

To: The Stone Harbor Planning Board

From: Bob Mitchell, 231 108th St., Stone Harbor, NJ

Date: September 14, 2021

Good afternoon Mayor and Planning Board members,

Thank you for the time and effort you've put into making Stone Harbor a safe and beautiful place.

I would like to address the planning board recommendations in the revised master plan for the creation of ordinance D which relates to changes in the courts zoning requirements.

At the borough council meeting of August 17, 2021, a second reading of the proposed ordinance D occurred and Council members, by a vote of four to one rejected the proposed ordinance in its current form.

Borough council members expressed their desire to change the wording of the proposal, to provide some sort of relief to the residents of the court properties. There was also a consensus that residence of the courts and the surrounding number street properties be notified by mail of the proposed changes recommended in ordinance D.

At that council meeting residents from the surrounding numbered streets and at least one court property owner voice their opposition to changes in court zoning which would allow for a second floor addition. Reasons for this opposition included safety concerns, increased congestion and increased parking difficulties. Chief Stanford of the Stone Harbor Fire Department concurred with the concerns that residents have of fire hazards associated with the closeness of the court properties with a five foot set back and the location of these properties on very narrow streets. While fog lines would allow fire trucks to drive down court streets this does not address his and residents' concerns about the closeness of properties that only have five foot rear setbacks. In addition, a recommendation in the proposed ordinance requiring sprinkler systems as a safety measure, in a second-floor addition was found to be invalid. This was because the planning board had no legal right to require the installation of these devices.

In February of 2019, at a planning board meeting, when discussions began about possible changes in the master plan, and more specifically the courts, Mr. Kates stated that "he will put together a list and encourage home owners voice an opinion and attend the Focus Groups". In April of 2019, at a planning board meeting Mayor Davies-Dunhour advised that "registered letters will be sent to all owners for their feedback on the issue and they are welcome to send emails or letters to the Borough with their thoughts on the subject."

Residents were never notified and, although there was no legal requirement that they be notified, I believe it would have been the right thing to do. As it exists many people I have spoken with feel that ordinance D has become a divisive “us versus them” proposal. A proposal which will be voted on for approval by those who do not live on the courts or any of the numbered streets; therefore, they are not directly affected by the consequences of this proposal.

Many court property owners had repeatedly said they needed more space to house modern utilities such as HVAC, water heaters and washer/dryer’s.

A compromise was presented at the last borough council meeting (9/7/21). In his correspondence Geoffrey Woolery who lives at 217 110th St., and who had also owned and lived in a home on the courts, made several suggestions. One of his suggestions was that instead of the second floor for court properties, additional space on the first floor be allowed so that residents could have more room for modern utilities.

It makes sense to me that the planning board should now notify affected residents by mail so that those residents can have input in the formation of the revised proposed ordinance D before it’s submitted to borough counsel for approval. If all affected residents have the opportunity to present their ideas, perhaps a compromise can be reached. The revised ordinance D would then have broader public support and an easier time passing at a borough council meeting.

A compromised proposal could also foster healing among neighbors and show that we are willing to work together.

Thank you for your time and consideration