

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

**March 8, 2021**

**4:30 p.m.**

**CALL TO ORDER:**

The meeting was called to order by Chairman 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 2021 on December 12, 2020, and the schedule having been posted on Stone Harbor's website and the Municipal Clerk's Bulletin Board. In accordance with Executive Order No. 104 issued by Governor Murphy on Monday, March 16, 2020 limiting public gatherings, the meeting was also webcasted on the Zoom platform which also enables public participation.

**Roll Call**

**Members Present:**

Mayor Judy Davies-Dunhour  
Robert Smith-Administrator  
Thomas Hand, Chairman  
Wayne Conrad, Vice-Chair  
Robert D. Bickford, Jr  
Kevin Fischer (Alternate II)  
Charles C. Krafczek  
Sandy Slabik (Alternate I)

**Solicitor:**

Paul J. Baldini

**Board Secretary:**

Kate McGonagle

**Zoning Officer:**

Ray Poudrier

**Members Not Present:**

Lynne Dubler

**Engineers/Planners:**

Kates Schneider  
Engineering, LLC

**Salute to Flag**

**Approval of February 8, 2021 Special Meeting Minutes**

The Board considered the proposed Meeting Minutes for February 8, 2021. Motion for approval was made by Chairman Hand and seconded by Mayor Davies-Dunhour with all eligible members voting in the affirmative.

**Memorialization of Resolution 2021-003, Charles Street Developers, LLC Remand**

Mr. Hand requested a Motion to approve Resolution 2021-003. Mayor Davies-Dunhour motioned to memorialize the Resolution and Mrs. Slabik seconded the motion. The Resolution was passed unanimously by all eligible members of the Board.

**Lot Grading Update**

Mr. Kates informed members of the Board that the final draft for the Lot Grading Ordinance was complete and ready for the Board's review. Mr. Kates noted that changes previously discussed by the Board and Council had been considered and fine-tuned. Mr. Kates added the ordinance would be presented to Council on March 16, 2021. Mr. Kates further outlined the changes that were made. One change mentioned was reducing the impervious coverage from 70% for 55%, yet allowing semi-pervious coverage up to 70%. The definition of semi-pervious coverage was

added to the proposed ordinance. Mr. Kates explained that the allowance for retaining walls to be constructed with material other than concrete or masonry was removed. Elevation specifications for bulkhead lots were clarified. Lastly, Mr. Kates informed the Board that watering restrictions that prohibit irrigation or watering of the grassy strip located in front of properties was eliminated from the ordinance and will continue to be overseen by the Natural Resource Committee. Lastly, the ordinance would now allow for professionals to perform interim inspections for underground storage and permeability of coverage during the construction phase of development.

#### **Master Plan-Courts "Zone D" Sub-committee Update Report**

Mr. Baldini summarized updates to the drafted Courts Ordinance for the Board. Changes include an outline of the specific block and lots in the Residential D zoning district. Mr. Baldini mentioned that lot coverage limitations still remain undecided. Mr. Baldini noted that the installation of residential sprinkler systems would be required for new construction or renovation which increases the habitable structure by 50% or more. An additional requirement appended to the ordinance is that non-conforming structures must be brought into compliance with all Borough codes prior to gaining approval to add a second floor. Roof pitch and minimum lot area requirements were discussed. Mr. Baldini advised the Board that the next task at hand is to discuss minimum lot coverage. The current lot coverage limitation is 85% for homes under 2200 square feet (majority). Mr. Kates further explained that lot coverage gradually decreases from 85% to 70% as square footage increases over 2200 square feet. Mr. Krafczek added that considerations such as installation of staircases and maintaining characteristics needed to be cogitated. Mr. Krafczek voiced concern over stringent stipulations for the Courts considering acceptable oddities of surrounding lots located outside of the D District. The Board agreed that safety is the first priority when reviewing the ordinance. Chairman Hand suggested maintaining a 50% FAR for second floors while allowing specific structural encroachments so that homeowners are given more incentive to renovate their homes. The Board agreed to have a subcommittee meeting to further discuss lot coverage and FAR.

#### **New Business- Bulkhead Study Conducted by Stockton Coastal Research Center**

Mayor Davies-Dunhour presented the Board with a bulkhead study conducted for the Borough by Stockton Coastal Research Center in 2017. The survey was provided to help facilitate with discussion of the bulkhead ordinance and backfilling of the bulkheads. Mayor Davies-Dunhour explained the survey was the basis for the development of standards of existing bulkheads and the time frame property owners have to come into compliance with those standards. The Mayor also provided a detailed explanation on the reasoning and details of how the survey was conducted. Mr. Krafczek explained that new construction and home improvement resulting in 40% of assessed property value would trigger properties to comply with code. Mr. Krafczek explained the option of capping eligible bulkheads. Mayor Davies-Dunhour felt that the results from the survey may help while the Board considers mandating backfilling for various elevation levels and the effect backfilling may have. Mr. Krafczek mentioned that the ordinance currently is permissive of backfilling. Mr. Krafczek mentioned that Board Engineer, Borough Engineer, and Lenore Tedesco have all unequivocally discussed backfilling and believe backfilling to the bulkhead is the gold standard for flood water intrusion. The Board will determine if backfilling should remain permissive or if an amendment to the ordinance should be made to make backfilling mandatory. Chairman Hand asked the Board if anyone was aware of funding for owners of bulkhead properties. Members of the Board responded that they had researched funding, but had not found any programs to help offset the costs of replacing the bulkheads so that the height of the bulkheads are brought to code. Mayor Davies-Dunhour informed the Board that backfilling has been discussed by Council but also expressed that backfilling is directly tied with planning and zoning. The Mayor encouraged members to become familiar with all information provided, so the Board can make educated recommendations to Council.

**Public Comment**

Mr. Ray Parzych of 9925 Sunset Drive took to public comment to address board members about the effects that the installation of 8-foot bulkheads with backfill will have on properties. Mr. Parzych expressed that the action may result in the loss of side yard setbacks. Mr. Parzych further conveyed that side yard setbacks help avoid losing green space and provide privacy for property owners. Mr. Parzych communicated that during the process of reviewing mandated backfilling, he is simply requesting that everything be considered thoroughly and that setbacks be protected.

Mrs. Bernadette Parzych of 9925 Sunset Drive weighed in on the discussion of backfilling the bulkheads. Mrs. Parzych noted that if the Borough does decide to mandate backfilling, consider eliminating steps in the side yard setbacks. Mrs. Parzych suggested backfilling from the bulkhead and grading to the front yard curb line so that slopes are gradual enough to not need steps for accessibility. The Board explained that it is ideal to have steps in the front yard to make for a smoother transition for property owners when streets are raised. Mrs. Parzych voiced concerns of huge hulking homes on the Bayfront. Mr. Baldini mentioned that once everyone is in compliance, all homes will be level.

Ms. Kim Parks of F-6 Stone Court asked the Board if the drafted Courts ordinance was available to the public. The Board explained that the drafted ordinance was only in the discussion stage, but agreed to publicize it on the Borough website for property owners' review. Ms. Parks informed the Board of the obstacles that Courts property owners are facing such as the hulking homes that are being constructed on number streets that surround the structures located on the Courts. Ms. Parks also mentioned that property owners are getting tired of waiting, so they are selling their Court homes. Ms. Parks pleaded to the Board to please complete the proposed draft so that the property owners can move forward.

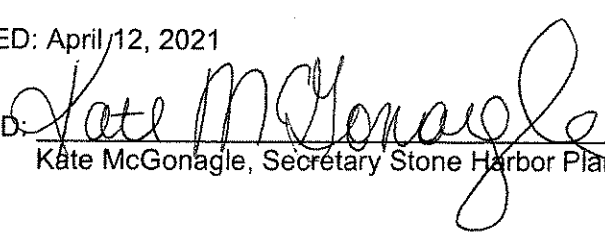
Mrs. Herzog of 10215 Sunrise Drive took to public comment to try to gain a better understanding of the Lot Grading Ordinance and bulkhead elevations. Mrs. Herzog asked about property owner that do not have the means to replace the bulkheads and bring the lot grading into compliance. Mr. Kates responded that if a property owners replace their bulkhead, it does not trigger the backfilling from the bulkhead to the front of the lot.

**Adjournment**

Mr. Hand called for a Motion to adjourn the meeting. Mayor Davies-Dunhour made the Motion and Mr. Fisher seconded.

APPROVED: April 12, 2021

ATTESTED:

  
Kate McGonagle, Secretary Stone Harbor Planning Board