

BOROUGH OF TUCKERTON LAND USE BOARD
October 17, 2019

In accordance with the provisions of the Open Public Meetings Act, Calvin Morey opened the meeting of the Tuckerton Land Use Board on Thursday, October 17, 2019, at 7:00 p.m. in the Tuckerton Borough Hall.

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, and Calvin Morey; Don Rocheskey arrived late, and Tom Hennaut, Robert Rue, and Wayne Tonnesen were absent.

MINUTES:

James McAndrew made a motion to accept the minutes of the September 19, 2019 meeting as written. Keith Vreeland seconded the motion. On roll call, all voted yes. The motion was carried.

INVOICES

Woodland, McCoy & Shinn totaling \$200

10/9/19 66318	General Board Representation – Sept. 2019	150.00
10/9/19 66319	Welsh, B 8, L 11	50.00

A motion was made by Jim McAndrew and seconded by Keith Vreeland to approve the payment of bills on the availability of funds. On roll call vote, all members agreed. The motion was carried.

CORRESPONDENCE

10/7/19 From Stephen Smith to Robert Shinn re: OCEAN Inc.'s request to implement a phasing plan for their development.

Email regarding Shelter Cove Marina questions.

Thank you note from Joan Rosenberg for the board's expression of sympathy on the passing of her husband..

NEW BUSINESS

OCEAN Inc.'s request to implement their project in phases.

(Block 9, Lot 5 / 375 E. Main Street.)

Robert Shinn advised the board he had been in conversation with their counsel, Stephen Smith, regarding OCEAN Inc.'s request to implement their project in phases due to limited funding. He asked this be done as an administrative decision; however, Mr. Shinn felt that since this is such a large development, it should be heard by the board as an informal hearing. Mr. Smith asked to be excused from attending to save his client further expense.

Mr. Shinn reminded the board the original concept included 24 units with the development hooking into the Yellowbrook waterline. They are proposing completing the development in three separate phases. The first phase would include hooking into Yellowbrook, do some of the roadwork, the retention pond, and a couple of the houses. Phase two is a little more construction and phase three would be the completion of the project.

Mark Rohmeyer said he asked them to submit a phasing plan to show exactly the limits for everything proposed in each phase, showing sidewalks, roadway, temporary turnarounds, proposed houses, etc. His comments included the need of a temporary trailer with someone on site the same number of hours stipulated in the resolution in lieu of building a community center in the first phase. Mr. Vreeland asked if they should be required to show the location of the trailer on the phasing plan. Mr. Rohmeyer agreed they should.

As a precaution, Mr. Rohmeyer recommended after the temporary asphalt cul-de-sac where the houses are going to be built is taken out, they should till up a couple of feet to help with drainage in the future. The applicant's engineer agreed. Keith Vreeland asked if it would be a cost saving to move the cu-de-sack to phase two. Mr. Rohmeyer agreed it would.

Calvin Morey asked if there is a time frame for each phase. Mr. Rohmeyer said he did not have one. Mr. Shinn said that would probably go back to the funding. We could give them a time frame, and if need be, they would come back for an extension.

Jim McAndrew questioned, if they have no money to start this project, why are we discussing this? Mr. Shinn said the project has been approved; they may be able to get funding for the first part of the project. Mr. McAndrew said this project has been dragging on for 5 or 6 years with the same funding delays and asked if the board thinks we should discuss this when they have the funding. Discussion followed regarding the possibility they may need an approval from this board to implement their development in phases to get funding. Mr. Shinn said Mr. Smith is optimistic; he thought he could get a letter from our engineer to that affect. Mr. Shinn advised, in some situations that can be done, but considering the size of the project and the amount of years since the original approval, he advised asking the board's input.

Mr. Rohmeyer said they came up with a bond estimate for the entire project, which they will break down into phases, taking into consideration the work proposed in each phase. Mrs. Rosenberg asked what happens if they can't get funding for the last two phases. Mr. Vreeland said if phase one is completed which encompasses the infrastructure and 6 buildings, it wouldn't be a huge deal for another contractor to come in to finish out the remaining two phases of the project. Mr. McAndrew said we would rather have the same contractor complete the entire project. Mr. Rohmeyer suggested we ask them to post the entire bond. Since part of the package was to provide the residents with a recreation option and a community building, we want to insure they are built and not just the houses. Greg Brojack agreed the entire bond be posted and added a time frame should also be designated for the three phases.

Discussion followed regarding the amount of time for each phase and when the time frame should begin. It was agreed the time frame for phase one should begin the date of the resolution, which would be November 14. Each phase would be given one year for completion. Phase one would also include posting the bond for the entire project and getting the necessary funding. If they can't get the funding, they will need to return to this board for a time extension. It was agreed the placement of the temporary trailer be placed on the plans at the location of the proposed community building or back next to the cul-de-sac, and not close to the street. It was also noted they take into consideration Mr. Vreeland's suggestion of moving the cul-de-sac to phase two to save added expense.

A motion was made by Pete Gioiello and seconded by Keith Vreeland that Mr. Shinn write a letter to Mr. Smith outlining the conditions agreed upon regarding OCEAN Inc.'s request to implement their project in phases. On roll call vote all members voted yes except for Don Rocheskey who abstained because he was not present for the entire hearing. The motion passed.

INFORMAL DISCUSSION

Carol Scurman suggested the professionals review our current escrow fees. It has been years since they have been adjusted and the amount of escrow collected from applicants does not reflect an accurate estimate of the applicant's final cost. This causes a hardship on applicants not anticipating the additional cost. It was agreed the professionals would review fees charged in neighboring municipalities and report back to the board.

ADJOURN

There being no further business, a motion was made by Jim McAndrew, seconded by Keith Vreeland and unanimously agreed to adjourn the meeting.

Respectfully submitted,

Carol Scurman
Land Use Board Secretary