

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, February 26, 2026

Opening: The meeting of the City of Cape May Zoning Board of Adjustment was called to order by Chairperson Terri Werner 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	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)	Present

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

Resolution(s):

Motion made by Mrs. Notch to adopt Resolution number 02-26-2026: 1, Matthew & Susan Mazzitelli, 307 Congress Street, Block 1031 Lot(s) 55 & 56, seconded by Mr. Ledwin and **carried 5-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: Ms. Sheehan, Mr. Walsh.

Minutes:

Motion was made by Mr. Venuto to adopt the meeting minutes of January 22, 2026, seconded by Mr. Zektzer and **carried 5-0.** Those in favor: Mr. Ledwin, Mrs. Notch, Mr. Zektzer, Mr. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: Ms. Sheehan, Mr. Walsh.

Application(s):

Mark Aitken
1604 Maryland Avenue, Block 1187 Lot(s) 2

Solicitor King announced this application adjourned to be heard at the March 26, 2026 meeting with no further public notice required.

Marc & Theresa Franken
1 & 2 Rosemans Lane, Block 1061 Lot(s) 111 & 112

Attorney Andrew Catanese of Monzo Catanese DeLollis PC introduced the application seeking hardship, substantial benefit and use variance relief to expand the second floor to add a bathroom, powder room and closet space and add a screen porch to the single family dwelling at the property (1 Rosemans Lane) that also includes a one story semi-detached dwelling (2 Rosemans Lane).

Also present at the meeting were Owners Marc and Theresa Franken and Architect and Engineer John Halbruner of The Hyland Group. Mr. and Mrs. Franken, Architect and Engineer John Halbruner and Board Engineer and Planner Craig Hurless were sworn in by Solicitor King. Chairperson Werner accepted John Halbruner as an expert in architecture and engineering.

Architect Halbruner described the existing conditions at the property and said there is no work being proposed at the semi-detached dwelling. He described the single family home as modest in size with three bedrooms and 760 square feet living area on a 635 square feet building footprint. The two bedrooms on the second floor and the stairs leading to it have very low headroom and framing rot exists. The foundation needs major repair. Architect Halbruner shared Exhibit A, four pages of photographs of the property and Exhibit B, a 2025 aerial photo dated 03/23/2025 and Plan of Major Subdivision situate in block 1061, lots 97, 98, 101, 105.02 & part of 101.03, last revised 03-18-14, with the subject property highlighted in red. He showed the members the location of the property in the aerial photo.

Board members were allotted time for questions of Architect Halbruner. Member Sheehan asked for clarification of the foundation photos shown in Exhibit A on page three. Architect Halbruner said it shows the non-original addition. It was clarified that the third and fourth photo pages are from the inspector's report which was prepared at the time of purchase of the property, and the other photos were taken about three years ago.

Architect Halbruner then described the proposed project in detail and said the only thing outside the footprint are the rear porch and a five by five foot landing that will be enclosed. He referred the board to Sheet CZ101, the Variance Plan page. He went on to describe the proposed changes to the second floor including increasing the ceiling height to ten feet and moving a bedroom from the first floor. The number of bedrooms will remain at three bedrooms. The building height will be ten feet below the maximum permitted and less than the maximum floor area ratio permitted. Architect Halbruner testified that the project enhances the streetscape, integrates porch forms and architectural consistency. The parking surface will change from stone to paver drive strips with grass between the strips, reducing lot coverage. A stormwater management system will be installed to enhance the existing conditions.

Board members were allotted time for questions of Architect Halbruner. Member Sheehan asked about the rear yard. Mrs. Franken said the yard material is a cedar mulch.

Architect Halbruner reviewed the variances sought and said the use has been in existence for a century and said the project presents no significant adverse impact on the neighborhood. He testified the project advances multiple purposes of municipal land use law by promoting a desirable visual environment, encouraging the appropriate and efficient use of land, preserving the character of established neighborhood patterns, enhancing the streetscape, and reducing non-

conformities such as lot coverage. He testified there is no substantial detriment to the public good nor the zone plan and the benefits outweigh the detriments.

Board members were allotted time for questions of Architect Halbruner. Member Sheehan asked for the new screen porch setback and when the two buildings on the lot came into existence. Architect Halbruner replied that the setback is 7.33 feet where eight feet is required. He said the lot is oddly shaped, and the two buildings on the lot have existed for greater than twenty years.

Engineer Hurless then summarized his memorandum dated January 28, 2026 including his completeness review and the waiver he supported. He described the lot as irregularly shaped and detailed the variances sought. He changed his zoning table on page three to show the proposed building height for the single family dwelling (#1) to 29.43 feet. The General Review Comments 1-14 were classified as conditions of approval. Engineer Hurless advised the Fire and Public Works Departments and Shade Tree Commission recommended approval of the project in their reports dated February 11, 2026, February 3, 2026 and February 4, 2026, respectively. Engineer Hurless advised that the property is not in the historic district, so Historic Preservation Commission approval is not required.

Board members were allotted time for questions of Engineer Hurless.

Discussion was opened to the public within two hundred feet at 6:57 PM.

Stacey Nicholls, 133 Rosemans Lane, was sworn in by Solicitor King. She spoke in favor of the improvements.

Robert Krill, 145 Rosemans Lane, was sworn in by Solicitor King. He fully supported the application.

Lee Scott, 1281 Lafayette Street, was sworn in by Solicitor King. He spoke in support of the application at the property, which was an eyesore.

Robert Krill, 145 Rosemans Lane, was sworn in by Solicitor King. He fully supported the application.

Philip Rogers, 1275 Lafayette 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 7:06 PM.

Discussion was closed to the public at 7:06 PM.

Solicitor King explained the vote for the board.

Motion was made by Ms. Sheehan to grant the variances for: §525-27A & §525-9 Use (Expansion of Non-conforming uses), §525-27 Table 1 Lot Size per family, §525-27B(1) Table 1 Lot Width & Lot Frontage, §525-27B(1) Table 1 Building Setback, §525-27B(1)

Table 1 Side Yard Setback, §525-27B(2) Lot Coverage and §525-72D Nonconforming Structure on Nonconforming Lot variances with waiver for item 33 on page two, change to the zoning chart for proposed height to be 29.43 feet on page three and subject to conditions 1-13 on pages four and five in the January 28, 2026 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Mr. Zektzer 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.

***Cape May Contracting Inc.
1601 New York Avenue, Block 1187 Lot(s) 16***

Attorney Anthony Monzo of Monzo Catanese DeLollis PC introduced the application seeking hardship and substantial benefit variance relief for vertical expansion of a non-conforming structure of eight feet where ten feet are required to legalize the construction of a built-in grill located in place of the rear deck steps.

Also present at the meeting were Applicant Bob Gleeson of Cape May Contracting Inc. and Architect Christina Amey of Christina Amey Architect LLC. Applicant Gleeson and Architect Amey were sworn in by Solicitor King. Board Engineer and Planner Craig Hurless remained under oath. Chairperson Werner accepted Christina Amey as an expert in architecture. The owners of the property, Patrick and Annette Magri, were not present.

Architect Amey described the existing deck situated on the corner lot with two front yards and explained the lawfully existing deck had two sets of stairs. The rear stairs were made into a deck for a grill which made the structure higher and less than ten feet from the adjacent structure. She testified that any other placement of the grill on the deck would be closer to the garage. Architect Amey said the fire code official approved the permit for the grill. She testified there is no substantial detriment to the public good nor impairment to the zone plan. The purposes of zoning that are advanced by the project are encouraging outdoor living space, limiting new development to the existing footprint and the improvements to the deck are aesthetically pleasing. She added that the positives outweigh the negative.

Board members were allotted time for questions of Architect Amey and Applicant Gleeson. Chairperson Werner asked about the approval by the fire code official. Attorney Monzo read the Fire Department report, which showed recommendation approval of the application with the condition that referral to the fire subcode official (of the Construction Office) recommended. Engineer Hurless asked if the applicant agreed to the general review comments in his memorandum, and Attorney Monzo agreed.

Engineer Hurless then summarized his memorandum dated January 26, 2026 including his completeness review and the waivers he supported due to the nature of the application. The General Review Comments 1-14 were classified as conditions of approval. Engineer Hurless summarized the variance sought and said everything else conforms.

Board members were allotted time for questions of Engineer Hurless.

Discussion was opened to the public within two hundred feet and beyond at 7:27 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 variance for: §525-55A(3)(e) Garage Distance From Adjacent Building variance, subject to the waivers 19, 22, 23, 26, 27, 28 and 33 listed on page two and conditions 1-13 on pages four and five in the January 26, 2026 memorandum by Craig R. Hurless, PE, PP, CME, 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. Venuto, Mrs. Werner. Those opposed: None. Those abstaining: None.

Discussion:

Payment of Bills

Motion made by Ms. Sheehan to approve the payment of bills, seconded by Ms. Stevenson 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.

Open House

Chairperson Werner shared information about an upcoming open house that will be an overview of the purpose and activities of the boards and commissions in the city. Each board/commission will make a brief presentation and there will be a table for each organization. She asked for input for the presentation and volunteers to work the Zoning Board table. The date of the meeting is to be announced later.

Motion made by Ms. Sheehan to adjourn the meeting at 7:32 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary