

**BOROUGH OF WEST CAPE MAY
PLANNING-ZONING BOARD
REGULAR MEETING – NOVEMBER 3, 2020**

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 approximately 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	absent	Peter Burke	present
Bob Hewitt	present	Carol Sabo	present
Kevin O’Neill	present	TJ Belasco	present
Jim Barnes	present	<u>Alternates:</u>	
Lisa Roselli	present	Deanna Kurkowski	absent
Paul Mulligan	present	Allison Morgan	present

Also Present:

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

NEW BUSINESS:

2021 Meeting Dates

Tentative dates for meetings in 2021 were given to the Board Members and Board Professionals for review. They will be approved at the January 2021 re-organization meeting.

MINUTES:

October 6, 2020 Regular Meeting

On motion of Bob Hewitt, seconded by Lisa Roselli, the Minutes of October 6, 2020 Regular Meeting were approved on roll call vote as follows: Bob Hewitt, Jim Barnes, Kevin O’Neill, Lisa Roselli, Paul Mulligan, Peter Burke, Carol Sabo, and Allison Morgan voting in the affirmative.

APPLICATIONS:

Application 004-20, Tomas O’Hara, 136 Eldredge Avenue, Block 7, Lots 20 & 21, Continued from last meeting – Variance Relief – Bulk and Use

Board Member TJ Belasco has signed an affidavit that he has listened to the entire recording of the meeting on October 6th and is eligible to vote. Carol Sabo and Peter Burke are

both recused because they are on the BOC. The applicant's attorney, Mr. Hillegass summarized the events of the previous meeting on October 6, 2020. In particular, he said the applicant testified that the property consisted of a main dwelling and a smaller cottage in the rear that had been rented. Mr. O'Hara also testified that the adjacent neighbor, Mr. McCoy, informed him that when he (McCoy) purchased his property in 1985, the cottage had a tenant who had lived in it for years prior to his purchase. Mr. Hillegass continued with his summary regarding Ms. Fine's testimony that was presented, variances requested, and criteria required. Mr. Hillegass entered into evidence, literature by the U. S. Department of Agriculture titled "History of yard lumber size standards" and it was marked as exhibit A-3. Also introduced into evidence, aerial photographs depicting the main dwelling and the rear cottage, marked as exhibit A-2.

At this time Mr. Stephen McCoy, of 137 Emerald Avenue, was sworn in and testified that he lives directly behind the cottage on Mr. O'Hara's property. He said at the time of his purchase in 1986, the cottage existed with a tenant who had lived in it for a number of years.

Mr. Hillegass said final plans, with the recommendations and conditions discussed at the prior meeting, would be submitted to the Board Engineer for approval.

It was clarified for the record that the applicant is requesting a front yard setback for the main dwelling, side and rear yard for the cottage, side yard for the shed, and expansion of a non-confirming use, D-2.

Board Member Hewitt asked the Board Solicitor questions about the testimony provided and also about voting. Board Member O'Neill asked how many other properties on Eldredge do not fall within the 20-foot setback. Ms. Fine testified that approximately eighty to ninety percent were at or very close to the same frontage.

The floor was opened to the public and when no one expressed a desire to speak, the public portion was closed.

Board Solicitor King advised the Board members they should first vote to determine if they find that the proposed property currently exists as a pre-existing non-confirming use with two principal buildings on one lot. Then he will be able to advise as to which standard, D-1 or D-2, should be applied.

On motion of Paul Mulligan, seconded by Lisa Roselli, the aforementioned determination that the property is a pre-existing non-confirming use with two principal dwellings on a single lot, was approved on roll call vote as follows: Bob Hewitt, Jim Barnes, Kevin O'Neill, Lisa Roselli, Paul Mulligan, Allison Morgan, and TJ Belasco voting in the affirmative.

Board Solicitor King said the next motion is on the project as a whole which includes a D-2 variance; whether the property can reasonably accommodate the expansion of this non-confirming use, and also C-2 variances regarding various setbacks that were discussed in detail. Once again, Mr. King said this is a motion to approve the project for a D-2 variance based on the standard outlined, and all associated bulk variances 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.

On motion of Paul Mulligan, seconded by Lisa Roselli, the aforementioned application was approved on roll call vote as follows: Bob Hewitt, Jim Barnes, Kevin O’Neill, Lisa Roselli, Paul Mulligan, Allison Morgan, and TJ Belasco voting in the affirmative.

Application 005-20, Lawrence A Pray Builders Inc., 286 Sixth Avenue, Block 52, Lot 18, New – Minor Subdivision

Members Sabo and Burke resumed their positions on the Board. Mr. Hillegass introduced himself as attorney for the applicant and said the proposal is for a two-lot minor subdivision with no variances required.

At this time, Lawrence A, Pray, the applicant and Mr. Scott Healey, the applicant’s engineer, were both sworn in to testify.

Mr. Healey said the existing lot in question is oversized, and the proposal is to subdivide it into two conforming lots. He said both proposed lots will fully conform and will not require any variances.

Board Engineer Roberts agreed no variances are required. He said the applicant agreed via testimony to make the housekeeping corrections in section four of his report. He said he does not oppose the requested waivers from the checklist, but he does require the zone limits to be listed on the final map. This concludes his report.

It was clarified that the building has already been demolished.

Board Member Sabo, asked the applicant to be mindful of the trees on the property, particularly during construction, and also to be diligent in his efforts to comply with our tree ordinance.

Solicitor King advised the Board that this would be approval for a minor subdivision with no variance relief being sought, subject to all recommendations and conditions noted in Mr. Roberts’ review letter as well as those made during testimony.

The floor was opened to the public and when no one expressed a desire to speak, the public portion was closed.

On motion of Kevin O’Neill, seconded by Carol Sabo, the aforementioned application was approved on roll call vote as follows: Bob Hewitt, Jim Barnes, Kevin O’Neill, Lisa Roselli, Paul Mulligan, Peter Burke, Carol Sabo, Allison Morgan, and TJ Belasco voting in the affirmative.

PRIVILEGE OF THE FLOOR:

Board Member Paul Mulligan presented some OEM topics to the Board. He said the County is reviewing their Hazard Mitigation Strategy, done every eight years. He said the main, identified hazard for WCM is stormwater flooding. Engineer Roberts also weighed in on the subject.

When no one else expressed a desire to speak, the meeting was adjourned at approximately 8:21 PM carried by unanimous voice vote.

Respectfully submitted,

Theresa Enteadó
Board Secretary