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

RESOLUTION NO. 2026-18
VARIANCE APPLICATION NO. 2026-08

RE: CALVARY BAPTIST CHURCH
Block 170, Lot 3.02; Block 190, Lots 1, 2.01, 2.03, 2.09, 2.10, 2.11 & 2.12
850 Railroad Road
Preliminary and Final Major Site Plan and 'd-2' Expansion of a Non-Conforming Use

WHEREAS, CALVARY BAPTIST CHURCH whose mailing address is 850 Railroad Drive, Little Egg Harbor, New Jersey has applied for Preliminary and Final Site Plan and 'd-2' Expansion of a Non-Conforming Use, affecting premises located at Block 170, Lot 3.02, Block 190, Lots 1, 2.01, 2.03, 2.09, 2.10 , 2.11 and 2.12, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 15 Birchwood 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 property in question (PIQ) is located at the southeast and southwest corners of the intersection of Parkertown Drive and Railroad Drive (C.R. 35) within the R-100 – Residential Zone. The 6.9 acre site consists of Block 170 Lot 3.02 containing approximately 3.866 acres on the southeast corner of Parkertown Drive and Railroad Drive (C.R. 35) and Block 190, Lots 1, 201, 203 & 2.09 – 2.12 containing approximately 3.039 acres on the southwest corner of Parkertown Drive and Railroad drive (C.R. 35).

Block 170, Lot 3.02 is currently developed with a 2-story multipurpose building with an attached 1 story church building with basement, a detached 2-story church building, a frame building with water tank, 65 paved and curbed parking spaces (including 4 accessible spaces), a drop-off area, a trash enclosure, 2 wells, sidewalk, an identification sign, fencing, landscaping, lighting, and potable wells, and a water tank. Access to the site is byway of 2 full access drives along Parkertown Drive and a one-way entrance drive and one-way exit drive along Railroad Drive.

Block 190, Lots 1, 3.01, 2.03 & 2.09 - 2.12 is currently developed with partially curbed and stone parking areas with concrete wheel stops, 2 sheds, lighting and wooded areas. Access to the site is by way of 2 full access drives, a one-way entrance drive and one-way exit drive along Railroad Drive.

On June 8, 1977, by the memorialization of Planning Board Resolution No. 19-77, the Applicant was granted approval for a conditional use.

By the memorialization of Planning Board Resolution 1987-46l, the Applicant was granted condition use and preliminary site plan approval to construct a new church building and parking in the R-75A Zone.

On August 12, 1987, by the memorialization of Planning Board Resolution No. 1987-55, the Applicant (Kenneth B. Maxwell) was granted minor subdivision approval to subdivide existing Block 190, Lots 2A & 2B into 4 new lots in the R-75A Zone.

On September 9, 1987, by the memorialization of Planning Board Resolution No. 1998-7, the Applicant was granted minor site plan approval for a gravel parking lot on the west side of Railroad Avenue.

On July 11, 2012, by the memorialization of Zoning Board Resolution No. 2012-12, the Applicant was granted a 'd' variance to permit the expansion of a pre-existing non-conforming use and a height variance to permit a height of 36.5 ft. for the proposed 2-tory 33,125 sf building addition to contain a childcare center, classrooms, gymnasium, and auditorium in the R-100 Zone.

The Applicant is currently seeking Preliminary and Final Site Plan & 'd' variance for the expansion of an existing non-conforming use approval to replace the attached church building with a new 525 seat church building and increase parking. The Applicant proposes to remove the existing attached church building the existing detached church building.

3. Applicant is requesting the following relief:

The Applicant is currently seeking Preliminary and Final Site Plan & 'd' variance for the expansion of an existing non-conforming use approval to replace the attached church building with a new 525 sea church building and to increase parking.

a. Per §215-4,.10A(1) permitted principal uses are the same as permitted in the R-150 Residential Zone.

b. Per §215-4.9A(1) permitted principal uses are the same as permitted in the R-

200 Residential Zone.

c. Per §215-4.8A(1) a house of worship is not a permitted principal use.

d. There are no conditional uses listed in the R-100 Zone per §215-4,.10C(1).

4. Applicant requests the following variance and waivers:

a. The Applicant requests variance relief under N.J.S.A. 40:55S-70(d)(2) (commonly referred to as a 'd-2' variance for an expansion of a Non-Conforming Use) to replace the attached church building with a new 525 seat church building and to increase parking.

b. Additional variance or waiver relief may be required pending Applicant's response to the issues identified in the Engineer's Report dated August 12, 2026.

5. Testimony was offered by both the Pastor and a member of the Board of Trustees that the Church has been in place since 1962 in Little Egg Harbor Township and in its current configuration for the past eight years. The White Chapel closest to the intersection of Railroad Drive and Parkertown Road has been largely vacant over the past decade and is in deteriorating condition which would require the expenditure of substantial resources to rehabilitate. Testimony was offered on the substantial community benefits, preferred by the Calvary Baptist Church, including, as well as, a multitude of both religious and non-religious programming o benefit the community in addition to a food bank, which has the distinction of being the only food bank to remain open in the local area during the pandemic.

6. Andrew Schaeffer offered Professional Engineering testimony on behalf of the Applicant and explained that Applicant requires a 'd-2' variance to permit the expansion of what is now a non-conforming use, which may have once been conforming within the Zone. Specifically, the

Church wishes to expand from 325 seats to 525 seats and will expand the parking upon the demolition of the Chapel which fronts the corner of Railroad and Parkertown. Mr. Schaeffer testified that the proposed construction will enhance public safety by eliminating several driveway openings, and the Church will exceed parking required by local ordinance while not detracting from the Zone Plan and creating no detriment to the Zoning Ordinances of the Township. Applicant further offered that a gazebo will be constructed in the front yard where a Chapel is today. Applicant is prepared to comply with all technical requirements of the site plan review letter dated of July 28, 2026 and August 12, 2026, prepared by James M. Oris, the Board of Adjustment Engineer. Testimony was also offered by Pierre Goulden, a resident and parishioner, who supports the expansion plans of the Applicant.

7. The Applicant was represented by Robert Shinn, Esquire.

8. No one testified in opposition to the Application.

9. Based upon the foregoing evidence, the Board make the following findings:

A. The applicant has demonstrated that the requested "d-2" use variance and 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.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that on this 18th day of November, 2026, based upon the findings herein above stated, the application is hereby granted subject to the following conditions, together with all stipulations of the applicant:

1. The applicant shall strictly adhere to the representations, plans and exhibits submitted

with regard to the proposed development of the subject property and should further comply in all respects with the technical review letters as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated July 28, 2026 and August 12, 2026, copies of which are annexed hereto and made a part hereof

2. Applicant is granted the following variance and waiver:

a. The Applicant is granted Preliminary and Final Site Plan and "d-2" variance to allow the expansion of an existing non-conforming use approval to replace the attached church building with a new 525 seat church building and to increase parking.

b. Additional variance or waiver relief may be required pending Applicant's response to the issues identified in the body of this report.

3. All lots depicted on the plans of the Applicant shall be consolidated into one lot which Applicant shall covenant said lots will never be subdivided without additional application being made to this Board. This Deed restriction shall be prepared to the satisfaction of the Board Engineer and Attorney and delivered to the Board Secretary within 90 days from the date approval is obtained for the proposed development of the property.

4. All technical requirements of the site plan will be complied with by the Applicant and Applicant's employer with all requirements as set forth within the Engineering review under date of July 28, 2026.

5. Applicant shall truncate or curb cuts with handicapped detectable warnings.

6. In addition to the seven ADA spaces depicted on Applicant's plans, Applicant will provide at least one additional space in each remote parking area as required and shall amend the plans

accordingly to the satisfaction of the Board Engineer.

7. Applicant is granted a waiver from full compliance with the Little Egg Harbor Township tree removal ordinance in such fashion as may be approved by the Board Engineer.

8. Applicant shall plant and maintain shrubs in an area of the subject property adjacent to Parkertown Drive, which will block headlights from vehicles leaving the Church property from entering the windows of the two ranch homes on the opposite side of Parkertown Drive.

9. Applicant is further granted such other waivers from Township environmental impact statement requirements and storm drain requirements as set forth as necessary within the Board Engineer's review letter under date of July 28, 2026.

10. The applicant shall further reimburse the Little Egg Harbor Township 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.

11. 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.

12. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.

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 meetings.

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