

Regular Meeting
Zoning Board of Adjustment
April 13, 2012

William W. Cathcart called the Regular Meeting of the Stone Harbor Board of Adjustment to order at 7:00 p.m. He stated that all requirements of the “Open Public Meetings Act of 1975” had been met, the Press of Atlantic City having been notified of the Board’s schedule for 2012 in December 2011, and the schedule having been posted on the Municipal Clerk’s Bulletin Board.

ROLL CALL

Zoning Members Present

Zoning Member Absent

William W. Cathcart
Angelo Caracciolo
J. Craig Otton
Gregory Szetela
Alan Kaplan
Mia Donnell

Peter Tribulski

Board Solicitor

Andrew Catanese, Esquire

Board Secretary

Carrie Bosacco

Zoning Officer

Joanne Mascia

MINUTES

Upon a motion by Mr. Otton, seconded by Ms. Donnell, that the minutes of the Regular Meeting on March 9, 2012 be approved. The motion to approve the minutes was carried unanimously on a voice vote.

OLD BUSINESS

Memorializing of Resolution #799-2012, Harbour View Condominium

Upon a motion by Mr. Otton, seconded by Mr. Szetela that the resolution be adopted. The motion carried unanimously by roll call vote.

NEW BUSINESS

HEARING

#795-2011

Owner’s Name & Address:

New Cingular Wireless PCS,
LLC d/b/a AT&T Mobility
1125 Atlantic Avenue
Atlantic City, NJ 08401

Applicant’s Name & Address:

Hall Harbor Condominiums
351 96th Street
Stone Harbor, NJ 08247

Subject property street address: 351 96th Street
Stone Harbor, NJ 08247

Block & Lots: Block: 96.04 Lot: 154

Applicants applied for modification of prior Site Plan Approval along with associated waivers and use variance for maximum building height to permit installation of rooftop cellular antennas and related equipment.

All required notices were given with respect to this hearing.

Michael C. Learn, Esquire appeared on behalf of the Applicants and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

1. Mark Rubin, R.F. Services
2. Andrew Petersohn
3. Joe Frega, Engineer
4. James Kyle, Professional Planner
5. Helfried LeBlanc, President of Condo association

The following exhibits were submitted and moved into evidence on behalf of the applicant:

- A-1 Propagation Study (2 pages)
- A-2 Stone Harbor Summer 2011 Utilization Trend
- A-3 Report (Electromagnetic Emissions Analysis)
- A-4 Report (Interference Analysis)
- A-5 Photo Simulation of proposed conditions

No one spoke for or against granting the application.

Chairman Cathcart closed the hearing to the Applicant and the public.

Mr. Catanese gave the Board a summation of the applicable legal standards.

The Board discussed the application. Mr. Caracciolo, made a motion, seconded by Ms. Donnell that D variance be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE

ZBA #795-2011

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Otton	AYE
Mr. Kaplan	AYE
Mr. Szetela	AYE

Ms. Donnell AYE

Mr. Kaplan, made a motion, seconded by Mr. Szetela that the waivers be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE
ZBA #795-2011

Chairman Cathcart AYE
Mr. Caracciolo AYE
Mr. Otton AYE
Mr. Kaplan AYE
Mr. Szetela AYE
Ms. Donnell AYE

Mr. Caracciolo, made a motion, seconded by Mr. Kaplan that the amended site plan be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE
ZBA #795-2011

Chairman Cathcart AYE
Mr. Caracciolo AYE
Mr. Otton AYE
Mr. Kaplan AYE
Mr. Szetela AYE
Ms. Donnell AYE

The solicitor will prepare a memorializing resolution for adoption at our next regularly scheduled meeting.

With there being no other business, upon a motion of Mr. Kaplan, seconded by Ms. Donnell, and unanimously approved, the meeting was adjourned at 8:55 p.m.

Approved:

Attest: _____
Carrie Bosacco, Secretary

April 13, 2012