

**Borough of Stone Harbor**  
**WORK SESSION AGENDA**  
**Tuesday, March 7, 2023**  
**Borough Hall, 9508 Second Avenue, Stone Harbor**

**Call to Order: 4:30pm**

**Roll Call:** Councilmember Dallahan, Councilmember Foschini, Councilmember Parzych, Councilmember Casper, Councilmember Gensemer, Councilmember Moore

**Statement of Public Notice:** Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same of the Press and the Cape May County Herald on January 4, 2023.

**Salute the Flag**

**Presentation: 2023 Budget Summary – Jim Craft, Borough Chief Financial Officer**

**Reports of Standing Committees:**

**A&F COMMITTEE - Councilmember Gensemer**

CRS Update – Ray Poudrier, Marc DeBlasio, Manny Parada  
Construction Official Report – Ordinance Change: 560-43 Regulations for Grading and Stormwater Runoff  
Legal Report -

**PUBLIC WORKS - Councilmember Moore**

**Procurement & Construction Management/Observation on Point Access Road – DeBlasio & Associates**

ADA 88th & 101st Update / Trash Can Ordinance Update / Convenience Center Update

Park Mobile Demonstration

**UTILITIES COMMITTEE – Councilmember Parzych**

**Third Avenue Sewer Design – 94<sup>th</sup> to 99<sup>th</sup> Street – Manny Parada**

**Discussion:**

**96<sup>th</sup> Street Intersection Improvements**  
**Borough Administrator Job Description**  
**Municipal Public Access Plan, Emergency Authorization & Permitting Update - Doug Gaffney, Coastal Engineer, Mott MacDonald**

**Adjournment**

BOROUGH OF STONE HARBOR  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

ORDINANCE NO. ,

AN ORDINANCE OF THE BOROUGH OF STONE HARBOR, COUNTY OF CAPE MAY, NEW JERSEY  
ESTABLISHING ADDITIONAL REGULATIONS FOR THE GRADING AND MANAGING STORMWATER RUNOFF  
WITHIN THE BOROUGH OF STONE HARBOR

BE IT ORDINANED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR,  
COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:

**Section 1a.** Section 560-43 E is amended as follows:

§ 560-43 **Swimming Pools.**

E. Fencing.

- (1) Swimming pools, other than nonregulated pools, shall be completely enclosed by a fence not less than four feet and not more than six feet in height, which shall be measured from the ground immediately contiguous to the fence, except where otherwise required by §560-43 E(2). Fence panels shall not exceed 48 inches and a final height to top of panel shall not exceed 54 inches. All fencing, gates and latching devices shall be in compliance with state regulations and codes. All fences exceeding four feet 54 inches in height shall be no closer than five feet to any property line.
- (2) Fence requirements necessary to comply with the Construction Code and International Pool and Spa Code requirements for fencing securing a pool area may change by the compliance of adjacent properties with §560-50 and §560-26. It is the responsibility of the property owner where the pool is located to comply at all times with the fence height requirements for securing a pool. Where adjacent lot grades have been elevated due to lot grading requirements fence heights exceeding four feet will be permitted. The height of the fence will be measured from the adjacent grade to allow for compliance with all applicable codes and standards. Fences will not be permitted to be higher than the minimum height required by building or construction codes.
- (3) A pool made non-compliant as a result of adjacent lots being raised in compliance with §560-50 and §560-26 shall have 180 days to bring the pool fencing into compliance from the date of notification of non-compliance by the



construction official and shall be permitted to maintain the fence where it is located.

**Section 1e.** Section 560-38 D.(1)(g) is amended as follows:

§ 560-38 **Supplemental Area Regulations**

**D.** Setback exceptions.

**(1)** Notwithstanding the setback requirements set forth in Article **IV** above, the following shall be permitted in yard spaces in all zoning districts:

**(g)** Fence; ~~provided that no fence shall exceed four feet in height,~~ panels shall not exceed 48 inches and a final height to top of panel shall not exceed 54 inches, with the exception of fence enclosing swimming pools subject to § **560-43**.

**Section 2.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 3.** This ordinance shall take effect after final adoption and publication as required by law.

APPROVED:

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Judith Davies-Dunhour, Mayor

ATTEST:

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Kim Stevens, Borough Clerk