

Regular Meeting
Zoning Board of Adjustment
February 7th, 2022

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 2022 in December 2021, and the schedule having been posted on the Municipal Clerk’s Bulletin Board.

ROLL CALL

Members Present

Bob Ross
Jack Gensemer
Mel Lide
Martin Cahill
Chairman Caracciolo

Alternate Present

Tim Carney
Nick Giuffre

Solicitor Present

Paul Baldini, Esq.

Zoning Officer Present

Ray Poudrier

Secretary Present

Megan Brown

MINUTES

Upon a motion by Mr. Gensemer, seconded by Mr. Ross, that the minutes of the Regular Meeting of January 31st, 2022 be approved. The motion to approve the minutes was carried unanimously on a roll call vote.

OLD BUSINESS

Memorialize Resolution #931R-2021, (Pensabene Remand)

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

ADMINISTRATIVE BUSINESS

Oaths of Office and Allegiance presented to Tim Carney for Zoning Board Alternate I.

Oaths of Office and Allegiance presented to Nick Giuffre for Zoning Board Alternate II.

NEW BUSINESS

HEARING

#933-2021	Applicant's Name & Address:	John Dennison Po Box 4391 Wilmington, DE 19807
	Owner's Name & Address:	SH7MILE LLC 814 Greenwood Rd. Wilmington, DE 19807
	Subject Property:	400-104 th St. Stone Harbor, NJ 08247
	Block and Lot:	Bl: 103.06 Lots: 132

Keith Davis represents the applicant, he explained the nature of the application. The applicant came before the board on October 4th, 2021, and received approval of his project with a deed restriction. Applicant is now seeking elimination of prior condition of approval in resolution #933-2021, where a deed restriction would be required relative to Ordinance §560-50.

All notices were given with respect to this hearing.

The following people were sworn in and testified.

1. Paul Kiss- Architect for project

The following Exhibits were moved into Evidence:

1. VS1 - Site Plan
2. VS1.1 - Revised Proposed Grading Site plan

The board discussed the nature of the application. Chairman Caracciolo opened the meeting to the public.

The following people were sworn in and testified.

1. Ray Poudrier- Zoning Officer, Stone Harbor

Mr. Poudrier testified that the Borough is currently working on a revisions to the towns Lot Grading Ordinance §560-50.

No one spoke for or against granting the application. Chairman Caracciolo closed the meeting to the public.

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

Mr. Gensemer made a motion, seconded by Mr. Ross that the removal of the deed restriction for the C2 criteria be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE

ZBA #933-2021

Mr. Mr. Ross	AYE
Mr. Gensemer	AYE
Mr. Lide	AYE
Mr. Cahill	AYE
Mr. Carney	AYE
Mr. Giuffre	AYE
Chairman Caracciolo	AYE

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

HEARING

#937-2021	Applicant's Name & Address:	John Frick PO Box 4391 Wilmington, DE 19807
	Owner's Name & Address:	Same
	Subject Property:	F10 Stone Court/ 111 th Street Stone Harbor, NJ 08247
	Block and Lot(s):	Bl: 110.03 Lot(s): 10, 12 11 & 45.02

Andrew Catanese Esq, represents the applicant who is requesting an appeal to the decision of the administrative officers determination that back to back lot numbers 10 & 12 (single family) and 11 & 45.02 (vacant lot) have merged.

The following people were sworn in and testified.

- 1 Ray Poudrier- Zoning Officer, Stone Harbor

Mr. Poudrier discussed how he came to his determination that these lots had merged.

Mr. Poudrier moved the following Exhibits into Evidence.

1. Deed dated January 4, 1992 with consolidated legal description from Yoder to Frick.
2. Plan of survey submitted by Appellant with the Zoning Application and as highlighted by the Zoning Official.
3. Tax Record Card for the subject parcel.
4. Deed from McCall to Yoder dated May 8, 1967.

Mr. Catanese moved the following Exhibits into Evidence:

1. A1- Zoning Ordinance §560-37
2. A2- Survey for the subject parcel
3. A-3 Arial Photo of subject parcel

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

The board discussed the nature of the application. Chairman Caracciolo opened the meeting to the public.

No one spoke for or against granting the application. Chairman Caracciolo closed the meeting to the public.

Mr. Ross made a motion, seconded by Mr. Carney that the Board Vote ‘Yes’ for one lot and ‘No’ for two lots. The motion was approved by roll call vote.

ROLL CALL VOTE
ZBA #933-2021


Mr. Mr. Ross	NAY
Mr. Gensemer	NAY
Mr. Lide	AYE
Mr. Cahill	AYE
Mr. Carney	NAY
Mr. Giuffre	NAY
Chairman Caracciolo	NAY

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

The next regularly scheduled meeting will be on March 7th, 2022.

With there being no other business, upon a motion of Mr. Gensemer, seconded by Mr. Ross and unanimously approved, the meeting was adjourned at 7:41 p.m.

Approved:

Attest: 
Megan Brown, Secretary

February 7th, 2022