
BOROUGH OF TUCKERTON

LAND USE BOARD

MEETING MINUTES

MARCH 25, 2026
7:00 PM | Borough Hall, Tuckerton, NJ

1. CALL TO ORDER

Don Rocheskey called the meeting to order. "Notice of this meeting was published in the Tuckerton Beacon and the Asbury Park Press, stating the time, date, and place of this meeting."

2. ROLL CALL — ATTENDANCE

The following members were present:

Member	Status
Don Rocheskey	Present
Wayne Tonnessen	Present
Mayor Marshall	Present
Keith Vreeland	Present
James McAndrew	Present
Calvin Morey	Present
Rich Pear	Present
Beth O. Garvin	Present
Paul Solimani	Present
Ryan Hennessy	Present
Robert Rue	Present

All members were present. A quorum was established.

3. APPROVAL OF MINUTES

Motion: Keith Vreeland made a motion to approve February minutes.

Second: Motion seconded by Jim McAndrew.

Result: Motion carries unanimously on roll call vote, with all members voting yes.

4. APPROVAL OF INVOICES

Motion: Beth Obiedzinski made a motion to approve payment of invoices.

Second: Motion seconded by Keith Vreeland.

Result: Motion carried unanimously on roll call vote, with all members voting yes.

5. CORRESPONDENCE

Clamtown LLC — Route 9 / Locust Avenue (Block 49, Lot 7)

Mr. Shinn read a letter from Richard Visotcky the applicant's representative regarding the previously approved application for a property located at the corner of Route 9 and Locust Avenue. The applicant is asking for a motion to carry the application until the May 2026 meeting. The following concerns and actions were summarized:

- At the previous public meeting, board members and neighbors raised concerns about a proposed 1,200 sq. ft. increase to the building, bringing the total to 9,200 sq. ft.
- The proposed 8,000 sq. ft. building was to be located entirely within the B2 portion of the split-zone lot, with the R100 portion remaining wooded and vacant.
- Drainage issues were also raised as a concern.
- In response to these concerns, the applicant withdrew the plans for the enlarged building.

Motion: Paul Solimani made a motion to carry the matter.

Second: Motion seconded by Keith Vreeland.

Result: Motion carried unanimously on roll call vote.

6. APPLICATION HEARING

1000 Green Street — Block 43, Lots 5 & 6 (B1 Zone)

Use Variance and Hardship Variances

Applicant's Attorney: Kevin Quinlan appeared on behalf of the applicant, 1000 Green Street LLC (Angelo Valentino Cuccolino).

Pre-Marked Exhibits

- P1 — Application letter dated 2/10/25
- P2 — Application and checklist
- P3 — Site plan, last amended 2/3/2026
- P4 — Architectural plans, last revised 10/21/25
- P5 — Mr. Chadwick's (engineer) letter dated 2/4/26 responding to board engineer's letter
- B1 — Board engineer Charlie's letter dated 1/20/26

Project Overview

The applicant proposes construction of two (2) two-unit multifamily buildings at the corner of Parker Road and South Green Street (Route 539). The lot is currently vacant.

Key Project Details

- Two separate buildings, each containing two (2) residential units (four units total)
- Designed to appear as individual family homes rather than a traditional apartment complex
- Buildings elevated above parking per FEMA flood hazard regulations
- Parking located beneath the buildings (3 spaces per building) plus 4 surface spaces, totaling 10 spaces
- Two parking spaces per unit; two of the 10 spaces designated for guest/visitor use
- Each unit is approximately 1,255 sq. ft. of residential floor area
- Three (3) bedrooms per unit; 12 bedrooms total across four units
- Buildings designed as mirror images with an aesthetic walkway connection between them
- All vehicular access from Parker Road; no access from South Green Street

Variances Sought

- Use variance — multifamily residential use is not permitted in the B1 zone
- Variance for two principal buildings on one lot
- Front yard setback variance — 10 ft. required; 7 ft. proposed (after county road dedication)
- Lot width variance — existing pre-existing non-conformity; no change proposed
- Waiver for curbs and sidewalks — no curbs or sidewalks exist on surrounding properties

Environmental & Regulatory Approvals

Witness James Edward Chadwick, 1348 Asbury Ave Ocean City, NJ, licensed architect and professional engineer, was sworn in and qualified as an expert in professional engineering and architecture. Mr. Chadwick testified to the following:

- Approximately 25,000 sq. ft. total lot area; only approximately 9,000–10,000 sq. ft. is developable due to freshwater wetlands.
- Wetlands were delineated by Water's Edge Environmental of Ocean City and verified by the NJDEP.
- DEP issued a Letter of Interpretation (LOI) dated January 16, 2026, classifying wetlands as intermediate resource value with a 50-ft. buffer.
- DEP issued a Transition Area Waiver, permitting development to the edge of the wetlands.
- DEP issued a Flood Hazard Area (FHA) Authorization (approximately February 8–9, 2026).
- CAFRA permit not required; proposed development is greater than 150 ft. from mean high water line.
- DEP permits filed with Ocean County Clerk and run with the property in perpetuity.
- Application submitted to Ocean County Planning Board; application deemed complete; review underway.
- New NJDEP RAL flood hazard regulations take effect July 2026; proposed floor elevation is consistent with incoming standards (Base Flood Elevation + 5 ft. / 4 + 1 freeboard).

Engineering Review — Board Engineer's Letter (1/20/26 and 3/6/26)

Mr. Quinlan and Mr. Chadwick reviewed the board engineer's letter page by page. Key responses included:

- Flood Damage Prevention Ordinance: Residential floors are elevated above flood level; garage/enclosure walls include flood vents. In compliance.
- Stormwater: Not a major development; no drainage basins required. Permeable pavers proposed for parking area with stone base below. Roof leaders directed to permeable pavers. Board engineer requested stone base be sized for a specific storm event; applicant agreed.
- Inlet type: Applicant agreed to use Type B inlet rather than Type A as recommended.

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- Grading/contours: Spot elevations provided; parking area drains toward Parker Road inlet. No runoff onto adjacent properties.
 - Lighting: One pole-mounted light with glare shields; 3,000K maximum color temperature, downward-facing. Board engineer suggested relocating pole to east side facing west to minimize impact on residences; applicant agreed.
 - Parking: 10 spaces provided, meeting RSIS requirements. Turning radius verified using AASHTO composite vehicle templates. 22 ft. clearance at tightest point (trash enclosure area).
 - Handicap accessibility: Units are handicap-adaptable (blocking in walls for grab bars, etc.); not required to be fully accessible.
 - Signage: Conforming sign proposed identifying the property as “Breeze Condos.” Meets setback and area requirements.
 - Road dedication: 5.25 ft. x 80 ft. strip dedicated to Ocean County for future roadway widening.
 - County road access: All vehicular access eliminated from Route 539; access only from Parker Road driveway.
 - Curbs/sidewalks: Waiver requested; no curbs or sidewalks exist in the surrounding neighborhood.
 - Trash/recycling: Concrete pad with enclosed 5 ft. fence; two roll-off containers (trash and recycling).
 - Mailboxes: Four-unit mailbox post or building-mounted, per postmaster requirements.

Ownership and Management

- Units intended to be individually owned as condominiums.
- Condominium association responsible for maintenance of all exterior areas, parking lot, landscaping, and common elements.
- Condominium master deed and plot plan to designate limited common elements; board attorney noted this will be made a condition of any approval.
- Short-term rentals subject to any applicable borough ordinance.

Engineer’s Comments

- This is a use variance application; multifamily is not a permitted use in the B1 zone. The master plan (last re-examined 2017–2018) contains no recommendation for multifamily in the B1 zone.
- The applicant bears a significant burden of proof. There are at least 13 permitted principal uses in the B1 zone.
- A single-family home could be constructed on this property without variances. The lot could potentially be subdivided to create two conforming lots for two single-family homes.
- The applicant is proposing four dwelling units on a lot where the underlying zoning allows one single-family dwelling — four times the permitted density.
- Commercial uses in the B1 zone are impractical at this location due to flood elevation requirements; however, “practically impossible” is not the legal standard for a use variance.
- DEP approval does not supersede local zoning; the board retains jurisdiction over use and bulk standards.

Board Discussion Highlights

- Board members questioned the density, the feasibility of subdivision, the stacking of parking spaces, and the long-term management of a small condominium association.
- Discussion of whether a single-family home, a subdivision into two single-family lots, or a single multifamily structure could achieve the applicant’s goals with fewer variances.

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- Board member noted the beach area has seen significant development and investment; first multifamily proposal in the beach section raised concerns about setting precedent.
 - Applicant’s counsel argued that two smaller structures are more in character with the neighborhood than a single large single-family home, which could contain 10–15 bedrooms and be used as a short-term rental.

7. AMENDED APPLICATION

Applicant’s Proposed Change

During the meeting, the applicant’s attorney indicated that, due to concerns raised by the board and the public regarding density, the applicant wished to amend the application as follows:

- Withdraw the multi-family (duplex) designation for the two structures.
- Convert the two proposed buildings to single-family residences — one family per building.
- Retain the existing site plan layout (no change to footprint, height, or architecture).
- Keep both structures on one lot under a condominium association with cross-access easements for parking and driveways.

The board attorney and engineer noted that even under this amended proposal, the following variances would still be required:

- Use variance — two principal structures on one lot.
- Front yard setback variance — 7-foot setback where 10 feet is required.

Subdivision vs. Condominium Discussion

Board members and the board attorney discussed whether the better approach would be a subdivision or a condominium association structure:

- Subdivision: Would result in two individually owned lots — no condo association required. However, it would likely require additional variances for lot width and depth, producing two undersized lots. Cross-access easements would still be needed for the shared driveway.
- Condominium/One Lot: Keeps the property as one lot with shared common areas under a condo association. Requires cross-access agreements. Fewer additional variances, but raises concerns about enforcement of shared maintenance responsibilities.

Several board members expressed a preference for subdivision as the cleaner option. The board engineer noted that a subdivision would still require board review before a vote could occur.

8. PUBLIC FORUM

Robert O’Connell — 111 Parker Road

Raised DEP permitting concerns. Submitted a petition signed by over 300 individuals in opposition to the project; the board attorney noted the petition constituted hearsay and was not distributed to board members. Requested the board deny the application and ensure full compliance with existing zoning. Expressed concern about flood impacts from impervious surfaces and raised-elevation parking directing water toward adjacent properties.

Vince Barillo — 107 Parker Road

Former 12-year chair of a zoning board in another municipality. Raised concerns about “piecemeal development,” noting at least three development projects currently proposed or underway in the immediate area. Referenced

historical filling of marshland in the area, which he argued negatively impacted local drainage. Noted a firefighter responded to a flooding call on his street two months prior and encountered waist-deep water.

Larry Casey — 363 Kingfisher Road

Expressed concern that the board was moving toward approving the amended application without first seeing revised plans. Questioned whether two single-family homes on one lot still required a use variance, noted setback and site plan concerns, and recommended the board wait to review the adjusted plan before acting.

Kathy O’Connell — 111 Parker Road

Requested that residents be kept informed of any future hearings or plan changes. Expressed support for keeping the neighborhood as single-family homes and concern about increased flooding from additional housing.

Gary Corriero — 925 South Green Street

Did not oppose or support the specific application but suggested the municipality consider a proactive planning review of permitted uses in the Green Street/Parker Road corridor. Mr. Shinn explained that the master plan re-examination (required every 10 years under NJ statute) would be the appropriate venue for such input.

Debbie McMunn — 83 Dolphin Road

Long-time area resident (approximately 50 years) who previously lived and worked at 1000 South Green Street. Expressed concern about ongoing flooding, citing personal experience through Hurricane Sandy and subsequent storms. Objected to condominiums in Tuckerton Beach, stating the area was historically intended for single-family homes. Raised concerns about wildlife habitat behind the property.

Mr. Shinn noted that the statutory notification requirement is mailing to property owners within 200 feet at least 10 days before the meeting. Attempts by other municipalities to expand the notification radius beyond 200 feet have been ruled invalid under state statute.

Motion: Paul Solimani made a motion to close public portion.

Second: Motion seconded by James McAndrew.

9. DENIAL OF APPLICATION

Following the close of the public portion, Mrs. Garvin made a motion to deny the application as amended (two single-family homes on one lot under a condo association structure). The motion was seconded by Wayne Tonnesen.

Reasons Stated for Denial:

- The proposal does not comply with the zoning ordinance, which permits one principal structure per lot.
- The proposal does not conform to the master plan.
- Even if subdivided, the result would be two undersized lots.
- The board had not received sufficient detail on the revised proposal (no updated plans showing lot lines, access easements, or compliance figures).
- Concern about establishing a condo association precedent and ongoing maintenance enforcement.
- Opposition to continued sidewalk waivers.
- A conventional single-family home is a permitted use on the property; additional variance relief is not warranted.

Board Member	Vote	Reason Stated
Don Rocheskey	YES	Not permitted under applicable ordinances.
Wayne Tonnesen	YES	As previously stated.
James McAndrew	YES	Insufficient clarity on what is required; proposal not adequately presented.
Calvin Morey	YES	Applicant has the option to build a conforming single-family home; no need to create additional complications.
Rich Pear	YES	Does not fit zoning requirements.
Beth Obiedzinski Garvin	YES	As stated in the motion.
Paul Solimani	YES	Property should be subdivided into two separate lots.

Result: Motion to deny CARRIED. Application DENIED (7–0).

10. OUTCOME

The application by 1000 Street LLC for a use variance and associated relief for two single-family homes on one lot at 1000 South Green Street, Tuckerton Beach, was DENIED by the Zoning Board of Adjustment.

The applicant retains the right to submit a new or revised application. Should the applicant pursue a subdivision and/or other zoning relief in the future, a new application with complete engineering plans, lot line calculations, and variance figures would be required for board review.

11. OUTSTANDING CONDITIONS (If Approved)

The following items were discussed as potential conditions of any future approval:

- Condominium master deed and association documents to be reviewed by board attorney and made a condition of approval.
- Stone base under permeable pavers to be sized for a specific storm event.
- Light pole to be relocated to east side of parking area, facing west, to minimize impact on residences.
- Signage for parking space designations.
- Ocean County Planning Board approval required as a condition.
- DEP LOI and FHA permits to be provided to board if not already submitted.
- Road opening permits (county and/or borough) to be obtained.
- Front door locations and walkway widths to be coordinated with board engineer on revised site plan.
- Landscaping near wetlands edge to use non-invasive South Jersey native vegetation; stone mulch (not wood chip) recommended.

Sincerely,
Lindsay Cranmer
Tuckerton Land Use Board Secretary