

MINUTES OF THE REGULAR SESSION  
STONE HARBOR PLANNING BOARD

August 27, 2012

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:**

Planning Members Present

Thomas Hand  
Perry Conte  
Wayne Conrad  
Robert D. Bickford, Jr.  
Jill Gougher  
Joselyn O. Rich

Board Solicitor

Andrew Catanese

Board Secretary

Patricia H. Wagner

Zoning Officer

Joanne Mascia

Alternates Present

Robert Ashman  
Julian Miraglia

Planning Members Absent

Mayor Suzanne Walters

**Approve Minutes**

**Motion by Mr. Conrad and seconded by Mr. Miraglia to approve the amended minutes of the July 23, 2012 regular session. (Amended for “small sailing and rowing crafts”).**

Affirmative votes: Mr. Hand, Mr. Conte, Mr. Conrad, and Mrs. Gougher and Mr. Bickford.

**Board Discussion**

**1. Signage – Business District & Waterfront Business District**

Board members reviewed draft #2, dated August 24, 2012. Board members again discussed having an annual permit fee to display a free standing sign. Mr. Conte feels the ability to revoke a free standing sign permit will aid in the enforcement of the ordinance. Mr. Miraglia agreed with Mr. Conte. It was noted that permit fees can only be established by Borough Council.

Mr. Bickford reiterated the subcommittee was formed following a request made by three merchants at the May 21, 2012 Planning Board meeting. The intent of the proposed ordinance is to offer some type of signage relief to those merchants whose businesses did not front onto a main pedestrian walkway.

It was agreed that most sign violations occur in the evening hours or during the weekend when there is not a code enforcement officer on duty. Mrs. Rich is attempting to recommend to the Borough Council that they review all ordinances and remove those they feel are not necessary and not enforceable.

MINUTES OF THE REGULAR SESSION  
STONE HARBOR PLANNING BOARD

August 27, 2012

7:00 p.m.

**Motion by Mr. Conrad and seconded by Mr. Bickford to adopt the proposed amendment to amend RGO Zoning 560-32 regulating free standing signs in the commercial district.**

Affirmative votes: Mr. Hand, Mrs. Gougher, Mr. Conrad, Mr. Bickford, Mr. Ashman.

Negative votes: Mr. Conte

Abstain: Mrs. Rich

**AN ORDINANCE AMENDING CHAPTER 560 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR AND REGULATING FREE-STANDING SIGNS**

WHEREAS, Section 560-32 of the Zoning Ordinance of the Borough of Stone Harbor (the "Ordinance") currently regulates signs within the Borough; and

WHEREAS, the Ordinance currently prohibits free-standing signs in the Borough's commercial districts; and

WHEREAS, the Stone Harbor Planning Board (the "Board") has determined that free-standing signs should be permitted in order to promote certain businesses having no street frontage; and

WHEREAS, the Board has recommended revisions to the Zoning Ordinance as set forth below and has determined that the implementation of those revisions is consistent with the Master Plan and will promote the general welfare of the Borough and its residents; and

WHEREAS, the Borough Council desires to adopt and implement the recommendations of the Board, as set forth below.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Stone Harbor, Cape May County, New Jersey, as follows:

**Section 1.** A definition of "Sign, Free-Standing" is hereby created in Section 560-10 of the Zoning Ordinance as follows:

**SIGN, FREE-STANDING.** A sign that is not affixed to nor installed upon any structure or the ground.

**Section 2.** Section 560-32 is amended as follows (inserted text is underlined, deleted text is ~~stricken~~):

**560-32 Signs.** No signs shall be permitted in the Borough of Stone Harbor except as hereinafter set forth and except as otherwise permitted by the ordinances of this Borough:

\* \* \*

B. In Business, Waterfront Business and Light Industry Districts:

\* \* \*

(3) Signs shall extend from or be attached to buildings on the lot wherein the business to be advertised is located, and such signs shall not extend beyond the front property line, except that a sign may be affixed flush against a building which encroaches over its property line, as long as no hazard for people walking by is created and as long as said sign has a depth or thickness of no more than four (4) inches. Signs shall be located on the building at the particular floor level of the business only so that, for example, a business on the second or third floor may not have its sign located at the first-floor level of the building. No signs shall advertise a business not located within the building to which the sign is attached. ~~Freestanding signs and s~~Signs on the top of the buildings shall not be permitted. This Subsection B(3) shall not apply to projecting signs.

\* \* \*

MINUTES OF THE REGULAR SESSION  
STONE HARBOR PLANNING BOARD

August 27, 2012

7:00 p.m.

(10) Free-standing signs are prohibited, except that in addition to any other signs permitted by this Section 560-32, each property having business(es) in one or more first floor units, which unit(s) is/are located in the Business, Waterfront Business or Light Industry Zoning District and no portion of which unit(s) is/are adjacent to a street, shall be permitted one (1) free-standing sign, provided that:

(a) No free-standing sign shall exceed 3' in height above grade nor exceed 2' in width. Two-sided signs shall be permitted.

(b) Free-standing signs shall be designed by a professional sign maker and constructed of natural materials (such as wood or iron) or a synthetic replica of natural materials. Lettering shall consist of only the business name, specialty, and messages concerning the conduct and quality of the business conducted on the premises and shall not include phone numbers.

(c) No more than one (1) free-standing sign per property shall be permitted, regardless of the number of units on the property.

(d) Each free-standing sign shall be located upon the same property as the associated business(es). In no event shall any free-standing sign be placed in any public right of way.

\* \* \*

D. Temporary advertising devices, signs, flags, banners and other symbols. Except as set forth in Section 560-32(B)(10) above, No no device, including sign, banner, flag, balloon or symbol of any type used for temporary advertising shall be permitted unless it complies with all Borough sign and flag ordinances and a permit has been obtained from the Construction Official of this Borough. Any such advertising device shall be permitted only once in any calendar year and for a period of time not to exceed ten (10) consecutive days.

\* \* \*

**Section 4.** If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section 5.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

**Section 6.** This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

Mr. Hand asked for public comments. No one spoke.

Public Session was closed.

## 2. Hotel/Motel Zone

Mr. Bickford asked for status update. Mr. Ashman stated the Board has to come up with a reasonable off-site parking solution for the hotel/motel zone to work properly. Mrs. Gougher reported she spoke to the General Manager of the Shelter Haven project regarding the suggested public/private parking option and he advised her that they are not ready at this time to have any discussions but he will get back to her at a later time. Mrs. Gougher is waiting to hear about receiving grant money for our professional planning firm.

MINUTES OF THE REGULAR SESSION  
STONE HARBOR PLANNING BOARD

**August 27, 2012**

**7:00 p.m.**

Board members began to discuss the properties that are immediately adjacent to the Reeds Hotel project (south along Shelter Haven Basin).

Mrs. Rich asked for the Board members to not continue this line of discussion.

**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 Mr. Bickford. All members present voted in the affirmative.

APPROVED:

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