Regular Meeting Zoning Board of Adjustment July 12, 2013

William W. Cathcart called the Regular Meeting of the Stone Harbor Board of Adjustment to order at 7:00 p.m. He stated that all requirements of the "Open Public Meetings Act of 1975" had been met, the Press of Atlantic City having been notified of the Board's schedule for 2013 in December 2012, and the schedule having been posted on the Municipal Clerk's Bulletin Board.

ROLL CALL	<u>Members Present</u>	<u>Member Absent</u>
	William W. Cathcart	Robert Ross
	Angelo Caracciolo	
	J. Craig Otton	Alternate Absent
	Greg Szetela	Matt DeRose
	Mia Donnell	
	Alan Kaplan	Secretary Present
	L L	Carrie Bosacco
	Alternates Present	
	Brian Markle	Solicitor Present
		Andrew Catanese, Esq.
	Zoning Officer Present	· •

Joanne Mascia

#### **MINUTES**

Upon a motion by Mr. Caracciolo, seconded by Mr. Szetela, that the minutes of the Regular Meeting on July 12, 2013 be approved. The motion to approve the minutes was carried unanimously on a roll call vote.

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Otton	AYE
Mr. Kaplan	AYE
Mr. Szetela	AYE
Mr. Donnell	AYE
Mr. Markle	AYE

#### **OLD BUSINESS**

Memorializing of Resolution #809-2013, Niedzielski Upon a motion by Mr. Kaplan, seconded by Mr. Otton that the resolution be adopted with changes. The motion carried unanimously by roll call vote.

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Otton	AYE

Mr. Kaplan	AYE
Mr. Szetela	AYE
Mr. Markle	AYE

Memorializing of Resolution #810-2013, Sycamore Shores Condo Association Upon a motion by Mr. Kaplan, seconded by Mr. Szetela that the resolution be adopted. The motion carried unanimously by roll call vote.

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Otton	AYE
Mr. Kaplan	AYE
Mr. Szetela	AYE
Mr. Markle	AYE

# **NEW BUSINESS**

### **HEARING**

#811-2013	Applicants' Name & Address:	Randall & Margaret Turney 1351 Troon Lane West Chester, PA 19380
	Owners' Name & Address:	Same
	Subject Property:	9715 Third Avenue Stone Harbor, NJ 08247
	Block and Lots:	Bl: 96.04 Lots: 131 and 132

Applicants are seeking variances for rear yard setback, height above curb, height of rear deck above bulkhead and conditional use relief.

All required notices were given with respect to this hearing.

Jane M. Hoy, Esquire appeared on behalf of the Applicants and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

- 1. Randall Turney, homeowner
- 2. Jack Smith, RA
- 3. Brian Murphy, PE, PP

The following exhibits were submitted and moved into evidence on behalf of the Applicant:

- A-1: Architectural Plans/Elevations
- A-2: Architectural Plans/Elevations (Revised)
- A-3: Study by Gary Lee Thomas
- A-4: Height of Surrounding Buildings (by Thomas)
- A-5: Aerial Photos
- A-6: Aerial Photos
- A-7: Aerial Photos
- A-8: FEMA Flood Advisory Map
- A-9: Architectural Plans (Sheet A-3) showing increase in required elevation

One person spoke in favor of granting the application.

Chairman Cathcart closed the hearing to the Applicant and the public.

Mr. Catanese gave the Board a summation of the applicable legal standards.

The Board discussed the application. Mr. Caracciolo made a motion, seconded by Mr. Kaplan that the application presented to the Board on this day differs from the previous application submitted by the same applicant. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE ZBA #811-2013

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Otton	AYE
Mr. Kaplan	AYE
Mr. Szetela	AYE
Ms. Donnell	AYE
Mr. Markle	AYE

Ms. Donnell made a motion, seconded by Mr. Kaplan that the D-3 variance be granted. The motion was approved by roll call vote.

# ROLL CALL VOTE ZBA #811-2013

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Otton	AYE
Mr. Kaplan	AYE
Mr. Szetela	AYE
Ms. Donnell	AYE
Mr. Markle	AYE

The solicitor will prepare a memorializing resolution for adoption at our next regularly scheduled meeting.

The next regularly scheduled meeting is August 9, 2013.

With there being no other business, upon a motion of Mr. Kaplan, seconded by Mr. Szetela, and unanimously approved, the meeting was adjourned at 9:20 p.m.

Approved:

Attest:

Carrie Bosacco, Secretary

July 12, 2013