

AN  ARDURRA COMPANY

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June 8, 2026

Ms. Robin Schilling, Secretary
Township of Little Egg Harbor Planning Board
665 Radio Road
Little Egg Harbor, NJ 08087

Via Email: rschilling@leht.com

**Re: Application #2026-01
Change of Use – Completeness & Technical Review #1
Applicant: Philly Cheese Steak Factory, LLC
Owner: Merio Realty Little Egg Harbor, LLC
Block 277, Lot 11
Zone: GB – General Business Zone within the Route 9 Gateway Overlay Zone North
603 NJSH Route 9 South
Our File: 1517-P-100**

Dear Applicant:

Our office has received and reviewed your application and offers the following comments:

A. Background

The property in question (PIQ) is located on the northerly side of NJSH Route 9. The site consists of Block 277, Lot 11 containing 1.83 acres located in the GB – General Business Zone within the Route 9 Gateway Overlay Zone North (GOZN). The lot is developed with the following:

1. A 6,868-sf building with 4 units consisting of a vacant unit, a barber shop, an ice cream shop, and a bagel shop. Additional improvements consist of:
 - a. A curbed and paved parking area consisting of 18 spaces (including 2 accessible spaces).
 - b. A loading area at the rear of the building.
 - c. A trash enclosure.
 - d. Sidewalks.
2. An 1,827-sf building currently containing a daycare use. Additional improvements consist of:
 - a. 2 curbed and paved parking areas consisting of 21 parking spaces (including 1 accessible space).
 - b. A fenced playground area.
 - c. Sidewalks.
3. A 1,785-sf building currently containing an automotive use. Additional improvements consist of:
 - a. A curbed and paved parking area consisting of 4 parking spaces.
 - b. A curbed and stone parking area consisting of 11 spaces.
 - c. A front deck and rear deck.

- d. A storage shed.
- e. Sidewalks.
- 4. Additional site improvements include 2 freestanding site identification signs, lighting, landscaping, and stormwater management. There is a 10 ft wide New Jersey Natural Gas Company easement along the westerly property line. The site is serviced by public water and public sanitary sewer.

The Applicant seeks a Change of Use approval and Waiver of Site Plan.

The Applicant proposes to renovate the existing vacant unit for a 16-seat fast food restaurant with no drive through. The Applicant is not proposing any exterior improvements to the building or the existing site improvements.

B. Items Submitted

- 1. Copy of a Survey of Premises, prepared by Thomas R. Deneka, P.L.S. of The Hyland Group, consisting of 1 sheet, dated October 25, 2023.
- 2. Copy of a Sketch of a Floor Plan (no title block provided).
- 3. Copy of a Submission Letter dated April 14, 2026.
- 4. Copy of the Township of Little Egg Harbor Planning Board of Adjustment Application and Appeal dated April 17, 2026.
- 5. Copy of an Application Narrative.
- 6. Copy of Proof of Taxes Paid dated April 12, 2026.
- 7. Copy of the Affidavit of Non-Collusion dated April 14, 2026.
- 8. Copy of the Site Inspection Consent dated April 14, 2026.
- 9. Copy of an Email from the Zoning Officer for an informal determination dated April 20, 2026.
- 10. Copy of Planning Board Resolution No. 2019-13.
- 11. Copy of Planning Board Resolution No. 2006-51.
- 12. Copy of Planning Board Resolution No. 2002-28.
- 13. Copy of Planning Board Resolution No. 1997-15.
- 14. Copy of Planning Board Resolution No. 1993-002.
- 15. Copy of Planning Board Resolution No. 47-83.

C. Completeness

- 1. The Applicant has requested a waiver from providing a site plan.
- 2. The Applicant is not proposing any exterior improvements to the building or the existing site improvements.
- 3. Per §215-2.1 the definition of Exempt Development is that site plan and/or subdivision approval shall not be required for (2) interior alterations which do not increase the

required number of off-street parking spaces. Calculations shall be provided for all uses within the building to determine whether adequate parking is existing.

D. Use

1. The Applicant is proposing a change of use of the premise to a food service take out with 16 seats.
2. Per §215-4.19(22) a restaurant with or without a liquor license is a permitted use in the GB Zone.

E. Zoning

Bulk Requirements: The PIQ is located within the GB Zone.

The chart below summarizes the area and bulk requirements for this zone in accordance with §215-4.19E:

	Required	Existing
Minimum Lot Area	22,500 SF	79,550.85 SF
Minimum Lot Width	150 FT	±158 FT
Minimum Lot Depth	150 FT	±510 FT
Minimum Front Yard Setback	70 FT	94.07 FT
Minimum Side Yard Setback - Principal	20 FT	18.54 FT (EV) ⁽¹⁾
Minimum Combined Side Yard Setback	40 FT	56.55 FT
Minimum Rear Yard Setback	40 FT	>40 FT
Minimum Accessory Building Side Yard Setback	5 FT	N/A
Minimum Accessory Building Rear Yard Setback	5 FT	N/A
Maximum Building Height	40 FT	<40 FT
Maximum Building Coverage	50%	NC

EV – Existing Non-Conforming Condition; N/A – Not Applicable; NC – No Change

(1) Per §215-4.19E(5) the minimum side yard setback is 20 ft, whereas the existing building has a side yard setback of 18.54 ft.

F. Review Comments

1. The Applicant has requested a waiver for providing a site plan. The Applicant indicates that they are only proposing interior renovations. Testimony shall be provided to discuss the changes proposed and the possible need for a site plan.
2. The Applicant has provided a sketch of the floor plan. A floor plan signed and sealed by an architect may be required. Testimony shall be provided.
3. The Applicant shall provide testimony to discuss the proposed use in sufficient detail to indicate the effects of the use in producing traffic congestion, noise, glare, air pollution, fire hazards or safety hazard, the hours of operation of the use, the number of shifts to be

worked, the number of employees in each shift, the number of vehicles to be stored or parked on the site and provisions to be made for site maintenance.

4. There are 18 parking spaces shared by 4 businesses. The Applicant shall provide a parking analysis to determine if adequate parking is provided. The following appear to apply to the proposed use:
 - a. Per §215-12.16A(20)(j) fast-food establishment: one (1) parking space for each seventy-five (75) square feet of gross floor area. If located within a shopping center, then one (1) parking space for each one hundred (100) square feet of gross floor area. The proposed use as well as the bagel shop and ice cream shop may fall into this category. Testimony shall be provided.
 - b. Per §215-12.16A(20)(j)[3] fast-food establishment without drive-through requires 0.5 parking spaces per seat which would require 8 parking spaces for the proposed 16 seats.
 - c. Per §215-12.16A(20)(t)[1] a restaurant with a high turnover requires 0.5 parking spaces per seat which would require 8 parking spaces for the proposed 16 seats.
 - d. Per §215-12.16A(20)(t)[2] a restaurant with a lower turnover requires 0.3 parking spaces per seat which would require 5 parking spaces for the proposed 16 seats.
5. The Applicant shall provide testimony to discuss any impacts to traffic circulation on-site as well as off-site.
6. The survey plan is dated October 25, 2023. A current survey may be required. Testimony shall be provided to discuss the current site improvements.
7. At least 4 photographs of the site for an accurate description on site shall be provided.
8. A certified property owners list within 200 ft of the site shall be provided.

G. Fees Required

1. Pursuant to §215-16.1, the following non-refundable administrative fee is required for this application:

§215-16.1A(1)(g)[3] Minor Site Plan	\$ 100.00
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2. Pursuant to §215-16.2 of the Land Development Ordinance, the resolution fee is required: \$ 150.00
3. Pursuant to Section 215-16.3, the following escrow fee is required for this application:

§215-16.3G Minor Site Plan	<u>\$ 1,000.00</u>
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Total Fees: \$ 1,250.00

The submission letter indicates that the Applicant has provided the following fees: an application fee of \$100.00, a resolution fee of \$150.00, and an escrow fee of \$500.00. **The Applicant shall provide an additional \$500.00 in escrow fees.**

H. Recommendation

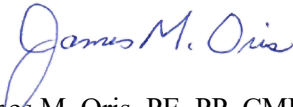
Based upon our review, we recommend that this application be deemed **complete** subject to the Applicant submitting the additional fees as stated above, site photographs, and a 200 ft property owner's list, and complying with all applicable notification requirements as set forth in the Municipal Land Use Law.

Our office recommends that the Board proceed with the application. The Planning Board meets the first Thursday of the month, therefore subject to the notice provided by the applicant, this application will be scheduled for a public hearing on the July 2, 2026, meeting of the Little Egg Harbor Planning Board. By copy of this letter, we are informing the applicant of the items to be addressed.

Should you have any questions, please do not hesitate to contact me on (732) 286-9220.

God Bless America

REMINGTON & VERNICK ENGINEERS



James M. Oris, PE, PP, CME

EJP/JMO/MMG:mr

cc: Mr. George Garbaravage, Chairman
Mr. Matt Benn, Vice-Chairman
Ms. Kelly Lettera, RMC, Acting Township Administrator
Mr. Jason Worth, PE, Township Engineer
Mr. Terry Brady, Esq., Board Attorney
Philly Cheese Steak Factory, LLC, Applicant (310 Nugentown Road, Little Egg Harbor, NJ 08087)
Merio Realty Little Egg Harbor, LLC, Owner (545 Route 9, Bayville, NJ 08721)