

City of Cape May Planning Board Meeting Minutes
Tuesday, August 22, 2017

Opening: The meeting of the City of Cape May Planning Board was called to order by Chairman Bill Bezaire at 6:30 PM. In compliance with the Open Public Meetings Act, adequate notice was provided.

Roll Call:	Mr. Bezaire, Chairperson	Present
	Mr. Shuler, Vice Chairperson	Present
	Mr. Elwell	Absent - excused
	Mr. Macciocchi	Present
	Councilmember Hendricks	Present
	Mr. Inderwies	Present
	Mr. Jones	Present
	Mayor Lear	Present
	Mr. Picard	Present
	Dr. Maslow Alt #1	Present
	Dr. Wolf Alt #2	Present

Also Present: Richard King, Esquire - Board Solicitor
Craig Hurless - Board Engineer
Tricia Oliver - Board Assistant

Minutes:

Motion was made by Councilmember Hendricks to approve the minutes from the July 11, 2017 Planning Board Meeting, seconded by Mr. Jones and **carried 8-0**. Those in favor: Mr. Macciocchi, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Dr. Maslow, Mr. Shuler, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Picard.

Resolutions:

Motion was made by Councilmember Hendricks to adopt Resolution Number 08-22-2017:1 Marquis de Lafayette Hotel/Condominium Assoc. Inc., 501 Beach Avenue, Block 1047, Lot(s) 1, 5, 6, & 7, seconded by Dr. Maslow, and **carried 8-0**. Those in favor: Mr. Macciocchi, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Shuler, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Picard.

Applications:

Cape Jetty LLC
"Jetty Hotel"
6 & 12 Second Avenue

Block 1012, Lot(s) 15.01 & 15.02

Chairman Bezaire and Dr. Maslow recused themselves from hearing the application due to not being present at the applicants initial hearing and due to living within 200 feet of the applicant, respectively.

Richard Hluchan, Esquire, Vincent Orlando, EDA, Professional Planner, Mr. Dan DeMutis, property owner, and Board Engineer, Craig Hurless, were all sworn in.

The representative for the applicant, Richard Hluchan, Esquire, gave a brief summary of the July 2010 approval, reviewing the 7-13-2010 resolution adopted by the membership. He explained that the preliminary approval for lot 15.02 included the construction of a single family dwelling with easement from the motel, since this particular lot does not front on an improved street. The applicant now seeks a one year extension of approval for lot 15.01, for the motel only, in which time will be sufficient for the applicant to apply for final approval from the board.

Mr. Dan DeMutis stated for the record that during the time that the initial approval was given for these lots, 2010, economic hardship took a toll on their abilities to complete construction and he referenced the recession of 2008. Mr. DeMutis continued to explain that his family are the owners of another local motel, the Madison Beach Club, of which they have renovated recently, and they also own two (2) other hotels in Pennsylvania. He also made it clear to the board that he is proud to keep the Jetty Hotel independent and away from the everyday flag type hotel, such as a Marriott or Hyatt.

It was also stated for the record that lot 15.02 has since been sold since 2010 and to date, construction has commenced on this property.

Professional Planner, Vince Orlando, detailed the C-3 zoning district and noted for the record that there has been no change in zoning standards since 2010.

Board Engineer Craig Hurless, PE, PP, CME, then summarized his latest memorandum dated July 19, 2017. Mr. Hurless explained the two previous variances granted (page 5 of 5):

1. N.J.S.A. 40:55D-35 Permit to Build on Lot not abutting a Street
2. §525-24B(1) Table 2 Side Yard Setback

The General Review Comments 1-5 (page 5 of 5) were reviewed and explained in detail, with approval conditioned on all conditions of approval made part of resolution # 7-13-2010.

Discussion was opened to the public within 200 feet at 6:50 PM.

Eric Garrabrant, Esquire, representative for Joseph Schlitzer of 19 Second Avenue, spoke in opposition of the application, citing concerns with parking issues on the site plan. Mr. Garrabrant noted the 1992 decision of Jordan Developers versus the Planning Board of Brigantine for the record.

Richard Umbrecht, 16 Second Avenue, spoke in opposition of the applicant, commenting for the record that he felt as though the testimony given during this hearing was conflicting of the variances needed for the development of lot 15.02 (single family dwelling) and also presented issues with parking, as previously stated by the public. Mr. Umbrecht also presented photos of the trash removal as it stands today on lot 15.01, detailing that the easement from the motel is not possible and trash trucks currently back over the neighboring foundation on lot 15.02.

Mr. Hurless commented for the record that these issues have in fact been addressed by the applicant.

Joseph Schlitzer, 19 Second Avenue, commented for the record that not only is the trash and parking an issue, but he also has concerns regarding the timeline of the completion of the hotel project.

Discussion was opened to the public beyond 200 feet and closed at 7:13 PM.

Motion made by Mr. Macciocchi to approve the approval extension as presented with the withstanding preliminary approval and final site plan approval by June 30, 2018; subject to all conditions of approval made part of resolution 7-13-2017 as discussed at the hearing and outlined in the review memorandum from Board Engineer Craig R. Hurless, PE, PP, CME, dated July 19, 2017 seconded by Councilmember Hendricks and **carried 8-0**. Those in favor: Mr. Macciocchi, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Dr. Wolf, Mr. Shuler. Those opposed: None. Those abstaining: None.

Board members expressed their reason for voting positive on the application for the record.

Discussion:

Discussion was undertaken by the Board members and professionals regarding the re-examination of the City Master Plan. Mr. Bezaire updated the membership in regards to recent meetings of the Master Plan Subcommittee and the feasible timeline for an overall completion. It was explained by Mr. Bezaire that the subcommittee has approached the City Finance Department to prepare an RFP to start getting bids for the re-examination. The membership agreed that future Planning Board meetings should include topics of the Master Plan re-examination on the agenda for discussion, beginning with what elements are most important to address and as of the September 12, 2017 meeting, where the RFP stands at such time.

Motion made to adjourn by Councilmember Hendricks at 7:35 PM with all in favor.

Respectfully submitted: Tricia Oliver, Board Assistant.

****Copy of presentation available on the City of Cape May website.**