RESOLUTION OF MEMORIALIZATION OF THE LITTLE EGG HARBOR TOWNSHIP BOARD OF ADJUSTMENT

RESOLUTION NO. 2026-16
Application No. 2026-05

RE: CABCO, LLC
Block 158, Lot 2
33 Peterson Drive
Little Egg Harbor, New Jersey 08087
Application for a bulk variance

WHEREAS, CABCO, LLC, whose mailing address is 74 Flax Isle Drive, Little Egg Harbor, New Jersey 08087, has applied for relief pursuant to N.J.S.A. 40:55D-70(c), affecting premises located at Block 159, Lot 2, as shown on the Tax Map of the Township of Ocean and otherwise known as 33 Peterson Drive, in the Township of Little Egg Harbor, State of New Jersey; and

WHEREAS, such proof of service as may be required by the New Jersey Statutory Law and Township Ordinance requirements upon appropriate property owners and governmental bodies has been duly furnished; and

WHEREAS, a public hearing was held on said application on October 14, 2026, in the Municipal Building of the Township of Little Egg Harbor and testimony and exhibits were presented on behalf of the Applicant, and all interested parties having been heard; and

WHEREAS, said Board having considered said application, testimony and exhibits submitted and inspection of the site, if any, makes the following findings:

1. The application is deemed complete pursuant to the applicable provisions of the Little Egg Harbor Township Zoning Ordinance.

2. The property in question (PIQ) is located on the westerly side of the unimproved portion

of Peterson Drive at the intersection of Spruce Street (an unimproved road). The PIQ is located within the R-75 Residential Zones. The site is a 0.17-acre lot, currently vacant and wooded.

The Applicant is proposing to construct a single family dwelling with 2 bedrooms, a covered porch, and a gravel driveway. The site is proposed to be serviced by a potable well and on-site septic system.

The Applicant proposes to improve Peterson Drive along the entire site frontage with a portion of Spruce Street with 4-inch-thick Class A road gravel 4-inch-thick, clean asphalt millings.

3. Applicant seeks the following relief:

A. **Per §215-12.1:** 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 seeks a DE Minimis exception to allow construction on a wooded lot located on a paper street pursuant to NJSA 40:44D-36. Applicant proposes to improve the roadway with 4 inches of gravel at a width of 30 feet all the way to the adjacent paved area of the street.

5. Applicant requests no other bulk variances or waivers.

6. Applicant provided testimony that the relief requested will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan or Zoning Ordinance, while enhancing the use, value and layout of the subject property.

7. Applicant was represented by Richard Visotcky Esquire.

8. Based upon the foregoing evidence, the Board makes the following findings:

A. The Applicant has demonstrated that the requested variance relief may be granted without substantial detriment to the public good and without substantially

impairing the intent and purpose of the zone plan or Zoning Ordinances of the Township of Little Egg Harbor.

B. The proposed structure will not have a negative impact on light, air and open space to adjoining property.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that on this 18th day of November, 2026, the application is hereby deemed approved, in accordance with the application and documents submitted by the Applicant.

1. The Applicant shall strictly adhere to all representations, plans and exhibits submitted with regard to the subject property and shall further comply in all respects with the technical review letter under date of June 17, 2025, as prepared by the Township of Little Egg Harbor Board of Adjustment Engineer, a copy of which is annexed hereto and made a part hereof.

2. Applicant is granted the following relief:

A. **Per §215-12.1:** 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 seeks a DE Minimis exception to allow construction on a wooded lot located on a paper street pursuant to NJSA 40:44D-36. Applicant proposes to improve the roadway with 4 inches of gravel at a width of 30 feet all the way to the adjacent paved area of the street.

3. Applicant shall provide two parking spaces on the subject property.

4. Drainage shall be to the paper street right of way known as Spruce Drive or Peterson Drive.

5. Applicant shall make application for any required tree removal permits.

6. Applicant shall improve a small portion of Spruce Drive to permit K turns to be made by emergency vehicles and public works vehicles at a distance of approximately 40 feet.

7. Applicant shall install a stop sign as recommended by the Traffic Safety Officer of the Little Egg Harbor Township Police Department.

8. Applicant shall prepare, to the satisfaction of the Board Engineer, a Stormwater Management plan for Peterson Drive and shall implement the same at Applicant's cost.

9. Applicant shall further comply with all stormwater management rules and post any necessary maintenance fees for Peterson Drive and the stormwater management system implemented thereupon.

10. Applicant shall prepare a Deed Restriction to the satisfaction of the Board Engineer and Board Attorney in which Applicant accepts full responsibility for the maintenance of that portion of Peterson Drive fronting the Applicant's property, and shall stipulate, as a covenant within the Deed, that the Township has no responsibility to pave the subject roadway. Same shall be provided to the Board Secretary within 90 days from the memorialization of this Resolution.

11. The Applicant shall conform with any requirements set forth by the Little Egg Harbor Township Department of Public Works for the collection of garbage and recycling materials.

12. Applicant shall install a mailbox to service the direct property in accordance with instruction from the local postmaster.

13. Applicant shall comply with all Township Engineer letters.

14. The Applicant shall further reimburse the Township of Little Egg Harbor Zoning Board of Adjustment for all professional fees expended with regard to this application within thirty (30) days from the date of memorialization of this Resolution or any approvals granted herein shall automatically become null and void

15. The Applicant shall further secure any and all other necessary applications, permits or approvals and post any surety bonds that may be required by any other governmental agency.

16. The Applicant shall resubmit this entire application should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this Applicant, his attorneys or other professionals.

GREG LESZEGA, CHAIRMAN
Little Egg Harbor Zoning Board of Adjustment

CERTIFICATION

The foregoing is a true copy of a memorializing resolution by said Board at its meeting of October 14, 2026, as copied from the minutes of said meeting.

Robin Schilling, Board Secretary
Little Egg Harbor Zoning Board of Adjustment