

**City of Cape May Planning Board Meeting Minutes  
April 27, 2010**

**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.

<b>Roll Call:</b>	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
	Mrs. Steenrod		Present
	Mr. Winkworth		Present
	Mr. France, 1 <sup>st</sup> Alternate		Absent
	Mr. Briant, 2 <sup>nd</sup> 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:** March 9, 2010

**Motion made by Mrs. Nelson for approval of the Minutes of March 9, 2010 with the noted corrections.** Seconded by Ms. Weeks and **carried 7-0.** Those in favor: Mr. Elwell, Ms. Weeks, Mrs. Nelson, Dr. Mahaney, Mr. Jones, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: Mrs. Steenrod and Mr. Winkworth.

**Applications:**

**Cape Jetty LLC, Preliminary Site Plan/Minor Subdivison/Variiances  
Beach/Second/Third Avenues  
12 Second Avenue, Block 1012 Lot 9  
6 Second Avenue, Block 1012 Lots 10,11 & 12  
11 Third Avenue, Block 1012 Lots 15 & 16**

Mr. Neidig announced the **Cape Jetty LLC** application would not be heard this evening due to an omission of a person on the certified list. Mr. Neidig explained in detail to the public the procedures of an application and elaborated on the omission of a person on the certified list. Louis Dwyer, Esquire was present for the applicant Cape Jetty LLC and informed the Board that he contacted the person omitted from the certified list. Mr. Dwyer clarified this individual felt 24 hours notice was not sufficient time to review the

file. Mr. Dwyer stated he would re-notice everyone on the certified list. Mr. Neidig announced the application would be heard on May 25, 2010 at 7:00pm with proper noticing and announced it would be published in the Star & Wave.

**Pella LLC, 1511 New York Avenue  
Block 1176 Lot 1  
Extension of Major Subdivision approval**

**Mayor Dr. Mahaney recused himself from the application.**

**Craig Hurless, Board Engineer** was sworn in and clarified his credentials for the record.

Richard Hluchan, Esquire was present to represent Pella, LLC. Mr. Hluchan explained on April 11, 2006 the Planning Board adopted Resolution # 4-11-06:1, that granted preliminary subdivision approval for 15 single-family houses. He stated it was his understanding that the Permit Extension Act applied and assumed this approval was valid until December 31, 2011. Mr. Hluchan was apprised by the City of Cape May Solicitor that it is not applicable to projects in the City and elaborated on the reason. He is therefore seeking two (2) one (1) year extensions of the preliminary approval which will be to April 11, 2011. He also indicated that the zoning for this project has not changed and the CAFRA permit they obtained still pertains.

Mr. Neidig informed the members the applicant is permitted to request these extensions even though the time limitations have lapsed.

**Meeting opened for public comments with no one coming forward the public portion was closed.**

Craig Hurless, Board Engineer stated he reviewed the applicant's request including the Planning Board Resolution #4-1106-: 1 of approval and sees no reason not granting the extension.

**Motion made by Mrs. Steenrod to approve the extension because of the confusion regarding the Permit Extension Act. The approval will include which was originally granted by Resolution No. 4-11-06:1. Seconded by Mr. Winkworth and carried 8-0.** Those in favor: Mr. Elwell, Ms. Weeks, Mrs. Steenrod, Mrs. Nelson, Mr. Winkworth, Mr. Jones, Mr. Briant and Mr. Bezaire. Those opposed: None. Those abstaining: Mr. Shuler.

**Bedner, 12 & 14 Patterson Avenue  
Block 1018 Lots 6 & 7  
Temporary Seasonal Parking**

**Board Member Dr. Mahaney returned to the meeting.**

**Ms. Weeks recused herself from the application.**

**Craig Hurless, Board Engineer** was sworn in and clarified his credentials for the record.

Louis Dwyer, Esquire was present representing the owner Barbara Bender and her daughter Gwen Finley whom were present and sworn in by Mr. Neidig. Mr. Dwyers presentation stated that the applicant seeks temporary seasonal parking for twenty six (26) spaces on Lot 7 because of issues regarding repair and maintenance of the building in which only ten (10) units will be operated for the summer season. This will free up the twenty-six (26) spaces on lot 7. Mr. Dwyer indicated the four (4)-unit apartment building will not be occupied and of the thirteen (13) units in the Patterson Motel, only ten (10) units will be rented this season. Ms. Finely testimony verified the statements of Mr. Dwyer and elaborated on the reasons for this submission. Mr. Dwyer also mention lot 6, which has an excess of six parking spaces however he was informed lot 6 is not part of this application being presented and would have to return to the Board. Mr. Hurless stated a current survey would have to be supplied along with other information he would review upon submission.

Craig Hurless, Board Engineer updated the membership by summarizing his revised report dated April 26, 2010 and clarified the reasons for the revision. He reiterated the applicant's proposal in his description. He clarified the 525-49D (1) Ordinance regarding Temporary Seasonal Parking and the Completeness review on page 2 detailing general requirements for all applications addressing #1, #2, #3, #4, #5 & #6. He addressed his Zoning Chart as C-3 Hotel Motel District and clarified the seasonal parking sought by §525-49 and reviewed the required, existing and proposed. Mr. Hurless continued with his General Review comments on page 3 items #1, #2, #3, #4 & #5. He also indicated this approval is valid for one (1) year.

**Meeting opened for public comments with no one coming forward the public portion was closed.**

Members as a majority were positive on the project and were allotted time for questions. Members requested clarification with regards to the number of spaces, (26 spaces were confirmed), what dates deemed the temporary season and when the applicant should return to request another extension. Mr. Neidig clarified the dates would commence May 1, 2010 and expire on April 30, 2011 noting the applicant must return before the expiration date. Mr. Dwyer and Ms. Finley responded and addressed the concerns of the members.

**Motion by Mrs. Steenrod for approval of temporary seasonal parking for twenty – six (26) spaces on Lot 7.** Seconded by Mr. Elwell and **carried 9-0.** Those in favor: Mr. Elwell, Mrs. Steenrod, Dr. Mahaney, Mrs. Nelson, Mr. Winkworth, Mr. Jones, Mr. Briant, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

Dr. Mahaney and Mrs. Steenrod voiced their reasons for voting in the positive on Lot 7 and shared their views regarding Lot 6.

**Discussion:**

Mrs. Nelson inquired on whom is responsible for re-stripping of the Lafayette Street. Mr. Bezaire responded by informing Mrs. Nelson it was a County road.

**Adjournment: Motion made by Mrs. Steenrod, Seconded by Mr. Shuler to adjourn at 7:35 PM with all in favor.**

**Respectfully submitted: Edie Kopsitz, Recording Secretary**

**Adoption date: \_\_\_\_\_**