

West Cape May considers legal cannabis regulations

By JACK FICHTER
Cape May Star and Wave

WEST CAPE MAY — Borough solicitor Frank Corrado clarified state regulations regarding the legalization of recreational marijuana and what decisions the borough needs to make regarding cultivation and sales of cannabis within its borders.

He said he read the 250-page bill that legalized the use of marijuana for those age 21 and older. Corrado said the bill creates six categories of municipal licenses and gives municipalities the option of allowing or prohibiting five of those six categories.

The bill also gives a municipality the authority to set zoning regulations limiting the areas to which the five categories of licenses can operate. Corrado said class one is cultivation, class two is

manufacturing, class three is wholesaling, class four is distributing, class five is retailing and class six is delivery.

He said a municipality under the statute has a right to opt out of permitting any of those activities except for delivery, which is regulated by the state. A town can limit the hours of operation of classes one through five and areas of the municipality where that type of activity is permitted, Corrado said.

"The municipality has until Aug. 22 of this year to adopt such an ordinance," he said. "If it does not, then automatically these activities would be permitted in the industrial zones and retail sales would be a conditional use in all commercial and retail zones for a period of five years, after which the municipality would have another 180 days to adopt an ordinance."

He said commissioners should consider what type of activities related to marijuana it wished to allow and where, and what it wished to prohibit. Corrado suggested commissioners have an ordinance prepared by the end of May.

An ordinance can specify the number of such facilities permitted and hours of operation. Corrado said the borough could allow the retail sale of cannabis products but regulate the number of such businesses.

Mayor Carol Sabo said West Cape May has several farms and confirmed if one wanted to cultivate cannabis, they would first have to apply to the state. Corrado said the state would decide which farm received the cultivation license. He said the borough would decide if it would allow cultivation to take place within its borders.

"Do you want to allow just cultivation, or do you want to allow somebody to have a retail shop?" Corrado asked.

He said the borough could require a minimum amount of acreage for cultivators and limitations on time of operations if a retail operation were permitted and which zoning districts to allow the various types of cannabis activities to take place.

Sabo said the municipality could collect a local sales tax on cannabis sales. She said the borough has no source of revenue other than property taxes.

"Under consideration I think by the commission is the fact this would be a source of revenue," Sabo said.

Corrado said borough commission is at the beginning of a long and complex process.

In other business, Corrado provided commissioners

with a draft of an ordinance that would essentially allow the borough to penalize landlords who continue to rent to disruptive, noisemaking tenants. He said the ordinance is modeled on those from Wildwood Crest and Sea Isle City.

Corrado said a state statute controls what can be in the ordinance.

"This ordinance would require that a landlord who has three violations of the noise ordinance or any other public health, safety and welfare ordinances in the borough within a 24-month period, who is convicted of those violations, would be subject to a hearing and the results of that hearing could be a license suspension or it could be the requirement that the landlord post a bond, which could be used to pay the borough's cost of prosecution, to reimburse the borough's enforcement cost or to secure

the payment of fines and penalties levied for any further offenses," he said.

The ordinance sets forth a procedure for the hearing for the landlord if found to have committed three offenses in a 24-month period. Corrado said the ordinance went as far as state statutes allowed.

He suggested commissioners introduce the ordinance March 24.

The Planning Board examined an ordinance to allow two uses at one business location and ruled it was consistent with the borough's master plan. Corrado said if someone is adding a second use to a commercial property, it would be required for the owner to file a site plan.

The issue of two uses would be decided by the borough's zoning officer, he said. The ordinance is scheduled for a public hearing March 24.

Township rules on having chickens, other fowl inequitable, resident says

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — How many chickens can you keep in your backyard in Lower Township? Resident Jesse Rynkiewicz asked that question of Lower Township Council during a meeting March 1.

He said an ordinance addressing the keeping of chickens, geese and ducks was never properly finished by the township. Rynkiewicz said there was no limit to the number of

fowl a homeowner can keep if their homesite is larger than an acre.

The ordinance does not specify how many chickens, ducks or geese a homeowner may have if their property is less than an acre, he said. A total of 970 persons signed a petition in favor of having such an ordinance, Rynkiewicz said.

"There's an issue going on right now that some people can have them and some people can't have them out of favoritism and

it's just not fair," he said.

Noisy chickens are not an issue, Rynkiewicz said, because they have the same decibel level as human conversation. He said chicken waste is not a problem because the Centers for Disease Control and Prevention stated that salmonella and avian flu are not factors.

"What's causing them is slaughtering the birds," Rynkiewicz said.

He said chickens do not attract rodents, which are attracted by trash. Rynkie-

wicz said he was not asking for livestock but the ability to keep up to five chickens.

Rynkiewicz said folks want to keep chickens as part of their garden and for sustainability.

"It just doesn't seem fair for years people have been trying to keep them and they had to get rid of them," he said.

A local veterinarian treats chickens, Rynkiewicz said. He noted the township changed beekeeping regulations.

Keeping chickens in

backyards was a ballot question 10 years ago, he said, adding that requiring an acre of land for one chicken seemed excessive. Those keeping chickens would not be permitted to sell eggs but just keep them for their own use, Rynkiewicz said.

"Food banks are not enough for people to have sustainability," he said.

Rynkiewicz said homeowners can have fruit trees and grow backyard vegetables without an issue with code enforcement

but could not have hens, ducks or geese.

Township Solicitor Dave Stefankiewicz said wasn't as informed as Rynkiewicz on chicken regulations, but he would look at the ordinance. He asked Rynkiewicz to submit the petition to the township.

Rynkiewicz said Middle Township allowed keeping backyard chickens on a quarter-acre. He said since a Tractor Supply store was open in Rio Grande, it was a good time to bring up the chicken issue.

DO YOU HAVE A WRITE-UP OR PHOTO
YOU'D LIKE TO SEE IN THE
CAPE MAY STAR AND WAVE?

Include your name, address, daytime phone.

Email to: cmstarwave@comcast.net

Mail to: P.O. Box 2427,
Cape May, NJ 08204

Cape May plans to raise cost of beach tags

CAPE MAY — City Council plans to increase the cost of commercial beach tags from \$50 to \$100 and daily tags

from \$6 to \$8. Seasonal beach tags are priced at \$25 if purchased from Dec. 1 to March 31 and \$30 starting April 1

but all seasonal beach tags are currently priced at \$30.

Councilman Chris Bezaire said commercial tags are intended for a business or property that has a mercantile license.

"If you want a tag that can be used by multiple individuals, multiple rentals, you should be using a commercial beach tag," Mayor Zack Mull-ock said.

To defray the city's costs, beach tags sent by mail will include an additional \$5 fee.

A public hearing for the ordinance is scheduled for City Council's meeting April 6.

— Jack Fichter



Advertisers: Cash in on the
GREEN!

Advertise in **75 PAPERS**
for only \$1,400!

Reserve your spot now and reach
2 MILLION readers in New Jersey.

Call Peggy at the
New Jersey Press Association
609-406-0600 • parbitell@njpa.org

WELCOME TO THE TEAM DR. JOSHI

Cape Regional Health System is pleased to welcome Rachna B. Joshi, MD to our Primary Care office in North Cape May. Dr. Joshi specializes in adult internal medicine and primary care.

- Medical degree from Government Medical College, South Gujarat University, Surat, Gujarat, India.
- Internal Medicine Residency at Capital Health Regional Medical Center, Trenton, NJ
- Board certified in Internal Medicine

Dr. Joshi is now accepting new patients. To schedule an appointment, please call 609.463.CAPE.



Rachna B. Joshi, MD
Board Certified Internal Medicine



CAPE REGIONAL
PHYSICIANS ASSOCIATES

Cape Regional Medical Plaza
3806 Bayshore Road, Suite 101
North Cape May

NOW ACCEPTING NEW PATIENTS
Most insurances accepted

CapeRegionalHealth.com/
primary-care