

MINOR SITE PLAN
MANASQUAN BANK
Block 288, Lot 5
540 Route 9
Zone – Route 9 Gateway Overlay
GB General Business Zone

Application No. 2022-11

**RESOLUTION OF APPROVAL 2023-10
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, an application has been made by Manasquan Bank for minor site plan approval for Block 288, Lot 5, as set forth on the Little Egg Harbor Township Tax Maps; and

WHEREAS, the Minor Site Plan was prepared by MCH Engineering, dated November 5, 2022; the floor plan was prepared by Longo Architects, dated December 5, 2022; a Survey was prepared by Vallee Surveying, dated October 25, 2022; 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 February 2, 2023, at which time the applicant was represented by Harvey York Esq.
4. The site in question is located in the Route 9 Gateway Overlay of the General Business zone. The site is located on the southern side of Route 9, with frontage also on Leitz Boulevard.
5. The applicant seeks minor site plan approval to partition off 950sf of the existing bank building for a proposed retail use. Since all proposed improvements are limited to the interior of the building, no exterior site improvements are proposed.
6. The application complies with the bulk zoning requirements of the GB Zone, and no variances are being sought.
7. Remington & Vernick Engineers, the Board engineers, prepared a report to the Board dated January 6, 2023. Taylor Design Group, the Board landscape architects, prepared a report to the Board dated February 1, 2023.

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

8. The applicant presented the testimony of its engineer, Matthew Hockenbury, PE, PP, regarding the engineering and planning requirements of the site. No exterior changes to the site are proposed, but rather all modifications are to the interior of the bank building. Ingress and egress to/from the new proposed retail space will be strictly from the bank vestibule area of the interior of the bank building. No additional parking spaces are required. No changes to the signage are proposed. Any trash generated by the new retail space will be handled in the interior of the space by the tenant. No loading zoning would be needed, nor is any proposed. If any exterior changes become necessary, the applicant will comply with ADA parking space requirements. The rear egress steps will be used by employees only. The basement area will not be used for retail space. The applicant will comply with the Townships EV ordinance. The testimony elicited supported the applicant's contention that the proposed minor 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 minor 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 site plan.

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 site may not be used for cannabis retail sales.**
3. **The site may not be used for food sales.**

4. **The applicant will provide an EV parking space, if required by ordinance.**
5. **The applicant shall connect the sidewalks to the adjoining properties.**
6. **The applicant will install 2 street trees, per the recommendations of the Board Landscape Architect. No additional buffer plantings or street trees shall be required.**

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 Board Engineer's Report, and the conditions in the Board Landscape Architect's report.

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*.

11. In accordance with NJSA 40:55D-46.1, approval of a minor site plan shall be protected for a two-year period; an extension on such approval may be granted by the Board not exceeding an additional one year. In accordance with NJSA 40:55D-47, approval of a minor subdivision shall expire 190 days from the date of this resolution unless a plat or subdivision deed is endorsed by the Board Chair and filed with the County Clerk within said 190-day period; an extension of said 190-day period may be granted by the Board not exceeding an additional one year. Minor subdivision approval shall thereafter be protected for a two-year period; an extension on such approval may be granted by the Board not exceeding an additional one year. In accordance with NJSA 40:55D-49, preliminary approval of a major subdivision or site plan shall be protected for a three-year period; extensions on such preliminary approval may be granted by the Board for an additional one year not exceeding a total extension of two years. In accordance with NJSA 40:55D-52, final approval of a major subdivision or site plan shall be protected for a two-year period; extensions on such final approval may be granted by the Board for an additional one year not exceeding a total extension of three years. All other approvals will expire one year after the date of resolution approval if a building permit is required or, if a building permit is not required, a certificate of occupancy has not been obtained; thereafter the applicant may apply to the Board for an extension if the conditions and ordinances existing at the time of approval have not changed.

BE IT FURTHER RESOLVED the applicant's request for 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 March 2, 2023, memorializing the vote of the Little Egg Harbor Township Planning Board at a meeting previously held on February 2, 2023, a quorum being present and voting in the majority.



Robin Schilling, Board Secretary