July 25, 2011 7:00 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: <u>Planning Members Present</u> <u>Board Solicitor</u>

Thomas Hand Andrew Catanese

Perry Conte

Mayor Suzanne WaltersZoning OfficerKenneth HawkJoanne MasciaAlbert CarusiBoard SecretaryWayne ConradPatricia H. Wagner

Alternates Present Robert Ashman Julian Miraglia

Motion by Mr. Ashman and seconded by Mr. Carusi to approve the minutes of the June 27, 2011 regular session.

Affirmative votes: Mr. Hand, Mr. Conte, Mayor Walters, Mr. Hawk, Mr. Carusi, Mr. Conrad, Mr. Ashman and Mr. Miraglia.

Motion by Mr. Miraglia and seconded by Mr. Carusi to Memorialize REVISED Site Plan Resolution SPR 2011-004: Pastimes of Stone Harbor, LLC, 336 96<sup>th</sup> St., Unit 107

Affirmative votes: Mr. Hand, Mr. Conte, Mayor Walters, Mr. Hawk, Mr. Carusi, Mr. Conrad, Mr. Ashman and Mr. Miraglia.

#### **REVISED RESOLUTION NO. SPR 2011-004**

**WHEREAS**, Pastimes of Stone Harbor, LLC (the "Applicant") has applied to the Stone Harbor Planning Board for waivers as set forth on the Applicant's site plan element checklist to permit a mixed use children's activities facility with coffee shop/retail sale of packaged food items upon premises known and identified as Block 95.04, Lots 227-233, 144.02, 146.02, 148.02, 148.03, as such appears on the Stone Harbor Tax Map, and which premises are located at 336 96<sup>th</sup> Street and situated in the Business Zoning District; and

**WHEREAS**, a hearing on this Application was held before the Stone Harbor Planning Board on April 25, 2011 at which time the Board heard the testimony of the witnesses and considered all of the evidence presented as to the Application; and

**WHEREAS**, the Stone Harbor Planning Board, after carefully considering the evidence presented by Applicant and all interested parties, has made the following factual findings:

- 1. All statements contained in the preamble are incorporated by this reference.
- 2. The Applicant has standing to bring this Application and the Board has jurisdiction to hear this matter.
  - 3. The Applicant was represented by Vincent L. LaManna, Esquire.
  - 4. The Applicant presented testimony from the following witnesses: David S. Kolb, 420 Petersburg Road, Woodbine, NJ

### July 25, 2011

7:00 p.m.

#### REVISED RESOLUTION NO. SPR 2011-004

- 5. Applicant proposes the sale of prepackaged foods which have been prepared offsite including, without limitation, coffee, breakfast items, and desserts.
- 6. There is no change proposed to the site except for signage, which will comply with the Borough's zoning requirements. Trash will be disposed of with cans in compliance with the local zoning ordinance.
  - 7. Applicant proposes no on-site food preparation.
- 8. The Board has determined that because no changes are proposed to the existing site, and because the proposed change in use from Class C (retail) to Class A (restaurant) will not impact any considerations of site plan review, making a waiver of site plan review appropriate.
- 9. The Board's determination was made in specific reliance upon the Applicant's representation that there will be no on premises food preparation and that sales will be limited to prepackaged items.
- **NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Stone Harbor on this 25<sup>th</sup> day of April, 2011 that Applicant's Application for a waiver of site plan review and approval of the change in use group classification from Class C (retail) to Class A (restaurant) is GRANTED subject, however, to the following conditions:
- 1. Applicant shall comply with all terms and conditions as set forth on the plan as finally approved.
- 2. Applicant shall obtain all necessary approvals, as appropriate, relating to the Soil Conservation Service, the Board of Health of the Municipality and/or County, the Cape May County Planning Board, CAFRA, Pinelands Regulations, and any and all other Municipal, County, State and Federal requirements.
- 3. Applicant shall comply with any recommendations of the Borough's Public Works department with respect to the storage and disposal of garbage.
- 4. The within approval is granted for the sale of prepackaged food only (no on-premises preparation).

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Applicant and to the Planning Board for their records.

Dated: July 25, 2011		
	Patricia Wagner, Secretary	

### **NEW BUSINESS: Hotel/Motel District**

Mr. Ashman gave Board members a copy of the Stone Harbor tax map (95<sup>th</sup> to 99<sup>th</sup> Streets) noting the hotels and motels & their number of stories that are in current operation. The subcommittee has not had an opportunity to meet yet. They hope to have more to report at a future meeting such as a map showing the boundaries of the potential district, suggested building heights and Mr. Ashman stated he would also like to seek advice from local professionals. Mrs. Mascia noticed the New Jersey Planner (July 2011 edition) made mention that Rutgers Studio is conducting a study for Ocean City, New Jersey to make specific recommendations for a Hotel & Motel District. The committee will try to contact the Rutgers group for more information on this project. Mr. Conte asked if existing or the potential construction of condominiums would be included in the district. Mr. Ashman stated they would not.

July 25, 2011 7:00 p.m.

Mayor Walters felt that since this subject was not included in the current Master Plan or listed as an Action Item in the Master Plan it would be best to present the idea of a hotel/motel district to the A& F or another Council Committee to see if this is a direction the Borough Council would like the Planning Board to investigate further. Mr. Ashman agreed with this statement but feels the Planning Board committee should meet first to outline some basic suggestions and then take those ideas to the Borough Council. In response to a question from Mr. Conte, Mr. Catanese noted the Board does not have to take any formal action (Resolution) to notify Council of its suggestions; it can be done by means of a written recommendation or an oral presentation to the Council Committee. Mr. Hand noted that two motels were missing from the tax map provided by Mr. Ashman. Mr. Ashman thought it would be better if the district was one contiguous area. That is why he omitted 93<sup>rd</sup> to 94<sup>th</sup> Streets as he felt they have more retail shops in operation. Mr. Ashman stated he is open to all suggestions. This was just a preliminary step. He hopes to have more to report at the next Board meeting.

### **Public Session**

Vincent LaManna spoke first. He is representing his client, the Tanner Corp. which operates the Harbor Inn at 97<sup>th</sup> Street & Second Avenue. The Tanner Corp. has a case currently pending before the Zoning Board of Adjustment. Mr. LaManna would like to see the creation of a Hotel/Motel District, which should be held to different standards than the rest of the Business District. He agreed with Mr. Conte that this issue may create pre existing non conforming uses or create conditional use situations. He believes that multifamily uses are the Board's target & not condominiums. Mr. LaManna cited several sections of the current Master Plan, including the Public Outreach Process which stated there is a decrease of short term rental units, to emphasize the need for a new district with short stay lodging availability with a shoulder season component. He stated the hotel/motel owners need to have more upscale, family oriented units in order for it to be profitable for them to operate their businesses. With the current size of the parcels, one way for the owners to increase their profitability is to increase the height of their buildings thereby gaining more units to rent out. Mr. LaManna noted parking is an issue to be addressed. Currently 1.5 spaces per unit are required. Motel/hotels feel that one space per unit is adequate. CAFRA recently reduced its requirement to one space. His clients are proposing internal stacked parking.

Dan Shousky, an architect with Oliveri, Shousky & Kiss, PA addressed the Board. He is the hotel designer for the Tanner Corp. project and he distributed copies of the revised plan currently before the Zoning Board of Adjustment to the Planning Board. Mr. Shousky also presented a scale model of the proposed hotel for the Board to look at.

Mr. Catanese asked if the Zoning Board of Adjustment has been given these revised plans for their review. Mr. Shousky said they had not. He proceeded to give an overview of the current state of the hotel/motel industry and their need for more upscale units. Mr. Shousky then described in detail his clients, the Tanner Corp.'s, plans for enlarging their structure. Mr. LaManna advised Mr. Shousky not to continue describing his current project but to discuss general ideas only and if these ideas could be codified into a general ordinance. Mr. Shousky stated yes.

July 25, 2011 7:00 p.m.

Mr. Ashman asked Mr. Shousky if he could contact him for advice with his hotel/motel committee project. He agreed to this.

Mr. Carusi is concerned with issues of light and air if the current height of 28' is increased and would like these items to be closely reviewed.

Mr. Conte mentioned potential opposition for larger hotels/motels from surrounding residential home owners. He also believes that the shoulder season will not be increased by creating more hotel/motel rooms. It will be done first by creating shoulder season activities that will draw people to the area whom will then need lodging.

Pat Bridgeman addressed the Board. Mr. Bridgeman manages four motels in Stone Harbor. He has been in the industry for many years. He feels that most of his customers only bring one car when they come to the Borough for a vacation. He is in favor of indoor or covered parking.

Mr. Bridgeman stated his motels have all been upgraded within their current property confines. He also said he has a parcel that if he were permitted to enlarge it, could be conducive to staying open in the shoulder seasons. He feels that a 50 room structure is the marker for having a hotel/motel become profitable. Mr. Bridgeman stated the costs for keeping a hotel/motel open during the shoulder seasons are very prohibitive. While he does keep his properties operating until mid October, he believes the summer season is shrinking as many people have commitments in their home towns. He would like to have the ability to put an additional floor onto his current buildings. Then he could increase his ability to earn income during this shortened summer season. In response to a question from Mr. Hand, Mr. Bridgeman stated he would consider staying open until Thanksgiving depending upon his ability to have profitable operating costs.

Mr. Hand and Mr. Catanese cautioned that any further discussions be for general questions only. Mr. Hand stated the Board should not be talking about the current project/case before the Zoning Board of Adjustment.

Mr. LaManna had no further statements. He thanked the Board for their time tonight.

### Water Front Business District Bay Walk Plan

The Planning Board committee headed by Mr. Miraglia presented to the Board a tax map showing a proposed bay front walk way along the Shelter Haven Basin located in the Water Front Business District. The plan was prepared by Tom Deneka of Stone Harbor Surveyors. The walkway would be cantilevered over the bulkhead. Following a discussion, Board members agreed the plan should be sent to the Natural Resource Committee of Borough Council for consideration and for them to send to the full Council for adoption. The Board would like for the Council to include this plan as part of the Borough's compliance with the NJ DEP requirement for the general public's open water access. Mr. Hawk stated the plan would most likely be presented in a narrative form as this is a concept plan only. Mr. Carusi is the Chair of the Natural Resource Committee. He is to present the Board's findings to the committee for review.

July 25, 2011 7:00 p.m.

For the record: Mr. Miraglia paid for this plan to be prepared from his own funds, it was not paid out of Borough funds. Mr. Miraglia stated he is not looking to be reimbursed.

A motion by Mr. Ashman and seconded by Mr. Conrad recommending the Planning Board forwarding to Borough Council for consideration and potential adoption, the MPAP be amended to include a public access bay front walk for the entire Water Front Business District.

Affirmative votes: Mr. Hand, Mr. Conte, Mayor Walters, Mr. Hawk, Mr. Carusi, Mr. Conrad, Mr. Ashman and Mr. Miraglia.

### **Public Session**

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. Miraglia and seconded by Mayor Walters. All members present voted in the affirmative.

APPROVED:	August 22, 2011
ATTESTED:	
	Patricia H. Wagner, Secretary Stone Harbor Planning Board