

**ORDINANCE NO. 2023-32**  
**VACATING A RIGHT OF WAY/EASEMENT**  
**OTIS BOG ROAD**  
**Block 282.01, LOT 8.02**

**RESOLUTION OF APPROVAL 2023-20**  
**PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

**WHEREAS**, on September 14, 2023, the Mayor and Township Committee passed, on first reading, Ordinance No. 2023-32 (attached hereto and incorporated herein by reference) which provides for the vacation of the Township's interest in the 30ft wide right of way easement for road widening that traverses Block 282.01, lot 8.02; said Ordinance is scheduled for final adoption upon second reading and public hearing on October 12, 2023; and

**WHEREAS**, said Ordinance has been referred to the Planning Board of Little Egg Harbor Township, in accordance with the permissive advisory powers of the planning board set forth in NJSA 40:55D-25(b)(3) and Township Code Section 299-15; and

**WHEREAS**, the Planning Board of Little Egg Harbor Township has fully examined Township Ordinance No. 2023-32 and approves the same for adoption by the governing body of the Township of Little Egg Harbor, there being no adverse impact upon any zoning or planning application or approval pending or previously approved by the Board, nor upon the Master Plan of the Township of Little Egg Harbor; said right of way easement vacation being required as a condition of approval of the application of JLCEOB LLC for preliminary & final major site plan approval for Block 282.01, Lot 8.02 (Otis Bog Road) approved by the Board by Resolution adopted on July 6, 2023 in application #2023-05.

**NOW, THEREFORE, BE IT RESOLVED**, by the Little Egg Harbor Township Planning Board that Township Ordinance No. 2023-32 be and hereby is approved for adoption by the Mayor & Township Committee of the Township of Little Egg Harbor.

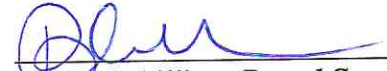
**BE IT FURTHER RESOLVED**, that the Little Egg Harbor Township Planning Board hereby recommends the adoption of the Township Ordinance No. 2023-32 without further comment.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be forwarded to the Mayor & Township Committee, and to the Township Clerk.

  
\_\_\_\_\_  
**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 October 5, 2023, a quorum being present and voting in the majority.

  
Robin Schilling, Board Secretary

**ORDINANCE NO. 2023-32**

**AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG  
HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
VACATING RIGHT-OF-WAY/ROAD WIDENING  
EASEMENT ON BLOCK 282.01, LOT 8.02 TO JLCEOB, LLC**

WHEREAS, the governing body of the Township of Little Egg Harbor has received a request to vacate all of the right, title and interest of the Township of Little Egg Harbor to a right-of-way/road widening easement consisting of a thirty (30') foot wide easement previously dedicated to the Township for future road widening in 1983 pursuant to filed map G-1271, which easement is bounded by the subject lot as well as Block 287, Lots 3 and 11; and

WHEREAS, the governing body makes the determination that the public will not adversely be affected by the vacation of the Township's interest in the right-of-way/widening easement, which consists of a thirty (30') foot wide access easement dedicated to the Township for future road widening and said easement bounded by the subject lot as well as Block 287, Lots 3 and 11; and

WHEREAS, while Block 287, Lot 11 is landlocked, their existing driveway is located within a portion of the roadway widening easement that will be dedicated to them; and

WHEREAS, Block 282.01, Lot 8.02, is the subject of a recent Little Egg Harbor Township Planning Board approval for a commercial site plan for contractor's offices/showroom/warehouse, as well as mini self-storage and the vacation of the road widening easement will provide buffering at the rear of the site; and

**r|m|s|h|c**

Rothstein, Mandell, Strohman,  
Haim & Cipriani, P.A.  
ATTORNEYS AT LAW

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Toms River, NJ 08753

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considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

**SECTION 3.** This ordinance shall be published at least once in an official newspaper of the Township at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

**SECTION 4.** The Township Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

**SECTION 6.** A copy of Exhibit A as referenced herein shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

**SECTION 7.** JLCEOB, LLC shall be responsible for the payment of all attorneys' fees, engineering fees, publication costs and filing fees incurred by the Township in regard to this vacation.

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September 7, 2023  
Sheet 2

TO: Kelly Lettera, Township Clerk  
RE: T&M File No. LEHT-G2301  
Right-of-Way/Road Widening Easement Vacation  
Applicant: JLCEOB, LLC  
Block 282.01 Lot 8.02  
Township of Little Egg Harbor, Ocean County, New Jersey

2. The applicant pays any outstanding real estate taxes due on Block 282.01 Lot 8.02, as needed.

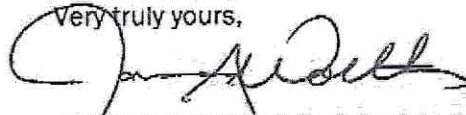
If the Township Committee and Township Planning Board have determined to act favorably upon the application, the applicant must comply with the following:

1. The applicant pays any tax map maintenance fees associated with the road vacation.
2. The applicant shall submit a metes and bounds description for the vacation of this right-of-way to this office for review and approval, prior to final approval of the road vacation by the Township Committee.
3. The applicant shall post the following additional fees with the Township Clerk made payable to the Township of Little Egg Harbor:
  - A sum equal to the costs of preparation of the ordinance to be enacted by the Township Committee in connection with the proposed vacation in excess of the escrow deposit of \$250.00 for the services of the Township Attorney.
  - A sum equal to the costs of advertising such ordinance, which such estimate shall be prepared by the Township Clerk and made available to the applicant.
  - A sum equal to the estimated recording costs of the ordinance to be enacted by the Township Committee. The Township Clerk shall prepare such estimate and make the same available to the applicant.

Please place this item on the next available agenda for the Township Committee's consideration. Please be reminded that prior to final reading and adoption, the Township Clerk's Office should seek the comment of the Planning Board for the vacation request pertaining to any impacts on the traffic and circulation elements of the master plan.

If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



JASON A. WORTH, P.E., P.P., C.M.E.  
TOWNSHIP ENGINEER

JAW:ls

cc: Mayor and Committee Members  
Rodney Haines, Township Administrator/CFO  
Melanie Appleby, Township Attorney  
Robin Schilling, Planning Board Secretary