



Tuckerton to Adopt Newest FEMA Flood Map

Pat Johnson

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Tuckerton introduced an ordinance on Aug. 5 that adopts a Federal Emergency Management Agency flood map that takes most of borough's flood plain out of the controversial V-zone.

The borough has been using the flood map that was put in place immediately after Superstorm Sandy that required most of the houses rebuilding in the beach area to elevate to 13 feet BFE (base flood elevation). According to Tuckerton construction code official Phil Reed, the BFE is calculated not from the ground but from the low tide during the spring or highest tide cycle, or the highest low tide.

The ordinance adopts the flood insurance rate map for Ocean County and the Flood Insurance Study, Ocean County, both dated March 28 of this year.

Although the new maps return most of the borough's flood elevations to what they were before Sandy struck, at zone AE- 9 feet, the borough has decided to add 3 feet of freeboard to bring the BFE to 12 feet for most of Tuckerton Beach.

According to the ordinance, "all new construction or substantial improvement is to be elevated on pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor be elevated to three feet or more above the base flood elevation."

All the heating, electrical, ductwork and service facilities also must be elevated to the same height, and any structures below the freeboard be constructed using flood-damage-resistant materials.

Only new or substantially improved commercial buildings may be lower and only if they are flood-proofed to watertight below the BFE with walls substantially impermeable to the passage of water.

New basements in any new residential buildings must also be watertight and have structural components capable of resisting loads associated with water.

The ordinance will be read at the next Land Use Board meeting on Aug. 21 and the borough council hopes to adopt the ordinance at its Sept. 2 meeting.

During discussion, Mayor Buck Evans said he was opposed to the 3-foot freeboard and would rather see residents have a choice of between 1 to 3 feet of additional height. "We have senior citizens who have trouble climbing all those stairs."

But Councilman John Schwartz said the additional freeboard would only result in two or three additional steps and the ordinance would result in a more uniform appearance to all the buildings being elevated in Tuckerton Beach.

Business Administrator Jenny Gleghorn said there were a number of properties that had already elevated to 12 BFE or above and of 19 homes originally affected by the V-zone, only six are left below the required elevation. "That means we have less than 1 percent noncompliant."

Councilwoman Doris Mathisen gave a flood resiliency report to the council, confirming the unprecedented amount of construction in the borough's flood zone since Superstorm Sandy. Since Sandy, 67 existing homes have been elevated and 48 new homes elevated for a total of 115 elevated structures. "That's not bad for an area that only has 660 homes," noted Evans.

The borough took in \$27,329 in fees for July, issued 72 permits and did 175 inspections plus 27 code enforcement actions.

During the public comment period of the meeting, Tuckerton Beach resident Chris Chiaro said he opposed the additional height requirement of 3 feet above the BFE. "All I know is in the middle of the 1990s we had a small twister that hit Curlew Road and it picked the roof off one house that landed on another house. I wouldn't walk in one of those big tall homes on a windy day. We live in a windy area. You're raising them too high; it doesn't make sense. If we have a storm worse than Sandy there will be no East Coast. But right now we have winds and we have to live with them."

Evans said he understood that the houses may rock in high winds but that there were design elements to tie the houses to their foundations.

The council also introduced an ordinance prohibiting smoking in parks and recreation facilities including areas adjacent to public parks, such as parking lots, paths or driveways.

The ordinance seems to include e-cigarettes as it defines smoking as the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigarette, cigar, pipe or any other combustible substance which contains tobacco or any other matter or substance which contains tobacco or any other matter that can be smoked.

Not only police can enforce the ordinance; anyone can make a complaint in municipal court.

The charge is disorderly person and unlike many other "crimes," juveniles are treated as harshly as adults.

The fines can run up to \$2,000 although the fine for the first offense would generally be \$250, \$500 for the second offense and \$1,000 for each subsequent offense.

In Tuckerton's case, this would include the South Green Street Park (where fishermen have been known to light), the public docks, the baseball field and the Tuckerton Seaport.

But each area must be clearly posted with signs. Tampering with the signs would also be a disorderly person offense with a \$200 fine plus the cost of replacing the sign.

Second reading and public hearing is set for the Aug. 19 municipal meeting.

The third ordinance introduced at the Aug. 5 meeting prohibits juveniles from drinking on private property as well as public, thereby reducing or eliminating private house parties that allow juveniles to imbibe. The hope is the ordinance will further limit drunken driving.

Second reading and public hearing are also at the Aug. 19 meeting.

Evans had some good news: The borough received a letter from the New Jersey Department of Transportation awarding \$350,000 to the town to repair the Sandy storm-damaged Parker Road in Tuckerton Beach. The contract has to be awarded by Dec. 23, 2015 or the town will forfeit the funds.

The borough approved a resolution to enter into a shared services agreement with Little Egg Harbor for police dispatch. The cost for the service will be announced when and if the township approves the shared services agreement at its Aug. 14 meeting, said interim Chief Financial Officer Garrett Loesch, who is working for the borough as part of a separate shared services agreement with the township.

The borough will attempt to conduct business without the customary paper copies of agenda items, using its own computers to review ordinances, etc. Some members of council will opt to get paper copies: Councilwoman Sue Marshall and Councilman Sam Colangelo said they would be more comfortable with hard copies. "I use them to refer back to," said Marshall, and Colangelo asked if this might violate the Sunshine Law. Tuckerton attorney Kevin Quinlan said it did not; it was the same as reading info that is now contained in their packets and delivered to them by hand by a public works employee. "You just can't message back and forth," he added.

Eventually the borough will have a server and kiosk in the new borough hall that will allow the public to call up ordinances and public information, said Gleghorn.

Evans said he was proposing the change to save time, money and paper. "It's 2014, time to hit the electronic age," he said.

Colangelo said the project to enhance the World War I monument at the Intersection of Great Bay Boulevard and Route 9 had been completed. It was a project between the Landmarks Commission and the Redmen Lodge. "Money was donated through fundraising (by the Redmen) and four very large shrubs were taken out that were blocking the inscription and new pavers and low-growing plants installed. Hopefully more people will visit it."

Colangelo said the former police department building on South Green Street is ready for demolition and the public works yard has been rearranged to make it "more citizen friendly."

Councilman Ryan Short advised the public that a number of car burglaries have been reported in Little Egg and Stafford townships and people need to lock their cars and also report any suspicious activity to the police department. He read the court report for July: 9 criminal cases and 158 traffic violations were disposed of with a return of \$6,961 for the town, \$2,409 for the county and \$5,102 to the state. A fee of \$45 for the public defender would be deducted from the town's revenue. In addition, 106 criminal cases and 244 traffic matters are still pending.

Two residents, neighbors of an ongoing construction site on Route 9, returned to the council to report that very little was done to improve conditions at 161 E. Main Street except a new large No Trespassing sign was installed by the owner. Evans said since this is an ongoing construction site, all complaints must go to the construction official.

— **Pat Johnson**

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