

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, December 17, 2015

Opening: In compliance with the Open Public Meetings Act of 1975, adequate notice of the meeting was provided. Chairperson Hutchinson called the meeting to order at 6:30 P.M.

Roll Call:	Mrs. Hutchinson, Chairperson	Present
	Vacant, Vice Chairperson	Present
	Mr. Iurato	Present
	Mr. Murray	Present
	Mrs. McAlinden	Present
	Mrs. Inderwies	Present
	Vacant	
	Ms. Hesel	Present
	Mrs. Werner	Absent

Also Present: Ron Gelzunas, Board Solicitor (arrived at 7:00 PM)
Craig Hurless, PE, PP, CME, Board Engineer
Erin Burke, Board Assistant

Minutes

Motion made by Mr. Murray to approve the meeting minutes of November 12, 2015, seconded by Mrs. Inderwies and **carried 5-0.** Those in favor: Mrs. Inderwies, Mr. Murray, Mrs. McAlinden, Ms. Hesel, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Resolutions

Motion made by Mr. Iurato to approve Resolution #12-17-2015:1, Adis, Inc. d/b/a La Mer Beachfront Inn, 1317 Beach Avenue, Block 1146, Lot(s) 6, 7, 10-24, seconded by Mrs. McAlinden and **carried 6-0.** Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Murray, Mrs. McAlinden, Ms. Hesel, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Resolution #12-17-2015:2, Scott Peter, 549 Elmira Street, Block 1061, Lot(s) 15, was tabled until the next Zoning Board meeting on January 28, 2016.

Discussion was entered regarding the vacancy of Vice Chairman. Chairperson Hutchinson requested a nomination be made to fill the vacancy.

Motion was made by Chairperson Hutchinson to nominate Peter Iurato for the position of Vice Chairman, seconded by Mrs. Inderwies and **carried 5-0.** Those in favor: Mrs. Inderwies, Mr. Murray, Mrs. McAlinden, Ms. Hesel, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

At 6:40 PM a brief recess was taken awaiting the arrival of board attorney Ron Gelzunas. Meeting commenced at 7:00 PM.

Applications

**The Landon Family Trust
Block 1062, Lot(s) 3, 4
20 Stockton Place**

Board Engineer Craig Hurless, PE, PP, CME, stated his credentials for the record.

Robert Belasco, Esquire representing the applicant Jonathon Landon, and his professional Harold Noon were all sworn in by Ron Gelzunas. The Board recognized Harold Noon, LS, Geosurv New Jersey LLC. as an expert. The applicant was seeking variance relief from §525-19B(1) Table 1 (Lot Size) and §525-54A(3)(e) Accessory Structure-Distance from Buildings, for construction of a detached garage for single family detached dwelling. Mr. Belasco detailed that in regard to the variance associated with lot size, the City requires 6,280 square feet. The applicant proposed a lot size of 5,280 square feet. Regarding the variance associated with distance of adjacent structures, the City requires 10 feet distance in between adjoining structures, while the applicant proposed 3 feet and 6.9 feet, respectively.

Mr. Noon was then presented to testify as an expert. Mr. Noon detailed that the current lot size of 20 Stockton is a pre-existing condition dating as far back as 1955, if not further, when the lot was purchased by the Landon family. Mr. Noon remarked that there is no way for Mr. Landon to meet the minimum required lot coverage set by the City, and that the proposed detached garage conforms to the surrounding residential community. Mr. Noon then detailed that the intent of use and dimensions of the proposed garage are essentially as minimalistic as can be for a one-car garage, at 12x24 feet—enough for one car and some basic storage (beach chairs, surf boards, etcetera). It was then stated that Mr. Landon's proposed garage complies with the zoning ordinances for a detached structure set forth by the City.

Mr. Belasco and Mr. Noon then clarified how Mr. Landon has tried to keep the proposed garage as close to his home and as far from his neighbors as possible, and how he has complied as much as possible with the required minimum distance between structures. Mr. Noon stated that Mr. Landon's request for variance with regards of minimum required distance from adjacent building was reasonable considering the special lot configuration of his property. Mr. Landon testified regarding the intended material of the proposed garage. He then detailed a brief family history of the lot in question, and fielded questions from Mr. Belasco and Board members regarding intended use of the garage and location on the property.

Board members questioned the positioning and height of the proposed garage, and the existence of a shed on the same property. Mr. Noon clarified, and explained that a lean-to connected to the shed will be removed. Ultimately, the overall lot coverage will be lessened by 5% post proposed renovations. Mr. Iurato questioned the attachment of any utilities to the garage, with Mr. Landon citing that only electricity will be utilized.

Board Engineer, Craig Hurless then reviewed his report dated October 1, 2015. Mr. Hurless discussed the Completeness Review waivers on page 2 of 4, #21, #24, #25, #26, #27, #28 (condition-storm water system), and #33. The applicant agreed to the condition. He detailed

the proposal and clarified the variance relief sought for §525-19B(1) Table 1 (Lot Size) and §525-54A(3)(e) Accessory Structure-Distance from Building. Mr. Hurless asked for clarification of a discrepancy within the architectural and survey plans regarding structure distance. The correct distance was made clear. Mr. Hurless then detailed his General Review Comments on page 4 of 4, #1, #2, #3, #4, #5, #6, #7, and #8 (all condition of approval).

Board members asked for explanation regarding the discrepancy in plans. Mr. Noon clarified the distance of the proposed garage from the adjoining structures.

Chairperson Hutchinson opened the meeting for public comment at 7:30 PM to those within 200 feet of the property.

Marga Matheny, 15 Gurney Street, was sworn in. Ms. Matheny expressed concerns regarding the distance of both the proposed garage and existing shed from her fence line. Mr. Noon and Mr. Landon addressed concerns.

Terry Shields, 11 Gurney Street, was sworn in. Mr. Shields spoke in support of his neighbor's proposed garage.

Chairperson Hutchinson opened the meeting for public comment at 7:35 PM to those 200 feet and beyond. With no one coming forward, the public portion of the meeting was closed.

Motion made by Mr. Murray to approve Completeness Waivers #21, #24-27, and #33 listed on page 2 of Mr. Hurless' report of October 1, 2015, seconded by Mrs. Inderwies and carried 6-0. Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Murray, Mrs. McAlinden, Ms. Hesel, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Motion made to approve the Variances for Lot Size (§525-19B(1)) and Accessory Structure-Distance from Buildings (§525-54A(3)(e)) by Mr. Iurato, seconded by Mr. Murray and carried 6-0. Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Murray, Mrs. McAlinden, Ms. Hesel, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Motion made by Mr. Iurato to approve General Review Comments (page 4) #1-8, and Completeness Waiver #28 (page 2), listed in Mr. Hurless' report of October 1, 2015, all as condition of approval, seconded by Mrs. Inderwies and carried 6-0. Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Murray, Mrs. McAlinden, Ms. Hesel, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Motion made to adjourn at 7:40 PM by Mrs. McAlinden with all in favor.

Respectfully Submitted: Erin Burke, Board Assistant.