

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

Alternates Absent

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

Matt DeRose
Brian Markle

Board Solicitor

Andrew Catanese, Esq.

Board Secretary

Carrie Bosacco

Zoning Member Absent

Greg Szetela

Zoning Officer

Joanne Mascia

MINUTES

Upon a motion by Mr. Kaplan, seconded by Ms. Donnell, that the minutes of the Regular Meeting on August 10, 2012 be approved. The motion to approve the minutes was carried unanimously on a voice vote.

OLD BUSINESS

Memorializing of Resolution #801-2012, Sea Luke LLC

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

ROLL CALL VOTE

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

Memorializing of Resolution #802-2012, 100st LLC

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

ROLL CALL VOTE

Chairman Cathcart	AYE
Mr. Caracciolo	AYE
Mr. Tribulski	AYE
Mr. Kaplan	AYE
Ms. Donnell	AYE

NEW BUSINESS

Jane M. Hoy, Esq. representing Mr. and Mrs. Turney, the second case of the evening #804-2012, asked that the case be moved to the November 9, 2012 meeting due to a noticing problem. The 200 foot requirement was met and the case will be published in the press.

HEARING

#803-2012	Applicant's Name & Address:	Michael and Barbara Scarlato 4046 Lilac Road Allentown, PA 18103
	Owner's Name and Address:	Same
	Subject property street address:	8910 First Avenue Stone Harbor, NJ 08247
	Block & Lots:	Block: 89.01 Lots: 21.03 et al

Applicants seeking variances for lot area, front yard setback, rear yard setback, side yard setback, setbacks for accessory building and variances related to the roof top deck.

All required notices were given with respect to this hearing.

Cory J. Gilman, 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. Michael Scarlato, 446 Lilac Road, Allentown, PA
2. William Haryslak, R.A., 3101 Dune Drive, Suite 109, Avalon, NJ
3. Joanne Mascia, Zoning Officer

There were no items introduced as evidence.

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 the front and rear yard setbacks under C2 be granted. The motion was approved unanimously by roll call vote.

ROLL CALL VOTE

ZBA #803-2012 - Setbacks under C2

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

Ms. Donnell, made a motion, seconded by Mr. Tribulski that the deck over unoccupied area, height and stairs under C2 be granted. The motion was denied by roll call vote.

ROLL CALL VOTE

ZBA #803-2012 - Deck, height and stairs under C2

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

Mr. Caracciolo, made a motion, seconded by Mr. Otton that the front and rear yard setbacks under C1 be granted. The motion was denied unanimously by roll call vote.

ROLL CALL VOTE

ZBA #803-2012 - Setbacks under C1

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

Mr. Caracciolo, made a motion, seconded by Mr. Kaplan that the deck, height and stairs above habitual structure under C1 hardship be granted. The motion was denied unanimously by roll call vote.

ROLL CALL VOTE

ZBA #803-2012 - Deck, height and stairs under C1

Chairman Cathcart	NAY
Mr. Caracciolo	NAY
Mr. Tribulski	NAY
Mr. Kaplan	NAY
Mr. Otton	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. Kaplan, seconded by Mr. Caracciolo, and unanimously approved, the meeting was adjourned at 8:17 p.m.

Approved:

Attest: _____
Carrie Bosacco, Secretary

October 12, 2012