



Lower Twp. renews liquor license despite dispute

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House of the week

Real Estate Resource



168th YEAR NO. 25 CAPE MAY, N.J. Serving America's National Historic Landmark City WEDNESDAY, JUNE 29, 2022 \$1.00

City reverts mercantile license late fee to 10%

Rental property owners complain of excessive fees for annual permit

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — City Council voted to reduce late fees on mercantile licenses, changing them back to 10 percent after complaints from rental property owners.

Several business owners asked the city for reimbursement after being charged late fees for the purchase of their annual mercantile license. The late fees could total \$500 per month.

Mayor Zack Mullock noted the number of rental properties in Cape May has more than doubled in the

last five years including more than 1,000 Airbnb rentals.

During a council meeting June 21, city solicitor Chris Gillin-Schwartz said the city enacted an ordinance earlier in the year covering mercantile licenses and fire inspections. Mercantile license fees were changed to reflect square footage of an accommodations business and included a late fee, a change spurred by the city's Municipal Taxation and Revenue Advisory Committee.

He said the due date for mercantile licenses was May 1. The late fee was changed from 10 percent to the

annual license fee cost times each month the license is late.

"Instead of 10 percent for every 30-day period, it becomes 100 percent," Gillin-Schwartz said.

The goal was not to be entirely punitive, he said, but to encourage business owners to purchase their annual mercantile licenses on time.

Deputy Mayor Stacy Sheehan said the city had to "chase certain people down all summer long to pay their mercantile fee." She said the increased late fee had been designed to give the city "more teeth" in its enforcement power.

Sheehan said the purpose of a

mercantile license is to make sure rental properties receive a fire inspection. She said the City Clerk's Office should not spend its time chasing rental property owners to purchase a mercantile license.

Councilwoman Lorraine Baldwin said the ordinance was passed earlier in the year as a deterrent rather than a money generator for the city.

A business operating without a mercantile license is a potential code enforcement issue, Gillin-Schwartz said.

Councilman Mike Yeager said code enforcement needs to address lapsed mercantile licenses

so the burden does not fall on the city clerk.

Gillin-Schwartz said the penalty for operating a business without a license is much steeper than the late fee on a mercantile license.

"Every day that you don't have a license and you operate could be a separate violation and the penalty in the code could be \$1,000 per day, not \$1,000 per month," he said.

City Clerk Erin Burke said she generated a report that showed the city levied 143 mercantile license late fees in 2018, 137 in 2019, 181

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HPC will update its standards for historic buildings

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — The city's Historic Preservation Commission (HPC) will update its standards book, the regulations owners of historic houses and buildings must follow for renovations and additions in this National Historic Landmark City.

HPC Chairman Warren Coupland said June 20 the city received a grant to update the standards. HPC Commissioner Pip Campbell will lead a task force.

Coupland suggested a private citizen participate in updating the standards, along with a member of the planning or zoning boards.

"This is an important effort because since our standards were written, the Secretary of the Interior provided updated standards which were done I think in 2017," he said.

Coupland called the Interior Department standards comprehensive, saying the HPC could start with its current standards and update them using the new ones.

The city's current standards use the word "should"

but could be changed to "will," Coupland said.

The HPC's current description of home or building architectural styles does not match with those from the Secretary of the Interior, he said.

HPC solicitor Robert Fineberg said the last time the commission reviewed its standards, there was much discussion of wording in the standards book of using "shall" or "should." He said the HPC did not want to make everything mandatory.

"You want to leave some things 'should' to allow for conditions or particular circumstances in the application," Fineberg said.

He said an appeal or two has been made to the Zoning Board which pointed out the standards did not use the word "shall." He said the word "shall" does not always have to be used to make something a requirement.

Fineberg said if there is a deviation from the standard within an approval, he made it a point to provide the reasons for the deviation

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Provided

Cape May names beach for fallen lifeguard

Mayor Zack Mullock reads a proclamation renaming Reading Avenue beach "Infererra Memorial Beach" on June 24 in memory of Norman Infererra, who lost his life in a boating accident while on duty for the Cape May Beach Patrol last summer. City officials and CMBP members attended the ceremony along with the boy's family and members of the public.

West Cape man: Cannabis retailers would be too close to a public park

By JACK FICHTER
Cape May Star and Wave

WEST CAPE MAY — Third Avenue resident Gerald Alloco is questioning the distance from Wilbraham Park to two proposed recreational cannabis dispensaries on Sunset Boulevard.

Shorehouse Cannas, at 124 Sunset Blvd., and Potent Petal, at 109 Sunset Blvd., each has applied to the state Cannabis Regulatory Commission for a license.

During public comment during a Borough Commission meeting June 22, Alloco said the state CREAMM Act (Cannabis Regulatory, Enforcement Assistance,

and Marketplace Modernization), which legalized recreational cannabis use in New Jersey, specifies locations that are not allowed to have a dispensary due to their distance from schools, school playgrounds or churches.

He said the state is letting municipalities determine the distance. Alloco asked what distance West Cape May set.

Mayor Carol Sabo said she did not have the enabling ordinance with her at the meeting. Alloco said section eight of Ordinance 603-21 states no cannabis retail operation shall be located within 1,000 feet of

a school, school playground or church.

He said he "took it upon myself to measure to 124 Sunset" and found that Shorehouse Cannas is 581 feet from Wilbraham Park.

"So, it is certainly within the distance that the state of New Jersey defines as not being able to have retail cannabis," Alloco said.

Section 10 of the borough's ordinance states 1,000 linear feet must be measured from the lot line of any residence, school, church or park to the nearest portion of a building containing a cannabis use.

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COVID-19 transmission level remains elevated countywide

By JACK FICHTER
Cape May Star and Wave

CAPE MAY COURT HOUSE — While the county ceased providing information June 4 on active resident COVID cases, other sources reported Cape May County in the high-risk category as of June 25.

The county website is referring inquiries to COVIDActNow.org, which reported 168 new cases of COVID in the county last week.

The Centers for Disease Control and Prevention (CDC) is recommending masking indoors due to

the high-risk level in the county, which is one of only four in the state at the high-risk level. The others are Atlantic, Monmouth and Morris.

The New York Times, which is also tracking data for Cape May County, reported an average of 24 cases per day, a 25 percent decrease from the average two weeks ago. Since the beginning of the pandemic, at least one in four residents have been infected, a total of 24,478 reported cases.

COVIDActNow.org reported 81,035 county residents, or 88 percent, have received at least one vac-

cine dose, 69,084, or 75.1 percent, have received at least two doses or a single Johnson & Johnson dose, and 33,226, or 36.1 percent, have received a booster shot. Anybody who is at least 6 months old is eligible to be vaccinated. Fewer than 0.001% of people who have received a dose experienced a severe adverse reaction.

Statewide, at the end of last week, hospitals had 736 patients with confirmed or suspected coronavirus cases reported across the state's 71 hospitals. Of those, 99 were in intensive care and 31 were on ventilators.

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