

BOROUGH OF CAPE MAY POINT

Planning Board

Meeting Minutes

Tuesday, May 16, 2023 at 7:00 pm

HELD VIA ZOOM VIDEO/AUDIO CONFERENCE

Pledge of Allegiance

Opening

In compliance with the Open Public Meetings Act, adequate notice of this session has been provided by publication in the Cape May Star and Wave Newspaper and continuous posting of the scheduled meeting dates on the official Municipal Bulletin Board at 215 Lighthouse Avenue, Borough of Cape May Point, New Jersey.

Roll Call

Present: Mayor Moffatt, Comm. VanHeeswyk, Mr. Remy, Mr. Murphy, Mr. Brown, Mrs. Leming, Mr. Wallace, Ms. Geiger

Absent: Ms. Bassett

Also Present: Mr. Nathan Van Embden, Esq., Attorney, Mrs. Kate Dunn, Deputy Secretary

Mr. Brown gave a brief introduction. He stated that this is a combined Planning and Zoning Board that operates in accordance with the MLUL and the chartering authority of Borough governance. Cape May Point is a small community with various opinions and respect for each other. Together, the volunteer members, Borough Officials and professional staff within the board conduct board business and welcome applicants following the operational processes that fair governance asks and we welcome public input.

Minutes

Mr. Brown asked if there were any further comments on the revised draft minutes for April 18, 2023, that had been circulated to the board members from the board secretary prior to this meeting. No further comments were made. As a result, the minutes from April 18, 2023, were approved as corrected from individual comments prior to the meeting on a motion by Mrs. Leming and a second by Mr. Wallace.

Business

1. PB 2022-03 Resolution for the Cape May Point Volunteer Fire Company 1: The application number was corrected from 2023-003 to 2022-003. The spelling of Michael Mahon's last name was corrected. Mr. Wallace stated that he believed the resolution reflected the application that was approved. There were no further comments from board members. PB 2022-03 was approved on a motion by Mr. Wallace and a second by Mr. Murphy. All present members voted aye, with the exception of Mayor Moffatt and Comm. VanHeeswyk who did not vote.
2. Subcommittee updates:
 - a. Completeness Committee: Mr. Brown has volunteered to join as the third member of the committee. Mr. Murphy stated that there were no applications in the pipeline that he is aware of. Mr. Wallace mentioned the potential for clarifying or streamlining the process and thought that would be a good idea. However, this would be talked about later when the secretary role is discussed.

- b. Light & Noise Committee: Ms. Bassett is the sole member of this committee and was absent from the meeting. Mr. Brown noted that Ms. Bassett would welcome any new members that would be interested in joining the committee.
- c. Lot Coverage Awareness: Mr. Brown and Mr. Wallace prepared a 2-slide presentation that was circulated to the board members and will be further presented at the June meeting. Mr. Wallace stated that the objective of the first slide is to clarify lot coverage code definitions and identify potential issues. This slide includes a brief one-page sheet that summarizes key fundamentals around lot coverage. This document will be circulated to the board members prior to the June meeting. He asked that board look it over and provide any feedback to committee members so it can be discussed in further detail at the next meeting. He noted that John McGraw, the Borough Zoning Officer would be joining us for the next meeting for any further explanation that the board may need. The second slide is to highlight some potential issues with the residential code identified during research. Some potential issues for future discussion are the “Unintended” consequences of the current zoning code interpretations on vegetative cover. The subcommittee will also describe a potential “missed opportunity” with implications of the current code on renovations for vegetative cover. Several other issues may also be highlighted in the future. The subcommittee plans to lead a more detailed group discussion at the next Planning Board meeting.

Board Information:

1. Nathan VanEmbden conducted the annual JIF training. The training booklet was circulated to the board members for their reference. The training included a discussion about six different cases. Those cases were as follows:
 - Case #1: Board Member Immunity
 - Case #2: Conflicts of Interest and Safe Harbor
 - Case #3: Inverse Condemnation Cases
 - Case #4: Religious Cases
 - Case# 5: Adult Bookstores and Movie Theatres
 - Case #6: Selective Enforcement

A few other items were discussed such as Land Use Board Meeting Conduct, meeting with applicants, and site inspections.

2. Mr. Brown prepared a document concerning the Board Secretary’s roles. This document was circulated to the board members. For the benefit of utilizing the strengths of both board secretaries, for the benefit of the taxpayers, and for the efficiency of operations of the board, Mr. Brown differentiated the roles of the board secretaries, Rhiannon Worthington and Kate Dunn. Kate Dunn will be responsible for the interaction with the board members including but not limited to meeting management, meeting planning, and meeting documentation. Rhiannon Worthington will be responsible for focusing on the Zoning application side of Board activities such as but not limited to documenting processes and website management.

Public Comment

- a. Public Comment was opened at 8:07 on a motion by Comm. VanHeeswyk and second by Mr. Remy.
- b. No Public comment was received.
- c. Public Comment was closed at 8:08 on a motion by Comm. VanHeeswyk and second by Mr. Remy.

Adjournment

The meeting adjourned at 8:09 pm on the motion by Comm. Vanheeswyk and second by Mayor Moffatt. All present voted aye.

Respectfully Submitted by:
Kate Dunn
Deputy Board Secretary

Approved by Board 6 /20 /2023