

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD
REGULAR MEETING – SEPTEMBER 3, 2019**

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:

Art Joblin	present	Peter Burke	present
Bob Hewitt	present	Carol Sabo	present
Doris Jacobsen	absent	TJ Belasco	present
Kevin O’Neill	present	<u>Alternates:</u>	
Lisa Roselli	present	Lindsay Casale	absent
Paul Mulligan	absent		

Also Present:

Raymond Roberts, Board Engineer
Richard M. King Jr., Board Solicitor
Theresa Enteadó, Board Secretary

MINUTES:

August 6, 2019 Regular Meeting

On motion of Art Joblin, seconded by Lisa Roselli, the Minutes of August 6, 2019 Regular Meeting were approved on roll call vote as follows: Art Joblin, Bob Hewitt, Lisa Roselli, Peter Burke, and Carol Sabo voting in the affirmative

August 20, 2019 Workshop Meeting

On motion of Carol Sabo, seconded by Bob Hewitt, the Minutes of August 20, 2019 Workshop Meeting were approved on roll call vote as follows: Bob Hewitt, Lisa Roselli, Peter Burke, Carol Sabo, and TJ Belasco voting in the affirmative.

APPLICATIONS:

Application 009-19, TMCCM Partners LLC, 15 Willow Ave., Block 21.01, Lot 20, New Application – Variance Relief – Hardship & Substantial Benefit

Ron Gelzunas is the attorney for the applicant. Thomas Henry, owner of the subject

property and Christina Amey, project architect, were both sworn in for the record. Also sworn in for the record, Board Engineer Raymond Roberts.

Mr. Gelzunas presented photos of the rear of the property, they were marked as Exhibit A-1. He said the proposal is to renovate the existing structure and he asked Ms. Amey to walk the Board through her design.

Ms. Amey testified that she is a registered architect with the State of New Jersey, practicing for over ten years, with experience before planning and zoning boards. Ms. Amey said the existing building is a small three bedroom rancher with a shallow roof. She said the proposal is to increase the roof and add an addition to the rear of the building. She mentioned the front yard and side yard are existing non-conformities. Ms. Amey testified that the plan is for the addition in the rear to be fully conforming but the front entry way will be widened. She added that they are including a roof over the entry and the existing roof will be replaced and made steeper. She testified that the FAR is being maintained and impervious lot coverage will be decreased from the current 45.5 percent to the permitted 40 percent, due to the removal of the concrete driveway. Ms. Amey said for building height they are proposing 19 feet 7 inches while 35 feet is the maximum allowed.

Mr. Gelzunas summarized for the Board, the construction in the rear will be fully conforming. The pre-existing side yard setback on the existing building will not be exacerbated in any way. The existing front yard setback will be increased because the proposed entry way will come out about one foot and a half more than the existing entry way and will also be wider by about one foot, three inches. He said the increase is for safety reasons as well as aesthetic reasons. The roofline change will create a more modern look, which adds value to the neighborhood. The roof height increase, while remaining a one-story building, is beneficial to the zoning of the area. There is no negative impact to the community and no impairment to the zoning ordinance, in fact the decrease of lot coverage is a benefit.

Board Solicitor King asked for clarification on the dimensions for the entry way. It was agreed that a correction must be made to the zoning chart in the engineer's review letter to show the proposed front yard setback as 8.9 feet (porch).

Solicitor King informed the Board that the side of the house is in the side yard setback, and raising it increases the height, and therefore it is an expansion of a non-conforming structure that will require relief from side yard setback. The applicant and his attorney agreed and added that the height increase is not like adding another story, the space is uninhabitable and there would still be no detriment to the zoning ordinance.

The applicant wanted to keep the existing shed during construction and was agreeable to the condition that it be removed prior to issuance of a CO.

Board Member Hewitt asked about drainage. Mr. Roberts confirmed that a grading plan would be required and drainage issues would be addressed at that time.

Board Engineer Roberts indicated that he did not object to the waiver of storm water

management plan and spot elevations, should the Board decide to grant that. He said the addition meets the side yard requirements. He was in receipt of the photographs and other than the clarifications of accurate dimensions, the testimony was complete.

The floor was opened to residents within 200 feet of the subject property and beyond and when no one expressed a desire to speak the public portion was closed.

Closing statement by the applicant was that the proposal is tasteful and moderate and fits in with the street scape and neighboring properties. It is the kind of re-development that should be encouraged.

Solicitor King advised the Board this will be a motion to approve the side yard and front yard setback variances, and the waivers outlined by the engineer, including all conditions and recommendations in the Board Engineer's report as well as any made during testimony.

On motion of Carol Sabo, seconded by Peter Burke, the aforementioned application was approved on roll call vote as follows: Art Joblin, Bob Hewitt, Kevin O'Neill, Lisa Roselli, Peter Burke, Carol Sabo, and TJ Belasco voting in the affirmative.

Application 008-19, Kimberly B. Pitts, 115 Emerald Ave., Block 7, Lot 5, New Application – Variance Relief – Hardship

Kimberly Pitts, property owner, and George Rohana, builder, were both sworn in for the record. Engineer Roberts, remained sworn in.

Mr. Rohana said the property owner wants to construct a screened in porch on the back of the existing house. He said there are some existing non-conformities such as lot size, lot depth, and front yard setback. He said the construction will be to the rear of the building only and the applicant needs relief from the rear yard setback and the lot coverage requirements. Mr. Rohana testified that the existing lot coverage is at 52.9 percent. He said the removal of the existing uncovered porch, steps, and concrete walkways, along with the new construction will bring the lot coverage percentage to 53.8, which is not a significant increase. Mr. Rohana said 20 feet is the required rear yard setback and the proposal is for 13.2 feet, which was clarified for the record due to a discrepancy on paperwork. Mr. Rohana said there will be electricity for lighting and also a gas fireplace. He said the addition will be an aesthetic improvement to the home but since it is the rear it will also not have a negative impact because it will not be visible to most neighbors. He said the new construction will be safer with new railing and a larger secondary exit in the event of a fire. Mr. Rohana also testified that the change to lot coverage is so small and will not have a negative impact on the zoning ordinance. He said it is a small addition for value and use.

Board Member Art Joblin said he feels the change in lot coverage, at only one percent, is de minimis in nature.

Board Engineer Roberts asked if there will be any plumbing added to the porch. The applicant testified there is no plan to add plumbing of any kind. He also asked the applicant to

testify as to the landscaping. The applicant agreed to submit a landscape plan to be reviewed by the board engineer as a condition of approval. Mr. Roberts asked if the applicant intends to enclose the porch in the future. The applicant testified they do not intend to enclose the porch and there will be no HVAC unit installed so it will not be temperature controlled. Mr. Roberts advised the applicant that if granted by the Board the applicant must submit a final plan using the current survey, that will incorporate the existing and proposed dimensions as well as the landscape plan. He said it should have signature lines for the board engineer, the board chairman, and the board secretary. The applicant replied that they understood.

The floor was opened to residents within 200 feet of the subject property and beyond and when no one expressed a desire to speak the public portion was closed.

Board Solicitor King, said the applicant has provided testimony that the application advances the purposes of zoning related to aesthetics and safety. He said the motion will be to grant the rear yard setback of 13.2 feet and a lot coverage variance from 52.9 to 53.8 with any and all conditions in the Board Engineer's report as well as any made during testimony.

On motion of Art Joblin, seconded by Bob Hewitt, the aforementioned application was approved on roll call vote as follows: Art Joblin, Bob Hewitt, Kevin O'Neill, Lisa Roselli, Peter Burke, Carol Sabo, and TJ Belasco voting in the affirmative.

PRIVILEGE OF THE FLOOR:

When no one wished to speak, the meeting was adjourned at approximately 8:11 PM on motion of Bob Hewitt, and carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary