

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, December 18, 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.

Roll Call:	Mrs. Werner, Chairperson	Present
	Mr. Venuto, Vice Chairperson	Absent
	Mr. Ledwin	Present
	Mrs. Notch	Present
	Ms. Sheehan	Present
	Mr. Walsh	Present
	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 Ms. Sheehan to adopt Resolution number 12-18-2025: 1 Alan and Amanda Fisher, seconded by Mrs. Notch and **carried 3-0**. Those in favor: Mrs. Notch, Ms. Sheehan, Mr. Walsh. Those opposed: None. Those abstaining: Mr. Ledwin, Mr. Zektzer, Mr. Yeager, Mrs. Werner.

Motion made by Ms. Sheehan to adopt Resolution number 12-18-2025: 2 Mark Aitken, 1604 Maryland Avenue, Block 1187 Lot(s) 2, seconded by Mrs. Notch and **carried 3-0**. Those in favor: Mrs. Notch, Ms. Sheehan, Mr. Walsh. Those opposed: None. Those abstaining: Mr. Ledwin, Mr. Zektzer, Mr. Yeager, Mrs. Werner.

Motion made by Ms. Sheehan to adopt Resolution number 12-18-2025: 3 Timothy and Elizabeth Fahl, 1003 Lafayette Street—Unit B, Block 1061 Lot(s) 59 C-2, seconded by Mrs. Notch and **carried 3-0**. Those in favor: Mrs. Notch, Ms. Sheehan, Mr. Walsh. Those opposed: None. Those abstaining: Mr. Ledwin, Mr. Zektzer, Mr. Yeager, Mrs. Werner.

Minutes:

Motion was made by Ms. Sheehan to adopt the meeting minutes of November 20, 2025, seconded by Mr. Ledwin and **carried 3-0**. Those in favor: Mrs. Notch, Ms. Sheehan, Mr. Walsh. Those opposed: None. Those abstaining: Mr. Ledwin, Mr. Zektzer, Mr. Yeager, Mrs. Werner.

Application(s):

***Patti and Jason Topczij
1003 Lafayette Street—Unit A, Block 1061 Lot(s) 59 C-1***

Attorney Lyndsy Newcomb of Monzo Catanese DeLollis, PC introduced the application for a use variance to convert attic space to an office, add a powder room and window at this semi-detached dwelling.

Owner Patti Topczij and Professional Engineer and Planner Paul Kates of Kates Schneider Engineering LLC were sworn in along with Board Engineer and Planner Hurless by Solicitor King for the record. Engineer Kates was accepted as an expert in engineering and planning by Chairperson Werner.

When in town, Owner Fahl said she works out of the house, which can be noisy. They want to use attic space for an office, bathroom and storage. She said the adjoining neighbor received approval for a similar variance application last month.

Engineer Kates described the internal changes to the attic and the addition of a window and spiral staircase to the attic. He said the owners will be able to lock the office door to eliminate access for renters. He explained the floor area ratio will increase but will still be under the maximum permitted. He showed and explained application packet Sheet Z-3 Existing/Proposed Floor Plans dated 09/17/25.

Engineer Kates said the project meets the criteria for light, air and open space, appropriate population densities and sufficient space in appropriate locations. He said the key benefit is enhancing the safety and general welfare of the inhabitants, and the site is well suited for the use. He testified there is no negative impact on the zoning standards. He accepted the conditions listed in the Board Engineer's memorandum.

Board members were allotted time for questions of Engineer Kates. Member Sheehan asked if there is livable space in the garage. Owner Topczij said the garage is a typical garage with steps to enter the kitchen and that they use the garage mainly for storage. Member Sheehan asked for the number of new windows proposed, and Owner Topczij replied one new window.

Engineer Hurless then summarized his memorandum dated October 23, 2025. He described his completeness review and the waivers he supported. He detailed the variance sought. The General Review Comments 1-8 were classified as conditions of approval. Engineer Hurless advised the Fire and Public Works Departments recommended approval of the project in their reports dated November 7, 2025 and November 12, 2025, respectively. The Shade Tree Commission recommended approval in their report dated November 7, 2025 with the condition that the large aspen on side of building needs to have a TPZ (tree protection zone) in place for protection, and the applicant agreed. Engineer Hurless changed his report to indicate that Historic Preservation Commission approval will be required.

Board members were allotted time for questions of Engineer Hurless.

Discussion was opened to the public within two hundred feet and beyond at 6:16 PM and closed with no public present to comment.

Solicitor King explained the vote for the board.

Motion was made by Ms. Sheehan to grant the variances for: §525-15A Use Variance (Expansion of Non-conforming use) variance subject to waivers 2, 27, 28, 31 and 33 listed on page two, conditions 1-8 as outlined on page four in the October 23, 2025 memorandum by Craig R. Hurless, PE, PP, CME, the Shade Tree Commission condition listed in their report dated November 7, 2025, and subject to all conditions discussed at the hearing, seconded by Mr. Ledwin and carried 7-0. Those in favor: Mr. Ledwin, Mrs. Notch, Ms. Sheehan, Mr. Walsh, Mr. Zektzer, Mr. Yeager, Mrs. Werner. Those opposed: None. Those abstaining: None.

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. Walsh, Mr. Zektzer, Mr. Yeager, Mrs. Werner. Those opposed: None. Those abstaining: None.

Motion made by Mr. Ledwin to adjourn the meeting at 6:18 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary