

MINUTES OF THE WORK SESSION
STONE HARBOR PLANNING BOARD

October 3, 2011

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

Mayor Suzanne Walters (4:45pm Delayed Arrival)

Kenneth Hawk

Albert Carusi

Board Solicitor

Andrew Catanese

Zoning Officer

Joanne Mascia

Board Secretary

Patricia H. Wagner: Absent

Members Absent

Wayne Conrad

Robert Ashman, Alternate

Alternate Present

Julian Miraglia

Motion by Mr. Hawk and seconded by Mr. Conte to approve the minutes of the August 22, 2011 regular session.

Affirmative votes: Mr. Hand, Mr. Conte, Mr. Hawk, Mr. Carusi, and Mr. Miraglia.

Zoning Ordinance Review/Revisions Phase I

Tom Cope, Chairman of the working group for the Zoning Ordinance Review asked for final comments or concerns from the board. None were voiced. Mr. Catanese noted there were a few minor typing corrections to be made and he will be moving one standalone section to the height regulation section.

Mr. Hand asked for public comments. No one spoke. Public portion of the discussion was closed.

Mr. Cope thanked the members of the sub-committee for their hard work.

Motion by Mr. Miraglia and seconded by Mr. Conte to recommend the Planning Board adopt, subject to the minor corrections noted by Mr. Catanese tonight, the revised zoning ordinance draft dated August 12, 2011 (both black-lined & clean versions). The corrected final draft will then be sent to the Administration & Finance Committee of the Borough Council for their review and then be submitted to the full Borough Council for consideration and final adoption.

Affirmative votes: Mr. Hand, Mr. Conte, Mr. Hawk, Mr. Carusi, and Mr. Miraglia.

MINUTES OF THE WORK SESSION
STONE HARBOR PLANNING BOARD

October 3, 2011

4:30 p.m.

RESOLUTION NO. 2011-004

WHEREAS, Chapter 560 of the Borough of Stone Harbor Code currently regulates land use and zoning in the Borough of Stone Harbor; and

WHEREAS, the Stone Harbor Planning Board has completed a thorough revision of the zoning ordinance (the “Zoning Ordinance”) in order to eliminate a number of outdated, vague, or otherwise problematic code sections; and

WHEREAS, the Planning Board has determined that its draft Zoning Ordinance dated August 23, 2011, as revised, promotes the intent and purposes of the Municipal Land Use Law and is consistent with the Borough’s Master Plan, and that adoption of the revised Ordinance is in the best interest of the Borough and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Stone Harbor, New Jersey on this 3rd day of October, 2011, that the Planning Board recommends adoption of the attached Zoning Ordinance Draft 8/23/11, as revised.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Clerk of the Borough of Stone Harbor and maintained by the Secretary of the Planning Board.

I hereby certify the foregoing to be an original resolution of the Borough of Stone Harbor Planning Board adopted and approved at a meeting held on 3rd day of October, 2011.

Patricia Wagner, Secretary
Stone Harbor Planning Board

Zoning Ordinance Review/Revisions Phase II

Mr. Cope & the subcommittee presented the following list for Phase II consideration. This is to help in the prioritization and scheduling process. Mr. Hawk suggested any Phase II work be done in increments.

1. Review recommendations set forth in Comments of Phase 1 black-lined draft.
(Items not appropriate for a Land Use document, but should not be removed until addressed elsewhere).
2. Incorporate Master Plan recommendations
3. Eliminate Light Industry District
4. Eliminate Public Use District
5. Create guidelines for courtesy review of municipal projects by Planning Board
6. Create grandfather clause for smaller lots, particularly in the C Zone
7. Review residential uses in Business District
8. Incorporate Bird Sanctuary and Sedge Island in Conservation Management Zone
9. Consider Neighborhood Business District
10. Consider Marina District
11. Permit retractable awnings for outdoor dining on waterfront properties
12. Review height regulations including, without limitation, roof pitch, “hipped” roofs, dormers, eave height, FAR, and other features for impact on structure bulk
13. Review regulations concerning exterior stairs and landings.
14. Consider Hotel/Motel as Conditional Use in Business District with new conditions and

MINUTES OF THE WORK SESSION
STONE HARBOR PLANNING BOARD

October 3, 2011

4:30 p.m.

distinct requirements (As this item is already under review by a Planning Board sub-committee (Mr. Hand, Mr. Carusi & Mr. Ashman) it will be removed from this list).

The Board agreed to prioritize the list in the following manner.

1. Item #6: Create grandfather clause for smaller lots, particularly in the C Zone.
Review Committee will be Mr. Catanese, Mr. Cope, Mr. Wannan, Mr. Carusi and Mrs. Mascia.
2. Item # 11: Permit retractable awnings for outdoor dining on water front business properties and in the general business district.
Item #13: Review regulations concerning exterior stairs and landings.
Review Committee will be Mr. Catanese, Mr. Cope, Mr. Wannan, Mr. Carusi and Mrs. Mascia.
3. Item #'s 1, 3, 4, 5, 8, 9 & 10 – District Issues
These issues will require lengthy reviews. Some ordinances are specific with regards to Adult Businesses & Amusement Arcades abutting Public Use Districts. Mr. Hawk noted there are deed restrictions on the Conservation Management District (result of NJ DEP lawsuit against Stone Harbor). Mr. Catanese noted any district changes mentioned in the Master Plan would trigger Zoning Map Changes.
4. Item #12: Review height regulations including, without limitation, roof pitch, “hipped” roofs, dormers, eave height, FAR, and other features for impact on structure bulk.
Mrs. Mascia noted several area architects have offered to help with these discussions. They stated they would do this on their own time. The architects are Paul Kiss, Marc Asher, Blane Steinman and Will Haryslak.
Sub-committee will be Mr. Hawk, Mr. Conte and Mr. Miraglia.

PUBLIC COMMENTS

Mr. Hand opened the discussion for public comments.

Vincent LaManna, Jr. addressed the Board. He feels Item #14, the creation of a Hotel/Motel District should be treated as a priority item. He would also like the Board to address the need for conditional use applications for smaller food vendors such as coffee shops, ice cream parlors and pastry sales. The associated costs for such Planning Board applications are too burdensome for these smaller businesses. Mr. LaManna suggested having the Zoning Officer issue permits instead. This would only be after a review by the Zoning Officer, who would have a list of conditional items. The Borough could also charge a fee for this type of permit. The permits would not be for any type of sit-down restaurant with wait service or any business with other types of code requirements.

Mr. Cope referred to the Master Plan recommendations for creating outdoor seating. The Borough does have public benches in the downtown business district. Mr. Cope stated the current setback requirements do curtail outdoor seating space for most businesses.

MINUTES OF THE WORK SESSION
STONE HARBOR PLANNING BOARD

October 3, 2011

4:30 p.m.

Formulas would have to be established for the number of tables & chairs per square foot. Drawing would have to be submitted when requesting a permit. Mr. Catanese stated a definition for outdoor dining/consumption (conditional uses) would have to be written.

Mr. LaManna again stated he is in favor of developing a permit system rather than coming before the Board for conditional use variances.

No subcommittee was formed at this time for this 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. Hawk. All members present voted in the affirmative.

APPROVED: November 28, 2011

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