

Angelo Caracciolo called the Regular Meeting of the Stone Harbor Board of Adjustment to order at 6:00 p.m. He stated that all requirements of the “Open Public Meetings Act of 1975” had been met, the Press of Atlantic City and Cape May County Herald having been notified of the Board’s schedule for 2022 in December 2021, and the schedule having been posted on the Municipal Clerk’s Bulletin Board.

ROLL CALL

Members Present

Bob Ross
Jack Gensemer
John McAllister
Mel Lide
Tim Carney
Angelo Caracciolo

Alternate Present

Mr. Giuffre

Solicitor Present

Paul Baldini, Esq.

Zoning Officer Present

Raymond Poudrier

Secretary Present

Megan Brown

MINUTES

Upon a motion by Mr. Gensemer, seconded by Mr. Ross, that the minutes of the Regular Meeting of September 12th, 2022, be approved. The motion to approve the minutes was carried unanimously on a roll call vote.

OLD BUSINESS

Memorialize Resolution #949-2022 Rauch

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

NEW BUSINESS

Mr. Baldini announced that Application #951-2022 Frick is being postponed until the December 5th, 2022, meeting date and Application #952-2022 Moran, is being postponed until November 7th, 2022.

HEARING

#950-2022	Applicant’s Name & Address:	James & Patricia Polizzi PO Box 218 Stone Harbor, NJ 08247
	Owner’s Name & Address:	Same
	Subject Property:	18-20 99 th Street Stone Harbor, NJ 08247
	Block and Lot:	Bl: 98.01 Lot(s): 19

Andrew Catanese Esq. spoke on behalf of the applicant and explained the nature of the application.

All notices were given with respect to this hearing.

The following individual was sworn in and testified on behalf of the Application.

1. John Halbruner of the Hyland Group, Architect for project
2. William Cathcart of DeBlasio & Associates, Zoning Board Engineer

Mr. Halbruner explained the project narrative.

No Exhibits were moved into evidence on behalf of the Applicants.

No one spoke for or against the application.

Mr. Cathcart questioned the easement shown on the property line.

Mr. Halbruner explained that the current deed shows an “area subject to a deed restriction”. He mentioned that the current owner has no knowledge of this deed restriction. Mr. Halbruner stated that the prior deed of record has no records of this restriction. He recommended doing a title search and if it’s discovered that the shed is violative, the shed can be moved which won’t create any non-conforming conditions.

Mr. Cathcart also stated that the HVAC needs to be raised to comply with BFE code.

Mr. Halbruner stated the unit will be raised to a minimum of 11 BFE at time of construction.

Katharine Satori approached the podium, she wanted to state her concerns that Stone Harbor is being over built, she asked the Board to please be more selective of variances that are approved. Mr. Baldini asked if she had anything to state relative to this case, to which she replied “No”.

Chairman Caracciolo closed the hearing to the Applicants and the public.

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

The board discussed the application. Mr. Ross made a motion, seconded by Mr. Gensemer, to approve the C2 variance. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE

ZBA # 950-2022

Mr. Ross	AYE
Mr. Gensemer	AYE
Dr. McAllister	AYE
Mr. Lide	AYE
Mr. Carney	AYE
Mr. Guiffre	AYE
Chairman Caracciolo	AYE

Mr. Gensemer made a motion, seconded by Dr. McAllister, to approve the D2 variance. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE

ZBA #950-2022

Mr. Ross	AYE
Mr. Gensemer	AYE
Dr. McAllister	AYE
Mr. Lide	AYE
Mr. Carney	AYE
Mr. Guiffre	AYE
Chairman Caracciolo	AYE

Mr. Catanese withdrew the C1 application.

The Solicitor will prepare a memorializing resolution for adoption at the next regularly scheduled meeting.


Chairman Caracciolo opened the meeting to the public for any zoning board comments not specific to the heard cases.

Mr. Baldini provided a update of the Pensabene & Manwaring case, which was appealed and went before Superior Court. He explained the variances were denied and the board's decisions were overturned, we are in the 45-day appeal period, and if the Board would like to see the decisions, they are available to view.

With there being no other business, upon a motion of Mr. Gensemer, seconded by Mr. Ross and unanimously approved, the meeting was adjourned at 6:40 p.m.

The next regularly scheduled meeting will be on November 7th, 2022

Approved:

Attest: 
Megan Brown, Secretary

October 17th, 2022