

City of Cape May Planning Board Meeting Minutes
Tuesday, January 10, 2017

Opening: The meeting of the City of Cape May Planning Board was called to order by Chairman William Bezaire, at 7:00 PM. In compliance with the Open Public Meetings Act, adequate notice was provided.

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| Roll Call: | Mr. Bezaire, Chairperson | Present |
| | Mr. Shuler, Vice Chairperson | Present |
| | Mr. Elwell | Present |
| | Dr. France | Absent-Excused |
| | Councilmember Hendricks | Present |
| | Mr. Inderwies | Present |
| | Mr. Jones | Present |
| | Mayor Lear | Present |
| | Mr. Picard | Present |
| | Mr. Macciocchi (Alt. 1) | Present |
| | Dr. Maslow (Alt. 2) | Present |

Also Present: Richard King, Esquire – Board Solicitor
Craig Hurless, PE, PP, CME Associate – Polistina & Associates
Erin Burke, Board Assistant

Business: Reorganization

Oath of Office: Mayor Lear, Councilmember Hendricks, Mr. Inderwies, Mr. Picard, and Dr. Maslow were instructed to sign their Oaths of Office and return them to the Board Secretary.

Chairperson

Motion made by Mr. Jones to appoint William Bezaire as Chairman of the Board, seconded by Mr. Elwell and **carried 8-0.** Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Shuler. Those opposed: None. Those abstaining: Mr. Bezaire.

Vice Chairperson

Motion made by Mr. Jones to appoint Harley Shuler as Vice Chairman of the Board, seconded by Mr. Elwell and **carried 8-0.** Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Bezaire. Those opposed: None. Those abstaining: Mr. Shuler.

Board Attorney

Motion was made by Mr. Elwell to appoint Richard King, Esquire, as Board Attorney, seconded by Mr. Shuler, and carried 9-0. Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Shuler, Mr. Bezaire. Those opposed: None. Those abstaining: None.

Board Engineer/ Planner

Motion made by Mr. Jones to appoint Craig R. Hurless of Polistina & Associates as Engineer/Planner to the Board, seconded by Mr. Picard, and carried 9-0. Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Shuler, Mr. Bezaire. Those opposed: None. Those abstaining: None.

Mr. Shuler, Mr. Picard, and Mr. Elwell were appointed to the Conceptual Review Committee, with Mr. Bezaire and Councilmember Hendricks appointed as alternates.

Meeting Dates and Time 2017

Motion made by Mr. Elwell to adopt the Planning Board meeting dates and time, with corrections made and the meeting time changing to 6:30 PM, seconded by Mr. Picard and carried 9-0. Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Shuler, Mr. Bezaire. Those opposed: None. Those abstaining: None.

Official Newspaper

Motion was made by Mr. Elwell to designate the Cape May Star and Wave as the primary newspaper for publishing purposes for the Planning Board, and the Press of Atlantic City as the secondary paper, seconded by Mr. Shuler and carried 9-0. Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Shuler, Mr. Bezaire. Those opposed: None. Those abstaining: None.

Minutes

Motion made by Mr. Jones to approve the minutes of November 22, 2016, seconded by Shuler and carried 6-0. Those in favor: Mr. Elwell, Mr. Jones, Mr. Picard, Mr. Macchiocchi, Mr. Shuler, Mr. Bezaire. Those opposed: None. Those abstaining: Councilmember Hendricks, Mr. Inderwies, Mayor Lear.

Applications:

*Gertrude Woehlcke Trust c/o Richard Woehlcke, Trustee
1235 & 1239 Lafayette Street
Block 1061, Lot(s) 92, 93*

Carol Tutelian, PP with Engineering Design Associates, and Board Engineer Craig Hurless, PE, PP, CME, were sworn in and stated their credentials for the record.

The representative for the applicant, Keith A. Davis, Esquire, gave a brief summary of the proposed subdivision of the two existing lots into three. Proposed lots 93.01 and 93.03 would contain the existing dwellings, with lot 93.02 being configured in a "flag lot" shape with the intentions of developing a single family dwelling in the future. Mr. Davis explained that the applicant is seeking minor subdivision approval and variances for the creation of a lot that does not conform to the minimum lot width, lot frontage, or side yard setbacks. Mr. Davis stated that the minor existing non-conformities on the property will not be impacted by the subdivision in any way.

Carol Tutelian, Professional Planner, testified to the existing homes on the existing lots in question, referring to **exhibit A-1: color photograph**, and the proposed creation of a "flag lot" subject to an easement so that the homeowners would have access to their homes. She explained the variances sought in detail. Extensive discussion was undertaken regarding if it would be possible on proposed lot 93.03 to have an area of driveway for "K" turns so that the homeowners would not be backing-out on Lafayette Street.

Board Engineer Craig Hurless, PE, PP, CME, then summarized his latest memorandum dated November 8, 2016. Mr. Hurless explained the four (4) variances required in detail (page 5 of 7):

1. §525-15B(1) Table 1 Lot Width
2. §525-15B(1) Table 1 Lot Frontage
3. §525-15B(1) Table 1 Building Setback
4. §525-54A(3) Side Yard Setback (Accessory Garage)

The General Review Comment items 1-19 (pages 5-7 of 7) were reviewed and explained in detail, with all items being classified as conditions of approval. Mr. Hurless discussed General Review Comment item 2 (requiring the applicant to provide a deed notice) in detail. Item 20 was added to the General Review Comments, requiring that the "K" turn area be shown on plans. Item 21 was also added, requiring that a clear 15' by 15' access to the proposed back lot to allow for emergency vehicle accessibility be provided on the plans.

Discussion was opened to the public within 200 feet at 7:52 PM, then beyond 200 feet, then closed with no public coming forward.

Motion was made by Mr. Elwell to approve Minor subdivision, §525-15B(1) Table 1 - Lot Width, §525-15B(1) Table 1 - Lot Frontage, §525-15B(1) Table 1 - Building Setback, §525-54A(3) Side Yard Setback (Accessory Garage) variances, and all waiver items as conditions

of approval, subject to all conditions of approval discussed at the hearing and outlined in the review memorandum from Board Engineer Craig R. Hurless, PE, PP, CME, dated November 8, 2016, seconded by Mr. Picard, and carried 9-0. Those in favor: Mr. Elwell, Councilmember Hendricks, Mr. Inderwies, Mr. Jones, Mayor Lear, Mr. Picard, Mr. Macchiocchi, Mr. Shuler, Mr. Bezaire. Those opposed: None. Those abstaining: None.

Discussion:

A subcommittee was established for preliminary Master Plan discussion. The Planning Board members appointed to the meeting consist of Mr. Bezaire, Mr. Shuler, and Mr. Elwell, with Mr. Inderwies serving as an alternate.

Motion was made to adjourn the meeting at 8:15 PM with all in favor.

Respectfully submitted: Erin Burke, Board Secretary.