

MINUTES OF THE REGULAR SESSION
STONE HARBOR PLANNING BOARD

December 19, 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:

Planning Members Present

Thomas Hand
Albert Carusi
Wayne Conrad

Board Solicitor

Andrew Catanese

Zoning Officer

Joanne Mascia

Board Secretary

Patricia H. Wagner

Member Absent

Kenneth Hawk
Mayor Suzanne Walters
Perry Conte

Alternates Present

Robert Ashman
Julian Miraglia

Discussion – Proposed Hotel & Motel District

Following the Board’s discussion at the November 28, 2011 meeting, Mr. Catanese and Mr. Ashman presented a draft ordinance for the creation of the Business/Hotel Overlay Zoning District. Items discussed include:

- The district boundaries are all parcels fronting on Second Avenue, from south of 93rd Street and north of 99th Street, but it will not extend a distance greater than 110’ from Second Avenue.
- Hotel/Motel unit’s maximum size will be 650 square feet. (CAFRA threshold)
- Maximum Building Height = Forty Two (42’)
- Maximum Number of Stories = Four (4)
- Create a new section of the Zoning Ordinances (560-20) for Business/Hotel Overlay District
- All uses will be permitted within the zone.
- Front Yard Setback (minimum) Five (5) feet at or below (to be decided) & Thirteen (13) feet above (to be decided); this will avoid having a square box type building on the lot.
- Parking – all Hotels/Motels shall provide one (1) space for each unit which shall not be less than nine (9) feet wide and eighteen (18) feet long. All other commercial business shall have spaces of not less than ten (10) feet wide & twenty (20) long. Off-site parking options must be developed to handle over flow of cars.
- Landscape buffer policy. An underground irrigation system must be used.
- Mr. Catanese will revise the definition of Hotel/Motel to include minimum/maximum length of stay. This will aid in avoiding any conversion to multi-family units.

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Mr. Miraglia believes 550 sq. feet is adequate space for the room size. He cited building costs versus revenue costs, the additional 100 sq. feet would not increase the revenue.

Dan Shousky, an architect with Oliveri, Shousky and Kiss feels the 650 sq. feet room size is more of a realistic figure to work with. That would allow for incorporating handicap access for the room's features (bathroom, etc.).

Tom Benjamin, 1 Heron Court, CMCH, NJ asked to address the Board. Mr. Benjamin stated he is an engineer and also a past member of the Zoning Board of Chatham, New Jersey. His family has owned a home at 172 98th Street, Stone Harbor since the 1940's. Mr. Benjamin asked if this ordinance will protect the Borough's residents from the hotel rooms being converted to condominium at a later date. He feels the increased number of rooms will adversely affect the parking needs in the neighborhoods and area residents will see a decrease in their property values. He said the residential properties were there first, most before 1950 and the motels came later. Mr. Benjamin asked if anyone has been consulted on the potential for the creation of a hotel/motel district. Mr. Hand stated a Planning Board committee had been formed and that committee had consulted with professional architects and developers. Mr. Benjamin asked if a town planner had been consulted. Mr. Ashman stated we have a professional planner that the Board uses as the need arises. It is the committee's intention to bring the planner in on the discussions, but as this plan is in the very early stages of development the committee wants to wait until they have more definitive ideas to present. Mr. Benjamin stated no one had contacted him or his attorney.

Mrs. Mascia noted for the record that Mr. Benjamin is contesting the pending Tanner Corp. application before the Stone Harbor Zoning Board. He did hire an attorney to represent his interests and Mr. Benjamin had offered his professional experts to help aid in the development of an ordinance but they were not contacted.

Mr. Catanese explained to Mr. Benjamin that this is a totally separate Board and the Planning Board can't comment on the pending Zoning Board application.

Mr. Ashman stated the Planning Board meetings are open to public comments and tonight's topic is only in the preliminary stages. He told Mr. Benjamin he is welcome to speak in any public portion of the Planning Board meetings.

Off-site parking regulations must be developed. Items to consider: deed restrictions, distance limitations, public & private partnerships, enforcement policies, etc.

Many other items, fencing, curb cuts and signs for example, would be covered under a site plan review.

Mr. Catanese noted that several local municipalities have a Consumer Protection Ordinance. A Certificate of Zoning Compliance would put any buyer on notice for what the approved uses for a building would be.

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Mrs. Mascia asked that the maximum building height of 42' state that figure is to the roof line only. Any roof top items such as HVAC units, solar panels, elevator shafts, can add several feet to the building height.

Mr. Catanese stated by keeping the language at maximum height of 42' the Board would be keeping this ordinance consistent with rest of the zoning ordinance language. There is a separate section in the newly revised zoning ordinance which governs exceptions to any building heights.

Mr. Conrad stated he is hesitant to restrict landscape architects. Mr. Ashman noted that either the Garden Club or the Shade Tree Committee has a list of plants & trees that thrive in this type of climate. Mr. Catanese suggested asking the Borough Engineer, Marc DeBlasio, for his input as these are really site plan considerations. Dan Shousky noted that any building having 24 or more units must have CAFRA approval and they have a list of species that must be used for plantings. Mr. Miraglia feels that having a landscaping section in the ordinance is a restrictive act and instead we should encourage the property owner to invest in proper landscaping architecture.

Mr. Hand opened the Public Session of the meeting.

Tom Benjamin spoke first. He stated he is also representing his son who was unable to attend tonight's meeting and they are both in opposition of the Tanner Corp. application before the Zoning Board of Adjustment.

Mr. Ashman asked Mr. Benjamin to not reference that application, as it has nothing to do with tonight's meeting.

As Mr. Benjamin continued to ask site plan application questions Mr. Catanese stopped him and asked if Mr. Benjamin understood the Planning Board has no jurisdiction over the Tanner Corp. application and the Planning Board is not looking at revisions to the site plan regulations. Mr. Benjamin stated the Board should be doing just that as these go hand in hand. Mr. Ashman stated the Board is only looking at creating an overlay district for hotels and motels tonight.

Mr. Benjamin again expressed his views that parking will spill over into the surrounding neighborhoods. He asked why tonight's topic was not covered in the Master Plan.

Mr. Ashman stated it was a supplement to a suggestion in the Master Plan. It is listed as one of the action items to be accomplished in the Master Plan.

Mr. Benjamin asked for an explanation on how the upper floors would be recessed. Mr. Catanese reviewed that section for him, explaining how the fourth story would have a larger set-back area. Mr. Benjamin does not want any outside decks to face the residential zones; he feels the potential for loud noises would be disruptive to the area residents. He also does not want the hotel/motel units to have any kitchens. He feels that if there are kitchens available the renters will not patronize local eateries and this will not help the business community. He does not want conversion to condos. Mr. Catanese explained that the Planning Board can't prevent the conversion to a condominium form of ownership.

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Mr. Benjamin asked if any demographic studies had been done on the Borough. Mr. Hand, Mr. Conrad and Mr. Ashman said several studies have been done in recent years and they are available for viewing on the Borough's web site and they are referenced in the Master Plan. Mr. Benjamin was unaware of these studies. He gave his own view on trends in Stone Harbor, including a declining year round population. He also feels light and air issues will be affected by taller buildings.

Mr. Conrad & Mr. Carusi feel the Board needs to be proactive to prevent a decline to the business district.

It was again noted that the Board is only at the beginning stages of developing this ordinance. There will be more meetings where the public is welcome to offer their opinions.

Virginia Maslow, 155 98th Street spoke next. She has been a resident since 1962. Mrs. Maslow is not against motels, but she doesn't want them to go higher. Its okay to modernize and make the rooms bigger, but we need to be careful not to overextend. She's against bringing motels/hotels in residential neighborhoods along with the associated parking problems. As a former business owner and in order to revitalize the business district, Mrs. Maslow suggested lower store rents so merchants can make a profit. She also would like to see lower parking meter rates so people would spend more time shopping. Mrs. Maslow stated Stone Harbor is a small town and that we shouldn't want to be Wildwood or Avalon and we shouldn't overextended ourselves.

Vincent LaManna noted that tonight was the first time his group had a chance to read the draft ordinance. He asked if they may submit written comments at a later date.

No one else spoke.

Mr. Hand closed the public session.

Noting that the Board is not ready to make any formal recommendations, Mr. Catanese noted that since this is a zoning revision issue all property owners within 200 feet will have to be notified before any final action is taken. Mr. Miraglia will review local towns and their parking regulations.

The Board will make every attempt to notify the public of upcoming discussions on the hotel/motel overlay district.

The hotel/motel overlay zone will again be placed for discussion on the January 2012 agenda.

Mr. Hand asked what type of handouts can be given to the public & when. Mr. Catanese stated if the Board looks at a document in a public meeting then it is a public record. He recommends only handing out documents that are being discussed that night and clearly marked as "draft version".

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In compliance with Chapter 231 of the Laws of the State of New Jersey 1975, the following constitutes a schedule of meetings of the Borough of Stone Harbor Planning Board for the year 2012:

WORK SESSIONS (if needed)

09 January	4:30 p.m.
13 February	4:30 p.m.
12 March	4:30 p.m.
09 April	4:30 p.m.
07 May	4:30 p.m.
11 June	4:30 p.m.
09 July	4:30 p.m.
13 August	4:30 p.m.
10 September	4:30 p.m.
*09 October	4:30 p.m.
13 November	4:30 p.m.

REGULAR MEETINGS

23 January	7:00 p.m.
27 February	7:00 p.m.
26 March	7:00 p.m.
23 April	7:00 p.m.
21 May	7:00 p.m.
25 June	7:00 p.m.
23 July	7:00 p.m.
27 August	7:00 p.m.
24 September	7:00 p.m.
22 October	7:00 p.m.
26 November	7:00 p.m.
**17 December	7:00 p.m.

Meetings will be held at the second floor meeting room of the Stone Harbor Borough Hall, 9508 Second Avenue, Stone Harbor, New Jersey at 7:00 p.m. prevailing time.

Work sessions (if needed) at 4:30pm prevailing time.

*The October Work Session (if needed) to be held on October 09, 2012.

There is only **ONE meeting in December, to be held at 7:00 p.m. on December 17th, the **THIRD** Monday of the month.

This notice has been and will remain posted throughout the year on the Municipal Clerk's Bulletin Board, First Floor Hallway, of the Municipal Building, 9508 Second Avenue, Stone Harbor, New Jersey. A copy has also been filed with the Borough Clerk.

Patricia H. Wagner, Stone Harbor Planning Board Secretary

Motion by Mr. Miraglia and seconded by Mr. Ashman to approve the 2012 Schedule of Meetings.

Affirmative votes: Mr. Hand, Mr. Carusi, Mr. Ashman and Mr. Miraglia. Unavailable: Mr. Conrad.

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. Carusi. All members present voted in the affirmative.

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APPROVED:

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