

**MINUTES OF THE REGULAR SESSION
STONE HARBOR PLANNING BOARD**

May 8th, 2023

4:30 p.m.

CALL TO ORDER:

The meeting was called to order by Mr. Bickford, who stated that all requirements of the "Open Public Meetings Act of 1975" had been met with the Press of Atlantic City having been notified of the Board's schedule for 2023 on December 16, 2022, and the schedule having been posted on Stone Harbor's website and the Municipal Clerk's Bulletin Board.

SALUTE TO THE FLAG

ROLL CALL

Members Present:

Robert D. Bickford Jr., Chairman
Wayne Conrad, Vice-Chair
Reese Moore
Sandy Slabik
Frank Vault

Members Not Present:

Tim Clay (Alternate I)
Mayor Judy Davies-Dunhour
Kevin Fischer

Solicitor:

Paul J. Baldini

Board Secretary:

Kate McGonagle

Zoning Officer:

Ray Poudrier

Engineers/Planners:

Kates Schneider
Engineering, LLC

Approval of April 10th, 2023 Meeting Minutes

The Board considered the proposed minutes for the April 10th, 2023 meeting. There were no corrections or changes made. A Motion to approve the minutes was made by Mr. Vault and seconded by Dr. Slabik. Roll call was taken for members present at the meeting with all eligible members voting in the affirmative.

Approval of April 24th, 2023 Meeting Minutes

The Board considered the proposed minutes for the April 24th, 2023 meeting. Corrections or changes were made. A Motion to approve the minutes was made by Mr. Vault and seconded by Mr. Conrad. Roll call was taken for members present at the meeting with all eligible members voting in the affirmative.

Old Business

Fencing Ordinance

Mr. Poudrier gave the Board an update on the Fencing Ordinance. Mr. Poudrier declared the ordinance had been approved and that the requirements outlined in the ordinance were now enforceable.

Overlay Zone Update

Chairman Bickford asked Mr. Kates for an update on the Overlay Zone Ordinance. Mr. Kates explained he was still waiting for the opportunity to present the ordinance to Borough Council. Mr. Moore agreed to discuss adding the item to the Borough Council Agenda at the following Agenda Meeting.

Plan Endorsement Plan

Mr. Kates relayed he had been in contact with Meghan Wren, the Borough's state liaison at the NJ Office of Planning Advocacy. During their correspondence, Mr. Kates clarified information and answered questions needed as the Office of Planning is moving through the Borough's application. Ms. Wren told Mr. Kates she anticipated the completion of the Plan Endorsement Action List-a list of steps the Borough would need to complete and forward back to the Office of Planning to implement the endorsement. Ms. Wren was informed of the extensive actions recently taken by the Borough for flood mitigation. Ms. Wren agreed to relay the Borough's flood mitigation efforts to the NJ DEP in anticipation to keep the center as large as possible. Mr. Kates concluded the update by communicating the process is in motion, and there is no further action needed by the Borough at this time.

Linden Lane Discussion

Mr. Kates distributed visual representations of Linden Lane homes with five-foot setbacks and 40% buildable area. There was discussion regarding the limitation of overhangs or "bump outs". The consideration of allowing bump outs to a specific story of the home and parking on a specific side of the street were discussed. Mr. Kates also mentioned second stories would allow an addition of 30% of the lot area. Stairwells would be exempt from the calculation. The topic of requirements to bring existing non-conformities into compliance prior to renovations were discussed. The Board agreed to revisit the discussion in June after they gather insight of property owners during Public Comment and the opinions of members unable to make the May meeting.

Flood Prevention Ordinance

Mr. Poudrier reported the ordinance was approved by Borough Council and was currently in the 20-day estoppel period. Mr. Poudrier noted the only discussion he heard about the ordinance related to the point building height would be measured. Mr. Moore relayed he is in favor of reducing the height of the homes for aesthetic reasons and controlling property development. Mr. Conrad agreed with Mr. Moore, but noted the difference of a foot would be subjective. Mr. Bickford shared Mr. Conrad's opinion that a foot would not be a significant adjustment, and the architects and homeowners should have the freedom to use the existing foot as they see fit.

Ordinance Update-Definitions (Habitable Story and Space)

Mr. Baldini explained the current Zoning Ordinance defines a habitable "story" as any area over 6-feet in height. Mr. Baldini further explained that another section of the ordinance notes a height of 7-feet as habitable "space". Currently, the Zoning Officer uses his own interpretation. Mr. Poudrier relayed the definition was challenged by an Applicant heard before the Zoning Board of Adjustment. The Board agreed there should be consistency in the existing ordinance. Mr. Poudrier suggested adding the word "habitable" to the word "story" in the ordinance and removing the term habitable space from the ordinance completely. The Board agreed. Mr. Baldini stated that he would rewrite the ordinance to remove the ambiguity of the terms and present the draft at the June meeting.

Setbacks Discussion

Chairman Bickford brought up the discussion of setbacks. The Board previously discussed grandfathering setbacks. Mr. Moore and Mr. Vaul voiced their support of grandfathering setback measurements. The Board asked Mr. Baldini to draft an amendment to the current ordinance reflecting the change. Mr. Baldini agreed to make the proposed amendments and present the Board with the changes at a future meeting.

New Business

Chairman Bickford asked if there was any new business. There was none.

Public Comment

Chairman Bickford opened Public Comment.

Ms. Susan Rose of X-2 Linden Lane took to Public Comment to request the Board's consideration of segregating Linden Lane properties from the Court properties in the Master Plan. Ms. Rose mentioned aesthetic value. Ms. Rose expressed the parking on Linden Lane should not be an issue, as property owners only utilize one side of the street for parking as is. Ms. Rose agreed with the Board's decision to omit the stairwells in the calculation for improvement.

Ms. Lisa Wetzler of X-8 Linden Lane took to Public Comment to address flood elevation requirements. Ms. Wetzler expressed that she would not want to be required to demolish her home. Ms. Wetzler had questions of requirements to elevate her home. Mr. Poudrier was able to answer her questions.

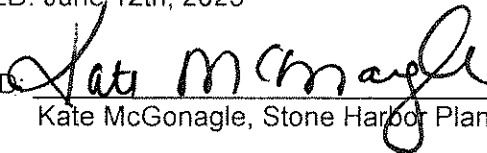
Mrs. Bernadette Parzych of 9925 Sunset Drive took to public comment to thank the Board for addressing Linden Lane issues. She mentioned a possibility of increasing the percentage for second stories since Linden Lane is less dense than the Court properties. Mrs. Parzych also asked the Board to reconsider grandfathering setback regulations. Mrs. Parzych touched on the topic of the increased height in freeboard. She suggested decreasing the building height if the freeboard height increases.

Adjournment

Having no further business, Mr. Bickford called for a Motion to adjourn the meeting. Mr. Conrad made the Motion and Dr. Slabik seconded.

APPROVED: June 12th, 2023

ATTESTED:



Kate McGonagle, Stone Harbor Planning Board Secretary