

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, January 22, 2026

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	Present
	Mr. Ledwin	Present
	Mrs. Notch	Present
	Ms. Sheehan	Absent
	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

Oaths of Office:

Oaths of Office: Member Yeager took the Oath of Office, as administered by Solicitor King.

Chairperson:

Motion made by Mr. Venuto to nominate Terri Werner for Chairperson, seconded by Mr. Zektzer and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Vice Chairperson:

Motion made by Mrs. Werner to nominate Sam Venuto as Vice Chairperson, seconded by Mr. Ledwin and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Board Attorney:

Motion made by Mrs. Werner to appoint Richard King, Esquire, as Board Attorney, seconded by Mr. Venuto and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Solicitor King thanked the Board for the appointment.

Board Engineer/Planner:

Motion made by Mrs. Werner to appoint Craig R. Hurless, PE, PP, CME of Hurless Planning & Engineering LLC as Board Engineer and Planner, seconded Mrs. Notch and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Engineer Hurless thanked the Board for the appointment.

Conflict Engineer/Planner:

Motion made by Mr. Ledwin to appoint City Engineer and City Manager Paul Dietrich, PE, CFM as Conflict Engineer and Planner to the Board, seconded Mrs. Notch and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Appointment of Secretary:

Motion made by Mrs. Werner to appoint Karen Keenan as Secretary to the Board, seconded by Mrs. Notch and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Meeting Dates and Time:

Motion made by Mrs. Werner to adopt the meeting dates and time for the 2026 Zoning Board of Adjustment, with no change to the meeting time, seconded by Ms. Sheehan and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Official Newspapers:

Motion made by Mr. Yeager to designate Cape May County Herald official newspaper for public notification purposes and the Cape May Star and Wave and Press of Atlantic City specifically as the newspapers only in the event the Cape May County Herald is unable to publish for public notification purposes, seconded by Ms. Stevenson and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Resolution(s):

Motion made by Mrs. Werner to adopt Resolution number 01-22-2026: 1, accepting Zoning Board Attorney contract, seconded by Mr. Venuto and **carried 7-0**. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Motion made by Mrs. Werner to adopt Resolution number 01-22-2026: 2, accepting the Zoning Board Engineer contract, seconded by Mrs. Notch and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Motion made by Mr. Ledwin to adopt Resolution number 01-22-2026: 3, appointing the Planning Board Conflict Engineer and Planner, seconded by Mrs. Notch and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Motion made by Mr. Zektzer to adopt Resolution number 01-22-2026: 4, designate Cape May County Herald official newspaper for public notification purposes and the Cape May Star and Wave and Press of Atlantic City specifically as the newspapers only in the event the Cape May County Herald is unable to publish for public notification purposes, seconded by Ms. Stevenson and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Motion made by Mr. Zektzer to adopt Resolution number 01-22-2026: 5, Patti and Jason Topczij, 1003 Lafayette Street—Unit A, Block 1061 Lot(s) 59 C-1, seconded by Mr. Ledwin and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Minutes:

Motion was made by Mrs. Notch to adopt the meeting minutes of December 18, 2025, seconded by Mr. Zektzer and **carried 7-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Application(s):

***Matthew & Susan Mazzitelli
307 Congress Street, Block 1031 Lot(s) 55 & 56***

Attorney Scott DeWeese of The DeWeese Law Firm introduced the application seeking hardship and substantial benefit variance relief to add a third floor master suite and front deck and a new two-story side porch. He described the variances and shared the exacerbation of existing non-confirming conditions to be minimal and only related to the vertical expansion.

Also present at the meeting were Owner Susan Mazzitelli and Architect Paul Farnan of Fulcrum Design Group. Owner Mazzitelli, Architect Farnan and Board Engineer and Planner Craig Hurless were sworn in by Solicitor King. Chairperson Werner accepted Paul Farnan as an expert in architecture.

Owner Mazzitelli gave a history of ownership of the property and the plan for a more efficient house and use for extended seasons.

Board members were allotted time for questions. Chairperson Werner asked about trees on the property. Owner Mazzitelli replied yes. Engineer Hurless asked that the trees be depicted in the plans as a condition of approval and said the stormwater system will cause damage to the trees. He said replacement of trees would be two trees for every tree removed, and the applicant agreed. The species of the four new trees are to be approved by the Shade Tree Commission.

Architect Farnan described the lot as an irregular reverse flag undersized lot. He said the first floor is below base flood elevation and the current structure consists of four bedrooms and two bathrooms with one parking space. The proposed changes include additional square footage in the amount of 315 square feet including the third story, an additional stacked parking space and a lift of the structure. Also proposed are miscellaneous removal of concrete and paver strips for the parking and addition of an outdoor shower behind the side porch. He advised the shower complies with the setbacks. He said the project has Historic Preservation Commission conceptual approval. Architect Farnan testified the project meets the c-1 hardship criteria and the following purposes of zoning are advanced by the application: secure safety from fire, flood and other natural man-made disasters, respecting existing footprint regarding providing adequate light, air and open space, promoting a desirable visual aesthetic, and conserving historic sites and districts. Architect Farnan indicated the variances can be granted with no impairment to the zone plan nor zoning ordinance and the benefits outweigh any detriments. He agreed to the conditions of approval in the Board Engineer's memorandum.

Board members were allotted time for questions of Architect Farnan.

Engineer Hurless then summarized his memorandum dated November 18, 2025 including his completeness review and the waivers he supported to be conditions of approval. He described the lot as oddly shaped and detailed the variances sought. The General Review Comments 1-14 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 December 19, 2025, respectively. The Shade Tree Commission recommended approval in their report dated January 9, 2026 with the condition that a tree protection zone (TPZ) barrier be put in place to protect the trees during construction. Engineer Hurless commented that two trees are to be removed, and the required landscaping plan should indicate the tree to be preserved and the TPZ to protect it. One street tree is required in addition to the two for one replacement of any removed trees. The requirement of the landscaping and vegetation plan with species, size and locations of proposed landscaping is to be provided after applicant receives Shade Tree Commission recommendations. Evidence of final 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 6:49 PM and closed with no public coming forward to comment.

Solicitor King explained the vote for the board.

Motion was made by Mrs. Notch to grant the variances for: §525-19B(1) Table 1 Lot Size, §525-19B(1) Table 1 Lot Width & Lot Frontage, §525-19B(1) Table 1 Building Setback, §525-19B(1) Table 1 Rear Yard Setback, §525-19B(1) Table 1 Side Yard Setback and §525-73D Nonconforming structure on nonconforming lot subject to conditions 19 and 33 on page two and conditions 1-14 on pages four and five in the November 18, 2025 memorandum by Craig R. Hurless, PE, PP, CME, as well as the issues discussed regarding the trees, the location of the outdoor shower on the plans and subject to all conditions discussed at the hearing, seconded by Mr. Yeager and carried 7-0. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Discussion:

Payment of Bills

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

2024 and 2025 Zoning Board of Adjustment Decisions Reports

Engineer Hurless advised the annual decisions reports are used when preparing the Master Plan Reexamination for evaluation. He added that the Zoning Board can make recommendations to the Planning Board if they see patterns in the approvals that they may consider for change to the zoning code. The Zoning Board did not have any recommendations to send to the Planning Board.

Motion was made by Mr. Ledwin to adopt the 2024 and 2025 Zoning Board of Adjustment Decisions reports and send them to the Planning Board, seconded by Mrs. Notch and carried 7-0. Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Yeager, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Motion made by Mr. Yeager to adjourn the meeting at 7:00 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary