

BOROUGH OF CAPE MAY POINT

Planning Board

Meeting Minutes

**Wednesday, January 19, 2011, 7:00pm
Cape May Point Fire Hall**

Pledge of Allegiance:

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

Roll Call:	Ann Brecker, Chairperson	Present
	Joan Brown	Present
	Kathy Hogarty	Present
	Dr. Charles Blackinton	Present
	Len Gramlich	Present
	Martha Grubb	Present
	Anita VanHeeswyk	Present
	James Smith	Absent
	Dr. Robert Moffat	Absent
	Diane Wentink	Absent

Also Present: Brad Rosenthal, Secretary
Dean Marcolongo, Esq. Attorney

Minutes: Wednesday, November 17, 2010
Approved - Motion made by VanHeeswyk, Second by Hogarty, All Ayes

Business: **Review of new application form and checklists.**

A discussion about the fees ensued. Mr. Marcolongo indicated he had set the fees based on his knowledge of other municipality's fees and believed them to be appropriate. A concern was raised that it might be possible for an applicant to incur significant cost even if it is determined that a Borough Official made a mistake. The Board generally felt that a portion of the fees paid to the municipality should be refundable to the applicant in the event it is shown the Borough made a mistake in its initial determination of compliance. Mr. Marcolongo will look

into this concept and craft wording to place in the application as appropriate.

Once the application is approved by the Planning and Zoning Boards, The fees will need to be voted on and codified by Borough Council.

There is a form missing from the packet – “Notice of Appeal of Administrative Officer Decision Form”. Mr. Marcolongo will ensure this form is attached for future document versions.

Minor grammatical and formatting changes were suggested throughout.

Lighting Ordinances – Can the Borough regulate outdoor lighting at private residences and how?

The idea that outdoor lighting could become a nuisance in the Borough was first discussed several years ago. The lighting being implicated in this discussion is referred to “Agway Lights” in the discussion and generally refers to large, high light output outdoor lighting. The lighting may negatively affect the quality of life of neighboring residents by drowning out the night sky, confusing migratory creatures, and invading the privacy of neighboring dwellings. A lengthy discussion about individual property rights and the necessity of regulation for something that is not yet deemed a problem ensued. A motion was made by Hogarty and seconded by Blackinton to continue to explore the concept of a lighting ordinance. All present voted in the affirmative and Mr. Marcolongo agreed to locate some examples and come back with a sample ordinance specific to the Borough.

Temporary Storage Box (PODS, etc...) Regulation – Setting an acceptable amount of time for temporary storage devices to be allowed on the property.

It has been deemed necessary by the Board to define: how long temporary storage boxes can remain on a property, how many, where on the property they are allowed, and use. It may be possible to tie the removal of these storage units to the issuance of a Certificate of Occupancy and/or to the issuance of a Building Permit. There are some parallels in existing ordinances relative to accessory buildings and new construction but nothing specific to Temporary Storage Boxes. Minor additions to existing ordinances is likely possible; Mr. Marcolongo will provide the necessary language at the next meeting. During the meeting it was discussed that changes to Borough Ordinances 76.1-3, 50-3, and 150-29 will likely be necessary. A thirty (30) day time limit was discussed and agreed upon for temporary construction/remodeling/moving projects.

Driveway Material – Discuss pervious vs. impervious cover and grandfathering of various materials and driveway widths.

Section 150-21 of the Borough Code covers driveway width, length, and material. Existing non-conforming gravel driveways are grandfathered and can be replaced with the same material at the existing non-conforming size. When changing the material the driveway must conform to existing regulations. Mr. Marcolongo will email a resolution to Board members in of advance of the next meeting.

Board Information:

RSIS – Residential Site Improvement Standards

If the Borough were to propose rules different from the RSIS, how would they go about it? Mr. Marcolongo distributed a handout for information.

Site Plan Ordinance

A Site Plan Ordinance is referred to in the new application packet but does not exist in the Borough. Mrs. Vanheeswyk is working with Mr. Marcolongo to develop this ordinance.

Capital Improvement Planning

The Planning Board is being asked by Borough Council to recommend Capital Improvement Projects. Board members should bring ideas to the next meeting. The secretary will inquire with the Borough Administrator for suggestions from Borough Department Heads. Already on the list: Codification of Borough Ordinances \$20,000.

Public Comment:

Megane Smith – Environmental Commission

Ms. Smith is concerned about a new type of street lighting on Harvard Avenue and any potential impact that it might have nighttime creatures.

Explanation provided by Mrs. Vanheeswyk: The bulbs were recently replaced by Atlantic City Electric and are supposed to be more energy efficient. The new bulbs cast an orange tone. A call will be made to Atlantic City Electric to ascertain if there is any documented impact to nightlife.

Adjournment:

Motion for Adjournment made at 8:47pm by Kathy Hogarty, seconded by Joan Brown, all were in favor.

Respectfully Submitted by:

Bradley T. Rosenthal
Board Secretary