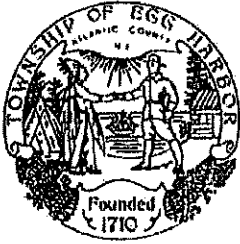


DRO00109



# Township of Egg Harbor

3515 BARGAINTOWN ROAD, EGG HARBOR TOWNSHIP, NJ 08234-8321

RECEIVED  
JUL 12 2012

BY: \_\_\_\_\_

TOWNSHIP COMMITTEE  
James J. McCullough, Mayor  
Paul W. Hodson, Deputy Mayor  
John Carman Jr.  
Joe Cafero  
Laura Pfrommer

July 10, 2012

c/o Nick Talvacchia, Esq.  
Cooper Levenson  
1125 Atlantic Avenue  
Atlantic City, NJ 08401

Administrator  
(609) 926-4027 • 926-4002 Fax

Re: SDF02-09  
Droz dov, Sporkin & Lister, LLC:  
Block/Lot: 5202/21 & 22

Building Inspections  
(609) 926-4122 • 926-4003 Fax

Dear Mr. Talvacchia:

Finance  
(609) 926-4094 • 926-4002 Fax

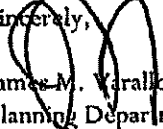
Enclosed please find the revised Planning Board resolution which has added paragraph three to reflect the Planning Board Planners report dated May 16, 2012. In addition the Chairman's signature has been added.

Fire  
(609) 926-4070 • 926-4003 Fax

Municipal Court  
(609) 926-4195 • 926-4001 Fax

Should you have any questions concerning the enclosed feel free to contact me at 926-4093 or via e-mail at [jvarallo@ehtgov.org](mailto:jvarallo@ehtgov.org).

Parks & Recreation  
(609) 272-8120 • 272-8151 Fax

Sincerely,  
  
James M. Varallo  
Planning Department

Planning Board  
Board of Adjustment  
(609) 926-4093 • 926-4011 Fax

Police  
(609) 927-5200 • 926-4004 Fax

encl: resolution

Public Works  
(609) 926-3838 • 926-0638 Fax

cc: Marathon Engineering  
Mott Assoc.  
Polistina Assoc.  
MUA  
Assessor  
Pinelands  
Zoning

Tax Assessor  
(609) 926-4083 • 926-4005 Fax

Tax Collections  
(609) 926-4079 • 926-4090 Fax

Township Clerk  
(609) 926-4085 • 926-4104 Fax

jmv/ms

Township Committee  
(609) 926-4088 • 926-4002 Fax

Zoning  
(609) 926-4048 • 926-4003 Fax



# Township of Egg Harbor

3515 BARGAINTOWN ROAD, EGG HARBOR TOWNSHIP, NJ 08234-8321

## TOWNSHIP COMMITTEE

James J. McCullough, Mayor  
John W. Risley, Jr., Deputy Mayor  
Paul W. Hodson  
John Carman Jr.  
Joe Cafero

## Planning Board and Zoning Board of Adjustment NOTICE OF HEARING

This form must be filed with the Pinelands Commission within five (5) days following the approval or denial of either preliminary site plans or preliminary subdivisions by the Planning Board or Zoning Board of any application for development within the Pinelands area of the Township, except in those instances where such development is "exempted" under the provisions of the Comprehensive Management Plan.

Administrator  
(609) 926-4027 • 926-4002 Fax

Building Inspections  
(609) 926-4122 • 926-4003 Fax

Finance  
(609) 926-4094 • 926-4002 Fax

Fire  
(609) 926-4070 • 926-4003 Fax

Municipal Court  
(609) 926-4195 • 926-4001 Fax

Parks & Recreation  
(609) 272-8120 • 272-8151 Fax

Planning Board  
Board of Adjustment  
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(609) 926-4085 • 926-4104 Fax

Township Committee  
(609) 926-4088 • 926-4002 Fax

Zoning  
(609) 926-4048 • 926-4003 Fax

1. **Applicant(s) Name:** Drozda, Sporkin + Lister  
c/o Cooper Levenson, N Talvacchia, Esq  
**Applicant(s) Address:** 1125 Atlantic Avenue  
Atlantic City, NJ 08401

2. Provide Pinelands Commission Docket Number as it appears on the Applicant(s) Certificate of Filing and the date Certificate was issued:

**Docket Number:** 1981-1488,001

**Issue Date:** 9/25/08

3. This application was scheduled for hearing by the Planning/Zoning Board on:

**Date:** 6/18/12

**Time:** 5.30 PM

4. The purpose for which this hearing was held:

Minor Subdivision Approval       Preliminary Major Subdivision Approval  
 Final Subdivision Approval       Site Plan Approval  
 Variance Approval

5. Any written reports or comments received by the Planning/Zoning Board on this application for development and which have not been previously submitted to the Commission are attached:

Attachments       No Attachments

**Christopher A. Brown, Esquire**  
**LAW FIRM OF CHRISTOPHER A. BROWN**  
3123 Atlantic Avenue - Suite 201  
Atlantic City, New Jersey 08401  
(609) 344-8270

*Attorneys for the Egg Harbor Township Planning Board*

APPLICATION OF DROZDOV, SPORKIN  
& LISTER, LLC FOR CHECKLIST  
WAIVERS AND CONDITIONAL FINAL  
MAJOR SUBDIVISION APPROVAL FOR  
BLOCK 5202, LOTS 21 & 22

**TOWNSHIP OF EGG HARBOR  
PLANNING BOARD**

Application No. SDF 02-09/R1

***DECISION AND RESOLUTION***

**THIS MATTER**, having been heard by the Planning Board of the Township of Egg Harbor on May 21, 2012 at a regularly scheduled meeting at the Township Hall of the Township of Egg Harbor, and the Board having reviewed the Application and Plans, as submitted, and a quorum being present; and,

**WHEREAS**, the Township of Egg Harbor Planning Board has heard the testimony of Robert Watkins, P.E., of Mott Associates, LLC, Planning Board Engineer and received his Report dated April 12, 2012 and made a part of this Decision and Resolution by reference; and

**WHEREAS**, the Township of Egg Harbor Planning Board has heard the testimony of Vincent Polistina, P.P., of Polistina and Associates, LLC, Planning Board Planner and received his Report dated May 16, 2012 and made a part of this Decision and Resolution by reference; and

**WHEREAS**, the Township of Egg Harbor Planning Board has reviewed the Application submitted by the applicant together with Preliminary Major Subdivision Plans prepared by Marathon Engineering dated February 18, 2008 last revised March 25, 2009, Boundary and Topographic Survey prepared by Warren H. Knott & Associates dated August 14, 2006 last revised August 29, 2006, Map of Survey prepared by Vargo Associates dated January 15, 2008 last revised July 30, 2008, Stormwater Management Calculations prepared by Marathon

Talvaechta  
Marathon  
Mott  
Polistina  
MMA  
Assessor  
P. Knott  
Zoning

Engineering dated February 18, 2008 last revised March 25, 2009, Environmental Impact Statement prepared by Marathon Engineering dated October 3, 2008, Certificate of Filing prepared by The Pinelands Commission dated September 25, 2008, Certificate of Taxes paid prepared by Township of Egg Harbor dated November 13, 2008 and the Application materials prepared by the applicant dated January 14, 2009 last revised March 25, 2009; and

**WHEREAS**, the Township of Egg Harbor Planning Board, based upon the exhibits submitted, the reports and testimony of the Planning Board Engineer and Planner, and the testimony presented on behalf of the Applicant, makes the following findings of fact:

1. The Applicant is Drozdov, Sporkin & Lister, LLC whose address is Chelsea Avenue, Egg Harbor Township, NJ 08234. At the time of the hearing, the Applicant was represented by Nicholas F. Talvacchia, Esquire with law offices located at 1125 Atlantic Avenue, 3<sup>rd</sup> Floor, Atlantic City, New Jersey 08401-4806.
2. The Applicant has submitted a properly filed Application, and all required documentation and has paid all required fees and has complied with the Advertising and Notice Requirements of the Municipal Land Use Law.
3. The subject site is known as Block 5202 Lots 21 & 22, containing approximately 14.51 acres of land.
4. The project will be serviced by public water and public sewer.
5. The site is located in the RG-1 (Residential) zoning district. The Applicants proposed use of the site for single-family detached dwellings are a permitted principal use within the zone.

6. The within Application is for Checklist Waiver Relief and Conditional Final Major Subdivision Approval. In particular, on April 20, 2009 the Planning Board granted preliminary subdivision approval for the applicant to subdivide the above referenced parcel in nineteen (19) lots to create eighteen (18) single family detached residential building lots and one (1) stormwater basin lot. The applicant is the owner of the above referenced 14.51 acre parcel located along Chelsea Avenue, located approximately 1,100 feet east of the intersection of Ocean Heights Avenue and Chelsea Avenue. The applicant is now requesting final major subdivision approval to include an extended tree protection easement and the extension of Chelsea Avenue onto Churchill Drive.
7. As part of the Application, the Applicant is requesting the following checklist waivers:
  - a. From item number 18: Executed and acknowledged easements.
  - b. From item number 20: Performance guaranty.
8. In support of the checklist waivers, the Applicants Professional testified, that all of the requested checklist waivers can be granted without any detriment to Egg Harbor Township.
9. Based upon the testimony provided and the recommendation of the Planning Board Engineer and Planner, the Planning Board hereby grants the requested checklist waivers as set forth in paragraph 7 above.
10. As a condition of the approval, the Applicant agreed to pay \$90,000 when plat is signed for Chelsea Road.

11. As a condition of the approval, the applicant agreed to submit the application to MUA within 10 days of the Boards approval.
12. As part of the approval, all parties agreed to correct paragraph number 21 of the resolution dated April 20, 2009. The correct price per lot is \$5,750.00.
13. During the public portion of the hearing, no one spoke.

NOW, THEREFORE, A Motion having been made and approved, the Egg Harbor Township Planning Board hereby grants Checklist Waivers and Conditional Final Major Subdivision Approval as requested, subject to the following terms and conditions:

- a. The Applicant shall comply with the review comments of the Planning Board Engineer and Planner and the reports to the extent not modified herein.
- b. The approval granted herein is contingent upon the Applicant receiving the approval of any and all governmental agencies having jurisdiction including but not limited to, the Egg Harbor Township MUA.
- c. The Applicant shall develop the project in accordance with the testimony upon which the checklist waivers were granted.
- d. All conditions of this Decision and Resolution shall be enforceable unless otherwise waived by the Planning Board by the withholding of building permits and/or Certificates of Occupancy or by any other remedy available at law or in equity.
- e. The Applicant will revise the Subdivision to meet all conditions set forth by the Planning Board of Egg Harbor Township.

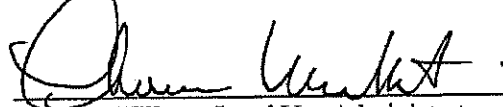
- f. All municipal taxes, liens and fees shall be paid prior to the issuance of any building permits or the signing of any plat.
- g. There shall be no improvements or clearing of the site until all conditions of the approvals are met. Applicant agrees and understands, failure to comply with this condition of the resolution will result in Municipal penalties as outlined in the code of the Township of Egg Harbor Section 225-94 et seq.
- h. Agreement by the Applicant to specific items not contained within the Decision and Resolution, which are otherwise set forth in the Application, or which are contained within the record of the hearing of this Application, are adopted by reference even though not set forth herein at length.
- i. Notwithstanding anything to the contrary contained above, the effectiveness of the aforementioned approval is subject to the conditions of the Egg Harbor Township Ordinances which suspend the effectiveness of any approval should escrow funds required of the Applicant not be timely paid.

TOWNSHIP OF EGG HARBOR PLANNING BOARD

By:

  
James Garth, Sr., Chairman

By:

  
Theresa Wilbert, Land Use Administrator

Dated:

June 18, 2012

VOTING IN FAVOR OF THE  
CHECKLIST WAIVERS:

ABSTENTIONS:

OPPOSED:

From item number 18: Executed and acknowledged easements.  
From item number 20: Performance guaranty.

Aponte

None

None

Carman

Cook

Eykyn

Kearns

Levy

Shamsuddin

Garth

Page 6

Law Firm of Christopher A. Brown  
3123 Atlantic Avenue  
Atlantic City, New Jersey 08401



VOTING IN FAVOR OF THE  
CONDITIONAL FINAL  
MAJOR SUBDIVISION APPROVAL:

ABSTENTIONS:

OPPOSED:

Aponte

None

None

Carman

Cook

Eykyn

Kearns

Levy

Shamsuddin

Garth