

# Rules

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of concern the advisory committee will need to discuss are where in the city to allow these resort houses to operate (zones) and what requirements they need to meet in terms of lot coverage, parking and public safety. He said there are also issues of occupancy limits in the homes as well as the use of the yard and exterior such as for entertainment (DJs, bands, etc.), catering and party tents. He said there have been cases of alcohol consumption in the streets outside of these homes in the past, which should also be addressed.

Committee member and Code Enforcement Officer John Queenan said he thought fire code and occupancy limits were exceptionally important in discussing these rental homes. He said if these homeowners plan to allow tenants to regularly host large events on their property they need to make sure they acquire all necessary permits and become familiar with city code. Queenan said the state even requires a permit to cook with propane for frequent large events, as a restaurant would.

In terms of occupancy limits, Queenan said many owners of single-family rental homes advertise online, claiming the house can hold as many as 26 to 28 people.

"One of the questions I do get from people that are paying for these is 'How many people can occupy a particular dwelling,'" he said. "For

each bedroom, it's 70 square feet for one person and 50 more square feet for each additional person. That's how the state calculates the number of people that can occupy that building."

Queenan said he received complaints about a rental home that could be occupied by 25 people, as advertised online, but was an ordinary two-story home with a small attic. He said he performed an inspection and one of the "bedrooms" was in fact the attic, which was only around four-feet from floor to ceiling with just one way in and one way out. He said this was a clear fire hazard and violation of state law in terms of living space for a renter.

Deputy Mayor William Murray said that number of people at one single-family home also leads to parking issues.

"22 people are obviously going to need more than one parking space," Murray said.

John Van de Vaarst, who also serves on the Planning Board, said he believes it's important for the committee to maintain the integrity of Cape May.

Mary McKenney, who owns four rental homes in Cape May, said she only allows tenants to host one event per year at two of them.

"The other two, I purposely do not allow (events) because they're in concentrated areas; and in the case of one of them there is a bed and breakfast on either side, so I'm very sensitive on the impact it would have on the busi-



Above, Mayor Ed Mahaney and Deputy Mayor William Murray take part in the Resort House Advisory Committee meeting held last week in Cape May.

nesses," she said.

McKenney said the committee needs to figure out what rules and regulations should be put in place, but be knowledgeable of the ordinances and codes that already exist regarding noise, trash and parking.

"Just so we understand what the rules are today and how we can operate within those before we suggest anything new," she said.

Bonnie Pontin of the John Wesley Inn, said she owns both a B&B and a whole house rental. She said fire inspections should be at the top of the priority list for the committee, as B&Bs have been confronted with very strict guidelines by the state in recent years. She said Cape May is one of the only municipalities that does not perform its own fire inspections of whole house rentals and B&Bs. The state fire marshal performs the inspections.

Cape May Police Capt. Robert Sheehan, also a committee member, said from an enforcement aspect, it's important to maintain the quality of life in the city and keep the noise and traffic level down when large events are held. He said parking is an issue he expects to be

addressed.

Sheehan said he'd like renters to be well informed of the city's codes and regulations next summer, which will hopefully decrease the chance of handing out citations. McKenney suggested when the committee and city council have come up with final ordinances and rules for these homes, the city could pass out guidelines to the property owners and tenants stating the rules.

"It's incumbent upon the owners to make sure their tenants are following the codes and rules," she said.

Sheehan said noise is always an issue when a large party is held in a residential area that drags on into the late night hours, so it's important for the city to establish limits for the duration of these events and perhaps hours of the day they can be held.

"People you approach at these rental homes are doing stuff they think they're allowed to do, but stuff they're not supposed to be doing at these events," he said. "We don't want to be handing out citations to brides and grooms on their wedding day."

Deputy Mayor William Murray concurred and said, "We don't want to turn our

tourists away because they're making too much noise."

Mahaney said while the noise issue has been made out to be the primary focus when discussing the resort houses in recent weeks, he considers it to be an "ancillary aspect" within the larger picture. He said the city has had some problems with noise at these whole house rentals, but local law enforcement handles it accordingly and there is little problem afterwards.

"I think if you have people who respect your property and your neighbors, then you don't have an issue..." Mahaney said. "People come here for rest, relaxation and enjoyment of all the activities we have to offer. They don't just come here to act like fools and we're fortunate that's not the type of individuals who come here. People know they can have a good time as long as they're not intervening on someone else's."

Murray said he was pleased with the committee as well as with the 10 or more members from the public who attended the first Resort Home Advisory Committee meeting to lend their opinions on the matters at hand.

"It's important to get multiple views and input. I can't do

this single-handedly and neither can anyone else. We have to find a way that best suits the community as a whole," he said. "Only so many people will be happy with the final result, but we have to try to find the best plan possible."

During public comment, Patricia Hendricks of Trenton Avenue said it's important for the committee to keep in mind that Cape May is designated as "The Nation's Oldest Seaside Resort" emphasizing the word "Resort."

"If we change all of these things, do we risk losing 'resort' in that designation?" she said.

Vicki Allison, who recently inherited a home on Beach Avenue that has been in her family for three generations, said she was concerned about all whole house rental owners being "lumped into one group." She said she advertised the home for 16 to 18 people, but do not allow large events at the house that could potentially cause noise issues or require the use of countless permits and licenses.

"I'm not seeking to have my pockets picked of rental income to pay fees," she said. "Since I've inherited the house, insurance had quadrupled, taxes are up and I'm worried about the new FEMA flood maps and future flood insurance rates where my house is located."

Mahaney said not all whole house rentals would be categorized as resort homes because it all depends on the zone they are in and their intended use.

"Our intent is to maintain the charm and quality of life Cape May is known for and while keeping our designation as a vacation resort intact," he said.

The next Resort Home Advisory Committee meeting will be held Monday, Nov. 25 at 2 p.m. in the City Hall Auditorium.

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# Chat

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days a year. These animals range from a 10-pound green sea turtle to a 25-ton humpback whale, both of which are endangered species.

Miele said with a permit and authorization from the state and federal governments, the center has responded to over 3,900 strandings of whales, dolphins, seals and sea turtles that have washed ashore over the years.

Miele said the time of year has come when we will likely begin seeing seals on the beaches of Cape May and other shore towns. She said the MMSC responds to four species of seals: Harp, Harbor, Grey and Hooded seals. If one of these seal species is seen stranded or beached, Meile said it's important not to approach it and stay at least 50 yards away. By law, one must observe from at least 100 feet away, but the MMSC

suggests a greater distance.

"Odds are the seal is just resting, but if you think it might be injured or stranded, call for help," she said. "Don't try to approach it or pet it because it's cute. Seals are carnivores and will bite to defend themselves. Their bite is equivalent to that of a Rottweiler, so you don't want to get too close."

She said more often than not, a beached seal is simply resting and is in no need of assistance, but if one feels the animal is injured, call the MMSC at (609) 266-0538 and report it. Seal injuries are commonly caused by an interaction with a human or shark. During treatment at the MMSC, seals are housed in individual pens, cared for by professional veterinarians, fed and given medicine if necessary. When well enough, they are transferred to a pool so they can become acclimated to life in the wild again. Miele said once the staff is confident the seal can survive in the wild, they are released back into the sea.

Meile said they first are tagged with a plastic transmitting device at the MMSC so they can be monitored in

the wild. The MMSC offers the "Adopt a Seal" program, which is a one-time donation of \$25 that supports the general funding for seal rehabilitation, helping pay for food, medicine and treatment of each animal.

Miele said sea turtles are the most endangered of the sea life the MMSC cares for. The most common species seen in New Jersey are the loggerhead, leatherback, Kemp's Ridley and green sea turtles. She said typically anywhere from 50 to 100 sea turtles wash onto Jersey beaches each year with injuries from boat propellers, fishing gear or shark bites. She said the primary reason sea turtles are endangered is because of their egg laying habits.

"One out of every 1,000 sea turtles reaches adulthood," she said. "When the eggs hatch and the hatchlings make their way to the sea, they face all kinds of predators from seabirds to foxes and raccoons."

The hatchlings that make it to the water then have face sea predators and potentially strong currents as well.

Perhaps the most important family the MMSC is watching over right now is the Cateaceans, which includes the whales, dolphins and porpoises. As of October, nearly 130 bottlenose dolphin deaths were recorded in New Jersey since July 9, while more than 800 bottlenose dolphins have been found stranded from New York to North Carolina this year.

According to the National Oceanic and Atmospheric Administration (NOAA), just over 25 years ago there was a similar incident in the Coastal Migratory stock of bottlenose dolphins along the Mid-Atlantic in the late 1980s. It was found to be a morbillivirus, which Meile said the NOAA believes is occurring again.

According to the NOAA website, the morbilliviruses are usually spread through the air or direct contact between animals, including between mothers and young. Cetacean morbillivirus affects the lungs, brain and immune system of dolphins causing illness and death. While this virus can easily spread among dolphin populations since the animals are highly social, it is not infectious to humans.

Morbilliviruses are naturally occurring pathogens in marine mammal populations, and because these viruses suppress the immune system, many animals ultimately die from secondary infections. Not all dolphins exposed to morbilliviruses will die from these infections, but a large proportion may not survive.

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