City of Cape May Planning Board Meeting Minutes
Tuesday, August 25, 2026

Opening: The meeting of the City of Cape May Planning Board was called to order by Chairperson Bezaire at 6:00 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		Absent
Councilmember Bodnar		Present
Mr. Crowley		Present
Mr. Gorgone		Absent
Mr. Lundholm		Absent
Deputy Mayor McDade		Present
Mrs. Reed		Present
Mr. Riggs		Present
Mr. Padussis	Alt # 1	Present
Mr. Crippen	Alt # 2	Present

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

Resolutions:

Motion made by Mr. Crowley to adopt Resolution number 08-25-2026: 1 Adis Inc., 1317 Beach Avenue, Block 1146 Lot(s) 6-24 - Pergola, seconded by Deputy Mayor McDade and **carried 7-0**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Crippen.

Motion made by Deputy Mayor McDade to adopt Resolution number 08-25-2026: 2 Adis Inc., 1317 Beach Avenue, Block 1146 Lot(s) 6-24 - Phasing, seconded by Mr. Riggs and **carried 7-0**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Crippen.

Motion made by Deputy Mayor McDade to adopt Resolution number 08-25-2026: 3 Resolution for Meeting Not Open to Public in Accordance with the Provisions of the NJ Open Public Meetings Act, N.J.S.A. 10:4-12 - Litigation – Avue LLC, seconded by Mr. Riggs and **carried 8-0**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Crippen, Mr. Bezaire. Those opposing: None. Those abstaining: None.

Minutes:

Motion made by Deputy Mayor McDade to approve the meeting minutes of July 28, 2026, seconded by Mr. Crowley and **carried 7-0**. Those in favor: Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Bezaire. Those opposing: None. Those abstaining: Mr. Crippen.

Application(s):

Joseph & Carole McCarraher
Madison's Bakery
701 & 703 Beach Avenue, Block 1062 Lot(s) 6

Attorney John Amenhauser of The DeWeese Law Firm introduced the application seeking site plan, preliminary and final – waiver of requirements and substantial benefit variance approval for the expansion of their interior sales floor into the neighboring unit with very minor exterior renovation, outdoor seating and signage.

Owner Carole McCarraher and Architect Nilo Regojo of Greenriver Design were present and sworn in by Solicitor King along with Board Engineer Craig Hurless. Architect Regojo presented his credentials and was accepted as an expert in architecture by Chairperson Bezaire.

Owner McCarraher explained they operated Madison's Bakery for twelve years and expanded into the neighboring retail unit to relieve the customer lines that had been forming outside. She said they would also like additional signage and outdoor seating approval. They have received approval for eight outdoor seats, and they want to expand to sixteen outdoor seats.

Board members were allotted time for questions of Owner McCarraher. Deputy Mayor McDade asked for the hours of operation. Owner McCarraher replied they are open from 6:30 AM to 5:00 PM daily and switch to weekends only from October to Christmas then reopen the week before Easter. Member Crowley asked about the seating. Owner McCarraher said they have eight tables with two seats each, so there are sixteen total outdoor seats plus there are six indoor seats which are only along the window in the expanded space. The total outdoor and indoor seats are 22 seats.

There was a discussion on the parking requirements, and it was determined that there are three parking spaces dedicated to each retail location of the 26 rear parking spaces for all the retail units combined. The total parking of six spaces meets the parking requirement, so no parking variance is required.

Discussion turned to the signage variance. Architect Regojo described the existing conditions at the site and said the only exterior change proposed is the signage. He showed Sheet Z2, which is part of the application packet, that shows the existing and proposed three signs. The board thought there was redundancy on the signage. The total area of signage is the reason for the need for the variance. The maximum permitted is 20 square feet total. The square footage of the mural is 200 square feet. The board expressed concerned that the new sign did not match the mural. Member Padussis asked if the mural had been approved by the board. Owner McCarraher said they have not received any violations of the mural. Engineer Hurless said there is a pattern of signage over the retail stores at the site, and the sign ordinance is very modest. He preferred the repetitive nature

of the signs along Beach Avenue. Owner McCarraher agreed to remove the sign from the Gurney Street corner.

Member Bodnar asked about lighting. Owner McCarraher said the lighting is provided by Icona Cape May 1 LLC, the owner of the property. Architect Regojo said they are not proposing any lighting as part of the project.

Architect Regojo testified the purposes of zoning are advanced by creating a desirable visual environment by putting the slightly smaller signs where they already existed. He said there is no substantial detriment to the zoning ordinance or public good. He said they agree to the comments in Engineer Hurless' review memorandum and the waiver of the site plan review checklist requirements is justified.

Board members were allotted time for questions of Architect Regojo.

Engineer Hurless then summarized his memorandum dated August 3, 2026 including his completeness review and the waiver of checklist requirements he supported. He said the applicant is asking for approval of the outdoor seating and signage variance. The General Review Comments 1-11 were classified as conditions of approval, and the applicant agreed to them. The Fire, Police and Public Works Departments and Environmental and Shade Tree Commissions recommended approval of the project in their reports dated June 11, 2026, June 9, 2026, June 12, 2026, August 15, 2026 and June 4, 2026 respectively.

Board members were allotted time for questions of Engineer Hurless.

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

Motion was made by Deputy Mayor McDade for approval for site plan, preliminary and final - waiver of requirements, outdoor seating as part of the site plan, and §525-48H(2)(b) Building Mounted Signage – Area variance, subject to conditions 1-11 listed on pages seven and eight in the August 3, 2026 memorandum by Craig R. Hurless, PE, PP, CME, and subject to all conditions discussed at the hearing including six seats inside and removal of the sign on Gurney Street, seconded by Mr. Crippen and **carried 8-0**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Crippen, Mr. Bezaire. Those opposed: None. Those abstaining: None.

Members gave reasons for their votes. Councilmember Bodnar felt the compromise on the signage to be reasonable. He thanked the applicant for the compromise along with Deputy Mayor McDade and Member Riggs. Member Crowley said the total amount of signage area is unique and unusual due to the mural, and the signs on the front of the property are reasonable.

7 Ocean LLC
7 Ocean Street, Block 1056 Lot(s) 13.02
10 Ocean Street, Block 1047 Lot(s) 5

Attorney Anthony Monzo of Monzo Catanese DeLollis PC introduced the application for site plan, preliminary and final approval and hardship and substantial benefit variance relief to legalize and modify site improvements constructed which include fire pits and couches on the front yard along Ocean Street, relocation of some of the existing blue stone pavers to a patio area along Ocean Street for 24 outdoor dining seats, proposed seasonal enclosure/curtains in area of covered porch, existing storage space to be used as office space and legalization of existing storage shed.

Professional Engineer and Planner John Kornick and Inn of Cape May General Manager Dwayne Ridgaway were sworn in by Solicitor King. Engineer Hurless remained under oath.

Attorney Monzo distributed the following exhibits:

A-1 1993 Site Plan by Engineering Design Associates with Parking Lot Reconfiguration
A-2 Three Photographs of Inn of Cape May Porches
A-3 Packet of 8 Mercantile Licenses for 2016-2017 to 2023-2024
A-4 Mercantile Applications with Seating Charts
A-5 Email Messages from/to Erin Burke and Tai Menz

Attorney Monzo explained that there was an approval for the parking lot, which was never finished, and the city never enforced it. The escrow for the lot approval is being held. The owners purchased the property in 2021 and met with Engineer Hurless to review the parking lot issue. Attorney Monzo said part of the application is to get the parking lot completed pursuant to the plans with some minor changes proposed.

Attorney Monzo said the 212 seats are for restaurant, bar and patio (outdoor) seats. Deputy Mayor McDade asked about the 212 seats. Attorney Monzo said the seats on the porch are lounge seats and not part of the 212 seats, as those seats are at undersized tables under outdoor seating definitions. Manager Ridgaway confirmed that food is served on the porch. Member Riggs asked for the definition. Attorney Monzo read from Chapter 412-2: *a seat is any structure that can accommodate one person used in connection with a dining table defined as having a minimum height of 30 inches and a minimum surface diameter of 36 inches.*

Deputy Mayor McDade asked about the Historic Preservation Commission (HPC) approval. Attorney Monzo said they approved the blue stone patio but not the outdoor seating which has been in place since at least 2016-2017 and said the Zoning Officer suggested all outdoor seating be documented on the plan. Member Crowley asked about sofa seating, and Attorney Monzo said the sofa seating is not part of the ordinance.

Attorney Monzo said the outdoor seats do not impact parking. Engineer Kornick said the outdoor seating means if you have 212 seats and the 24 seats are outdoor seats, they cannot seat more than 188 diners inside, as you must displace the 24 seats. Solicitor King read from Chapter 412-2 outdoor seat definition: *at a retail food establishment where food or drinks will be consumed, but shall not include pool seats that are limited primarily to hotel and motel guests; seats used as a general hotel or restaurant seating areas, such as waiting areas and lobbies; and seats (without dining tables) located on the verandas and porches of any restaurant, hotel, motel, inn or tourist guest house. Outdoor seats shall also not include any seats set up for special events.*

Member Reed asked if food is served on the couches and porch, and Manager Ridgaway said yes. Engineer Hurless asked if the food served on the porch is counted in the 212 total, and Attorney Monzo said only the 24 patio seats are part of the 212 count.

Engineer Hurless asked about the fire pits which are placed in the setback. Attorney Monzo indicated that Zoning Officer Bruce Britton said the fire pits can remain if approved by the Fire Department while pursuing site plan approval. Attorney Monzo said the fire pits are portable. Engineer Kornick said they are moving the fire pits plus adding a fire pit and referred the board to the Minor Site Plan Sheet 1. Councilmember Bodnar expressed concern about the fire pits close to a historic wooden structure. Engineer Kornick said they are locating the fire pits farther away from the inn.

Attorney Monzo said the intent of the outdoor seating ordinance was to encourage outdoor activities and people want to be outside to dine and listen to music.

Councilmember Bodnar asked for the hours of operation. Manager Ridgaway said the coffee shop opens at 7:00 AM and the restaurant is open from 8:00 AM to 9:00 PM weekdays and 8:00 AM to 10:00 PM weekends during the season, and the bar closes around 11:00 PM or 11:30 PM during the season. He said they do their best to be open year round.

Member Riggs asked where the seating is in the front setback and asked that it be removed out of the setback. Engineer Kornick replied that it is five feet from the right of way. Engineer Hurless proposed that there be a ten foot setback, and Engineer Kornick said they will comply. Deputy Mayor McDade said markers are needed for staff, so they are sure the couches are located properly.

Discussion turned to parking. Member Crowley asked for the capacity of seating of the restaurant inside the building. Manager Ridgaway said restaurant capacity is 72 seats, and the bar capacity is 14 seats for a total of 86, which is part of the 212 seats. Attorney Monzo said there are 68 sleeping rooms and 51 hotel rooms with some hotel rooms consisting of two bedroom suites. The parking lot needs to be addressed, and some changes have been made to the parking lot plans for ingress and egress, curbing and parking surface. He said the surface was to be asphalt, and they seek approval for a gravel surface. They believe that parking should be calculated by the number of hotel rooms versus sleeping rooms. The number of parking spaces proposed to remain at 48, which was previously approved.

Attorney Monzo said the applicant would like to temporarily enclose the front porch area in the off season. Deputy Mayor McDade asked if they have HPC approval, and Attorney Monzo confirmed that they would need to obtain HPC approval.

Attorney Monzo said the applicant seeks approval for a banner to be displayed from July 1 to August 31 annually to advertise for the dinner theater. Manager Ridgaway said the banner is a heavy printed vinyl and hung on the fence. Members wanted the banner to remain in good condition and aesthetically pleasing, and Member Crowley suggested the sign be of a more permanent nature, and in keeping with the property. HPC approval for the banner would be required.

Engineer Kornick described the variances sought in detail including the rear yard setback for the shed, three extensions of the building that were made for storage (two stairwells and storage on second floor to office use).

Member Crowley asked if the trash receptacle is on the neighbor's property. Engineer Kornick said it is not on the neighbor's property and added there is an easement for pickup of the trash.

Engineer Kornick described the CO2 tank that is used for restaurant services and advised it exists on the property. They are seeking to legalize it. Engineer Hurless asked that the tank be better buffered, and the applicant agreed. Engineer Hurless said the tank is not in his memorandum.

Engineer Kornick described the variances for parking with 131 spaces required and 48 spaces proposed. He believes the demand for parking is less than the requirement, as there are 51 hotel rooms versus 68 sleeping rooms. He said the prior approval was for 48 spaces, and the setback, lot coverage, buffer, surface and curbing variances are existing non-conforming. The parking lot abuts another parking lot. Engineer Kornick testified they are constrained by the existing conditions and there are no negative impacts on the community and city. He said the purposes of zoning are advanced by encouraging municipal action to guide appropriate use or development of all lands in the state in a manner which will promote the public health, safety, morals, and general welfare, providing adequate light, air and open space, promoting conservation of historic sites and open space.

Member Crowley asked if stacked parking could apply, and Engineer Hurless said stacked parking is only permitted for Victorian hotels which have greater than 100 units. Engineer Kornick said it would require the use of valet service, which is difficult. Member Crippen asked if providing parking for guests has been an issue, and Engineer Kornick replied no. Member Reed asked if EV parking is required, and Engineer Kornick said it is not required if you do not expand the existing lot.

Engineer Kornick said there is no substantial detriment to the public good at this property which has existed for many years. He said the lot is being reconfigured, which is a plus along with the proposed lighting. He testified there is no impairment to the zone plan or master plan.

Councilmember Bodnar asked if there is a configuration that would not result in the elimination of an on-street parking space. He also asked for additional buffering and said he is concerned about the unfinished look of a gravel parking lot versus an asphalt lot and the reduction of parking in the lot. Councilmember Bodnar said the Environmental Commission is concerned about use of a certain type of boxwood shrub. Engineer Kornick responded that they would revise the plan accordingly. Engineer Kornick said he will work with Engineer Hurless about the parking. Engineer Hurless said there is a potential gain of one space in the lot and the retention of the one street parking space. Engineer Hurless said the lot was to be paved in 1995, and a lot with greater than five spaces is to be paved with asphalt under the ordinance. He recommended asphalt. Engineer Hurless said they have proposed concrete parking stops in lieu of curbing. Engineer Kornick said the existing parking spaces are not compliant, and the current lot is unsafe and difficult to maneuver. Engineer Kornick said a surrounding parking lot has a stone surface, and

he recommends a stone surface for this property. He said the stone is impacted over time and slows stormwater into Ocean Street. Engineer Hurless said an asphalt surface is a safety standard in the code, and he wants a concrete drive apron tracking pad length of forty feet versus twenty feet if the board allows stone. He also advised that the lot must be graded properly. Member Crowley asked if anyone could use the parking lot, and Manager Ridgaway said have a lot attendant to ensure the lot is for hotel guests parking only. Member Riggs thought a timeline should be put in place for the parking lot. Engineer Hurless said the lot will be tied to a certificate of occupancy for the other proposed improvements. Engineer Kornick said asphalt is extremely hot in the summer. He prefers a stone surface for this lot as it has functioned well and a better alternative in the community. HPC approval will be required. Member Crippen asked about handicap parking, and handicap parking is on the street and shown on the plan.

Engineer Kornick provided testimony on the shed, banner, and seating on the grass variances and said the purposes of zoning are advanced by encouraging municipal action to guide the appropriate use or development of all lands in the state in a manner which will promote the public health, safety, morals, and general welfare, providing adequate light, air, and open space, and promoting a desirable visual environment and securing safety from fire and flood. He testified the variances could be granted with no negative impact to the zoning, zone plan or zoning ordinance, and the variances can be granted based on the c-1 and c-2 criteria.

Board members were allotted time for questions of Engineer Kornick.

Engineer Hurless then summarized his memorandum dated May 13, 2026 including his completeness review and the waivers he supported to be conditions of approval and indicated that information regarding outdoor seating to be added to the plan. He detailed the requirements for the variances sought including the added CO2 tank side yard setback variance to be buffered with landscaping, and variance for outdoor seating location for the couches and fire pit seating. The temporary enclosure of the porch requires HPC approval. The General Review Comments 1-21 were reviewed in detail including bicycle rack on the hotel side of the street in addition to the bicycle rack in the parking lot and classified as conditions of approval. Engineer Hurless advised the Environmental Commission recommended approval with the conditions to replace boxwood with inkberry and use of native plants such as oakleaf hydrangea instead of endless summer hydrangea and a more diverse selection of pollinator and bird-friendly perennials and shrubs, as listed in their report dated August 15, 2026 and the applicant agreed to comply. The Fire Department recommended approval with the conditions that proper identification is needed on the fire pits for LPG cylinders and any additional LPG cylinders need to be shown on the plans and in compliance with the fire code. The applicant agreed to comply. The Police Department and Shade Tree Commission recommended approval of the project in their reports dated August 5, 2026. The Public Works Department recommended approval with the condition that there is no loss of any parking space (taken to mean any on-street parking space) in their report dated August 10, 2026.

Board members were allotted time for questions of Engineer Hurless. Member Padussis asked Engineer Hurless to clarify his objection to the paved parking surface variance. Engineer Hurless said the lot was approved in 1995 as a paved surface because of the impact. He believes a stone parking lot will get rutted up and will not be able to handle the type of turnover of cars that the hotel will generate. Chairperson Bezaire asked about the landscaping of the parking lot and

Engineer Hurless advised that the landscaping part of the parking lot plan will not change whether the lot is paved with asphalt or it is a stone parking lot.

Member Riggs recommended separating the votes, and Solicitor King agreed.

Discussion was opened to the public within two hundred feet at 9:02 PM.

Joanne Giovanetti, 23 Ocean Street, was sworn in by Solicitor King, and expressed concern about the entrance and exit changes, stone surface, drainage and hedges. She was shown the plans and said she does not want the lighting to shine on her house. She had concern about increased water runoff of an asphalt parking lot. The applicant agreed to change the parking lot opening to one closer to the ocean and not across from her house with no loss of on-street parking spaces. Member Riggs asked if the street would be relined. and Engineer Kornick said the applicant would reline the on-street parking spaces at the applicant's expense.

Discussion was opened to the public beyond two hundred feet at 9:09 PM. Discussion was closed to the public at 9:09 PM.

Attorney Monzo said the lot is not a public lot and is only used for the hotel. There was a discussion on the parking lot surface. Engineer Kornick said they can put performance notes on the plan with respect to maintenance of a stone parking lot as part of the record. Member Riggs said the zoning officer has that authority to enforce the maintenance of the stone lot if approved.

Solicitor King clarified for the record: there will be 212 seats and that includes the bar seats, the restaurant seats, and the outdoor seating, but not the seating on the veranda and the porch with tables under 36 inches in height and 36 inches in service area. The couches are three seats. If there are seats with tables on the porch or veranda that are greater than the 36 inches, those count towards the seating. Manager Ridgaway said there are no tables that exceed 36 inches on the porch or veranda.

Solicitor King reviewed some of the additional conditions discussed at the meeting for the board: additional buffering near the CO2 tank, as agreed by the applicant, at least a ten 10 feet front yard setback as measured from the right of way, and if the lot is approved to be stone, there will be a forty foot pad versus a twenty foot pad to be maintained in a professional and even manner to the satisfaction of the board engineer and enforced by the zoning officer. He explained each of the separate votes to the board.

Motion made by Deputy Mayor McDade to grant approval for §525-23B(1) Table 2 Rear Yard Setback – Shed, §525-49C(2), (4), (11) Parking – Number of Spaces, §525-48H(2)(e) Banner Sign – Duration, §525-59E(6) Parking within Setbacks – Ocean Street, §525-59E(6) Parking within Rear Yard Setbacks, §525-59E(6) Parking within Setbacks - Side Yards (both), §525-23B(2) Table 1 Lot Coverage, §525-49B(1) 5' Parking Buffer, §525-60D Curbed Parking variances listed on page six of the and added variance for 412-1 – Seating Outside Porch and Veranda subject to conditions 1-21 as outlined on pages eight through twelve in the May 13, 2026 memorandum, by Craig R. Hurless, PE, PP, CME, subject to compliance with the Environmental Commission report dated August 15, 2026 and Fire Department report dated August 7, 2026, and subject to all conditions discussed at the hearing including

added bicycle racks, additional buffering near the carbon dioxide tank, outdoor seating location setback to be ten feet from the right of way and subject to all conditions discussed at the hearing, seconded by Mr. Crippen and **carried 7-1**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Riggs, Mr. Padussis, Mr. Crippen, Mr. Bezaire. Those opposing: Mr. Crowley. Those abstaining: None.

Motion made by Deputy Mayor McDade to grant approval for §525-48H(2)(e) Banner Sign – Duration at two months per year and a more permanent sign to be reviewed by the HPC, subject to conditions 1-21 as outlined on pages eight through twelve in the May 13, 2026 memorandum, by Craig R. Hurless, PE, PP, CME, subject to compliance with the Environmental Commission report dated August 15, 2026 and Fire Department report dated August 7, 2026, and subject to all conditions discussed at the hearing including added bicycle racks, additional buffering near the carbon dioxide tank, outdoor seating location setback to be ten feet from the right of way and subject to all conditions discussed at the hearing, seconded by Mr. Padussis and **carried 8-0**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Crippen, Mr. Bezaire. Those opposing: None. Those abstaining: None.

Member Padussis favored the amendment of the sign over the flag banner.

Motion made by Deputy Mayor McDade to grant approval for §525-49A(1) & 60D Paved Parking Surface, subject to conditions 1-21 as outlined on pages eight through twelve in the May 13, 2026 memorandum, by Craig R. Hurless, PE, PP, CME, subject to compliance with the Environmental Commission report dated August 15, 2026 and Fire Department report dated August 7, 2026, and subject to all conditions discussed at the hearing including added bicycle racks, additional buffering near the carbon dioxide tank, outdoor seating location setback to be ten feet from the right of way and subject to all conditions discussed at the hearing, seconded by Mr. Padussis and **carried 5-3**. Those in favor: Deputy Mayor McDade, Mrs. Reed, Mr. Padussis, Mr. Crippen, Mr. Bezaire. Those opposing: Councilmember Bodnar, Mr. Crowley, Mr. Riggs. Those abstaining: None.

Members gave reasons for their votes. Councilmember Bodnar cited the safety reasons outlined by Engineering Hurless. He feels that asphalt is safer and stone provides trip hazards and is prone to rutting. Deputy Mayor McDade based her vote on conditions of the maintenance plan, the neighbor's testimony and the concrete parking stops to delineate the spots. Member Reed assumed the parking spaces will be larger and thanked the applicant. Member Crowley balanced the benefits for the applicant and the consequences for the city. He could not vote for the application that opposes the ordinance. Member Riggs appreciated the board's comments and the applicant's agreement to the maintenance plan but voted no due to the safety concerns outlined by Engineer Hurless. Chairperson Bezaire felt the site would not have a lot of in and out traffic and appreciated the safety standards agreed by the applicant.

Motion made by Mr. Riggs to grant approval preliminary and final site plan and outdoor seating design, subject to conditions 1-21 as outlined on pages eight through twelve in the May 13, 2026 memorandum, by Craig R. Hurless, PE, PP, CME, subject to compliance with the Environmental Commission report dated August 15, 2026 and Fire Department report

dated August 7, 2026, and subject to all conditions discussed at the hearing including added bicycle racks, additional buffering near the carbon dioxide tank, outdoor seating location setback to be ten feet from the right of way and notated and subject to all conditions discussed at the hearing, seconded by Mr. Padussis and **carried 8-0**. Those in favor: Councilmember Bodnar, Deputy Mayor McDade, Mrs. Reed, Mr. Crowley, Mr. Riggs, Mr. Padussis, Mr. Crippen, Mr. Bezaire. Those opposing: None. Those abstaining: None.

Discussion:

Master Plan Consistency Review of Ordinance _____-2026 An Ordinance Amending Zoning Code Regarding Minimum and Maximum Roof Pitch Requirements

Discussion on the ordinance was postponed to the next meeting.

Payment of Bills

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

Open to Public

There was no public present for comment.

Chairperson Bezaire recused himself from the closed session discussion and departed the meeting at 9:38 PM.

Closed Session

Discuss Litigation – Avue LLC

Closed session was entered at 9:38 PM

Closed session adjourned at 10:00 PM with no official action taken. The meeting resumed.

Open to Public

There was no public present for comment.

Motion made to adjourn by Deputy Mayor McDade at 10:01 PM with all in favor.

Respectfully submitted: Karen Keenan, Board Secretary