

**City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, May 26, 2016**

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
	Mr. Iurato, Vice Chairperson	Absent
	Mr. Murray	Present
	Mrs. Inderwies	Absent
	Mrs. McAlinden	Absent
	Mrs. Werner	Present
	Ms. Hesel	Present-Arrived at 6:52 PM
	Mr. Mullock Alt. 1	Present
	Mr. Pontin Alt. 2	Present

Also Present: Richard King, Board Solicitor
Craig Hurless, PE, PP, CME, Board Engineer
Erin Burke, Board Assistant

Minutes

Motion was made by Mr. Murray to approve the meeting minutes of April 28, 2016, seconded by Mr. Mullock and **carried 5-0.** Those in favor: Mr. Murray, Mrs. Werner, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Resolutions

Motion was made by Mrs. Werner to approve Resolution Number 05-26-2016:1 The Blue House of Cape May, LLC., 1500 New Jersey Avenue, Block 1174, Lot(s) 1, seconded by Mr. Mullock and **carried 5-0.** Those in favor: Mr. Murray, Mrs. Werner, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Motion was made by Mr. Murray to approve Resolution Number 05-26-2016:2 Louis and Kathleen DeCarlo, 1215 Maryland Avenue, Block 1133, Lot(s) 33 & 34, seconded by Mrs. Werner and **carried 5-0.** Those in favor: Mr. Murray, Mrs. Werner, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Motion was made by Mr. Pontin to approve Resolution Number 05-26-2016:3 Kim Russell, 1053 Cape May Avenue, Block 1106, Lot(s) 21, 22.01, seconded by Mr. Murray and **carried 5-0.** Those in favor: Mr. Murray, Mrs. Werner, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Motion was made by Mrs. Werner to approve Resolution Number 05-26-2016:4 Glenn and Christien Hulse, 409 Jefferson Street, Block 1068, Lot(s) 4, seconded by Mr. Pontin and

carried 5-0. Those in favor: Mr. Murray, Mrs. Werner, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Chairperson Hutchinson read a letter from the representative for the Ocean Club Hotel of C.M., LLC, Richard Hluchan, Esquire, dated May 25, 2016. Mr. Hluchan requested that the application hearing be postponed for a date to be determined, when a full voting Board will be present.

Applications

Marvin and Leonora Zektzer
1022 Ohio Avenue
Block 1106, Lot(s) 7

Jeffrey P. Barnes, Esquire, Vincent Orlando of Engineering Design Associates, PA, Blaine Steinman, Architect, and Board Engineer Craig Hurless, PE, PP, CME, were sworn in and stated their credentials for the record.

The representative for the applicant, Jeffrey Barnes, gave a brief description of the proposed demolition of the one (1) story dwelling and accessory shed currently developed on the lot, and the construction of a new four (4) bedroom, two (2) story single family dwelling. Mr. Barnes stated that the applicant is seeking four (4) variances: Lot Size, Lot Width, Lot Frontage, and Lot Coverage.

Blaine Steinman, Architect, detailed the proposed floor and site plans, and elevations (**Exhibit A-1**). Mr. Murray questioned the dotted lines on the plans, and Mr. Steinman explained that they denote the floor levels.

Vincent Orlando, Engineer/Planner of Engineering Design Associates, explained that his office prepared the variance plan, grading and drainage plan, and landscape plan for the proposed project, and made reference to **Exhibit A-2: colored rendition of the landscape plan**, and **Exhibit A-3: color photos of the current property and neighborhood**. Mr. Orlando stated that the proposed building meets all the setback requirements for the zone. He then explained in detail the variances sought by the applicant, and why they should be granted. Mr. Orlando explained that while the proposed home increases the lot coverage by .6%, the development of two off-street parking spots on site is substantially better than having street parking for the home. Board members questioned Exhibit A-3 and height of the proposed home, and Mr. Orlando clarified.

Board Attorney Richard King summarized Mr. Steinman's testimony for Ms. Hesel, who arrived at 6:52 PM. Mr. Steinman had briefly detailed the plans and elevations marked as P-1 and P-2 that were supplied in the Board packet for prior review, so Ms. Hesel was deemed fit to vote on the project. Mr. King then clarified with Mr. Orlando that not only does the proposal meet the setbacks for the zone, it eliminates the existing setback violation.

Craig Hurless, PE, PP, CME, Board Engineer then summarized his latest memorandum dated May 9, 2016. He reviewed the checklist items for the C and D variances (page 2 of 4) and classified all as conditions of approval. Mr. Hurless explained the four (4) variances required: §525-14B(1) Table 1 - Lot Size, §525-14B(1) Table 1 - Lot Width, §525-14B(1) Table 1 - Lot Frontage, §525-14B(2)(a)[2] - Lot Coverage. He stated that three (3) of those variances are existing non-conformities relating to the undersized nature of the lot, which is a common pattern for the neighborhood. The General Review Comments (page 3 and 4 of 4) were reviewed and explained in detail, with items 1, 2, 4, 5, 7-10, and 12 being classified as conditions of approval.

Discussion was opened to the public within 200 feet at 7:05 PM.

John Vandervaarst, 1030 Ohio Avenue, was sworn in and voiced support for the applicant's proposal, citing other two story homes in the area comparable to the one proposed.

Sean Austin, 1026 Ohio Avenue, was sworn in and spoke in support of his neighbors and the proposed plans.

Discussion was opened to the public beyond 200 feet and subsequently closed at 7:10 PM.

Motion was made by Mr. Murray to approve §525-14B(1) Table 1 - Lot Size, §525-14B(1) Table 1 - Lot Width, §525-14B(1) Table 1 - Lot Frontage variances conditioned upon items 5 and 13 (page 2 of 4) and items 1, 2, 4, 5, 7-10, and 12 (page 3 and 4 of 4), seconded by Mr. Mullock and **carried 6-0.** Those in favor: Mr. Murray, Mrs. Werner, Ms. Hesel, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None. Board Member Murray voiced his reasons for his vote in the positive.

Motion was made by Mr. Murray to approve the §525-14B(2)(a)[2] - Lot Coverage variance, seconded by Mrs. Werner and **carried 6-0.** Those in favor: Mr. Murray, Mrs. Werner, Ms. Hesel, Mr. Mullock, Mr. Pontin, Mrs. Hutchinson. Those opposed: None. Those abstaining: None. Board Member Murray voiced his reasons for his vote in the positive.

Chairperson Hutchinson then announced that the Chairman of the Historic Preservation Commission, Warren Coupland, has requested to give a brief presentation to the Zoning Board giving an overview of what the HPC does. This presentation will take place at a future Zoning Board meeting to be determined.

Motion to adjourn was made at 7:15 PM by Mr. Murray with all in favor.

Respectfully Submitted, Erin Burke/Board Assistant.