

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  
Angelo Caracciolo  
J. Craig Otton  
Greg Szetela  
Mia Donnell  
Bob Ross

Member Absent

Alan Kaplan

Zoning Officer Present

Joanne Mascia

Solicitor Present

Andrew Catanese, Esq.

Alternates Present

Matt DeRose  
Brian Markle

Secretary Present

Carrie Bosacco

MINUTES

Upon a motion by Mr. Caracciolo, seconded by Mr. Otton, that the minutes of the Regular Meeting on October 12, 2012 be approved. The motion to approve the minutes was carried unanimously by roll call vote.

ROLL CALL VOTE

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

ADMINISTRATIVE BUSINESS

New member, Bob Ross, took the Oath of Office and Oath of Allegiance.

OLD BUSINESS

Memorializing of Resolution #803-2012, Scarlato

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

ROLL CALL VOTE

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

NEW BUSINESS

HEARING

#804-2012	Applicants' Name & Address:	Randall and Margaret Turney 1269 Lancaster Avenue Berwyn, PA 19312
	Owners' Name & Address:	Same
	Subject property street address:	9715 Third Avenue Stone Harbor, NJ 08247
	Block & Lots:	Bl: 96.04 Lots: 131 and 132

Applicants seek variances for rear yard setback and building height.

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.

Board member Matt DeRose recused himself from the hearing due to reasons related to the case.

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

1. Randall Turney, homeowner
2. Jack Smith, architect
3. Brian Murphy, PE, PP, engineer

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

- |     |   |
|-----|---|
| A-1 | Plans by Bishop & Smith (A-1 to A-3) 9/20/12          |
| A-2 | Survey - Thomas Amey Shaw 3/21/12                     |
| A-3 | Aerial Photo of property and surrounding neighborhood |
| A-4 | Report - Gary Thomas (re: building heights)           |
| A-5 | Photographs   |
| A-6 | Photographs   |

Three people spoke in favor of granting the application and no one spoke against it.

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. Otton that D variance with conditional use be granted. The motion was approved five votes to two by roll call vote.

**ROLL CALL VOTE**

ZBA #804-2012 D variance with conditional use

Chairman Cathcart	NAY
Mr. Caracciolo	AYE
Mr. Otton	AYE
Mr. Szetela	NAY
Ms. Donnell	AYE
Mr. Ross	AYE
Mr. Markle	AYE

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

**HEARING**

#805-2012	Owner's Name & Address:	Greg and Valerie Lingo 200 Landsdowne Avenue Wayne, PA 19087
	Applicant's Name & Address:	Same
	Subject property street address:	317 89th Street Stone Harbor, NJ 08247
	Block & Lots:	Block: 90.91 Lots: 160 and 162

Applicants are seeking variances for front yard setback, side yard setback, rear yard setback and a variance, waiver or other relief which require leaving the exterior walls.

All required notices were given with respect to this hearing.

Jonathan Sachar, 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. Greg Lingo, homeowner
2. William Haryslak, architect

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

- A-1 Photographs (14 pages)
- A-2 Report
- A-3 Survey (Martinelli) 9/24/12
- A-4 Architectural Plans (Haryslak) 10/3/12
- A-5 Report (Haryslak) 11/9/12

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

**ROLL CALL VOTE**

ZBA #805-2012 C2 variance

Chairman Cathcart	NAY
Mr. Caracciolo	NAY
Mr. Otton	NAY
Mr. Szetela	NAY
Ms. Donnell	AYE
Mr. Ross	NAY
Mr. DeRose	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 Ms. Donnell, seconded by Mr. Caracciolo, and unanimously approved, the meeting was adjourned at 10:59 p.m.

Approved:

Attest: \_\_\_\_\_  
Carrie Bosacco, Secretary

November 9, 2012