

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

Members Present

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

Solicitor Present

Andrew Catanese

Zoning Officer Present

Joanne Mascia

Secretary Present

Carrie Bosacco

Alternates Present

Matt DeRose
Brian Markle

MINUTES

Upon a motion by Mr. Kaplan, seconded by Mr. Caracciolo, that the minutes of the Regular Meeting on July 13, 2012 be approved. The motion to approve the minutes was carried unanimously by voice vote.

ADMINISTRATIVE BUSINESS

Upon a motion by Mr. Kaplan, seconded by Mr. Szetela, that the Annual Report for 2011 be approved. The motion to approve the report was carried unanimously by voice vote.

NEW BUSINESS

HEARING

#802-2012	Applicants' Name & Address:	100th St LLC 2100 Keystone Ave, Ste. 502 Drexel Hill, PA 19026
	Owners' Name & Address:	Same
	Subject property street address:	96th St. & Third Ave 221-237 97th Street Stone Harbor, NJ 08247

Block & Lots:

Bl: 96.04 Lots: 138-144
(96th St. & Third Avenue)
Bl: 97.03 Lots: 92.02, 94, 96,
98.01, 98.02, 100, 102.01,
102.02 and 104.01
(221-237 97th Street)

Applicants seek variances for building height, elevator height, chimney height and previously approved variances regarding setbacks and areas of hotel unit size.

All required notices were given with respect to this hearing.

Louis C. Dwyer, Jr., Esquire appeared on behalf of the Applicants and explained the nature of the application.

Board members J. Craig Otton and Matt DeRose recused themselves from the hearing due to reasons related to the case.

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

1. Dr. John Sprandio, Owner of the property
2. Dave Schultz, Architect

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

- A-1 Building Elevations (Z-2.00)
- A-2 Pool/Deck Plans

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 Mr. Kaplan that D variance with associated bulk variances be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE

ZBA #802-2012 D variance with bulk

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

Ms. Donnell	AYE
Mr. DeRose	Recused
Mr. Markle	AYE

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

ROLL CALL VOTE

ZBA #802-2012 Waiver

Chairman Cathcart	AYE
Mr. Tribulski	AYE
Mr. Caracciolo	AYE
Mr. Otton	Recused
Mr. Kaplan	AYE
Mr. Szetela	AYE
Ms. Donnell	AYE
Mr. DeRose	Recused
Mr. Markle	AYE

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

ROLL CALL VOTE

ZBA #802-2012 Site Plan

Chairman Cathcart	AYE
Mr. Tribulski	AYE
Mr. Caracciolo	AYE
Mr. Otton	Recused
Mr. Kaplan	AYE
Mr. Szetela	AYE
Ms. Donnell	AYE
Mr. DeRose	Recused
Mr. Markle	AYE

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

HEARING

#801-2012	Owner's Name & Address:	SeaLuke LLC 22 Dartmouth Road Havertown, PA 19041
	Applicant's Name & Address:	Susan D. Stabb and Elizabeth D. Yespelkis 562 Woodside Avenue Berwyn, PA 19312

Subject property street address: 11023 Sunset Drive
Stone Harbor, NJ 08247

Block & Lots: Block: 110.05 Lots: 103

Applicants are seeking variances for lot area, lot frontage, front yard setback, rear yard setback, both side yards and building coverage.

All required notices were given with respect to this hearing.

Jane M. Hoy, Esquire appeared on behalf of the Applicants and explained the nature of the application.

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

- A-1 Plans, etc. by Olivieri, Shousky & Kiss, P.A. (8 pgs)
- A-2 Photograph depicting side yard setbacks
- A-3 Photograph of surrounding areas

Ernest Whalen, owner of 11101 Sunset Drive, opposed the application and was represented by Vincent Lamanna.

Mr. Lamanna introduced the following as evidence:

- W-1 Excerpt from Master Plan
- W-2 June 27, 2012 letter with proposed ordinance

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

1. Donald Samples, managing member of the Applicant
2. Paul Kiss, Architect

After Mr. Samples and Mr. Kiss testified on behalf of the Applicant, they were then cross-examined by Mr. Lamanna.

Mr. Lamanna called Mr. Whalen, who was sworn in and testified. .

Five people spoke against granting the application.

Chairman Cathcart closed the hearing to the Applicant, Mr. Lamanna 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 Mr. Tribulski that C1 variance be granted. The motion was denied unanimously by roll call vote.

ROLL CALL VOTE
ZBA #801-2012 C1 variance

Chairman Cathcart	NAY
Mr. Tribulski	NAY
Mr. Caracciolo	NAY
Mr. Otton	NAY
Mr. Kaplan	NAY
Mr. Szetela	NAY
Ms. Donnell	NAY

Mr. Caracciolo, made a motion, seconded by Mr. Szetela that C2 variance be granted. The motion was denied unanimously by roll call vote.

ROLL CALL VOTE
ZBA #801-2012 C2 variance

Chairman Cathcart	NAY
Mr. Tribulski	NAY
Mr. Caracciolo	NAY
Mr. Otton	NAY
Mr. Kaplan	NAY
Mr. Szetela	NAY
Ms. Donnell	NAY

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. Caracciolo, seconded by Mr. Kaplan, and unanimously approved, the meeting was adjourned at 11:05 p.m.

Approved:

Attest: _____
Carrie Bosacco, Secretary

August 10, 2012