

RESORT HOUSE ADVISORY COMMITTEE

Minutes of November 25, 2013 2:00 P.M.

The meeting was called to order by Mayor Mahaney at 2:00 on Monday, November 25, 2013 in the Cape May City Hall Auditorium. The Pledge of Allegiance was recited.

Present: **Mary McKenney, Resident, Rental Property Owner**
John VanDeVaarst, Resident, Planning Board, Green Team
Bonnie Pontin, Resident, Inn Keeper Owner, HPC
Mary Rothwell, Zoning Officer
Bruce MacLeod, City Manager
Ed Mahaney, Mayor
Bill Murray, Deputy Mayor
Tony Monzo, City Attorney
Robert Sheehan, Police Captain

Absent: **John Queenan, Code Enforcement**

MAYOR'S ANNOUNCEMENT: "Open Public Meetings Law"

DISCUSSION: Binders were distributed to committee members as discussed at the previous meeting containing the various documents pertinent to the topic of discussion.

Tony Monzo – Mr. Monzo handed out a suggested definition to open discussion for resort house. He attempted to limit the use of the term for larger types of events and not the occasional gathering where there may be a few invited guests of someone who rented a property either for season or specific period of time and to also exclude a permanent resident or permanent tenant. He stated that for purposes of this definition an excessive number of guests shall be reached when the total number of occupants at the property which includes both inside and outside of the structure exceeds 4 times the number of bedrooms. He again stated that an excessive number of guests 4 times the number of bedrooms was given as a discussion point but we really need to figure out the best way when the intensity of use would fit within that definition. He asked John Queenan if there are occupancy limits to use as a guide. He went on to say this definition is aimed at not increasing inspections of units or developing anything other than a method of addressing the concerns expressed at the last meeting. He suggested the possibility of a need to come up with clarification on what type of time period where the rental would be, the exclusions such as week to week or seasonally and fit that into the definition. He stated the reason he chose number of bedrooms in the definition is that it varies based on the size of the house and the occupancy limits.

Bill Murray – Mr. Murray thinks the definition is not all limiting except for the number of people being considered as excessive and we will discuss that to determine what that number might be. He suggested the next step would be to discuss noise, etc. Commented that what we are trying to do here is take into consideration the reasons why people want to come here and fit that in with the makeup of our community. Commented that it's not just the intrusion upon others if you're packing 150 people into a house that sleeps 10 but that there are some fire and safety concerns. If you have 100 people present they are going to have to park their cars somewhere and in our little town there is not a lot of room to do that in certain areas.

Bonnie Pontin- Clarified that if you don't declare your property a resort house by definition then you would not be able to have some of the other functions. She feels something should be added to the rental agreements.

Mary Rothwell - Stated she would like to hear more from the committee with regard to the number of people as she is not sure about the regulations pertaining to single family homes.

Mary McKenney – Stated she agreed and took to heart at the last meeting when Tricia Hendricks stated the word resort and how that is such an important word for Cape May given we are the Nation's Oldest Seashore Resort and rather than have the label of resort home we talk about being the committee examining the use of residential property used for events. Stated when an event is being hosted by an owner or renter the same issues that we want to address need to be addressed (noise parking and so forth). Commented that if there was an easy way to calculate square footage that might help. She mentioned that she allows 50 at max for interior events and for 100 guests or more only 1 time a year at 2 of her locations. She commented that she likes the number 30 to put a stake in the ground and that could trigger the event notification form. Ms. McKenney handed out and reviewed a resort home committee proposal for gathering information to see how frequently properties are being used for events and what impact those events have on the city. She proposed a 1 year pilot program where the committee could continue to meet throughout the year to review the number and type of notifications and further procedures as needed.

Mayor Mahaney – Stated that we are here talking about the use of properties in a town that is a national historic landmark that has a very positive image and relies on tourism (70% of its economy) and making sure that we don't lose the charm and ambiance. He commented on respecting individual property owner's rights but to also see that commercial zones don't encroach into the residential areas. He stated that any definition or ordinance is always a work in progress even after it's passed and as we go through this progress we will gradually find issues to refine the definition. The Mayor and Dolores Lanzalotti had a discussion regarding the rental agreements that the agencies use here and that they are mainly for 180 days or less.

John VanDeVaarst- Suggested that square footage be based on the entire lot and not just the building/property.

Bruce MacLeod- Expressed concern on trying to establish a definition of occupancy regarding short term vs. long term. Stated if someone wants to have a birthday party and invites 20 guests a caterer would likely not be involved but when 100 guests are at the property along with all of the other related activities, somewhere along the way we have to put a definition to them or some relationship of those types of activities to determining whether that goes hand in hand with what the property was rented for in its original intended use.

Robert Sheehan- Discussed having to return to a property and issuing a summons. Stated upon return you issue a summons or make an arrest if needed depending on the circumstances but that they are dealt with on a case by case basis. Stated a summons is issued to the person making the noise or the person in poor conduct. He feels an event notification form will help the department with planning.

PUBLIC PORTION: Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone.

Michelle Wiemer – Conawega, Maryland – Cape May is their second home. Her oldest daughter is getting married next year and dream was to have it in Cape May. Her daughter set up everything for the wedding and they had rented 2 houses through a real estate agency. They were told there would be no problem. All paperwork was signed in June. In August they had to get the tent regulations and sent the drawing to the real estate agent who told them the wedding was too big and they can't have it. They didn't know until 3 months later that there was going to be a problem. In September they couldn't get a tent permit because they were restricted. Stated her daughter now doesn't want to have the wedding in Cape May. They are in the process of trying to find another place to have this wedding. The reasons for weddings in the houses is the budget is more reasonable. Her husband spoke out the amount of money the wedding would bring to the city: 125 guests, renting 2 houses for \$7,000, renting 30 rooms for 3 nights \$140. a night \$12,600., tent rental \$3,500, caterer \$5,000., flowers \$1,500., rehearsal dinner \$2,000., 125 people staying in Cape May for 3 days paying for food, entertainment and shopping \$7,500. DJ \$1,000., photographer \$2,500., bartender/alcohol totaling about \$48,000. in a 3 day period. They just want the procedures made clear especially if people are buying and building these houses for this very purpose.

Charles Hendricks – Resort home designation should be called event rentals and likes the direction we are going.

Motion made to adjourn.