

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

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**RESOLUTION NO. 2025-10  
VARIANCE APPLICATION NO. 2023-11A**

RE:    AVB REAL ESTATE, LLC  
      Block 78, Lot 3  
      1310 North Green Street  
      Final Major Site Plan Approval

**WHEREAS**, AVB REAL ESTATE, LLC whose mailing address is 431 Princeton Avenue, Brick, New Jersey 08724, has applied for Preliminary and Final Site Plan Approval affecting premises located at Block 78, Lots 3, on the Tax Map of the Township of Little Egg Harbor and otherwise known as 1310 North Green Street, Little Egg Harbor, 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 March 12, 2025, 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 on the west side of North Green Street (C.R. 539). The 4.88-acre site is presently developed with an existing 2-1/2 story commercial building with water features, landscaping, stormwater management, and pave/environmental

paver lots. The PIQ is split in the Scenic Gateway Overlay Zone Area of the General Business Zone and the R-5A Residential Zone. The existing building is located completely in the Scenic Gateway Overlay Zone Area of the General Business Zone.

2. The Applicant was granted preliminary site plan approval on September 11, 2024 in accordance with Resolution 2024-13. The Applicant shall be required to comply with said Resolution of preliminary approval. In addition to compliance with the resolution of preliminary approvals, the Applicant was required to provide certain information for the Board's consideration at the time of Final Site Plan hearing in accordance with the Township Engineer's letter dated March 6, 2025.

3. The Applicant, AVB Real Estate LLC previously applied for Use Variance and Preliminary and Final Site Plan approvals to allow the conversion of the property from commercial space with proposed live-work space, to proposed residential, where residential is not permitted use. The Applicant is also seeking relief from a Formal Site Plan Approval.

4. Per Zoning Board of Adjustment Resolution No. 2023-21, memorialized on November 8, 2023, the applicant was granted Use Variance approval to allow the conversion of the property from commercial space to residential. 100% of the existing structure shall be 55+ community with a maximum of 18 units. The Applicant agreed to submit for Preliminary and Final Site Plan approval within 1 year of the resolution.

Currently, the Applicant has submitted for Final Site Plan approval as required by the Zoning Board resolutions referenced above for 18 proposed residential units. The proposed site improvements include a realignment of the front paver parking lot to provide for a 5 ft

concrete sidewalk, an accessible ramp, and 2 accessible parking spaces. The improvements include traffic signage, striping, crosswalks and landscaping.

7. Applicant was granted variance relief for the following existing nonconformity:

A. Side Yard Setback (§215-4.19E (3)): The minimum side yard setback allowed is 20 feet, whereas the existing structure has an existing side yard setback of 19.4 feet. This is an existing condition; a variance may be required.

8. The Applicant was represented by Kevin Quinlan, Esquire.

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

A. The applicant has provided testimony to permit the granting of Site Plan Approval 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 9<sup>th</sup> day of April, 2025, 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. Applicant is granted final major site plan approval.
2. 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 March 6, 2025 together with the conditions contained in Resolution 2024-13 copies of which are annexed hereto and made a

part hereof

3. Applicant shall prepare a deed restriction as a 55+ community. The Deed restriction shall be subject to the review and approval of the Board Engineer and attorney. The Deed restriction shall be filed in the Ocean County Clerk's Office.

4. Applicant agrees to replace the bottom of the retention basin with sand.

5. Applicant will be responsible to clean and maintain the basin and install a basin access driveway.

6. Application will comply with the Little Egg Harbor Township drainage ordinance.

7. Applicant shall obtain all outside agency approval, including the Ocean County Planning Board.

8. Applicant shall comply with septic system requirements as required.

9. Applicant shall comply with all Township ordinances regarding signage and the granite signage in the front yard may remain.

10. Applicant may leave the pavers in the parking area.

11. Applicant shall remove all debris from the site.

12. Applicant shall construct a masonry trash enclosure with private hauler pick-up.

13. The Applicant shall comply with the Township affordable housing requirements and will include three affordable housing units in accordance with the state requirements and shall be for low to moderate income persons.

14. The Applicant shall provide solar bollard lighting by the gazebo.

15. The Applicant shall apply for and receive a Certificate of Occupancy from the building department.



16. The Applicant shall comply with the Township lighting standards and ordinances for the front side and immediate rear yard subject to the Board Engineer's review and approval.

17. The Applicant shall provide a copy of the easement or other instrument of consent for the detention basin encroachment onto the lot to the North.

18. The Applicant shall comply with EV make ready requirements and provide one make ready EV space.

19. The parking area and accessible route shall be ADA compliant.

20. 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.

21. 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.

22. 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.

  
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**GREG LESZEGA, CHAIRMAN**, 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 March 12, 2025, as copied from the minutes of said meetings.

A handwritten signature in black ink, appearing to read 'Robin Schilling', written over a horizontal line.

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