

LITTLE EGG HARBOR TOWNSHIP PLANNING BOARD
665 Radio Road
Little Egg Harbor, NJ 08087

Minutes of Meeting Held On August 6, 2026

Regular Meeting, Thursday, August 6, 2026, 7:00 p.m., Municipal Court Room, 1st Floor,
665 Radio Road, Little Egg Harbor, New Jersey.

1. READING OF THE OPEN PUBLIC MEETING STATEMENT

2. SALUTE TO THE FLAG.

3. ROLL CALL

Chairman George Garbaravage, Vice-Chairman Matthew Benn, Mayor Ken Laney,
Kathy Tucker, Robert Shay, Roberta Rapisardi & Bryson Kershner

Absent: Deputy Mayor Dan Maxwell & Madalynn Flynn

APPEARING FOR THE PROFESSIONALS:

Terry Brady, Esq., of Brady & Kunz, Planning Board Attorney
James Oris, PE, PP, CME, CPWM of Remington & Vernick, Planning Board Engineer

4. ANNOUNCEMENTS

None

5. APPROVAL OF MINUTES

On a motion by Mr. Shay, seconded by Ms. Rapisardi, the minutes of the June 4, 2026
Planning Board meeting were moved for approval. Roll Call:

Tucker – Yes	Shay – Yes	Rapisardi – Yes	Kershner – Yes
Laney – Yes	Benn – Yes	Garbaravage - Yes	

6. MEMORIALIZATION OF RESOLUTIONS

- A. Resolution 2026-13
Chindo Enterprises, LLC
Application #2023-10B
Route 539 & Frog Pond Road /Block 194, Lot 10.01
Administrative Approval Request

On a motion by Mr. Shay, seconded by Mr. Benn, Resolution 2026-13 was moved for
approval. Roll Call:

Tucker – Yes	Shay – Yes	Rapisardi – Yes	Kershner – Yes
Laney – Yes	Benn – Yes	Garbaravage - Yes	

7. MATTERS OF DISCUSSION

None

8. APPLICATIONS FOR CONSIDERATION

- A. Application #2026-01
Philly Cheese Steak Factory, LLC
603 Route 9 South / Block 277, Lot 11
Change of Use

Kristopher Facenda, Esquire for the applicant. Mr. Facenda gave an overview of the existing site, which includes 18 parking spaces. The proposed use will be a fast food establishment with 16 inside seats and no drive-thru. There are no exterior renovations being proposed, except for painting, adding some faux brick and replacing the existing sign. Sworn in Angelo Valentino Cuculyn for the LLC. Mr. Cuculyn stated that most sales will be takeout. Hours of operation will be Sunday – Thursday, 11:00 am to 10 pm and Saturday & Sunday, 11:00 am to 11:00 pm. There will be two shifts of three employees per shift and they will not offer deliveries. The employees will park in the rear of the site. Mr. Oris reviewed his letter dated June 8, 2026. Mr. Oris stated that the Zoning Officer referred this application to the board since they requested a Waiver from site plan approval, and the use is permitted.

On a motion by Mr. Laney, seconded by Mr. Benn, the application was opened to the public. All aye. There being no public wishing to comment, on a motion by Ms. Rapisardi, seconded by Mr. Shay, the application was closed to the public. All aye.

There being no additional questions or testimony, on a motion by Mr. Shay, seconded by Ms. Laney, application #2026-01 was approved. Roll Call:

Tucker – Yes	Shay – Yes	Rapisardi – Yes	Kershner – Yes
Laney – Yes	Benn – Abstain	Garbaravage – Yes	

- B. Application #2025-04A
Dream Homes & Development Corp.
Mathistown Commons
167 Mathistown Road / Block 325.20, Lot 11
Final Site Plan Approval

Christopher Supsie, Esquire for the applicant. Applicant is back before the board for final approval of their February 5, 2026 preliminary approval. Mr. Supsie provided an overview of the preliminary approval. Mr. Supsie stated that earlier in the day, he received a letter from the township attorney stating an increase in the required number of affordable housing units from 16 to 19 units. The applicant will pay into the affordable housing fund for these three units instead of building them. The applicant has submitted an updated Traffic Study, Architectural Plan and their CAFRA approval. The applicant is not proposing any new variances. Sworn in Vincent Simonelli, President of Dream Homes & Development Corp. Marked as Exhibit A-1 was Mr. Simonelli's response to a prior engineering review letter, which he reviewed with the board. Sworn in Stuart

Challoner, applicant's engineer. Mr. Challoner went over the outside agency approvals received from DEP, CAFRA and Ocean County. There was discussion if the requested picnic tables would be allowed in the tree preservation space. Sworn in John Corak, applicant's traffic engineer, who discussed the revised Traffic Study and the locations where the traffic studies were completed. The new study took into consideration the proposed senior community on Center Street and the existing Dunkin Donuts. Sworn in Juentta Dix, applicant's environmental consultant. Ms. Dix reviewed the forest preservation area and the DEP & CAFRA permits. Ms. Dix testified that their studies found that the area may be a potential nesting area for Northern Bats, accordingly, there will be no clearing during their nesting season of April 1st to September 30th. There were no documented threatened or endangered species. Mr. Oris asked if any large diameter trees documented. The site was cleared in 2002 for a project that was never built, so most trees are not large in diameter.

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

Jennifer Moskovitz (sworn in) – Ms. Moskovitz asked about geo-technical data and soil borings. Mr. Oris responded. She had concerns with the water table in such a high density project. She also asked the that the board deny the final approval, since all preliminary conditions have not been met. Mr. Challoner responded that DEP reviewed and approved the stormwater management and ample soil borings were completed.

Mr. Shay asked what the borings revealed. Mr. Challoner provided testimony as to same. Mr. Kershner asked Ms. Moskovitz if this satisfied her concerns.

John Schwaller (sworn in) – Mr. Schwaller asked how long the project would take to complete. Mr. Simonelli responded, 2 years. Mr. Schwaller stated that he believes there will be another townhome project on Route 9 and is concerned with the traffic within the area. He also asked if there was any way the public could be made aware of CAFRA approvals. Mr. Oris resonded.

Debra Versheck (sworn in) – Ms. Versheck asked what qualifies a board member and if they have to submit a resume. She also asked about endangered species on the site. Ms. Dix responded.

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

There being no further questions or testimony, on a motion by Mr. Benn, seconded by Mr. Laney, application #2025-04A was approved. Roll Call:

Tucker – Yes
Laney – Yes

Shay – Yes
Benn – Yes

Rapisardi – Yes
Garbaravage - Yes

Kershner – Yes

Mr. Brady stated that due to the fact that the July meeting had to be canceled due to lack of quorum, that he drafted a proposed Resolution for this application. The board members were provided with a copy of the most recent draft of same.

On a motion by Mr. Shay, seconded by Ms. Tucker, Resolution #2026-14 was approved.
Roll Call:

Tucker – Yes	Shay – Yes	Rapisardi – Yes	Kershner – Yes
Laney – Yes	Benn – Yes	Garbaravage – Yes	

9. PUBLIC COMMENT

On a motion by Mr. Shay, seconded by Ms. Rapisardi, the meeting was opened to the public. All aye.

Irene Muzyka – Ms. Muzyka asked who determines the number of affordable housing units the township is required to have. Mr. Oris responded.

John Schwaller – Mr. Schwaller asked if the Resolution for Dream Homes was required to be on the agenda. There was discussion with regard to same.

On a motion by Mr. Shay, seconded by Ms. Tucker, the meeting was closed to the public. All aye.

10. PAYMENT OF VOUCHERS

On a motion by Mr. Shay, seconded by Mr. Laney, the following payments were approved: (a) \$17,130.75 to Remington & Vernick Engineers; (b) \$1,090.00 to Brady & Kunz; and (c) \$100.00 to Robin Schilling, Recording Secretary. Roll Call:

Tucker – Yes	Shay – Yes	Rapisardi – Yes	Kershner – Yes
Laney – Yes	Benn – Yes	Garbaravage – Yes	

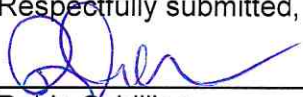
11. ADMINISTRATIVE MATTER

Mr. Brady advised that board that a Motion for the litigation between Save Barnegat Bay, Inc. and US Homes, LLC against the Township will be heard by the end of the month.

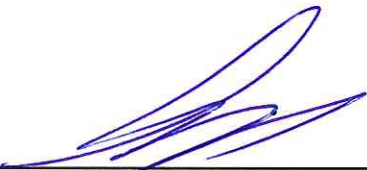
12. ADJOURNMENT

There being no further business, on a motion by Mr. Benn, seconded by Ms. Tucker, the meeting was adjourned. All aye.

Respectfully submitted,



Robin Schilling,
Planning Board Recording Secretary



George Garbaravage Chairman
Planning Board