

**BOROUGH OF WEST CAPE MAY  
PLANNING-ZONING BOARD  
REGULAR MEETING – July 8, 2014**

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 Mulligan at 7:03 PM. After reading the Open Public Meetings Act of 1975 he led all present in the flag salute.

**ROLL CALL:**

Members:

Doris Jacobsen	present	Kevin O’Neill	present
Art Joblin	present	Diane Rea	absent
Pam Kaithern	absent	Carole Sabo	present
Mark Kulkowitz	present	Alternates:	
Barbara Lamb	present	TJ Belasco	present
Paul Mulligan	present	Lisa Roselli	present

Also Present: Brock Russell, Esq., Board Solicitor  
Ray Roberts, Board Engineer  
Elaine Wallace, Recording Secretary

**MINUTES:** On motion of Art Joblin, seconded by Carol Sabo, the minutes of April 8, 2014 Regular Meeting were approved on roll call as follows: O’Neill and Roselli abstaining, all remaining members present voting in the affirmative

On motion of TJ Belasco, seconded by Mark Kulkowitz, the Closed Session minutes of April 8, 2014 were approved on roll call vote as follows: O’Neill and Roselli abstaining, all remaining members present voting in the affirmative.

On motion of Carol Sabo, seconded by Doris Jacobsen, the minutes of May 13, 2014 were approved on roll call vote as follows: Joblin and Belasco abstaining, all remaining members present voting in the affirmative.

**APPLICATIONS:**

**Application 001-14, Russell and Dagmer Chew, Block 55, Lot 1.01, 846 Broadway:**

Owner Rusty Chew was sworn in by Solicitor Russell. Mr. Chew asked the board to consider reverting his property back to 3 uses, instead of 1. Previously, he appeared before the board to switch to one use when his real estate business expanded to the entire building. Now, he has moved Homestead Real Estate and would like to rent the building as two commercial uses on the first floor and one commercial or residential use on the second floor. The third floor will remain storage space for the second floor tenant. Currently he has a wellness center interested in using the two first floor units for nutritional counseling, classes, yoga, etc. and retail sales of related products. On the second floor he has had inquiries about using it for professional offices and as residential space. He would like the board to consider allowing him to do either since both are permitted in the zone and it would give him flexibility in renting the space. Lastly, he testified he

will be removing the larger of the two sheds on the property. Board Engineer Ray Roberts was sworn in and reviewed his report. Upon his site visit he found the property to be substantially the same as shown on the original site plan approval, with the addition of the two sheds which are both fully compliant with bulk requirements. There is more parking than required for all the uses Mr. Chew has proposed. His only issue was that Mr. Chew will need to get approval or a waiver from the County Planning Board because he is on a County road. Mr. Roberts sees this as a formality, but it needs to be done. Solicitor Russell advised the board they can waive the site plan requirement in cases where the site is built out and the uses aren't drastically different from what was there. Chairperson Mulligan opened a public hearing to anyone within 200', then to the general public. When no one wished to speak, the public hearing was closed on motion of Mark Kulkowitz, seconded by Art Joblin. Mr. Chew's final statement was that he would like to have businesses that will benefit the community and fulfill the mission of the borough's master plan. TJ Belasco made a motion, seconded by Mark Kulkowitz, to grant a waiver of the site plan approval provision in the borough's ordinance to have a wellness center on the first floor consisting of 2 units; the second floor to be used as either a professional office or a single residential unit; and the third floor to be used as storage by the second floor tenant with the conditions that the large shed be removed and the applicant obtain County Planning Board review. Before voting, Carol Sabo asked for clarification that the applicant would not be restricted to the specified businesses. Solicitor Russell explained that as long as the businesses were similar in nature, i.e. retail sales or professional offices, then he would not have to come before the board for approval. If he wished to change the use to something totally different such as a restaurant, he would have to return to the board again. The motion was carried unanimously on roll call vote.

**Application 002-14, Cape Island Investments, LLC, Block 21, Lot 43.01, 700 Park Blvd**

Kevin O'Neill recused himself because he lives within 200' of the subject property. Owner Brian Sullivan was sworn in by Solicitor Russell and attorney Peter Tourison appeared on behalf of the applicant. Solicitor Russell explained any approval would be given contingent upon the applicant providing his green cards as proof of mailing. Attorney Tourison explained the application is a straightforward minor subdivision with the need for a variance for lot width. The minimum standard in the zone is 50 feet, but the lots will only be 48.2 feet. Brian Sullivan explained he will be building homes on the lots roughly 2200 to 2500 square feet in size. He testified the existing derelict structure will be removed prior to the mylars being filed. Chairperson Mulligan opened a public hearing to anyone within 200', then to the general public. When no one wished to speak, the public hearing was closed on motion of Mark Kulkowitz, seconded by Lisa Roselli. Mark Kulkowitz made a motion, seconded by Art Joblin to approve minor subdivision to create 2 lots with technical variances for lot width of 48.2' with the conditions that the plan be revised to show the correct maximum lot coverage and the removal of the existing structure prior to filing the mylars. The motion was approved unanimously on roll call vote. Kevin O'Neill returned to the dais.

**PRIVILEGE OF THE FLOOR:**

Zoning Officer Noman Roach clarified that demolition is not permitted in the borough between Memorial Day and Labor Day.

On motion of Carol Sabo, seconded by Mark Kulkowitz, and carried by unanimous voice vote, the meeting adjourned at 7:49 PM.

Respectfully submitted,

Elaine L. Wallace  
Recording Secretary