

**FRANKFORD TOWNSHIP  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION 2021-036**

**RESOLUTION DENYING THE APPLICATION OF EDMONT CAMPGROUND,  
INC. FOR RENEWAL OF THE CAMPGROUND LICENSE FOR THE EDMONT  
CAMPGROUND**

**WHEREAS**, Edgemont Campground, Inc. (“Licensee”) was issued Campground License 2020-04 with respect to property identified as Block 47, Lot 13 with an address of 178 Upper North Shore Road, Frankford Township, New Jersey; and

**WHEREAS**, the Campground License Renewal Application was sent to the Licensee on or about December 10, 2020 which said Application, together with an application fee in the amount of \$150.00 and additional supporting documentation, was required to be filed prior to the end of the calendar year for renewal of the License for calendar year 2021; and

**WHEREAS**, in the absence of the License Renewal Application being submitted, a reminder notice was sent Certified and regular mail to the Licensee on January 18, 2021; and

**WHEREAS**, in the continued absence of a License Renewal Application submission, the Licensee was sent a letter from the Township Attorney dated March 18, 2021 by Certified and regular mail advising the Licensee that (1) in the absence of a Renewal Application the Campground was operating illegally as an unlicensed campground; (2) indicating that the Campground was the subject matter of numerous violations issued by the Sussex County Board of Health; (3) requesting an updated site plan reflecting current conditions at the Campground; and (4) reserving the right to issue zoning violations without further notice; and

**WHEREAS**, the Licensee belatedly submitted a License Renewal Application and renewal fee on or about March 22, 2021 and without required proofs of insurance and an updated site plan; and

**WHEREAS**, the License Renewal Application was discussed with the Mayor and Committee and the President of the Licensee, Robert Hodulich, at the Township Committee’s public meeting held April 13, 2021 at which hearing the Township Zoning Officer and Construction Code Official provided updates on multiple zoning and construction code violations at the Campground property, and a neighboring resident provided testimony with respect to constant noise and other nuisances emanating from the Campground; and

**WHEREAS**, based upon the reports of its Zoning Officer, Construction Official, Sussex County Board of Health, New Jersey State Police reports, the testimony of Robert Hodulich, and the testimony of the Campground neighbor, the Mayor and Committee make the following factual findings:

A. The Campground has been operating illegally without a license since January 1, 2021.

B. The Campground has permitted an undetermined number of campers to reside at the Campground on a permanent, year-round basis, in violation of the Township's Zoning Ordinances that permit camping only from April 1 through October 31 and in further violation of the New Jersey State Sanitary Code Chapter XI Public Campgrounds ("Code"), Section 8:22-3.6, that prohibits public campgrounds from being used for the public domicile or residence of a camper unless permitted by municipal Ordinance.

C. The Campground has been the subject matter of numerous disturbances on a continuous basis, that have required the response of the New Jersey State Police.

D. The Construction Official has issued a Notice of Violation on December 9, 2020 for multiple violations that directly impact the public health, safety and welfare, none of which have been addressed, including, but not limited to, the construction of several decks and sheds without permits, the construction of accessory structures attached to campers without permits, unimproved electrical subcode work and unapproved fire subcode work, including a woodstove and LP tanks.

E. The Campground was cited for multiple violations of the Code pursuant to a November 20, 2020 inspection by the Sussex County Department of Health and Human Services that resulted in Violation Notices issued December 10, 2020 and March 9, 2021, some of which remain outstanding and are or will be the subject of enforcement action by the Department.

F. The Campground has been owned by the Licensee since 1978, however, Robert Hodulich, the Licensee's President, and upon information and belief its sole owner, does not reside at the Campground or in close proximity and has been unwilling or unable to monitor the Campground under circumstances where the designated on-site caretaker has failed to maintain order and cleanliness in the Campground, resulting in the accumulation of trash and debris, the deterioration of sanitary facilities, the disrepair of roads and utilities, the use of the Campground on a year-round basis, the running at large of unlicensed dogs and other animals, and repeated disturbances of the peace, necessitating the response of the New Jersey State Police.

G. The Licensee has failed to respond to the Notices of Violation issued by the Construction Official and the Zoning Officer and failed to remediate the violations found by the Sussex County Department of Health and Human Services.

**NOW, THEREFORE, BE IT DETERMINED** by the Mayor and Committee of the Township of Frankford, County of Sussex, State of New Jersey, that the Edgemont Campground be and hereby is operating in violation of the Township's Campground License, Board of Health, and Zoning Ordinances, as well as various provisions of the New Jersey State Sanitary Code, as enforced by the Sussex County Department of Health and Human Services; and

**BE IT FURTHER DETERMINED** by the Mayor and Committee that the Licensee, Edgemont Campground, Inc., has continued to operate the Campground in the absence of license and in violation of applicable Ordinances and regulations; and

**BE IT FURTHER DETERMINED** by the Mayor and Committee that the continued operation of the Edgemont Campground constitutes a clear and present danger to the health, safety and welfare of the campers utilizing the Campground, as well as the residents of the Township of Frankford and the public at large.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Frankford, County of Sussex, State of New Jersey, that the Application by Edgemont Campground, Inc. for the renewal of the Campground License be and hereby is **DENIED**.

**BE IT FURTHER RESOLVED** that Edgemont Campground, Inc. take immediate steps to close the Campground and remove all current campers, with the Campground to remain closed until such time there is submitted for review and approval of an Application for a new License, including all documentation required, pursuant to the New Jersey State Sanitary Code, Section 8:22-2.1; and

**BE IT FURTHER RESOLVED** that failure of Edgemont Campground, Inc. to close the Campground shall result in the Township of Frankford initiating an action in the Sussex County Superior Court Chancery Division seeking an affirmative injunction to close the Campground and remove all campers; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded by Certified and regular mail to Edgemont Campground, Inc., with copies being forwarded to the Sussex County Department of Health and Human Services and the New Jersey State Police; and

**BE IT FURTHER RESOLVED** that, to the extent practicable, the Township Zoning Officer shall provide a copy of this Resolution to each current camper at the Campground.

#### **CERTIFICATION**

I, Lori Nienstedt, Administrator and Municipal Clerk for the Township of Frankford, County of Sussex, do hereby certify that the foregoing is a true and exact copy of the Resolution adopted by the Frankford Township Committee on April 27, 2021.

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Lori Nienstedt, Administrator, Municipal Clerk