

**City of Cape May Planning Board Meeting Minutes
Tuesday – July 13, 2010**

Opening: The meeting of the City of Cape May Planning Board was called to order by Vice Chairman Shuler, at 7:00 PM. In compliance with the Open Public Meetings Act, adequate notice was provided.

Roll Call:	Mr. Bezaire,	Chairperson	Present
	Mr. Shuler,	Vice Chairperson	Present
	Mayor Dr. Mahaney		Present
	Mr. Elwell		Present
	Mrs. Nelson		Present
	Mr. Jones		Absent
	Ms. Weeks		Present
	Mr. Murray		Present
	Mr. Winkworth		Present
	Dr. France, 1 st Alternate		Present
	Mr. Briant, 2 nd Alternate		Present

Also Present: George Neidig, Esquire – Board Solicitor
Craig Hurless, PE, PP, CME Associate - Polistina & Associates
Mary L. Rothwell, Board Assistant/Zoning Officer
Edie Kopsitz, Recording Secretary

Reorganization:

Oath of Office: William Murray, Meryl Nelson and Conrad Briant.

Chairperson:

Motion made by Mr. Elwell to appoint Bill Bezaire as the Chairperson for the Planning Board for the year 2010/2011. Seconded by Mrs. Nelson and **carried 9-0**. Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Briant and Mr. Shuler. Those opposed: None. Those abstaining: Mr. Bezaire.

Vice Chairperson:

Motion made by Mayor Dr. Mahaney to appoint Harley Shuler as the Vice Chairperson for the Planning Board for the year 2010/2011. Seconded by Mr. Winkworth and **carried 9-0**. Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Briant and Mr. Bezaire. Those opposed: None. Those abstaining: Mr. Shuler.

Board Solicitor/Legal Advisor:

Motion made by Dr. Mahaney to appoint George Neidig, Esq. as the solicitor/legal advisor to the Planning Board. Seconded by Mr. Elwell and **carried 10-0.** Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Briant, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

Board Engineer:

Motion made by Dr. Mahaney to appoint Craig R. Hurless of Polistina and Associates, to Planning Board for the year 2010/2011. Seconded by Mr. Shuler and **carried 10-0.** Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Briant, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

Meeting Dates for 2010/2011:

Motion made by Mrs. Nelson to approve the meeting dates for the Planning Board for the year 2010/2011. Seconded by Mr. Elwell and **carried 10-0.** Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Briant, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

Official Newspaper:

Motion made by Mr. Shuler to appoint the *Star & Wave* as the primary official newspaper to the Planning Board with the Atlantic City Press secondary for the year 2010/2011. Seconded by Mrs. Nelson and **carried 10-0.** Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Briant, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

**Resolution: Cape Jetty LLC, Beach and Second Avenues
Block 1012 Lots 9,10,11,12, 15 & 16**

Motion made by Ms. Weeks to approve Resolution 7-13-2010. Seconded by Dr. France and **carried 5-0.** Those in favor: Mr. Elwell, Dr. Mahaney, Ms. Weeks, Dr. France and Mr. Shuler. Those opposed: None. Those abstaining: Mr. Murray, Mrs. Nelson, Mr. Winkworth and Mr. Bezaire.

**Application: Olsen, 1221 Lafayette Street, Block 1061 Lot 89
Minor Subdivision & Variances**

Mr. Bezaire announced the Olsen application requested in writing to be withdrawn from this evenings agenda waiving time constraints and will be heard on August 10, 2010 at 7:00pm.

Motion made by Mr. Murray for a continuance of the Olsen application on August 10, 2010. Seconded by Mr. Elwell and **carried 9-0.** Those in favor: Mr. Elwell, Mr. Winkworth, Dr. Mahaney, Ms. Weeks, Mr. Murray, Mrs. Nelson, Dr. France, Mr. Shuler and Mr. Bezaire. Those opposed: None. Those abstaining: None.

Business/Discussion: City of Cape May - Rules & Regulations

Rules & Regulations committee member Mr. Elwell briefed the membership of this undertaking. The eight page document was reviewed by members with a discussion on Section IV, pg. 5 Section A- Members should: #3; regarding the review of any correspondence, plans, maps must be distributed to the members a least four (4) days prior to the meeting. Discussion ensued regarding what documents were submitted for the ten (10) days prior and was clarified by Mr. Neidig that the members should consider a revision to the section and gave an example of verbiage: Additional documents which are not required to be presented at least ten (10) days prior as per the Municipal Land Use Law must be delivered to Board Members by 12:00 noon via e-mail or mail four (4) business days prior to the meeting date. Section VI pg. five (5) Item B. Work Sessions – omitting; except June, July and August. Debate ensued regarding the ten (10) days prior verbiage and wanted clarification (business or calendar) days. Page seven (7) Section IX Procedure for Hearing Applications, Item #9 summation of finding of fact by Board Members with Mr. Neidig elaborating on the procedure. Members decided to table the Rules and Regulations until the Boards Attorney and Engineer review the document.

Chairperson Bezaire announced the Rules and Regulations for the Internal Organization and Procedures would be revised, revisited and voted on July 27, 2010.

Member Ms. Weeks wanted guidance regarding the Environmental aspects of an application. Both Mr. Neidig and Mr. Hurless responded to her questions and clarified that the State of New Jersey controls and it falls out of the City's jurisdiction. Mr. Hurless then asked Ms. Weeks if the Environmental Commission would submit correspondence prior to the application being heard to himself for review and the Planning Board Secretary for the file.

Meeting opened for public comments at 7:40pm with Charlotte Todd 651 Hughes Street, Chairperson of the City of Cape May Environmental Commission stated they respond to major application and thanked the Board for addressing their concerns.

Mr. Bezaire announced that on Tuesday, July 27, 2010 at 7:00pm, the Planning Board would review the proposed zoning changes of the R2 and R5 Zoning Districts along the area of Washington Street and Texas Avenue. Mary Rothwell, Board Secretary, sent notices to everyone within 200 feet.

Adjournment: Motion made by Mrs. Nelson, Seconded by Mr. Elwell to adjourn at 7:45 PM with all in favor.

Respectfully submitted: Edie Kopsitz, Recording Secretary

Adoption date: 9/14/2010