

MINUTES OF THE REGULAR SESSION
STONE HARBOR PLANNING BOARD

April 22, 2013

7:00 p.m.

CALL TO ORDER:

The meeting was called to order by Mr. Hand, who stated that all requirements of the “Open Public Meetings Act of 1975” had been met.

ROLL CALL:

Planning Members Present

Thomas Hand
Mayor Suzanne Walters
Perry Conte
Wayne Conrad
Joselyn O. Rich
Robert D. Bickford, Jr.

Board Solicitor

Andrew Catanese

Board Secretary

Patricia H. Wagner

Zoning Officer

Joanne Mascia

Board Member Absent

Jill Gougher
Julian Miraglia

Borough Engineer

Chris Eaton

Minor Sub-Division Application

Case Number SD 2013-001

Applicant: Thomas Welsh

Owner: Michael and Mona Browne

10912 Second Avenue

Block 109.02, Lots 41, 43 and 44

Subject property is located in the Residential A Zone. Applicant is seeking approvals to permit subdivision of subject property into two (2) separate building lots. No variances are being requested and none are required. Applicant proposes the removal of all existing improvements.

Sworn to give testimony were the applicant, Thomas Welsh who stated his work address is 2589 Ocean Drive, Avalon and Dante Guzzi, Mr. Welsh’s project engineer. Mr. Welsh stated he is under contract to purchase the subject property. All property owners within 200’ of the proposed subdivision were notified of tonight’s hearing.

Submitted were plans labeled SD1, prepared by Steven C. Woodrow, P.L.S., of Dante Guzzi Engineering Associates, dated March 29, 2013.

The current oversized lot has one single family residential dwelling. Applicant proposes two conforming single family residential lots.

The Borough’s Engineer, Chris Eaton, reviewed his report of April 5, 2013. He stated the application conforms to all current Borough Zoning regulations with regards to setbacks, lot area, and to lot & building coverage. No waivers or variances were requested. Mr. Eaton requested Mr. Guzzi submit a grading plan. The applicant should also submit evidence of approval from all other outside agencies. Mr. Guzzi submitted a letter dated April 18, 2013 from the Cape May County Planning Board which stated they have no objections to the subdivision request.

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Mr. Hand opened the hearing for public comments. No one spoke. Public session was closed.

There were no closing statements from the applicant.

Mr. Hand asked for Planning Board comments. There were none.

Motion by Mr. Conrad and seconded by Mr. Conte to approve the subdivision application as presented tonight.

Affirmative votes: Mr. Hand, Mayor Walters, Mr. Conte, Mr. Conrad, Mrs. Rich and Mr. Bickford.

OLD BUSINESS

Waterfront Business District

Mr. Bickford reported the Waterfront Business District committee is continuing with their work but are not ready to make any type of formal report just yet.

Mr. Conte asked that if 2nd floor residential uses were to be allowed in the WBD, would the Reeds Hotel (Shelter Haven) be allowed to convert to a multi-family residential structure. Mr. Catanese thinks we need to check our exemptions under site plan to see if that constitutes a change from a permitted use to a permitted use that does not trigger any consideration for a site plan review. Mrs. Mascia will review the current ordinance for specific language regarding converting a hotel/motel into a multiple dwelling without going to the Zoning Board of Adjustment.

Mr. Bickford feels that Mr. Conte is making a good point on the “law of unintended consequences” and the committee will keep this in mind when deliberating their review of the WBD.

NEW BUSINESS

Review of RGO 560-35 – Non Conforming Lots and Non Conforming Structures

Mr. Catanese stated that as a result of an application that was recently presented to the Zoning Board of Adjustment that both he and Zoning Officer Joanne Mascia are proposing an amendment to clarify and strengthen the Borough’s policy in Section 560-35 of the Zoning Ordinance with respect to vertical expansions and how they relate to creating or increasing non conformity in an already non conforming structure.

Mr. Catanese will prepare a proposal for the Board to review prior to the next meeting.

PUBLIC SESSION

Mr. Hand opened the public portion of the meeting.

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Robert Weer of 38 Stone Court spoke first. Mr. Weer asked for an explanation of the Borough's current policy for handling vertical expansions. Mr. Catanese explained if a single one story structure encroaching into the required setback areas wanted to expand vertically, the property owner must apply to the Zoning Board for a variance. The Zoning Board decides hardship requests on a case by case basis.

Mr. Weer asked if our ordinance provides for a shadow analysis for light and air movement. Mr. Catanese said that other than height regulations, the ordinance does not call for an analysis. Mr. Weer said this type of study shows the impact a larger structure would have on blocking sunlight and air movement to the surrounding properties. Mr. Eaton stated a light/air study is part of any CAFRA application. Mr. Weer suggested the Borough consider using this type of analysis especially on the smaller confining areas such as the Court properties, where larger structures are being built to the rear of those properties.

Mr. Weer would like for the Board to consider his suggestion before the situation gets out of hand. He stated the Court properties are restricted and can't go any higher but the adjacent properties on the numbered streets behind the courts can expand the height of their structures, thereby impacting the movement of air & light on the Courts.

Kim Park, 6 Stone Court spoke next. Ms. Parks asked if there was a change in the variance application procedure. Mrs. Mascia stated there was not a change in the variance application procedure but there was a change in the lot sizes in the C Zone.

ADJOURNMENT

Having no further business at hand Mr. Hand called for a motion to adjourn the meeting.

A motion to adjourn the meeting by Mayor Walters and seconded by Mrs. Rich. All members present voted in the affirmative.

APPROVED: May 20, 2013

ATTESTED: _____
Patricia H. Wagner, Secretary Stone Harbor Planning Board