

**City of Cape May
Planning Board Meeting
Minutes – Tuesday – June 12, 2012**

Opening: The meeting of the City of Cape May Planning Board was called to order by Chairman Bezaire, at 7:00 PM. In compliance with the Open Public Meetings Act, adequate notice was provided.

Roll Call:

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|-------------------|---------------------------|-------------------------|
| Mr. Bezaire, | Chairperson | Present |
| Mr. Shuler, | Vice Chairperson | Present |
| Mayor Dr. Mahaney | | Present |
| Mr. Elwell | | Present |
| Mrs. Nelson | | Present |
| Mr. Jones | | Present |
| Ms. Weeks | | Present |
| Mr. Murray | | Absent - excused |
| Mr. Winkworth | | Present |
| | | |
| Dr. France, | 1 st Alternate | Present |
| Mr. VanDeVaarst, | 2 nd Alternate | Present |

Also Present: George Neidig, Esquire – Board Solicitor
Craig Hurless, PE, PP, CME Associate - Polistina & Associates
Mary L. Rothwell, Board Assistant/Zoning Officer
Edie Kopsitz, Recording Secretary

Minutes: May 8, 2012

Motion made by Mrs. Nelson to approve the minutes of May 8, 2012 as presented. Seconded by Mr. VanDeVaarst and **carried 7-0.** Those in favor: Ms. Weeks, Mrs. Nelson, Mr. Winkworth, Mr. Jones, Dr. France, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: Mr. Elwell and Dr. Mahaney.

**Resolutions: Palace Hotel at Cape May, LLC, 1101 Beach Avenue
Block 1115, Lots 1, 2, 32 & 33**

Motion made by Mrs. Nelson to approve the Palace Hotel Resolution 6-12-2012:1 as presented. Seconded by Mr. VanDeVaarst and **carried 7-0.** Those in favor: Mr. Elwell, Ms. Weeks, Mrs. Nelson, Mr. Winkworth, Mr. Jones, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: Dr. France and Dr. Mahaney.

BUSINESS:

**The Episcopal Church of the Advent
686 Washington Street & 612 Franklin Streets**

Block 1058 Lot 12
Site Plan – Waiver, Hardship & Substantial Variance(s)

Craig Hurless clarified his credentials for the record.

Louis Dwyer, Esquire appearing for the applicant Church of the Advent representatives Reverend John Mitchell and Corbin Cogswell, Facilities Manager who was present along with their professional Richard Stokes, Architect. Mr. Dwyer gave a brief history of the 1886 Church and the explained the request this evening has been ongoing for over two (2) years. The proposal is to construct a covered walkway to connect the existing church and parish hall, add on a room onto the front of parish hall main floor as well as renovate the second floor of the parish hall and update the current HVAC systems that will use modern (smaller/quieter) units. The proposed renovations will make the Church and Parish Hall ADA compliant with Site being more functional and aesthetically pleasing. Mr. Dwyer indicated they received Historic Preservation Commission conceptual approval. He explained the setback requirements for the Church are significantly more restrictive than for commercial uses in the C1 Zone in which the Church is located. The variance relief required for the Church would not be required for commercial usage where 95% is permitted. He elucidated the bulk requirements for churches and stated the parking has been non-conforming since the invention of automobiles. Mr. Stokes colorized site plan dated October 13, 2010 sheets 1 through 3 was displayed for the Members and public perusal and his extensive explanation of the proposed renovations. Mr. Stokes referred to the plan sheets that were marked into evidence for referral references as **A-1**- existing conditions of the 1st & 2nd floors and of the proposed ambulatory section with covered walkway, HVAC mechanicals, elevator, pavers, walkway, landscaping, church sanctuary, cry room, yard storage and parking lot reconfiguration, **A-2** – elevation of colorized church hall walkway (raised open feel with roof) 3ft x 3ft and parish hall, **A-3** interior Clerk Office, ADA compliant restrooms, Sunday school and. Testimony indicated no detriments to the Zoning plan or public. Mr. Dwyer indicated a church of this age does require modernization while retaining the historic character and noted for the record the majority of the churches membership is of senior age with Pastor Mitchell testimony verifying all that has been presented. Pastor Mitchell indicated that the 2nd floor is not currently assessable by the current staircase by persons with mobility issues and the elevator would alleviate that problem.

Board Engineer, Craig Hurless then reviewed his report of May 11, 2012 clarifying the description of the Church's proposed expansion for the membership. He reviewed the Completeness review on pages 2 and addressed the Details for C & D variances itemizing #33 (Landscaping revised plan to indicate Shade Tree removal), Preliminary Site Plan Approval #3 & (aa). He addressed the Zoning Charts on page 3 addressing the C-1 District (§525-22) All Uses & §525-62B Churches. He clarified the variances being sought as §525-62B(2) Building Setback, §525-62B(2) Rear Yard, §525-62B(2) Side Yard, §525-62B(2) Building Coverage, §525-62B(4) Lot Coverage and §525-49C(2) Parking explained the existing parking (9 spaces) is functionally obsolete with the 7(parking spaces proposed) being in conformance. The general review comments on page 4 & 5 - #1 explained in detail his concerns, #2 Site inspection of existing sidewalk on Franklin Street has noted trip hazards and must be addressed, #3, #4 (Shade Tree), #5, #6 (HPC) and #7.

The meeting was then **opened to the public within 200 feet at 7:40pm – David Onorato 680 Washington Street Unit 2, Heritage House Condominiums, next to lot 11**, negative on the application with lengthy questioning regarding the landscaping, expansion of the 2nd floor, confirmation of tree removal, ambulatory access ramp, HVAC units placement with Mr. Stokes explaining in detail the modernized condenser unit placement that will be screened and responded to all questions directed by. Mr. Onorato stated the views that were distributed with the application are not views from his side of the lot, he produced photographs marked **O-1 through O-12** views from the Heritage House taken from the front porch, chestnut tree, property line towards parking lot, site of proposed ambulatory, church closeness to chestnut tree, 2nd story view from his unit and depiction of property line. **Wayne Swann, 680 Washington Street Unit 3**, his unit is in direct view of the proposed renovations/additions, depicted the closeness of his property to the proposed renovations, request the ambulatory have a open concept (no sides or roof), stated the 2nd floor addition will affect his light, air and open space and shared his concern of the noise from the current air condensing units. **Caroline Detrick, 680 Washington Street, Unit 1**, negative on application, objects to any variance the Church is requesting due to the closeness of the properties, she offered 2 additional photographs **O-13 & O-14** (closeness of the rear parsonage to the Heritage property), requested clarification on the proposed lighting and does not see a need for a walkway between buildings. **Robert Anderson, 1240 Washington Street and owns units 2,4,5 &6 at 678 Washington Street**. Negative on application and stated his reasons from the prospective his units are in the front of the property & parking lot area and side views will be obstructed, landscaping current conditions and proposed, ambulatory walkway roof views from 2nd floor units of the Heritage House, parking drive isle concern, handicap parking, access ramps and put forth questions to the Architect regarding the ambulatory walkway railing systems. **Open to those outside of 200ft. Harry Belangy, 511 Pearl Street**, positive on application stating the proposed plan will bring cohesiveness to the Key Historic Structure that will modernize the HVAC system making it less obtrusive, encouraged the ambulatory walkway and stated the proposed plans will be an enhancement to the area. **The public portion was closed at 8:45pm.**

Members were allotted time for questions during the presentation and put forward several suggestions and observations to the applicant and as well as the objectors directly affected. They are as follows: Moving the mechanical internally (not in the rear of building) with the applicant agreeing to remove the exterior mechanical from the application, elevator dimensions and the location, commented on the time of year the some of the photographs (O5, O10, O11) were taken, have all parking be Handicap in the parking lot, ambulatory lattice should be to the top of the railing (safety issue for wheelchairs and foot traffic) that would create a gazebo effect, reduce the width of the ambulatory walkway, foliage details be present on plans, in lieu of ground plantings introduce window boxes on the sides of the ambulatory walkway that will break up the look of the walkway, the omission of a roof with some members expressing the need of a roof cover because of the wheelchairs and handicap members of the church, several of the views from the Heritage House photographs presented were discussed at length, discussion of a flat roof vs. peaked roof ensued and confirmation of the HPC conceptual approval in detail with Mr. Cogswell, HPC Commission Member responding. Mr. Dwyer responded to all questions/suggestions put forth and stated the

applicant could not put in all handicap parking but would consider all other suggestions. Mr. Hurless stated he would like the lighting locations proposed be delineated on the plans.

Chairman Bezaire called for a five (5) minute break at 8:50pm and returned at 9:00pm. George Neidig explained that a number of changes have been suggested and agreed to by the applicant and their professional. It is recommended that the changes that were eluded this evening return to the Board with a revised plan for their perusal. Mr. Dwyer stated the Applicant is agreeable and a date to return for a continuance to the Board is July 10, 2012 @ 7:00pm with no further notice to be given (only by announcement this evening). Mr. Neidig stated an open public portion would be conducted on July 10, 2012 meeting.

Motion made by Mrs. Nelson to continue the Episcopal Church of the Advent until Tuesday, July 10, 2012 at 7:00pm. Seconded by Mr. VanDeVaarst and **carried 9-0.** Those in favor: Mr. Elwell, Ms. Weeks, Mrs. Nelson, Dr. Mahaney, Mr. Winkworth, Mr. Jones, Dr. France, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

Distributed to the Members was a memorandum from Craig Hurless, Board Engineer dated May 9, 2012 regarding the R-1 Low Density Residential District, so as to schedule a meeting for future discussion. Chairman Bezaire requested clarification from the Mayor as to the status of the request to increase the lot coverage to 40% for the lots fronting on Cape May Avenue as recommended by the Planning Board to go to Council. Mayor Mahaney stated it went to Council on June 4, 2012 and approved going forward with the Ordinance to increase the lot coverage to 40% on the lots fronting on Cape May Avenue for the R1 District. He clarified once the Ordinance is introduced to Council it will go to the Planning Board to be reviewed within 30 days and return to Council for a second reading and public hearing. Anthony Monzo, City Solicitor, George Neidig, Planning Board Solicitor and Craig Hurless, Planning Board Engineer will collaborate as to the verbiage on the ordinance. Discussion was entered regarding the 2nd part of the Analysis pertaining to the remaining lots in the R1 area and when they should reexamine it. Mary Rothwell, Board Assistant/Zoning Officer will do a legal notice on the Agenda for Tuesday, July 10, 2012 for discussion of the 2nd & 3rd Area of the R1-Zone.

Motion made by Mr. Elwell, Seconded by Mr. Jones to adjourn the meeting at 9:25 PM with all in favor.

A verbatim recording of said meeting is on file at the Construction/Zoning Office.

Respectfully submitted: Edie Kopsitz, Recording Secretary