

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

October 28, 2019

4:30 p.m.

**CALL TO ORDER:**

The meeting was called to order by Mr. Conrad, 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 2019 on December 18, 2018, and the schedule having been posted on Stone Harbor's website and the Municipal Clerk's Bulletin Board.

**Roll Call**

**Members Present:**

Mayor Judy Davies-Dunhour  
Jill Gougher  
Wayne Conrad, Vice-Chair  
Robert D. Bickford, Jr.  
Lynne Dubler  
Charles C. Krafczek  
Jackie Mauro (Alternate II)  
Sandy Slabik (Alternate I)

**Solicitor:**

Andrew D. Catanese

**Board Secretary:**

Diane Frangiose

**Zoning Officer:**

Ray Poudrier

**Members Not Present:**

Thomas Hand, Chairman

**Approval of September 16, 2019 Minutes**

Mr. Conrad requested a Motion to admit the Meeting Minutes. Motion made by Mayor Davies-Dunhour and seconded by Mrs. Gougher. Roll call taken for Board members present at the September 16, 2019 meeting. Affirmative votes: Mayor Davies-Dunhour, Mrs. Gougher, Mr. Bickford, Ms. Dubler, Mr. Krafczek, and Mrs. Slabik.

**Application Hearing: Stone Harbor Dunes LLC**

Mr. Vincent Lamanna, Jr., introduced himself to members of the Board and stated that he was the Attorney for the Applicant, Stone Harbor Dunes LLC. The Applicant seeks to renovate the existing Dunes motel and make exterior improvements. In addition, the Applicant seeks variances for preexisting nonconformities. The structure is a preexisting, nonconforming structure with respect to partial front yard and side yard setbacks

Mr. Catanese administered the oath to Patrick Bridgeman, owner of the property, and Gerald Blackman, Architect for the project, who provided their names and addresses for the record. Mr. Bridgeman testified the trash is stored under the existing stairs; no change is proposed and both awnings that currently encroach into the Second Avenue right-of-way will be removed. Mr. Blackman provided Board members with testimony and drawings regarding the proposal being presented.

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### **Application Hearing: Stone Harbor Dunes, LLC (continued)**

Mr. Catanese instructed Board members there would be two votes. The first vote was to grant variance relief under C1 and C2 and the second vote was to approve Site Plan Approval and waivers with conditions. Mr. Conrad asked for a Motion for the first vote. Mr. Bickford moved the Motion and Mr. Krafczek seconded. Roll call taken. All members present were in favor and voted yes. Ms. Mauro, an Alternate member, was not required to vote. For the second vote, Mr. Krafczek made the Motion and Mrs. Slabik seconded. Roll call was taken. All members present were in favor and voted yes. Ms. Mauro, an Alternate member, was not required to vote.

### **Master Plan Sub-Committee Update Report**

Mr. Kates advised the Outdoor Dining Subcommittee did not meet this month, however, he is in the process of drafting standards for the Ordinance and anticipating hearing from the County soon. The plan is to have the Ordinance in place by 2020.

Mr. Catanese stated the Courts Subcommittee is reviewing the Zoning Ordinance and plans on meeting on November 6<sup>th</sup> to discuss it further. A further update will be provided at the next Planning Board meeting.

### **Draft Review of Living Fence Ordinance**

A lengthy Board discussion took place after Mr. Catanese provided Board members a summary of the draft Living Ordinance. Mr. Conrad asked for public comment. Mr. Allingham of 92<sup>nd</sup> Street stated he objects to the Ordinance and gave his reasons for wanting Board members not to approve it. Mr. Catanese advised the Planning Board does not approve Ordinances, it makes recommendations to Borough Council who then decides whether the Ordinance will be adopted. Ms. McAllister of 92<sup>nd</sup> Street also gave reasons why she objects to the Ordinance. Mr. Lamanna stated there are currently cases before the NJ Court regarding living fences and a good solution for the Borough is to wait and see how the living fence issue does in NJ courts and then the Planning Board should make a decision on it. Mr. Blackman stated the Board should consider a provision stating if a tree dies for any reason, it can be replaced if it existed before the Ordinance was adopted, and Architects should be required to submit a landscaping Plan with new construction. Mrs. Parzych commented and stated when a property is purchased, the owner does not buy the view over a neighbor's property. Board members unanimously agreed not to take action on the draft Ordinance at this time.

### **Discussion on 3<sup>rd</sup> Floor Residential Decks**

Mr. Pourdrier provided Board members a copy of the Ordinance for Nonconforming Lots, Structures and Uses. The Ordinance is currently before Borough Council for adoption. A lengthy discussion took place among Board members who reviewed a photograph of a home built on 91<sup>st</sup> Street showing a 3<sup>rd</sup> floor residential deck. Mr. Conrad asked for a Motion to recommend the Ordinance for adoption by Borough Council. Mrs. Slabik made the Motion and Mr. Conrad seconded. Roll call taken. Messrs. Conrad and Bickford abstained. All other members present voted affirmatively. Ms. Mauro, as an Alternate member, was not required to vote.

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**Smugglers Cove Discussion**

The Smugglers Cove topic was omitted for discussion. All Board members agreed it did not need to be discussed.

**Public Comment**

Mr. Jack Tseng of Golden Gate introduced himself to Board members and stated he has lived in Stone Harbor for 30 years. He outlined the process of renovations he is currently having done on his home and gave Board members printouts of the project. He asked Board members to consider specific requirements he needs to complete his renovations. Mr. Conrad advised Mr. Tseng to discuss the issues with the Zoning Officer, Mr. Poudrier. Board members agreed.

**Adjournment**

Having no further business, Mr. Conrad called for a Motion to adjourn the meeting. Mrs. Gougher made the Motion and Mr. Krafczek seconded.

APPROVED: November 18, 2019

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