

**Zoning Board of Adjustment | Regular Meeting | September 9<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**

Bob Ross  
Jack Gensemer  
Kathryn Laughlin  
Nicholas Giuffre  
William Righter  
Timothy Stauning  
Kenneth Barbuscio  
Angelo Caracciolo, Chair

**Solicitor Present**

Paul Baldini, Esq.

**Zoning Officer Present**

Raymond Poudrier

**Borough Engineer Present**

William Cathcart

**Secretary Present**

Megan Brown

**MINUTES**

Upon a motion by Ms. Laughlin, seconded by Mr. Ross, that the minutes of the Regular Meeting Minutes of August 5<sup>th</sup>, 2024, be approved. The motion to approve the minutes was carried by a roll call vote with all eligible members voting in the affirmative.

**OLD BUSINESS**

Mr. Baldini made a correction regarding the Resolution #974A-2024 to be memorialized tonight, there are two changes to Paragraph 3 to add a sentence that references the D6 height relief sought by the application, he will add a sentence to make a note of that variance, as well as the 42% listed as the permitted lot coverage, where it is 40 %. He will make those changed before the resolution is signed.

Memorializing Resolution 974A-2024-Sweet with the above said changes.

Upon a motion by Ms. Laughlin, seconded by Mr. Ross, that the resolution be memorialized. The motion was carried by a roll call vote, with all eligible members voting in the affirmative.

**NEW BUSINESS**

**ZBA Hearing Case #978-2024**

Applicant has requested an adjournment to the October meeting. No further notice will be required.

**ZBA Hearing Case #976-2024**

Applicant’s Name & Address: Jared & Lori Rabinowitz  
547 Prospect Street  
Westfield, NJ 07090

Owner’s Name & Address: Same

Subject Property: 329-93<sup>rd</sup> Street  
Stone Harbor, NJ 08247  
Bl: 93.04 Lot(s): 126

Cory Gilman, 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 individuals were sworn in and testified on behalf of the Application:

1. Lori Rabinowitz- Homeowner
2. Pamela Fine- Fine Architecture – Architect
3. William Cathcart- DeBlasio & Associates- Borough Engineer

Mrs. Rabinowitz explained the application and the need for this variance relief.

Mr. Baldini asked Mr. Gilman if he had a licensed planner to testify on this case. Mr. Gilman stated he did not think it was necessary for this case.

The board discussed the need for a licensed planner.

A vote was taken on whether Ms. Fine can testify on this application without the presence of a planner.

Upon a motion from Ms. Laughlin, seconded by Mr. Gensemer to accept Ms. Fine as an expert in interpretation in Municipal Land Use Regulation.

**ROLL CALL VOTE**

**ZBA # 976-2024**

Mr. Ross	NAY
Mr. Gensemer	AYE
Ms. Laughlin	AYE
Mr. Giuffre	AYE
Mr. Righter	AYE
Mr. Stauning	AYE
Mr. Barbuscio	NAY
Chairman Caracciolo	NAY

Ms. Fine explained the nature of this project, the plans and the need for the variance.

Mr. Gilman provided his closing statement.

Chairman Caracciolo closed the meeting to the applicants.

Chairman Caracciolo opened the meeting to the public.

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

The board discussed the application and deliberated.

Upon a motion by Mr. Gensemer, seconded by Mr., Ross to approve the C1 variance.

The motion was carried by roll call vote.

**ROLL CALL VOTE**

**ZBA # 976-2024**

Mr. Ross	NAY
Mr. Gensemer	AYE
Ms. Laughlin	AYE
Mr. Giuffre	AYE
Mr. Righter	AYE
Mr., Stauning	AYE
Mr. Barbuscio	AYE
Chairman Caracciolo	NAY

Ms. Laughlin made a motion, seconded by Mr. Gensemer, to approve the C2 variance.

The motion was carried by roll call vote.

**ROLL CALL VOTE**

**ZBA # 976-2024**

Mr. Ross	AYE
Mr. Gensemer	AYE
Ms. Laughlin	AYE
Mr. Giuffre	AYE
Mr. Righter	AYE
Mr. Stauning	AYE
Mr. Barbuscio	AYE
Chairman Caracciolo	NAY

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 topics not relative to a specific zoning case.

With there being no other business, upon a motion by Ms. Laughlin, seconded by Mr. Ross and unanimously approved, the meeting was adjourned at 7:33pm.

The next regularly scheduled meeting will be on October 7<sup>th</sup>, 2024

Approved:

Attest: Megan Brown  
Megan Brown, Secretary

September 9<sup>th</sup>, 2024