

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD
REGULAR MEETING – MARCH 13, 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 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	absent
Peter Burke	present	Lisa Roselli	present
Bob Hewitt	present	Carol Sabo	present
Doris Jacobsen	absent	Alternates:	
Art Joblin	present	Lindsay Casale	present
Paul Mulligan	present	Barbara Lamb	absent

Also Present: Brock Russell, Esq., Board Solicitor
Raymond Roberts, Board Engineer
Theresa Enteadó, Board Secretary

MINUTES:

February 13, 2018 Regular Meeting

On motion of Peter Burke, seconded by Lisa Roselli, the Minutes of February 13, 2018 Regular Meeting were approved on roll call vote as follows: all members present voting in the affirmative.

February 27, 2018 Workshop Meeting

On motion of Paul Mulligan, seconded by Lisa Roselli, the Minutes of February 27, 2018 Workshop Meeting were approved on roll call vote as follows: all members present voting in the affirmative.

RESOLUTIONS:

Resolution #0004-18 for Sapore Italiano LLC, 416 S. Broadway, Block 30, Lot 1, Application for Minor Site Plan & Hardship Variance, Approved.

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

Resolution #0005-18 for Mark Lukas & Edward Celata, 119 Myrtle & 123 Broadway, Block 4, Lots 4, 20.01, Application for Preliminary and Final Site Plan & Variance Relief, Approved.

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

APPLICATIONS:

Solicitor Russell explained that the applicant, Starczewski for 418 Fourth Avenue, would not be heard and instead would be tabled. Mr. Russell indicated that the applicant may instead wish to come into compliance but if they do return to the Board, they would need to notice and advertise again.

NEW BUSINESS:

Solicitor Russell said at the last meeting the Board asked if there was a specific condition that no C.O. or building permit would be issued until the property owner for the Bayshore Project completed all the site improvements. Mr. Russell said there was no explicit condition that stated this but the Board Engineer and Zoning Officer can decide whether or not something can proceed. Mr. Russell also expressed his concern over the Board discussing enforcement. He said they do not have jurisdiction to discuss enforcement, they decide cases they do not enforce. Mr. Russell suggested that the Mayor call an ad hoc meeting with the Zoning Officer, the Borough Solicitor, the Board Engineer, the Construction Official and the Planning Board Chairman when serious deficiencies with compliance to an approval arise.

Board Members expressed concerns over non-compliance with approvals and wondered what could be done. Some members felt discussion of an application that has already been decided is permitted. Solicitor Russell advised that Board Members should not discuss enforcement at meetings but they could, as residents of the Borough contact the Commissioners or the Zoning Official with any concerns. Solicitor Russell also advised that summons and fines can be issued and accrued on a daily basis until the owner becomes compliant.

The Board was concerned because they gave approval for a site plan with certain infrastructure and construction began before that infrastructure was installed and they wanted to know how this happened. Solicitor Russell explained without being specific to any case, that there are times when a zoning permit or C.O. could be revoked but that would not be a matter for this Board to decide or discuss. Board Member Sabo said a meeting would take place with the Zoning Officer.

PRIVILEGE OF THE FLOOR:

Commissioner John Francis came forward and asked if the Borough requires existing tree inventories as well as proposed ones for applications of development. Mr. Roberts explained that the Borough's subdivision plan requirements state that the plan must show existing trees as well as trees that will remain. Mr. Francis wondered if a forensic inspection would help ascertain what trees were removed in instances where removal has happened prior to an inventory being provided.

Board Member Paul Mulligan shared some details about a truck ramming seminar he attended for his role as Borough OEM Coordinator.

When no one else wished to speak, the meeting was adjourned at 8:26 PM on motion of Carol Sabo, and carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary