

Beach

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current zoning. Fenwyck further testified that he believed the cost of rehabilitating the theater made it unfeasible to do so. Fineberg and attorney Michelle Donato, representing the Beach Theatre Foundation, asked Fenwyck if the owners had made rehabilitation not feasible by stripping the interior and simple neglect. "Have you ever heard of demolition by neglect," Donato asked Fenwyck. "No," he said. Donato asked Fenwyck if he was not familiar with the concept of allowing a building to enter a state where it would be unfeasible to rehabilitate. "Objection," Nehmad said.

"The question has been answered and it's not material." "It is material," Donato said. "It's similar to the concept of a self-created hardship." Following Fenwyck's testimony, Thomas was asked to testify regarding his evaluation of the theater, as outlined in a May 20, 2010 report. Thomas testified he has been studying Cape May architecture for 40 years, and in 1975 published a book on Cape May architecture titled "Cape May - Queen of the Seaside Resorts." Thomas said he visited the Beach Theatre twice since being hired by the applicant, and found it had no historical or architectural value. Asked to define the architecture,

Thomas said it was very simple, in a class he called "Motel Modern." He said the architecture was born out of the car culture where building were built to be seen by people driving by at 30 to 40 mph. "It's essentially an Acme with a bowed roof - that's what this is," he said. He said the style of the theater did not fall into any of the styles outlined in the city's design standards booklet on its historic district, and was not on the historic survey. Thomas further testified that connections between the architect, William Lee, and its builder/operator, William Hunt were exaggerated. Hunt, he said, was no longer working in the business when the theater was built by fami-

ly members. Lee, he said, was not noted for building theaters, and his connection to architect Frank Furness, the architect who designed the Physick Estate, was very loose. Fineberg crossed-examined Thomas and asked him if the report he prepared dated May 20, 2010 was requested and paid for by Frank Investments, Inc. "Your report and your testimony are being paid for?" Fineberg asked. "Absolutely," Thomas said. When asked if it was Thomas' opinion that the Beach Theatre was not historic, Nehmad objected and said it was a rule of law. Thomas said what makes a building historic are historic constructs, in this case the

historic survey and the set of guidelines that must be met for the building to be considered historic. Asked if he was familiar with the current survey by McCabe and Associates, which recommended including the Beach Theatre, Thomas referred to it as "a horrible piece of work - badly done." "It should not be approved or reviewed because it's simply wrong," Thomas said. Asked about a separate report on the historical and architectural significance of the Beach Theatre prepared by historic architecture consultant Joan Berkey, Thomas said, "Her report was sloppy and poorly done." Fineberg asked Thomas if he remembered an email dated Dec. 19, 2008

addressed to Barbara Skinner, a member of the Beach Theatre Foundation who nominated the Beach Theatre to be on the historic survey. Fineberg said according to the email, Thomas had told Skinner there was a case for applying to put the theater on the National Register of Historic Places. "Your opinion a year before was that it should be saved and now you've changed your mind?" Fineberg said. "That's not my opinion," Thomas said. Thomas said he gave Skinner an opinion off the top of his head with no real research being done before giving her an answer. The appeal by Frank Investments will continue on Jan. 27, 2011 at 6:30 p.m.

Demolition

would like to retrieve," he said. The demolition site is expected to be cleared by the end of the year. Passersby will see a chain link fence surrounding Convention Hall and the Solarium, the first indication of physical action being taken on the project. On Nov. 11, a geothermal energy contractor bored a test well through the street in front of Convention Hall. The city is interested in finding out to what extent it can use geothermal energy for cooling and heating the new facility.

Deputy Mayor Jack Wichterman said there was some discussion over whether pilings would be driven before the geothermal pipes, or vice versa, and he wanted the issue put to bed. "In my mind it is," Steve Markley of the Hunter Roberts engineering firm said. Markley said it didn't make sense to put in 100,000 linear feet of plastic pipe and then drive pilings in the same location. The pilings are expected to be steel with concrete caps, although the city is still looking at pre-cast concrete. Markley said they expected to save some of the original



A contractor bores a test well to find the level of geothermal energy that can be garnered for the new Convention Hall.

Hall. Wichterman asked if splitting the project into the three phases with three contracts had shaved any time off the project time, allowing the new Convention Hall to be opened sooner than Memorial Day 2012. Markley said the city could have gained as much as two to three months, but was sticking to the Memorial Day opening for now. Architect Martin Kimmel showed the team more detailed elevation drawings. Previously, the city and residents have only seen renderings of the proposed structure. Kimmel said they are

preparing drawings of every wall in the structure. Kimmel said his firm is between one-third and one-half finished preparing the drawings. The new Convention Hall will feature two retail stores, a catering kitchen, a prefunction area, one community room, geothermal and solar energy systems, and seating for about 970. The main hall will be dividable into two sections, with the side containing the stage accounting for about 60 percent of the total space. Seating space would be divided 50/50.



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Police arrest two in strong-arm robbery

VILLAS - Police arrested a local man and a juvenile for an alleged strong-arm robbery of a juvenile near the Recreation Center. On Saturday, Nov. 13, at approximately 10:15 p.m., the

Lower Police Department received a 13-year-old male had been assaulted and robbed by a group of individuals near Iowa and States Avenue while riding his bike home from the Rec Center.

A police learned from the victim that he was approached by five individuals and a black female allegedly struck him in the face with a closed fist and pulled him off his bicycle before taking it away. He was then allegedly approached by a white male who also struck him in the face with a closed fist and demanded all his money. Police said the 13-year-old handed over two \$10 bills to the male robbery suspect. A description of the female and male suspects was then broadcast to all Lower Township police units in the area. A short time later, patrol officers detained a male and female fitting the description of the actors near Domino's Pizza. After further investigation, Kailar Sotomayor, 19, of the 100 block of Iowa Avenue, Villas, and a 16-year-old male from Burleigh, Middle Township, were arrested and charged with one count of robbery. In addition, the 16-year-old robbery suspect was charged with possession of drug paraphernalia after which he was logged into the Juvenile Detention Center in Bridgeton.



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