

**City of Cape May Planning Board Meeting Minutes**  
**Tuesday, September 23, 2025**

**Opening:** The meeting of the City of Cape May Planning Board was called to order by Chairperson Bill Bezaire at 6:03 PM in the City Hall Auditorium. In compliance with the Open Public Meetings Act, adequate notice was provided.

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

**Also Present:** Rich King, Esquire, Board Solicitor  
Craig Hurless, Board Engineer and Planner  
Karen Keenan, Board Secretary

**Resolution(s):**

**Motion made by Mr. Lundholm to adopt Resolution number 09-23-2025: 1 413-415 Washington St LLC, 413-415 Washington Avenue, Block 1043 Lot(s) 1, as amended,** seconded by Deputy Mayor McDade and **carried 7-0**. Those in favor: Mr. Gorgone, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Crippen, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Jones.

**Minutes:**

**Motion made by Deputy Mayor McDade to approve the meeting minutes of August 26, 2025,** seconded by Mr. Gorgone and **carried 7-0**. Those in favor: Mr. Gorgone, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Crippen, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Jones.

**Application(s):**

**Ocean Club Hotel CM LLC**  
**1035 Beach Avenue, Block 1101 Lot(s) 2, 3 & 4**

Present for this application for preliminary and final site plan approval and variance relief to

construct a canvas canopy structure over the existing deck nearest the Sea Salt Restaurant part of the building were Attorney John Amenhauser of The DeWeese Lawn Firm, Ocean Club Hotel Manager Neil Berger, and Engineer and Planner Brian Murphy of Pennoni Associates Inc. Mr. Berger and Engineer Murphy were sworn in along with Board Engineer and Planner Craig Hurless by Solicitor King. Attorney Amenhauser introduced the application and stated no additional seating was proposed at the restaurant which has 176 seats. Engineer Murphy was accepted as an expert in engineering and planning by Chairperson Bezaire.

Engineer Murphy described the existing conditions at the property and said the proposed canopy will be eight feet above the deck and seven feet at the bottom of the canopy. He said they propose no additional lighting with the canopy to shield light from neighbors, and the restaurant uses battery operated candles. He testified the existing lot coverage is 99.9% and the proposed lot coverage is 99.9% (no change). He added that there is no effect on pedestrians along Beach Avenue, no change to the grade and no change to the parking calculation. Engineer Murphy testified the project advances the purposes of zoning, in particular the promotion of a desirable visual environment through creative development techniques and good civic design and arrangements, and there is no negative impact on the zoning plan, zoning ordinance or to the neighborhood.

Engineer Murphy addressed the comments by the Environmental Commission and stated the established vegetation will be preserved and professionally maintained. Engineer Hurless will review the landscaping after the canopy is installed. Engineer Murphy accepted the conditions listed in Engineer Hurless' review memorandum.

Manager Berger said the project received conceptual approval by the Historic Preservation Commission with the condition that the aluminum frame be painted white, as the canvas awning will be removed and stored during the offseason.

Board members were allotted time for questions. Deputy Mayor McDade asked if the umbrellas are removed in the offseason and if ceiling fans and gas lamps are proposed. Manager Berger replied that the umbrellas are removed for the offseason, and there are no ceiling fans nor gas lamps. He said there are no drainage systems in place in the deck area; only landscaping exists there.

Engineer Hurless then summarized his memorandum dated August 27, 2025. He described his completeness review and the waivers he supported including the waivers to be conditions of approval. He reviewed the variances sought and commented that the overhang of the canopy increases the lot coverage by a small amount (with the coverage percentage not changing) at this very large lot. The General Review Comments 1-9 were classified as conditions of approval. Engineer Hurless advised the Fire, Police and Public Works Departments recommended approval of the project with no comments in their reports dated September 2, 2025, August 28, 2025 and September 2, 2025, respectively. The Environmental Commission recommended approval of the project with the condition that the landscaping plan to be reviewed to ensure that the design can accommodate the water runoff in their report dated September 7, 2025. The Shade Tree Commission recommended approval of the project with the condition that any trees removed to be replaced two for one in their report dated September 15, 2025.

Chairperson Bezaire commented on the cooperation at the property in years past when several parking spaces were voluntarily removed and landscaped, because there were issues with backup parking on Beach Avenue and New Jersey Avenue. Engineer Hurless agreed and said the upgrade of their exhaust fans was very beneficial to the neighborhood.

Board members were allotted time for questions.

**Discussion was opened to the public within two hundred feet and beyond at 6:24 PM and closed with no public coming forward to comment.**

Solicitor King explained the vote.

**Motion made by Deputy Mayor McDade to grant preliminary and final site plan approval and variances for building setbacks - Beach Avenue, side yard setbacks - west side and lot coverage variances with waivers 19 and 33 and 3(p), 3(v), 3(w) and 3(y), conditions 3(q) and 3(r) listed on pages two and three, conditions 1-9 as outlined on page six in the August 27, 2025 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing, seconded by Mr. Crippen and carried 8-0.** Those in favor: Mr. Gorgone, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Crippen, Mr. Jones, Mr. Bezaire. Those opposing: None. Those abstaining: None.

**Discussion:**

**Master Plan Consistency Review of Ordinance \_\_\_\_-2025 An Ordinance Amending Chapter 525 of City Zoning Code to Promote Workforce and Long-Term Housing Opportunities in the C-1 Zoning District**

Chairperson Bezaire introduced the discussion on the revised proposed ordinance. Deputy Mayor McDade advised that the definition of workforce housing is in the ordinance. There was discussion on the definition including the requirements. Solicitor King said the minimum thresholds are for bedroom size and apartment size of the dwelling units. Engineer Hurless said the standards are consistent with the International Property Maintenance Code (IPMC 404.4.1), and the comments in his memorandum dated September 15, 2025 were reviewed.

There was a question on the origination of the topic of discussion. Solicitor King and Engineer Hurless said workforce housing was discussed the last master plan reexamination. The topic was also discussed by the Planning Board when an application was presented regarding housing for a property owner's employees in this zoning district.

Parking was discussed, and Solicitor King said the parking requirement could be waived for workforce housing at the mall. Members felt that mall workforce housing tenants may not need parking, as many use bicycles for transportation. They felt that short-term transient rentals create greater demand for parking.

After much discussion, the board asked Solicitor King to draft a resolution to include these recommendations for City Council consideration:

- 1) Consider also including a reference to section 3 in zoning ordinance
- 2) After passage of the ordinance and as a courtesy, mail a copy of it to every owner of property at Washington Street Mall for their awareness of the provisions including item 1.
- 3) Clarify that site plan approval is not required in the overlay if the municipal official is convinced that the ordinance's applicability and no other bulk variances are triggered
- 4) Replace the word "encompassing" in the first paragraph of the ordinance with the word "includes"

**Motion made by Mrs. Reed that the ordinance is consistent with the master plan reexamination and to recommend to City Council to consider the four recommendations that will be included in the resolution**, seconded by Mr. Gorgone and **carried 7-0**. Those in favor: Mr. Gorgone, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Crippen, Mr. Jones, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Lundholm.

Member Reed favored the ordinance and commented that it will only be successful if the ordinance is enforced.

#### **Master Plan Recommendations for Implementation: R-4 Modified Medium Density Residential District**

Engineer Hurless shared his September 17, 2025 memorandum which focused on the quad section in the R-4 district. He directed the board to the photo that shows a fence that is very close to a common walkway. He said that zoning officer recommended removing the wording "including fencing" to eliminate any confusion, as it may lead residents to believe that they can have a fence, which are not permitted in the quads. Engineer Hurless agreed with the recommendation. Sheds are to be attached to the primary structure but have appeared separate from the primary structure without permits. He wants the language to be clear that no structures, including sheds, fire pits, gazebos, etc., are permitted in the common area in the quads. He recommended that the area and bulk regulations lot size wording be revised for quads.

After further discussion, the board lamented that no easements were recorded, including parking space arrangements, when the development was approved by the board. The board tabled the discussion to a future meeting.

#### **Payment of Bills**

**Motion made by Mr. Gorgone to approve the payment of bills**, seconded by Mr. Lundholm, and **carried 8-0**. Those in favor: Mr. Gorgone, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Lundholm, Mr. Crippen, Mr. Jones, Mr. Bezaire. Those opposing: None. Those abstaining: None.

**Motion made to adjourn by Mr. Lundholm at 7:50 PM with all in favor.**

**Respectfully submitted: Karen Keenan, Board Secretary**