

**RESOLUTION OF MEMORIALIZATION OF THE LITTLE EGG HARBOR
TOWNSHIP BOARD OF ADJUSTMENT**

**RESOLUTION NO. 2019-10
VARIANCE APPLICATION NO. 2018-15**

**RE: ENVIRO PRODUCTIONS, LLC.
BLOCK 79, LOT 3
LITTLE EGG HARBOR, NEW JERSEY
APPLICATION FOR PRELIMINARY AND FINAL MAJOR SITE PLAN**

WHEREAS, ENVIRO PRODUCTIONS, LLC., whose mailing address is 829 Radio Road, Suite C, Little Egg Harbor, New Jersey 08087, has applied for relief pursuant to N.J.S.A. 40:55D-70(d) affecting premises located at Block 79, Lot 3, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 1372 Route 539, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on January 9 2019, in the Municipal Building of the Township of Little Egg Harbor and testimony was presented on behalf of the applicant and all interested parties having been heard; and

WHEREAS, said Board having considered said application and testimony of the applicant, makes the following findings:

WHEREAS, said Board having considered said application, testimony and exhibits submitted and inspection of the site, if any, makes the following findings:

1. The application is deemed complete pursuant to the applicable provisions of the Little Egg Harbor Township Zoning Ordinance.
2. The property in question is located along the western side of Route 539, approximately 450 ft north of the Little Egg Harbor Township Recycling & Compost Center. The property is located within the GB General Business Zone and is additionally located in the Scenic Gateway Overlay Zone. The minor subdivision and preliminary/final site plan application

seeks variance relief relating to use. The Applicant seeks to subdivide the parcel into 2 lots and develop Lot 3.01, a 1.98 acre parcel, with a contractor's office and storage operation. The proposal includes a 2-story office building, an outdoor storage area, outside parking for 20 vehicles, 2 parking spaces inside the building, landscaping, a stormwater basin and related improvements. The Use Variance and Minor Subdivision was granted at the November 14, 2018 meeting under Resolution No. 2019-01, thereby leaving the preliminary and final major site plan application.

3. Applicant requests the following variances:

A. **PARKING / CIRCULATION:**

(a) Per §15-4.24.2H(3), parking shall be located to the rear of the building where the visual impact to adjacent properties and the public can be minimized.

(b) Per §15-4.24.2H(4), parking areas shall be interconnected where feasible.

4. Applicant requests the following waivers:

PARKING / CIRCULATION:

(a) Per §15-12.16B, two loading spaces are required, whereas only one has been provided.

LIGHTING:

(a) Per §15-7.3, lighting shall average a maximum of 1 foot candle over the entire site, whereas the site averages 1.6 foot candles. Additionally, there are areas crossing the property with lighting levels indicated as 0.4 foot candles.

LANDSCAPING:

(a) Per §15-11.7H, a 50 foot buffer is required from the property line. As the predevelopment conditions is wooded, natural vegetation shall remain.

STORAGE:

(a) Per §15-11.9C and §15-11.9D, bulk storage shall be screened by a suitable fence which is set no closer than any required yard setback. Proposed storage area, as indicated by fencing, is noncompliant,

DRAINAGE:

(a) Per NJDEP BMP Manual, Section 9.5, infiltration/exfiltration may not be included in routing calculations for quantity control. Permeability rates shall be turned off when sizing basis and recharge systems for the 2 10 and 100 year storm events.

(b) Per NJDEP BMP Manual, Section 9.5, infiltration basins that do not have an outlet control structure shall maintain a 2 ft maximum runoff depth.

(c) Per §15-12.IIL(3), an environmental site analysis is required.

(d) Per 15-12.11M(3)(b) a 12 ft. basin access is required within the infiltration basin. The basin access shall be at a 10% maximum slope.

(e) Per §15-12.11M(3)(g) a 6 ft. safety fence around the basin is required.

(f) Per 15-12.12A(4) the storm drain pipe shall be RCP, whereas plastic pipe is proposed.

3. The Applicant was represented by Richard Kitrick, Esquire.

4. No person appeared in opposition to the subject application.

5. Based upon the foregoing evidence, the Board makes the following findings:

A. This applicant has demonstrated that the requested Use Variance and subdivisions can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinances of the Township of Little Egg Harbor.

NOW, THEREFORE, BE IT RESOLVED by the said Board that on this 13th day of February, 2019, based upon the findings herein above stated, the application is hereby granted subject to the following conditions, together with all stipulations of the applicant.

1. The applicant shall strictly adhere to all representations, plans and exhibits submitted with regard to the proposed use variance and minor subdivision and site plan of the subject property and shall further comply in all respects with the technical review letter as prepared by the Little Egg Harbor Township Zoning Board of Adjustment engineer dated October 31, 2018, a copy of which is annexed hereto and made a part hereof.

2. Applicant is granted the following variances with respect to Parking/Circulation:

(a) Per §15-4.24.2H(3), parking shall be located to the rear of the building where the visual impact to adjacent properties and the public can be minimized.

(b) Per §15-4.24.2H(4), parking areas shall be interconnected where feasible.

3. Applicant is granted the following waivers:

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(e) Per §15-12.11M(3)(g) a 6 ft. safety fence around the basin is required.

(f) Per 15-12.12A(4) the storm drain pipe shall be RCP, whereas plastic pipe is proposed.

4. Applicant testified that no flammable and/or hazardous material shall be kept on the premises and that no tanks shall be stored on the property.

5. The applicant summarized the nature of the application and site design for the Board. This included a summary of the conditions associated with the use variance application which are applicable to this Site Plan application.

6. The rear fenced area will be a vehicle storage area utilized only for the parking of trucks, vans, trailers and similar registered vehicles.

7. No outdoor storage of materials or general equipment is permitted.

6. A 20' minimum clear circulation drive consistent with Exhibit A-2 presented at the hearing shall be maintained around the sides and rear of the building for adequate emergency vehicle access.

7. The freestanding sign will comply with the ordinance requirements with respect to size, height and location, and will be externally lit from above.

8. The applicant agreed at a minimum to irrigate the front portions of the site.

9. An updated Front Façade rendering was presented. The applicant agreed to work with the Board Landscape Architect to improve the facades consistent with comments of their report. In particular, clapboard or shingle siding will be provided on the front façade, a vent or similar feature will be provided in the front gable end above the window, and the northern façade will have variation in the color and/or material around the base of the façade, similar in height and color to the stone base on the front of the building.

10. The applicant will provide 1 additional street tree to comply with the ordinance requirements.

11. The applicant will attempt to preserve additional existing vegetation along the site frontage within the buffer through grading modifications. Additional plantings will be provided to in the buffer to screen the parking and rear vehicle storage area.

12. The Applicant agrees to comply with the comments of the Taylor Design Group report dated November 12, 2018 and the Little Egg Harbor Zoning Board's Engineer's report dated October 31, 2018, except as expressly modified herein.

13. All conditions of the applicant's Use Variance approval Resolution No. 2019-1, are incorporated herein by reference, and shall apply to the site plan approval and operation of the business.

14. The Applicant shall further reimburse the Little Egg Harbor Township Zoning Board of Adjustment for all professional fees expended with regard to this application within thirty (30) days from the date of memorialization of this Resolution or any approvals granted herein shall automatically become null and void.

15. The Applicant shall further secure any and all other necessary applications, permits or approvals and post any surety bonds that may be required by any other governmental agency.

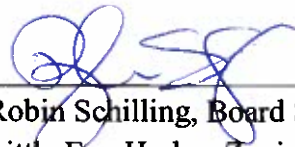
16. The Applicant shall resubmit this entire application should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant, his attorneys or other professionals.



EUGENE F. SULLIVAN, Chairman
Little Egg Harbor Zoning Board of Adjustment

CERTIFICATION

The foregoing is a true copy of a memorializing resolution by said Board at its meeting of January 9, 2019, as copied from the minutes of said meeting.



Robin Schilling, Board Secretary
Little Egg Harbor Zoning Board of
Adjustment