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| Frank Sippel, Mayorfsippel@townshipoflower.orgKevin Coombs, Deputy Mayorkcoombs@townshipoflower.orgThomas Conrad, Ward 1tconrad@townshipoflower.org | lower township logo from townshipoflower.orgTOWNSHIP OF LOWER2600 Bayshore RoadVillas, New Jersey 08251 | Joseph Wareham, Ward 2jwareham@townshipoflower.orgRoland Roy, Jr., Ward 3rroy@townshipoflower.orgMichael Laffey, Managermlaffey@townshipoflower.org |

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE PUBLIC BODY AT ITS NEXT MEETING. THIS BOARD WILL NOT BE RESPONSIBLE FOR ANY MIS-STATEMENTS, ERRORS OR OMISSIONS OF THESE MINUTES, AND CAUTIONS ANYONE REVIEWING THESE MINUTES TO RELY UPON THEM ONLY AT THEIR OWN RISK.

LOWER TOWNSHIP PLANNING BOARD

A regularly scheduled meeting of the Lower Township Planning Board was held on September 18, 2025, the Lower Township Municipal Building. The meeting was called to order at 6:00 P.M. by Acting Chairwoman Selby. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Acting Chairwoman Lindsey Selby

Gunär Arenberg

Marissa McCorkel

Steve Morris

Roland Roy

 Anthony Vetrano

Roy Abrams

 MEMBERS EXCUSED: Frank Sippel

 Chairman Michael Rosenberg

 Vice Chairman Chris McDuell

Alyce Parker

STAFF PRESENT: Avery S. Teitler, Board Solicitor

William J. Galestok, Board Secretary

Patrick L. Wood, Recording Secretary

William Cathcart, Board Engineer

 Kathryn M. Steiger, Planning Clerk

CORRESPONDENCE:

Handouts:

* List of Board Engineer Vouchers, dated September 18, 2025
* List of Board Solicitor Vouchers, dated September 18, 2025

Mr. Teitler read the agenda aloud for the benefit of the public and advised the first agenda item regarding discussions of potential redefinition of zones will be moved to the end of the meeting.

Mr. Teitler advised that, due to deficient mailing notifications, the following applications have been adjourned to the next Planning Board Meeting of October 16, 2025. Mr. Teitler stated no further noticing will be required.

Preliminary and final major subdivision application for the creation of four (4) newly described lots. Submitted by Scott Peter for the location known as Block 753.05, Lot 1, 794 Route 109

Minor subdivision and hardship variance application for the creation of two (2) newly described lots that would be deficient in lot area, frontage, width, depth, and encroach into the front yard setback. Submitted by 201 W Delaware Parkway, LLC for the location known as Block 123, Lot(s) 43-45, 201 W Delaware Parkway

NOTE: Mr. Ronald Gelzunas, attorney representing the applicant, 201 W Delaware Parkway, LLC, explained the Cape May Star and Wave failed to publish the notice correctly. The corrected notice will be republished. No new certified mailings will be required.

1. Minor subdivision application for the creation of two (2) newly described lots, submitted by Mitchell & Angela Plenn for the location known as Block 485, Lot(s) 63.02, 926 Woolson Road

Ronald J. Gelzunas, Jr., Esq., is representing the applicant.

Mr. John E. Halbruner, AIA, was sworn in by Acting Chairwoman Selby, and provided credentials, which were accepted by the Board.

Mr. Gelzunas stated this is a “by-right” subdivision application, with Mr. Halbruner, once sworn in, providing the relevant details.

Mr. Halbruner summarized the application request, as follows:

The subject is located on an oversized lot, fronting on Woolson. Two (2) fully conforming lots are available (e.g.: width, depth, area), in the Mainland Residential (R-3) Zone, with sewer, and will be larger in size than the 7,500 square foot minimum. The existing house will remain on one lot. The other lot will be vacant, as no development is planned by the applicant at this time. The existing shed on the property will be removed. Trees on the property will be maintained. Based on all the applicable documentation provided, the application request qualifies as a By-Right subdivision.

Mr. Cathcart reported that major elements were addressed in testimony. The area is newly sewered and an approval for a sewer hookup has been submitted to the Lower Township MUA (Municipal Utility Authority). Mr. Cathcart recommended that the approval should have a condition for completed Subdivision Plans. Mr. Halbruner agreed.

This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

Since there were no further questions from the Board, Mr. Teitler summarized the application request, stating this is basically a By-Right subdivision, with no variances requested.

Mr. Roy made a motion to approve the minor subdivision application, seconded by Acting Chairwoman Selby.

VOTE: Mr. Arenberg YES Ms. McCorkel ABSTAIN

 Mr. Abrams YES Mr. Roy YES

 Acting Chairwoman Selby YES Mr. Vetrano YES

 Mr. Morris YES

 Motion approved

The Board Solicitor will prepare a memorializing resolution to review and approve at the next meeting.

1. Minor subdivision and hardship variance application for the creation of two (2) newly described lots that would be deficient in lot area, frontage, and width. Submitted by Robert J. Salasin for the location known as Block 512.07, Lot(s) 2904+2905, 501 Baywyn

Charles W. Sandman, III, Esq., is representing the applicant.

Mr. Sandman informed the Board a previous application for this block and lot was presented and denied. This is a new application request, for the same location, reflecting lot line changes.

Mr. Paul Kates, P.E., P.P., C.M.E., C.F.M., was sworn in by Acting Chairwoman Selby, and provided credentials, which were accepted by the Board.

At the request from Mr. Sandman, Mr. Kates testified as follows:

Details regarding location, size, and zoning for the site. The proposed lots now reflect size adjustments to a minimum of 50 x 100 per lot, stating three (3) variances are being requested - lot size, front yard, and width. Mr. Kates testified as to the number of surrounding lots (31 of 36 lots) that are 50 feet or less in size, equating to 81% of the neighborhood. He noted that lots in this area were consolidated by statue. The applicant is requesting to revert to the original sized lots. Mr. Kates then cited a broader selection of lots in the area, whereby 63 of the 73 lots are 50 feet or less.

The proposed project is harmonious to the neighborhood, is visually desirable, and based on the proposed homes, will provide much needed housing. All bulk and setbacks will comply, including light, air, and open space.

Mr. Sandman submitted a revised diagram of the proposed subdivision.

Mr. Kates continued testimony, highlighting details on the submitted exhibits – e.g.: driveway layout for both new lots that would avoid cars backing out onto Bay Drive.

In response to Mr. Sandman’s question regarding any negative impact, Mr. Kates confirmed no negative impacts to the neighborhood, zone plan, or ordinance will result from this subdivision.

Due to confusion over the submitted exhibit information, the Board asked for more clarity regarding the data being presented – e.g.: validation for the number of surrounding properties, number of single-family dwellings (SFDs) or duplexes, whether those lots identified in the exhibits have homes. Mr. Kates stated the 200-foot list with 36 properties was checked, but not the more expansive map exhibit that was provided, showing 73 properties.

The Board inquired if all 63 lots were single lots, or multi, conjoined lots. Mr. Kates replied that all properties with homes were on 50-foot lots.

For reference only, Mr. Sandman submitted a rendering of the proposed dwelling, noting the final building may vary.

Mr. Robert Salasin, applicant, was sworn in by Acting Chairwoman Selby.

Mr. Salasin testified the intent is to construct a one-and-half story rancher or Cape Cod style home, similar to other construction projects in the past.

Mr. Cathcart reported the following:

* Main concern was parking, which was addressed by the applicant
* This is a corner lot; therefore, the rear yard dimension may be incorrect. This can be corrected on the final subdivision
* Status of existing trees, fences, etc.

In response to Mr. Cathcart’s report:

* Mr. Kates stated that all requirements will comply
* Mr. Salasin advised the intent is to clear all trees, and intends to plant new trees and shrubs. There are no fences on the property.

Mr. Sandman then made available the exhibits for the public to view.

This portion of the meeting was opened to the public.

Below is a summary of comments, expressed during the open portion of the meeting, after each member of the public was individually sworn in by Acting Chairwoman Selby:

Ms. Linda Conners-Murray, resident of 500 Hollywood Avenue:

Opposed to the application

* Proposed lots are adjacent to her property, causing the most impact
* Original application was denied, what is new to cause a significant change?
	+ Mr. Teitler responded the significant change was due to shifting lot lines
* Disagrees with lot lines, based on own research – not accurate
* How is this supported today, since the majority of homes were built when smaller lots were allowed
* 75x100 lots were established to control densities & usage of utilities
* Setbacks have changed from the original application to this application, which will place the dwelling six (6) feet from her home
* Driveway position has changed, causing safety issues on Bay Drive
* Not overcrowded in the neighborhood, but overcrowding for her
* Two homes close to the “S” curve is dangerous and a location that police park to monitor traffic for speeding
* It is not consistent with the neighborhood, not all are on 50x100 lots, one house could be built on the current lot – no issues with a single-family dwelling –
* Looking for a compromise to balance this out, allow reasonable building for builders to work within the ordinance

Mr. Joseph Cusick, resident of 503 Baywyn Drive:

Opposed to the application

* Resides next to the proposed lots
* Agrees with previous comments
* Slippery slope to approve this application
* Squeezing in homes

 Mr. Dennis Capoferri, resident of 4004 Bay Drive

 Opposed to the application

* Agrees with previous comments
* Circle K turn is acceptable for one car only
* Should remain with the 75-foot requirements
* Two houses provide higher profit for builder
* Clearing the lot is no good
* Creating “monopoly” homes

Ms. Jill Connell, resident of 509 Mallow Road

Opposed to the application/Respectfully requests denial

Cited four points of opposition

* Conforming vs non-conforming lots
* Questioned the purpose of having an Ordinance, when it is not being followed
* Safety issues with site triangle, fire hydrates, exiting on Bay Drive, Parking
* Establishes a precedence for similar applications requests

This portion of the meeting was closed to the public.

Mr. Sandman submitted into evidence a color-coded aerial of the surrounding area, stating three-quarters of the houses are on 50-foot lots. The proposal will conform to all setbacks and bulk standards, requiring no variances. To address the neighbor’s concern regarding a six (6) foot setback, the applicant can reconfigure with a ten-foot setback. Citing the ordinance, all intent is to comply with the concerns expressed by the neighborhood and adhere to the requirements.

The Board questioned whether the lots shown on the exhibit were the same owners, or tax lots, as it appears to be incorrectly counted, including the highlighted areas. Mr. Kates explained that although there was an error with the highlighted areas, the summary is accurate. Mr. Galestok advised that records indicate lots were merged, circa 1983, however; the Board continued to express concern about lack of clarity between number of lots referenced compared to the number of owners.

After an overall discussion, the Board requested additional proof regarding the status of ownership for these lots, requiring a better “key” for the diagram. Mr. Galestok advised that, typically, a tax map, showing all the lots and ownerships, is submitted as evidence.

To satisfy the Board’s concerns, Mr. Sandman requested the application be adjourned to the next meeting, which will enable sufficient time to prepare/submit a detailed map, listing individual lot owners, lot size, and lot area, into evidence.

The Board agreed, restating that the new map depicts lot area/square footage.

Mr. Teitler summarized, stating the application is adjourned to the Planning Board Meeting of October 16, 2025, requiring no further noticing by the applicant. If new evidence is presented, the public will have the opportunity to speak again at that meeting.

1. Discussions regarding the potential redefinition of the following zones:
2. The Derivates of Block 494.01, Lot 28, commonly known as “Shawmount Estates”/ Cedardale Court, from Conservation (C) to Mainland Residential (R-3)
3. The Derivates of Block 495.01, Lot 13.01, commonly known as “Breakwater Estates”/ Leonard Drive & Kaylin Court, from General Business (GB) to Mainland Residential (R-3)
4. The North Cape May GB-1 District to a GB-2 District
5. An Overlay Zone encompassing Block 763, Block 764, Lot(s) 11-31, and Block 765, Lot(s) 1.02 to 25, to allow Single- and Two-Family homes on the condition that a deeded notice be applied regarding the permitted commercial activity in the zone resulting in noise, odor, and general disruption to a residential area.

Mr. Galestok addressed the Board regarding the above discussion points and advised no action is being requested by the Board at this meeting. Follow up will occur at a subsequent meeting for recommendations to possibly change the Master Plan.

Mr. Galestok advised that due to consistent residential development occurring in sections cited under “a” and “b,” possible modifications to the zone should be considered to reflect the type of development now occurring in those areas.

 Mr. Wood then spoke to the Board regarding items “c” and “d.” Consider modifying the GB-1 District to a GB-2 District, allowing for a single residential unit. For the MGB Zone, allow for an overlay. The overlay in the MGB Zone would condition for the noise, etc., deed restriction, and allow for single family and duplexes.

 Acting Chairwoman Selby made a motion to approve the Minutes from the meeting of August 21, 2025, seconded by Mr. Arenberg. Motion carried

Acting Chairwoman Selby made a motion to approve the Board Engineer vouchers,

seconded by Mr. Morris. Motion carried.

Mr. Morris made a motion to approve the Board Solicitor vouchers, seconded by Acting

Chairwoman Selby. Motion carried.

Mr. Roy made a motion to approve the Resolutions from the meeting of August 21, 2025, seconded by Mr. Vetrano. Motion carried.

At 7:03 P.M., Acting Chairwoman Selby made a motion to adjourn the meeting, seconded

Mr. Morris. Motion carried.

Respectfully submitted,

Patrick Wood,

Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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