

MINUTES OF THE REGULAR SESSION
STONE HARBOR PLANNING BOARD

April 16, 2012

4:30 p.m.

CALL TO ORDER:

The meeting was called to order by Mr. Hand, who stated that all requirements of the “Open Public Meetings Act of 1975” had been met.

ROLL CALL:

Planning Members Present

Thomas Hand
Perry Conte (Delayed Arrival 5:55pm)
Mayor Suzanne Walters
Wayne Conrad
Robert D. Bickford, Jr.
Joselyn O. Rich
Jill Gougher

Zoning Officer

Joanne Mascia

Board Solicitor

Andrew Catanese

Board Secretary

Patricia H. Wagner

Alternates Present

Robert Ashman
Julian Miraglia

Mr. Hand noted tonight’s advertised meeting is in lieu of the work session that was originally scheduled for April 9, 2012.

Professional Planner

Fred Heyer, P.P., Susan Gruel, P.P., principal partners of the firm Heyer, Gruel & Associates of Red Bank, New Jersey outlined their firm’s qualifications for the position of Professional Planner for the Borough of Stone Harbor. They were accompanied by James Rutala, P.P. of the firm, James M. Rutala Associates, LLC. Mr. Rutala is on a retainer basis with the Heyer Gruel & Associates firm and handles grant procurements & financial administration.

Mr. Heyer stated their firm is a community planning and consulting firm and they offer a full range of planning services, including comprehensive planning, redevelopment work, ordinance work and Master Plans. Mr. Heyer estimated that between 80-85% of their practice is with New Jersey municipalities and they operate in 17 out of 21 New Jersey counties. They have an extensive background in working with resort and shore communities. Mr. Heyer and Ms. Gruel are adjunct professors of Rutgers University, teaching Comprehensive Planning. They recently conducted a hotel/motel zone study for Ocean City, New Jersey.

Mr. Heyer & Ms. Gruel discussed the proposed hotel/motel overlay zone with the Board. The discussion mentioned the positive and negative impact of the project with regards to issues of light and air movement, the impact on neighboring residences and the need for creative parking solutions.

Board members feel that in the development phase of the hotel/motel zone it would be best for Heyer Gruel Associates to work at an hourly rate with a set number of hours for this part of the project. Then if it is agreed to move on to the implementation phase, the Board and the principals of Heyer & Gruel can decide if a set contract amount is best or to continue on an hourly rate.

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Ms. Gruel noted they feel it is important to meet informally with community members and business owners to hear their ideas when starting new projects.

Mr. Conrad asked for Board members comments. Mr. Hand noted this was the first time the majority of the Board had the opportunity to look at the proposal submitted by Heyer Gruel Associates. While he liked what he has heard tonight, Mr. Hand would prefer not to take a vote now but to wait until next week's meeting. This will allow for ample time to review the proposal.

Mr. Rutala discussed various financial incentives for both the Borough and private developers.

Mr. Heyer, Ms. Gruel and Mr. Rutala thanked the Board for their time tonight.

The Board will make their appointment of a professional planner at the meeting to be held on April 23, 2012. Mr. Catanese will prepare a resolution for this appointment.

BOARD DISCUSSION

Outdoor Dining – Tutto Gelato, 9712 Third Avenue.

Vincent L. Lamanna, Jr. represented Andrew Dorley the owner of Tutto Gelato, a gourmet ice cream business. Mr. Dorley received site plan approval per Resolution SPR 2011-003. Mr. Dorley would like to place small tables and chairs in front of his store for his patrons to use but by using the Borough's current interpretation of the zoning ordinance, Mr. Dorley would be in violation if the tables are in place. Mr. Lamanna stated there is no definition of what constitutes outdoor dining in the ordinance. It is Mr. Lamanna's position that Mr. Dorley has the right to place the tables outside of his business, since the ordinance does not state the tables are what constitute outdoor dining.

Mr. Dorley noted that instead of spending the associated costs with filing another site plan application for a conditional use he would rather reinvest the funds back into his business.

It was suggested if a business owner wanted to provide tables for customer use it be done on a yearly permit basis. This would mean additional income for the Borough and would allow for the Zoning Officer to address any problems that could arise from year to year. The business owner would be responsible for all maintenance of the sitting area or face having the permit revoked.

The Board agreed this issue must be addressed and feel that small, conversation style table groupings add to the ambiance of the town.

Mr. Conte asked if consumption of alcoholic beverages (BYOB) would also be permitted at this style of table seating. Per the zoning ordinance for outdoor dining, food service must also occur for this to be allowed.

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For now, Mr. Catanese advised the Board to suggest amending the ordinance to exclude certain limited outdoor facilities from the definition of outdoor dining. This will allow business owners, such as Mr. Dorley, to operate without incurring the costs of a conditional use variance application.

Mr. Catanese will prepare a definition of outdoor dining.

After that the Board can begin to look at how far they want to go with suggesting any other revisions to the ordinance. Two suggested items: signage and music.

Mr. Catanese will prepare a recommendation for Borough Council to amend the zoning ordinance to allow, on private property, tables up to 30" in diameter provided there is no wait staff service. This will be done by having a permit issued from the Zoning Officer.

Mr. Catanese feels the professional planners could also aid the Board in reviewing the outdoor dining ordinance.

Note: Mr. Miraglia, citing a prior commitment, excused himself from the meeting at 6:04pm.

Mr. Hand opened the meeting for public comment. No one spoke. Public session was closed.

OLD BUSINESS

None

NEW BUSINESS

None

OPEN PUBLIC SESSION

Mr. Hand opened the meeting for public comment. No one spoke. Public session was closed.

ADJOURNMENT

Having no further business at hand Mr. Hand called for a motion to adjourn the meeting.

A motion to adjourn the meeting by Mr. Bickford and seconded by Mrs. Rich. All members present voted in the affirmative.

APPROVED:

ATTESTED: _____
Patricia H. Wagner, Secretary Stone Harbor Planning Board