

**BOROUGH OF WEST CAPE MAY  
PLANNING-ZONING BOARD  
MINUTES - REGULAR MEETING - SEPTEMBER 12, 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 7:07 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	absent	Lisa Roselli	absent
Art Joblin	absent	Carol Sabo	present
Pam Kaithern	present	<u>Alternates:</u>	
Barbara Lamb	absent	Lindsay Casale	present
Paul Mulligan	present	Janet Payne	present

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

**APPLICATIONS:**

**Application 012-17, Mark Lukas & Edward Celata, 119 Myrtle Ave., Block 4, Lot 4, New Application – Preliminary & Final Site Plan and Variance Relief – Hardship & Substantial Benefit**

Chairman O'Neill addressed the tabled application first due to the many residents in the audience who attended because of the hearing. Mr. O'Neill announced that the application on the agenda was tabled indefinitely. Solicitor Russell expressed that this postponement was at the applicant's request and the board secretary was only notified today. He advised that re-notice and advertisement were a requirement once rescheduled.

**MINUTES:**

**August 8, 2017 Regular Meeting**

On motion of Paul Mulligan, seconded by TJ Belasco, the minutes of August 8, 2017 Regular Meeting were approved, on roll call vote as follows: TJ Belasco, Paul Mulligan, Carol Sabo, Janet Payne and Kevin O'Neill voting in the affirmative.

**RESOLUTIONS:**

**Resolution #0013-17 Approving Minor Subdivision, for Shore Real Estate Developers LLC, 337 Fifth Ave., Block 52, Lot 62.01, App 011-17**

On motion of Paul Mulligan, seconded by Kevin O'Neill, the aforementioned resolution was approved, on roll call vote as follows: TJ Belasco, Paul Mulligan, Carol Sabo, Janet Payne and Kevin O'Neill voting in the affirmative.

## **NEW BUSINESS:**

### **Discussion of Preliminary and Final Plans**

Board Member Pam Kaithern expressed interest in making it the Board's policy to hear major subdivision and major site plan applications separately, as a preliminary approval first and then final approval at a second hearing. Solicitor Russell agreed and noted that it could also be beneficial to have a second hearing and final approval when you have a lot of conditions that must be satisfied. He said it would take the sole responsibility off of the Engineer because revised plans would then be presented to the Board for review instead of only to the Engineer after the fact. Solicitor Russell added that this should be the rule not the exception and the Board could always consider a waiver if they felt it was necessary. It was suggested that this be made a Standard Operating Procedure via Resolution.

The Board discussed how the process would work in relation to trees that were to be preserved. It was agreed that some cases would involve code violations, municipal court proceedings, and potential fines.

Board Solicitor Russell explained that the hearing for final approval would be to review all revisions and to make sure the applicant has done what they needed to do. Board Engineer Ray Roberts wanted to point out that if an applicant was granted preliminary approval and then they didn't submit a tree survey which was a required part of the final submission, then the Board would not grant final approval.

Board Member Paul Mulligan pointed out that the Board already follows this SOP and didn't understand what this would change. After some discussion it was agreed that while the Board already follows this rule it would be good to re-affirm this process per a resolution to adopt an SOP that follows the land use law and supports the two step process for preliminary and final approvals. Motion to adopt the aforementioned resolution was made by Mayor Kaithern, seconded by Paul Mulligan, and approved on roll call vote as follows: TJ Belasco, Pam Kaithern, Paul Mulligan, Carol Sabo, Lindsay Casale, Janet Payne and Kevin O'Neill.

### **Discussion to adopt a timeline for meetings**

Board Member Kaithern also wished to discuss putting a time cap on application hearings. Reasons and exceptions were discussed and it was eventually agreed that no new applications should be heard after 9:30 PM and meetings should end by 10:00 PM. The Board agreed this would be added to the resolution as an SOP as well.

### **Discussion regarding the County Meeting attended by the Mayor**

Board Member Kaithern announced that she attended a county meeting and was introduced to a mapping project called Conservation Blueprint. Mrs. Kaithern was extremely impressed and said 20 or more partners pulled together to do GIS mapping of New Jersey with the goal to try to preserve the best of NJ. She explained that the website was incredibly interactive and included a tutorial to follow. Ms. Kaithern said this would be an excellent tool for all of the Boards and Commissions and asked everyone to take a look and see how we can start using it for the betterment of the community. She gave the website address, NJmap2.com/blueprint, and advised the secretary to email it to the members as well.

## **Privilege of the Floor:**

Jane Robinson of 438 Third Avenue asked if the Board could revise their regulations given all the current development. She was advised by Solicitor Russell that there is a Master

Plan that undergoes periodic re-examinations and that the Board and the Commissioners here are very mindful of that. Ms. Robinson expressed concern over builders who are creating \$750,000.00 homes instead of \$250,000.00 to \$400,000.00 homes that families can afford. She said this changes the demographic of the town. She also expressed frustration over what she sees as a lack of direction and/or requirements given to builders regarding landscaping and preservation of trees and plants and a natural habitat. Ms. Robinson said it was unacceptable for builders to get away with not doing what is required of them. She asked if a mission statement would help.

Solicitor Russell explained the Master Plan is the Borough's statement of objectives. Board Member Kaithern encouraged Ms. Robinson to go online to the Borough's website and read the Master Plan and the re-examinations that are posted there. Mrs. Kaithern also explained the fine line between regulating property rights and trying to maintain the town that you have. She also explained the enforcement and court process when there is a violation, stating that unfortunately the fine or punishment is more palpable than meeting the requirement to some of the applicants.

Ms. Robinson said she understood and appreciated the explanations that were offered to her and thanked the Board for their efforts.

When no one else wished to speak, the meeting was adjourned at 8:05 PM on motion of Carol Sabo and carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteado  
Board Secretary