

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

**November 28, 2016**

**4:30 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 with the Press of Atlantic City having been notified of the Board's schedule for 2016 on December 18, 2015, and the schedule having been posted on Stone Harbor's website and the Municipal Clerk's Bulletin Board.

**ROLL CALL:**

**Members Present:**

Mayor Suzanne Walters  
Jill Gougher  
Thomas Hand, Chairman  
Wayne Conrad, Vice-Chair  
Robert D. Bickford  
Lynne Dubler  
Mantura Gallagher

**Board Solicitor**

Andrew Catanese

**Board Secretary**

Diane Frangiose

**Zoning Officer**

Joanne Mascia

**Members Not Present:**

Sandy Slabik (Alternate)

**Approval of October 17, 2016 Meeting Minutes**

Mr. Hand requested the approval of the Meeting Minutes for October 17, 2016. Motion by Mayor Walters, seconded by Mr. Bickford. No further discussion took place. Roll call taken for members present at the October 17, 2016 meeting. Affirmative votes: Mayor Walters, Mr. Hand, Mr. Conrad, Mr. Bickford, and Ms. Dubler.

**Approval of Resolution 2016-006 – Stone Harbor Theater, LLC**

Motion made by Mayor Walters to approve Resolution No. 2016-006. Seconded by Mr. Bickford. Roll call taken. Affirmative votes: Mr. Bickford, Mr. Conrad, Mrs. Gallagher, Ms. Dubler, Mrs. Gougher, Mr. Hand, Mayor Walters.

**Application Hearing – Minor Subdivision Plan, Variance Free, 1 & 7 86<sup>th</sup> Street**

Mr. Cory Gilman introduced himself to members of the Board and stated that he was an Attorney attending the meeting on behalf of the Applicants, Kenneth A. Griffin and Elizabeth concerning a minor subdivision plan, variance free for properties located at 1 & 7 86<sup>th</sup> Street, designated under tax map as Block 86.01, lots 14, 16, 18, 20 and 22. Mr. Gilman advised that the Applicants are seeking approval to subdivide the lots and move the interior boundary lines to create two buildable lots 65 feet wide on the beach front and 60 feet wide on the interior adjacent lot. Such subdivision is considered to be a by-right subdivision. It is a minor subdivision without variances.

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Mr. Gilman stated that Mr. Griffin was also presenting a Plan drawn by OSK Design Partners, labeled SP-1, with a last revision date of 11/18/2016. Mr. Catanese said the Plan will be labeled Exhibit A-1 and for the record, the Applicant is not seeking approvals for construction at this meeting. Mr. Gilman stated that is correct, the Plan, Exhibit A-1 was for the Board to be able to understand the proposed initial. Mr. Catanese said Exhibit A-1 is for illustrative purposes to show that the lots can accommodate houses and no approval is sought for construction, that it is simply a subdivision Application. Mr. Bickford stated that on the front page of the Application he noticed that the dimensions are shown as 135 by 110 and that is a mistake because the dimensions are 125 by 110. Mr. Gilman advised that yes, there is an error on the Application and the Plan properly reflects the correction. He further advised that some revisions will be made to the Plan pursuant to the Engineer's report and they will make sure it is accurately reflected as well.

Robert Smith, Board Engineer with the firm of Remington & Vernick, stated that his office prepared a report dated November 15, 2016. He asked if the Applicant had any issues in complying with the recommendations contained in the report. Mr. Gilman responded no, the Applicant has no problem complying with all of the items listed in the report. Mr. Smith requested that the Applicant provide a signed and sealed copy of the survey referenced on the Sub-division Plan to his office and Mr. Gilman said yes, they will do that. Mr. Catanese stated that assuming the Board approves the Applicant's Application this evening, the Applicant will be required to demolish what is on the sites now and then perfect the subdivision plat and file it with the County within 190 days so that it then creates two vacant lots. At that point, the Planning Board is finished with the Plan since there are no variances and the property owner will go to the Zoning Officer and get a Zoning and Construction Permit to build. Mr. Griffin said he is confident that he is not going to demolish until he has a building permit so he is not sure if he can get a building permit until they file the plat. Mrs. Mascia stated he will not be able to get a building permit until the houses are demolished. Mr. Catanese stated the Board cannot answer that question and he anticipates that the Zoning and Construction Office would make themselves available to review preliminary plans to make sure that he is comfortable with what is being submitted and as a matter of course, the Construction Office cannot give a construction permit to build new until the lots are moved and perfected. Mr. Griffin said as long as there is no condition saying that the houses have to come down in order for the plats to get filed, he is ok with that. Mr. Catanese and Mrs. Mascia responded they will have to come down for the plats to be filed. Mr. Griffin asked if he can get a building permit if the houses are already down and Mrs. Mascia stated that if the houses are down and the proper paperwork and deeds are created with the County, yes he can get a building permit. Mr. Griffin asked if he can bond for the demolition of the houses in order to file the plat. Mrs. Mascia said she has never done that before and would have to ask the Borough Solicitor. Mr. Catanese said it does not require Board action, if the Solicitor sees fit to permit bonding that will happen at the Construction Office not at the Planning Board. Mr. Griffin said he thinks it may be an issue getting a building permit with the houses demolished. Mrs. Mascia said there will be two conforming lots so it should not be an issue. Mrs. Mascia said that is an area not for the Planning Board to discuss. Mr. Catanese stated to Mr. Griffin that Mr. Gilman can give him advice on the DEP issue.

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Mr. Hand asked for public comments. No one addressed the Board or spoke. Public session closed. Mr. Gilman stated he had no closing argument or further statements. Mr. Catanese said for the Board's consideration, there would be a single vote to approve the minor subdivision approval without variances as presented, subject to the conditions that the Applicant comply with the comments of the Board Engineer in the November 15, 2016 review letter as well as provide an original sealed survey to the Board Engineer that the houses be removed prior to perfection of the plat.

Mr. Hand requested a Motion on the approval. Mr. Conrad moved the Motion. Mr. Hand seconded. Roll call taken. Affirmative votes: Mr. Bickford, Mr. Conrad, Mrs. Gallagher, Ms. Dubler, Mrs. Gougher, Mr. Hand, Mayor Walters.

**Board Discussion**

No one spoke.

**Public Comment**

No one spoke.

**Adjournment**

Having no further business to discuss, Mr. Hand called for a Motion to adjourn the meeting. Mayor Walters made the Motion and Mr. Bickford seconded.

APPROVED: December 12, 2016

ATTESTED: Diane Frangiose  
Diane Frangiose, Secretary Stone Harbor Planning Board