

**City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, April 26, 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.

Roll Call:	Mrs. Hutchinson, Chairperson	Present
	Mr. Murray, Vice Chairperson	Present
	Mr. Iurato	Present
	Mrs. McAlinden	Present
	Mrs. Werner	Present
	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

Minutes:

Motion made by Mr. Van de Vaarst to adopt the minutes of March 22, 2018, seconded by Me. Hesel and **carried 6-0.** Those in favor: Mrs. McAlinden, Mrs. Werner, Ms. Hesel, Mr. Van de Vaarst, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: Mr. Iurato.

Resolutions:

Motion made by Mr. Murray to approve Resolution number 04-26-2018: 1 Matthew & Simone Kane, 817 Kearney Avenue, seconded by Mrs. Werner and **carried 6-0.** Those in favor: Mrs. McAlinden, Mrs. Werner, Ms. Hesel, Mr. Van de Vaarst, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: Mr. Iurato.

Applications:

*James Peterson
20 Queen Street
Block 1081, Lot(s) 13 - 20*

Board Engineer, Craig Hurless, the applicant's representative, Andrew Catanese, Esq., Architect, Kevin Olant, and Professional Planner, Cindy Chemerys, were sworn in for the record.

Mr. Olant indicated that the property has an approved construction permit based upon a manner of construction that does not include the additions proposed in the current application before the

board. He described that they are proposing to relocate the garage and extend the porch on the ocean side along Queen Street, as well as extending the eave along the rear portion along Stockton Avenue. Mr. Olant continued to explain that extending the eave is aesthetically and historically superior to unnaturally terminating the eave towards the rear of the house. He believes that the porch addition towards the ocean creates a wrap-around porch which is consistent with similar historic structures in the area. He presented Exhibit A-1 which was a photo of neighboring homes with similar porches directed towards the ocean. It also creates a more aesthetically balanced presentation from the front view on Queen Street.

Brief discussion was undertaken regarding the orientation of the home in reference to the site plan presented by Mr. Olant and was clarified by Board Engineer, Craig Hurless and the applicant's professionals.

Mr. Olant stated that the new section of porch would be the same distance from Queen Street as the existing porch and therefore does not impact the view towards the ocean along Queen Street. He indicated that the proposed architectural features relating to the variances will be architecturally, historically, and visually superior to the current manner of construction.

Cindy Chemerys, Professional Planner, reviewed the street scape and indicated there were homes equal to or closer to the road in the immediate vicinity and that there currently is a substantial number of porches and wrap-around porches in the immediate vicinity. It was her opinion that the building is more visually balanced with the proposed expanded porch.

Board Engineer, Craig Hurless, then discussed why averaging could not be utilized for the front yard setback in this instance. There are less than four homes on the street scape, and it was Craig's interpretation, consistent with Board Solicitor, Richard M. King's interpretation, that averaging is not available when there are less than four homes because the Ordinance was intended to address a "street scape" concept, and the averaging of four homes was an indication that the Ordinance contemplated a street scape of a larger scope than just one or two homes. Craig also indicated that there are three parking spaces therefore the property has the appropriate number of parking spaces.

Board Engineer Craig Hurless, PE, PP, CME, then summarized his latest memorandum dated April 6, 2018. He reviewed the three (3) variances required in detail (page 4 of 5):

1. §525-19B(1) Table 1 - Building Setback – Queen Street
2. §525-19B(1) Table 1 - Building Setback – Stockton Avenue
3. §525-54A(3)(g) – Detached Garage Rear Yard Setback

The General Review Comments 1-3 (page 4 of 5) and comments 4-12 (page 5 of 5), with the additions of item number 13 to include rear and side yard setbacks to be added to revised plans, were reviewed and explained in detail; all items were classified as conditions of approval.

Discussion was opened to the public within 200 feet and beyond at 6:51 PM, and closed with no public coming forward to comment.

Motion was made by Mr. Van de Vaarst to approve §525-19B(1) Table 1 - Building Setback – Queen Street, §525-19B(1) Table 1 - Building Setback – Stockton Avenue, and §525-54A(3)(g) – Detached Garage Rear Yard Setback variances 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 April 6, 2018, seconded by Mrs. Werner and carried 7-0. Those in favor: Mr. Iurato, Mrs. McAlinden, Mrs. Werner, Ms. Hesel, Mr. Van de Vaarst, Mr. Murray, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Members were able to state their reasons for voting in the positive for the record.

Motion made by Mrs. McAlinden to adjourn the meeting at 6:55 PM with all in favor.

Respectfully Submitted, Tricia Oliver/Board Assistant.