

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD
REGULAR MEETING – SEPTEMBER 1, 2020**

The Regular Meeting of the Borough of West Cape May Planning-Zoning Board, held via Zoom web conference at 7:00 PM, was called to order by Vice Chair Roselli at approximately 7:00 PM. After reading the Open Public Meetings Act of 1975, she led all present in the flag salute.

<https://zoom.us>

Meeting ID 928-0171-5594

Password 168724

ROLL CALL:

Members:

Art Joblin	present	Peter Burke	absent (joined 7:20)
Bob Hewitt	absent	Carol Sabo	present
Kevin O’Neill	present	TJ Belasco	absent
Jim Barnes	present	<u>Alternates:</u>	
Lisa Roselli	present	Deanna Kurkowski	present
Paul Mulligan	absent	Allison Morgan	present

Also Present:

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

MINUTES:

August 8, 2020 Regular Meeting

On motion of Jim Barnes, seconded by Kevin O’Neill, the Minutes of August 8, 2020 Regular Meeting were approved on roll call vote as follows: Jim Barnes, Kevin O’Neill, Carol Sabo, Deanna Kurkowski, and Allison Morgan voting in the affirmative.

ORDINANCES:

Ordinance No. 585-20, Amending Section 27 of Borough Code Regarding Garage Setbacks

On motion of Art Joblin, seconded by Lisa Roselli, the aforementioned ordinance was deemed consistent with the Borough of West Cape May Master Plan, on roll call vote as follows: Art Joblin, Jim Barnes, Kevin O’Neill, Lisa Roselli, Carol Sabo, Deanna Kurkowski, and Allison Morgan voting in the affirmative.

Ordinance No. 586-20, Amending Section 27 of Borough Code Regarding the Application of The Residential Site Improvement Standards

On motion of Art Joblin, seconded by Kevin O’Neill, the aforementioned ordinance was deemed consistent with the Borough of West Cape May Master Plan, on roll call vote as follows: Art Joblin, Jim Barnes, Kevin O’Neill, Lisa Roselli, Peter Burke, Carol Sabo, Deanna Kurkowski, and Allison Morgan voting in the affirmative.

APPLICATIONS:

**Application 003-20, William and Carole McCray, 304 Atlantic Avenue, Block 40, Lot 7
New Application – Variance Relief – Hardship, Substantial Benefit, and Use**

Carol Sabo and Peter Burke are both recused because they are on the BOC and Peter Burke lives within 200 feet of the subject property as well. Six voting board members remain and the applicant and applicant’s attorney are agreeable to continue.

Robert Belasco, attorney for the applicant, said the subject property is located in the R-1 Zoning district, the lot is significantly undersized, and currently a single-family, one-story building exists that was constructed in 2006. He said the applicants have owned the property since 1990. Mr. Belasco briefly discussed some history of the property involving an encroachment and a subsequent easement. The applicant is seeking approval to construct a 12’ 7” X 5’ 6” enclosed porch along the front of the existing structure. The applicant proposes to remove the deck that currently exists here, the new porch will replace the deck. Mr. Belasco mentioned the variances needed and introduced Pamela Fine to discuss them in further detail.

Pamela Fine, the applicant’s architect, and Raymond Roberts, the board’s engineer, were sworn in by solicitor King. Ms. Fine testified that the home is very small and the applicants want to take the existing front deck and turn it into an enclosed porch. She walked the board through the plans and discussed the existing non-conformities. The existing front yard setback will be maintained as well as the existing side yards, with the side yard setbacks actually being improved for the proposed porch. This is because she pulled in the sides of the porch. This adjustment also lessens the lot coverage, which is another pre-existing non-conformity. It was clarified and confirmed that the existing lot coverage is at 73.9% and the proposed lot coverage is 72.8%. Ms. Fine also testified that the non-conforming parking variance is pre-existing and the proposal will not exacerbate this in anyway. The FAR allowed is 45% or 524 square feet, the existing FAR is 48.9% or 570 square feet and the proposed project puts the FAR at 55.8% or 651 square feet. This increase is because they will be enclosing the porch and adding to the building. The current deck does not count towards the FAR. Ms. Fine said this will not encroach any further into the front yard, and the footprint is there already from the deck so the property can sustain the larger FAR. Ms. Fine presented criteria for C-1 and C-2 Variance relief and believes there would be no detriment to the neighborhood or zoning ordinance.

Mr. Roberts, Board Engineer, agrees with the correction on maximum lot coverage made by Ms. Fine. He questioned the parking and asked if the applicant has one or two vehicles. The applicant’s attorney replied that they own one vehicle and ride bikes often. Mr. Roberts advised that the parking on the street would satisfy the requirement for the one bedroom and one vehicle.

Mr. Roberts asked if the shed and shower on the side of the building were being maintained. Ms. Fine replied they were staying and that nothing would change on that side.

The Board questioned the existence of so many pre-existing non-conformities. Mr. McCray was sworn in and testified that he acquired the necessary permits at the time.

Mr. Roberts continued with his review, saying the final map must show the location of the shower and shed. The applicant was agreeable which concluded Mr. Roberts' review.

At this time the floor was opened to the public. Mr. Fredrick DiMeglio, of 306 Atlantic Avenue, was sworn in. He asked about the setback and it was clarified that the existing was zero and the proposed was two feet. He was satisfied with the explanation. Mr. DiMeglio feels that the enclosed porch will negatively impact his property regarding openness and space. When no one else expressed a desire to speak the public portion was closed.

Mr. King, Board Solicitor, advised this would be a motion to approve variance relief as testified and subject to all recommendations and conditions noted in Mr. Roberts' review letter as well as those made during testimony, and any other required outside approvals. Mr. King reminded everyone this would require five affirmative votes.

On motion of Art Joblin, seconded by Kevin O'Neill, the aforementioned application was approved on roll call vote as follows: Art Joblin, Jim Barnes, Kevin O'Neill, Lisa Roselli, and Deanna Kurkowski voting in the affirmative, and Allison Morgan voting in the negative.

PRIVILEGE OF THE FLOOR:

Carol Sabo was seeking feedback on the Board's comfort level with in-person meetings. This was discussed briefly along with the current executive order. The board secretary will send an email/poll on the subject to all board members. Ms. Sabo invited members to stop by the Borough and look at the setup in the court room during office hours. The board secretary said an application is currently being reviewed by Mr. Roberts, and reminded all that a determination must be made in time to inform the applicant about the proper notice requirements.

When no one else expressed a desire to speak, the meeting was adjourned at approximately 8:27 PM carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary