

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, April 23, 2026

Opening: The meeting of the City of Cape May Zoning Board of Adjustment was called to order by Vice Chairperson Samuel Venuto at 6:01 PM in the City Hall Auditorium. In compliance with the Open Public Meetings Act, adequate notice was provided.

Roll Call:	Mrs. Werner, Chairperson	Absent
	Mr. Venuto, Vice Chairperson	Present
	Mr. Ledwin	Present
	Mrs. Notch	Present
	Ms. Sheehan	Present
	Mr. Walsh	Absent
	Mr. Zektzer	Present
	Mr. Yeager (Alt. 1)	Present
	Ms. Stevenson (Alt. 2)	Present

Also Present: Richard King, Board Solicitor
Craig Hurless, PE, PP, CME, Board Engineer & Planner
Karen Keenan, Board Assistant

Resolution(s):

Motion made by Mr. Zektzer to adopt Resolution number 04-23-2026: 1, Mark Aitken, 1604 Maryland Avenue, Block 1187 Lot(s) 2, seconded by Mrs. Notch and **carried 6-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Ms. Sheehan, Mr. Zektzer, Ms. Stevenson, Mr. Venuto. Those opposed: None. Those abstaining: Mr. Yeager.

Minutes:

Motion was made by Mr. Ledwin to adopt the meeting minutes of March 26, 2026, seconded by Ms. Sheehan and **carried 6-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Ms. Sheehan, Mr. Zektzer, Ms. Stevenson, Mr. Venuto. Those opposed: None. Those abstaining: Mr. Yeager.

Application(s):

Michael Mortimer
444, 446 & 448 West Perry Street, Block 1031 Lot(s) 3, 4 & 5.01

Solicitor King announced this application adjourned to be heard at the June 25, 2026 meeting with no further public notice required except proof of public notice to those who were not noticed.

420 Perry Street LLC
420 & 422 West Perry Street, Block 1031 Lot(s) 15

Solicitor King announced this application adjourned to be heard at the June 25, 2026 meeting with no further public notice required except proof of required public notice.

NJ Prime Real Estate LLC
1507 Yacht Avenue, Block 1160 Lot(s) 8, 8.01 & 9

Attorney Ron Gelzunas of Ronald J. Gelzunas LLC introduced the application seeking substantial hardship, substantial benefit and use variance relief to enclose the ground level of the building and add garage doors for parking and mechanical and storage use. Exhibit A-1, Historic Preservation Commission (HPC) approval dated 5-11-21 was shared with the board. This exhibit is an addition to the HPC approval included in the application packets.

Also present at the meeting were John DiPietropolo, Owner and Principal of NJ Prime Real Estate LLC and Engineer and Professional Planner Arthur J. Chew III of Arthur Chew Consulting LLC. Owner DiPietropolo, Engineer Chew and Board Engineer and Planner Craig Hurless were sworn in by Solicitor King. Vice Chairperson Venuto accepted Arthur Chew as an expert in engineering and planning.

Attorney Gelzunas described the property as a ten-unit apartment building, which is elevated on pilings with parking underneath and includes five boat slips. He explained the two HPC approvals and the notification that enclosing the ground level would require a use variance, as multifamily buildings are not permitted in the zone.

Engineer Chew described the site plan and the existing conditions at the property including a shell parking lot. He said the site has 100% impervious coverage. He said the parking will remain the same and the shells will be replaced by pavers reducing shells going into the street. He said the pavers and garage doors will improve the appearance of the property which will benefit the neighborhood without intensifying the use. He testified there is no negative to the neighborhood and no impairment to the zoning ordinance nor the zone plan.

Board members were allotted time for questions. Member Sheehan asked if there is an increase in parking and storage. Engineer Chew said no parking was removed. Engineer Hurless said the initial architectural plans showed removal of parking spaces to be replaced by storage, but the plans have been revised to show that spaces 8, 10 and 12 that currently exist are to remain.

It was discovered that the Alterations for Private Garage plans by RWA Architecture (Ralph H. Wesner, Architect) dated 04-16-2024, revised 11-10-24, 4-10-25 and 3-06-2026 were not provided to the board, but these plans had been submitted to the office and were reviewed by Engineer Hurless, the Fire and Public Works Departments and Shade Tree Commission. The architecture plans supplied to board were dated 04-16-2024, revised 11-10-24 and 4-10-25.

Vice Chairperson Venuto asked about the surfacing, and Engineer Hurless said the concrete stops at the right-of-way line. Engineer Hurless asked that the concrete be extended by the applicant through the right of way, and the applicant agreed to the condition. Engineer Hurless said the

depressed curbing is to remain, and the applicant will bring the concrete to match the depressed curbing.

Member Sheehan asked about the existence of a bathroom on the ground level. Owner DiPietropolo said a bathroom existed at purchase and he updated the bathroom with permits issued in October 2021. Solicitor King said the board does not endorse the existence of the bathroom and takes no position on it. No variance relief for the bathroom is being sought.

Member Yeager asked about grading. After discussion, Engineer Hurless said the grading should pitch from the street to the waterway for this particular property.

Engineer Hurless then summarized his memorandum dated March 23, 2026 including his completeness review, the waiver he supported and the waiver to be a condition of approval. He did not require a landscaping plan, as frequent flooding kills vegetation. The applicant agreed to the condition. He detailed the variances for use, lot size per unit, lot coverage, parking number, parking surface, parking setbacks, parking buffers, and parking curb cut/backout sought. The General Review Comments 1-15 were reviewed in detail and classified as conditions of approval. Engineer Hurless advised the Public Works Department recommended approval of the project in their report dated April 10, 2026. The Fire Department recommended approval with the conditions that carbon monoxide detection needs to be installed in garage area and in apartments along with smoke detection for garage area and recommend also installing a sprinkler system in the garage area with a 2.5 inch Siamese Fire Dept. connection in their report dated April 13, 2026, and the applicant agreed to conform to fire recommendations per code. The Shade Tree Commission recommended approval and noted that no trees exist on the property in their report dated April 17, 2026

Board members were allotted time for questions of Engineer Hurless. Member Sheehan asked about the parking and space for garage doors. Engineer Hurless said he will require fourteen parking spaces before he signs off on the project.

Discussion was opened to the public within two hundred feet and beyond at 6:45 PM and closed with no public coming forward to comment.

Solicitor King explained the vote for the board.

Motion was made by Ms. Sheehan to grant approval for: preliminary and final site plan, §525-18A Use Variance (Expansion of Non-conforming Use), §525-18B(1) Table 1 Lot Size per Unit, §525-18B(2) Lot Coverage, §525-49C(1) Parking – Number, §525-49A(1)/§525-60D Parking – Surface, §525-60E(6) Parking – Setbacks, §525-49B(1) Parking – Buffers, and §525-60E(7) Parking – Curb Cut/Backout variances, with waiver for item 33 on page two, conditions that the paving will be extended into the public right of way, curbing will be shown on the plan dated 3.06.26 (the most current plan), and the lot paving is graded from the street (Yacht Avenue) to the waterway/bulkhead, subject to conditions 1-15 on pages five and six in the March 23, 2026 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Mrs. Notch and carried 5-2.

Those in favor: Ms. Sheehan, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto. Those opposed: Mr. Ledwin, Mrs. Notch. Those abstaining: None.

Members Ledwin and Notch felt there were too many inconsistencies on the drawings and in the information presented to the board.

Discussion:

Payment of Bills

Motion made by Ms. Stevenson to approve the payment of bills, seconded by Mr. Yeager and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Ms. Sheehan, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto. Those opposed: None. Those abstaining: None.

Motion made by Ms. Sheehan to adjourn the meeting at 6:52 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary