

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, March 27, 2025

Opening: The meeting of the City of Cape May Zoning Board of Adjustment was called to order by Acting Chairperson Timothy Walsh at 6:04 PM in the City Hall Auditorium. In compliance with the Open Public Meetings Act, adequate notice was provided.

Roll Call:	Mrs. Werner, Chairperson	Absent
	Mr. Venuto, Vice Chairperson	Absent
	Mr. Ledwin	Present
	Mrs. Notch	Absent
	Ms. Sheehan	Absent
	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. Ledwin to adopt Resolution number 03-27-2025: 1, Katherine and Robert Barbaro, 106 Second Avenue, Block 1013 Lot(s) 10, seconded by Mr. Yeager and **carried 3-0**. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Yeager. Those opposed: None. Those abstaining: Mr. Zektzer.

Motion made by Mr. Yeager to adopt Resolution number 03-27-2025: 2, Alan & Sherry Blumenthal, 109B First Avenue, Block 1017 Lot(s) 14 C-2, seconded by Mr. Ledwin and **carried 3-0**. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Yeager. Those opposed: None. Those abstaining: Mr. Zektzer.

Motion made by Mr. Yeager to adopt Resolution number 03-27-2025: 3, Tom Harrison, 1000 New York Avenue, Block 1102 Lot(s) 1, 2, 61 & 62, seconded by Mr. Zektzer and **carried 1-0**. Those in favor: Mr. Yeager. Those opposed: None. Those abstaining: Mr. Ledwin, Mr. Walsh, Mr. Zektzer.

Minutes:

Motion was made by Mr. Ledwin to adopt the meeting minutes of February 27, 2025, seconded by Mr. Yeager and **carried 3-0**. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Yeager. Those opposed: None. Those abstaining: Mr. Zektzer.

Application(s):

Jason & Cynda Kliewe

501 Hughes Street, Block 1049 Lot(s) 10.01

Solicitor King announced the application for Jason & Cynda Kliewe, 501 Hughes Street, Block 1049 Lot(s) 10.01, an Appeal from Decision of Administrative Officer - Historic Preservation Commission (HPC), adjourned to be heard at the April 24, 2025 meeting at 6:00 PM with no further notice necessary. The acting chairperson allowed the HPC Solicitor to attend the April meeting virtually to make legal argument, as the applicant does not want to wait until the HPC Solicitor is available to appear in June.

William & Emily Young

122 Decatur Street, Block 1041 Lot(s) 6

Attorney Andrew Catanese of Monzo Catanese DeLollis PC introduced the application seeking hardship and substantial benefit variances to demolish and reconstruct an existing addition and replace the landing with a new covered porch.

Owner Emily Young and Engineer and Architect John Halbruner of The Hyland Group were sworn in by Solicitor King along with Board Engineer and Planner Craig Hurless for the record. Engineer and Architect John Halbruner was accepted as an expert in architecture by Acting Chairperson Walsh.

Engineer Halbruner described the existing conditions at the property, the project and the puddling problem to be solved. He described the variances required in detail and said the 140 year old building cannot be altered to conform without undue hardship. He said the project advances the purposes of zoning by promoting the general welfare and a desirable environment, conservation of historic sites and districts, preserving neighborhood character and securing safety from floods. Engineer Halbruner said the proposed conditions are a betterment to the neighborhood and the zone plan. He said the benefits outweigh the detriments, and there is no negative impact on the zone plan.

Board members were allotted time for questions of Engineer Halbruner.

Engineer Hurless then summarized his memorandum dated December 2, 2024. He described his completeness review and the waivers he supported. He summarized the details of the lot size, lot width, lot frontage, and the building and side yard setback variances requested. He said proposing the stormwater system is a positive. The General Review Comments 1-12 were reviewed and explained in detail with all items being 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 January 3, 2025, January 3, 2025 and January 13, 2025, respectively.

Board members were allotted time for questions of Engineer Hurless.

Discussion was opened to the public within two hundred feet at 6:25 PM.

Mark Sucher, 124 Decatur 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 6:26 PM.

Discussion was closed to the public at 6:26 PM.

Solicitor King explained the vote to the board.

Motion was made by Mr. Zektzer 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 Side Yard Setback, §525-19B(2) Lot Coverage, §525-49C(1) Parking, and §525-73D Nonconforming structure on nonconforming lot variances, subject to waivers 2, 4, 19 and 33 listed on page two and conditions 1-12 as outlined on page five in the December 2, 2024 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Mr. Yeager and carried 4-0. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Yeager, Mr. Zektzer. Those opposed: None. Those abstaining: None.

519 Franklin Street LLC

519 Franklin Street, Block 1076 Lot(s) 1

Attorney John Amenhauser of The DeWeese Law Firm introduced the application seeking hardship and substantial benefit variances to convert a three unit structure to a single family residential dwelling. He said the project has received final Historic Preservation Commission approval.

Solicitor King disclosed to the board on the record that he has never met the applicants, but his law firm partner did work for the applicants in the past, but not at present.

Engineer and Architect John Halbruner was accepted as an expert in engineering and architecture by Acting Chairperson Walsh and sworn in by Solicitor King for the record. Engineer Hurless remained under oath. 519 Franklin Street LLC members Amanda Adams and Daniel Uffleman were present but not sworn.

Engineer Halbruner described the existing conditions at the corner property with the structure that was built in 1865 and across from the post office on Corgie Street. He described the project and the variances required in detail. He said the project advances the purposes of zoning by promoting general welfare and morals, a desirable environment, conservation of historic sites and districts, providing adequate light, air and open space. He said the benefits outweigh the detriments, and there is no negative impact on the zone plan.

Board members were allotted time for questions of Engineer Halbruner. Acting Chairperson Walsh asked for clarification on dimensions listed for the existing first floor plan width at 24 feet

9 1/4 inches and the proposed dimension width at 25 feet 1 3/4 inches on Floor Plans Sheet AZ101.

Engineer Hurless said the survey indicates a width of 25 feet 6 inches. Engineer Halbruner said it must be a typographical error.

Member Yeager noted there is no need for a mercantile license indicated in the application and wondered about the owners' intent. Engineer Halbruner said the intent is for the owners' personal use.

Engineer Hurless then summarized his memorandum dated January 27, 2024. He advised the districts have different zoning tables for each use, such as the residential seasonal district has different zoning requirements depending on the use. He described his completeness review and the waivers he supported. Engineer Hurless listed and made comments on the variances sought for lot size, building setbacks (Franklin and Corgie Streets), rear yard setback and lot coverage. He said the rear yard setback nonconformity is being improved, and a stormwater system is being proposed. The General Review Comments 1-12 were reviewed and explained in detail with all items being classified as conditions of approval. He expressed concern about the brick sidewalk, and Engineer Halbruner agreed to not alter the brick sidewalk in any way. Engineer Hurless advised the Fire and Public Works Departments and Shade Tree Commission recommended approval of the project with no conditions/comments in their reports dated March 24, 2025, March 12, 2025, and March 15, 2025, respectively. Historic Preservation Commission approval dated November 12, 2024 was provided.

Board members were allotted time for questions.

Discussion was opened to the public within two hundred feet at 6:51 PM.

Jane Howard, 706 Corgie Street, was sworn in by Solicitor King. She brought photos of the corner of Pearl Street and Corgie Street and of the property's driveway and contractor parking at the site; these were labelled Exhibits O-1 through O-7. She asked about fencing and gates and expressed her concern about narrow Pearl Street where drivers do not abide by the speed limit and one-way signage. Engineer Halbruner explained the fencing will be 30 inches tall and border the entire property except the driveway, which will extend from Franklin Street to Pearl Street. Engineer Halbruner said eliminating the Pearl Street apron would result in back out parking on Franklin Street.

There was a brief discussion on what could be done to mitigate the situation. It was determined and agreed by Engineer Halbruner to an added condition of a one-way traffic sign on the property near the Pearl Street right-of-way facing the property.

Ken Holland, 706 Corgie Street, was sworn in by Solicitor King. He brought a photo, labelled Exhibit H-1, of parking on Pearl Street. He was in favor of the improvements and asked why do a pull-through driveway in the congested area.

Engineer Hurless said the applicant cannot be held responsible for traffic violations; the board can require provide the safest design possible. He said pulling out parking is safer than backing out parking.

Discussion was opened to the public beyond two hundred feet at 7:11 PM.

Discussion was closed to the public at 7:11 PM.

Solicitor King explained the vote to the board.

Motion was made by Mr. Yeager to grant the variances for §525-19B(1) Table 1 Lot Size, §525-19B(1) Table 1 Building Setbacks (Franklin & Corgie), §525-19B(1) Table 1 Rear Yard Setback and §525-19B(2) Lot Coverage variances, subject to waivers 4, 22, 23, 26, 27, 32 and 33 listed on page two and conditions 1-13 as outlined on pages five and six in the January 27, 2025 memorandum by Craig R. Hurless, PE, PP, CME, and subject to added condition 14 that a one-way sign will be installed for the driveway exit in the right of way and facing the property and subject to all conditions discussed at the hearing, seconded by Mr. Zektzer and carried 4-0. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Zektzer, Mr. Yeager. Those opposed: None. Those abstaining: None.

Discussion:

Payment of Bills

Motion made by Mr. Ledwin to approve payment of Hurless Planning & Engineering LLC bills, seconded by Mr. Yeager and carried 4-0. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Zektzer, Mr. Yeager. Those opposed: None. Those abstaining: None.

Motion made by Mr. Zektzer to approve payment of KingBarnes LLC bills, seconded by Mr. Yeager and carried 4-0. Those in favor: Mr. Ledwin, Mr. Walsh, Mr. Zektzer, Mr. Yeager. Those opposed: None. Those abstaining: None.

Motion made by Mr. Ledwin to adjourn the meeting at 7:16 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary