

City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, May 28, 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	Absent
	Mrs. Notch	Present
	Ms. Sheehan	Present
	Mr. Walsh	Present
	Mr. Zektzer	Present
	Mr. Yeager (Alt. 1)	Absent
	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 Mr. Venuto to adopt Resolution number 05-28-2026: 1, NJ Prime Real Estate LLC, 1507 Yacht Avenue, Block 1160 Lot(s) 8, 8.01 & 9, seconded by Ms. Sheehan and carried 5-0. Those in favor: Mrs. Notch, Ms. Sheehan, Mr. Zektzer, Ms. Stevenson, Mr. Venuto. Those opposed: None. Those abstaining: Mr. Walsh, Mrs. Werner.

Minutes:

Motion was made by Mr. Zektzer to adopt the meeting minutes of April 23, 2026, seconded by Ms. Stevenson and carried 5-0. Those in favor: Mrs. Notch, Ms. Sheehan, Mr. Zektzer, Ms. Stevenson, Mr. Venuto. Those opposed: None. Those abstaining: Mr. Walsh, Mrs. Werner.

Application(s):

Bray Family Partnership
720 Washington Street, Block 1078 Lot(s) 2

Attorney John Amenhauser of The DeWeese Law Firm introduced the application seeking preliminary and final site plan approval and substantial benefit and use variance relief to expand the bar/restaurant use to the public. Present at the meeting were Barbara Bray-Wilde, member of the Bray Family Partnership, Professional Planner and Professional Engineer Paul Kates of Kates Schneider Engineering and Architect Brian Newswanger of Atlantes Architects. Member Bray-

Wilde, Planner Kates, Architect Newswanger and Board Engineer Craig Hurless were sworn in by Solicitor King.

Planner Kates was accepted as an expert in planning and engineering by Chairperson Werner and described the existing conditions at the property with three road frontages on Washington, Jefferson, and Corgie Streets with the fourth side backing up to the post office. He said they propose to reconfigure the area of the grass block pavers into ten parking spaces with brick pavers to delineate the spaces and low lighting to preserve the historic look at the request of the Historic Preservation Commission (HPC). He explained there had been a plan for additional parking, but the parking plan was reconfigured after consultation with the HPC. Planner Kates testified that the site is suited for the proposed use and the following would be promoted by the project: public health, safety, morals and general welfare, safe access to the building and parking, providing sufficient space and appropriate locations for a variety of residential, commercial and recreational uses, both public and private in order to meet the needs of citizens, open up a historic landmark to more people with a variety of uses to meet the needs of the public specifically, promote the desirable visual environment through creative development techniques and good civic design by the appearance of the parking lot as a garden, maintaining appropriate light, air and open space, the conservation of historic sites in the state to prevent urban sprawl through improper use of land. He said there is no detriment to the zone plan nor the public good, neighborhood and the city. He testified that the purposes of zoning would be advanced by the project.

Planner Kates said the number of parking spaces at 40 while 69 are required is more than most dining and restaurant establishments have in the city. He added that the original plan exceeded the parking requirement at 70 parking spaces, but that did not meet the HPC requirements. So, the parking variance is partly needed to preserve the historic nature and look of the grounds. The plan for handling solid waste and recycling was described as using the underutilized dumpster and increase the number of pickups during the week with the option to add a pickup if needed. Planner Kates agreed to the conditions outlined in the memorandum by Engineer Hurless.

Architect Newswanger presented his credentials and was accepted as an expert in architecture by Chairperson Werner. He agreed with the items placed on the record by Planner Kates. Architect Newswanger confirmed the number of guest rooms is 23 plus an owner's unit and a conference room which seats about six people maximum. It was determined there a total of 24 sleeping rooms. Architect Newswanger said there is no change proposed to the existing configuration of the building and no exterior renovations other than the parking and lighting proposed. He created the floor plans and the layout of the seating. There are 36 seats in the parlor, 32 seats on the veranda, fifty seats in the lower level basement area, and two dining seats at the ends of the bar (the two seats are not shown on the plans). Architect Newswanger testified there is enough space for the use and no detriment to the neighborhood or public good. He agreed to the conditions outlined in the memorandum by Engineer Hurless. In response to the Fire Department report, Architect Newswanger said the building, including the kitchen, has a sprinkler system, and they will provide an egress plan. He said there are no life safety issues that cause concern. He said the premise of historic preservation is to make the buildings viable and available to the public.

Member Sheehan asked about the liquor license. Hamilton Wilde is a member of an entity, New Jersey Farmers Cooperative Group LLC, which holds the license. Barbara Bray-Wilde has no

ownership or interest in New Jersey Farmers Cooperative Group LLC. Bray Family Partnership owns the property.

Partnership Member Bray-Wilde said the partnership has owned the property since 1994 and described the efforts to renovate, restore and preserve the property. They need people to come in and enjoy the property and enable an income stream to upkeep the property. She said people are eating earlier, and the proposed closing time is 11:00 PM. She explained the daytime deliveries and unloading are made in their on-premises loading area which is preferred via Jefferson Street but could be accessed via the Washington Street entrance to the property. Partnership Member Bray-Wilde wants people to see the very special building.

Board members were allotted time for questions.

Vice Chairperson Venuto asked if the applicant was asking for a variance to turn the tourist guest house into a hotel. Attorney Amenhauser said they are asking to add a use that would typically be an accessory to a hotel. Partnership Member Bray-Wilde said the building had a mercantile license as a hotel for more than six years but is now identified as a tourist guest house. A hotel is not a permitted use in the R-S district. Engineer Hurless said the property has never had board approval for hotel use.

Member Sheehan asked about the required parking. Planner Kates said there are currently fourteen grass block paver parking spaces that are to the front of the façade of the building, which the HPC did not favor. He explained the plan to discontinue using the fourteen spaces, and ten spaces would be added behind the front of the façade of the building. Engineer Hurless said the parking calculation reflects 120 seats; 69 spaces are required, 44 spaces exist and 40 spaces are proposed. Planner Kates said there is a municipal lot a half block from the property, and they are weighing valet parking with the Sturdy Savings Bank.

Member Sheehan asked about the tours. Partnership Member Bray-Wilde said most people do not drive to the property to access tours. Chairperson Werner asked if they guarantee parking for those staying at the guest house. Partnership Member Bray-Wilde said they guarantee one parking space for each room and the parking spaces are delineated. She said there are no parking problems even when they host large events.

Member Walsh asked where guests currently dine. Partnership Member Bray-Wilde said they eat in the south wing solarium, main solarium, small ballroom upstairs, and sometimes they eat outside on the porches. Engineer Hurless asked if the bar and restaurant use will be restricted to indoor use only, and Architect Newswanger replied yes. Engineer Hurless said that should be a condition of approval, and the applicant agreed to the condition. It was later clarified that the public use is to occur inside, and the applicant agreed to the condition that guests cannot bring liquor outside.

Solicitor King asked if the events would continue, and Member Stevenson asked if the restaurant would be closed to the public if there was a private event. Partnership Member Bray-Wilde responded yes, events will continue and the bar and restaurant would close for private events.

Attorney Amenhauser advised they are proposing that all seating occur inside of the building as shown on the architectural plan with beverage service during special events to continue outside.

Member Walsh asked for the location of the kitchen fan and slate in the parking lot. Partnership Member Bray-Wilde replied on the back roof. Planner Kates said the slate is to border the perimeter of that parking, and there will be two foot wide red brick and gray slate brick to delineate those spaces.

Member Notch asked about trash pickup. Partnership Member Bray-Wilde said the trash is picked up onsite in the center of the property, and trucks access the property via Jefferson Street.

Member Stevenson asked for the restaurant opening time. Partnership Member Bray-Wilde was unsure but expected the restaurant will be open for lunch and dinner.

Engineer Hurless then summarized his memorandum dated May 7, 2026 including his completeness review, the waivers he supported and the waiver to be a condition of approval. He detailed the variances for use, parking number of spaces, parking – paved surface, and parking -- curbing sought. The General Review Comments 1-20 were reviewed in detail and classified as conditions of approval. Engineer Hurless advised the Public Works Department recommended approval of the project in their report dated May 26, 2026. The Fire Department recommended approval with the conditions that a detailed plan is needed for fire suppression and detection of the proposed restaurant area including kitchen hood and egress plans (if needed) are to be submitted in their report dated May 19, 2026, and the applicant agreed to conform to fire recommendations. The Shade Tree Commission recommended approval and noted that no trees will be moved or impacted in their report dated May 21, 2026. The Historic Preservation Commission granted conceptual approval as seen in the notice dated April 20, 2026.

Board members were allotted time for questions of Engineer Hurless. Member Stevenson asked about the Planning Board's 2003 condition of approval, and Solicitor King said the Zoning Board has the power to grant a use variance. The Zoning Board hearing is not a violation of the Planning Board's 2003 approval.

Discussion was opened to the public within two hundred feet at 7:29 PM.

Ray Went, Esq., The Went Law Firm, representing John and Judy Lynch, 714 Corgie Street, came forward. John Lynch, 714 Corgie Street and Professional Planner Peter Steck, 80 Maplewood Drive, Maplewood, New Jersey, were sworn in by Solicitor King and introduced themselves. Mr. Lynch is a professional engineer and offered fact testimony. Attorney Went said the project significantly affects the neighborhood.

Mr. Lynch said zoning is to protect incompatible use in the R-S district, and a public bar and restaurant is incompatible and not allowed in the R-S district. He spoke about the use variance and requested denial of the variances sought. Three exhibits were shared: Lynch-1, two pages of aerials, Lynch-2, three pages of photos dated May 26, 2026, May 25, 2026 and May 25, 2026, and Lynch-3, six pages of the Steck Packet consisting of P-1: zoning map and NJ Geoweb 2020 page, P-2 and P-3: two pages of aerial photos taken on May 28, 2026 of 720 Washington Street,

P-4: two exterior photos taken on May 26, 2026 of 720 Washington Street and two interior photos taken on May 28, 2026 of 720 Washington Street, P-5: one page of photos taken on May 26, 2026 along with selected drawings of 720 Washington Street interiors and parking and P-6: NJDEP Geoweb 2020 aerial photo and portion of the zone map.

Mr. Lynch said there would be substantial impact on the neighborhood, and the applicant did not seek input from the neighbors. He said the two new uses will bring outside customers for a destination use and there will be an expansion of smoking outside on Corgie and increased noise and odors from the restaurant. Arrival and departure of increased guests over the current lodging use is radically different. He described the interaction in 2022 when the applicant reached out to him, and they met to discuss his concerns: noise, odor, and hours of operation. The neighbors also met with the applicant in 2022. They agreed not to object in exchange for the good faith cooperative effort that had been mutually agreed.

Mr. Lynch described the existing conditions on Corgie Street. He said there is parking on only one side of the narrow street, which does not meet the international fire code. He said at about 1:04 PM that a tractor trailer was observed parked on Corgie Street for 21 minutes to make a back door delivery to the applicant. He said he knows the situation will be worse if the application is approved.

Mr. Lynch presented his credentials as a professional engineer in the state of Pennsylvania and was accepted as an expert in traffic engineering by Chairperson Werner. He testified that a lunch and dinner operation use will generate 360 new trips every day.

Mr. Lynch also objected to the application due to noise, increased trash and recycling pickup, exhaust fan odor and lighting.

Judy Lynch, 714 Corgie Street, was sworn in by Solicitor King. She respectfully asked the board not to grant the variances and agreed with John Lynch's testimony.

Professional Planner Peter Steck, 80 Maplewood Drive, Maplewood, New Jersey, presented his credentials and was accepted as an expert by Chairperson Werner. Planner Steck described Exhibit Lynch-3 in detail. He shared his review of the application, the zoning ordinance, master plan, re-examination report, tour of the property and the surrounding area. He said that most of the cooking that occurs now includes eggs and other breakfast foods. He said that tours are conducted at noon and 1:00 PM, and the tour length is forty minutes. He described the current parking on the property, Corgie Street parking on one side only with some residential permits and the lack of any parking on Jefferson Street.

He said there was no testimony on the venting system for the kitchen which will produce noise and smells for different periods of time. He also said there was no testimony on noise which would have been addressed in an environmental impact statement.

He felt the parking would not be screened by the shrubbery, so not an advancement of the historic aspects of the property. He said the site is not particularly suited to restaurant use, due to seating in the basement, the kitchen being on a different floor than the parlor dining is not well suited,

especially without an elevator. He said it has not been demonstrated that there are public purposes are advanced, and he testified that the use is not particularly suited to the property.

Attorney Amenhauser asked Planner Steck about the properties in Lynch-3, specifically the Washington Inn, funeral home, realtor office and bank, all commercial uses in the R-3 zone and whether they would be approved use by right. Planner Steck said they would not be approved use by right and the applicant's property is one half block from the C-1 commercial zone.

Elizabeth Parker, 716 Corgie Street, was sworn in by Solicitor King. She agreed with everything presented by Mr. Lynch, Mr. Went and Mr. Steck. She presented Exhibit Parker-1, four pages of photos and dated May 28, 2026. She said there is smoking near her property when there is an event and expressed concern that Corgie Street could turn into a loading zone. She took the photos show a tractor trailer that stopped on Corgie Street in front of her driveway for twenty minutes to unload a delivery for the applicant.

Jane and John Howard, 706 Corgie Street, were sworn in by Solicitor King. She said their home is across the street from the property. She agreed with everything presented by Mr. Lynch, Mr. Went and Mr. Steck. She presented Exhibit Howard-1, seven photos and described each photo in detail. She said the light and noise pollution would only be exacerbated and contractor hours are not observed when work is done at the property. She expressed concern about guests smoking and behavior, exhaust vent odor and noise and unwanted lighting. John Howard expressed concern about rodents and valet parking. He agreed with everything presented by Mr. Lynch, Mr. Went and Mr. Steck.

Joseph Joyce, 710 Corgie Street, was sworn in by Solicitor King. He agreed with the testimony of other neighbors and John Lynch. He was concerned about the blocking of Corgie Street by truck deliveries to the applicant and asked that the master plan and zoning be upheld.

John Carter, 800 Washington Street, was sworn in by Solicitor King. He said the truck mentioned previously began the search Jefferson Street for unloading the delivery, and he observed another truck delivery on Jefferson Street that blocked the street for fifteen minutes. He agreed with everything presented by Mr. Lynch, Mr. Went and Mr. Steck.

Crystal Hardin, 924 ½ Corgie Street and 718 Madison Street, was sworn in by Solicitor King. She spoke in support of the application and praised the applicant for the restoration of the property.

Ellie O'Donoghue, 811 Corgie Street, was sworn in by Solicitor King. She said the bank, post office and real estate office close at 5:00 PM, the funeral home has ample parking, and the Washington Inn was established in 1978. She said the 2003 master plan spoke to the protection of the residential neighborhood and wanted the board to honor the intention of the plan.

Dana Severance, 722 Corgie Street, was sworn in by Solicitor King. She agreed with the testimony of her Corgie and Jefferson Street neighbors. She said the property does not have a buffer zone which presents a potential safety issue by increased traffic, dumpster use, possible vermin and noise issues. She asked the board to deny the application.

Ted Wiedersein, 509 Franklin Street, was sworn in by Solicitor King. He agreed with everything presented by Mr. Lynch, Mr. Went and Mr. Steck and asked the board to deny the application.

Victoria Clayton, 808 Washington Street and 42 Jackson Street, was sworn in by Solicitor King. She said the Washington Inn and the funeral home are grandfathered and considered non-conforming use. She expressed concern about noise and traffic speed on Washington Street. She does not believe that the town needs this use in this location. She said the trash and recycling would need to be picked up daily.

Gerri Carter, 800 Washington Street, was sworn in by Solicitor King. She lives across the street and thinks the current use is the proper use. They described the current traffic as chaotic with trucks often idling on Jefferson Street. She is concerned about daily trash pickup and vermin.

Discussion was opened to the public beyond two hundred feet at 9:21 PM.

Discussion was closed to the public at 9:21 PM.

Discussion was reopened to the public at 9:21 PM.

Gladys McKinney of Lower Township was deemed unable to testify, as she resides outside the city.

Carolinn Pocher Woody, 11 South Lafayette Street, was sworn in by Solicitor King. She spoke in support of the application and asked the board to approve the application.

Discussion was closed to the public at 9:25 PM.

Attorney Amenhauser made a closing statement.

Solicitor King explained the vote for the board.

Motion was made by Ms. Sheehan to grant approval for: preliminary and final site plan, with the §525-19A use variance (non-conforming use), §525-49C parking – number of spaces variance, §525-49A & §525-60D parking – paved surface variance and §525-60D parking – curbing variance, as outlined by the board engineer on page five of the May 7, 2026 memorandum by Craig R. Hurless, PE, PP, CME with waivers as recommended by the board engineer, subject to conditions 1-20 on pages seven, eight and nine in the May 7, 2026 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Mrs. Notch and did not carry 0-7. Those in favor: None. Those opposed: Mrs. Notch, Ms. Sheehan, Mr. Walsh, Mr. Zektzer, Ms. Stevenson, Mr. Venuto, Mrs. Werner. Those abstaining: None.

Members gave reasons for their votes. Member Notch agreed with the neighbors' objections about the smoking, extra parking and odor coming from the kitchen. She felt this is not a good

use for the property. Member Sheehan said Cape May is small with everything close by and a reason why residential areas must be kept residential. She added that there is substantial detriment to the public good, there is too much noise, trash and traffic impact on the neighbors and a variance would push parking farther into the neighborhoods, as Washington and Corgie Streets already have limited parking. She said there is a reason zoning does not allow restaurant and bar use in a residential zone and believes it is important to preserve residential neighborhoods for resident enjoyment. Member Walsh said the zoning laws are clear; no bars or restaurants are to be in the R-S zone. He felt that people leaving a bar and walking down the street would not add to the vitality of any neighborhood. Member Zektzer was concerned about the waste and recycling pickup and said expanding the use of the property does go against the zoning ordinance. Member Stevenson did not think there was enough evidence about the business operations that would allow her to determine if granting the variances would impair the intent and purpose of the zone plan and zoning ordinance. Vice Chairperson Venuto thought the ordinance is correct in prohibiting restaurant and bar use in the R-S district. He did not believe the site is well suited for a bar and restaurant, as the building backs up too close to the residential area behind it. Chairperson Werner complimented the applicant on the beautiful property, but felt the current use is more in keeping with the neighborhood. She said the expansion would be a detriment to the neighbors and to the zoning plan.

Discussion:

Payment of Bills

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

Motion made by Mr. Walsh to adjourn the meeting at 9:38 PM with all in favor.

Respectfully Submitted by Karen Keenan, Board Secretary