

Letter

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project, dated May 10, 2006, states that county approval must be conditioned on DEP approval for the access roads crossing wetlands. Corrado says later correspondence, including an Oct. 15, 2008 letter to the borough planning board, and a July 15, 2010 letter from Barbara Ernst of the CADB to attorney Marcus Karavan, suggests this is a municipal issue.

In the letter, Corrado says neither the municipal nor the county file contains such a DEP approval, although there are several letters from the property owner, Barbara Wilde, stating the approval was obtained, and a Dec. 2, 2004, authorization from the DEP to disturb 573 square feet of wetlands in connection with an addition to the residence. Corrado asks for verification of the approval. Wilde said she has not experienced any problems with the DEP.

"I have been visited by the DEP dozens of times during the construction process in response to phone calls from 'concerned representatives' regarding non-existent violations. Each time the DEP found we were in total compliance," Wilde said. "Similar calls were made to the ABC (Alcoholic Beverage Control) and SADC (State Agricultural Development Board) alleg-

ing violations of our deed of easement or other bogus claims despite the fact that we have yet to open for business. Numerous misstatements were also disseminated mischaracterizing the status of our partially preserved farm."

The access roadway to the winery crosses both freshwater wetlands and an NJ Transit railroad right of way. Corrado says in his letter, the initial review required NJ Transit or DOT approval to cross the railroad right of way as a condition of county approval, however, later correspondence characterizes the issue as municipal. Corrado found that the county's file contains a Feb. 11, 2008, "permission to cross" letter from Cape May Seashore Lines, the rail line's lessee, but there is also an April 3, 2008, memo indicating that NJDOT permission is required. Corrado said he has seen no evidence of this requirement being met.

Corrado also questions whether the CADB was aware of the large festivals Willow Creek Winery could potentially be hosting once opened for business. He says the plan presented to the CADB was for a winery with an anticipated occupancy of 100-150 people, including a 100-seat tasting area, and a parking lot with 49 spaces. He says approval of the winery under the Right to Farm Act per-

mits the winery to conduct various agricultural-related and farm-based recreational activities. Some of which, like wine festivals, have the potential to generate occupancy loads beyond those contemplated by the plans.

"These larger events will also have the capacity to affect the surrounding neighborhood and the borough as a whole, and may require considerable planning and preparation by the borough," Corrado says in the letter. "Neither the plans, nor the resolution, nor the review memoranda indicate whether the CADC considered the possibility of these events, or whether if it did, it considered relevant municipal standards in granting its approval, as it was required to do under the Right to Farm Act."

Corrado asks the CADB if the approval encompasses these large events, to what extent does the approval affect the borough's traditional ability under the police power to monitor and control traffic, parking, noise, and the duration and frequency of such events?

Finally, Corrado asks for verification of a permit renewal with NJPDES regarding the septic system. He said the plans refer to a December 2004 county septic approval for the winery. The initial permit, dated Dec. 14, 2004, was deemed valid for

two years. Corrado says he has found no evidence in the file that the permit has been renewed. He also says the file doesn't contain a NJPDES permit, although there is a Notice of Administrative Completeness, dated Feb. 24, 2010.

The borough is still awaiting a response from the CADB to answer these questions. Corrado also sent a copy of the letter to the SADC, the Willow Creek Winery attorneys and residents of Stevens Street.

Wilde has read the letter written to the CADB and said Corrado neglects to mention that West Cape May failed to participate in any of the CADB public hearings regarding Willow Creek Winery. She said when the county was seeking input from the borough relative to the project West Cape May officials ignored numerous written requests for comment during the approval process. Wilde claims the borough participated in the permitting process and was fully aware of Willow Creek's plans for construction.

She said borough representatives have disseminated false and misleading information to residents, to construction officials and to the media depicting Willow Creek Winery in a negative way or misstating the winery's business plan or intentions.



Christopher South/Cape May Star and Wave
Above, Boy Scout Troop 87 participated in the Run For the Fallen remembrance ceremony held Sept. 27 at Sunset Beach to honor fallen service members.

Dogs

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beach entrances, but some people will sue them and toss the bag into the dunes.

"What it gets down to is people who don't care," Voll said.

Combs said there was a dog on the loose and the dog came right up to them while they were eating their lunch.

"I told the lady (owner) the dog must be on a leash, and the lady said, 'If you don't like it call the police,'" she said.

Beck said he would like to see increased enforcement.

"I'd like to see them write tickets, no warnings, then publish the information," he said.

Voll said he asked the police and animal control to issue warnings, which would be followed by an enforcement campaign.

Councilman Glenn Douglass said the police have been doing additional patrols on the beach. Douglass said he walks his dog near Ferry Road, and he has mentioned to other people that they have to have their dogs on leashes and pick up after them.

"They come back with the

same kind of comment and I have called the police and several tickets have been written because of my calls," he said.

"Is there anything we can do?" Combs said.

"Call as soon as you see somebody. Once we start writing tickets the word will get out," Beck said.

Steve Sheftz said he walks his dog four or five times a day.

"I pick up after him, and I guarantee you he's the only one I take that from," Sheftz said.

Sheftz said people should call 886- 2711, the Lower Township Police Department non-emergency number.

Resident Bill Greenfield said the township should require community service of those who don't clean up after their dogs.

"Like picking up dog poop," he said.

Voll said the Citizens Advisory Board was discussing putting a dog park near the Lower Township Municipal Utilities Authority complex on Bayshore Road.

Noise

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Corrado said he didn't

believe adding the section (3-1.10 B) would deter the state from approving the new

ordinance, but felt it was a "superfluous addition."

Labrusciano asked commissioners how the ordinance would be enforced if there were late night noise. Mayor Pam Kaithern said section 3-1.12 in the new ordinance dealt with enforcement. Corrado said the police should be called to respond in the event of a possible noise violation, who could then call the county Noise Control Officer

(NCO) if they felt a decibel reading needed to be taken.

Labrusciano asked if the NCO was unable to respond, could the police issue a summons. Corrado said there are two ways in which to enforce the ordinance by issuing a notice or summons. He said the NCO could respond to an incident, take a decibel reading and issue a summons

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4	11:08	11:34	4:37	5:30
5	11:48		5:14	6:15
6	12:19	12:33	5:56	7:06
7	1:11	1:26	6:45	8:01
8	2:11	2:25	7:43	8:58
9	3:14	3:26	8:46	9:51
10	4:14	4:24	9:49	10:40

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HOUSE AT THE END OF THE STREET PG-13 12:15, 2:35, 5:00, 7:20, 9:55
TROUBLE WITH THE CURVE PG-13 12:00, 2:25, 4:50, 7:15, 9:40
**HOTEL TRANSYLVANIA 2D PG 12:05, 2:10, 4:40, 6:50
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