

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD
REGULAR MEETING –AUGUST 8, 2017**

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 O’Neill at 7:34 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
Doris Jacobsen	present	Lisa Roselli	present
Art Joblin	present	Carol Sabo	present
Pam Kaithern	absent	<u>Alternates:</u>	
Barbara Lamb	present	Lindsay Casale	absent
Paul Mulligan	present	Janet Payne	present

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

NEW BUSINESS:

Status of App #010-17, McCray, 304 Atlantic Avenue, Block 40, Lot 7

Chairman O’Neill asked Solicitor Russell to explain the change from withdrawn to tabled indefinitely. Solicitor Russell explained that this change allows the escrow fees to be held and the account to remain open should the applicant wish to re-notice and be heard in the future.

Downward Facing Lights

Chairman O’Neill advised the Board that he was approached by a neighbor of the Wilbraham Mansion who thanked him and wished to express his thanks to Board Member Paul Mulligan for requesting, during the application hearing, the use of downward facing lights.

MINUTES:

July 11, 2017 Regular Meeting

On motion of Carol Sabo, seconded by TJ Belasco, the minutes of July 11, 2017 Regular Meeting were approved, on roll call vote as follows: TJ Belasco, Doris Jacobsen, Art Joblin, Barbara Lamb, Paul Mulligan, Lisa Roselli, Carol Sabo, and Kevin O’Neill voting in the affirmative.

APPLICATIONS:

Application 011-17, Shore Real Estate Developers LLC, 337 Fifth Ave., Block 52, Lot 62.01, New Application – Minor Subdivision

Mr. Ron Gelzunas introduced himself as attorney for the applicant, Shore Real Estate Developers LLC. He stated that Scott Peter is the principal sole member of the LLC. He said

the property is an oversized lot, basically a double lot with 100 feet frontage by 150 feet deep. Mr. Gelzunas also said two residential structures currently occupy the property and that one is a little bit over the property line. He said the proposal is to subdivide the property into two conforming lots and to construct two single family homes that will meet all zoning requirements and not require any variances. He added that the proposal would be a subdivision by right.

Scott Peter of 745 W. Montgomery Avenue in Wildwood was sworn in so Mr. Gelzunas could ask him to address the items in the Borough Engineer's review letter. Mr. Gelzunas asked if Mr. Peter intends to comply with the landscaping ordinance at the time of construction. Mr. Peter testified that he would. Mr. Gelzunas asked if he planned to retain any of the trees on the property. Mr. Peter testified that he intends to keep about 60% of the trees and he added that most were small in caliber. Mr. Gelzunas asked if everything on the lot would be demolished and moved and Mr. Peter testified that yes it would be. Mr. Gelzunas explained that the review letter suggested the 10 foot setback be located along the westerly property line and asked if Mr. Peter had any objections. Mr. Peter testified that he did not object and added that this would be more consistent with the other homes on the street. Mr. Gelzunas asked if his client was going to comply with the grading ordinance and Mr. Peter testified that he would comply. Mr. Gelzunas asked if he wanted to post bond or have the buildings demolished prior to the filing of the subdivision. Mr. Peter testified that he would demolish them before filing so there would be no need to post bond. Mr. Gelzunas asked about parking and Mr. Peter testified that he would provide two parking spots per lot and have them designated on the plans.

Board Member Art Joblin asked what kind of homes would be constructed and Mr. Peter said they will be two single family homes about 21 to 22 hundred square feet each with 4 bedrooms and 2 baths.

Board Member Carol Sabo asked the applicant if he knew anything about the history of the property, he indicated he did not and said for the 4 years he's had the property it has been two rental units. Mrs. Sabo said the front building was a church for a number of years and asked if he had a chance to look at the building and its contents. Mr. Peter explained that he did not see anything of historical importance but admitted he didn't know it was a church and so wasn't necessarily looking for anything. Mr. Peter said he would be agreeable to allowing residents the chance to go through it before he demolishes it. Board Member Lisa Roselli asked if he felt the same way about the building itself, if someone wanted to take the entire building or part of it. Mr. Peter said he would be agreeable to that as well.

Solicitor Russell asked Attorney Gelzunas if his client was agreeable to all of the comments and recommendations contained in the engineer review letter. Mr. Peter testified that he would comply with all the comments and recommendations.

Board Engineer Raymond Roberts was sworn in and testified that the application was fairly straight forward. Mr. Roberts said one thing that was not in his report but that should be included on the final map is the placement of a monument on the property line on Fifth Avenue showing the new property lines and also the building envelope on both parcels. Mr. Roberts wanted to express that he was trying to encourage the preservation of as many trees as possible on the property, and said if the driveways are put next to each other at the center of the property this could be accomplished. Mr. Roberts indicated that the applicant requested certain waivers from the checklist and he had no objection to those waivers. Mr. Roberts said there were no variances required and the designated parking spaces must be added to the map.

Board Member Sabo asked about a time frame for demolition of the buildings. Mr. Peter said he would be fine with allowing 60 days. Mr. Gelzunas said if his client was approved they

would agree to hold off on demolition for 60 days. Solicitor Russell advised the Board that the 60 days could start right away and it did not have to wait until the resolution was memorialized.

Chairman O'Neill asked Mr. Roberts if the Board should be concerned with the waivers discussed. Mr. Roberts explained that not all checklist items are applicable to all applications and Solicitor Russell seconded this explanation.

The floor was opened to residents within 200 feet of the proposed property. Ms. Jerusha E. Proctor of 306 Sixth Avenue, was sworn in and testified that she received a notice letter and so she wanted to come see what it was about and to find out exactly where the property in question was located. She was advised it was located directly behind hers. Ms. Jerusha indicated that she had no objection to the proposed project and the Board thanked her for her interest and input.

When no one else expressed a desire to speak, the public portion was closed. Solicitor Russell, advised the Board that, if granted, this would be an approval for Minor Subdivision with all the conditions and recommendations of Mr. Roberts review letter as well as his additional comments and the 60 day waiting period.

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

Privilege of the Floor:

Board Member Carol Sabo wanted to share a conversation that she had with fellow Member Doris Jacobsen about whether or not someone on the Shade Tree Commission could become a member of the Combined Planning-Zoning Board or at least attend the meetings. The idea being they could offer information and alleviate discrepancies that may arise.

Solicitor Russell advised caution, stating the law treats these bodies differently and there are different criteria that empower Planning and Zoning Boards versus Shade Tree Commissions. Board members asked if they could just attend the meeting and Solicitor Russell advised there should be no issue with them attending as members of the public. Board Member TJ Belasco brought up the point that the landscape plan is not required until after so there would be no plans for the Shade Tree member to review. Mr. Roberts reminded the Board that single family homes are not subject to the site plan approval process.

It was agreed that any member of the Shade Tree Commission could come in to the Clerk's office and review an application prior to the meeting.

Norman Roach, the Zoning Official of West Cape May, was sworn in and testified that he has been in contact with Wayne Hoffman and other Shade Tree members in an effort to make the shade tree ordinance and the zoning code more uniform. He said the Borough attorney would have to review them for approval.

When no one else wished to speak, the meeting was adjourned at 8:12 PM on motion of Paul Mulligan and carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary