

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

November 8, 2021

4:30 p.m.

CALL TO ORDER:

The meeting was called to order by Vice Chairman 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 2021 on December 12, 2020, and the schedule having been posted on Stone Harbor's website and the Municipal Clerk's Bulletin Board.

Salute to Flag

Roll Call

Members Present:

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

Members Not Present:

Thomas Hand, Chairman

Solicitor:

Paul J. Baldini

Secretary:

Kate McGonagle

Zoning Officer:

Ray Poudrier

Engineers/Planners:

Kates Schneider
Engineering, LLC

Approval of October 18th, 2021 Meeting Minutes

The Board considered the proposed Meeting Minutes for October 18th, 2021. Motion for approval was made by Mayor Davies-Dunhour and seconded by Mr. Krafczek with all eligible members voting in the affirmative.

Public Hearing

PB 21-006 Wolfe & Wolfe Investment Properties, LLC

Block 99.04 Lot(s) 128, 130, 132

321 & 325 99th Street

Site Plan Approval

Mr. Cory Gilman, P.A. appeared on behalf of the Applicant and was sworn in by Solicitor Baldini.

Mr. Gilman summarized the relief required as listed in the review dated September 18, 2021, including lot area, lot width, side yard setbacks, and pre-existing accessory side yard and rear yard setbacks.

Applicant Brad Wolfe of 151 Channing Avenue in Malvern, PA 19355 appeared and was affirmed.

Mr. Wolfe explained the purpose of the application is to remove the existing nonconforming improvements on Lots 128 & 130 and to subdivide the properties. The proposed subdivision would create a new 60-foot wide lot (vacant) and a 45-foot wide lot while retaining the existing single-family residence and improvements on Lot 132. Mr. Wolfe testified that the subdivision would allow access to the rear property accessory structure and permit off-street parking. Mr. Gilman explained that granting the application would reduce non-conformity and permit the demolition of an existing dwelling that does not comply with flood codes. Mr. Wolfe declared that he only sees benefits to the neighborhood in granting the application.

Mr. Drew Pavlick, professional engineer with CME Associates appeared and was affirmed.

Mr. Pavlick discussed the setback requirements and the current variances for the existing structure. Mr. Pavlick relayed that the applicant would demolish the existing dwelling on the larger lot, retain the existing structure on Lot 132, move the lot line 10 feet so that there is more room to increase the size of the smaller lot while keeping the larger lot in conformance. Mr. Pavlick explained no variances would be required for the larger lot. The additional 10 feet on Lot 132 would allow for a wider driveway, access to the rear property, and an increase for off-street parking. Variances required for the approval are for lot area, lot frontage, side yard setbacks, accessory rear yard and front yard setbacks. Mr. Pavlick testified that the plan does not exasperate any of the existing non-conformities but it does improve many of the non-conformities. Mr. Pavlick stated the variances can be granted without substantial detriment to the public good and without substantial impairment to the intended purpose of the zoning plan and the ordinance. Mr. Pavlick stated that in his expert opinion, the benefits of the variance would substantially outweigh detriment.

Mr. Kates, Board Engineer was sworn and affirmed.

Mr. Kates testified that all the necessary information had been obtained. Mr. Gilman on behalf of the Applicant accepted all conditions outlined in Mr. Kate's report.

The Board discussed the Application and terms and conditions of the approval.

Mr. Baldini read the Motion into the record. Mayor Davies-Dunhour moved the Motion. Mr. Krafczek seconded with all eligible members voting in the affirmative.

PB 21-007 – Miolene

*Block 110.31, Lot(s) 50, 52, 80.02
251 110th Street
Minor Subdivision*

Mr. Cory Gilman, P.A. appeared on behalf of the Applicant.

Mr. Gilman summarized the relief required as listed in the review dated November 8, 2021, including merging three lots into two lots, elimination of front and side yard setback non-conformities and removal of a structure.

The Applicant, Ms. Leanne Miolene introduce herself to the Board and was sworn in by Mr. Baldini.

Ms. Miolene explained the intent of the application is to demolish the existing structure and subdivide the property into two lots in an effort to make the property more desirable for real estate purposes. Ms. Miolene noted the approval would allow for financial gain to obtain a larger dwelling closer to the beach while maintaining the characteristics of the neighborhood.

Mr. Drew Pavlick, professional engineer with CME Associates appeared and was affirmed.

Mr. Pavlick discussed the existing setbacks and variances for the property. He explained the plan for the lots. Mr. Pavlick relayed that the applicant would demolish the existing dwelling on the lot. Mr. Pavlick revealed the intent is to merge and subdivide the property into two properties. Mr. Pavlick testified that the only variances created by the approval would be for lot size and lot frontage.

Tiffany Morrissey, a NJ Licensed Planner testifying on behalf of the Applicant was sworn and affirmed.

Ms. Morrissey began by sharing Exhibit A1, aerial photographs of the property. Ms. Morrissey testified that the existing property is currently out of characteristic when considering the neighboring properties in Zone C. Ms. Morrissey declared that it is nearly impossible for the property to ever come into conformance under the zoning criteria for Zone C. Ms. Morrissey stated that she feels the Applicant's request would be the best zoning alternative for the location. Ms. Morrissey stated it would allow for consistency in the neighborhood while providing adequate light, air and open space. Ms. Morrissey noted that the proposed subdivision would create no substantial impairment of the zoning ordinance or master plan and would cause no substantial detriment to the public good.

Off-street parking space on the proposed properties were discussed. The Applicant accepted the conditions outlined, including the provision of two off-street parking spaces for each lot. The parking spaces are to be located on the side of the property rather than underneath the dwelling while complying with the requirements in the zoning ordinance. It was determined that the conditions may result in non-conforming side yard setbacks.

Borough Engineer, Paul Kates was sworn and affirmed.

Mr. Kates presented his report. Mr. Kates reported that if the Application is approved, total front yard setbacks would be reduced, there would be an increase in side yard setbacks, an increase in building coverage, and pervious and semi-pervious coverage would increase. Mr. Kates testified that the Applicant has met all conditions of approval.

Vice Chairman Conrad then allowed for Public Comment. Neighbors Miriam Brookes of 235 110th Street, Rose Buckley of 264 110th Street, and Louis Schweickhardt of 260 110th Street all took to public comment to express their support for the proposed subdivision.

Ray Poudrier, Zoning Officer, was sworn and affirmed

Mr. Poudrier voiced concerns over a deed restriction for the off-street parking spaces agreed upon. Mr. Baldini noted that the plan should be amended and reflect the provisions before being filed with the County, therefore the conditions will be on record.

The Board and professionals discussed parking options and setbacks in depth.

Mr. Gilman requested a brief recess.

After the recess, all parties returned and Vice Chairman Conrad continued the Hearing. Roll was called, and all parties were present.

Tiffany Morrissey, NJ Licensed Planner was recalled for additional testimony to respond to comments made by the Board.

The Hearing was closed.

The Board further discussed the Application.

Mr. Baldini clarified the conditions for the record. In addition to the conditions of approval in Mr. Kates report, the conditions are as follows: two off-street parking spaces on the side yard, under the building parking or garages are not permitted, parking is to be on the right-side lot line of the two newly developed lots, 9-foot side yard on the right side, and 6-foot side yard on the left side.

Mr. Baldini read the Motion into the record. Mr. Krafczek moved the Motion. Mr. Bickford seconded with all eligible members voting in the affirmative.

New Business

Mr. Poudrier addressed the Board about new statewide FEMA requirements for ordinances. Mr. Baldini agreed to send out the revised ordinance to Board Members prior to the next meeting.

Old Business

Vice Chairman Conrad addressed the Board about the Borough's Outdoor Dining Ordinance. The Board agreed to discuss the Ordinance at a future meeting based on Mr. Poudrier's experience and findings. The Committee agreed to meet with Mr. Poudrier for a meeting regarding the topic.

Public Comment

Vice Chairman Conrad opened Public Comment. No one spoke.

Adjournment

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

APPROVED: December 13th, 2021

ATTESTED:


Kate McGonagle, Secretary Stone Harbor Planning Board