Regular/ Hybrid Meeting

Zoning Board of Adjustment

April 5th, 2021

Angelo Caracciolo called the Regular Meeting of the Stone Harbor Board of Adjustment to order at 6:00 p.m. He stated that all requirements of the “Open Public Meetings Act of 1975” had been met, the Press of Atlantic City and Cape May County Herald having been notified of the Board’s schedule for 2020 in December 2019, and the schedule having been posted on the Municipal Clerk’s Bulletin Board.

**ROLL CALL** **Members Present** **Alternate Present**

 Bob Ross Mel Lide

 Jack Gensemer

John McAllister **Solicitor Present**

Kat Laughlin (via Phone) Paul Baldini, Esq.

 Bunny Parzych

Angelo Caracciolo **Zoning Officer Present**

 Ray Poudrier

 **Secretary Present**

 Megan Brown

**MINUTES**

Upon a motion by Mr. Ross, seconded by Mr. Gensemer, that the minutes of the Regular/Hybrid Meeting on March 1st, 2021 be approved. The motion to approve the minutes was carried unanimously on a roll call vote.

**OLD BUSINESS**

Memorialize Resolution #922-2021- Barrett/ Neimeth 382-104th St LLC

Upon a motion by Mr. Gensemer, seconded by Mr. Ross, that the resolution be adopted. The motion carried unanimously by roll call vote.

Memorialize Resolution # 921-2021- Pensabene- 328 101st St.

Upon a motion by Mr. Gensemer, seconded by Mr. Ross, that the resolution be adopted. The motion carried unanimously by roll call vote.

**NEW BUSINESS**

**HEARING:**

**#920-2021** Applicant’s Name & Address: Mark & Eileen Battaglini

 6610 Weatherford Ct.

 Mclean, VA 22101

Owner’s Name & Address: Same

Subject Property: 230-111th St

 Stone Harbor, NJ 08247

Block & Lots: Bl: 110.03 Lot(s): 31 & 33

Jeffrey Barnes, Esq. spoke on behalf of the applicant and explained the nature of the application. All notices were given to this hearing.

The following individual(s) were sworn in and testified on behalf of the Applicants.

1. Pamela Fine- Architect
2. John Halbruner- Land Surveyor
3. Terry Ziyad Garlewicz- Homeowner at 34 Stone Court
4. Margaret Corson- Homeowner at 226-111th Street
5. Mark Battaglini- homeowner of project

**PUBLIC COMMENT**

Chairman Caracciolo opened the meeting to the public. 3.) Garlewicz had some concerns over a fence running along the shared property line, asking that is be replaced, as it is old and falling down in some areas, she also requested a slight change to the roof line to allow more light/air space. All parties agreed to this request. 4.) Corson had some concerns that this new construction would change the dynamic of the street since the houses to the left and right were all done by the same architect with the same architectural design. No further comment was made by her. Public comment was closed.

Paul Baldini gave the board a summation of the applicable legal standards.

The Board discussed the application. Mr. Gensemer made a motion, seconded by Mr. Ross that the C1 variance be granted. The motion was approved unanimously by roll call vote.

**ZBA #920-2021**

**ROLL CALL VOTE C1 Variance (lot size)**

Mr. Ross AYE

 Mr. Gensemer AYE

 Dr. McAllister AYE

 Ms. Laughlin AYE

 Mrs. Parzych AYE

 Mr. Lide AYE

 Chairman Caracciolo AYE

Mr. Gensemer made a motion, seconded by Dr. McAllister that the C2 Variance be granted. The motion was approved unanimously by roll call vote.

**ROLL CALL VOTE C2 Variance (off street parking)**

 Mr. Ross AYE

 Mr. Gensemer AYE

 Dr. McAllister AYE

 Ms. Laughlin AYE

 Mrs. Parzych AYE

 Mr. Lide AYE

 Chairman Caracciolo AYE

Mr. Gensemer made a motion, seconded by Mr. Ross, that the C2 variance be granted. The motion was approved by a 4-3 roll call vote.

**ROLL CALL VOTE C2 Variance (partially covered roof deck)**

Mr. Ross NAY

 Mr. Gensemer AYE

 Dr. McAllister AYE

 Ms. Laughlin AYE

 Mrs. Parzych NAY

 Mr. Lide NAY

 Chairman Caracciolo AYE

The solicitor will prepare a memorializing resolution for adoption at the next regularly scheduled meeting.

**HEARING**

**#923-2021** Applicant’s Name & Address: John Grace

 313 111th St

 Stone Harbor, NJ 08247

Owner’s Name & Address: Same

Subject Property: Same

 Block and Lot: Bl: 204.02 Lot(s): 4 & 5

Mr. Lide recused himself due to a legal matter within his law firm in which the applicant is involved.

Keith Davis, Esq. spoke on behalf of the applicant and explained the nature of the application. All notices were given to this hearing.

All notices were given with respect to this hearing.

The following individual was sworn in and testified on behalf of the Applicants:

1. Vincent Orlando – Engineer/ Architect/Land design
2. John Grace- Homeowner of project.

**PUBLIC COMMENT**

No one spoke for or against granting the application. Public comment was closed.

The board members discussed the details of the project and application.

Mr. Gensemer made a motion, seconded by Mr. Ross, that the C1 Variance be granted. The motion was denied by a 4-2 roll call vote.

**ROLL CALL VOTE C1Variance**

Mr. Ross NAY

 Mr. Gensemer AYE

 Dr. McAllister NAY

 Ms. Laughlin AYE

 Mrs. Parzych NAY

 Chairman Caracciolo NAY

Mr. Gensemer made a motion, which was seconded by Mr. Ross, that the C2 variance be granted. The motion was approved by a 4-2 roll call vote.

**ROLL CALL VOTE C2 Variance**

Mr. Ross AYE

 Mr. Gensemer AYE

 Dr. McAllister NAY

 Ms. Laughlin AYE

 Mrs. Parzych NAY

 Chairman Caracciolo AYE

The solicitor will prepare a memorializing resolution for adoption at the next regularly scheduled meeting.

**MOTION TO ADJOURN**

With there being no other business, upon a motion made by Dr. McAllister, and seconded by Mr. Ross and unanimously, approved the meeting was adjourned at 8:08pm.

Approved:

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Megan Brown, Secretary

April 14, 2021