

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD
REGULAR MEETING – DECEMBER 13, 2016**

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:

TJ Belasco	present	Kevin O’Neill	present
Doris Jacobsen	present	Diane Rea	absent
Art Joblin	present	Carol Sabo	present
Pam Kaithern	present	<u>Alternates:</u>	
Barbara Lamb	present	Lisa Roselli	present
Paul Mulligan	present	Dick Rigby	absent

Also Present: Brock Russell, Esq., Board Solicitor
Michael Angelastro, Acting Engineer
Theresa Enteadó, Board Secretary

NEW BUSINESS: Board Member Kevin O’Neill wanted to re-read his testimony from the previous meeting for the record. Some members thought the summary by the board secretary was effective and others wanted the word for word transcription. It was agreed that Mr. O’Neill would supply his written notes and they are attached hereto.

MINUTES:

November 29, 2016 regular meeting:

On motion of Lisa Roselli, seconded by Art Joblin, the minutes of November 29, 2016 Regular Meeting were approved as amended, on roll call vote as follows: TJ Belasco, Art Joblin, Pam Kaithern, Kevin O’Neill, and Lisa Roselli voting in the affirmative.

RESOLUTIONS:

Resolution 0014-16, Approving Ordinance 514-16 Amending/Supplementing Planning-Zoning Board Application Fees:

On motion of Carol Sabo, seconded by TJ Belasco, the aforementioned resolution was approved on roll call vote as follows: TJ Belasco, Art Joblin, Pam Kaithern, Kevin O’Neill, and Lisa Roselli voting in the affirmative.

Resolution 0015-16, Amending resolution 0013-16 for John Brown POA for Paula Brown, Block 58, Lot 4, 206 Columbia Avenue, Minor Subdivision Approval together with Bulk Variances:

On motion of Art Joblin, seconded by Pam Kaithern, the aforementioned resolution was approved on roll call vote as follows: TJ Belasco, Pam Kaithern, Kevin O’Neill, Carol Sabo, and Lisa Roselli voting in the affirmative.

Resolution 0016-16, Scott Peter, Block 21, Lot 43.02, 724 Park Blvd., Minor Subdivision Approval together with Bulk Variance Relief:

On motion of TJ Belasco, seconded by Lisa Roselli, the aforementioned resolution was approved on roll call vote as follows: TJ Belasco, Art Joblin, Pam Kaithern, and Lisa Roselli voting in the affirmative.

Resolution 0017-16, Cape Island Investments LLC, Block 67, Lot 6, 608-610 Second Avenue, Minor Subdivision Approval:

On motion of TJ Belasco, seconded by Art Joblin, the aforementioned resolution was approved on roll call vote as follows: TJ Belasco, Art Joblin, Pam Kaithern, Kevin O'Neill and Lisa Roselli voting in the affirmative.

APPLICATIONS:

Application 011-16, Cape Home Investments LLC, Block 60, Lot 4, 408 Fourth Avenue, for Minor Subdivision:

Mr. Ronald Stagliano, attorney for the applicant, spoke on behalf of his client. He said the LLC Entity was comprised of four members; Christine & Marcello Mogavero and Kate & Brian Soldano. Mr. Stagliano said the parcel contains 15,820 square feet and is in the R2 Zoning District. He said his client was proposing a minor subdivision to create two lots out of one.

At this point Marcello Mogavero, of 557 Nummytown Road in Cape May was sworn in.

Mr. Stagliano continued, he said the subdivision proposed meets all the requirements of the R2 Zone with respect to variances and proposed use. He said the proposal is to build two single family homes and the plan was prepared by Mr. William Sweeney. Mr. Stagliano indicated that the revised plan dated 11/20/2016 was submitted because of the error in maximum lot coverage. The revised plan shows the accurate maximum lot coverage of 40% and still no variance is needed. Mr. Stagliano said an LOI was issued by the DEP that stated the property was not effected by wetlands or wetland buffers, and his client intends to submit a tree survey at the time of construction. Mr. Stagliano asked that his client go on record stating that he agreed with his presentation to the Board and that he represented him accurately. Mr. Mogavero agreed. Mr. Stagliano summarized his presentation by saying the proposal is a conforming or by-right application that meets the Borough's terms and intent of its zoning ordinance and so requested final minor subdivision approval.

Chairman Mulligan asked the applicant to walk the Board through the plans. Mr. Mogavero testified that he wanted to build a home on the lot to the right, almost identical to one he just built on Leaming Ave. He said it would very much fit the feel and landscape of West Cape May. For the one on the left, the home will be similar but not identical. Mr. Mogavero said he will hire a reputable landscaping company and he will submit a landscape and tree package.

Acting Board Engineer, Michael Angelastro, was sworn in and advised the Board the applicant indicated no variance was being sought, that the maximum building coverage would stay at 40% so the bulk requirement chart in page 2 indicated as such. He acknowledged that the revised plan dated 11/20/16 corrected the error of 50% on the original plan. Mr. Angelastro said he noted in

the completeness review that the applicant must add the total area of the tract to the subdivision plans, as well as the name of the alley, Borough Hall Alley. He also testified that the plans must indicate all existing trees of 3 inch diameter and greater and he asked the applicant if he would comply with this. Mr. Mogavero said he would. Mr. Angelastro advised the Board that the question of wetlands and/or wetland buffers was addressed by procuring the LOI from the DEP and he advised the applicant that performance bond would be required if monuments were to be installed after filing the map. Mr. Mogavero said he would prefer to set the monuments prior to filing. Lastly, Mr. Angelastro said Cape May County Planning Board approval was submitted. Mr. Stagliano clarified that it was waiver from the county and that concluded the Engineer's report.

Board Solicitor Russell asked the applicant if he was willing to comply with the conditions suggested in the report and Mr. Mogavero testified that he was.

There was some confusion and discussion about the aerial photo that was provided with the application and a more accurate photograph was passed around to the Board and marked as Cape Home Investments, LLC Exhibit One.

The Board also discussed the survey to clarify for the record that both the old block and lot and the new block and lots were both present as key maps.

Board Member TJ Belasco wanted to know when the applicant was going to supply the survey of trees that are currently on the property. The applicant testified that he would supply them at the time of zoning permit requests.

Board Member Pam Kaithern stressed that the survey and photos must be prior to any work being done. She also wanted to address the comment about the property not having many trees because she felt it was a heavily treed area.

Chairman Mulligan opened the floor to residents within 200 feet of the proposed property. Susan Hoffman was sworn in and testified that she lives next to the proposed property and her address is 408 Fourth Avenue. She said her concern was with the post office and mail and would like to keep this address if possible. She was advised that the tax assessor reviews and assigns addresses with all subdivisions. She thanked the Board.

The floor was opened to residents beyond 200 feet of the proposed property. Norm Roach, Borough Zoning Official, testified that it is normal process for the tax assessor to assign the addresses.

Seeing no one else, a motion to close the public portion was made by Art Joblin, seconded by TJ Belasco, and approved on roll call vote as follows: all members present voting in the affirmative.

Board Attorney Russell, advised the Board that the approval would be for Minor Subdivision, that the applicant meets all the R-2 Zoning District requirements and so is a by right application.

On motion of Carol Sabo, seconded by Art Joblin, the aforementioned application was approved unanimously on roll call vote.

PRIVILEGE OF THE FLOOR:

When no one else wished to speak, the meeting was adjourned at 8:15 PM on motion of TJ Belasco, seconded by Pam Kaithern, and carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary

Kevin O'Neill's testimony, in his words and submitted by him, regarding PZB application #002-16, applicant Scott Peter, at 724 Park Blvd. Block 21, Lot 43.02, meeting held on November 29, 2016:

I am against this application as it will now bring 18 homes where 3 once stood. This does not follow our master plan as precious open space is shunned, 500 trees butchered , endangered species and wildlife butchered without a second thought, Now there are flooding issues that were never present before that a paid "expert" testified would not happen, which will lead to lawsuits against the builder, his "experts" and the borough. That said, the current applicant speculator should not be denied or penalized as massive over development has been allowed in our once pristine neighborhood without any thought of our quality of life, master plan, preserving open space, and water and flooding issues. At this point, an additional home's marginal damage to our neighborhood is negligible since the damage is already done ten times over. That damage destroys the hard work done by your predecessors on this board who were adamantly against the destruction of open space for this type of cluster housing, thus their hard work now goes up in smoke. My neighborhood is now a messy, unsafe eyesore, a disgrace and should be an embarrassment to the borough instead of its dirty little secret off the beaten path. I challenge all of you to come down my street, look at this ongoing mess and say this is good for the borough, it furthers our master plan and I wish this was in my neighborhood.