

City of Cape May Planning Board Meeting Minutes
Tuesday, July 22, 2025

Opening: The meeting of the City of Cape May Planning Board was called to order by Chairperson Bill Bezaire at 6:02 PM in the City Hall Auditorium. In compliance with the Open Public Meetings Act, adequate notice was provided.

Roll Call:	Mr. Bezaire, Chairperson	Present
	Mr. Jones, Vice Chairperson	Present
	Mr. Crowley	Present
	Mr. Gorgone	Absent
	Mr. Lundholm	Present
	Deputy Mayor McDade	Present
	Mayor Mullock	Present
	Mrs. Reed	Present
	Mr. Riggs	Present
	Mr. Padussis Alt # 1	Present
	Mr. Crippen Alt # 2	Present

Also Present: Paul Baldini, Esquire, Conflict Solicitor
Craig Hurless, Board Engineer and Planner
Karen Keenan, Board Secretary

Resolution(s):

Motion made by Mrs. Reed to adopt Resolution number 07-22-2025: 1 Avue LLC, 6 Second Avenue, Block 1012 Lot(s) 15.01, seconded by Mr. Lundholm and **carried 8-0.** Those in favor: Mayor Mullock, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Riggs, Mr. Padussis, Mr. Jones. Those opposing: None. Those abstaining: Mr. Bezaire.

Motion made by Deputy Mayor McDade to adopt Resolution number 07-22-2025: 2 Master Plan Consistency Review of Regulations of Pools, seconded by Mr. Jones and **carried 8-0.** Those in favor: Mayor Mullock, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Riggs, Mr. Padussis, Mr. Jones, Mr. Bezaire. Those opposing: None. Those abstaining: None.

Minutes:

Motion made by Mr. Riggs to approve the meeting minutes of June 10, 2025, as revised, seconded by Mrs. Reed and **carried 8-0.** Those in favor: Mayor Mullock, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Riggs, Mr. Padussis, Mr. Jones. Those opposing: None. Those abstaining: Mr. Bezaire.

Motion made by Mr. Jones to approve the meeting minutes of June 24, 2025, seconded by Deputy Mayor McDade and **carried 9-0.** Those in favor: Mayor Mullock, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Riggs, Mr. Padussis, Mr. Jones, Mr. Bezaire. Those opposing: None. Those abstaining: None.

Application(s):

Motion made by Mr. Riggs to recognize Paul Baldini the conflict solicitor for the July 22, 2025 meeting, seconded by Deputy Mayor McDade and carried with all in favor.

413-415 Washington St LLC
413 Washington Street, Block 1043 Lot(s) 1

Present for this application for preliminary and final site plan approval and variance relief to reconfigure the first and second floors to be retail space and reconfigure the third floor to be an apartment with two bedrooms, two bathrooms and two added third floor decks were Attorney John Amenhauser of The DeWeese Lawn Firm, Contract Purchaser Daniel Uffleman, and Engineer and Planner John Halbruner of The Highland Group were present. Mr. Uffleman, and Engineer Halbruner were sworn in along with Board Engineer Craig Hurless by Solicitor Baldini.

Engineer Halbruner described the existing conditions at the property and the current parking demand at 7.2 spaces with no parking existing and no parking available on the property. He described the plan for the property to include the entire first and second floor to be retail space and the third floor to be a two-bedroom apartment. The proposed plan changes the parking requirement to sixteen spaces with fifteen spaces for the retail operation and one space for the apartment.

Engineer Halbruner said a variance for lot coverage is also required, but there is no change to the lot coverage. He testified that the variances can be granted under the c-1 hardship criteria, which was not sought in the application but added at the meeting with approval by the board. Engineer Halbruner said there is no additional land available to be procured, and the building is fully developed, legally existing and the lot is shallow and narrow. Under the c-2 criteria, the project preserves commercial use, enhances the building aesthetics and the character of the mall. Engineer Halbruner testified the project encourages municipal action to guide the appropriate use of land development in a manner which promotes public health, safety, morals and general welfare, provides sufficient space and appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses, and promotes a desirable visual environmental through creative techniques and good civic design and arrangement. He said there is no detriment to the public good nor impairment to the purpose of the zoning plan or zoning ordinance, and the positives outweigh any negatives. He said they are adding a fire suppression system necessary for the second floor retail and addressed the checklist waivers sought.

Board members were allotted time for questions.

Member Crowley asked about the parking requirements and land use law. Engineer Halbruner said the municipal land use law does not specify parking requirements, but our ordinance does specify parking requirements. He said the ordinance allows 90% lot coverage. Engineer Hurless

asked about the reconfiguration of the entrances. Engineer Halbruner said the Lyle Lane entrance will be closed off entirely and the recessed entrance on Washington Street is being slightly decreased. He said the retail space was specifically designed for Queen May Jewelry. The existing three-bedroom apartment is owner occupied with no requirement for a mercantile license for the apartment.

Member Crowley and Deputy Mayor McDade inquired about the plan for the residential use of the apartment space. Mr. Uffleman said they are proposing residential use to be determined and said they planned to use it themselves. Deputy Mayor McDade said short-term transient use impacts parking. Engineer Hurless said the ownership is immaterial, but the usage matters regarding parking. He expanded on the topic regarding discussion of workforce housing in the masterplan. There was a discussion on a traffic impact study versus a parking assessment report.

Owner Uffleman said he wanted to leave the apartment as it is currently residential use but that he does not want it to be limited. Member Riggs asked for clarity. Engineer Halbruner said the number of bedrooms is being reduced overall, and the use is to be maintained as residential use. If the apartment is rented in the future, a mercantile license will be required.

Engineer Hurless then summarized his memorandum dated June 11, 2025 including his completeness review with the waivers he supported, the waivers required to be granted by the board and review comments for the variances requested, including hardship relief. The General Review Comments 1-12 were reviewed and explained in detail with all items being classified as conditions of approval. Engineer Hurless said the Environmental Commission, Police and Public Works Departments recommended approval of the project in their reports dated June 27, 2025, June 30, 2025 and June 25, 2025 respectively. The Fire Department recommended approval with the conditions that fire suppression details be provided, Fire Department connection (FDC) location to be on Lyle Lane side of the building – 2.5 inch Siamese and elevator details for private access to third floor if planned to be restricted in their report dated June 27, 2025. The Shade Tree Commission recommended approval with the condition that two plantings in the rear space be provided in their report dated July 3, 2025. The Historic Preservation Commission provided a notice of conceptual approval dated April 21, 2025. The applicant agreed to the conditions.

Board members were allotted time for questions of Engineer Hurless. Chairperson Bezaire asked about the increase in parking if the third floor was changed to commercial use. Engineer Hurless replied that about an additional five parking spaces would be required.

Discussion was opened to the public within two hundred feet and beyond at 7:06 PM and closed with no public coming forward to comment.

Member Crowley stated that parking is a perpetual problem in the city and the number one complaint. He said the applicant suggests it is a benefit to the community. Member Crowley said commercial interests are served by the application, and he thought there is a negative impact. Member Padussis agreed but said you cannot inhibit business from expanding. Member Lundholm said the business is on the mall where there already are pedestrians. Deputy Mayor McDade expressed concern about the creation of undefined residential use on the third floor.

Conflict Solicitor Baldini explained the vote.

Motion made by Deputy Mayor McDade to grant preliminary and final site plan approval and variances for lot coverage and parking – number of spaces listed on page four, subject to waivers listed on pages two and three and subject to the conditions 1-12 on pages five and six outlined in the Board Engineer and Planner Craig R. Hurless PE, PP, CME memorandum dated June 11, 2025 and all conditions discussed at the meeting, seconded by Mr. Jones and **did not carry 3-6.** Those in favor: Mr. Lundholm, Mr. Jones, Mr. Bezaire. Those opposing: Mayor Mullock, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis. Those abstaining: None.

Members gave reasons for their votes. Mayor Mullock favored the design but had a problem with the undefined third floor. Deputy Mayor McDade based her vote on previously stated reasons. Member Reed concurred with Mayor Mullock and Deputy Mayor McDade. Mr. Riggs agreed with the statements of Mayor Mullock and Deputy Mayor McDade regarding the undefined third floor and thought a traffic impact statement may be needed. Member Padussis voted no, because he felt this would not be right as a short-term rental in Cape May. Chairperson Bezaire did not agree that the parking for the residential unit to be a reason for denying the application.

Discussion:

Payment of Bills

Motion made by Mr. Jones to approve the payment of bills, seconded by Mr. Lundholm, and **carried 9-0.** Those in favor: Mayor Mullock, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Riggs, Mr. Padussis, Mr. Jones, Mr. Bezaire. Those opposing: None. Those abstaining: None.

Discussion:

Master Plan Implementation

Engineer Hurless asked the members for a consensus on where to proceed. Members agreed that review on the R-4 District to be a priority.

Member Crowley wanted the board to study the master plan as related to parking, and a parking committee was established including Members Crowley, Riggs and Padussis.

Motion made to adjourn by Member Crowley at 7:39 PM with all in favor.

Respectfully submitted: Karen Keenan, Board Secretary