

August 24, 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: Amended Preliminary & Final Site Plan Approval - Application #2026-03
Completeness & Technical Review #1
Vision Properties - Seagull Pavilion, LLC
Block 276, Lots 8 & 9
Zone: GB – General Business Zone within the Route 9 Gateway Overlay Zone North
425 Route 9 South
Our File: 1517-P-101**

Dear Ms. Schilling:

Our office has received and reviewed the above referenced application. Our review is limited to the proposed landscape buffer improvements only and offer the following comments:

A. Background

The property in question (PIQ) is located on the north side of New Jersey State Highway Route 9 at the intersection of Giffordtown Lane. The site has additional frontage along Stage Road. The site is located within the GB – General Business Zone within the Route 9 Gateway Overlay Zone North (GOZN). The 8.9 acre site is currently improved with an existing commercial shopping plaza with 2 outparcels, off-street parking, rear loading and unloading areas, landscaping, lighting, and stormwater management. There is a full access drive along Route 9, a full access drive along Giffordtown Lane, and 2 full access drives along Stage Road. The R-75 Residential Zone is located on the north and east side of the site.

Per Old Business Document, the Applicant (Feldman) received preliminary site plan and variance approval. The Applicant agreed to install 182 ft of a 6 ft high privacy fence along the adjoining residential properties.

Per Planning Board Resolution of Approval No. 2005-01, dated January 26, 2005, the Applicant (Armstrong Tuckerton, LLC) received preliminary and final site plan approval for Phase I & II; and preliminary site plan approval for Phase III with variances.

Per Planning Board Resolution of Approval No. 2006-03, dated February 2, 2006, the Applicant (Armstrong Tuckerton, LLC) received administrative change approval to Planning Board Resolution of Approval No. 2005-01.

Per Planning Board Resolution of Approval No. 2006-05, dated March 2, 2006, the Applicant (Armstrong Tuckerton, LLC) received administrative change approval to Planning Board Resolution of Approval No. 2005-01.

Per Planning Board Resolution of Approval No. 2006-29, dated September 7, 2006, the Applicant (Armstrong Tuckerton, LLC) received amended preliminary and final site plan approval for the restaurant pad site.

Per Planning Board Resolution Denial No. 2009-21, dated September 17, 2009, the Applicant was denied reducing the required landscaping.

The Applicant is currently seeking amended preliminary and final site plan approval for the removal of the existing 6 ft high privacy fence and the installation of 34 – 7 ft to 8 ft thuja plicata green giant arborvitae. The fence has already been removed, and the evergreen trees have already been planted.

B. Items Submitted

1. Copy of a Township of Little Egg Harbor Planning Board Amended Development Site Plan Application dated July 2, 2026.
2. Copy of an Application Rider with Exhibits.
3. Copy of Exhibit A – 6 Photographs of Previously Existing Fence.
4. Copy of Exhibit B – 4 Photographs of New Evergreens.
5. Copy of Exhibit C – Previous Approval Requiring 6 ft x 182 ft Privacy Fence.
6. Copy of the Planning Board Application Checklist.
7. Copy of the Site Plan Application Checklist.
8. Copy of Affidavit of Non-Collusion dated July 2, 2026.
9. Copy of the Notice of Fees dated July 2, 2026.
10. Copy of Site Inspection Consent dated July 2, 2026.
11. Copy of a Disclosure Statement.
12. Copy of Proof of Taxes Paid for Lot 8.
13. Copy of Proof of Taxes Paid for Lot 9.
14. Copy of Planning Board Resolution of Approval No. 2005-01, dated January 26, 2005.
15. Copy of Planning Board Resolution of Approval No. 2006-03, dated February 2, 2006.
16. Copy of Planning Board Resolution of Approval No. 2006-05, dated March 2, 2006.
17. Copy of Planning Board Resolution of Approval No. 2006-29, dated September 7, 2006.
18. Copy of Planning Board Resolution Denial No. 2009-21, dated September 17, 2009.
19. Copy of Certified List of Property Owners within 200 feet, dated June 22, 2026.
20. Copy of Check #880732 in the amount of \$350.00.
21. Copy of Check #880733 in the amount of \$150.00.
22. Copy of Check #880734 in the amount of \$2,500.00.
23. Copy of Submission Letter dated July 2, 2026.
24. Copy of a Reduced Set of Preliminary & Final Site Plans, prepared by Kenderian – Zilinski consisting of 10 sheets, dated August 2, 2004, last revised May 4, 2006 (No original signature or seal).

C. Completeness Review

The following is a list of items required to be submitted by checklist which our office finds relevant for this application. The Board and our office reserve the right to request additional item(s) be submitted, should the testimony provided require such documentation.

Planning Board Application Items

Item 3 – Survey (Applicant requests a waiver)

Item 8 – Proof of Mailing (Applicant indicates will provide in advance of hearing)

Item 9 – Proof of Publication (Applicant indicates will provide in advance of hearing)

Site Plan Application Checklist

The Applicant indicates “N/A – no new site plan is being submitted.”

D. Zoning

1. The existing uses on the site have not been evaluated as part of the review for this application.
2. The bulk requirements for this site have not been evaluated as part of the review for this application.

E. Relief Requested

1. The Applicant has requested relief of §215-12.17B(1)(a) on any lot in any district, no fence, wall, or hedge shall be erected, built, renovated, or maintained so that said fence, wall or hedge shall exceed six (6) feet in height, whereas the planted evergreen hedge will eventually be approximately 30 ft in height.

F. Technical Review Comments

1. The Applicant shall provide testimony to discuss the reasoning for removing the existing 6 ft high privacy fence.
2. The Applicant shall provide testimony to discuss the view of the property from the residential properties.
3. The Applicant shall provide testimony to discuss the areas along the north or east side of the property where a mature landscape buffer exists.
4. Per §215-11.7 buffer areas shall be developed in an aesthetic manner for the primary purpose of screening views, providing physical separation, and reducing noise and glare beyond the buffer area. The buffer shall be designed, planted, graded, or developed with the general guideline that the closer a use or activity is to a property line or the more intense the use, the more effective the buffer must be in obscuring light, vision, and reducing noise beyond the lot. The Applicant shall provide testimony to discuss how the proposed buffer meets this requirement.
5. Per §215-11.7C in the General Business Zone there shall be a 15 ft buffer area from the front property line along Stage Road. The Applicant shall provide testimony to discuss compliance with this requirement.
6. Per §215-11.7F adequate buffering between uses of differing classifications shall be provided. A buffer area shall be provided in conjunction with any higher density residential use abutting a lot zoned or used for residential purposes. The minimum width of such a buffer area shall be not less than 30 ft for a building or group of buildings up to 20,000 sf in area. The width of the buffer area shall be increased 1 ft for each 1,000 sf, up to a maximum buffer area width of 100 ft. It appears that a buffer of approximately 80 ft would be required. It does not appear that this requirement can be met. The Applicant shall provide testimony to discuss the adequacy of the buffer area proposed along the northerly and easterly portions of the site to provide a solid screen.

7. There was previously a fence along adjacent Lots 5, 6 and 7 which are located in the GB Zone. Lot 5 appears to be a commercial use, whereas Lots 6 and 7 appear to be residential uses. The Applicant shall provide testimony to discuss the buffering in this area.
8. Per §215-11.8F(1) a nuisance landscape buffer is appropriate in buffer areas provided between commercial and residential uses where a continuous visual screen is appropriate. The following applies:
 - a. Where there is existing vegetation, if the Board of jurisdiction determines it appropriate, supplemental plantings should be provided to provide a complete visual screen. Quantities and types of supplemental plantings must respond to deficiencies of existing vegetation. A minimum height of 8 to 10 ft should be provided for evergreens, 2 to 2.5 ft should be provided for shrubs, and 2.5 to 3 inch caliper for shade trees. Testimony shall be provided to discuss areas with existing vegetation.
 - b. Where areas are void of vegetation, a landscape architectural treatment including plantings, berming, fences or walls shall be provided. If berms, fencing, or walls are provided, a decreased quantity of planting may be provided at the discretion of the Board of jurisdiction. For every 100 linear feet of buffer area, measured at the longest line, the following must be provided: 12 evergreen trees 8-10 ft in height; 3 shade trees 2.5-3 inch caliper; as required ornamental trees 6 to 7 ft in height or 1 to 1.5 inch caliper; as required shrubs 2 to 2.5 ft in height. The Applicant shall provide testimony to discuss the areas void of vegetation.
9. The Applicant has indicated in the application rider that they have replaced the dilapidated wooden fence with 34 – 7 to 8 ft thuja plicata green giant arborvitae which will grow 2 to 3 ft every year for a total height of 30 ft. Our office notes that the mature width of these trees is 12 - 18 ft. The Applicant shall provide testimony to discuss the planting distance between the trees planted.
10. The Applicant shall provide testimony to discuss the amount of time it will take for these trees to produce a solid screen.
11. It is common practice for evergreen trees of this type to be planted alternately with 8 ft horizontally on-center and 5 ft vertically on-center. Our office recommends that at a minimum a second row of evergreens be planted alternating with the existing row of evergreens.
12. The Applicant shall discuss the existing condition of the newly planted evergreens. A mechanism for replacement of trees that do not survive should be put in place.
13. The Applicant shall provide testimony to discuss who is responsible for the maintenance of the buffer trees.

G. Outside Agency Approvals Required

1. Any agency having jurisdiction over the project.

H. Fees Required

1. Pursuant to §215-16.1 the following non-refundable administrative fees are required for this application:

§215-16.1A(1)(j) Amended Site Plan	\$ 250.00
§215-16.1A(1)(n)[3] Bulk Variance	\$ 100.00
Total Application Fee Required:	\$ 350.00

Page 5

2. Pursuant to §215-16.2 of the Land Development
Ordinance, the resolution fee is required: **\$ 150.00**
3. Pursuant to §215-16.3, the following escrow fees are required for this application:

§215-16.3L Amended Site Plan	\$ 2,000.00
§215-16.3M(3) Bulk Variance	<u>\$ 500.00</u>
Total Escrow Fees Required	\$ 2,500.00

The Applicant has submitted all required fees.

I. Recommendation

Based upon our review of the revised information submitted, we recommend that this application be deemed **complete** subject to the Applicant 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 at the September 3, 2025 meeting of the Little Egg Harbor Planning Board. By copy of this letter, we are informing the applicant of the items to be addressed.

If the board acts favorably on this project, the Applicant shall be required to post all applicable bonds and inspection escrow fees.

The Applicant shall provide testimony regarding the status of all permits and approvals as may be required.

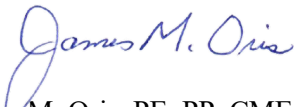
We reserve the right to request additional information and documents should the need arise after revised submissions on the above, and/or testimony in the future merit the necessity of further clarification.

By copy of this letter, we are informing the Applicant, the Applicant's attorney, and the Applicant's engineer of the items to be addressed.

We thank you in advance for your time and cooperation with this matter and should you have any questions, please do not hesitate to contact our Toms River office.

God Bless America,

REMINGTON & VERNICK ENGINEERS



James M. Oris, PE, PP, CME, CPWM

MMG/JMO:mr

cc: via email:

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
Mr. Michael Malinsky, Esq., Applicant's Attorney (mmalinsky@foxrothschild.com)
Vision Properties - Seagull Pavilion, LLC, Applicant (1147 S. White Horse Pike, Hammonton, NJ 08037)