

**BOROUGH OF TUCKERTON LAND USE BOARD**  
**July 16, 2020**

In accordance with the provisions of the Open Public Meetings Act, Calvin Morey opened the meeting of the Tuckerton Land Use Board on Thursday, July 16, 2020, at 7:00 p.m. in the Tuckerton Borough Hall Complex.

**FLAG SALUTE:** Calvin Morey led the flag salute.

**SUNSHINE STATEMENT:** Carol Scurman read the provisions of the Open Public Meetings Act.

**ROLL CALL:**

Members of the Land Use Board in attendance were Mayor Marshall, James McAndrew, Keith Vreeland, Joan Rosenberg, Greg Brojack, Peter Gioiello, Robert Rue, Don Rocheskey, and Calvin Morey; Wayne Tonnesen, was absent.

**MINUTES:**

Keith Vreeland made a motion to accept the minutes of the June 18, 2020 meeting as written. Joan Rosenberg seconded the motion. On roll call, all voted yes. The motion was carried.

**INVOICES:**

**Woodland, McCoy & Shinn**

6/22/20	390040	H2 Investments (Sheltered Cove) B 40, L 1 & 2	328.00
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A motion was made by Mayor Marshall and seconded by Keith Vreeland to approve the payment of the bill on the availability of funds. On roll call vote, all members agreed. The motion was carried.

**INFORMAL DISCUSSION:**

**Continuing conversation regarding "outdoor dining."**

Keith Vreeland advised that some business owners in town liked the idea of having the ability to have outdoor dining seasonally. Reviewing the sample ordinances provided by our engineer from neighboring municipalities, it looked like they may permit outdoor dining after this situation eases up. Making this a permanent ordinance may also be something for Tuckerton to consider. Outdoor seating would be limited by space, plus the total of indoor and outdoor seating must not exceed their permitted capacity.

Questions were raised by Robert Rue regarding what the standards would be for determining seating and Mr. McAndrew expressed concern the impact it would have on parking. Mr. Vreeland said with each restaurant, it would depend on the space available and logistics. If we decide to issue permits for outdoor dining in the future, Phil Reed and Jim McAndrew would review the plan to be sure it meets with the intent of the ordinance. Robert Rue said he believes all of the restaurants in town have significant parking available to enable outdoor dining. Mr. Vreeland said the drawback for some may be street noise if seating is close to the road.

Joan Rosenberg asked if canopies would be permitted. Keith Vreeland said they would and believed the governor also added tents with two sides.

Jim McAndrew asked about dates. Mr. Vreeland said probably May through October.

Mr. Vreeland said, using the samples from neighboring municipalities and staying within the state's mandates, he would put something together for the Legislative Committee to review and bring it back to Land Use before they enact it.

Pete Gioiello said he thought this is a good idea. It would benefit the town and residents as well as the restaurants by bringing more people out.

Mark Rohmeyer pointed out the State of NJ Dept. of Health set protocols for food and beverage establishments offering service in outdoor areas. Any permits would have to be subject to their regulations. That would ensure the businesses are operating in accordance with the state. The county also has an application for restaurants located on a county road to occupy part of their right-of-way.

Mr. Shinn suggested making the ordinance as simple and clear as possible. This would help with compliance as well as enforcement.

**Run off on residential improvements**

Mr. Vreeland said we do not have an ordinance in place addressing runoff for residential improvements. As people are raising their grade and improving their houses, runoff has become a problem. If there is no ordinance to enforce, our zoning officials can do little to address the problem. Little Egg Harbor has one, as well as many towns on LBI, to prevent runoff on to the neighbor's property. Since Little Egg Harbor's ordinance is similar to what we are looking for, our engineer will get a copy for us to review. Mr. Vreeland will then present it to the Borough Council. Mr. McAndrew suggested they include Phil Reed, as he is aware of the problem.

A resident commented he knows of several other people having the same problem he has with his neighbor's runoff. We need to protect the homeowner.

**Other**

With nearly 100% of members in attendance, Jim McAndrew commended the Land Use Board members for their service and dedication.

***PUBLIC PORTION***

Public Portion was opened. There being no comments, it was closed.

***ADJOURN***

There being no further business, informal discussion or public portion, a motion was made by Keith Vreeland, seconded by Joan Rosenberg, and unanimously agreed to adjourn the meeting.

Respectfully submitted,

Carol Scurman  
Land Use Board Secretary