

September 28, 2026

Robin Schilling, Secretary
Township of Little Egg Harbor Zoning Board
665 Radio Road
Little Egg Harbor, NJ 08087

Email: rschilling@leht.com

**Re: Bulk Variance Application #2026-10
Completeness & Technical Review #1
Oak Hill General Contractors, LLC
Block 190.02 Lot 8
Zone: R-400 Residential Zone
15 Birchwood Drive
Our File: 1517-Z-494**

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 Birchwood Drive (an unimproved road) approximately 1,410 ft east of Wood Street. The site contains 0.83 acres. The Site is currently vacant and wooded. The municipal boundary line between Little Egg Harbor Township and Tuckerton Borough is located along the south side of Birchwood Drive.

The Applicant is proposing to construct a single family dwelling with 3 bedrooms, with a front and rear porch, and a 12 ft wide gravel driveway. The site is proposed to be serviced by a potable well and on-site septic system.

It appears that the Applicant proposes to improve Birchwood Drive along the entire site frontage with 4 inch thick, clean asphalt millings.

B. Items Submitted

1. Copy of a Plot, Grading, Septic Plan - prepared by Leslie Ramdeen, P.E. of Accutech Engineering, LLC, dated February 18, 2026.
2. Copy of a Submission Letter dated August 28, 2026.
3. Copy of a Submission Letter dated September 4, 2026.
4. Copy of a Submission Letter dated September 17, 2026.
5. Copy of an Application & Appeal dated August 28, 2026.
6. Copy of an Affidavit of Non-Collusion dated August 27, 2026.
7. Copy of a Stockholder/Partnership Disclosure Statement.
8. Copy of a Site Inspection Consent dated August 27, 2026.
9. Copy of a Denial of Application dated July 13, 2026.
10. Copy of 4 Photographs of the Site.

11. Copy of Check No. 103 in the amount of \$500.00 for escrow fees.
12. Copy of Check No. 102 in the amount of \$150.00 for resolution fees.
13. Copy of Check No. 101 in the amount of \$250.00 for application fees.
14. Copy of Taxes Paid dated August 31, 2026.
15. Copy of a Certified Property Owner's List Within 200 ft – Little Egg Harbor Township dated September 1, 2026.
16. Copy of a Certified Property Owner's List Within 200 ft – Tuckerton Borough dated September 23, 2026

C. Completeness

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.

1. Item #4 – Deed description shown on plot plan.
2. Item #6 – Key Map showing location of tract to be considered in relation to surrounding area at a scale not less than 1" = 2,000 Feet.
3. Item #10 – Space for signatures of Chairman and Secretary of Municipal Agency.
4. Item #28 - Soil Erosion and Sediment Control Plan.
5. Item #35 – Driveway apron to be shown.
6. Item #37 – Copy of a survey plan.

D. Relief Required

The Applicant requires relief from §215-12.1 to construct a one-story single-family dwelling on a conforming lot on a semi-improved road. The Applicant is proposing to improve Birchwood Drive along the entire site frontage with 4 inch thick, clean asphalt millings.

E. Zoning

Bulk Requirements: The PIQ is located within R-400 – Residential Zone.

The chart below summarizes the area and bulk requirements for the R-400 – Residential Zone in accordance with §215-4.7E:

	Required	Existing	Status
Minimum Lot Area	35,000 SF	36,031 SF	Conforms
Minimum Lot Width	150 FT	200 FT	Conforms
Minimum Lot Depth	175 FT	180 FT	Conforms
Minimum Front Yard Setback	50 FT	65 FT	Conforms
Minimum Side Yard Setback	20 FT	51 FT	Conforms
Minimum Combined Side Yard Setback	50 FT	111.9 FT	Conforms
Minimum Rear Yard Setback	40 FT	59.4 FT	Conforms
Maximum Building Height	35 FT	<35 FT	Conforms
Maximum Building Coverage, Percent	20%	6.47%	Conforms

F. Review Comments

1. Per §215-12.1 all streets in residential developments shall be designed and constructed in accordance with Subchapter 4 (“Streets and Parking”) of N.J.A.C. 5:21 (Residential Site Improvement Standards), as amended.
2. Per RSIS §5:21-4.19 Figure 4.3 pavement sections for residential access and neighborhood streets shall have a minimum of 1.5 inches of hot mix asphalt surface and 4 to 6.5 inches of hot mix asphalt base depending on the type of subgrade, whereas the Applicant is proposing to improve Birchwood Drive along the entire site frontage with 4 inch thick, clean asphalt millings. The Applicant will require a de minimus exception. Testimony shall be provided.
3. Per RSIS §5:21-3.1(a) the municipal approving authority may grant by resolution of the planning board or zoning board of adjustment such de minimis exceptions from the requirements of the site improvement standards as may be reasonable and within the general purpose and intent of the standards if the literal enforcement of one or more provisions of the standards is impracticable or will exact undue hardship because of peculiar conditions pertaining to the development in question.
4. Per RSIS §5:21-3.1(b) an application for an exception pursuant to this section shall be filed in writing with the municipal approving authority and shall include:
 - a. A statement of the requirements of the standards from which an exception is sought;
 - b. A statement of the manner by which strict compliance with said provisions would result in practical difficulties; and
 - c. A statement of the nature and extent of such practical difficulties.
5. Per §215-12.2A(15)(a) local and minor streets shall consist of 6 inches of Class A or B road gravel or approved equal, 2 inches of bituminous stabilized base course, and 1 ½ inches of FABC-1 surface course or approved equal, whereas the Applicant is proposing 4 inch thick, clean asphalt millings. The Applicant has requested a variance. Subgrade soils testing should be provided.
6. Per §215-12.4 curbs, gutters and shoulders in all residential developments shall be designed and constructed in accordance with Subchapter 4 (Streets and Parking) of N.J.A.C. 5:21 (Residential Site Improvement Standards), as amended. It appears that the Applicant does not meet the requirements. Testimony shall be provided. Should it be determined that relief is required, the Applicant will require a de minimus exception.
7. Per RSIS §5:21-4.2 Table 4.3 residential access with parallel parking low intensity requires a cartway width of 28 ft with no curb or shoulder required. The plan view depicts a 30 ft cartway with no label indicating the surface. The detail depicts a proposed 24 ft wide cartway with 4 inch thick, clean asphalt millings. No curb or shoulder is shown. The Applicant shall proposed testimony to clarify the proposed improvements and the plans revised accordingly. The proposed discussion shall include the intensity and classification of Birchwood Drive.
8. The road pavement detail should be labeled.
9. Per §215-12.8.1 sidewalks in all residential developments shall be designed and constructed with Subchapter 4, Streets and Parking, of N.J.A.C. 5:21 (Residential Site

- Improvement Standards), as amended. Should it be determined that relief is required, the Applicant will require a de minimus exception. Testimony shall be provided.
10. Per RSIS §5:21-4.5(a) sidewalks and/or graded areas shall be required, depending on road classification and intensity of development. No sidewalks or graded areas are provided. Testimony shall be provided to discuss the intensity and classification of Birchwood Drive.
 11. The municipal boundary line between Little Egg Harbor Township and Tuckerton Borough is located along the south side of Birchwood Drive. Testimony should be provided to discuss jurisdiction of the right-of-way of Birchwood Drive.
 12. The Applicant should provide testimony to discuss the development history of the site.
 13. The Applicant should provide testimony regarding the reasons which necessitates the need for a variance.
 14. Testimony should be presented as to the hardships associated with the land which force the Applicant to come before the Board to request variance relief.
 15. Testimony should be provided as to how the proposed development would not be out of character with the neighborhood.
 16. The NJDEP requires Major Developments, which are defined as developments that disturb one (1) or more acres of land or creates one quarter (0.25) acres of new impervious surface, to comply with the Stormwater Management Rules. The proposed development not only disturbs less than one (1) acre of land, but it also does not propose more than one quarter (0.25) acres of new impervious surface. Therefore, this project is not required to comply with the Stormwater Management Rules.
 17. Testimony shall be provided to discuss how the drainage from the roof leaders will be collected.
 18. The Applicant is removing trees in order to construct the proposed dwelling. Per §215-12.7 Section III A1 any person planning to remove a street tree with a DBH of 2.5" or more or any non-street tree with a DBH of 6" or more on their property shall submit a tree removal application to the Department of Community Development and Planning. No tree shall be removed until municipal officials have reviewed and approved the removal.
 19. The Applicant shall provide testimony to discuss the presence of hollies and mountain laurels within the areas of tree removal.
 20. The Applicant shall provide testimony to discuss the environmental impacts as a result of the proposed improvements.
 21. A current survey of the property shall be provided.
 22. A key map should be provided.
 23. A signature block shall be provided on the plan for the Zoning Board Chairman, Secretary, and Engineer.
 24. The Applicant shall provide proof of the Notice of Publication.
 25. The Applicant is proposing a gravel driveway. Testimony shall be provided. A detail shall be provided.
 26. A driveway apron shall be provided, or the Applicant shall request a waiver.

27. Land disturbance of 5,000 sf or greater requires approval from the Ocean County Soil Conservation District.
28. The proposed dwelling should be labeled to include the number of stories.

G. Outside Agency Approvals

1. Any agency having jurisdiction over the project.

H. Fees Required

1. Pursuant to §15-16.1 the following non-refundable administrative fees are required for this application:

§15-16.1A(1)(n)[3] Bulk Variance	<u>\$ 100.00</u>
Total Application Fee	\$ 100.00
2. Pursuant to §15-16.2 of the Land Development Ordinance, the resolution fee is required:

	\$ 150.00
--	------------------
3. Pursuant to Section 15-16.3, the following escrow fees are required for this application:

§15-16.3M(3) Bulk Variance	<u>\$ 500.00</u>
Total Escrow Fees:	\$ 500.00

The Applicant has submitted the application fee in the amount of \$250.00, the resolution fee in the amount of \$150.00 and the escrow fee in the amount of \$500.00.

I. Recommendation

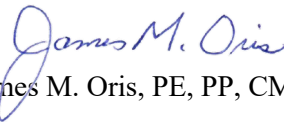
Based upon our review of the information submitted, we recommend that this application be deemed **complete** subject to the Applicant complying with all applicable notification requirements as set forth in the Municipal Land Use Law.

Our office recommends that the Board proceed with the variance request. Subject to the notice provided by the Applicant, this application will be scheduled for a public hearing at the October 14, 2026 meeting of the Little Egg Harbor Zoning Board of Adjustment. 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 our office at 732-286-9220.

God Bless America,

REMINGTON & VERNICK ENGINEERS



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

EJP/JMO/MMG:mr

cc: Mr. Greg Leszega, Chairman
Ms. Arleen Keenan, Vice-Chairman
Ms. Kelly Lettera, RMC, Acting Township Administrator
Mr. John Cooley, Zoning Officer
Mr. Brian Rumpf, Esq., Board Attorney
Mr. Jason Worth, P.E., Township Engineer
Mr. Kevin Quinlan, Esq., Applicant's Attorney (kquinlan@ksqlaw.com)
Oak Hill General Contractors, LLC, Applicant (oakhillgc@comcast.net)