Regular/ Hybrid Meeting

Zoning Board of Adjustment

May 3rd, 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 2021 in December 2020, 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

Kat Laughlin (Via zoom) **Solicitor Present**

Bunny Parzych Paul Baldini, Esq.

Nicole Jones (Via zoom)

Angelo Caracciolo **Zoning Officer Present**

Ray Poudrier (via Zoom)

**Secretary Present**

Megan Brown

**MINUTES**

Upon a motion by Mr. Gensemer, seconded by Mr. Ross, that the minutes of the Regular/Hybrid Meeting of April 5th, 2021 be approved. The motion to approve the minutes was carried unanimously on a roll call vote.

**OLD BUSINESS**

Memorialize Resolution #920-2021- Battaglini 230-111th Street. 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- Grace 313-111th Street. Upon a motion by Mr. Gensemer, seconded by Ms. Laughlin, that the resolution be adopted. The motion was carried unanimously by roll call vote.

**NEW BUSINESS**

Oaths of Office and Allegiance presented to Martin Cahill to be sworn in as Alternate II.

**ADMINISTRATIVE BUSINESS**

**HEARING # 924-2021**

Applicant’s Name & Address: Lawrence Berran

117 Trot Lane

West Chester, PA 19380

Owner’s Name & Address: Same

Subject Property: 9400 First Avenue

Stone Harbor, NJ 08247

Block and Lot: Bl: 94.01 Lot(s): 23.01, 24.01, 25.01 & 26.01and 128.01

Keith Davis Esq., spoke on behalf of the applicants and explained the nature of the application. Four variances were requested. Maximum building height, Number of habitable stories, Front step encroachment, and Side yard setback for existing garage improvement. All notices were given with respect to this hearing.

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

1. Lawrence Berran- Owner of Project
2. Mark Asher- Project Architect
3. Tiffany Morrisey- Licensed city Planner

The nature of the application was explained by all parties. Chairman Caracciolo opened the meeting to the public at which time the following individual(s) were sworn in and testified.

1. Bill Lansinger- Homeowner at 147 94th street
2. Lisa Hickman- Homeowner at 143-95th street
3. Bob Ashman- Homeowner at 10301 First Ave
4. Ann Brown- visitor to Stone Harbor since 1970’s
5. Mike Turner- Stone Harbor Museum

All of the above spoke in favor of the application and the historical presence it has on the town. Chairman Caracciolo closed the Public comment portion of the meeting

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 D6 variance be granted. The motion was approved unanimously by a roll call vote.

**ZBA #924-2021**

**ROLL CALL VOTE D6 Variance**

Mr. Gensemer AYE

Mr. Ross AYE

Ms. Laughlin AYE

Mrs. Parzych AYE

Ms. Jones AYE

Mr. Lide AYE

Chairman Caracciolo AYE

Mr. Gensemer made a motion, seconded by Ms. Laughlin that the C2 variance be granted. The motion was approved unanimously by a roll call vote.

**ROLL CALL VOTE C2 Variance**

Mr. Gensemer AYE

Mr. Ross AYE

Ms. Laughlin AYE

Mrs. Parzych AYE

Ms. Jones AYE

Mr. Lide AYE

Chairman Caracciolo AYE

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

**HEARING # 925-2021**

Applicant’s Name & Address: Steven & Pia Ems

3 Cobblestone Ct.

Moorestown, NJ 08057

Owner’s Name & Address: Same

Subject Property: 20-101st Street

Stone Harbor, NJ 08247

Block and Lot: Bl: 101.01 Lot(s): 19 & 20

Keith Davis Esq. spoke on behalf of the applicants and explained the nature of the application, requesting a C Variance for minimum front yard setback for the swimming pool that is currently under construction. All notices were given with respect to this hearing.

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

1. Steven Ems- Owner of Project
2. John Halbruner- Land Surveyor
3. Raymond Poudrier- Zoning Officer

Mr. Ems testified that his pool was currently under construction. When a standard inspection of the pool was done, the inspection showed an oversight within the plans and plan review for the front yard setback. Mr. Ems explained that given the status of the jobs progress, there could be some issues if the job didn’t continue, due to the weather at the time (Mid- November), he also stated he was advised to make another application to the zoning board for the front yard setback relief. Mr. Ems stated that he took the advice given so that his project could continue without any damage to the work already done.

Mr. Poudrier also spoke agreeing with what Mr. Ems testified to.

Mr. Baldini gave the Board a summation of the applicable legal standards.

The Board discussed the application. Mr. Ross made a motion, seconded by Mr. Gensemer that C2 Variance be granted. The motion was approved unanimously by roll call vote.

**ZBA #925-2021**

**ROLL CALL VOTE C2 Variance**

Mr. Gensemer AYE

Mr. Ross AYE

Ms. Laughlin AYE

Mrs. Parzych AYE

Ms. Jones AYE

Mr. Lide AYE

Chairman Caracciolo AYE

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

The next regularly scheduled meeting will be on June 7th, 2021

With there being no other business, upon a motion of Mr. Gensemer, seconded by Mr. Ross and unanimously approved, the meeting was adjourned at 8:12 p.m.

Approved:

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

Megan Brown, Secretary

May 3rd, 2021