

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

In accordance with the provisions of the Open Public Meetings Act, Mayor Susan Marshall opened the meeting of the Tuckerton Land Use Board on Thursday, January 16, 2020, at 7:00 p.m. in the Tuckerton Borough Hall.

**FLAG SALUTE:** Mayor Marshall led the flag salute.

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

**REORGANIZATION:**

A motion was made by Keith Vreeland and seconded by Joan Rosenberg to nominate Calvin Morey as Chairman of the Land Use Board. Nominations were closed. All were in favor with the exception of Calvin Morey who abstained; the motion was carried.

A motion was made by James McAndrew and seconded by Keith Vreeland to nominate Joan Rosenberg as Vice-Chairman of the Land Use Board. Nominations were closed. All were in favor with the exception of Joan Rosenberg who abstained; the motion was carried.

A motion was made by James McAndrew and seconded by Keith Vreeland to nominate Pete Gioiello as Corresponding Secretary of the Land Use Board. Nominations were closed. All were in favor with the exception of Pete Gioiello who abstained; the motion was carried.

A motion was made by James McAndrew and seconded by Keith Vreeland to retain the services of Robert Shinn of the law firm of Woodland, McCoy and Shinn, to represent the Land Use Board. Nominations were closed. All were in favor; the motion was carried.

A motion was made by Keith Vreeland and seconded by Joan Rosenberg to retain the services of Mark Rohmeyer of the engineering firm of T & M Associates, as the Land Use Board Engineer and Planner. Nominations were closed. All were in favor; the motion was carried.

A motion was made by Keith Vreeland and seconded by James McAndrew to retain the services of Carol Scurman as Recording Secretary. Nominations were closed. All were in favor; the motion was carried.

A motion was made by James McAndrew and seconded by Joan Rosenberg that the meeting time and date would remain at 7:00 pm on the third Thursday of each month with the exception of November; that meeting will be held on the second Thursday. All were in favor; the motion was carried.

**ROLL CALL:**

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

Bob Shinn advised Greg Brojack and Don Rocheskey were sworn in prior to the opening of the meeting.

**MINUTES:**

James McAndrew made a motion to accept the minutes of the December 19, 2019 meeting as written. Greg Brojack seconded the motion. On roll call, all voted yes, with the exception of Joan Rosenberg and Peter Gioiello who abstained. The motion was carried.

**INVOICES**

**Woodland, McCoy & Shinn totaling \$850**

1/8/20	66641	General Board Representation-December 2019	250.00
1/8/20	66642	Mitarotonda Bulk Variance B113 L90	550.00
1/14/20	66640	Mitarotonda Bulk Variance B113 L90	50.00

**T&M Associates totaling \$1,129.50**

12/27/19	FMK379921	Board Representation	77.00
12/27/19	FMK379922	OCEAN Inc. B 49, L 5	848.50
12/27/19	FMK379923	Mitarotonda Bulk Variance B113 L90	204.00

A motion was made by James 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**

12/16/19 from: OC Mosquito Extermination Commission re: Applying to the Division of Land Use Regulation at the NJDEP for Countywide Freshwater Wetlands General Permits.

**NEW BUSINESS:**

**MINOR SUBDIVISION  
HABITAT FOR HUMANITY OF SOUTHERN OC  
BLOCK 76, LOT 3 / MARSHALL AVE & BAY ST.**

Greg Muszynski, executive director of Habitat for Humanity of Southern Ocean County, addressed the board. They are seeking a minor subdivision of Block 76, Lot 3, located on the corner of Marshall Ave and Bay Street and a waiver from the curbing and sidewalk requirements. The property is going to be used to construct two single-family homes.

Mr. Shinn entered the following exhibits into evidence:

- A-1 Application #19-4 dated 12/12/19
- A-2 Photographs of Proposed Dwellings
- A-3 Minor Subdivision Plan entitled "Minor Subdivision Plan, Lot 3, Block 76, Tax Map Street Sheet - #10, Tuckerton Borough OC, NJ," signed by Jay F. Pierson, PLS of Nelke Constantine & Assoc., dated 9/4/19, with no revisions
- A-4 Engineer Review Letter dated 12/27/19, prepared by Mark Rohmeyer, PE CME, PP

Mr. Shinn advised this application does not require public notice since it is a conforming subdivision.

Their engineer, Jeffrey Daum, representing the firm of Nelke, Constantine, and Assoc., Tuckerton, NJ, was sworn in by Robert Shinn and accepted by the board as an expert in his field. Mr. Daum testified this is a corner lot with frontage on both Marshall Ave. and Bay St. Both streets are paved with drainage and full utilities. They are proposing to divide the lot in half forming two conforming lots, requiring no variances.

Mr. Rohmeyer asked about the existing well and septic. Mr. Daum said the septic will be crushed down and filled with sand in conformance with the state law. They suspect the two pipes, two feet apart, found on the property are from old wells. They will be capped and abandoned in accordance with the DEP regulations. The neighborhood is void of curbing and sidewalks.

Mr. Rohmeyer asked how the subdivision will be filed. Mr. Daum said by map. Mr. Rohmeyer advised a tax map revision fee of \$125 per lot is required. Mr. Daum agreed and also agreed to do everything noted in the engineer review letter.

Mr. McAndrew said he was pleased that someone is going to make use of that property.

Mr. McAndrew moved to approve the application; Mr. Vreeland seconded the motion. On roll call vote, all members approved the motion. The motion was carried

**PUBLIC PORTION**

A motion was made by Keith Vreeland and seconded by Mayor Marshall to open the public portion.

A gentleman representing the gas station located on the corner of Rt 9 and Rt. 549 addressed the board. They presently have a back-lit sign with plexiglas numbers indicating gas prices. They would like to change it to non-flashing, steady LED lit numbers. The sign would be the same size as the existing sign. The reason for the change is the sign is a safety hazard. The corner is like a wind tunnel and when the wind gets behind the plexiglass numbers which is about 18 feet high, he has seen them blown off the sign and cause a lot of damage. He's afraid if someone is hit by one, it could cause injury or death. He would like to see the borough approve LED lighting for the numbers on his sign. The rest of the sign would remain back-lit.

He said they are also looking to dress up the corner by putting an overhang over the pumps. Mr. McAndrew advised he needs to stop by the construction office. If there are any necessary permits or regulations, the Zoning Officer, Phil Reed, would advise him.

Mr. Vreeland agreed he needed to speak to Mr. Reed. The sign would require a variance. If there is also a variance required for the canopy, he could also apply for it at the same time.

There being no other comments from the public, Mr. Vreeland made a motion to close public portion, Mrs. Rosenberg seconded the motion and it was unanimously agreed. Motion was carried.

**OLD BUSINESS**

**RESOLUTION 2020-5  
YEAR END REPORT – 2019**

A motion was made by Keith Vreeland and seconded by Joan Rosenberg to approve the resolution as written. On roll call vote all members agreed. The motion was carried.

**RESOLUTION 2020-6  
NICHOLAS MITAROTONDA, JR.  
BULK VARIANCES  
BLOCK 113, LOT 90 / 274 HERON RD., TUCKERTON, NJ**

Mr. Shinn said he addressed the board's concern regarding any additional encroachments. Mr. McAndrew approved and added this decision is singular in approval. The motion was seconded by Keith Vreeland.

On roll call vote:

Mayor Marshall voted yes

Jim McAndrew voted yes

Keith Vreeland voted yes

Greg Brojack voted yes

Peter Gioiello voted yes

Don Rocheskey voted yes

Calvin Morey voted yes

The resolution was approved.

**INFORMAL DISCUSSION**

Mr. McAndrew said he was in the process of doing an on-sight inspection of all bulkheads in the borough. He has found a lot of the work that has been done is outstanding.

**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