

## **Zoning Board of Adjustment | Regular Meeting | March 4<sup>th</sup>, 2024**

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, and Cape May County Herald having been notified of the Board’s schedule for 2024 in December 2023, and the schedule having been posted on the Municipal Clerk’s Bulletin Board.

### **Board Members Present**

Mr. Bob Ross  
Mr. Jack Gensemer  
Dr. John McAllister  
Mr. Nick Guiffre  
Mr. Bill Righter  
Mr. Tim Stauning  
Mr. Ken Barbuscio  
Mr. Angelo Caracciolo, Chairman

### **Solicitor Present**

Paul Baldini, Esq.

### **Borough Engineer Present**

Cody Stanford

### **Secretary Present**

Megan Brown

### **Approval of Minutes**

Upon a motion by Mr. Gensemer seconded by Dr. McAllister that the minutes of the Regular Meeting on February 5th, be approved. The motion to approve the minutes was carried by a roll call vote.

### **New Business**

#### **Application #968-2024**

Applicant’s Name & Address: Thomas & Deanna Muth  
825 Ellis Avenue  
Newtown Square, PA 19073  
Owner’s Name & Address: Same  
Subject Property: 10601 First Avenue  
Stone Harbor, NJ 08247  
Block & Lot(s): Bl: 106.02 L: 33 & 34

Michael Lario, Esq. of Nehmad, Davis & Goldstein represents the applicant. Mr. Lario explained the nature of the application.

Mr. Baldini explained the applicable legal standards associated with this variance application.

The following individuals were sworn in to testify on behalf of the application.

1. Thomas & Deanna Muth- Owners of project
2. Ralph Wessner- Licensed NJ Architect, Linwood NJ
3. Gary Thomas- Licensed Land Surveyor, Planner, Floodplain manager, Avalon NJ

Mr. Muth explained the history of the home and the reason for the need for more space.

Mr. Wessner explained the architectural plans for the addition.

Mr. Thomas explained the revised variance plan.

The following Exhibits were moved into evidence.

1. A-1- Revised variance plan dated 2/29/24

Mr. Lario provided his summary of the application.

The following professionals were sworn in and testified in relation to the application.

1. Cody Stanford, Engineer with DeBlasio & Associates.
2. Raymond Poudrier, Construction Official/Zoning Officer/Floodplain Coordinator for Borough of Stone Harbor

Mr. Stanford provided his report and review comments on this application.

Mr. Poudrier provided his report and review comments on the application, as well as his review comments as the floodplain coordinator.

With there being no further testimony, Chairman Caracciolo closed the meeting to the Applicants and opened the meeting to the public.

The following individual was sworn in and testified in favor of the application.

1. Frank Glorioso- 115 106<sup>th</sup> Street; neighbor to the east of project.

With there being no further public comment, Chairman Caracciolo closed the meeting to the public.

Mr. Lario gave his closing statement. Mr. Baldini gave the Board a summation of the applicable legal standards.

The board deliberated.

Dr. McAllister made a motion, seconded by Mr. Ross, to approve the DFE variance. The motion was denied by roll call vote.

**ROLL CALL VOTE**

**ZBA # 968-2024**

Mr. Ross	NAY
Mr. Gensemer	NAY
Dr. McAllister	NAY
Mr. Mr. Guiffre	NAY
Mr. Righter	NAY
Mr. Stauning	NAY
Mr. Barbuscio	NAY
Chairman Caracciolo	NAY

Dr. McAllister made a motion, seconded by Mr. Ross, to approve the C2 variance. The motion was carried by roll call vote.

**ROLL CALL VOTE**

**ZBA # 968-2024**

Mr. Ross	NAY
Mr. Gensemer	NAY
Dr. McAllister	AYE
Mr. Mr. Guiffre	AYE
Mr. Righter	AYE
Mr. Stauning	AYE
Mr. Barbuscio	AYE
Chairman Caracciolo	NAY

A resolution memorializing these decisions will be approved at the next regularly scheduled zoning meeting on April 1<sup>st</sup>, 2024.

**Resolution #969-2024**

Mr. Ross made a motion, seconded by Dr. McAllister, to approve Resolution #969-2024 authorizing a closed session. The motion was carried by a unanimous roll call vote.

**ROLL CALL VOTE**

**ZBA # 969-2024**

Mr. Ross	AYE
Mr. Gensemer	AYE
Dr. McAllister	AYE
Mr. Mr. Guiffre	AYE
Mr. Righter	AYE
Mr. Stauning	AYE
Mr. Barbuscio	AYE
Chairman Caracciolo	AYE

The closed session began at 7:55pm.

The meeting was called to order at 8:40pm

**ROLL CALL**

Mr. Ross  
 Mr. Gensemer  
 Dr. McAllister  
 Mr. Guiffre  
 Mr. Righter  
 Mr. Stauning  
 Mr. Barbuscio  
 Chairman Caracciolo

Chairman Caracciolo opened the meeting for public comment. Mrs. Sweet approached and thanked the board for the time they had taken to discuss her case.

With there being no further public comments, Chairman Caracciolo closed the meeting to the public.

Upon a motion by Mr. Ross, seconded by Dr. McAllister and unanimously approved, the meeting was adjourned at 8:43pm

Approved:

Attest: Megan Brown  
Megan Brown, Secretary

March 4<sup>th</sup>, 2024