

BOROUGH OF CAPE MAY POINT

Planning Board

Final Meeting Minutes

Tuesday, August 18, 2026 at 6:30 pm

HELD VIA ZOOM VIDEO/AUDIO CONFERENCE & AT THE CAPE MAY POINT FIRE COMPANY

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: Mr. Remy, Mr. Brown, Mr. Rusnak, Comm. Geiger, Ms. MacKenzie, Mr. Wallace, Ms. Shufelt, Mr. Murphy, Dr. Farrell, Mayor VanHeeswyk, Ms. Hobdy

Absent: Ms. Shaw

Also Present: Mr. Nathan Van Embden, Esq., Attorney, Mrs. Kate Dunn, 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 a variety of 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

Mrs. Dunn asked if there were any further comments on the revised V2 draft minutes for July 21, 2026 that were circulated to the board members from the board secretary prior to this meeting. Mr. Wallace noted a few minor changes to some of the wording. No other changes were suggested. As a result, the minutes from July 21, 2026 were approved on a motion from Mr. Murphy and a second from Mr. Remy. All present were in favor.

Business

1. Meatballs & Gravy Associates, LLC (207 Central Ave) – Application PB 2026-01

- a. Jeffrey Barnes, Esq. represents the applicant, Meatballs & Gravy Associates, LLC.
- b. The property is located at 207 Central Ave., Block 6 Lot 2 in the R-1 Zoning District.
- c. Mr. Barnes stated that the lot is an irregular-shaped lot that is a total of 6,480 square feet. It has frontage on Pearl Ave of 74.4 feet, and it has frontage on Central Ave of 52.52 feet and is a corner lot. A single-family dwelling currently exists and the applicant is proposing to demolish that single-family dwelling and construct a new elevated single-family residence, within the existing footprint. The proposed dwelling will remain confined to that footprint with the reduction in the overall building area at grade, and will not increase the number of dwelling units, the building footprint, or the lot coverage. Applicant is currently at 42% FAR. It will offer 5 bedrooms and 2 off-street parking spaces.

- d. Mr. Barnes stated that because the lot is irregularly shaped, and the existing dwelling does not conform to current setbacks, the applicant is seeking variance relief. For the front yard setback on Pearl Avenue, where 20 feet is required, 11 feet currently exists, and 11 feet is proposed. For the corner side yard setback along Central Avenue, 15 feet is required, 11.2 feet is existing, and 11.7 feet is proposed. For the rear yard setback, 20 feet is required, currently 9.1 feet exists and 16 feet 2.5 inches is proposed. You'll also see that the square footage of the actual dwelling space itself on the first floor has decreased from 1,470 square feet to 1,295 square feet. On an interestingly shaped lot, you'll also see that the applicant complies with all of the bulk and area standards as it relates to height, lot coverage, floor area ratio, lot area, vegetation coverage, and permitted use. The proposed structure will be above base flood elevation, and will comply with all the applicable zoning rules, and the flood regulations.
- e. Mr. Barnes stated that the property is in a CAFRA jurisdiction. However, the project qualifies for an exemption. The reason why it qualifies for exemption is that the proposal is occurring within the existing footprint, it reduces the footprint area, does not create additional dwelling units, and does not expand coastal disturbance. This has been confirmed by the project engineer and ACT engineers who sought the exemption from the NJDEP. There's been a file and a determination made by the NJDEP. A wetland search was done on its submission, which dedicates or indicates that there are wetlands adjacent to the property, but not on the property.
- f. Louis DeLosso gave his credentials for the benefit of the board. He is a registered architect in the state of NJ and also a professional planner. The Board accepted his credentials and Mr. DeLosso was sworn in.
- g. Mr. DeLosso stated that the applicant hired him to evaluate the present structure in order to expand the second floor. In doing so, his advice was to demolish the existing structure and construct a new single-family home since there are no pilings under the existing building, it is very close to the dune and in a flood zone. Constructing a new single-family home with pilings, a grade beam and flood vents would be a lot safer than constructing an addition or renovating the existing structure. In turn, Mr. DeLosso stated that he kept the footprint of the building identical, put most of the bedrooms on the first floor above the base flood elevation and the living space on the second floor. Essentially, it's an upside-down house.
- h. Mr. Barnes stated that Mr. DeLosso was originally retained to raise the existing structure and construct a second floor. However, in order to do that, the house would have to be removed from the site in order for new pilings and a new foundation to be installed and then moved back to the site. After going through that process, it was determined that it was not cost efficient to do that.
- i. Mr. DeLosso discussed the existing conditions on the property and the current setbacks and indicated that the current setback along Pearl Ave is 11.2 ft. and the current setback along Central Ave is 11.7 feet.
- j. Mr. DeLosso stated that the proposal eliminates the extrusions and decks and squares off the building so that it becomes more of a T shape and is still within the existing footprint. He explained that he didn't try to relocate the structure to comply with the ordinance because that would trigger a CAFRA permit which is a lengthy and expensive process. He also noted that CAFRA will give you an exemption to allow you to build on the same footprint as long as you don't increase it. Their intention was to keep it simple and to not have to obtain a CAFRA Permit. Mr. DeLosso also indicated that there were some preliminary discussions with the state about the relocation of the structure and he felt that it was not well received by the state. They also had to remove the proposed canopy over the front stoop in order to obtain the exemption from CAFRA.

- k. Mr. DeLosso stated that it's an older structure and the owner spent some money this past spring restoring it, putting a roof on it in order to keep it up not knowing what the time frames would be in order to obtain approvals to move ahead with the new structure. He noted that the house only has 3 bedrooms and the owner is looking for 5 bedrooms for his family. He stated that CAFRA is an issue because the house is close to the dune.
- l. After a question from the board, Mr. DeLosso talked about where the house would be relocated to in order to be more in compliance with the ordinance. He stated that the house would have to be relocated to be parallel with Pearl Ave. which would then in turn make one of the corners of the house closer to the dune. Also, when you start to turn the structure, it becomes more in the Flood Zone than it presently exists.
- m. Mr. DeLosso started to describe the new proposal which is a new single-family home. He stated that there will be piling space that's 7 feet on center, all the way around the building, and down the center of the building. There'll be a concrete grade beam that will be attached and then the block will come up from there, and there'll be smart vents in the block. They'll all be tied together with rods so that when the water hits, it'll flow through the substructure. The 1st finished floor would be at 11.2 feet above sea levels and would comply with the requirements of a flood ordinance.
- n. Mr. DeLosso discussed the elevations. He stated that the front elevation would now be along Pearl Street because that's where the front door would be, eliminating the door and entry off of Central Ave., They would have the steps up to the first floor and a stair tower to come up to a second floor. The rear elevation shows a spiral staircase up to the flat roof that will serve as a deck. The roof will be a metal roof.
- o. Mr. DeLosso described the interior layout and floor plans. He stated that the first floor has a set of steps to a landing and there had been a revision to remove the canopy over that area. You would come into a foyer and there's a staircase up to the second floor. There's an elevator up to the second floor as well. There are four bedrooms and two bathrooms on the 1st floor. As you come up the steps to the 2nd floor, you'll see there's a great room. It's one big open space, along with the kitchen. There's an elevator that takes you from the first floor up, and then there's a hallway with a gallery-type hallway into the master bedroom and that takes you up a spiral staircase onto the roof deck.
- p. Mayor VanHeeswyk asked if any part of the 2nd floor would overhang the 1st floor and what are the plans to deal with the shifting dune. Mr. DeLosso confirmed that the 2nd floor does not overhang the 1st floor and that there no plans to do anything to the dune as that is property of the Borough.
- q. Mr. DeLosso stated the condenser is located on the side of the house and it's above base flood elevation. With the salt air, the condenser will have to be replaced about every 10 years and that's why he doesn't like putting the condensers on the roof.
- r. Mr. Brown questioned how they were coming up with the 42% FAR for the existing structure shown in the documents and stated earlier. After further discussion, it was determined that 42% FAR is what is allowed and the existing FAR is 25.34% based on a total existing living area of 1642.1 sq ft. Mr. Barnes confirmed that the lot is an oversized irregular shaped lot.
- s. Mr. DeLosso agreed that it is an irregular shaped lot, the existing dwelling was constructed under prior zoning standards and that strict application of the present setback requirements would prevent reasonable reconstruction within the established building envelope which is a hardship that is not self-created, but rather arises from the unique configuration of the lot and the pre-existing lawful structure. He also agrees that it's unique in that it's on a corner that has two front yard setbacks, a dune delineation line, and a flood hazard line. He also agrees that the applicant's not intensifying the use, but replacing the aged dwelling with a code-compliant, flood-resilient structure while

materially improving certain setback requirements and reducing the intent and extent of the construction on site by eliminating the miscellaneous buildings and structures and decks out the side. Because of the irregular shaped aspect of the lot, it creates havoc on the actual location of the structure. He also noted that if you look across Central Ave., the proposed structure is along the same lines in terms of height and bulk as that white building, along Pearl Ave, recently constructed across the non-existent street.

- t. Mr. DeLosso further agreed that the location of the dunes and the shifting of the sand, that moving the building back toward the new line would be worse. In turn, keeping it in the area that it is located is a better zoning and construction alternative.
- u. Mr. DeLosso talked about the 2 proposed off street parking spaces. He put two gravel parking spaces within the required setback line along the sideline. He was informed by the Zoning officer that only one is required. However, with the size of the house and the location of the lot and everything, he put two parking spaces there that can be reduced if so required. The intent was to keep the small town of Cape May Point and the environment in play. The variance that was requested was for a curb cut. They enlarged the curb cut so they can have two off-street parking spots. It's not needed but he thought that the benefit outweighed the detriment. That is, having a bigger curb cut versus having two cars off the street and onto the property was a better zoning alternative.
- v. Ms. MacKenzie asked if it is possible to have one parking spot behind the other to eliminate the variance for the curb cut. The applicant was willing to comply with this request or eliminate one space to be fully compliant with the ordinance. Mr. DeLosso prefers to keep the two spaces with the size of the house but is willing to stack them.
- w. Mr. Remy asked if there were any plans for outbuildings on the property? Mr. DeLosso confirmed there were no plans for any outbuildings. He noted that there is a place for storage underneath the staircase.
- x. Mr. Wallace asked if the electric lines will be run underground. Mr. DeLosso confirmed the utilities will be run underground. There was some further discussion about abandoned utility poles and what the Borough should be doing with them.
- y. Dr. Farrell stated initially, his feeling was that this is a completely new replacement structure for a nonconforming side yard and front yard setbacks, that the new structure should comply with the existing zoning. He's heard their testimony and discussion of why they choose to leave it where it is in its existing footprint. Obtaining a CAFRA permit to build a single-family home within the coastal zone management area is certainly a possibility, should they decide to try to do that and comply with our zoning.
- z. Ms. Shufelt asked about the ac unit being in the side yard and having to be 60 feet back. Mr. DeLosso replied that he is not familiar with that. He is familiar with it having to be not in the side yard setback, which is what he's done. He's set it far enough back to not create a lot of noise for the neighbor as well. If the board desires the unit to go further back, they can do that but he doesn't want to put it in the back of the building as it will get sand in it.
- aa. Mayor Vanheeswyk stated that the curb cut really has to do with the Borough right-of-way and she feels that rather than giving a variance for the double driveway opening, that no variance be given, and that it goes to the Commissioners for their decision on the right-of-way. There was some more discussion about the curb cut and Mr. DeLosso suggested that they don't have to put a curb cut at all and that they can just leave it as is. They agreed to have one parking spot and leave the curb cut as exists. The applicant also agreed to make the driveway eco pavers that are pervious.
- bb. Mr. Barnes talked about the C2 criteria. Mr. DeLosso agreed that the application advances several purposes of Zoning per the MLUL. Mr. DeLosso stated that purpose A

is advanced to promote the health, safety and general welfare because the building presently there will not withstand a terrible storm and it also is not as energy efficient as the new structure would be, or structurally sound as the new structure would be. Mr. DeLosso stated that there would have to be modifications to the existing building to basically be tied down to a new foundation, and then have the existing roof and the pertinences tied to the plates of the building so that everything would be stabilized in accordance with the requirements of the code in order for the existing house to be safe. Mr. Barnes stated that there's no prohibition against taking the building off of the existing grade, relocating the building, putting pilings, taking the old building, putting it on top of it, and putting a second floor but it would be a better Zoning alternative and a safer structure to have a new building.

- cc. Mr. DeLosso agreed that purpose B to secure safety from flood and natural disaster will be advanced as well. Purpose C is also advanced which is to provide adequate light, air and open space in which they feel they provide by reducing the decks and the expanded spaces that extrude the existing building, reducing the building coverage and lot coverage and increasing the side yard setback on Central Ave. They believe Purpose I is also advanced which is to promote a desirable visual environment through creative design and technique. They believe this purpose is advanced because the new structure will be comparable to what's there as far as size, actually somewhat smaller, and complying with the FAR. Mr. DeLosso confirmed that it's smaller by way of footprint but not by square footage as the new home is larger than the existing home because it has a full second floor. They also believe that this proposal is an efficient use of land considering how oddly shaped the lot is and that it is on a corner lot that has multiple setbacks that are different than if they were on an interior lot.
- dd. Mr. DeLosso doesn't believe there is any substantial detriment to the public good or Zoning Ordinance if the relief were to be granted. He believes that it would preserve the neighborhood character and aesthetics.
- ee. Mr. Barnes stated that one member of the board that spoke by Zoom who was in another jurisdiction for a while talked about the rule of the board is generally, if you're going to have a brand-new project, then it should comply with the ordinance, which he thinks is pretty much the rationale for all boards within the Cape May County shoreline. He doesn't necessarily disagree with his analysis, provided that they had a rectangular-shaped lot that wasn't on a corner that didn't have dunes and CAFRA issues. When they combine all those together, that is what makes this unique in and of itself. Mr. DeLosso stated that it doesn't substantially impair the intent and zone plan of the zoning ordinance, because the intent of the zone plan and zoning ordinance in that particular zone is to have a single-family home and he believes the JD from CAFRA will require that any construction take place within the footprint of the existing building. Mr. DeLosso agreed that the better zoning alternative in this particular case, which is clearly part of the law, is that replacing the house with a new house in the footprint that currently exists is a much better alternative than leaving the existing structure and adding on top of it.
- ff. Mr. Barnes confirmed that the applicant is requesting relief under both the C1 and C2 criteria.
- gg. The application was opened for public comment at 7:49pm on a motion from Mr. Rusnak and a second from Mr. Remy.
- hh. Sandy Allison from 305 Alexander Ave. asked since Central Ave. doesn't really exist in that block, is it still considered a corner lot. Mayor Vanheeswyk responded that it's a paper street so it is considered a corner lot.

- ii. Public comment was closed at 7:51pm on a motion from Mr. Remy and a second from Mr. Wallace.
- jj. Mr. Murphy stated that with regard to the litany of responses from the experts with regard to the various responses required for granting those variances according to law, he finds that the experts have demonstrated that the variances should be granted. However, he hates to see an older renovated house, a smaller house, another Cape May historical house going by the wayside, if we grant the relief.
- kk. Mr. Brown stated that this is an oversized, irregular lot with an existing house and, the existing house has a current FAR of 25.3%. It's a one and a half story house. There's a proposal to tear down that house and build a new house on pilings and that would be built to the current construction codes. It would move from an existing house of 3 bedrooms to a new house of 5 bedrooms, and a FAR of 41.65%. The applicant has claimed hardship and a C1 variance for what they're seeking, but in addition tonight has added that they would also pursue a variance a C2 variance, if needed, which is a situation where they would have to meet the positive and negative criteria, and the benefits would have to outweigh the detriments for the variances to be granted under that situation. They're only requesting 3 variances; the front yard setback, the side yard setback and the rear yard setback. The applicant agreed that the driveway would be made of eco-pavers. The lot, according to the diagrams, has a trapezoidal building envelope where code could be met. Mr. Wallace thinks they made a point of how the construction of the existing house and foundation was inadequate to withstand rising floods.
- ll. Comm. Geiger stated to go on the other point, that the house could be resited but may not get a CAFRA permit but could be built according to the current Zoning Code.
- mm. Dr. Farrell thinks they'll get a CAFRA application approved; it's just going to be a fight in at the state level over the details. To make the code acceptable, we certainly could make the case that meeting the setbacks on Pearl Ave, would mitigate the fact that the house position was slightly different from the existing.
- nn. Mr. Rusnak stated that he would say that his conclusion is, given the irregular shape lot, given the encroaching dune, and asking to move the house back, closer to the dune, to him, does not make sense. He thinks the structural improvement and stability that the house gains from being put on pilings is a substantial improvement for the community. He thinks that meeting all the other requirements and clearly, the applicant has given serious thought to the project, as well as the letter of our zoning law and our zoning, or the intent of our zoning board so he feels supportive of the decision based on those points.
- oo. Mr. Wallace echoed what Mr. Rusnak said. He feels like they made a good case for why there is a hardship and they're trying to do the right thing, instead of trying to just stick another piece on the top of a house that probably doesn't actually deserve to have another piece. He thinks that they're headed in the right direction and doesn't think it does substantial damage.
- pp. Mr. Brown stated that based on the facts that he's heard tonight and the application in front of him, he's not compelled to understand the hardship request so he would have to view it from the C2 criteria. The hardship of it being an irregular lot is not clear when, it's an oversized irregular lot, and there's a buildable envelope shown on the diagrams, where a house of appreciable square feet could be built. Under C2 variants, he has to think about the benefits and the detriments. In the benefits, the applicant, Mr. Barnes, and Mr. Deloso had a conversation about New Jersey 4055D2 and the purposes of MLUL, and we went through several of them related to, public health and safety. He can understand those.

He doesn't agree with Purpose C being a benefit, providing adequate light, air, and open space, while the footprint of the building is less than the lot coverage of the current building, the mass of the building with a second story and almost a doubling of the FAR, there will be a very considerable difference from this one-and-a-half-foot story house with sloped roofs to new construction with second story. He definitely disagrees with the benefit about Purpose I, promoting a desirable visual environment. The existing house that is a one and a half story with a front porch on its corner closest to the street is very different from a house that is two full stories up on pilings, and with no porch on any of the street side. He recalls that the Master Plan describes the benefit of a pedestrian-friendly community with front porches, welcoming those going down the street. The new design, while it is a more up-to-speed modern design, whether it's a desirable visual environment to have a very tall building 11 feet from the street, as proposed. He thinks it is a very different feeling from what's there, so he doesn't see that as a benefit of this project. Then with regard to the negative criteria, the negative criteria that has to be satisfied are without substantial detriment of the public good, and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. His mind goes to the intent and purpose of the zoning ordinance and that is to support the master plan. You heard his comments about a pedestrian-friendly streetscape. In addition, the setbacks, modest setbacks, are there for our community, so that we can have sight lines down the street, and neighbor connectivity. Since this new construction, in his view, could be built within a building envelope there that meets our zoning code, he thinks approving this would be highly inconsistent and would be of significant detriment to our zoning ordinance, because that's what our setbacks are. Based on his analysis, he doesn't believe that the negative criteria has been satisfied and the detriments are outweighing the benefits, and therefore, he would not be in favor of supporting these variances as requested.

qq. Ms. Shufelt agreed with Mr. Brown's comments.

rr. Mr. Farrell stated that after hearing the entire story from the applicants and their professionals, he looks at the side yard setback on Central Avenue as kind of a moot point, given the fact that it's now a paper street. However, the setback on Pearl, he thinks, should comply with the existing ordinances. 11 feet is only about 55% of what would be required to establish it, so he agrees with the chairman that the benefits are superseded by the detriments in this particular case with that singular exception of the setback on Pearl Avenue.

ss. Mr. Barnes concluded that although he doesn't come to this board that often, He does appreciate the intensity in which the board members take these projects as the board members are all prepared and always have interesting insight and comments. He doesn't always agree with them, necessarily from a legal perspective. However, he thinks from what the board members belief is in the community, and why these ordinances are in place, and what they are trying to do, he thinks, is a noble effort to make your community the best it can be. With having said that, when you sit as a combined board, but you're sitting as a Zoning Board tonight, they do call it the Zoning Board of Adjustments for a reason, and that's because there's times to make adjustments. If the analysis is always that you don't comply with the ordinance, and since you don't comply with the ordinance, that's in violation of the master plan and zoning ordinance, so therefore you shouldn't get a variance, then he guesses you shouldn't have the zoning board of adjustments, because you're never making any adjustments. You have to take these facts as presented and most of the time, none of it's perfect. You have this oddly shaped lot, that not only is it oddly shaped, it has two front yards. He suspects one could argue that it's really not two fronts, because one's a paper street, but per your engineer's report and your ordinance, it's a front

yard. Then you have wetlands, dunes, the NJ DEP and CAFRA, which is not an easy task. As he indicated in the very beginning, and why he gave you the evolution of this project, is so that the board members didn't think that the applicant came in here and was essentially saying, he doesn't want to comply with your ordinance. He wouldn't have had work done to the house just to turn around and demolish it. Through time, what was discovered was the idea of raising that house, relocating the house to some other place in the community, or somewhere out of the community, so they could put pilings in a house that's next to a dune that, if there was any type of storm, could have been problematic. It made him realize that was not the best plan. Now, it's still a possible plan, because you can do that. It didn't make a lot of sense economically, but you're not here to talk about economics, you're here to talk about your Ordinance. From a safety perspective, it's better to have a newer model than it was to have the existing structure fastened to the pilings. The second move is now you say, what can we do with this property as it exists, and put a building on there that's of comparable size, and comply with the ordinance? Then you reach out to the DEP and you find out that there's resistance on movement, partially because of where the dunes are located, puts you back to it's a pointless exercise. Let's go back and say, why don't we do the best we can to go on what existed, and that is the building envelope itself, and what can we do to make it better? We can make the side yard setback on Central better, which they did. You can make the rear yard setback go from 9.1 feet to 16.25 feet. You can comply with everything that exists within the ordinance, meaning you're not asking for any further relief, your compliance with the FAR requirements, your building coverage is reduction. It's not as if they said they are going to put it back exactly where it is, they are going to put it back in the footprint and make it better. The reason why they are doing that, is it's clearly a better zoning alternative, with the lot as it's shaped as it relates to the hardship itself. No one can disagree that it's not irregular shape, no one can disagree that topography is odd, especially with the shifting of the surrounding vegetation and sand around it. Strict compliance with the zoning requirements is not going to allow you to do that, not so much because of the ordinance, but because of the DEP regulations. That, in and of itself, is the hardship that exists. The C criteria that they laid forth, they meet many of those requirements. When you do this zoning analysis, you also have to look at what is the better zoning alternative. Is it to keep what's there, but put a second floor on it, and it's going to be in the same exact spot, which they don't even need to come to this board to get any relief for or is to look at the application before you which is that this is an irregular-shaped lot with the oddness that comes not just with the lot itself, but the location as it relates to the ordinance, the front yard setbacks, the wetlands, and the fueling lines. It creates issues, and the issues are what the hardship is because of all those, keeping the building in the existing spot. Having said all that, I hope that all of you can analyze the facts in such a way that allow these variances to be granted. He asks that these variances, be granted based upon the proofs that were available.

- tt. Mr. VanEmbden stated that this is an application by the applicant called Meatballs and Gravy Realty Associates, LLC, for a property located at 207 Central Avenue, Cape May Point, Block 6, Lot 2, located in the R1 residential zone. The applicant describes the property, which is a one and a half-story dwelling, which is constructed and is located on a lot with two frontages on improved roads, or roads that are on the maps as being improved, Central Ave and Pearl Ave. It also is constrained by its regulatory posture in it subject to wetlands regulation, dune line regulation, New Jersey DEP, and CAFRA regulations, all of which, support, in the applicant's proposal, a C1, variance to permit a configuration which is less intensive and less violative of the current zone than it currently exists, in that the footprint of the property is being reduced and the permeable

surfaces are being increased. The applicant proposes three variances; a C1 variance for front yard setback from Pearl Avenue, where 20 feet is required and they are proposing 11 feet; A C1 variance for side yard from Central Avenue, where 15 is required and 11.7 feet is proposed; and a C1 variance for the rear yard setback, where 20 feet is required, and 16 feet 2.5 inches is proposed. The applicant has withdrawn its application for C1 variance for the for curb cut to allow two cars, an 18-foot access to, reduce it to the single curb cut of 12-foot access which is existing. The applicant indicates that its application isn't just for C1 variance relief, but rather alternative relief, C1 and C2 relief, and has described the positive and negative criteria, and has brought forth testimony from its experts to indicate the applicant's end result is indeed compliant with the concept that the improvements are ultimately more beneficial than and provide more benefit that it'll outweigh the detriment that such variants might entail. Specifically, the applicants indicated that new construction will meet current construction codes. The new construction will also be compliant with best practices regarding installing perimeter piers and flood vents for the most advantageous response to storm, surges, and similar. He expects that the description entails new code compliance for the construction because electrical, plumbing, and all the other systems will be code compliant. To that end, the resolution would be voiced in the affirmative to approve the variance for relief on the three variances sought, and a notation that on the one that was withdrawn, that the applicant would install eco-pavers in the driveway to stabilize the loose, gravel and/or fill.

uu. Mr. Rusnak made a motion to approve the relief as sought. Dr. Farrell seconded the motion.

vv. The application was denied with 7 Nay votes (Vanheewyk, Geiger, Brown, Farrell, MacKenzie, Murphy & Remy) and 2 Aye votes (Rusnak, Wallace).

2. Resolution for PB 2025-01-Helena Bew, C/O Richard Bew, POA (719-723 E. Lake Dr.)

a. There were no further corrections noted on the 2nd version of the Resolution that was prepared by Mr. VanEmbden and circulated to the Board prior to the meeting.

b. Mr. Farrell made a motion to approve the Resolution as drafted. Ms. MacKenzie seconded the motion.

c. The Resolution was approved with 9 Aye votes (Vanheeswyk, Geiger, Brown, Farrell, MacKenzie, Murphy, Remy, Runak, Wallace).

3. Subcommittee Updates:

a. **Completeness Committee:** Mr. Murphy stated they recently had a meeting regarding 203 Lighthouse Ave. They deemed the application complete that had been resubmitted and will probably be scheduled for September.

b. **Lot Coverage Awareness Subcommittee:** Mr. Wallace stated that they don't have any current topics ready for presentation.

c. **Master Planning Activity Update:** Mr. Brown stated that based on the decisions that the board had made at its last meeting, they got the survey out in the tax Mailer. He has received over 100 responses already. The link to the online version of the survey questionnaire was created and posted this week, and they are getting responses on the online version. Please tell people they can respond either way: paper copy and put in the box in Borough Hall, or the online version, it's equally effective. So with 100 in, that's, approaching 15% of their target population. They will keep the survey open until the end of September, and that'll be their target, and they will talk about that at their September meeting. With regard to formation of the Master Planning Advisory Committee, he has had 12 different communications with people who are interested in volunteering, so that is over the sweet spot zone of 7 to 10, so he has to make a little bit of decision-making, but basically everyone who's interested, he can

find a role for them in the master planning process. They should start up that MPAC very soon, and get working on processing the surveys and questionnaires at a minimum.

4. Any and all pending matters:

- a. None

Board Information:

- a. None

Public Comment:

- a. Public comment was opened at 8:31pm on a motion from Mr. Remy and a second from Comm. Geiger.
- b. No public comment.
- c. Public comment was closed at 8:32pm on a motion from Ms. MacKenzie and a second from Mr. Murphy.

Adjournment

They meeting was adjourned at 8:32pm on a motion from Mr. Rusnak and a second from Ms. MacKenzie. All present voted Aye.

Respectfully Submitted by:

Kate Dunn

Board Secretary

Approved by Board 09/15/2026