

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD MINUTES
REGULAR MEETING – November 20, 2018**

The Regular Meeting of the Borough of West Cape May Planning-Zoning Board, held at the Municipal Building, 732 Broadway, was called to order by Vice Chairman Belasco at 7:00 PM. After reading the Open Public Meetings Act of 1975 he led all present in the flag salute.

ROLL CALL:

Members:

TJ Belasco	present	Kevin O’Neill	present
Peter Burke	present	Lisa Roselli	present
Bob Hewitt	absent	Carol Sabo	present
Doris Jacobsen	absent	<u>Alternates:</u>	
Art Joblin	present	Lindsay Casale	present
Paul Mulligan	present	Barbara Lamb	absent

Also Present:

Brock Russell, Esq., Board Solicitor
Raymond M. Roberts, Board Engineer
Theresa Enteadó, Board Secretary

MINUTES:

October 9, 2018 Regular Meeting

On motion of Peter Burke, seconded by Paul Mulligan, the Minutes of October 9, 2018 Regular Meeting were approved, on roll call vote as follows: Peter Burke, Art Joblin, Paul Mulligan, Kevin O’Neill, Lisa Roselli, Carol Sabo, and Lindsay Casale voting in the affirmative.

October 23, 2018 Workshop Meeting

On motion of Paul Mulligan, seconded by Lisa Roselli, the Minutes of October 23, 2018 Workshop Meeting were approved, on roll call vote as follows: Peter Burke, Paul Mulligan, Kevin O’Neill, Lisa Roselli, Carol Sabo, and Lindsay Casale voting in the affirmative.

RESOLUTIONS:

Resolution #0017-18 Deeming Ordinance 548-18, the Affordable Housing Ord., Consistent with the Borough of West Cape May Master Plan

On motion of Paul Mulligan, seconded by Art Joblin the aforementioned resolution was approved, on roll call vote as follows: all members present voting in the affirmative.

Resolution #0018-18 Deeming Ordinance 549-18, the Mandatory Set-Aside Ord., Consistent with the Borough of West Cape May Master Plan

On motion of Paul Mulligan, seconded by Art Joblin the aforementioned resolution was approved, on roll call vote as follows: all members present voting in the affirmative.

Resolution #0019-18 Deeming Ordinance 550-18, the Accessory Apartment Program Ord., Consistent with the Borough of West Cape May Master Plan

On motion of Paul Mulligan, seconded by Art Joblin the aforementioned resolution was approved, on roll call vote as follows: all members present voting in the affirmative.

Resolution #0020-18 Deeming Ordinance 551-18, the Commercial Set-Aside Ord., Consistent with the Borough of West Cape May Master Plan

On motion of Paul Mulligan, seconded by Art Joblin the aforementioned resolution was approved, on roll call vote as follows: all members present voting in the affirmative.

Resolution #0021-18 Deeming Ordinance 553-18, Regarding Zoning-Side Yard Setbacks, Inconsistent with the Borough of West Cape May Master Plan

On motion of Paul Mulligan, seconded by Art Joblin the aforementioned resolution was approved, on roll call vote as follows: Peter Burke, Lisa Roselli, Carol Sabo, and Lindsay Casale abstaining and Art Joblin, Paul Mulligan, and Kevin O'Neill voting in the affirmative. (For clarity for the record, the ordinance was deemed Inconsistent with the Master Plan, and this resolution no. 0021-18 is affirming that inconsistency.)

Resolution #0022-18 Approving Minor Subdivision, for Richard Burke, 206 Columbia Ave., Block 58, Lots 4.01 & 4.03, App 013-18

On motion of Carol Sabo, seconded by Art Joblin the aforementioned resolution was approved, on roll call vote as follows: Peter Burke, Art Joblin, Paul Mulligan, Kevin O'Neill, Lisa Roselli, Carol Sabo, and Lindsay Casale voting in the affirmative.

Resolution #0023-18 Approving Minor Subdivision, for Francis P. Walls & Beth Ann Trust, 603 Sunset Blvd., Block 67, Lot 21, App 012-18

On motion of Carol Sabo, seconded by Peter Burke the aforementioned resolution was approved, on roll call vote as follows: Peter Burke, Art Joblin, Paul Mulligan, Kevin O'Neill, Lisa Roselli, Carol Sabo, and Lindsay Casale voting in the affirmative.

Resolution #0024-18 Approving the Amendment of the Borough of West Cape May Master Plan to Adopt the Environmental Resource Inventory Plan

On motion of Paul Mulligan, seconded by Carol Sabo the aforementioned resolution was approved on roll call vote as follows: Peter Burke, Paul Mulligan, Kevin O'Neill, Lisa Roselli, Carol Sabo, and Lindsay Casale voting in the affirmative.

APPLICATIONS:

Application 014-18, William J. Tyson & Estate of Bernard Tyson, 232 Sixth Avenue, Block 52, Lot 28, New Application - Minor Subdivision

Tom Hillegass of the law firm Monzo Hillegass Catanese, introduced himself as attorney for the applicant William Tyson and Estate of Bernard Tyson. Mr. William Sweeney, professional land surveyor licensed in the state of New Jersey, was sworn in. Mr. Hillegass said the property at 232 Sixth Avenue was purchased by the applicant's family back in 1923 and it was two separate lots that at some point in time were consolidated. He said the applicant is looking to subdivide the property back into two full sized lots.

Mr. Sweeney testified that the application proposes to divide the parcel into two conforming lots, 28.01 & 28.02. He said there is an existing single family dwelling on proposed lot 28.01 that has a pre-existing non-conforming setback. Mr. Hillegass said the existing dwelling will remain with the intent that Mr. Tyson will keep that lot and sell the other, and eventually demolish the existing dwelling and build a conforming single family home for himself.

Raymond M. Roberts, Board Engineer, was sworn in and advised the Board that the application was a very straight forward one. He mentioned a couple housekeeping items and he confirmed that proposed lot 28.02 meets all the zone requirements and 28.01 only has a pre-existing, non-conforming front yard variance.

The floor was opened to residents within 200 feet and beyond. When no one expressed a desire to speak, the public portion was closed.

Board Solicitor Brock Russell advised the Board this would be minor subdivision approval; subject to all conditions noted in Mr. Roberts' review letter as well as those made during testimony, and any other required outside approvals.

On motion of Carol Sabo, seconded by Lisa Roselli, the aforementioned application was approved on roll call vote as follows: all members present voting in the affirmative.

Application 016-18, Rhea Stadtmauer & Janice Maiman, 206 Columbia Ave., Block 58, Lot 4.02 & 4.03, New Application - Minor Subdivision with Variance Relief

Attorney Jeffrey Barnes, of Barnes Law Group LLC, introduced himself on behalf of the applicants Rhea Stadtmauer and Janice Maiman, contract purchasers. He said in February 2017 a 3 lot subdivision was approved which created three lots, 4.01, 4.02 and 4.03. He discussed the variance for lot depth that was required, at that time, for lot 4.02 and the other variance for 4.03. Mr. Barnes said the applicants are seeking to adjust a lot line, they want to carve out 1,148 square feet between properties.

Mr. William Sweeney, professional land surveyor licensed in the state of New Jersey, was sworn in and testified that that the portion of land taken for lot 4.02 will still leave lot 4.03 large enough to meet the requirements. He testified that both lots will be conforming with the exception of the previously approved variances for each and that this lot line adjustment would not in any way exacerbate these variances.

Board Member Lisa Roselli asked if there was a particular reason for this request, Mr. Barnes replied that the applicants just want to acquire extra land.

Board Member Art Joblin clarified for the record that there are two lots now and there will be two lots after this if approved. Mr. Barnes pointed out that it actually creates a more conforming lot.

Mr. Raymond M. Roberts, Board Engineer, was sworn in and advised that the applicant submitted a revised plan that he reviewed and he agrees that with the exception of the prior

variances, the lots will conform. He asked about the monuments to establish the new property line. Mr. Sweeney testified that yes, the monuments have already been installed.

The floor was opened to residents within 200 feet and beyond, when no one expressed a desire to speak the public portion was closed.

Board Solicitor Brock Russell advised the Board this would be minor subdivision approval; subject to all conditions noted in Mr. Roberts' review letter as well as those made during testimony.

On motion of Art Joblin, seconded by Kevin O'Neill, the aforementioned application was approved on roll call vote as follows: all members present voting in the affirmative.

PRIVILEGE OF THE FLOOR:

Board Secretary, Theresa Enteadó, discussed major points from the sessions she attended at the LOM. She also mentioned assembly bill no. 4725 to establish a certification program for municipal zoning officers and land use board administrators. Individuals who are employed in these positions and who currently hold a Rutgers certificate will be exempt from the state exam.

Board Member Paul Mulligan shared what he learned about the session he attended on Microbreweries. He discussed the proposed legislation, assembly bill no. 4594, and issues for land use boards to consider. He also supplied a packet of materials to hold in the Clerk's office for viewing that includes the topics discussed as well as sample land use board resolutions.

When no one else wished to speak, the meeting was adjourned at 7:56 PM, carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary