

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

665 Radio Road
Little Egg Harbor, NJ 08087

Minutes of Meeting Held On November 8, 2023

1. Meeting called to order at 7:00 p.m. by Chairman Sullivan.
2. Reading of the Sunshine Law & Notice of Public Meeting.
3. FLAG SALUTE
4. ROLL CALL:

PRESENT Chairman Eugene Sullivan, Vice-Chairman Greg Leszega*, Barbara Sterner, Arlene Keenan, William Hollingsworth, Jr. & Kimberly Robinson

ABSENT were Suzanne Musto-Carrara, Louis Mankowski & Steve Clanton

*arrived at 7:48 p.m. after roll call

APPEARING FOR THE PROFESSIONALS:

Debra Rumpf, Esquire of Rumpf Law, Zoning Board Attorney
James Oris, PE, PP, CME, CFM, CPWM of Remington & Vernick,
Zoning Board Engineer
Scott Taylor, of Taylor Design Group, Planning Board Landscape Architect

5. APPROVAL OF MINUTES -

A motion to approve the minutes of the meeting of October 11, 2023 was made by Ms. Sterner, seconded by Ms. Robinson. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Sullivan - Yes	

6. RESOLUTIONS OF MEMORIALIZATION:

- A. Resolution of Denial #2023-16
Daniel Pomponio – Application #2023-10
165 Stage Road / Block 278, Lot 8.03
Bulk Variances

After Ms. Rumpf read Resolution #2023-16 into the record, a motion was made by Ms. Sterner, seconded by Ms. Keenan, to memorialize Resolution #2023-16. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Sullivan - Yes	

- B. Resolution #2023-17
Michael & Kimberly Vanacore – Application #2023-14
19 West Raritan Drive / Block 325.100, Lot 11
Bulk Variance

After Ms. Rumpf read Resolution #2023-17 into the record, a motion was made by Ms. Sterner, seconded by Mr. Hollingsworth, to memorialize Resolution #2023-17. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Sullivan - Yes	

- C. Resolution #2023-18
Patricia O'Hara – Application #2023-15
1009 Radio Road / Block 321, Lot 13
Interpretation

After Ms. Rumpf read Resolution #2023-18 into the record, a motion was made by Ms. Sterner, seconded by Mr. Hollingsworth, to memorialize Resolution #2023-18. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Sullivan - Yes	

- D. Resolution #2023- 19
Storage Masters, LLC – Application #2021-23
130 Mathistown Road / Block 285, Lots 13.05 & 13.06
Amended Preliminary & Final Major Site Plan Approval and
Use Variance

After Ms. Rumpf read Resolution #2023-20 into the record, a motion was made by Ms. Sterner, seconded by Mr. Hollingsworth, to memorialize Resolution #2023-20. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Sullivan - Yes	

7. OLD BUSINESS:

None

8. NEW BUSINESS:

- A. Application #2023-16
Nicholas Franks
9 Bridge Road / Block 258, Lot 16
Bulk Variance

Richard Kitrick, Esquire for the applicant. Applicant is seeking a lot depth variance of 144.83 feet, where 200 feet is required in order to build a single family residence with private well and septic. Sworn in Nicholas Franks. Marked as Exhibit A-1 was a sketch and floor plan of the proposed

residence. Mr. Oris stated that the applicant would also need a variance to allow the residence to be built on an unimproved road. Mr. Kitrick stated that his client would also be seeking this variance to build on an unimproved road. Mr. Franks stated he only wished to clear the least amount of the wooded area necessary for his home and driveway. Mrs. Rumpf asked if there are other residences past his lot on the unimproved road, which there are. Mr. Hollingsworth is the proposed driveway would be wide enough for emergency vehicles. Applicant agreed to have an 18 foot wide driveway to allow for emergency vehicles. Mr. Oris placed on the record that to his knowledge the township would not be paving Bridge Road, which applicant acknowledged. Mr. Oris reviewed his letter dated September 6, 2023, stating the applicant required two variances, one for lot depth and one for no lot frontage on an unimproved road. Applicant agreed that he would comply with the maximum height ordinance and the necessary gutters and downspouts would be added to the residence.

On a motion by Ms. Sterner, seconded by Mr. Hollingsworth, the application was opened to the public. All aye.

Molly Eisert (sworn in) - Ms. Eisert's property abuts to the longer side of the applicant's property. She is in support of Bridge Road remaining unimproved because of the wildlife in the area.

On a motion by Ms. Sterner, seconded by Mr. Hollingsworth, the application was closed to the public. All aye.

There being no further testimony or questions, on a motion by Mr. Hollingsworth, seconded by Ms. Sterner, application #2023-16 was approved. Roll Call:

Sterner – Yes
Hollingsworth – Yes

Robinson – Yes
Sullivan – Yes

Keenan – Yes

- B. Application #2023-11
AVB Real Estate, LLC
1310 North Green Street / Block 78, Lot 3
Use Variance & Preliminary & Final Site Plan Approval

Kevin Quinlan, Esquire for the applicant. Applicant is seeking a Use Variance for the previously approved commercial site to allow the conversion to residential use. The prior owner of the site received site plan approval, but it was never perfected. The current owner bought the site in a foreclosure in April, 2023 and has cleaned up the exterior and removed the pole barn. Marked as Exhibit A-1 was a package of photographs of the site. Sworn in Michael Alfieri, who is the principal of AVB Real Estate, LLC, along with his wife and adult children. Applicant has been working with the township's zoning officer and needs the Use Variance in order to continue to move forward. The site is in a General Business Zone and while a hotel / motel use is permitted, purely residential is not. Applicant is not proposing any changes to the existing footprint, all changes to convert to residential are interior. Applicant has gotten rid of all of the illegal tenants that were residing at the site, except for three senior citizens, which he has allowed to stay. Applicant is proposing 18 studio and one bedroom units within the existing structure and will continue working with the construction department, zoning officer and sub-codes, if this variance is granted to bring the site into compliance with same. Mr. Oris reviewed his letter dated September 7, 2023. Mr. Oris stated the applicant is seeking a waiver from formal site plan approval and does not feel a waiver should be granted, that the application should be bifurcated. Each of the units will have its one bathroom and the conference room will remain on the first floor for the use of the residents. There is also an existing elevator, laundry room and bathroom on the first floor. The site currently has 49 parking spaces, which is more than enough for the proposal.

Mr. Oris and Mr. Taylor discussed the affordable housing requirements that the applicant may have, as well as the open space requirement of the applicant. Sworn in Len Lyons, applicant's planner. Mr. Lyons discussed the positive and negative criteria of the proposal. The chairman asked if the applicant is proposing any new construction, which he is not. Mr. Leszega has concerns with families renting small units and the traffic impact to the area of Route 539 and the township's sports complex. He also stated that perhaps a 55 and older restriction might be better suited for the site. Ms. Robinson asked about ADA parking area, which the applicant would have to comply with.

On a motion by Mr. Leszega, seconded by Mr. Hollingsworth, the application was opened to the public. All aye.

Alex Meseguer (sworn in) – Mr. Meseguer does not feel it should be changed into residential.

Paul Debayo (sworn in) – Mr. Debayo has concerns with the tax rate change and traffic load onto Route 539.

Kathleen Smithfrisch (sworn in) – Expressed her concerns with other hotels / B&B not making it and asked for confirmation on the number of units.

Sam Rannie (sworn in) – Mr. Rannie had concerns with the change of use.

On a motion by Mr. Leszega, seconded by Mr. Hollingsworth, the application was opened to the public. All aye.

There being no further testimony or questions, on a motion by Mr. Leszega, seconded by Ms. Sterner, application #2023-11 was approved with the condition that the units will be restricted to 55 and older and a maximum of 18 units, depending on local, state and federal requirements as to same. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Leszega – Yes	Sullivan – Yes

On a motion by Mr. Hollingsworth, seconded by Mr. Leszega, the board took a brief recess. All aye. On a motion by Mr. Leszega, seconded by Mr. Hollingsworth, the board reconvened at 9:28 p.m. All aye.

C. Application #2023-12
DW Route 9 Little Egg Harbor, LLC
879 Route 9 North / Block 172, Lot 9.01
Use Variance & Preliminary & Final Site Plan Approval

Kevin Quinlan, Esquire for the applicant. Sworn in Charles Surmonte, applicant's engineer and land surveyor. Mr. Surmonte summarized the proposed site plan consisting of retail uses and eight residential units. Marked as Exhibit A-1 was an unsigned architectural / floor plan and Exhibit A-2 was a color rendering of the site plan. Mr. Oris reviewed his letter dated August 16, 2023. Applicant will comply with the sign ordinance, as well as the engineer's comments as to grading and drainage. Applicant is requesting relief with regard to buffers and waivers from an Environmental Impact and Traffic Studies. Mr. Oris asked if any studies were done, which they were not. Mr. Taylor reviewed his letter dated November 6, 2023. Mr. Taylor asked for additional

information on dedicated outdoor space, affordable housing requirements and architectural. After some discussion, Mr. Quinlan asked that this application be carried. On a motion by Mr. Leszega, seconded by Mr. Hollingsworth, application #2023-12 was carried to the January 10, 2024 meeting, with no additional notice required. Roll Call:

Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Leszega – Yes	Sullivan – Yes

D. Application #2022-08
Seaside Capital, LLC
1 West Boat Drive / Block 315, Lot 1
Bulk Variances

Kevin Quinlan, Esquire for the applicant. This application was previously denied by the board, applicant filed an appeal and the judge remanded the application back to the board to hear again due to the fact that the township's audio recorder was not working and failed to record the meeting.

Applicant is proposing a single family residence on an unimproved lot. Sworn in, applicant's engineer and planner, Len Lyons. Mr. Lyons provided an overview of the site and variances needed, and stated that the lot area and lot width are pre-existing non-conformities. The following Exhibits were marked: A-1 Google aerial photograph, A-2 survey and A-3 tax map. Mr. Lyons proceeded to show some of the other non-compliant residences on the tax map, which were measured by his surveying team. Mr. Oris requested that the survey be signed and sealed. Mr. Lyons provided testimony that the non-conformities are consistent with the neighborhood as there are a number of them depicted on the exhibit. Mr. Lyons discussed they parking and feels that it is in the safest spot on the property. The Chairman stated that he feels there is too much house for the lot. If the house was built in compliance, it could only be 17 feet wide and would be more out of place in the area. Mr. Leszega asked what is the hardship for the applicant, if a smaller house could be built. Mr. Quinlan responded that the hardship is the property is a corner lot. Mr. Oris asked if the steps could be moved under the house or away from Radio Road to bring the residence more into compliance. After some discussion, the applicant will comply with the rear yard setback and the stairs closest to Radio Road will be moved and the bump-out removed to bring more into compliance. Mr. Oris did some rough calculations and it was agreed that the building coverage was reduced to 31.9%, where 30% is the maximum.

On a motion by Mr. Leszega, seconded by Mr. Hollingsworth, the meeting was opened to the public. All aye.

Sharon Murrah (sworn in) – Ms. Murrah stated that she has had to complain to the township for the past two years regarding the condition of the property i.e. overgrown grass and bulkhead in disrepair. She feels the site is too small for the proposed residence and has safety concerns if renters move.

Jim McCutcheon (sworn in) – Mr. McCutcheon stated there are many smaller houses in the area and a lot of them are two bedrooms, so a smaller home would not be out of character. He stated that this lot was sub-divided from the adjacent lot and there used to be only a shed on it.

On a motion by Mr. Leszega, seconded by Mr. Hollingsworth, the meeting was closed to the public. All aye.

Mr. Lyons testified that none of the variances required effects the neighbors and the parking requirements have been met.

Based on the lot coverage, frontyard setback, size of the proposed residence, not being in character with the neighborhood and public comment, a motion to deny was made by Ms. Sterner, seconded by Mr. Sullivan. Roll Call:

Sterner – Yes	Robinson – No	Keenan – Yes
Hollingsworth – No	Leszega – Yes	Sullivan – Yes

9. CORRESPONDENCE:

None

10. OPEN TO THE PUBLIC:

A motion to open to the public was made by Mr. Leszega, seconded by Mr. Hollingsworth. All aye. There being no public wishing to comment, on a motion by Mr. Leszega, seconded by Ms. Sterner, the meeting was closed to the public. All aye.

11. BOARD DISCUSSION / COMMENTS / ANNOUNCEMENT:

The board secretary announced that member, Lou Mankowski, wished to step down as a permanent member and be an alternate member. Board member, Steve Clanton, said he would agree to be a permanent member.

12. CLOSED SESSION:

A motion to go into closed session was made by Mr. Leszega, seconded by Mr. Hollingsworth. All aye.

A motion to return from closed session was made by Mr. Leszega, seconded by Mr. Hollingsworth. All aye.

13. PAYMENT OF VOUCHERS:

After being reassured that all voting members had an opportunity to personally review the individual voucher requests and having questions, if montean answered to their satisfaction, the following vouchers were presented for payment:

A payment of \$2,173.75 to Remington, Vernick & Vena Engineers,
a payment of \$1,734.33 to Rumpf Law, PC,
a payment of \$171.00 to Taylor Design Group, and
a payment of \$100.00 to Robin Schilling as the board's recording secretary.

A motion to approve payment of vouchers was made by Mr. Leszega, seconded by Mr. Hollingsworth. Roll Call:

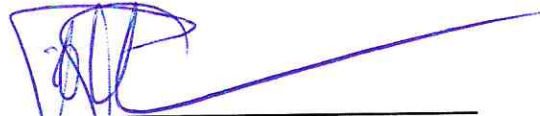
Sterner – Yes	Robinson – Yes	Keenan – Yes
Hollingsworth – Yes	Leszega – Yes	Sullivan – Yes

14. ADJOURNMENT:

A motion to adjourn was made by Mr. Hollingswoth, seconded by Ms. Robinson. All aye.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary

Eugene F. Sullivan, Chairman
Township of Little Egg Harbor
Zoning Board