

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

Members Present

William W. Cathcart
Angelo Caracciolo
J. Craig Otton
Greg Szetela
Robert Ross
Alan Kaplan

Alternates Present

Brian Markle

Member Absent

Mia Donnell

Alternate Absent

Matt DeRose

Secretary Present

Carrie Bosacco

Solicitor Present

Andrew Catanese, Esq.

Zoning Officer Present

Joanne Mascia

MINUTES

Upon a motion by Mr. Kaplan, seconded by Mr. Szetela, that the minutes of the Regular Meeting on August 9, 2013 be approved with amendment. 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. Ross	AYE
Mr. Markle	AYE

OLD BUSINESS

Memorializing of Resolution #812-2013, Haury

Upon a motion by Mr. Szetela, seconded by Mr. Ross that the resolution be adopted with amendments. The motion carried unanimously by roll call vote.

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

NEW BUSINESS

Upon a motion by Mr. Otton, seconded by Mr. Kaplan that the two cases tonight be heard in reverse order. The motion carried unanimously by voice vote.

HEARING

#814-2013	Applicants' Name & Address:	William C. Lauth 318 114th Street Stone Harbor, NJ 08247
	Owners' Name & Address:	Same
	Subject Property:	318 114th Street Stone Harbor, NJ 08247
	Block and Lots:	Bl: 204.02 Lots: 39 and 40

Applicant is seeking variance for Hardship and Broad "C" for location of the private residential swimming pool within ten feet of any side or rear property line.

All required notices were given with respect to this hearing.

Vincent L. Lamanna, Jr., Esquire appeared on behalf of the Applicant and explained the nature of the application.

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

1. William C. Lauth
2. Gary Lee Thomas
3. Joanne Mascia

Julian Miraglia 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 C-1 variance be granted. The motion was denied unanimously by roll call vote.

ROLL CALL VOTE
ZBA #814-2013 C-1 Variance

Chairman Cathcart	NAY
Mr. Caracciolo	NAY
Mr. Otton	NAY
Mr. Kaplan	NAY
Mr. Szetela	NAY
Mr. Ross	NAY
Mr. Markle	NAY

Mr. Kaplan made a motion, seconded by Mr. Caracciolo that the C-2 variance be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE
ZBA #814-2013 C-2 Variance

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

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

HEARING

#813-2013	Applicants' Name & Address:	9809 Third Avenue LLC PO Box 511 Stone Harbor, NJ 08247
	Owners' Name & Address:	Same
	Subject Property:	9809 Third Avenue Stone Harbor, NJ 08247
	Block and Lots:	Bl: 96.04 Lot:123

Applicant is seeking variance for Conditional Use, Hardship and Broad "C" and site plan waiver.

All required notices were given with respect to this hearing.

Board members Mr. Otton and Mr. Ross recused themselves from the case due to a professional connection with the Applicant.

Vincent L. Lamanna, Jr., Esquire appeared on behalf of the Applicant and explained the nature of the application.

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

1. Thomas Deneka
2. Gary Lee Thomas
3. William Haryslak

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

- A-1 Stone Harbor Waterfront District Analysis
- A-2 Existing land Use Aerial

Julian Miraglia and Mary Turney 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. Szetela that the Conditional Use Variance under the D-3 be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE
ZBA #813-2013 Conditional Use under D-3

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

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

PUBLIC COMMENT

Mr. Julian Miraglia spoke about the number of residential properties in the waterfront business district.

The next regularly scheduled meeting is October 4, 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 9:21 p.m.

Approved:

Attest: _____
Carrie Bosacco, Secretary

September 13, 2013