

BOROUGH OF TUCKERTON LAND USE BOARD
September 21, 2017

In accordance with the provisions of the Open Public Meetings Act, Chris Bethmann, Land Use Board Chairman, opened the meeting of the Tuckerton Land Use Board on Thursday, September 21, 2017, at 7:00 p.m. in the Tuckerton Borough Hall.

FLAG SALUTE: Chris Bethmann led the flag salute.

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

ROLL CALL:

The members of the Land Use Board in attendance were Mayor Marshall, James McAndrew, Keith Vreeland, Joan Rosenberg, Calvin Morey, Tom Hennaut, Peter Gioiello, Robert Rue, Greg Brojack, and Chris Bethmann. Wayne Tonnesen was absent.

MINUTES:

A motion was made by Tom Hennaut to approve the minutes of the August 17, 2017 meeting as written. Joan Rosenberg seconded the motion. On roll call vote, all members voted yes with the exception of Robert Rue who abstained. The motion was carried.

INVOICES

T & M Associates totaling \$2,827.40

8/25/17 (SCL329468)	Charles Messano / B 65, L 9.01	37.75
8/25/17 (SCL329469)	OCEAN Inc. Site Plan / B 49, L 5	777.40

Woodland, McCoy & Shinn totaling \$2,650.00

9/11/17 (62883)	Charles Messano / B 65, L 9.01	100.00
9/11/17 (62884)	Board Represent – August	250.00

A motion was made by Mayor Marshall and seconded by Keith Vreeland to pay the invoices on the availability of funds. On roll-call vote all agreed. Motion was carried.

NEW BUSINESS – MASTER PLAN REVIEW

Jack Mallon advised, the Master Plan needs to be reviewed every ten years. The 2002 Master Plan was updated in 2007 by professionals no longer working for this board. In 2010, T & M Associates did a joint Circulation Plan with Little Egg Harbor which can be covered in a component of the Master Plan. The cost of reviewing the Master Plan by a professional planner could run \$10,000 to \$15,000. This board needs to decide if they want to go that route. Another thing to consider is updating the zoning map which has not been touched since 2005. Mr. Mallon advised he has been updating his personal map which is an original map prepared by Birdsall. He also saved copies of the ordinances regarding zoning changes and attached them to the map. Using Mr. Mallon's map, we could update it with the help of electronics.

Regarding COAH, Mr. Mallon said we never did finalize a plan and we need to make a decision. Our fair share requirement number can be looked at by three different agencies: Fair Share-299 units / League of Municipalities-128 units / Contractor-209 units. The reason municipalities submit COAH plans is to protect them from "Builder's Remedy," where a builder can buy vacant land, put up a low income development and the municipality has no control. We don't have a lot of vacant land; however, a builder could also buy up

several existing homes, knock them down and do the same thing. It was also noted the building market is still slow here, but it is coming back. It was suggested we determine how many low income units we currently have. At one time, existing units built before COAH did not count; however, Mr. Mallon was not sure if that changed. He suggested Phil Reed and Jim McAndrew may be able to help determine that number.

Since it is not stated the Master Plan has to be prepared by a professional planner, Mr. Mallon suggested required components be divided up into committees. Their comprised results could be put together as a package and submitted. He remembered several years ago Calvin Morey led it this way. With most of the work being done by the municipality, the cost could be lowered to \$3,500-\$4,000.

We need to look at the last recommendations made by the professional planner and determine which were addressed. The screening strip was increased, we worked on increasing water quality around the lake, and we established floor area ratio. He questioned if we addressed defining building height.

Regarding the Historic District, Keith Vreeland said the Landmarks Commission is working on getting a CLG, looking at an ordinance for the Historic District and applying for grants. They are looking at the Beach Haven Ordinance which is relatively new and would meet our needs. In the next few months they will be sending it to Land Use for review. This will give Landmarks more teeth when it comes to certain things within the district. Mr. Mallon cautioned the commission should not get carried away with trying to control more things than the board recommends, as was done in the past; they are an advisory board to this board. Mr. Vreeland said one of the recommendations in the last Master Plan was to have an advisory person from Land Use on the Landmarks Commission.

Problems with traffic circulation are out of our control. There are plans to improve circulation, but it takes time. We still have to address parking. Wayne Tonnesen recommended the front lot requirement in the B-1 Zone be reduced to 66' since that is the actual average size of the existing lots. That would avoid the need of a variance to do improvements. Jack Mallon said another remedy for that is to grandfather some and waive lot width frontage for residents with this issue wishing to do improvements. Mr. Bethmann said we need to clean up our zoning to more closely match what we have. Mr. Mallon advised some changes have been made to zones including in the Yellowbrooke Development area, and behind Jon Miller's property.

The question was asked if we needed to complete the Mater Plan in 2017. Mr. Shinn advised, as long as we have it started and show we are working on it, it could go into 2018. That would also help with budgeting.

Mayor Marshall asked if something should be written up after Sandy. Mr. Mallon said we can incorporate it. Sandy made a big difference in our municipality, however, we are unique because Tuckerton Beach does not have a lot of small, nonconforming lots.

Chris Bethmann suggested a committee be formed to review the last version of the Master Plan and make recommendations to Mr. Mallon. Mayor Marshall, Joan Rosenberg, Calvin Morey and Keith Vreeland

volunteered to be on the committee to meet with Jack Mallon to determine which sections of the Master Plan need to be reviewed. Mr. Mallon said he'd get an email out and try to settle on a meeting time, most likely in the evening. Since we will not have a formal application on our October 19th agenda, it was suggested to use it as a Master Plan Workshop. He said he would also have a rough estimate for the cost of the zoning map.

Mr. Morey asked Mr. Mallon which sections needed to be updated. Mr. Mallon said demographics; the county would be the best place to get data. Parking is still a problem. Regarding Sandy, other than losing houses, most businesses have bounced back. Bob Shinn asked that before the committee meets, please check with him or Mr. Connors to avoid a "Sunshine" issue. He also said it might be a good idea for Phil Read to sit in.

INFORMAL DISCUSSION

Keith Vreeland advised legislation is working on the CLG. With the recommendation of Margaret Westfield, who specializes in historic districts, Beach Haven is coming to their next Landmarks Commission meeting to go over what they have done. The grants will help pay for her fees. This will help with the Master Plan since one of the recommendations is to redo the district and come up with better legislature for that.

Legislation is also looking for a Native Plant Ordinance to encourage using native plantings as opposed to invasive species or species not native to the area. They are looking for an existing ordinance similar to our needs to expedite the process. Mr. Shinn said he would try to get a copy of Stafford's. Jack Mallon advised O.C. Soils would also be a good resource.

PUBLIC PORTION

A realtor asked if Tuckerton offered perks to bring in business. Keith Vreeland said there was nothing in place, but it could be something for the EDC to look at.

Virginia Hartley said she was at a Borough Council meeting to discuss her property located on the creek. Using a map, she showed the property which consisted of buildable lots with a large area of wetlands in the center of it. Keith Vreeland said the property in question sits next to a marina. There's a series of pilings and two docks, a large area of wetlands in the center and buildable area along the other side of the property. At the Council meeting, John Schwartz and Keith Vreeland made a recommendation the county purchase undevelopable part of the property for open space, leaving three buildable lots, rather than taking the entire parcel off the tax map. They also recommended she come before this board for their recommendation.

Mrs. Hartley said the county expressed an interest in purchasing the land. She advised the wetlands portion was also a dredge spoils site. Mr. Vreeland said it is still considered wet lands. If the wetlands portion was subdivided from the buildable lots, depending on which group purchased the lot, it would either be returned to its natural state or be used for access. Mayor Marshall asked if this was a place that we could put additional dredge material. Mr. Morey said it is already spoiled.

Mrs. Hartley said, as property owners, they are looking to sell the entire parcel; it's about the money on the table. She asked if we object to having this property taken off the tax rolls. Mr. Mc Andrew asked if they are offering to sell the entire property to the county or just the undevelopable portion. Mrs. Hartley said the whole property. Mr. McAndrew said the county has already taken all the property by the lake off the tax rolls. Selling this entire property to the county would be a tough loss for a small town. Mr. Vreeland added losing the buildable lots, which could have the potential of having four homes or three homes and a business on them, was the concern expressed at the Council meeting.

Chris Bethmann told Mrs. Hartman that what it comes down to is, if the county is favor of buying the wetland portion, subdivide it and have the realtor tell you what the buildable land is worth. Mr. McAndrew added the buildable lots are located at a favorable location on the creek. It has a great bulkhead, the pilings are in, and it's ready to go. Mrs. Hartley agreed and would love to see someone enjoy it and have it remain on the tax rolls; but the reality is they need to sell it. Mr. Vreeland said he has no problem with the county taking the wetlands portion; however, from a sales standpoint, the Hartmans would benefit more financially by not selling the buildable lots to the county. Perhaps the county would agree to work with them on the subdivision.

There being no further comments, public portion was closed.

ADJOURN

Keith Vreeland made a motion, seconded by Jim McAndrew to adjourn. All approved; the motion was carried.

Respectfully submitted,

Carol Scurman
Land Use Board Secretary