

AMENDED FINAL MAJOR SITE PLAN
CHINDO ENTERPRISES LLC
North Green St & Frog Pond Rd
Block 194, Lot 10
Zone – Scenic Gateway Overlay Zone, within the
GB General Business Zone

Application No. 2023-10B

**RESOLUTION OF APPROVAL 2026-13
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, an application has been made by Chindo Enterprises LLC for minor subdivision approval of Block 194, Lot 10, and then for amended final major site plan approval for newly created Block 194, Lot 10.01, as set forth on the Tax Maps of the Township of Little Egg Harbor; and

WHEREAS, the amended final plat/plan was prepared by Owen, Little & Associates, latest revision dated April 2, 2026; and

WHEREAS, Planning Board conducted public hearings on the application on June 4, 2026, at which time the applicant was represented by Tennant Magee Esq.; and

WHEREAS, the Planning Board, after carefully considering the evidence presented by the applicant, and the report(s) from its professional staff, hereby makes the following findings of fact:

1. The applicant has a proprietary interest in the subject property.
2. The applicant has requested approval in accordance with the Ordinances of the Township of Little Egg Harbor.
3. The site in question is located on North Green Street (Route 539) at the intersection of Frog Pond Road in the Scenic Gateway Overlay Zone within the GB General Business zone. The applicant was previously granted preliminary & final major site plan approval as set forth in Resolution 2024-10 (Application 2023-10A) for the construction of a 17,100sf restaurant and banquet facility on newly created lot 10.01. The applicant now seeks an amended final major site plan approval, reducing the proposed development to include only a 12,000sf restaurant/bar.

The applicant had previously been granted the following relief:

PRELIMINARY & FINAL MAJOR SITE PLAN APPROVAL:

variance relief for the restaurant & banquet facility for the following: none

variance relief for the sign proposal for the following:

Front setback (North Green St)	50ft required; 8ft proposed;
Front setback (North Green St)	50ft required; 1ft proposed

design waiver relief for restaurant & banquet facility for the following:

Garbage enclosure:	concrete block required; fence proposed – <i>withdrawn at hearing</i>
Perimeter fence:	6ft permitted; 8ft proposed
Basin fence:	main basin, 4ft post/rail proposed; secondary basins, none proposed

With respect to this application for an AMENDED FINAL MAJOR SITE PLAN APPROVAL:

The applicant now seeks the following additional variance relief: none

The applicant now seeks the following additional design waivers: none

4. Remington & Vernick Engineers, the Board engineers, prepared a report to the Board dated May 28, 2026. The Board hereby adopts the findings in the report and incorporates them in this Resolution by reference.

5. The applicant presented the testimony of its expert, Frank Little, PE, PP, who testified to the overall layout of the new project. The scope of the development has been reduced from both a restaurant and a banquet facility to just a restaurant/bar facility, due to the feasibility of the project and the feasibility of compliance with State regulations. The facility has been reduced in size, in operations and in its impact to the surrounding area. The developed area is reduced from approximately 8 acres to approximately 4 acres. The applicant hinted that there may be a future application for the further subdivision of the property to provide additional open space that might be conveyed for preservation purposes. Parking has been reduced from 140 spaces to 49 spaces. Any and all building-mounted signs will comply with the Township Code. The hours of operation will be limited by the laws relating to the liquor license to be operated on the premises, and generally all deliveries will be limited to 7am – 7pm. Lighting in the rear will be placed on a timer to go off after the end of business hours. The sidewalk will be extended to the southerly property line on North Green Street. The Fire Dept testified that the plans comply with fire code regulations, and the applicant agreed to provide a knock box for fire response purposes. The proposed restaurant use will be less impactful than the previously approved uses of the property.

Considerable public comment was presented to the Board relating to water availability, environmental issues, proximity to school facilities and other objections to the application.

WHEREAS, the Planning Board has determined that the applicant should be granted the requested relief for the following reasons:

1. The proposed site plan is a permitted use with no variances or deviations from the requirements of the Township's zoning ordinances.

2. The granting of the application will not have a substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan, Master Plan, and/or Zoning Ordinances of the Township of Little Egg Harbor.

3. The proposed restaurant use will be less impactful than the previously approved restaurant and banquet uses previously approved for the property.

4. The Board had taken into consideration all of the comments from the public at the hearing.

NOW, THEREFORE, BE IT RESOLVED by the Little Egg Harbor Township Planning Board that the application is hereby approved subject to the following conditions:

1. **These specific conditions noted herein are an integral part of the basis for which the approval is being granted and are intended to be inseparable from the right of enjoyment of this approval.**
2. **The applicant shall comply with all conditions as contained in the aforementioned report of the Board Engineer and the aforementioned report of the Board Landscape Architect.**
3. **The applicant shall comply with all conditions set forth in Resolution 2024-10 (Application 2023-10A), incorporated herein by reference.**
4. **The applicant shall provide that the lighting in the rear of the building will be placed on a timer to go off after the end of business hours.**
5. **The sidewalk will be extended to the southerly property line on North Green Street.**
6. **The applicant agreed to provide a knock box for fire response purposes.**
7. **No other variances or design waivers have been requested, and no other variances or design waivers have been granted or are implied.**

In addition, the following general conditions shall apply:

1. The applicant must submit proof of payment of all currently due taxes to the Little Egg Harbor Township Planning Board.
2. The applicant must post all bonds and guaranties as required and recommended by this Board and said Planning Board engineer. Moreover, the Applicant must post all required engineering inspection fees.
3. All representations and statements made by the Applicant, as well as Applicant's representatives and witnesses, shall be considered and deemed to be relied upon by the Board in rendering this decision and to be an expressed condition of this Board's actions in approving the subject application. Any misstatement or misrepresentation, whether by mistake or change in circumstance, shall be deemed a breach of this condition of approval and shall subject this application to further review of this Board's own motion.
4. In the event the Planning Board determines that it reasonably relied upon any misstatement or misrepresentation, then and in that case any approvals previously given may be rescinded and any improvements in place on the premises in question shall not be considered as

being in compliance with the ordinances of the Township of Little Egg Harbor.

5. The applicant must comply with all conditions as contained in the aforementioned reports of the Board professionals.

6. The applicant must obtain reports with signed certifications from the Township of Little Egg Harbor Planning Board Engineer, Zoning Officer, and Building Department certifying compliance with all conditions of the Resolution.

7. No building permit will be issued until all escrow accounts have sufficient monies to pay all outstanding Planning Board professional fees. In the event a building permit is issued and there are outstanding escrow monies due for Planning Board professional fees, a stop-work order will be filed against the applicant/contractor until such escrow fees have been confirmed by the Board Secretary as paid in full.

8. In the event there is an *existing* violation, the applicant shall have thirty (30) days from the date of the Notice of Decision was published to correct the violation. Failure to correct the existing violation within the time proscribed will result in the issuance of a summons.

9. The applicant shall comply with all regulations and obtain all necessary permits required by outside agencies, including local, state and federal.

10. The applicant has agreed to participate in the State recycling program. The program provides credits to the Township of Little Egg Harbor when trees and tree parts are cleared from properties and processed into wood chips (at the site) and then recycled for use as product on-site or off-site. The applicant agrees to file the appropriate forms with Little Egg Harbor Township so that the Township will receive recycling credits pursuant to *N.J.A.C. 7:26A-1.4*.

11. In accordance with NJSA 40:55D-46.1, approval of a minor site plan shall be protected for a two-year period; an extension on such approval may be granted by the Board not exceeding an additional one year. In accordance with NJSA 40:55D-47, approval of a minor subdivision shall expire 190 days from the date of this resolution unless a plat or subdivision deed is endorsed by the Board Chair and filed with the County Clerk within said 190-day period; an extension of said 190-day period may be granted by the Board not exceeding an additional one year. Minor subdivision approval shall thereafter be protected for a two-year period; an extension on such approval may be granted by the Board not exceeding an additional one year. In accordance with NJSA 40:55D-49, preliminary approval of a major subdivision or site plan shall be protected for a three-year period; extensions on such preliminary approval may be granted by the Board for an additional one year not exceeding a total extension of two years. In accordance with NJSA 40:55D-52, final approval of a major subdivision or site plan shall be protected for a two-year period; extensions on such final approval may be granted by the Board for an additional one year not exceeding a total extension of three years. All other approvals will expire one year after the date of resolution approval if a building permit is required or, if a building permit is not required, a certificate of occupancy has not been obtained; thereafter the applicant may apply to the Board for an extension if the conditions and ordinances existing at the time of approval have not changed.

BE IT FURTHER RESOLVED the applicant's request for Amended Final Major Site Plan Approval, pursuant to the terms and conditions as set forth more fully in the preamble of this Resolution, be and hereby are approved.

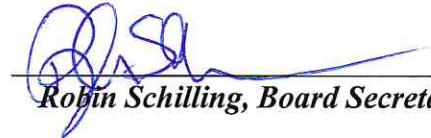
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant, the Building Department, and the Township Clerk by the Planning Board secretary.

BE IT FURTHER RESOLVED that a notification of this favorable Resolution shall be published in an official newspaper of the Little Egg Harbor Township within ten (10) days of the adoption of this resolution.


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 ~~July 2~~^{August 6}, 2026, memorializing the vote of the Little Egg Harbor Township Planning Board at a meeting previously held on June 4, 2026, a quorum being present and voting in the majority.


Robin Schilling, Board Secretary