

**City of Cape May Zoning Board of Adjustment Meeting Minutes  
Thursday, January 25, 2018**

**Opening:** In compliance with the Open Public Meetings Act of 1975, adequate notice of the meeting was provided. Chairperson Hutchinson called the meeting to order at 6:00 P.M.

<b>Roll Call:</b>	Mrs. Hutchinson, Chairperson	Present
	Mr. Iurato, Vice Chairperson	Present
	Mr. Murray	Present
	Mrs. McAlinden	Present
	Mrs. Werner	Absent - <b>excused</b>
	Ms. Hesel	Present
	Mr. Van de Vaarst	Present
	Mrs. Lukens (Alt. 1)	Present
	Mrs. Nelson (Alt. 2)	Present

**Also Present:** Richard King, Board Solicitor  
Craig Hurless, PE, PP, CME, Board Engineer  
Tricia Oliver, Board Assistant

**Business: Reorganization**

**Oath of Office:**

Deborah Lukens and Meryl Nelson were instructed to sign their Oaths of Office and return them to the Board Assistant.

**Chairperson:**

**Motion made by Mrs. McAlinden to nominate Diane Hutchinson for Chairperson,** seconded by Ms. Hesel and **carried 7-0.** Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mrs. Nelson, Mr. Murray. Those opposed: None. Those abstaining: None.

**Vice Chairperson:**

**Motion made by Mr. Van de Vaarst to nominate William Murray as Vice Chairperson,** seconded by Mrs. Lukens and **carried 7-0.** Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mrs. Nelson, Mrs. Hutchinson. Those opposed: None. Those abstaining: Mr. Murray.

**Board Attorney:**

**Motion made by Mr. Murray to appoint Richard King, Esquire, as Board Attorney,** seconded by Mrs. McAlinden and **carried 7-0.** Those in favor: Mr. Iurato, Mrs. McAlinden,

Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

**Board Engineer:**

**Motion made by Mrs. Lukens to appoint Craig R. Hurless, PE, PP, CME of Polistina & Associates as Board Engineer**, seconded Mr. Van de Vaarst and **carried 7-0**. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

**Meeting Dates and Time:**

**Motion made by Mr. Murray to adopt the meeting dates and time for the 2018 Zoning Board of Adjustment, with no change to the meeting time**, seconded by Mrs. McAlinden and **carried 7-0**. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

**Official Newspapers:**

**Motion made by Mr. Murray to appoint the *Cape May Star and Wave* as the primary newspaper for publishing purposes, and the *Press of Atlantic City* as secondary**, seconded by Mrs. McAlinden and **carried 7-0**. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

**Minutes:**

**Motion made by Mr. Van de Vaarst to adopt the minutes of November 9, 2017**, seconded by Mr. Iurato and **carried 6-0**. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mrs. Hutchinson. Those opposed: None. Those abstaining: Mr. Murray.

**Resolutions:**

**Motion made by Mrs. McAlinden to approve Resolution number 01-25-2018: 1 Gerald and Margaret McNally, 1100 Cake Street**, seconded by Mr. Iurato and **carried 6-0**. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mrs. Hutchinson. Those opposed: None. Those abstaining: Mr. Murray.

**Applications:**

***Robert & Donna Platzer (Cape May Revocable Trust)***  
***1521 Yacht Avenue***  
***Block 1160, Lot(s) 17 & 17.01***

*and*

***Mark Platzer (1523 Yacht Avenue, LLC)  
1523 Yacht Avenue  
Block 1160, Lot(s) 18 & 18.01***

By agreement of the Applicant(s) and the Board, the testimony for both application listed above were combined.

Board Engineer, Craig Hurless, Ron Gelzunas, Esq., and Professional Engineer, John Kornick, were sworn in and stated their credentials for the record.

Representing both applications, Ron Gelzunas, Esquire, described the unique streetscape that includes this group of boathouses, noting that preservation of this area is key to the Cape May appeal. He cited that both projects have received conceptual approval from the HPC and that they were commended on the high quality of workmanship.

Professional Engineer, John Kornick began his testimony by generalizing both properties and introducing to the board Exhibit A-1 which was an aerial view of the site rendering plan. Continuing on, Mr. Kornick stated that subject properties were damaged in Super Storm Sandy of 2012 and a Nor' Easter last year. There is significant structural failure and the homes are leaning towards each other. The applicants believe that the best construction plan would include a common party wall, which is of no conflict, since the two applicants are in fact related and have already gotten the same suggestion from the local Fire Department; concluding that a narrow gap in between these structures would create a chimney-like effect and increase fire danger. It was noted by Mr. Kornick that pre-existing non-conformities trigger certain variances being requested. He stated that by merging the properties, as well as reducing impervious cover by decreasing the overall size of each structure, the applicants are in fact allowing room on the left side of the property towards the Coast Guard Auxiliary. Mr. Kornick also stated that the increased elevation assists in protecting it from flood and other hazards. It is, in his opinion, that the benefits of the proposed plans substantially outweigh any detriment, as well as engaging no negative impact on the neighborhood.

Board Engineer Craig Hurless, PE, PP, CME, then summarized his latest memorandum for 1521 Yacht Avenue, dated December 21, 2017. Regarding the application for Robert & Donna Platzer (1521 Yacht Avenue), Mr. Hurless explained the seven (7) variances required in detail (pages 3 of 6):

1. §525-18B(1) Table A - Lot Size per dwelling unit
2. §525-18B(1) Table A - Lot Width & Lot Frontage
3. §525-18B(1) Table A - Building Setback
4. §525-18B(1) Table A - Side Yard Setback (Each & Total)
5. §525-18B(2) Table B - Lot Coverage
6. §525-52 - Floor Area Ratio (FAR)
7. §525-49C - Parking

The General Review Comments 1-16 (pages 6 & 7 of 7) were reviewed and explained in detail, with all items being classified as conditions of approval. Regarding item number 3, the applicant agreed that the floating deck in question would remain in the plan, and item number 13, a City approval would need to be acquired for portion of the proposed ramp that extends into the right of way.

Regarding the application for Mark Platzer/1523 Yacht Avenue, LLC (1523 Yacht Avenue), Mr. Hurlless explained the variances required in detail (pages 3 of 6), which included an additional variance (total of eight required) listed below as item number 4 - Rear Yard Setback (Each & Total):

1. §525-18B(1) Table A - Lot Size per dwelling unit
2. §525-18B(1) Table A - Lot Width & Lot Frontage
3. §525-18B(1) Table A - Building Setback
4. §525-18B(1) Table A - Rear Yard Setback (Each & Total)
5. §525-18B(1) Table A - Side Yard Setback (Each & Total)
6. §525-18B(2) Table B - Lot Coverage
7. §525-52 - Floor Area Ratio (FAR)
8. §525-49C - Parking

The General Review Comments 1-16 (pages 6 & 7 of 7) were reviewed and explained in detail, with all items being classified as conditions of approval. Regarding item number 3, the applicant agreed that the floating deck in question would remain in the plan, and item number 13, a City approval would need to be acquired for portion of the proposed ramp that extends into the right of way.

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

**Bill "Yogi" Kurtz, 910 Washington Street (owner of 1520 Yacht Avenue, Unit #203),** made positive comment towards the applications.

**Robin Gilbert, 1517 Yacht Avenue,** stated that she is pleased to see more preservation of the street happening.

**Carl Depativo, 1515 Yacht Avenue,** believes that the applicants are of good character and are increasing the value of the neighborhood.

**Joe Rafter, 1526 Yacht Avenue,** stated that his family is new to the street and think positively regarding the proposed plans.

**Discussion was closed to the public at 6:55 PM.**

**Motion was made by Mr. Murray to approve §525-18B(1) Table A - Lot Size per dwelling unit, §525-18B(1) Table A - Lot Width & Lot Frontage, §525-18B(1) Table A - Building Setback, §525-18B(1) Table A - Side Yard Setback (Each & Total), §525-18B(2) Table B - Lot Coverage, §525-52 - Floor Area Ratio (FAR), and §525-49C - Parking variances for**

**the application for Robert & Donna Platzer (Cape May Revocable Trust), 1521 Yacht Avenue, with all variances 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 December 21, 2017, seconded by Mrs. McAlinden and carried 7-0. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.**

**Motion was made by Mr. Murray to approve §525-18B(1) Table A - Lot Size per dwelling unit, §525-18B(1) Table A - Lot Width & Lot Frontage, §525-18B(1) Table A - Building Setback, §525-18B(1) Table A - Rear Yard Setback (Each & Total), §525-18B(1) Table A - Side Yard Setback (Each & Total), §525-18B(2) Table B - Lot Coverage, §525-52 - Floor Area Ratio (FAR), and §525-49C - Parking variances for the application for Mark Platzer (1523 Yacht Avenue, LLC), 1523 Yacht Avenue, with all variances 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 December 21, 2017, seconded by Mrs. Lukens and carried 7-0. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.**

Members voiced their reasons for their votes in the positive for the record.

*Steven & Amy Campione  
902 Kearney Avenue  
Block 1082, Lot(s) 1*

Professional Planner, Matthew Hender and property owner, Steven Campione were sworn in for the record.

Ron Gelzunas, Esquire, representing the applicant, detailed the current state of the property, mentioning that only one variance is being requested and that it is only triggered by raising the home to FEMA requirements.

Mr. Hender, continued on explaining the corner lot where the home is located. He stated that since FEMA is requiring the home owners to raise the structure, which creates a necessity to rework the front steps. The overall design of the proposed plan for the entry steps is to keep the symmetry in the front of the home. Mr. Hender detailed measurements for the FEMA requirements, as well as where the current steps are as opposed to the projection of them in the proposed plan. It was stated that it is Mr. Hender's belief that the design brought in front of the board was the best overall design. In addition to a new landscape plan, Mr. Hender also noted the proposed drainage system to improve the water flow in this area; of which he stated that along with raising the home to FEMA requirements, improves the community rating system in regards to flood.

Mr. Campione added that the proposed plan shows that he and his wife tried to pay attention to detail with having to raise the home, mentioning that the finishes to the foundation show this.

Board Engineer Craig Hurless, PE, PP, CME, then summarized his latest memorandum dated January 4, 2017. He reviewed the one (1) variance required in detail (page 3 of 4):

1. §525-19B(1) Table A - Building Setback

The General Review Comments 1-12 (page 4 of 4) were reviewed and explained in detail, with all items being classified as conditions of approval.

**Discussion was opened to the public within 200 feet and beyond at 7:23 PM, and closed with no public coming forward to comment.**

**Motion was made by Mr. Murray to approve §525-19B(1) Table 1 - Building Setback variance for the application, with all variances 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 January 4, 2017,** seconded by Mrs. McAlinden and carried 7-0. Those in favor: Mr. Iurato, Mrs. McAlinden, Ms. Hesel, Mr. Van de Vaarst, Mrs. Lukens, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Mrs. Lukens and Mr. Murray stated their reasons for their vote in the positive for the application.

**Motion made by Mr. Murray to adjourn the meeting at 7:25 PM with all in favor.**

**Respectfully Submitted, Tricia Oliver/Board Assistant.**