

City of Cape May
Shade Tree Commission
Auditorium/Live Stream Meeting Minutes of
Tuesday, November 18, 2025
3:00 pm

CALL TO ORDER

Vice Chairman Ator called the meeting to order and announced compliance with the Open Public Meetings Act of 1975, that adequate notice of this meeting has been provided.

PLEDGE OF ALLEGIANCE

Vice Chairman Ator led the meeting in the Pledge of Allegiance.

ATTENDANCE

Vice Chairman Ator, Commissioner York, Commissioner Preminger, Commissioner Werner, Commissioner Perez, Commissioner Seeland, Councilman Meier.

ABSENT MEMBERS

Chairman Schatz, Commissioner Sick, Commissioner Goldstein.

GUESTS

City Solicitor, Chris Gillin-Schwartz, Esq.

Matt Notch, Top Notch Tree Care

APPROVAL OF MINUTES

Vice Chairman Ator motioned, seconded by Commissioner York to approve the minutes of September 9th, 2025 with one change to 303 South Broadway for the removal of the Bradford Pear.

Vice Chairman Ator – Yes

Commissioner Seeland – Yes

Commissioner Preminger – Yes

Commissioner York – Yes

Commissioner Seeland – Yes

Commissioner Werner - Yes

Commissioner Perez – Yes

Vice Chairman Ator recognized city solicitor Chris Gillin-Schwartz. He came to speak about the proposed changes to the Shade Tree ordinance. He discussed establishing landmark trees and the concept of a tree bank being added. Another item added was strengthening and improving the review process for the Shade Tree to eliminate any confusion between applicants and members as well. It was explained that there would be grant or denial of permit and the standards. This would make it clearer for everyone involved. Chris mentioned the mitigation fee instead of planting a tree. This money would go into the Shade Tree fund. This amendment would need to next go to City Council for them to vote on to adopt.

Motion made by Vice Chairman Ator to accept the revisions to the ordinance as presented, seconded by Commissioner Seeland.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

Vice Chairman Ator called Matt Notch of Top Notch Tree Care to speak. Matt discussed the prices for replacement tree value. He also brought up trees in construction zones and Commissioner Ator commented it was something they'll look into more. Councilman Meier suggested a concept of starting a watch list to look out for trees that people purposely damage.

Street Tree Removal Requests

450 Perry Street

Frank McCloskey from DPW put in a request for this tree to be removed. Vice Chairman Ator stated that Matt Notch looked at this tree and reduced the crown substantially. He stated that as long as the crown is kept in check, the tree is usually able to remain at least for a while.

Vice Chairman Ator motioned to remove the tree at 450 West Perry Street, seconded by Commissioner Warner.

Vice Chairman Ator – No
Commissioner Seeland – No
Commissioner Preminger – No
Commissioner York – No
Commissioner Seeland – No
Commissioner Werner - No
Commissioner Perez – No

1009 Cape May Avenue

Commissioner York stated that this is a small tree that has a few dead branches on it but is not a hazard. She stated that she denied the request and would look at it in the Spring. It's hard to tell because it is losing leaves.

Commissioner York motioned to approve the removal of the tree, seconded by Commissioner Werner.

Vice Chairman Ator – No
Commissioner Seeland – No
Commissioner Preminger – No
Commissioner York – No
Commissioner Seeland – No
Commissioner Werner - No
Commissioner Perez – No

1041 New York Avenue

Commissioner Seeland stated that this was a revisit and was actually a trim request, not removal. He stated that he gave him the information for Matt Notch and Atlantic City Electric. The homeowner did a follow up with the chairman to override the utility aspect and the street tree trimming request. Vice Chairman Ator expressed concern that he would just be able to get any tree service he wanted. He said since it's a city tree and Matt Notch is the city landscaper, it would have to be done by him, and it is not actionable at this point. Vice Chairman Ator requested that Matt Notch looks at the trees.

Commissioner Seeland motioned to remove the removal request from the list as it is only a trim request, seconded by Commissioner Werner.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes

Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

1129 Washington Street

Vice Chairman Ator stated that he looked at this tree, as well as Commissioner Perez. He stated that they had discussed this before and it was covered with vines, that should be removed. He also stated that she had been in twice before and this should be removed from the agenda, as they already voted on this.

Commissioner York made a motion to remove this from the list, seconded by Commissioner Werner.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

1422 Missouri Avenue

Commissioner York said that she submitted a request for this tree in September and then the homeowner submitted a request recently. She stated that the tree is dead and beyond salvage.

Commissioner York made a motion to remove the tree, seconded by Commissioner Seeland.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes

Commissioner Werner - Yes

Commissioner Perez – Yes

1049 Ohio Avenue

Vice Chairman Ator commented that this is a trim request. He stated he believes that Atlantic City Electric may have to do this due to the electric wires.

Commissioner York made a motion to remove this request from the list, seconded by Vice Chairman Ator.

Vice Chairman Ator – Yes

Commissioner Seeland – Yes

Commissioner Preminger – Yes

Commissioner York – Yes

Commissioner Seeland – Yes

Commissioner Werner - Yes

Commissioner Perez – Yes

215 Heritage Triangle

Vice Chairman Ator stated that this was in his district and he checked it out. They wanted to remove a number of Japanese black pine trees. He stated that he checked them out one by one. As per Vice Chairman Ator, they were sturdy looking trees and no reason to take the trees out.

Commissioner York made a motion to remove the trees, seconded by Commissioner Perez.

Vice Chairman Ator – No

Commissioner Seeland – No

Commissioner Preminger – Yes

Commissioner York – No

Commissioner Seeland – No

Commissioner Werner - No

Commissioner Perez – No

404 Clay Street

Commissioner Perez stated that he inspected this property and the tree is dead. The commission looked at pictures and agreed that it was dead as well.

Commissioner York made a motion to remove the tree, seconded by Commissioner Perez.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

1701 New York Avenue

Commissioner Seeland stated that the tree roots are dislocated due to the wind. He said they are cedar trees and are bent over. The applicant requested that he be exempt from replanting trees. There was discussion among the commissioners in regard to a tree bank and this is something not in place yet.

Commissioner Seeland motioned to approve the removal with the caveat that the \$800 of replacement goes into the general shade tree fund, seconded by Vice Chairman Ator.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

1105 St James Place

Vice Chairman Ator explained this was a dead crab apple tree with the crown 90% dead. He stated that there's no sense in trying to preserve something that is already dead.

Commissioner York motioned to approve the removal, seconded by Commissioner Seeland.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

1330 Ohio Avenue

Vice Chairman Ator stated that he looked at this and it looks like a shrub that takes up the whole lawn, they stated it was a fig tree. This is something that will need to be revisited at the next meeting.

Commissioner York motioned to table the application, seconded by Commissioner Seeland.

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

600 Reading Avenue

Commissioner York stated that this is a holly tree that the homeowners would like to remove. It was stated that they wanted to remove it because of sharp leaves and being close to the house. Vice Chairman Ator stated that this is a beautiful tree and is not close to the house.

Commissioner Werner made a motion to remove the tree seconded by Commissioner Seeland

Vice Chairman Ator – No
Commissioner Seeland – No
Commissioner Preminger – No

Commissioner York – No
Commissioner Seeland – No
Commissioner Werner - No
Commissioner Perez – No

1131 Washington Street

Vice Chairman Ator stated that he took a look at this, it was a large silver maple tree. He stated that $\frac{3}{4}$ " of the trunk is gone and it is not a good candidate for preservation.

Commissioner York motioned to remove the tree, seconded by Commissioner Perez

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

1040 New York Avenue

Commissioner Seeland said that this was a revisited application. He stated that they are putting up a garage and it is buttressing up against the tree. It was stated that this is something that should go to Land Use.

Commissioner Seeland made a motion that the application goes to the proper agency for their review seconded by Commissioner York

Vice Chairman Ator – Yes
Commissioner Seeland – Yes
Commissioner Preminger – Yes
Commissioner York – Yes
Commissioner Seeland – Yes
Commissioner Werner - Yes
Commissioner Perez – Yes

Old Business

1317 New York Avenue

Commissioner Seeland stated that he got a request to go out and take a look at 1317 New York Avenue. They removed two large trees on the property. It was stated that they did not have an application to remove these trees and requested that this be sent to Bill Miller in code enforcement.

1155 Washington Street

Commissioner York stated that there was a request in August or September to remove the tree, but it was recommended that the vines were removed by DPW. She stated that this was not taken care of yet and needed to follow up with them on the status.

New Business

Council Liaison Meier informed the commission about Mickey Riggins treating some of the tree of heavens with herbicide. It was requested that Matt Notch take them down.

Commissioner York stated that she spoke to the homeowner at 1110 Virginia Avenue and they do not want the tree that was planted in front of their house. They are concerned about it hitting the power lines and being near his sewer line. Discussion was had and it was decided that the tree will stay for now.

Commissioner York motioned, seconded by Commissioner Perez to adjourn.

All in favor.

Respectfully submitted,

Lauren Emerick
Cape May City
Shade Tree Commission Secretary