

## 'Mary Poppins' on stage at LCMR

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in it. When I was in fifth grade, when I did the musical 'Oklahoma!', that is how I caught my bug. I knew when I got here my freshman year I was going to audition for the musical. I was in all of them when I went to school here."

Ryan said she sees how important the legacy of theater is to students today.

"I think what speaks for itself is the number of students who come out for the musical. This year we have 55 students on stage because this school has such a great focus on the arts. Where else do you see the music rooms with 15 pianos, a whole room for guitars and an enormous orchestra room with practically every instrument? Where do you get a facility like this, like this auditorium, which is professional. People who come here, like the flying people with their equipment, look at our stage and they are shocked. They are not used to working with a facility like this."

Ryan said the school's focus on the arts is contagious.

"I would say there is a great influence of the arts here. And that spreads into the kids. They just love it. You can tell by their response on the stage.

The fun they have when they all come out on a Saturday and eat lunch together. There is great camaraderie that's built in the productions and they are having a ball."

Kennedy agreed. "You need to keep the arts. It helps students in their other subjects. For a lot of kids, arts are all they are involved in. The only thing keeping them coming to school is they have choir that day or they have band or the dance class. For some of them, it's the only thing they look forward to coming to school for."

To many, the musical is the unofficial start of the spring season. However, to get to opening night, Ryan and Kennedy, along with vocal coach Sandra Bean-Fox, conductor Kaleb Magnusson and technical director H. MAC McConnell had to deal with a few rough challenges Mother Nature threw their way.

"I think one of the challenges was Mother Nature," Ryan said. "The day costumes were to arrive, the school was closed (due to snow). The day the sets had to be measured for the stage, school was closed. When the sets were supposed to be delivered, we were told the company couldn't do it because their people couldn't get in because



Kim Royster/Special to the CAPE MAY STAR AND WAVE Lower Cape May Regional High School's cast of 'Mary Poppins' includes Allison Sekela, Jason Fazio, Nick Henderson, Cheyenne Rickabough, Sydney Schaffer, Coleen Daly, Lexi Murry and Caitlin Joyce.

of the snow. All of that snow was a challenge we could do nothing about."

For Kennedy, it was all about timing.

"We now begin after our winter break. So, spacing out the show is a little difficult. This year we had a lot of songs and a lot of dances. It's spacing out the time to meet with everybody. Brittany O'Conner and Amin Fadel portray the



Other cast members include Ryan Hastings, Austyn Johnson, Richard Wilde, Tyler Dodd and Brandon Saffold.

Patrick's Day in the middle of March. We start getting questions: What are you guys doing this year? When's the show? Can we get tickets in advance? I mean, the last snow has fallen. It's time for the spring musical."

As the final touches to the set are made and the students run in her office for a costume piece they need or a poster to put up, Ryan reflects on her experience.

"On opening night," she said,

"when I see the faces of those kids ready to go on stage, it all comes together for me. I see it and say, 'There it is, Corinne.' That's what it's all about. It's all about the students. And when I see the smiles on their faces as they are taking their bows for the curtain, that's all I want."

Shows are scheduled for 7 p.m. March 19-21 and 2 p.m. March 22. Tickets cost \$10 for adults, and \$5 for children under 12 years of age. For further information, call (609) 884-3475.

## Sewell Point lawsuit nears possible court date

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raised a vast amount of money to support this effort," said Jim Testa, a trustee of Concerned Citizens.

He said the schedule for discovery in which documents, depositions and expert witness reports are gathered for the trial has been set to end by late May. He said it's possible Gibson could grant a stay while certain legal issues are appealed.

In February, the DEP filed a motion to freeze discovery until its appeal of an earlier ruling by Gibson is decided by the Appellate Division in Trenton.

The DEP has been required to submit its experts' reports in advance of ECMA's or Concerned Citizen's reports for the trial. ECMA filed responsive briefs seeking to maintain the trial court's burden of proof assignment, and the matter is

in the hands of the Appellate Division with uncertain timing, Hendricks said.

He said the burden of proof can make a real difference in the outcome, so maintaining Gibson's initial order placing the burden on the DEP could be critical to Concerned Citizens' case. A defective or invalid amelioration offer would mean ECMA would win its case and there would be no development alternatives on the table and none that could be raised.

A trial court previously ruled against the DEP on the taking-of-land issue. In a published opinion in the matter in 1992, the Appellate Division ruled the DEP and ECMA should attempt to settle the regulatory-takings claim. Subsequently, the courts ruled that the DEP needed to adopt rules governing the takings and amelioration process.

According to Concerned

Citizens, in order to avoid this claim, the DEP, the city of Cape May and the American Littoral Society entered into a conditional settlement agreement in 2009. ECMA withdrew from the settlement in 2012 when it discovered it would not be able to obtain needed federal permits to develop the tract from the U.S. Army Corps of Engineers.

Hendricks said as a last resort, the DEP claimed jurisdictional authority for a 20-acre tract of land between Ohio and Pennsylvania avenues known as Area II by claiming they are uplands and then relaxed its regulatory standards in its amelioration offer authorizing ECMA to seek construction approval for the Sewell Tract. He said the amelioration offer conflicted in many ways with New Jersey's environmental protection laws and policies and ECMA is currently arguing that there is no way to

actually build the project and that ECMA should instead be paid for the regulatory taking of its property.

The object of Concerned Citizens' litigation strategy is to invalidate the amelioration offer and eliminate it from being used as a backdoor to settlement, Hendricks said.

The DEP at this time has to bear the brunt of the burden of proof, which it has appealed with a stay to freeze discovery, he said. A trial could begin this summer.

According to Hendricks, at a January 2014 City Council meeting, Mayor Edward Mahaney stated Cape May made deals in the 1960s that could cost the city as much as \$15 million to install roads, sidewalks and water/sewer lines if the tract were developed. Hendricks said if that were true, the average taxpayer would see a bill for \$3,000.

"We are going to have to pay for the ruination of the wetlands," Hendricks said.

He said properties located

west of Pittsburgh Avenue could see a drop in value due to the development, which would be required to include affordable housing.

Testa said one of the issues the group will revisit is the entire Sewell Tract may be considered to be wetlands. He said ECMA contended the tract has 70 to 80 acres of wetlands with uplands in the northwest corner.

"At that point the jurisdiction shifts from exclusively federal to the state," Testa said. "Wetlands are under the jurisdiction of the federal government, uplands bordering on them are not."

"We're not sure what it really is," Testa said. "Is it wetlands or something else?"

Hendricks said he could envision a scenario in which the DEP would give ECMA \$20 million but still allow limited development. He said ECMA had no desire to develop houses on the tract and would "flip" the property to someone else.

Trustee Matthew Glenn said ECMA presented Concerned Citizens to the court as just homeowners trying to protect their property values since the majority of members of the group live two blocks from the Sewell Tract.

Testa said the change for the tract being 100 percent wetlands by the expert testimony of findings by the developer turned into 80/20 or 75/100 percent as wetlands. He said that was not challenged by the DEP, which did not conduct its own field studies.

Concerned Citizens has hired the environmental consulting firm Roux Associates to serve as its expert witness on factual matters.

Hendricks said an environmental consulting group when employed by the Army Corps of Engineers classed the Sewell Tract as all wetlands, but the same firm when later employed by ECMA discovered some uplands.

Testa said the strategy of Concerned Citizens was to shred the amelioration offer that allows limited development, in particular to determine the DEP has no jurisdiction over the tract since it is all wetlands. He said it would be complicated to install sewer lines in an environmentally sensitive area, which would need a waiver from the federal Environmental Protection Agency.

"If you start biting off a piece, you're likely to affect considerable more than just that piece," Testa said.

He said an amelioration offer has to mitigate the loss of wildlife. When a 100-acre development scenario was sent to federal authorities, the plan for mitigation was to use the former Ponderlodge property in Villas, Testa said. A more recent plan calls for wildlife mitigation at the former Magnesite factory site at Higbee Beach, he said.

Testa also questioned the effect of developing 20 acres that now can absorb water during a coastal storm.

When land is taken, the general rule is you should be compensated at fair market value, he said.

"I suspect it makes a great deal of difference whether its wetlands or not since wetlands don't really sell for what developable land does, so there is a huge valuation question," Testa said.

He said the state does not want to pay ECMA "a penny." Hendricks said whatever Gibson decides is likely to be appealed.

"It's conceivable this could go all the way to the U.S. Supreme Court," Hendricks said.

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