

**City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, October 23, 2025**

Opening: The meeting of the City of Cape May Zoning Board of Adjustment was called to order by Chairperson Terri Werner at 6:00 PM in the City Hall Auditorium. In compliance with the Open Public Meetings Act, adequate notice was provided.

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

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 10-23-2025: 1 Gregg & Shannon Reich, 1249 Washington Street, Block 1129 Lot(s) 25 & 26, seconded by Mrs. Notch and **carried 5-0.** Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: Mrs. Notch, Ms. Sheehan.

Motion made by Mr. Venuto to adopt Resolution number 10-23-2025: 2 SP Cape May Marina LLC, 124 Rosemans Lane, Block 1061 Lot(s) 101.05, seconded by Mr. Ledwin and **carried 5-0.** Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: Mrs. Notch, Ms. Sheehan.

Motion made by Mr. Zektzer to adopt Resolution number 10-23-2025: 1 Cape May Paddle Club, 124 Rosemans Lane, Block 1061 Lot(s) 101.05, seconded by Mr. Ledwin and **carried 5-0.** Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: Mrs. Notch, Ms. Sheehan.

Minutes:

Motion was made by Mrs. Notch to adopt the meeting minutes of September 25, 2025, seconded by Mr. Venuto and **carried 5-0.** Those in favor: Mr. Ledwin, Mr. Zektzer, Mr. Walsh, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: Mrs. Notch, Ms. Sheehan.

Application(s):

Kenneth Cornew
1350 Texas Avenue, Block 1172 Lot(s) 1

Attorney Anthony Monzo of Monzo Catanese DeLollis, PC introduced the application seeking rear yard setback and zoning review variances to construct an addition to the single family residential dwelling set on a triple lot, driveway, and additional garage spaces. He shared that a variance was granted for the property in the past, so any change would require a variance.

Architect Jerry Blackman of OSK Design Partners, PA Architects & Land Planners and Board Engineer and Planner Craig Hurless were sworn in by Solicitor King for the record. Architect Blackman was accepted as an expert in architecture by Chairperson Werner. Owner Cornew was unable to attend the meeting.

Attorney Monzo introduced and described three exhibits:

- A-1 Aerial Google photo of the property
- A-2 Street view photo of the property farther from the harbor
- A-3 Street view photo of the property closer to the harbor

Attorney Monzo said the applicant wishes to retire to the property and wants more space for storage, a gym and to accommodate their family and grandchildren.

Architect Blackman described the existing conditions at the property, the plan to include demolition of the cupola and the proposed floor plans. He said there is a large area preserved for views by easement. He explained there is sufficient space for the addition, and it creates a desirable visual environment through creative development techniques. The floor area ratio is below the maximum permitted. He testified there is no substantial detriment to the public good, the benefits outweigh any detriment, and there is no impairment to the zone plan or zoning ordinance.

Board members were allotted time for questions of Architect Blackman. There were questions about parking and lack of sidewalks. It was determined that there is adequate parking at the site. Engineer Hurless said sidewalks are recommended in the city right-of-way, but he recommended an ADA accessible ramp for access to Harborview Park to maintain the mature landscaping buffer in lieu of sidewalk along the frontage of the site.

Engineer Hurless then summarized his memorandum dated August 11, 2025. He described his completeness review, the waiver he supported for a full landscaping plan, and the waivers he supported to be conditions of approval. Engineer Hurless said a tree replacement plan is needed. He made two corrections to his zoning table: the building setback line on Texas Avenue at 18.54 feet to be existing non-conforming, and the rear yard setback at 14.92 feet to be existing non-conforming. He detailed the variances sought. The General Review Comments 1-11 were classified as conditions of approval. Engineer Hurless advised the Fire and Public Works Departments recommended approval of the project in their reports dated September 2, 2025, and the Shade Tree Commission recommended approval in their report dated September 11, 2025 with the conditions that the following trees be protected during construction: magnolias and

evergreens inside the front yard fence, trees outside the front yard fence and the tall evergreen cypress trees.

Board members were allotted time for questions of Engineer Hurless.

Discussion was opened to the public within two hundred feet and beyond at 6:33 PM and closed with no public coming forward to comment.

Solicitor King explained the vote for the board.

Motion was made by Mr. Venuto to grant the variances for: §525-14B(1) Table 1 Rear Yard Setback and §525-73E Zoning Review for further expansion of structure when prior variance relief of nonconformity was granted subject to waiver 33 and conditions 12, 19 and 28 listed on page two, conditions 1-11 as outlined on pages four and five in the August 11, 2025 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Ms. Sheehan and carried 7-0. Those in favor: Mr. Ledwin, Mrs. Notch, Ms. Sheehan, Mr. Walsh, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Paul Grena

314 Claghorn Place, Block 1031 Lot(s) 63 & 64

Chairperson Terri Werner recused herself from the application, as she is on the list of property owners within two hundred feet. She departed the hearing at 6:35 PM. Vice Chairperson Sam Venuto assumed the duties of the chairperson.

Attorney Michael Floyd of Archer Greiner, PC introduced the application seeking hardship and substantial benefit variances for fence height. Owner Paul Grena and Professional Planner Lance Landgraf, Jr. of L. B. Landgraf & Associates, LLC were sworn in by Solicitor King for the record. Board Engineer and Planner Craig Hurless remained under oath. Planner Landgraf presented his credentials and was accepted as an expert in planning by Vice Chairperson Venuto.

The following three exhibits were presented:

A-1 Final As-Built Grading Plan dated 07/26/2024

A-2 Property photos – eight pages

A-3 Final As-Built Grading Plan dated 07-26-2024 - marked

Owner Grena described the existing non-compliant fence which exceeds the allowed height and said the fence height varies at six feet to approximately six feet three or six feet four inches. He said the original retaining wall plan was to be edge stone with a five foot cedar fence for privacy. The retaining wall was material was changed to brick, and the mason had issues with grading and flooding. Engineer Hurless said the maximum fence height is four feet, and the fence is on average one and one half feet greater than allowed. He said a six foot fence is not permitted forward of the face of the principal structure.

Planner Landgraf described the as-built grading plans and the redlined Exhibit A-3 that shows the location of the fence. He said the brick wall is probably two feet but is partly buried with about fourteen inches above ground and much of the total fence is above six feet with some at six feet five inches. He added the fence is about five feet on the inside and six and a half feet on the outside due to grading. Planner Landgraf testified there is a hardship due to the elevation of the grading requirements at the site. He said the fence advances the purposes of zoning by promoting safety and security around the pool, shielding the property from the MUA property and lighting, providing sufficient space in appropriate locations for recreation, and promoting a desirable visual environment. He testified there is no negative impact on the public good, the zone plan or zoning ordinance.

Board members were allotted time for questions of Planner Landgraf. Member Notch asked why not put in a four foot fence. Planner Landgraf said the four foot fence would not give a buffer for privacy. Member Sheehan asked about other fencing at the property. There was description of pool fence that has UCC approval but not approval by the Historic Preservation Commission. The pool fence is not part of this variance application.

Engineer Hurless then summarized his memorandum dated August 1, 2025. He described his completeness review, the waiver he supported, and the waiver he supported to be a condition of approval. He detailed the variance sought. The General Review Comments 1-6 were classified as conditions of approval. Engineer Hurless advised the Fire and Public Works Departments recommended approval of the project in their reports dated September 2, 2025, and the Shade Tree Commission recommended approval in their report dated September 10, 2025 with the comment that no trees are involved. Engineer Hurless and Solicitor King said the applicant understands that the Zoning Board is not overruling the Historic Preservation Commission (HPC).

Board members were allotted time for questions of Engineer Hurless. Member Sheehan asked about HPC compliance, and Attorney Floyd said they would comply with the HPC.

Discussion was opened to the public within two hundred feet at 7:28 PM.

Bill Conrad, 347 Congress Street, was sworn in by Solicitor King. He spoke in support of the application.

Martin Van Walsum, 329 Congress Street, was sworn in by Solicitor King. He spoke in support of the application.

Discussion was opened to the public beyond two hundred feet at 7:33 PM.

Discussion was closed to the public at 7:34 PM.

Solicitor King explained the vote for the board.

Motion was made by Ms. Sheehan to grant the variance for: §525-57E(3) Fence Height subject to waiver 13 and condition 33 listed on page two, conditions 1-6 as outlined on pages three and four in the August 1, 2025 memorandum by Craig R. Hurless, PE, PP, CME, and

subject to all conditions discussed at the hearing, especially noting that the board has not overruled anything that the HPC has decided; the HPC approval is required, seconded by Mr. Zektzer and **carried 6-1**. Those in favor: Mr. Ledwin, Ms. Sheehan, Mr. Walsh, Mr. Zektzer, Mr. Yeager, Mr. Venuto. Those opposed: Mrs. Notch. Those abstaining: None.

Member Notch felt the fence should have been built in compliance with the applicant not asking for forgiveness after the fence was built.

Chairperson Werner returned to the hearing at 7:36 PM and resumed the duties of the chairperson.

Member Yeager departed the meeting at 7:38 PM.

MacFarland Associates LLC

112 Madison Avenue, Block 1096 Lot(s) 8, 9 & 10

Attorney Anthony Monzo of Monzo Catanese DeLollis, PC introduced the application seeking lot size, lot width and lot frontage, side yard setback, lot coverage, use and nonconforming structure on nonconforming lot variances to alter the property and principal dwelling by adding parking space and by converting the second-floor rear porch into a new bathroom. He described the additional dwelling unit on the property as a one bedroom single family dwelling in the rear of the property. Attorney Monzo said the driveway is encroaching on adjoining lot 7, which is controlled by the applicant, will have an easement and a grass portion of the driveway will be extended, at the request of the Engineer Hurless and which will increase the lot coverage.

MacFarland Associates Principal Rob Wilson and Architect, Planner and Engineer Christopher Zehnder of Zen Architecture + Engineering of Southern NJ LLC were sworn in by Solicitor King for the record. Architect Zehnder put his credentials on the record and was accepted as an expert in architecture, planning and engineering by Chairperson Werner. Board Engineer and Planner Craig Hurless remained under oath.

Principal Wilson described the family history at the property and said they are improving the historic home with the improvements having Historic Preservation Commission (HPC) approval. The HPC did not realize that the project required board approval when they granted final approval.

Architect Zehnder listed and described each variance in detail and said the project proposes no substantial detriment to the public good and no substantial impairment of the intent and purpose of the zoning laws. The purposes of zoning are advanced by encouraging municipal action to promote public health, safety, good morals, general welfare, a desirable visual environment, and conservation of historic sites and districts.

Board members were allotted time for questions of Architect Zehnder. Member Sheehan asked for description of the additional dwelling unit. Architect Zehnder described the unit as a rear structure with one bedroom. Engineer Hurless said it existed prior to the zoning ordinance.

Engineer Hurless then summarized his memorandum dated September 30, 2025. He described his completeness review, the waiver he supported, and the waivers he supported to be conditions of approval. He detailed the variances sought. The General Review Comments 1-13 were classified as conditions of approval. Engineer Hurless advised the Fire and Public Works Departments recommended approval of the project in their reports dated October 2, 2025 and October 3, 2025, respectively. The Shade Tree Commission recommended approval in their report dated October 8, 2025 with the condition that the trees at the rear of the property to be protected by a construction barrier and a comment that the project as proposed does not impact the two street trees (cherry) fronting Madison Avenue.

Board members were allotted time for questions of Engineer Hurless.

Discussion was opened to the public within two hundred feet at 8:04 PM.

Jules Rauch, 1010 New York Avenue, was sworn in by Solicitor King. He spoke in support of the application.

Discussion was opened to the public beyond two hundred feet at 8:05 PM.

Discussion was closed to the public at 8:05 PM.

Solicitor King explained the vote for the board.

Motion was made by Mr. Venuto to grant the variances for: §525-19A Use Variance (Expansion of Non-conforming use), §525-19B(1) Table 1 Lot Size, §525-19B(1) Table 1 Lot Width & Lot Frontage, §525-19B(1) Table 1 Side Yard Setback, §525-19B(2) Lot Coverage, §525-73D Nonconforming structure on nonconforming lot, subject to waivers 19, 25, 28 and 33 and condition 32 listed on page two, conditions 1-13 as outlined on pages five and six in the September 30, 2025 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Mrs. Notch and carried 7-0. Those in favor: Mr. Ledwin, Mrs. Notch, Ms. Sheehan, Mr. Walsh, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Discussion:

Payment of Bills

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

Motion made by Ms. Sheehan to adjourn the meeting at 8:08 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary