the Ordinances of the Township of Little Egg Harbor.
3. The public hearing on the application was held on April 7, 2022, at which time the applicant was represented by Robert Rue Esq.
4. The site in question is located in the General Business zone. The site is located at 116 Pilsudski Way, between Pilsudski Way and Kosciusko Way.
5. The applicant seeks approval to construct a 7,155sf storage building for fire and safety equipment and vehicles, with the main access to Pilsudski Way.

6. The subject lot consists of the following existing non-conformities:

Lot area: 22,500sf required: 20,00sf existing/proposed
Lot width: 150ft required; 100ft existing/proposed

7. Additionally, the applicant requests variance relief for the following:

Front yard setback (Pilsudski Way): 70ft required; 60ft proposed
Front yard setback (Kosciusko Way): 70ft required; 40ft proposed

7. Remington & Vernick Engineers, the Board engineers, prepared a report to the Board dated February 18, 2022.

The Board hereby adopts the findings in the report and incorporates them in this Resolution by reference.

8. The applicant presented the testimony of the president of the Fire Company, Jeffrey Petrauskas, who testified to the need for the storage space for vehicles and equipment. The building will have garage door openings on both sides, with the main access being to Pilsudski Way. The applicant's architect/planner, Robbie Conley, RA, AIA, PP, testified that the property sits between Pilsudski Way and Kosciusko Way, which results in 2 front yards on opposite sides of the property. The building length needs to be long enough to house fire safety vehicles, which causes the need for setback variances. An environmental impact statement waiver is requested, since the property had been developed with a demolished building, and the proposed building will have no further environmental impact. A lighting plan will be provided for on-building lighting proposed for the residential side of the building. An updated survey (post-2018) will be provided. A grading plan will be provided, with a drainage plans to be acceptable to the Board Engineer. Impervious coverage calculations will also be provided. No buffering for the adjacent residence is proposed.

The testimony elicited supported the applicant's contention that the proposed preliminary and final major site plan is in keeping with the area and neighborhood and that the granting of the application would in no way be detrimental to the public good.

The Little Egg Harbor Township Planning Board concurs with these representations and so finds.

WHEREAS, the Planning Board has determined that the applicant should be granted the requested relief for the following reasons:

1. The proposed site plan will pose no danger to the surrounding area.
2. The granting of the application will not have a substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan, Master Plan, and/or Zoning Ordinances of the Township of Little Egg Harbor.
3. The positive criteria outweigh the negative, if any.
4. There was no public comment at the hearing.
5. The safety and well being of the immediate area will not be adversely affected by the proposed development.

NOW, THEREFORE, BE IT RESOLVED by the Little Egg Harbor Township Planning Board that the application is hereby approved subject to the following conditions:

- 1. These specific conditions noted herein are an integral part of the basis for which the approval is being granted and are intended to be inseparable from the right of enjoyment of this approval.**
- 2. The applicant shall comply with all conditions as contained in the February 18, 2022 report of the Board Engineer and shall submit revised plans accordingly.**
- 3. A lighting plan will be provided for on-building lighting proposed for the residential side of the building.**
- 4. An updated survey (post-2018) will be provided.**
- 5. A grading plan will be provided, with a drainage plans to be acceptable to the Board Engineer.**
- 6. Impervious coverage calculations will also be provided by the applicant, to the satisfaction of the Board Engineer, to assure compliance with all applicable regulations.**

In addition, the following general conditions shall apply:

1. The applicant must submit proof of payment of all currently due taxes to the Little Egg Harbor Township Planning Board.
2. The applicant must post all bonds and guaranties as required and recommended by this Board and said Planning Board engineer. Moreover, the Applicant must post all required engineering inspection fees.
3. All representations and statements made by the Applicant, as well as Applicant's representatives and witnesses, shall be considered and deemed to be relied upon by the Board in rendering this decision and to be an expressed condition of this Board's actions in approving the subject application. Any misstatement or misrepresentation, whether by mistake or change in circumstance, shall be deemed a breach of this condition of approval and shall subject this application to further review of this Board's own motion.
4. In the event the Planning Board determines that it reasonably relied upon any misstatement or misrepresentation, then and in that case any approvals previously given may be rescinded and any improvements in place on the premises in question shall not be considered as being in compliance with the ordinances of the Township of Little Egg Harbor.
5. The applicant must comply with all conditions as contained in the aforementioned reports of the Board professionals.
6. The applicant must obtain reports with signed certifications from the Township of Little Egg Harbor Planning Board Engineer, Zoning Officer, and Building Department certifying compliance with all conditions of the Resolution.

7. No building permit will be issued until all escrow accounts have sufficient monies to pay all outstanding Planning Board professional fees. In the event a building permit is issued and there are outstanding escrow monies due for Planning Board professional fees, a stop-work order will be filed against the applicant/contractor until such escrow fees have been confirmed by the Board Secretary as paid in full.

8. In the event there is an *existing* violation, the applicant shall have thirty (30) days from the date of the Notice of Decision was published to correct the violation. Failure to correct the existing violation within the time proscribed will result in the issuance of a summons.

9. The applicant shall comply with all regulations and obtain all necessary permits required by outside agencies, including local, state and federal.

10. The applicant has agreed to participate in the State recycling program. The program provides credits to the Township of Little Egg Harbor when trees and tree parts are cleared from properties and processed into wood chips (at the site) and then recycled for use as product on-site or off-site. The applicant agrees to file the appropriate forms with Little Egg Harbor Township so that the Township will receive recycling credits pursuant to *N.J.A.C. 7:26A-1.4*.

BE IT FURTHER RESOLVED the applicant's request for preliminary and final site plan approval, pursuant to the terms and conditions as set forth more fully in the preamble of this Resolution, be and hereby are approved.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant, the Building Department, and the Township Clerk by the Planning Board secretary.

BE IT FURTHER RESOLVED that a notification of this favorable Resolution shall be published in an official newspaper of the Little Egg Harbor Township within ten (10) days of the adoption of this resolution.



GEORGE GARBARAVAGE, Chair

CERTIFICATION

I, **Robin Schilling**, Secretary of the Little Egg Harbor Township Planning Board, certify that the foregoing Resolution was duly adopted at a meeting held on May 5, 2022, memorializing the vote of the Little Egg Harbor Township Planning Board at a meeting previously held on April 7, 2022, a quorum being present and voting in the majority.



Robin Schilling, Board Secretary