

Manhattans bring 'Shining Star' to Cape May

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House of the week

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167th YEAR NO. 29 CAPE MAY, N.J. Serving America's National Historic Landmark City WEDNESDAY, JULY 21, 2021 \$1.00



Jerry Meyers/Special to the CAPE MAY STAR AND WAVE

Dolphins, family of four

A pod of dolphins rides the wake of a boat last week off Wildwood Crest. Multiple businesses in the area offer cruises to spot dolphins and whale in the Atlantic Ocean and Delaware Bay.

West Cape May OKs cannabis businesses

By JACK FICHTER
Cape May Star and Wave

WEST CAPE MAY — Borough Commission passed an ordinance July 14 allowing cannabis businesses in the borough following a number of favorable comments by the public.

The ordinance allows properly licensed cannabis cultivation, manufacturing, wholesaling and distribution as a conditional use in the borough's R-2, R-4 and R-5 zoning districts on lots a minimum of 5 acres in size. Cannabis cultivation must conform to all area

and bulk standards for farm uses.

All cultivation, manufacturing, storage and distribution must take place inside an enclosed building or greenhouse structure. The facility must be the sole occupant of the building.

All structures must be enclosed by a fence at least 7 feet high. Sites must have controlled access with 24/7 video monitoring of the exterior and interior of the facility with the video retained for 30 days.

Cultivation and manufacturing facilities must operate in compliance

with local noise laws except in emergency situations requiring use of a backup generator. The generator is required to maintain all security systems in the event of a power failure.

No cannabis product shall be smoked, eaten or consumed on the premises of a cultivation or manufacturing facility.

Properly licensed cannabis retail operations are permitted in the C-2 and C-3 zones and must conform to all area and bulk standards and borough regulations for parking, signage, flags and lighting.

Cannabis retail opera-

tion will be open only from 8 a.m. to 10 p.m. No cannabis retail store is permitted within 1,000 feet of a school, playground or church. Delivery of cannabis items and related supplies is permitted throughout the borough.

Retail sites will have 24/7 video monitoring with recordings maintained for at least 30 days. On-premise cannabis consumption is prohibited.

During public comment, resident Andrew Ewing said he thinks it's a good idea to have cannabis businesses in the borough

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MTRAC: Ask feds for cash to host USCG

Funds would be used to offset cost to educate city's students

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — With a cost of \$131,000 the city pays for each student sent to the Lower Cape May Regional School District, the Municipal Taxation and Revenue Advisory Committee (MTRAC) is recommending the city ask the federal government for a payment in lieu of taxes for land the U.S. Coast Guard base occupies.

During a City Council meeting July 6, MTRAC Chairman Dennis Crowley said since about 1975, the city "has been suffering under what is loosely referred to as the Lower Cape May Regional School District funding formula."

He said when the funding formula was created in the early 1960s, it was designed to calculate the cost of the tax impact for members of the district to include enrollment and taxation rates.

Crowley said the state changed the rule in 1975, eliminating enrollment as a factor in the formula.

"The formula for the Lower Cape May Regional School District is calculated only on the property values of each of the member communities," he said.

He noted Cape May's share of the regional school budget this year is \$7.9 million. MTRAC found since 2017, Cape May has sent \$14 million to the school district.

"We know that the enrollment of that district from this city varies between 50 and 60 students," Crowley said. "Now just dividing 60 into \$7.9 million comes out to \$131,000 of taxes that support the students who come from this city to that district."

"We are all very familiar with the attempts over the years to address this issue and they've all failed," he continued. "There have been lawsuits, there have been requests for referendums, there have been

requests to leave the district to form our own district. All of these efforts have fallen short."

He said \$7.9 million is the highest share Cape May has ever paid to the school district and it was not likely to decrease substantially. Crowley said it was not a Coast Guard issue but a taxation issue.

Coast Guard facilities occupy a lot of land in Cape May that is not taxable, he said. Crowley said there was precedent to using federal law to address the impact.

Since 1940, the federal government has acknowledged under the Lanham Act that impact aid could be paid to cities hosting military bases, he said.

Crowley noted school impact aid has been available since 1965 and Cape May City Elementary School receives it.

"The problem is that law applies to school districts and because we're members of that school district, we can't apply for that aid," Crowley said.

Cape May provides about 5 percent of the students to the Lower Cape May Regional School District while the military population of the school district is about 2 percent, he said. Crowley said the regional school district does not qualify for federal impact aid.

MTRAC is suggesting since federal property in Cape May is generating no tax revenue, the city should consider asking the federal government for a payment in lieu of taxes. He said the cost of military family students sent from Cape May to the regional school district is about \$3.5 million annually.

"We feel it's time to take one more step to see if we can capture some revenue that will help us blunt that impact," Crowley said.

MTRAC is suggesting the city reach out to legislators, the Department of Homeland Security or the Depart-

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'Nut House' can be renovated at current height

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — The Planning Board granted a variance to the owners of the former Morrow's Nut House on the Promenade to allow them to renovate the building without having to raise the flood height of the it even though it is located a "V" flood zone.

During a meeting July 13, attorney Tony Monzo,

representing PM Cape May LLC, said applicants William Macero and Michael Penza were seeking to convert five units in the former store into four retail units and a variance from having to raise the height of the building to meet flood standards.

A city flood regulation requires the height of buildings to be raised to National Flood Insurance Program (NFIP) standards if renova-

tions to the building exceed 50 percent of its market rate value.

In June, Monzo asked to continue the hearing to July to enable the applicant to present a report from an engineer.

The building would receive a new roof, windows and doors.

Monzo said engineer John Halbruner, of Highland Associates, visited the property and issued a

report. He said the relief the applicant was seeking was not in terms of building more structure in a flood hazard area, but instead relief to renovate the existing building that is below the requirement in the city's flood damage prevention ordinance by about 3 feet.

Monzo said the last thing the applicants wanted to do was finish the exterior and

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City hires special attorneys to handle Lafayette park issues

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — City Council approved hiring Archer and Greiner as special counsel for matters related to the long-delayed Lafayette Street Park project.

During a meeting July 7, Councilman Shaine Meier said Mayor Zack Mullock assured him Archer and Greiner was the right firm to use due to its experience with state Department of Environmental Protection (DEP) executives. "We've got millions of dollars

for this park," Meier said. "Jersey Central Power and Light (JCP&L) are part owners of this area of town and it's their responsibility to remediate it."

From 1853 to 1937, a manufactured gas plant on Lafayette Street burned coal to provide Cape May with gas for heating, cooking and lighting. In the process, benzene, naphthalene and other chemicals were left underground.

Through a number of mergers, JCP&L inherited the site that included the former Vance's Bar property, the city's dog park and

properties on St. John's Street.

In February, Councilman Chris Bezaire reported JCP&L was mostly done with remediation and had only a few administrative items remaining.

During remediation, a gazebo was removed from the Wise-Anderson Park portion of the property, as well as sidewalks, very expensive lighting, basketball and tennis courts and fencing. JCP&L is required to replace the items, Meier said.

"I want to be very clear — they have taken this park from you and

held it hostage for various reasons politically and has to do with the housing authority, too," he said. "I think this is the best way to take it back."

Mullock said council is aware how important it is to get the park project completed as soon as possible.

City solicitor Chris Gillin-Schwartz said he fully supports bringing in a firm with experience in environmental and regulatory issues. He said the city during his tenure as solicitor has seen good cooperation from JCP&L.

"We're in the home stretch from the city's perspective and I think some dominos have to fall for some other parties, but they have been cooperative thus far and I think bringing in a firm like this and putting some pressure in other areas is going to really help move that park forward as it should," he said.

Mullock said a DEP application for phase IV of the park, which features nature trails extending into wetlands, is included

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