City of Cape May Zoning Board of Adjustment Meeting Minutes

Thursday, February 25, 2016

**Opening:** In compliance with the Open Public Meetings Act of 1975, adequate notice of the meeting was provided. Chairperson Hutchinson called the meeting to order at 6:30 P.M.

**Roll Call:** Mrs. Hutchinson, Chairperson Present

Mr. Iurato, Vice Chairperson Present

Mr. Murray Absent-Excused

Mrs. Inderwies Present

Mrs. McAlinden Present

Mrs. Werner Present

Ms. Hesel Present

Mr. Mullock (Alt. 1) Absent-Excused

Mr. Pontin (Alt. 2) Present

**Also Present:** David Hasbrouck, Esquire, Substitute Board Solicitor

Craig Hurless, PE, PP, CME, Board Engineer

Erin Burke, Board Assistant

**Minutes:**

**Motion made by Mrs. McAlinden to adopt the minutes of January 28, 2016,** with corrections made, seconded by Mrs. Werner and **carried 6-0.** Those in favor: Mrs. Hutchinson, Mrs. McAlinden, Mrs. Inderwies, Mrs. Werner, Ms. Hesel, Mr. Pontin. Those opposed: None. Those abstaining: Mr. Iurato.

**Resolutions:**

**Motion made by Mr. Iurato to approve Resolution number 02-25-2016:1, Zoning Board of Adjustment Attorney,** seconded by Mrs. McAlinden and **carried 7-0.** Those in favor: Mrs. Hutchinson, Mr. Iurato, Mrs. McAlinden, Mrs. Inderwies, Mrs. Werner, Ms. Hesel, Mr. Pontin. Those opposed: None. Those abstaining: None.

**Motion made by Mrs. McAlinden to approve Resolution number 02-25-2016:2, Zoning Board of Adjustment Engineer,** with corrections made, seconded by Mr. Iurato and **carried 7-0.** Those in favor: Mrs. Hutchinson, Mr. Iurato, Mrs. McAlinden, Mrs. Inderwies, Mrs. Werner, Ms. Hesel, Mr. Pontin. Those opposed: None. Those abstaining: None.

Chairperson Hutchinson announced that the representatives for the Ocean Club requested that their application be pushed back to be heard at the April 28, 2016 Zoning Board meeting. Mrs. Hutchinson explained that the Zoning Board will seek the advice of Board Attorney, Richard King, Esquire, once he returns regarding how to progress with the Ocean Club application, since it has been postponed numerous times.

**Applications:**

***Lawrence A. Pray Builders, Inc.***

***926 Kearney Avenue***

***Block 1082, Lot(s) 8***

Christopher Baylinson, Esquire, Stephen Fenwick of Fenwick Architects, applicant Lawrence A. Pray, and Craig Hurless, Board Engineer, were sworn in and stated their credentials for the record.

The representative for the applicant, Christopher Baylinson, Esquire, gave a brief overview of the application, detailing the demolition of the existing one (1) story frame dwelling and garage currently on the undersize lot, and proposed new single family home. Mr. Baylinson explained that the only variance being sought is for lot size, and then turned the presentation over to Mr. Fenwick for further explanation. Mr. Fenwick detailed that the lot size of the property in question is an existing non-conformity, and that everything else with respect to zoning conforms to regulations. He noted that the proposed new single family dwelling is well within the Floor Area Ratio (FAR) restrictions for the Residential Seasonal District. Mr. Fenwick then described the proposed single family home, referring to the preliminary design plans presented. Mr. Baylinson and Mr. Fenwick agreed that the size of the lot in question cannot be expanded to conform to regulations. If the applicant was even able to purchase additional property from adjoining neighbors (whose lots are fully developed), it would render the adjoining lots deficient with respect to lot width and lot area.

Board Engineer, Craig Hurless, reviewed his memorandum dated January 15, 2016. Mr. Hurless gave a summarization of the variance relief being sought from his report, agreeing that only one variance is necessary for this project, and that no land is available on the adjoining lots to allow the lot in question to conform to regulations. Mr. Hurless clarified that the building setback line requirement for the R-S District is fifteen (15) feet, and that the applicant proposes a fifteen (15) foot setback, which meets the requirement. Checklist waivers numbers 20, 21, 24, and 26 (page 2 of 4) were supported and granted, and General Review Comments (page 4 of 4) items 1, and 3-11 were recommended to be conditions of approval. Mr. Hurless explained that item 2 under the General Review Comments is not a condition of approval, rather indicates that the grading and drainage plan has been reviewed and deemed acceptable. Mr. Baylinson stated that the applicant agrees to all conditions.

**The meeting was opened to the public within 200 feet by Chairperson Hutchinson at 6:57 PM.**

**Joanne Wood, 924 Kearney Avenue, was sworn in.** Ms. Wood questioned the existing and proposed driveway for the property. Mr. Fenwick and Mr. Pray explained the layout of the driveway and answered all questions.

**The meeting was opened to the public beyond 200 feet, and subsequently closed with no one from the public coming forward.**

**Motion made by Mr. Iurato to approve Completeness Review Waivers 20, 21, 24, and 26,** seconded by Ms. Hesel and **carried 7-0.** Those in favor: Mrs. Hutchinson, Mr. Iurato, Mrs. McAlinden, Mrs. Inderwies, Mrs. Werner, Ms. Hesel, Mr. Pontin. Those opposed: None. Those abstaining: None.

**Motion was made by Mr. Iurato to approve General Review Comments 1, and 3-11,**  seconded by Mrs. Inderwies, and **carried 7-0.** Those in favor: Mrs. Hutchinson, Mr. Iurato, Mrs. McAlinden, Mrs. Inderwies, Mrs. Werner, Ms. Hesel, Mr. Pontin. Those opposed: None. Those abstaining: None.

**Motion made by Mr. Iurato to approve variance for Lot Size,** seconded by Mrs. McAlinden and **carried 7-0.** Those in favor: Mrs. Hutchinson, Mr. Iurato, Mrs. McAlinden, Mrs. Inderwies, Mrs. Werner, Ms. Hesel, Mr. Pontin. Those opposed: None. Those abstaining: None.

Mr. Iurato then thanked the Board members for nominating and voting for him to be Vice-Chairman of the Zoning Board.

**Motion made by Mrs. Hutchinson to adjourn the meeting at 7:05 PM with all in favor.**

**Respectfully Submitted: Erin Burke, Board Assistant.**