

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

February 12, 2024

4:30 p.m.

CALL TO ORDER:

The meeting was called to order by Mr. Conrad, 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 2024 on December 20, 2023, and the schedule having been posted on Stone Harbor's website and the Municipal Clerk's Bulletin Board. All Meeting Agendas are posted in advance of every meeting on the Borough's Official Website at www.shnj.org.

SALUTE TO THE FLAG

ROLL CALL

Members Present:

Robert D. Bickford Jr., Chairman-Remote
Tim Clay (Alternate I)
Wayne Conrad, Vice-Chair
Mayor Judy Davies-Dunhour
Kevin Fischer-Remote
JT LaKose (Alternate II)
Bunny Parzych
Sandy Slabik
Frank Vault

Solicitor:

Paul J. Baldini

Board Secretary:

Kate McGonagle-Absent
Emily Dillon, Borough Clerk

Zoning Officer:

Ray Poudrier

Members Not Present:

Engineers/Planners:

Kates Schneider
Engineering, LLC

Approval of January 8, 2024 Meeting Minutes

The Board considered the proposed minutes for the January 8th, 2024 meeting. No corrections or changes were made. A Motion to approve the minutes was made by Dr. Slabik and seconded by Mr. LaKose. Roll call was taken for members present at the meeting with all eligible members voting in the affirmative.

Old Business

Overlay Zone Update

Mr. Kates reported Mr. Cathcart from DeBlasio and Associates had recently been sent the most recent draft. Mr. Cathcart will be reviewing it and providing his comments to Mr. Kates. Mr. Kates anticipates having an update for the Board at the March meeting.

Linden Lane Discussion

Vice Chairman Conrad asked for an update on the Linden Lane/Zone D Ordinance. Mayor Davies-Dunhour explained the drafted ordinance was presented to Borough Council for Introduction on Tuesday, February 6th, 2024 and received a 6-0 vote in favor of the ordinance.

Mayor further explained the draft would be presented to Council again on March 5th, 2024 for the public hearing and 2nd, 3rd and final vote.

Ordinance Update-Definitions (Habitable Story)/ Bulkheads

Mayor Davies-Dunhour reported a similar update for the drafted ordinance for Habitable Stories/ Bulkheads. The draft was presented to Borough Council for Introduction on Tuesday, February 6th, 2024 and received a 6-0 vote in favor of the ordinance. Mayor reiterated the draft would be presented to Council on March 5th, 2024, for the Public Hearing and 2nd, 3rd and Final vote.

Remote Participation

Mr. Baldini informed the Planning Board that the Zoning Board of Adjustment had established guidelines for remote participation. Mr. Baldini explained the guidelines and stated he would forward the information to all board members.

New Business

Residential projects within the Business District

Vice Chairman Conrad opened the meeting to New Business. Mr. Conrad stated the Board received correspondence from Zoning Board Chairman, Angelo Caracciolo regarding construction of Residential projects within Business and/or mixed Districts. Vice Chairman Conrad invited Mr. Caracciolo to the podium to provide background. Mr. Caracciolo explained that the current code allows residential projects within the Business District with no alteration to the bulk standards. Mr. Caracciolo noted the ZBA has encountered this scenario in recent cases where residential development was approved using the bulk criteria of the Business District. Mr. Caracciolo included that he does not believe the current code was intended to be interpreted as the regulations are outlined. Due to the influx of applicable cases, he felt it may be necessary for the Planning Board to review the current code. Mr. Caracciolo gave numerous examples of cases the Zoning Board has heard in recent years. Height requirements is one factor mentioned in the differences of business and residential properties. Mayor Davies-Dunhour questioned if any changes to the code would affect COAH. Mr. Baldini and Mr. Kates briefly spoke about COAH requirements. Mr. Baldini stated the real issue at hand is density. He further gave the example that a developer can build more units in a commercial zone because they can be closer together, instead of a residential zone because of the bulk requirements, such as setbacks. Mr. Baldini stated there are two issues that need to be reviewed. Firstly, awareness by board members of the possibility of increasing residential density while potentially eliminating all commercial use within the zone. The second issue that arises is a mixture of residential and commercial properties potentially creating a "missing tooth effect" or a physical disconnect amongst the commercial properties. The Zoning Board is looking for clarity in the code, so they are not left to interpret the requirements. The Board discussed specific locations and possible scenarios that have or may arise under the current code. Mr. Kates reminded members to consider keeping the commercial districts classified as business zones and gave examples why. While on topic, Mayor Davies-Dunhour disclosed RFP's are going out per Borough Council's approval to hire a professional planner to represent the interest of the Borough and taxpayers. The Board decided to appoint a subcommittee to review the concerns mentioned tonight, outline issues and develop a solution. Chairman Bickford made the Motion to appoint a subcommittee. Mayor Davies-Dunhour seconded. Roll call was taken for members present at the meeting with all eligible members voting in the affirmative.

Public Comment

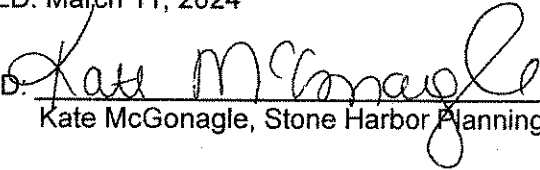
Vice Chairman Conrad opened Public Comment. There were no participants.

Adjournment

Having no further business, Mr. Conrad called for a Motion to adjourn the meeting. Mayor Davies-Dunhour made the Motion Mr. Vaul and seconded.

APPROVED: March 11, 2024

ATTESTED:



Kate McGonagle, Stone Harbor Planning Board Secretary