

**City of Cape May Planning Board Meeting Minutes
Tuesday, September 27, 2016**

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

Roll Call:	Mr. Bezaire, Chairperson	Absent-Excused
	Mr. Shuler, Vice Chairperson	Present
	Mr. Jones	Present
	Mayor Dr. Mahaney	Present
	Mr. Picard	Present
	Mr. Elwell	Absent-Excused
	Dr. France	Present
	Councilperson Swain	Present
	Mr. Winkworth	Present
	Mr. Macciocchi, Alt. 1	Present
	Ms. Muncey, Alt. 2	Present--Arrived at 7:05PM

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

Minutes:

Motion was made Councilmember Swain to approve the minutes from August 23, 2016, seconded by Dr. France and **carried 9-0.** Those in favor: Dr. France, Mr. Jones, Mayor Dr. Mahaney, Mr. Picard, Councilmember Swain, Mr. Macchiocchi, Ms. Muncey, Mr. Shuler. Those opposed: None. Those abstaining: Mr. Winkworth.

Discussion was undertaken by the Board and its professionals regarding the differences between a Planning Board Technical Review Committee and Conceptual Review Committee. Mayor Dr. Mahaney explained the benefits of offering conceptual review meetings for applicants and the Board.

Resolutions:

Motion was made by Mr. Winkworth to adopt Resolution Number 09-27-2016:1 Conceptual Review Committee, seconded by Mr. Picard, and **carried 9-0.** Those in favor: Dr. France, Mr. Jones, Mayor Dr. Mahaney, Mr. Picard, Councilmember Swain, Mr. Winkworth, Mr. Macchiocchi, Ms. Muncey, Mr. Shuler. Those opposed: None. Those abstaining: None.

Applications:

Palavest, LLC (Continued from August 23, 2016 meeting)
"Icona Cape May" Hotel - Signage & Addition(s)/Pool
1101 Beach Avenue
Block 1115, Lot(s) 1, 2, 3, 32, 33

The representative for the applicant, Stephen Nehmad, Esquire, gave a brief summary of the proposed construction of a 195 square foot addition to the existing hotel, new signage, new pool and deck area, outdoor patio and paver walkway, and new landscaping, among other renovations. Twenty-six (26) back-out parking spaces are proposed along and partially within the Philadelphia Avenue right-of-way. Mr. Nehmad discussed the other Icona properties owned by Eustace Mita (principal) in Avalon and Diamond Beach, and the extensive renovations that have already occurred in the existing Icona Cape May Hotel. Mr. Nehmad emphasized that the applicant is proposing a significant storm-water management system even though he is not legally required to. He also stressed that one of the major issues the applicant wishes to address is the severe deficit in parking that exists on the property in question. He stated that there are currently 33 parking spaces for the 56 unit property, with 60 parking spaces being proposed. Mr. Nehmad explained that the ten (10) employees used per shift at the hotel would be able to park off-site at the Icona Diamond Beach location and be shuttled over to the Icona Cape May.

Eustace Mita (principal), Al Gryga (Landscape Architect), Kevin Dixon (Professional Traffic Engineer), Tiffany CuvIELLO (Planner), and Susan Cawley (Director of Real Estate for the Mita organization) were all sworn in. Mr. Mita testified to his experience as a hotelier and real estate developer in the area. Mr. Mita briefly discussed the conditions the hotel in question was in when purchased, detailing mold issues and pitched balconies resulting in water damage. He explained the total renovation that has occurred on the exterior and interior of the structure. Mr. Mita further explained the process of having the hotel employees shuttled over for their shifts from the Icona Diamond Beach, thusly preventing them from parking within the residential neighborhood near the hotel. He stated that he wishes to have the Icona Cape May open during the off-season as well as the summer.

Al Gryga, Landscape Architect, then testified regarding the landscaping plan and the proposed pool. He detailed the dimensions and location of the proposed pool, and the removal of one parking space to make room for a mechanical room and restroom, referring to **Exhibit A-2: Location Plan**. He then discussed the proposed signage (building-mounted and free-standing) on the property, referring to **Exhibit A-3: Signage**. He also discussed **Exhibit A-4: Existing and Proposed improvements (front)**, and **Exhibit A-5: Existing and Proposed improvements (rear)**, while discussing the proposed site improvements. He briefly discussed the proposed storm-water management system, and then discussed the variances being sought extensively. Board Attorney Richard King questioned why the proposed signs could not be constructed to comply to regulations, and Mr. Gryga explained that the "Shark Fin" detail on the sign, which is signature to the Icona company, is what necessitates the variance because it increases the size of the proposed sign. Board Engineer, Craig Hurless, attempted to clarify the dimensions of the signs show on **Exhibit A-3: Signage**, and numerous questions were asked of Mr. Gryga. Mayor Dr. Mahaney stated that he is not in favor of granting the variances that the

applicant is seeking relating to signage. He explained that what is proposed entirely surpasses what is allowed, and is not in keeping with the atmosphere of Cape May City. Mr. Gryga then discussed the existing fifty (50) one-bedroom units and six (6) two-bedroom units at the hotel (as shown on **Exhibit A-10 and A-11: Floor plans**) and stated that they do not seek to change the rooms.

Kevin Dixon, Traffic Engineer, testified to the existing parking conditions at the property in question, and detailed the proposed parking conditions at length. He discussed the proposed twenty-six (26) back-out parking spaces partially located within the Philadelphia Avenue right-of-way, and emphasized that they are not starting from scratch on an empty lot, and therefore must "work with what they have". Mr. Dixon discussed the study he conducted of the property and surrounding area, referring to **Exhibit A-6: Aerial photo, Exhibit A-7: Photo of varying modes of traffic on Beach Avenue, Exhibit A-2: Location Map, and Exhibit A-9: Photo of Grand Hotel back-out parking**. He testified at length to the existing and proposed parking and traffic conditions in Cape May City and at the property in question, referring to the Parking Analysis he provided for the Board's consideration. Extensive dialogue ensued between Board members and the applicant's professionals.

A short recess was taken at 9:07 PM.

The meeting resumed at 9:20 PM.

Tiffany CuvIELLO, Planner, testified in detail regarding the criteria for granting the variances sought by the applicant. She maintained that the proposed plans pose no substantial detriment to zoning or public good.

Discussion was opened to the public within 200 feet at 9:40 PM.

Carl Buck (1105 Beach Avenue, Unit B-3) posed numerous questions to the applicant's professionals related to storm-water impact, proposed pool, and parking, voicing his concerns.

Doug Bennet (1105 Beach Avenue, Unit C-6), the President of the Philadelphia Beach Condominium Association, voiced his appreciation for the renovations done to the property thus far, but also his concerns regarding the proposed pool and parking conditions.

Norm Ledwin (1107 Beach Avenue) questioned the past increase in the number of rooms or units within the existing hotel, and Board Attorney Richard King discussed the definition of what qualifies as a "bedroom" and what qualifies as a "unit", referring to a prior resolution number 12-23-2008:2. Mr. Ledwin then voiced concerns regarding the proposed signs and pool. Extensive discussion was undertaken regarding the potential loss of parking meters on Philadelphia Avenue.

Peggy Jakacki (1105 New Jersey Avenue) voiced concerns regarding parking and the ability to walk to the beach safely, while distributing **Exhibit PJ-1: Photos of pedestrians and cars**.

Discussion was opened to the public beyond 200 feet at 10:30 PM.

Elizabeth Woods (1152 Virginia Avenue) thanked Mr. Mita for beautifying the property thus far, and spoke in favor of the application.

Julius Rauch (1010 New York Avenue) asked for clarification regarding the number of parking spaces existing currently at the property, and questioned the loss of meter funds.

Discussion was closed to the public at 10:40 PM.

The Palavest, LLC. "Icona Cape May" Hotel applications were continued to the October 25, 2016 Planning Board meeting at 7:00 PM in the City Hall Auditorium. It was announced for the record that the applicant would not have to re-notice the public or re-publish in the newspaper.

Motion was made to adjourn at 10:45 PM with all in favor.

Respectfully Submitted, Erin Burke/Board Assistant.