

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE

AGENDA REGULAR MEETING

TUESDAY

March 19, 2019

4:30 p.m.

Ordinance 1541 Set Back Ordinance – 2nd 3rd and final (1) Krafczek

Ordinance 1542 - Date Changes (2) – Dogs on the Beach
Motion to withdraw by Parzych – new Ordinance below to take its place

Ordinance 1545 Dogs on the Beach (3) Parzych INTRO

Ordinance – Flooded Roadways (4) INTRO

Ordinance – Drones (5) INTRO

Resolution – Change Order #1 – 2018 Utility & Road Program (6) Parzych

Motion - Request – Sunrise Easter Service – 95th Pavilion April 21st 6:30 am (7)
(Insurance certificate has been requested.)

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY**

ORDINANCE NO. 1541

**AN ORDINANCE AMENDING CHAPTER 560-38.D(1)(a) OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR AND
REGULATING SETBACK EXCEPTIONS**

WHEREAS, Section 560-38.D (1) (a) of the Zoning Ordinance (the "Ordinance") of the Borough of Stone Harbor (the "Borough") currently permits stairs to be constructed within setback areas; and

WHEREAS, the Stone Harbor Planning Board (the "Planning Board") has determined that the Ordinance should be revised to alter the ability to construct stairs in setbacks, subject to the provisions set forth below.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Stone Harbor, Cape May County, New Jersey, as follows:

Section 1. Section 560-38.D (1) (a) of the Revised General Ordinances of the Borough of Stone Harbor is amended as follows:

D. Setback exceptions.

(1) Notwithstanding the setback requirements set forth in Article IV above, the following shall be permitted in yard spaces in all zoning districts:

(a) Landings/stairs.

[1] For all residential buildings having an elevation at or above design flood elevation, as defined in Chapter 300, stairs or steps leading to a first-floor entrance landing or porch shall be permitted in yard spaces in all zoning districts, provided that (i) no such stairs or steps shall be located less than five (5') feet from a front property line or less than 3 1/2 feet from a side or rear property line, except in the Residential C Zoning District, where no such stairs or steps shall be located less than two feet from a side property line; and (ii) stairs or steps located in a front yard setback shall not exceed twenty-five (25%) percent of the building length as defined in Section 560-10.

[2] For all residential buildings having an elevation below design flood elevation as defined in Chapter 300, stairs or steps leading directly to a first-floor entrance landing or a porch shall be permitted in yard spaces in all zoning districts, provided that (i) no such stairs or steps shall be located less than five feet from a property line, except in the Residential C Zoning District, where no such stairs or steps shall be located less than two feet from a side property line; and (ii) stairs or steps located in a front yard setback shall not exceed twenty-five (25%) percent of the building length as defined in Section 560-10.

[3] This Section 560-38.D (1)(a) shall not permit landings to be located in any front yard setback.

[4] Landings not exceeding five (5') feet in length or five (5') feet in width shall be permitted in side yard and rear yard setbacks; provided that no such landing shall (i) be located less than five (5') feet from a property line, except in

the Residential C Zoning District, where no such landing shall be located less than two (2') feet from a side or rear property line; nor (ii) be elevated above design flood elevation.

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 4. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

APPROVED:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY

ORDINANCE 1542

AN ORDINANCE AMENDING CHAPTER 147
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF STONE HARBOR 2005

(Changes for time to Allow Dogs on the Beach)

Section 1. Chapter § 147 is hereby amended as follows:

[Amend § 147-7 H (3) as follows]

3. Dogs and other animals, under leash, shall be permitted upon the public sidewalks, public streets and public parking lots at any time. Additionally, dogs and other animals, under leash, shall be permitted upon public oceanfront beaches, but only between the day after Labor Day and the Thursday before Memorial Day inclusive, except as provided in Subsection H(1) above. However, no dog or other animal, under leash or otherwise, shall be permitted on the public beaches from the Friday before Memorial Day thru and including Labor Day. EXCEPTION: Borough Council, may, in its sole discretion, by Resolution, allow dogs upon the oceanfront beaches between June 1 and September 30, under regulations established by Resolution, which may include a leash length of greater than six feet.

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 4. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 147
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF STONE HARBOR 2005

(Changes for time to Allow Dogs on the Beach)

Section 1. Chapter § 147 is hereby amended as follows:

[Amend § 147-7 H (3) as follows]

3. Dogs and other animals, under leash, shall be permitted upon the public sidewalks, public streets and public parking lots at any time. Additionally, dogs and other animals, under leash, shall be permitted upon public oceanfront beaches as follows:

a. The walking of dogs under leash on the beach shall be permitted between 80th & 122nd streets with no time restrictions from the day after Labor Day thru and including the Thursday before Memorial Day.

b. The walking of dogs under leash on the beach in the evening is permitted between 80th & 122nd street from 7 pm to Sunset from the Friday before Memorial Day thru and including Labor Day.

c. Dogs are never permitted south of 127th Street, the Stone Harbor Point Conservation Area.

(EXCEPTION) is hereby eliminated

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 4. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with Asphalt Paving Systems Inc., P.O. Box 530, Hammonton, N.J. 08037 for 2018 Utility and Road Program File D&A Project #: SH-C-006; and

WHEREAS, it is the recommendation of the Borough’s Engineer, Marc DeBlasio, of DeBlasio & Associates to authorize Change Order No. 1.

1. Resurfacing of the Public Works Department parking lot on the south side of 81st Street.
2. The installation of a water main in-line valve stop at the intersection of 92nd Street and Third Avenue.
3. Installation of concrete driveway at the 96th Street Firehouse.

WHEREAS, Change Order No. 1 – will result in an increase of \$62,529.50 to the original contract amount of \$2,734,800.00 for an amended contract amount of \$2,797,329.50.

NOW, THEREFORE, BE IT RESOLVED, this 19th day of March, 2019 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 1 is hereby authorized;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 1 to increase the original price by \$ 62,529.50.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2019

.....
Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor