

**BOROUGH OF WEST CAPE MAY  
PLANNING-ZONING BOARD  
REGULAR MEETING – MARCH 19, 2019**

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 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:**

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

**ALSO PRESENT:** Raymond Roberts, Board Engineer  
Richard M. King Jr., Board Solicitor  
Theresa Enteadó, Board Secretary

**MINUTES:**

**February 19, 2019 Regular Meeting**

On motion of Peter Burke, seconded by Bob Hewitt, the Minutes of February 19, 2019 Regular Meeting were approved on roll call vote as follows: Art Joblin, Bob Hewitt, Lisa Roselli, Peter Burke, Carol Sabo, and TJ Belasco voting in the affirmative.

**RESOLUTIONS:**

**Resolution #0008-19 Approving Variance Relief for Stacey Wiswall, 6 Congress St., Block 31, Lot 7, App 018-18**

On motion of Lisa Roselli, seconded by Bob Hewitt, the aforementioned resolution was approved, as amended, on roll call vote as follows: Art Joblin, Bob Hewitt, Lisa Roselli, Peter Burke, Carol Sabo, and TJ Belasco voting in the affirmative.

**Resolution #0009-19 Approving Preliminary and Final Site Plan for David Mendo & Lisa Weidmeyer, 276 Sixth Ave., Block 52, Lot 20.01, App 021-18**

On motion of Carol Sabo, seconded by Lisa Roselli, the aforementioned resolution was approved, on roll call vote as follows: Art Joblin, Bob Hewitt, and Lisa Roselli voting in the affirmative.

**Resolution #0010-19 Approving Minor Site Plan for Lawrence A. Pray Builders, 740 Maple Ave., Block 21.02, Lot 34, App 001-19**

On motion of Lisa Roselli, seconded by Bob Hewitt, the aforementioned resolution was approved, on roll call vote as follows: Art Joblin, Bob Hewitt, Lisa Roselli, Peter Burke, Carol Sabo, and TJ Belasco voting in the affirmative.

**APPLICATIONS:**

**Application 003-19, Lazos Investments LLC, 102-104 Sunset Blvd., Block 30, Lot 4, New Application – Minor Site Plan together with Variance Relief**

Mr. Keith A. Davis, Esquire with the law firm Nehmad Perillo and Davis, introduced himself as the applicant's attorney. The owner of the property, Mr. Pete Lazos and the applicant's planning consultant, Mr. Joseph A. Courter Jr. were both sworn in by the Board solicitor. Board engineer Raymond Roberts was sworn in for the record as well.

Mr. Davis said Mr. Lazos has owned the property known as block 30, lot 4 for many years and has wanted to make improvements, namely to the façade and trash area. Mr. Davis indicated there are three store fronts and that one is currently vacant. He said the proposal is to clean up the front and make the signage more uniform, to enclose the trash receptacle area, and to create a 227 square foot addition to the currently vacant space.

Mr. Davis said the County, upon submission of application to them, advised him of their plans for improvements along Sunset within the ROW. Because of this information, the applicant would like to complete the work in phases. They propose to relocate the parking, which will result in a reduction of two parking spaces in total, at a later time, specifically when the County begins their project.

Mr. Courter testified that Sunset Plaza, the subject property, contains an existing retail building with three separate spaces. He said currently there is a pizza shop and an ice cream shop and the third space is vacant. Mr. Courter also confirmed that there may be a new tenant with a catering business soon. Mr. Courter testified that the proposed addition is roughly 8 X 28 feet, it is to be located on the far right side of the building, and the area is already roofed and it connects to an existing walk in box. The new front of the building with a prominent roof and signage on both major street sides, will modernize and clean up the look. The overhang of the roof will provide shelter, and the trash enclosure will be a 10 X 12 wooden fence along Broadway and will make the trash area no longer visible.

Regarding parking, Mr. Courter testified that a portion of the current parking area extends into the ROW on Sunset Boulevard. He said the County will require those spaces be removed when they proceed with the bike path project and that Mr. Lazos would like to maintain those spaces until the County begins that project. Mr. Courter said the parking plan, when the County is ready, will be to remove 6 spaces, 3 new spaces will be parallel spots along the property line and another will be on the side of the building, leaving a total of 14 parking spots. Mr. Courter testified that 82 seats could exist if all three spaces were restaurant uses, and since the borough

ordinance requires 1 parking space for every 6 seats, 14 parking spaces would comply.

Mr. Davis explained that the applicant would like to request a variance because they do not want to limit the use for any of the spaces. He said if the entire building was retail the requirement would be 16 spaces. Board engineer Roberts explained that for a restaurant use it is 1 space every 6 seats or 1 space every 150 square feet, whichever is larger; and for a retail use only 1 space for every 300 square feet is required. Ultimately it was agreed that a restaurant use for the entire building would be the most restrictive, that the square footage of the building to determine the amount of spaces would apply and not the number of seats, and that a total of 16 parking spaces would be the requirement. The applicant confirmed they would like to request variance relief for the deficiency in parking at this time, even if the work will be done at a later date.

Mr. Courter testified that, at the recommendation of the County, the applicant will revise the site so Sunset Boulevard will provide entrance only.

The Board was concerned with whether the County would approve of the work being done in phases. Mr. Davis reminded them that this approval would be conditional to the County's approval.

After some clarity on the calculation used for signage, Mr. Courter testified that there will be a total number of six signs, not including the free standing sign that already exists, measuring a total of 246 square feet.

Mr. Courter testified as to the enhancements and benefit to the general welfare of the neighborhood, and said there would be no negative impact if approved.

Mr. Davis presented a copy of the HPC resolution approving the extension of approval for the minor work, which was marked as exhibit L-1.

The Board asked that the exterior lighting for the signs be dark skies compliant and the applicant was agreeable to that condition.

Mr. Roberts, board engineer, testified that the expansion will create the need for variance for rear yard setback. He said the trash enclosure will need distance from side yard, rear yard, and principal structure variances. A variance for the square footage of signage will be required. Also a variance will be required for parking. Mr. Roberts said the applicant revised the plan to show the fence for the trash enclosure at 4 feet tall. He advised the board they may want to consider granting a variance for a 6 foot fence to make sure it will actually provide cover for the trash area. The board members agreed the fence should be 6 feet in height.

After some discussion, the applicant agreed to a two year restriction for the second phase of the work being completed.

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, Mr. King, advised the Board the motion would be to grant minor site plan

approval with variance relief as detailed by the Board Engineer in his chart and in his testimony. He said it will be subject to all conditions, waivers, and recommendations in the Board Engineer's report as well as any made during testimony. Notably, the approval will be to allow the work to be done in phases with the parking configuration and parking lot improvements to be completed in the second phase. The second phase will need to be completed within two years, regardless of the County's project timeline.

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.

### **PRIVILEGE OF THE FLOOR:**

When no one wished to speak, the meeting was adjourned at approximately 8:31 PM on motion of Bob Hewitt, seconded by Peter Burke and carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó  
Board Secretary