

This meeting will be conducted via electronic conferencing using Zoom <https://www.zoom.us/> or by phone +1 646 558 8656 US (New York) Meeting ID: 867 7697 3932 Passcode: 366168

**Direct link:** <https://us02web.zoom.us/j/86776973932?pwd=3NlkX08bJDapt8cDi8dI7oWSGIBKjJ.1>

In addition, members of the public may send questions or comments for inclusion during the public portion to the Borough Clerk at [ewallace@capemaypoint.org](mailto:ewallace@capemaypoint.org) by 12:00 PM the Monday before the meeting.

**AGENDA  
BOROUGH OF CAPE MAY POINT  
BOARD OF COMMISSIONERS**

**BOROUGH MEETING – APRIL 14, 2025 – 6:00 PM**

**MEETING CALLED TO ORDER / SUNSHINE STATEMENT / FLAG SALUTE**

In compliance with the Open Public Meetings Act, Chapter 231, Public Laws of 1975, this meeting was properly advertised in the annual notice and this agenda was properly distributed and duly posted on the Borough Hall bulletin board as the required notice under the Statute.

**ROLL CALL:** Commissioner Geiger, Mayor vanHeeswyk, Commissioner Yunghans

**2026 BUDGET:**

**Presentation on Budget by Borough Auditor Mike Garcia**

**BUDGET RESOLUTIONS AND PUBLIC HEARING**

58-26 Local Unit Self-Examination of the Budget

59-26 Read by Title Only and Open a Public Hearing on 2026 Municipal Budget

60-26 Adoption of Municipal Budget for the Year 2026

**COMMISSIONERS' DISCUSSION/REPORTS**

**PUBLIC QUESTIONS ON RESOLUTIONS ONLY**

**APPROVAL OF MINUTES**

March 24, 2026

**ORDINANCES FOR INTRODUCTION / PUBLICATION**

**RESOLUTIONS**

61-26 Approval of Right of Way Permits for Small Cell Projects by Crown Castle Fiber LLC

62-26 Resolution Supporting the Goals of the New Jersey Resilient Environments and Landscapes (REAL) Regulations and Requesting Model Ordinance Language, Implementation Guidance, Infrastructure Coordination, Regional Resilience Planning, and an Extension of Municipal Compliance Deadlines

63-26 Authorizing the Borough Engineer to Provide Design Engineering Services for Lake Drive Resurfacing Improvements Project for a Total Cost Not to Exceed \$71,400.00

- 64-26 Approval of Change Order No. 4 Final – Public Works Building Renovations and Addition Contract
- 65-26 Approval of Bill List

**ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION**

- 08-2026 Ordinance Approving Revised Land Use Development Application, Checklists, and Fee Schedule in Chapter 105, Land Use Procedures, of the Code of the Borough of Cape May Point
- 09-2026 Ordinance Amending Chapter 146, Article II, Water, of the Code of the Borough of Cape May Point

**PUBLIC PORTION**

**ADJOURNMENT**

The Board of Commissioners welcomes the participation of interested parties during the public portions of its meetings. For the Board to conduct the business of the Borough in the most productive and open manner possible, questions and comments may be limited to four (4) minutes per person. In addition, each person may only speak once per meeting on a single topic. If you wish to address the Board, please raise your hand and the moderator will try to accommodate everyone in the order in which they are recognized.

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 58-26**

**LOCAL UNIT SELF-EXAMINATION OF BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Cape May Point has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2026 budget year.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
  
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
  
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
  
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
CAPE MAY COUNTY, NEW JERSEY**

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
James Craft, Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 59-26**

**READ BY TITLE ONLY AND OPEN PUBLIC HEARING  
ON 2026 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A: 4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least ten (10) days prior to the date of the hearing, a publication by summary of the budget has been advertised and copies have been made available by the Clerk to persons requesting them.

**NOW, THEREFORE, BE IT RESOLVED** that the conditions of N.J.S.A. 40A:4-8 have been met and the budget shall be read by title only.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 60-26**

**ADOPTION OF MUNICIPAL BUDGET FOR THE YEAR 2026**

**NOW, THEREFORE, BE IT RESOLVED**, this 14<sup>th</sup> day of April, 2026 by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, the governing body thereof, that the Municipal Budget for 2026 be and is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,986,088.08 to be raised by taxes for municipal purposes.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION NO. 61-26**

**APPROVAL OF RIGHT-OF-WAY PERMITS FOR SMALL CELL  
PROJECTS BY CROWN CASTLE FIBER LLC**

**WHEREAS**, Crown Castle Fiber LLC (hereinafter “Crown Castle”) has submitted an application to the Board of Commissioners of the Borough of Cape May Point (hereafter referred to as “Municipality”) for Right-of-Way Permits for small cell projects within the Borough right-of-way at 311 Stite Avenue, 477 Yale Avenue, 101 Yale Avenue, and 306 Lincoln Avenue; and

**WHEREAS**, the Borough Engineer, Dale Foster, P.E., has reviewed the submitted applications and has found that Crown Castle has met all the applicable requirements set forth in Borough of Cape May Point Code § 130-18.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point that Right-of-Way Permit for the Crown Castle application for small cell projects in the Borough right-of-way at 311 Stite Avenue, 477 Yale Avenue, 101 Yale Avenue, and 306 Lincoln Avenue are hereby approved, subject to Crown Castle’s fulfillment of the following requirements: 1) Crown Castle is required to obtain any, and all, necessary local, state or federal approvals for installation; and 2) At least seven (7) days in advance of each installation, Crown Castle is required to notify all immediately adjacent property owners of such installation.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION NO. 62-26**

**A RESOLUTION SUPPORTING THE GOALS OF THE NEW JERSEY RESILIENT ENVIRONMENTS AND LANDSCAPES (REAL) REGULATIONS AND REQUESTING MODEL ORDINANCE LANGUAGE, IMPLEMENTATION GUIDANCE, INFRASTRUCTURE COORDINATION, REGIONAL RESILIENCE PLANNING, AND AN EXTENSION OF MUNICIPAL COMPLIANCE DEADLINES**

**WHEREAS**, The New Jersey Department of Environmental Protection (NJDEP) has adopted the **Resilient Environments and Landscapes (REAL) regulations**, which modify flood hazard, coastal zone, and related environmental permitting requirements; and

**WHEREAS**, the Board of Commissioners of the Borough of Cape May Point recognize and support the State of New Jersey's efforts to prepare communities for **sea-level rise, coastal flooding, and climate-related risks** affecting the State's shoreline communities; and

**WHEREAS**, the Borough acknowledges the importance of proactive planning and resiliency initiatives to protect **public safety, property, infrastructure, and the long-term economic vitality** of coastal communities; and

**WHEREAS**, the REAL regulations require or anticipate **municipal action**, including amendments to local zoning ordinances, land development regulations, permitting procedures, and administrative practices; and

**WHEREAS**, the Borough of Cape May Point is a **densely developed coastal municipality** with significant residential, and tourism-related land uses potentially affected by the REAL regulations; and

**WHEREAS**, New Jersey's **564 municipalities vary significantly** in staffing capacity, planning resources, engineering support, and legal expertise; and

**WHEREAS**, absent standardized guidance, municipalities may independently develop ordinance amendments that vary in interpretation, terminology, structure, and implementation, potentially resulting in **inconsistent statewide application** of the REAL regulations; and

**WHEREAS**, uniformity and clarity in municipal ordinance language would reduce **legal uncertainty, administrative burden, and inconsistent enforcement**; and

**WHEREAS**, municipalities require sufficient time to:

- Review and understand the technical implications of the REAL regulations
- Coordinate with municipal attorneys, planners, engineers, and construction officials

- Conduct Planning Board and Governing Body hearings
- Prepare zoning map amendments where necessary
- Develop clear public-facing guidance materials
- Conduct resident outreach and education to ensure transparency and informed compliance

**WHEREAS**, municipal officials have identified **implementation challenges associated with applying the REAL regulations within established coastal communities** that were built over many decades under earlier development standards; and

**WHEREAS**, the Borough has observed potential **vertical elevation disparities**, where some homes may be elevated ten (10) to twenty (20) feet above grade while adjacent homes remain at existing elevations, potentially creating challenges for emergency services, school transportation, pedestrian circulation, and neighborhood accessibility; and

**WHEREAS**, differences in building elevations may create **infrastructure coordination challenges**, including misalignment between elevated structures and existing sidewalks, roadways, drainage systems, and utility infrastructure such as telephone and electric service lines; and

**WHEREAS**, the Borough recognizes **cost equity concerns associated with the Substantial Improvement (“50 Percent Rule”)**, under which the cost of elevating a single-family home may range from approximately \$80,000 to \$300,000 or more, placing substantial financial burdens on individual property owners; and

**WHEREAS**, uneven elevation of structures within a neighborhood may create localized flood management concerns sometimes referred to as the **“bathtub effect,”** in which elevated structures may redirect or displace floodwater toward adjacent lower-elevation properties; and

**WHEREAS**, from an engineering perspective, incremental elevation of individual properties without coordinated neighborhood drainage improvements may alter surface runoff patterns, disrupt historic drainage pathways, and increase localized ponding or floodwater displacement, potentially worsening flood conditions in adjacent areas, and may result in the displacement of floodwaters to adjacent properties or public rights-of-way where stormwater systems were not designed to accommodate such altered drainage patterns; and

**WHEREAS**, incremental elevation of buildings over time may also produce a **“staircase coastline” condition**, resulting in a patchwork of varying building elevations that complicates infrastructure connections, pedestrian access, utility alignment, and long-term neighborhood planning; and

**WHEREAS**, changes in flood elevation standards and redevelopment requirements may affect the feasibility of reinvestment in certain properties and may create uncertainty regarding **property improvement costs, redevelopment potential, and long-term property values** in established neighborhoods; and

**WHEREAS**, effective coastal resilience requires coordination between **property-level elevation standards and broader infrastructure systems**, including transportation networks, stormwater drainage systems, utilities, and emergency service access; and

**WHEREAS**, many coastal municipalities in **Cape May County, Monmouth County, Ocean County, and throughout New Jersey share common flood risks, watershed systems, and infrastructure networks**, which would benefit from coordinated regional planning and watershed-scale flood management strategies; and

**WHEREAS**, experience from coastal regions around the world demonstrates that successful long-term resilience strategies often combine **property-level protections with coordinated infrastructure investments**, including drainage improvements, pump stations, tide gates, flood barriers, and regional stormwater management systems; and

**WHEREAS**, many coastal municipalities face similar planning and infrastructure challenges related to the implementation of the REAL regulations, and a coordinated regional dialogue among municipalities, State agencies, engineers, and planning professionals could assist in identifying practical implementation strategies and long-term resilience solutions; and

**WHEREAS**, a structured implementation framework developed by NJDEP would promote **orderly adoption**, reduce confusion among property owners, and enhance regulatory predictability statewide.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, as follows:

1. **Model Ordinance Language Requested:** The Borough respectfully requests that NJDEP prepare and disseminate **standardized model ordinance language** addressing municipal implementation of the REAL regulations.
2. **Structured Implementation Framework Requested:** The Borough further requests that NJDEP develop and provide a **structured statewide implementation framework**, including guidance memoranda, technical bulletins, FAQs, public education materials, training opportunities, and compliance review tools.
3. **Holistic Legislative and Planning Coordination:** The Borough respectfully encourages the State of New Jersey to pursue a **comprehensive legislative and planning framework** that aligns building regulations with municipal land-use planning, infrastructure systems, and coastal resilience initiatives.
4. **Model Ordinances for Coastal Consistency:** The Borough encourages development of **model ordinances and planning tools** that promote regulatory consistency across coastal municipalities.

5. **Zoning Map and Planning Coordination:** The Borough requests coordination with municipalities regarding **zoning map amendments, land-use planning implications, and development standards** associated with REAL implementation.
6. **Standardized Definitions and Regulatory Interpretation:** The Borough respectfully requests standardized definitions and technical guidance to ensure **consistent interpretation of REAL regulatory provisions statewide.**
7. **Public Communication and Education Tools:** The Borough requests development of **public communication toolkits and educational materials** to assist municipalities in informing residents and property owners.
8. **State–Municipal Collaboration:** The Borough encourages continued collaboration between **NJDEP, municipalities, county governments, regional planning entities, and infrastructure providers.**
9. **Regional Coastal Resilience Collaboration:** The Borough supports the exploration of **regional partnerships among coastal municipalities** to coordinate planning efforts, share engineering data, and develop watershed-scale strategies to address shared flood risks.
10. **Expanded State and Federal Infrastructure Investment:** The Borough respectfully calls upon State and Federal leaders to pursue **expanded funding opportunities and long-term infrastructure investment** to support coastal resilience initiatives including drainage upgrades, pump stations, tide gates, stormwater management systems, roadway adaptations, and utility infrastructure protection.
11. **Watershed-Scale Flood Management Planning:** The Borough encourages the development of **coordinated watershed-scale flood management strategies**, recognizing that floodwaters and drainage systems do not follow municipal boundaries.
12. **Regional Coastal Resilience Implementation Dialogue:** The Borough respectfully encourages NJDEP, in cooperation with the **New Jersey State League of Municipalities, county governments, and coastal municipalities**, to convene a **coastal resilience implementation working group or regional forum** to facilitate coordination, share technical information, and support consistent implementation of the REAL regulations.
13. **Orderly Implementation Period Requested:** The Borough respectfully requests that NJDEP extend municipal compliance deadlines for adoption of REAL-related ordinance amendments, potentially **up to one (1) year**, to allow adequate time for municipal review, public hearings, planning coordination, and resident education.

**14. Purpose of Request:** This request is made to promote:

- Administrative consistency
- Regulatory clarity
- Transparent communication with residents
- Coordination between regulatory policy and infrastructure planning
- Reduction of unintended economic and infrastructure disruption

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be transmitted to:

- The Commissioner of the New Jersey Department of Environmental Protection
- The Governor of the State of New Jersey
- The Borough’s Federal Representatives
- The Borough’s State Legislative Representatives
- The Cape May County Board of Commissioners
- The Mayors of Coastal Municipalities in the State of New Jersey
- The New Jersey State League of Municipalities

and that the Borough of Cape May Point **encourages other Coastal Municipalities to review and consider adoption of similar resolutions in order to promote coordinated statewide implementation of the REAL regulations.**

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 63-26**

**AUTHORIZING THE BOROUGH ENGINEER TO PROVIDE DESIGN  
ENGINEERING SERVICES FOR LAKE DRIVE RESURFACING IMPROVEMENTS  
PROJECT FOR A TOTAL COST NOT TO EXCEED \$71,400.00**

**BE IT RESOLVED**, by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that Greenman Pedersen, Inc. be and is hereby authorized to provide design engineering services for Lake Drive Resurfacing Improvements Project in an amount not to exceed \$71,400.00; and

**BE IT FURTHER RESOLVED** the award is contingent upon the issuance of a certificate of availability of funds by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** the proper Borough officials be and are hereby authorized to take actions necessary to carry out the intent of this Resolution.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the following accounts, G-02-40-000-105 for \$71,400.00, to award a contract for Design Engineering Services for Lake Drive Resurfacing Improvements Project to Greenman Pedersen, Inc.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: April 14, 2026

Signed: James V. Craft  
James V. Craft, Chief Financial Officer

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Elaine L. Wallace, Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 64-26**

**APPROVAL OF CHANGE ORDER NO. 4 FINAL  
PUBLIC WORKS BUILDING RENOVATIONS AND ADDITION CONTRACT**

**WHEREAS**, R. Maxwell Construction Co. was previously awarded a contract for the Public Works Building Renovations and Addition Project in the amount of \$1,166,500.00; and

**WHEREAS**, the original contract amount was adjusted by previous change orders for a revised total of \$1,330,690.00; and

**WHEREAS**, the Borough Engineer recommends the Borough approve Change Order No. 4 Final in the amount of -\$3,200.00, due to unexpended contract contingency.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Borough of Cape May Point, hereby approves Change Order No. 4 Final in the amount of -\$3,200.00, making the final total contract amount of \$1,327,490.

**BE IT FURTHER RESOLVED** the Board of Commissioners approves the final payment of \$32,968.80 to R. Maxwell Construction Co..

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 65-26**

**APPROVAL OF BILL LIST**

**WHEREAS**, the Borough of Cape May Point has received certain claims against it by way of voucher, which have been duly reviewed by the Board of Commissioners.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey that the attached claims are hereby approved for payment in the total amount of \$40,846.30.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 14, 2026.

\_\_\_\_\_  
Municipal Clerk

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE 08-2026**

**ORDINANCE APPROVING FORM AND SUBSTANCE OF LAND USE  
DEVELOPMENT APPLICATION, CHECKLISTS, AND FEE SCHEDULE AS  
CODIFIED IN CHAPTER 105 "LAND USE PROCEDURES" OF THE CODE OF THE  
BOROUGH OF CAPE MAY POINT**

**WHEREAS**, at its January 20, 2026, public meeting the Planning Board of the Borough of Cape May voted to recommend that the Board of Commissioners of the Borough of Cape May Point adopt, by Ordinance, the form and substance of a new Land Use Development Application Packet together with required Checklists and Fee Schedule; and

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point that the attached Land Use Development Application packet, applicable checklists, and fee schedule shall replace the previous version of said documents and will be included in Chapter 105 "Land Use Procedures" of the Code of the Borough of Cape May Point.

**BE IT FURTHER ORDAINED** this ordinance shall take effect upon its passage and publication, as required by law.

<b>Final Adoption Vote</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Geiger						
vanHeeswyk						
Yunghans						

ATTEST:

\_\_\_\_\_  
Elaine L. Wallace  
Borough Clerk

\_\_\_\_\_  
Elise Geiger, Commissioner

\_\_\_\_\_  
Anita vanHeeswyk, Mayor

\_\_\_\_\_  
Suzanne Yunghans, Commissioner

FIRST READING: March 24, 2026  
1<sup>ST</sup> PUBLICATION: March 24, 2026  
PUBLIC HEARING  
AND ADOPTION: April 14, 2026  
2<sup>ND</sup> PUBLICATION: April 14, 2026  
EFFECTIVE DATE: May 4, 2026

**LAND USE DEVELOPMENT  
APPLICATION PACKET**

**Version 5**

**FOR THE**

**BOROUGH OF CAPE MAY POINT  
PLANNING BOARD**

**ADDRESS**

Cape May Point Planning Board  
P.O. Box 490  
Cape May Point, NJ 08212  
(609) 884-8468 x23  
(609) 884-1732 (fax)



**BOROUGH OF CAPE MAY  
POINT**  
POST OFFICE BOX 490  
CAPE MAY POINT, NJ 08212  
(609) 884-8468 / FAX: 609-884-1732  
[www.capemaypoint.org](http://www.capemaypoint.org)

Elaine L. Wallace, RMC, CMR  
*Municipal Clerk/ Administrator*

Anita vanHeeswyk  
*Mayor*  
*Commissioner Revenue & Finance*  
Elise Geiger  
*Deputy Mayor*  
*Commissioner Public Safety*  
*& Public Affairs*  
Suzanne Yungans  
*Commissioner Public Works,*  
*Parks & Public Property*

## INSTRUCTIONS FOR APPLICATION TO THE PLANNING BOARD

**The following forms have been adopted and approved by the Cape May Point Planning Board (herein called “Board”) pursuant to N.J.S.A. 40:55D-8, the Municipal Land Use Law of New Jersey, the Ordinances of the Borough of Cape May Point and Boards Bylaws. Other applicable statutes and laws are incorporated by reference.**

*A 1-page Overview of Residential Lot Coverage Regulation highlights is available on the Borough website,  
LINK LISTED BELOW*

[https://capemaypoint.org/uploaded\\_files/document/CMPt%20Res%20Zoning%20Overview%20-%202026July2023-1.pdf](https://capemaypoint.org/uploaded_files/document/CMPt%20Res%20Zoning%20Overview%20-%202026July2023-1.pdf)

1. The regular meeting of the Cape May Point Planning Board is held on the second Tuesday of each month at 6:30pm at the Cape May Point Volunteer Fire Company located at 412 Yale Ave. and via Zoom or other provider as may be designated by the Board and posted on the Borough website hosting the Board Agenda. When necessary, meetings may be held on alternate days or weeks due to holidays. Schedule for the Planning Board can be found on the Borough website or posted on the bulletin board at the municipal offices.
2. Application can be made to the Board by completing the **CAPE MAY POINT LAND USE DEVELOPMENT APPLICATION** available on the borough website. If you do not have access to the internet, please contact the Board Secretary at x23. Applicants must answer each question on the application form and supply all requested information and documentation pursuant to the applicable checklist when applying. If a particular question does not apply, state “not applicable.” *Failure to supply all requested information could result in your application being deemed incomplete and result in a delay of the hearing before the Board.*
3. The applicant is required to give notice of the hearing to all owners of real property located within 200 ft. in all directions of the property that is the subject of the application as shown on the current tax duplicate and property owners within 200 ft. in adjacent municipalities. You should request this list of property owners at this time. Please note that the Board will not accept a 200 ft. list more than six (6) months old. To obtain the current list, mail a written request, including the lot and block number of the subject property, with a check payable to the “Borough of Cape May Point” for \$15.00 to the Cape May Point Tax Assessor, P. O. Box 490, Cape May Point, NJ 08212.
4. The Application form and supporting documentation shall be submitted to the Board Secretary along with two (2) checks made payable to “Borough of Cape May Point”. One check is an application fee and the second is an escrow fee. Please refer to the Fee Schedule attached to determine the amount due of each check.

Upon receipt of your completed application packet, fees and required documentation pursuant to Checklist #1 and the applicable checklist for your specific application, a subcommittee of the Board appointed by the Chair will review the application for completeness. Within 45 days of receiving your application, the Board Secretary will notify you in writing of the subcommittee's findings as to the completeness status of your application. When the Board subcommittee deems your application complete, the Board Secretary will notify you that your application has been deemed complete and will schedule a hearing date. If your application is deemed incomplete, you will be informed of the deficiencies and required to resubmit the application and a resubmission fee, with the required corrections and/or additional information, for further review of its completeness. (A flowchart depiction of this review process is provided on the Borough website-link shown below).

[https://capemaypoint.org/uploaded\\_files/document/2025/Completeness%20flowchart.pdf](https://capemaypoint.org/uploaded_files/document/2025/Completeness%20flowchart.pdf)

5. Only after the application has been deemed complete and the Board Secretary has advised you of your tentative hearing date should you publish notice of the hearing in the newspaper and forward the required notices to property owners within 200 ft. and other required entities.
6. At least 10 days prior to the date appointed for the hearing, not counting the date of the hearing, the applicant must complete the following:
  - a. Notice must be published in the Cape May Star & Wave. Failure to advertise in the correct newspaper will result in postponement of your hearing. A sample format for public notice, "NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER" is included in the application packet. However, it is the obligation of the applicant to ensure all notices comply with the requirements of the Municipal Land Use Law. You must obtain a "Proof of Publication" from the Cape May Star & Wave and provide said Proof and an "AFFIDAVIT OF SERVICE AND PUBLICATION", included in the application packet, to the Board Secretary, at least three (3) days prior to the hearing date.
  - b. The applicant shall give official notice by personal service or by certified mail to property owners within 200 ft., appropriate utility companies and, if applicable, to the adjoining municipalities, the County, and State agencies. If mailed, these notices must be sent by post office certified mail with return receipt requested. Applicant may use the sample form, "NOTICE OF HEARING TO PROPERTY OWNERS" included in the application packet. The applicant must submit to the Board Secretary a copy of the NOTICE OF HEARING TO PROPERTY OWNERS as mailed, **the original** Tax Assessor certified property owner list, all of the original post office certified mail slips and green return receipt cards returned to date, attached to the above-referenced "AFFIDAVIT OF SERVICE AND PUBLICATION" no less than three (3) days prior to the hearing date.
  - c. Failure to complete any of the above shall result in the postponement of your hearing.

### **HEARING BEFORE THE BOARD**

In order to ensure an orderly hearing of the evidence and the testimony, the hearing process shall customarily be as follows, unless otherwise directed by the Chairperson or Board Attorney:

- Disqualification of Board Members for conflict of interest and designation of voting present members. The designation of the voting requirement is based on type of application and variance request, if any.
- Chairperson opens hearing of application listed on the agenda. The Chairperson reserves that right to alter the order in which agenda items will be heard.
- Board Attorney reports on applicant's standing to proceed with the application.

- Applicants, and/or representing attorney, expert witnesses come forward and are sworn in.
- Applicant/representing attorney presents the application.
- Board Members' examination of applicant and expert testimony.
- Testimony and examination of Zoning Officer and/or Borough Engineer or other Board-called experts/witnesses.
- Open Public Portion
  - Testimony and examination of property owners within 200 ft.
  - Testimony and examination of interested parties outside of 200 ft.
- Applicant's brief closing statement.
- Close public testimony part of the hearing and open Board deliberation.
- Conclude Board deliberation.
- If applicable, Board or applicant consideration for adjournment/continuation of hearing.
- Listing of Findings of Fact and Conclusions of Law.
- Motion for Board action on application as presented with special conditions, if applicable.

### **BOARD DECISION**

In most cases, at the conclusion of an application hearing, held at one or more meetings, if necessary, the Board will state Findings of Fact and Conclusions of Law and take a roll call vote to grant or deny the application.

7. At the next regularly scheduled meeting, within forty-five (45) days or the conclusion of the hearing, the Board will adopt a memorializing resolution. Action on this resolution will be published within ten (10) days in the Cape May Star & Wave, marking the beginning of the "45-day appeal period" and the Board Secretary will send a copy of the legal notice and the approved memorializing resolution to the applicant.

### **COMPLIANCE**

8. If the application is approved, the applicant shall submit 4 sets of compliance plans to the Board Secretary. The Board Secretary will forward the compliance plans to the Board Engineer for review and signature. Once the Board Engineer has signed off on the compliance plans, the Board Secretary and Board Chairman will sign the plans. Once all signatures have been received, one set of plans will go back to the applicant, one set will go to the Zoning Officer and the last 2 sets will remain on file with the board application.

# CAPE MAY POINT BOARD LAND DEVELOPMENT APPLICATION

**This section to be completed by Borough staff only.**

Date Filed: \_\_\_\_\_ Application No. \_\_\_\_\_  
Application Fees \_\_\_\_\_ Escrow Fees \_\_\_\_\_

Scheduled for Completeness \_\_\_\_\_  
Tentative Hearing Date \_\_\_\_\_

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**This section to be completed by Applicant only.**

Applicant's Name \_\_\_\_\_  
Applicant's Address (mailing) \_\_\_\_\_  
\_\_\_\_\_  
Applicant's Address (physical) \_\_\_\_\_  
\_\_\_\_\_  
Applicant's Telephone Number \_\_\_\_\_  
Applicant's E-mail Address \_\_\_\_\_

Applicant is: Owner \_\_\_\_\_ Contract Purchaser \_\_\_\_\_

Owner's Name/Owner's Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_

Subject Property Address:  
\_\_\_\_\_  
\_\_\_\_\_

Block \_\_\_\_\_ Lot \_\_\_\_\_ Zoning District \_\_\_\_\_

**Application Request:** *(Applicant must check all that Apply)*

- |  |  |
|--|--|
| <input type="checkbox"/> Informal Review                     | <input type="checkbox"/> C1 Variance (Hardship)  |
| <input type="checkbox"/> Subdivision                         | <input type="checkbox"/> C2 Variance (Benefits)  |
| <input type="checkbox"/> Major Subdivision/Preliminary       | <input type="checkbox"/> D1 Variance (Use)   |
| <input type="checkbox"/> Major Subdivision/Final             | <input type="checkbox"/> D2 Variance (Expansion<br>Non-Conforming Use)                                   |
| <input type="checkbox"/> Site Plan Waiver                    | <input type="checkbox"/> D3 Variance (Conditional Use)   |
| <input type="checkbox"/> Site Plan/Preliminary               | <input type="checkbox"/> D4 Variance (Floor Area Ratio)  |
| <input type="checkbox"/> Site Plan/Final                     | <input type="checkbox"/> D5 Variance (Density)   |
| <input type="checkbox"/> Design Waiver                       | <input type="checkbox"/> D6 Variance (Height)  |
| <input type="checkbox"/> Beach Dune Ordinance                | <input type="checkbox"/> Issuance of a permit for a<br>building or structure not related to a<br>street. |
| <input type="checkbox"/> Conditional Use                     | <input type="checkbox"/> Extension of Time   |
| <input type="checkbox"/> Interpretations                     |  |
| <input type="checkbox"/> Appeal of Zoning Officer's Decision |  |
| <input type="checkbox"/> Other: _____                        |  |

**Applicant's Representative:**

Attorney's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**Professionals (Architect, Engineer, Planner, Etc.):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

If the applicant is a corporation or partnership, set forth the name and address of all stockholders or partners that have an interest of ten percent (10%) or more.

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Contemplated form of ownership (i.e., fee simple, partnership, etc.) \_\_\_\_\_

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Please attach copies of any existing or proposed deed restrictions, variances, conditions, restrictions and Board resolutions, covenants, easements, or association by-laws affecting the subject property.

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Present use of property: \_\_\_\_\_

Proposed use of property: \_\_\_\_\_

Please set forth in detail, in narrative form, a description of the existing conditions on the subject property and the proposed development by the applicant.

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Please list any and all other federal, state, county or local approvals for which you will be applying that are required for the proposed development. \_\_\_\_\_

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Does this application meet all applicable Borough zoning ordinance requirements? If not, please explain discrepancies and set forth in detail all required variances. \_\_\_\_\_

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Have any of the lands in question been classified as environmentally impacted with sensitive areas, wetlands or riparian land? If so, please set forth in detail.

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As to subdivision applications only:

- A. Total square footage: \_\_\_\_\_
- B. Lot area of portions to be subdivided: \_\_\_\_\_
- C. Number of new lots: \_\_\_\_\_
- D. Proposed use of new lots: \_\_\_\_\_
- E. Total lot area of each lot: \_\_\_\_\_

As to site plan applications only:

- A. Total lot area of tract: \_\_\_\_\_
- B. Zoning classification: \_\_\_\_\_
- C. Building height: \_\_\_\_\_
- D. Square footage of proposed structure: \_\_\_\_\_
- E. Front yard setback: \_\_\_\_\_
- F. Side yard setbacks: \_\_\_\_\_
- G. Rear yard setback: \_\_\_\_\_
- H. Number of parking spaces: \_\_\_\_\_
- I. Floor area ratio: \_\_\_\_\_
- J. Number of floors: \_\_\_\_\_

As to interpretations only, please set forth the interpretive question requested by the applicant including references to applicable zoning ordinance sections.

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As to appeals of administrative officer determinations, please set forth in detail the alleged administrative error in question, the date that said error allegedly occurred together with your rationale in support of your position. Please attach copies of any and all correspondences between the administrative official and the applicant.

Please note that this notice of appeal must be served upon the administrative officer from whom the appeal is taken within twenty (20) calendar days of the date of the action which is under appeal. A notice of appeal of administrative officer decision form is contained in this packet.

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## CERTIFICATIONS

I certify that the foregoing statements and material submitted are true. I further certify that I am the individual applicant or that I am an officer of the corporate applicant and I am authorized to sign the application for the corporation or that I am a partner of a partnership applicant.

I give my permission for Board Members to inspect the property in pursuit of their understanding and evaluation of this application.

I hereby certify that I have read and understand the above instructions and questions and that all the answers and statements contained therein are true to the best of my knowledge.

\_\_\_\_\_  
*(Signature of Applicant)*

Sworn to and subscribed  
before me this        day  
of                        , 20 \_\_\_\_.

\_\_\_\_\_  
*(Notary)*

I certify that I am the owner of the property which is the subject of this application and I have authorized the applicant to make this application and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

I hereby certify that I have read and understand the above instructions and questions and that all the answers and statements contained therein are true to the best of my knowledge.

\_\_\_\_\_  
*(Signature of Owner)*

Sworn to and subscribed  
before me this        day  
of                        , 20 \_\_\_\_.

\_\_\_\_\_  
*(Notary)*

**Checklist 1  
General Requirements**

No.	Item	Submitted	Not Applicable	Waiver Requested	Comments
1	One (1) original and nineteen (19) copies of a complete, typed and signed application on the forms provided by the Board Secretary along with twenty (20) copies of plans or other supplemental documents				
2	One original (1) and nineteen (19) copies of the completed checklists relevant to the application				
3	If the applicant is not the owner, a copy of the sales contract or written consent of the owner shall be supplied				
4	If a corporation or partnership, list the names and addresses of all stockholders or individual partners owning at least ten percent (10%) ownership interest as required by N.J.S.A. 40:55D-48.2 et. seq.				
5	Appropriate application and escrow fees must be paid with separate checks				
6	Provide a Social Security number or a tax ID number for escrow account purposes along with a W-9 form				
7	Proof that taxes or assessments for local improvements are paid through last billing cycle				
8	Proof that water and sewer bills are paid through last billing cycle				
9	If the property is used for a rental unit attach a copy of the most recent rental license.				
10	Certification of no wet lands or if wet lands exist on the subject property, obtain a letter of exemption or letter of interpretation from NJDEP				
11	Property owners of all parcels within 200' on the tax duplicate				
12	Provide a copy of a property survey prepared within the last year signed and sealed by a NJ licensed professional surveyor and copy of last recorded deed for property.				
13	Provide Building Architectural Elevations and Floor Plans				
14	Provide aerial picture of the property				

**Checklist 2  
Subdivision Application**

No.	Item	Submitted	Not Applicable	Waiver Requested	Comments
1	Subdivision plan prepared, signed and sealed by a New Jersey licensed surveyor and shall include all items set forth below.				
2	Name, signature, license number, seal and address of design professional				
3	Title block denoting type of application, municipality, county, block, lot and street location				
4	The plans shall include a Tax Map, Zoning Map, USGS Quadrangle Map and a General Location Map at specified scale with North arrow showing entire development with reference to surrounding properties, streets and municipal boundaries				
5	A schedule of the required and proposed bulk requirements				
6	Graphic scale				
7	Signature blocks for Board Chairman, Secretary, Board Engineer and Municipal Engineer				
8	Appropriate certification blocks with information as required by the Map Filing Law (Final Plat only)				
9	Appropriate monumentation as required by the Map Filing Law				
10	All plans shall be on standardized sheets of 24" x 36"				
11	Metes and bounds for all existing and proposed lots and rights-of-way showing dimensions, bearings, curve data, tangent lengths, radii, arc lengths, chord lengths and angles				
12	Square Footage of tract to the nearest tenth				
13	Revision Box. Current revision date noted when applicable.				
14	Size and location of any existing and proposed structures with setback dimensions				

**Checklist 2  
Subdivision Application (continued)**

15	Location and dimensions of any existing streets, curb cuts or driveways to the property				
16	All proposed setback lines				
17	Delineation of any existing or proposed deed restrictions, easements or covenants				
18	Any lands restricted by reason of wetlands or wetlands buffers. Wetlands and buffers shall be shown on the plan with the appropriate NJDEP file number				
19	Sight Triangles				
20	Zoning Schedule for all new lots				
21	List of required outside regulatory agency approvals or permits.				
22	List of variances requested				
23	List of requested waivers or exceptions				
24	Property owners of all parcels within 200' identified on the most recent tax map				
25	All existing streets, adjoining uses, structures, driveways, rights-of-way and easements on or within 100' of the site including existing structures on adjacent properties and distance to property lines				
26	All existing watercourses, floodplains, flood zone, wetlands or other environmentally sensitive areas on or within 200' of the site				
27	Existing and proposed contours at 1' intervals based on U.S.G.S Datum. Contours shall extend at least 25' beyond subject property				
28	Description and extent of wooded areas, specimen trees and other significant natural features				
29	Sanitary Sewer and Water Service Connections				
30	Proposed vehicular and pedestrian circulation				
31	Written confirmation from the Borough Tax Assessor for new block numbers, lot numbers and addresses				
32	Parking plan for each new lot showing spaces, curb cuts and driveways				

**Checklist 3**  
**Preliminary/Final Major Subdivision Application**

No.	Item	Submitted	Not Applicable	Waiver Requested	Comments
1	Preliminary Subdivision plan prepared, signed and sealed by a New Jersey licensed professional engineer				
2	Final Subdivision plat prepared, signed and sealed by a New Jersey licensed surveyor (Final Subdivision application only)				
3	Name, signature, license number, seal and address of design professional				
4	Title block denoting type of application, municipality, county block, lot and street location				
5	The plans shall include a Tax Map, Zoning Map, USGS Quadrangle Map and a General Location Map at specified scale with North arrow showing entire development with reference to surrounding properties, streets and municipal boundaries				
6	A schedule of the required and proposed bulk requirements				
7	Graphic scale.				
8	Signature blocks for Board Chairman, Secretary and Board Engineer				
9	Appropriate certification blocks with information as required by the Map Filing Law (Final Plat only)				
10	Appropriate monumentation as required by the Map Filing Law				
11	All plans shall be on standardized sheets of 24" x 36"				
12	Metes and bounds for all existing and proposed lots and rights-of-way showing dimensions, bearings, curve data, tangent lengths, radii, arc lengths, chord lengths and angles				
13	Square Footage of tract to the nearest tenth				
14	Revision Box. Current revision date noted when applicable.				
15	Size and location of any existing and proposed structures with setback dimensions				

**Checklist 3**  
**Preliminary/Final Major Subdivision Application (continued)**

16	Location and dimensions of any existing streets, curb cuts or driveways to the property				
17	All proposed setback lines				
18	Delineation of any existing or proposed deed restrictions, easements or covenants				
19	Sight Triangles				
20	Development stages or staging plans				
21	Zoning Schedule for all new lots				
22	List of required outside regulatory agency approvals or permits.				
23	List of variances requested				
24	List of requested waivers or exceptions				
25	Property owners of all parcels within 200' identified on the most recent tax map				
26	All existing streets, adjoining uses, structures, driveways, rights-of-way and easements on or within 100' of the site including existing structures on adjacent properties and distance to property lines				
27	All existing watercourses, floodplains, flood zone, wetlands or other environmentally sensitive areas on or within 200' of the site				
28	Existing and proposed contours at 1' intervals based on USGS Datum. Contours shall extend at least 25' beyond subject property				
29	Description and extent of wooded areas, specimen trees and other significant natural features				
30	Drainage area map for existing and developed site condition				
31	Stormwater Management Calculations				
32	General soils information				
33	Sanitary Sewer and Water Service Connections				
34	Proposed vehicular and pedestrian circulation				

**Checklist 3**  
**Preliminary/Final Major Subdivision Application (continued)**

35	Existing and proposed utilities				
36	Proposed solid waste and recyclable materials storage				
37	Existing and proposed spot elevations at all building corners, property corners, curbs, streets and any others necessary to ensure proper grades and drainage				
38	Construction details as required by Residential Site Improvement Standards (RSIS)				
39	Road and paving cross-sections and profiles				
40	Proposed street names where new road(s) are proposed				
41	Written confirmation from the Borough Tax Assessor for new block numbers, lot numbers and addresses				
42	Lighting plan and details (see CMP Environmental Recommendations. link shown below) <a href="https://capemaypoint.org/uploaded_files/document/EC%20Recommendation%20on%20Light%20Tresspass%20Ordinance%2005%2002%2024.pdf">https://capemaypoint.org/uploaded_files/document/EC%20Recommendation%20on%20Light%20Tresspass%20Ordinance%2005%2002%2024.pdf</a>				
43	Landscape plan and details (see CMP Tree Removal and Replacement ordinance, link shown below) <a href="https://ecode360.com/46071266">https://ecode360.com/46071266</a>				
44	Site identification signs, traffic control signs and directional signs				
45	Parking plan for each new lot showing spaces, curb cuts and driveways				
46	Traffic Impact Report describing anticipated traffic volume and impact on existing and proposed roads when deemed necessary by the Board				
47	Environmental Analysis Report of site				
48	Proof of submission to the Borough Fire Chief				
49	Report summarizing the project's compliance with the Fair Housing obligations				
50	A map showing state approved wetland delineation, buffers and transition area boundaries at the same scale as the municipal tax map when wetlands exist on the subject or adjacent property. Include NJDEP file number				

**Checklist 4**  
**Preliminary/Final Site Plan Application**

No.	Item	Submitted	Not Applicable	Waiver Requested	Comments
1	Site plan and architectural plan prepared, signed and sealed by a New Jersey licensed professional engineer or architect				
2	Name, signature, license number, seal and address of design professional				
3	Title block denoting type of application, municipality, county block, lot and street location				
4	The plans shall include a Tax Map, Zoning Map, USGS Quadrangle Map and a General Location Map at specified scale with North arrow showing entire development with reference to surrounding properties, streets and municipal boundaries				
5	A schedule of the required and proposed bulk requirements				
6	North arrow and graphic scale.				
7	Signature blocks for Board Chairman, Secretary and Board Engineer				
8	All plans shall be on standardized sheets of 24" x 36"				
9	Square Footage of tract to the nearest tenth				
10	Revision Box. Current revision date noted when applicable.				
11	Size and location of any existing and proposed structures with setback dimensions				
12	Location and dimensions of any existing streets, curb cuts or driveways to the property				
13	Delineation of any existing or proposed deed restrictions, easements or covenants				
14	Any lands restricted by reason of wetlands or wetlands buffers. Wetlands and buffers shall be shown on the plan with the appropriate NJDEP file number				
15	Sight Triangles				

**Checklist 4**  
**Preliminary/Final Site Plan Application (continued)**

16	Development stages or staging plans				
17	List of required outside regulatory agency approvals or permits				
18	List of variances requested				
19	List of requested waivers or exceptions				
20	Property owners of all parcels within 200' identified on the most recent tax map				
21	All existing streets, adjoining uses, structures, driveways, rights-of-way and easements on or within 100' of the site including existing structures on adjacent properties and distance to property lines				
22	All existing watercourses, floodplains, flood zone, wetlands or other environmentally sensitive areas on or within 200' of the site				
23	Existing and proposed contours at 1' intervals based on U.S.G.S Datum. Contours shall extend at least 25' beyond subject property				
24	Description and extent of wooded areas, specimen trees and other significant natural features (see CMP Tree Removal and Replacement Ordinance <a href="https://ecode360.com/46071266">https://ecode360.com/46071266</a> here)				
25	Drainage area map for existing and developed site condition				
26	Stormwater Management Calculations				
27	General soils information				
28	Sanitary Sewer and Water Service Connections				
29	Proposed vehicular and pedestrian circulation				
30	Existing and proposed utilities				
31	Proposed solid waste and recyclable materials storage				
32	Existing and proposed finished floor elevation, top of block elevation, freeboard and spot elevations at all building corners, property corners, curbs, streets and any others necessary to ensure proper grades and drainage				
33	Construction details as required by Residential Site Improvement Standards (RSIS)				
34	Road and paving cross-sections and profiles				

**Checklist 4**  
**Preliminary/Final Site Plan Application (continued)**

35	<b>Written confirmation from the Borough Tax Assessor for new block numbers, lot numbers and addresses</b>				
36	<b>Lighting plan and details (see CMP Environmental Commission recommendations, link shown below)</b> <a href="https://capemaypoint.org/uploaded_files/document/EC%20Recommendation%20on%20Light%20Trespass%20Ordinance%2005%2002%2024.pdf">https://capemaypoint.org/uploaded_files/document/EC%20Recommendation%20on%20Light%20Trespass%20Ordinance%2005%2002%2024.pdf</a>				
37	<b>Landscape plan and details</b>				
38	<b>Site identification signs, traffic control signs and directional signs</b>				
39	<b>Parking plan showing dimensioned spaces, aisle widths, curb cuts, driveways, ingress and egress</b>				
40	<b>Traffic Impact Report describing anticipated traffic volume and impact on existing and proposed roads when deemed necessary by the Board</b>				
41	<b>Environmental Analysis Report of site</b>				
42	<b>Proof of submission to the Borough Fire Chief</b>				
43	<b>Report summarizing the project's compliance with the Fair Housing obligations</b>				

**Checklist 5  
Variance Plan Application**

No.	Item	Submitted	Not Applicable	Waiver Requested	Comments
1	Variance or plot plan and exterior architectural plan prepared, signed and sealed by a New Jersey licensed professional engineer or architect. The following information must be contained on the plan.				
2	Name, signature, license number, seal and address of design professional				
3	Title block denoting type of application, municipality, county block, lot and street location				
4	The plans shall include a Tax Map, Zoning Map, USGS Quadrangle Map and a General Location Map at specified scale with North arrow showing entire development with reference to surrounding properties, streets and municipal boundaries				
5	A schedule of the required and proposed bulk requirements				
6	Graphic scale				
7	Signature blocks for Board Chairman, Secretary and Board Engineer				
8	All plans shall be on standardized sheets of 24" x 36"				
9	Square Footage of tract to the nearest tenth				
10	Revision Box. Current revision date noted when applicable.				
11	Size and location of any existing and proposed structures with setback dimensions on the property and on adjacent properties				
12	Location and dimensions of any existing streets, curb cuts or driveways to the property				
13	Delineation of any existing or proposed deed restrictions, easements or covenants				
14	Any lands restricted by reason of wetlands or wetlands buffers. Wetlands and buffers shall be shown on the plan with the appropriate NJDEP file number				
15	List of required outside regulatory agency approvals or permits				

**Checklist 5**  
**Variance Plan Application (continued)**

16	List of variances requested				
17	List of requested waivers or exceptions				
18	Property owners of all parcels within 200' identified on the most recent tax map				
19	All existing streets, adjoining uses, structures, driveways, rights-of-way and easements on or within 100' of the site including existing structures on adjacent properties and distance to property lines				
20	All existing watercourses, floodplains, flood zone, wetlands or other environmentally sensitive areas on or within 200' of the site				
21	Description and extent of wooded areas, specimen trees and other significant natural features				
22	Sanitary Sewer and Water Service Connections				
23	Proposed vehicular and pedestrian circulation				
24	Existing and proposed utilities				
25	Proposed solid waste and recyclable materials storage				
26	Written confirmation from the Borough Tax Assessor for new block numbers, lot numbers and addresses				
27	Parking plan showing dimensioned spaces, aisle widths, curb cuts, driveways, ingress and egress				
28	Zoning schedule box including existing and proposed bulk standards including FAR calculations.				
29	Report summarizing the project's compliance with the Fair Housing obligations				

For reference, see links below:  
 See CMP Environmental Commission recommendations on Lighting linked here  
[https://capemaypoint.org/uploaded\\_files/document/EC%20Recommendation%20on%20Light%20Tresspass%20Ordinance%2005%2002%2024.pdf](https://capemaypoint.org/uploaded_files/document/EC%20Recommendation%20on%20Light%20Tresspass%20Ordinance%2005%2002%2024.pdf)  
 See CMP Tree Removal and Replacement Ordinance linked here. <https://ecode360.com/46071266>  
 See CMP Landscaping Plan Requirements linked here. <https://ecode360.com/35938793#35938799>

**Checklist 6  
Site Plan Waiver Application**

No.	Item	Submitted	Not Applicable	Waiver Requested	Comments
1	Plot plan prepared, signed and sealed by a New Jersey licensed professional engineer or architect				
2	Name, signature, license number, seal and address of design professional				
3	Title block denoting type of application, municipality, county block, lot and street location				
4	The plans shall include a Tax Map, Zoning Map, USGS Quadrangle Map and a General Location Map at specified scale with North arrow showing entire development with reference to surrounding properties, streets and municipal boundaries				
5	A schedule of the required and proposed zoning district bulk requirements				
6	Graphic scale.				
7	Signature blocks for Board Chairman, Secretary and Engineer				
8	All plans shall be on standardized sheets of 24" x 36"				
9	Square Footage of tract to the nearest tenth				
10	Revision Box. Current revision date noted when applicable.				
11	Size and location of any existing and proposed structures with setback dimensions				
12	Location and dimensions of any existing streets, curb cuts or driveways to the property				
13	Delineation of any existing or proposed deed restrictions, easements or covenants				
14	Any existing or proposed lands restricted by reason of wetlands or wetlands buffers. Wetlands and buffers shall be shown on the plan with the appropriate NJDEP file number				
15	List of required outside regulatory agency approvals or permits				

**Checklist 6**  
**Site Plan Waiver Application (continued)**

<b>16</b>	<b>List of variances requested</b>				
<b>17</b>	<b>Property owners of all parcels within 200' identified on the most recent tax map</b>				
<b>18</b>	<b>All existing streets, adjoining uses, structures, driveways, watercourses, floodplains, flood zone, wetlands or other environmentally sensitive areas on and within 200' of the tract</b>				
<b>19</b>	<b>Existing rights-of-way and easements on and within 200' of the tract</b>				
<b>20</b>	<b>Description and extent of wooded areas, specimen trees and other significant natural features</b>				
<b>21</b>	<b>Proposed vehicular and pedestrian circulation</b>				
<b>22</b>	<b>Proposed solid waste and recyclable materials storage</b>				
<b>23</b>	<b>Construction details as required by Residential Site Improvement Standards (RSIS)</b>				
<b>24</b>	<b>Site identification signs, traffic control signs and directional signs</b>				
<b>25</b>	<b>Parking plan showing dimensioned spaces, aisle widths, curb cuts, driveways, ingress and egress</b>				

## BOARD FEE SCHEDULE

Per Resolution 03-2014

Application Type *	<u>Application Fee</u> Non-Refundable	<u>Escrow Fee</u> Unused portion refundable
Appeal of Administrative Officer Decision	\$500 **	\$1200
Interpretation of Zoning Map or Ordinance	\$450	\$1200
"c" and/or "d" variance	\$600	\$1500
Informal Review	\$400	\$300
Special Meeting at Applicant's Request	\$575	\$2000
Minor Subdivisions	\$450	\$1200
Major Subdivisions	\$550	\$2000
Site Plan Review	\$550	\$1500
Site Plan Waiver	\$550	\$500
Special Session	\$550	\$3000

\* If multiple Application Types are requested, submit the highest applicable Application and Escrow Fees shown in the above table.

Resubmission Fee: \$150

When development plans are classified as Incomplete by the Planning Board Completeness Committee, the applicant shall pay an additional application fee of \$150 when resubmitting revised plans. This fee shall be charged on each resubmission.

Copy of Audio Tape \$10.00 per CD

<u>Copy of Minutes, Decisions,</u>		
<u>Transcripts</u>	\$ 0.05/page	Letter Sized
	\$ 0.07/page	Legal Sized
	Free	if by email

Please make checks payable to Borough of Cape May Point.

\*\* Application fee to be returned if decision of Administrative Officer overturned by the Board.

**PROOF OF PAID TAXES**

This form must be submitted to the Cape May Point Tax Collector, who will complete it and return it to you. You must then submit the completed form to the Board Secretary *with the application*.

To be completed by Applicant:

Applicant's Name and Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Property Owner's Name and Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address of Property Pertaining to Application:

Street Address:

\_\_\_\_\_

Block & Lot:

Block \_\_\_\_\_

Lot(s) \_\_\_\_\_

\_\_\_\_\_

To be completed by Tax Collector:

All taxes are current and paid through \_\_\_\_\_, 20\_\_\_\_; there are no assessments for local improvements due or delinquent on the above-referenced application property.

\_\_\_\_\_

Date

\_\_\_\_\_

Tax Collector

Please be advised that taxes and/or assessments for local improvements are due or delinquent on the above-referenced application property as follows:

Amount due: Taxes \$ \_\_\_\_\_

Assessments: \$ \_\_\_\_\_

\_\_\_\_\_

Date

\_\_\_\_\_

Tax Collector

**PROOF OF PAID SEWER & WATER ASSESSMENT**

This form must be submitted to the Cape May Point Municipal Clerk, who will complete it and return it to you. You must then submit the completed form to the Board Secretary *with the application*.

To be completed by Applicant:

Applicant's Name and Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Owner's Name and Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address of Property Pertaining to Application:

Street Address: \_\_\_\_\_

Block & Lot:                      Block \_\_\_\_\_                      Lot(s) \_\_\_\_\_

To be completed by Municipal Clerk:

All sewer and water assessments are current and paid through \_\_\_\_\_, 20\_\_ on the above-referenced application property.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk

Please be advised that sewer and water assessments are due or delinquent on the above-referenced application property as follows:

Amount Due:              Sewer \$ \_\_\_\_\_                      Water: \$ \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk

**NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER**

**TAKE NOTICE** that on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ PM, a hearing will be conducted before the Planning Board of the Borough of Cape May Point Volunteer Fire Company, 412 Yale Ave., Cape May Point, NJ, and via Zoom or other provided as designated by the board on the appeal or application of the undersigned for a \_\_\_\_\_ variance or other relief so as to permit:

on the premises located at \_\_\_\_\_ and designated as Block \_\_\_\_\_, Lot(s) \_\_\_\_\_, on the Tax Map of the Borough of Cape May Point.

The section citations and titles of the Borough ordinances for which relief is sought are as follows:

All maps and documents relating to the application may be examined at the Planning Board office located at the Municipal Building, 215 Lighthouse Avenue, Cape May Point. Access to the building and files can be obtained by contacting the Board Secretary at (609) 884-8468 x23.

Any interested party may appear at said hearing and participate therein in accordance with N.J.S.A. 40:55-11.

\_\_\_\_\_  
Applicant's Name(s)

\_\_\_\_\_  
Publication Date

**NOTICE OF HEARING TO PROPERTY OWNERS**

**TO:**

**PLEASE TAKE NOTICE** that the undersigned has filed an application with the Planning Board of the Borough of Cape May Point so as to permit:

The subject property is located at \_\_\_\_\_, Block \_\_\_\_\_, Lot(s) \_\_\_\_\_, on the Tax Map of the Borough of Cape May Point. This notice is sent to you as an owner of property in the immediate vicinity. A public hearing has been scheduled for \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ p.m. at the Cape May Point Volunteer Fire Company, 412 Yale Avenue, Cape May Point, N.J and via Zoom or other provided as designated by the board.

Any person or persons affected by this application has an opportunity to appear and to present testimony regarding the granting of the relief sought, the development proposed or the map interpretation.

All maps or documents relating to this application may be examined at the Planning Board office at Borough Hall, 215 Lighthouse Avenue in Cape May Point. Access to the building and files can be obtained by contacting the Board Secretary at (609) 884-8468 x23.

\_\_\_\_\_  
Applicant(s) Name

**AFFIDAVIT OF SERVICE AND PUBLICATION**

STATE OF NEW JERSEY:

ss.

COUNTY OF CAPE MAY:

Applicant(s) Name: \_\_\_\_\_

Address of Subject Property: \_\_\_\_\_

Block: \_\_\_\_\_ Lot(s) \_\_\_\_\_

(Applicant) \_\_\_\_\_ of full age, being duly sworn according to law, on his/her oath, deposes and says:

1. that he/she resides at \_\_\_\_\_;
2. that he/she is the applicant or applicant's attorney in this matter in which Cape May Point Planning Board shall conduct a hearing;
3. that he/she on \_\_\_\_\_, 20\_\_\_\_, **at least ten (10) days prior to the hearing**, gave notice to all property owners within 200 feet of the subject property and all other persons whose names appeared on the certified list obtained from the Tax Assessor's Office, Cape May Point, and as listed on the Board's application instructions;
4. that notice was given either by personal service of a notice on the property owner or by sending the notice by certified mail as noted on the attached list of persons served. Certified mail receipts showing the mailing of notice to the interested parties are attached. Acknowledgment of service from persons personally served is attached;
5. that a copy of the notice so served is attached hereto and made a part hereof;
6. that the notice was also published in the official newspaper of the municipality (Cape May Star & Wave) on \_\_\_\_\_, 20\_\_\_\_. Attached hereto and made a part hereof is a Proof of Publication received from the official newspaper of Cape May Point;
7. that also attached hereto and made a part hereof is the original certified list received from the Tax Assessor) of all property owners and other parties to whom notice was required to be sent, showing the names and addresses of the persons served and the lot and block numbers of each person's property as same appears on the current Cape May Point tax duplicate.

NOTE: All of the required proofs must be supplied to the Board Secretary **no less than three (3) business days** prior to the date of the meeting at which the hearing is to be held.

\_\_\_\_\_  
Signature of Applicant

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

## Notice of Appeal of Administrative Officer Decision

**PLEASE TAKE NOTICE** that the undersigned, owner of premises in the Borough of Cape May Point designated on the Borough Tax Map as Block\_\_\_\_, Lot(s)\_\_\_\_ and commonly known as \_\_\_\_\_, Cape May Point, NJ 08212 appeals to the Cape May Planning Board from an Order, Determination or Decision of an Administrative Officer made on the \_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

The Administrative Officer held that as to the premises located at Block\_\_\_\_, Lot \_\_\_\_\_, commonly known as \_\_\_\_\_ Cape May Point, NJ 08212, owned by \_\_\_\_\_ that:

I, the undersigned, do hereby allege error in the Order, determination, or Decision of said Administrative Officer in that:

**TAKE FUTHER NOTICE** that you are hereby required to immediately transmit to the Secretary of the Planning Board all papers constituting the record upon which the action was taken in accordance with the Rules of the Planning Board and the statute in such case made and provided.

\_\_\_\_\_  
Appellant Signature

Dated:\_\_\_\_\_

**NOTE:** The original Notice of Appeal must be served upon the Administrative Officer from whom the Appeal is taken within 20 calendar days from the date of decision/action that is being appeal. One copy should be served upon both the Secretary of the Planning Board and a Borough Clerk.

**BOROUGH OF CAPE MAY POINT  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 09-2026**

**AN ORDINANCE AMENDING CHAPTER 146, ARTICLE II (“WATER”) OF THE  
CODE OF THE BOROUGH OF CAPE MAY POINT**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that Chapter 146 “Water and Sewer Utility” of the Code of the Borough of Cape May Point be and is hereby amended as follows (deletions in ~~strikethrough~~ and additions in underline):

**Section 1.**

**146-15 DISCONTINUANCE AND RESTORATION OF SERVICE.**

b. Discontinuance of Service.

3. All properties located within the Borough of Cape May Point with a dwelling structure on the lot, whether the dwelling is occupied, under construction, or vacant, are responsible for the full minimum quarterly water charge plus an excess water usage (as defined in subsection 146-16).

**Section 2.** All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this Ordinance.

**Section 3.** This ordinance shall take effect twenty (20) days after passage and publication, according to law.

<b>Final Adoption</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Geiger						
vanHeeswyk						
Yunghans						

ATTEST:

\_\_\_\_\_  
Elaine L. Wallace, Borough Clerk

\_\_\_\_\_  
Elise Geiger, Commissioner

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Anita vanHeeswyk, Mayor

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Suzanne Yunghans, Commissioner

FIRST READING: March 24, 2026

1<sup>ST</sup> PUBLICATION: March 24, 2026

PUBLIC HEARING

AND ADOPTION: April 14, 2026

2<sup>ND</sup> PUBLICATION: April 14, 2026

EFFECTIVE DATE: May 4, 2026