

LEGALS LEGALS

BOROUGH OF WEST CAPE MAY
COUNTY OF CAPE MAY
STATE OF NEW JERSEY
ORDINANCE NO. 573-19
AN ORDINANCE AMENDING CHAPTER 18
OF THE BOROUGH CODE TO ADD RESTRICTIONS ON
SINGLE-USE CARRY-OUT BAGS

WHEREAS, Chapter 18 of the Municipal Code of the Borough of
West Cape May governs the disposal of solid waste and recycling in
the Borough; and
WHEREAS, the Borough Commission of the Borough of West Cape
May desires to amend Chapter 18 to restrict the use of single-use
carry-out bags in business establishments throughout the Borough,
NOW, THEREFORE, BE IT ORDAINED by the Borough Commission
of the Borough of West Cape May as follows:
Section 1. Section 18 of the Borough Code shall be amended to
include the following section:
18-7SINGLE-USE PLASTIC BAGS
18-7.1 Statement of Purpose and Determinations of Fact.
A. Single-use plastic checkout or carryout bags create significant litter
problems in the neighborhoods of West Cape May and have been
found in our trees, parks, and sewer systems, and on nearby dunes,
beaches and in the Atlantic Ocean.
B. The broad use of single-use plastic carryout bags and their typical
disposal is an impediment to the achievement of the environmental
goals of the Borough of West Cape May to maintain a clean commu-
nity and one that is not hazardous to wildlife.
C. The production and disposal of single-use plastic carryout bags has
significant environmental impacts, including the contamination of the
environment, the depletion of our natural resources, the unnecessary
use of non-renewable and polluting fossil fuels, and increased litter
and disposal costs.
D. Of all single-use carryout bags, plastic carryout bags cause more
litter and harm to marine life.
E. The reduction in the use of single-use plastic carryout bags helps
to protect the marine environment, advance solid waste reduction,
reduce greenhouse gas emissions, and keep waterways clean.
F. Studies document that banning single-use plastic carryout bags will
dramatically reduce the use of plastic bags, encourage the use of re-
cyclable paper bags, and increase customers' use of reusable bags.
G. The Borough Commission finds that the reduction in the use of
single-use plastic carryout bags by food and retail establishments in
the Borough of West Cape May is a public benefit.
H. The Borough Commission desires to reduce the number of single-
use plastic carryout bags being used in the Borough, and that are
likely to result in litter; and wishes to promote the use of reusable
carryout bags and recyclable paper bags by food and retail establish-
ments in the Borough.
I. Accordingly, it is hereby found and declared that it will be the public
policy of the Borough of West Cape May to reduce the adverse envi-
ronmental effects of single-use plastic carryout bags and to promote
the use of reusable carryout bags in order to reduce litter, prevent
harm to wildlife and our waterways, and to protect the health and
safety of the general public.
18-7.2 Definitions.
As used in this Ordinance, the following terms shall mean:
A. "Carryout bag" means a bag provided by a store at the point of sale
for customers to carry their goods out of the store.
B. "Chain" means a business with 10 or more locations in the State or
nationally and doing business under the same trade name or under
common ownership or control, or as franchised outlets of a parent
business.
C. "Operator" means a person in control of, or having responsibility
for, the daily operation of a store, which may include, but need not be
limited to, the owner of the store.
D. "Reusable carryout bag" means a bag made of cloth or other ma-
chine washable fabric, that has handles, a non-woven polypropylene
bag that has handles, or a durable polyester or polypropylene bag
that has handles and is at least 2.25 mils thick, and which is specifi-
cally designed and manufactured for multiple reuse.
E. "Single-use plastic carryout bag" means any carryout bag that is
made of plastic and that is not either a single-use paper carryout bag
or a reusable carryout bag, except that the term "single-use plastic
carryout bag" shall not include the following:
a. any non-handled bag whether plastic or not that is intended to sepa-
rate and prevent an item from damaging or contaminating another
item.
b. laundry or dry-cleaning bags;
c. newspaper bags;
d. bags used to contain or wrap ice, frozen foods, meat, fish, or other
items whether prepackaged or not, to prevent or contain moisture;
e. bags provided by pharmacists to contain prescription drugs;
f. small clear plastic bags of less than 4 inches in depth that are com-
monly provided to customers by hardware stores to hold screws and
bolts and other small items;
g. bags sold in packages containing multiple bags intended for use as
garbage, pet waste, or yard waste bags.
F. "Single-use paper carryout bag" shall mean a single-use carryout
bag that is made of paper.
G. "Store" means a hardware store, liquor store, drug store, conven-
ience store, supermarket, food service establishment, restaurant,
clothing store and other retail establishment of any kind.
18-7.3 Use of Single-Use Plastic Carryout Bags Prohibited.
Effective January 1, 2020, no operator of any store shall provide any
single-use plastic carryout bag to any customer for the purpose of
enabling a customer to transport products or goods out of the store.
Nothing in this section shall preclude operators of stores from provid-
ing single-use paper bags to customers for a fee in accordance with
section 18-7.4(A) of this Ordinance, or from making reusable bags
available for sale to customers. No operator shall preclude customers
from using their own reusable carryout bags.
18-7.4 Fee for Single Use Paper Bags and Reusable Carryout Bags.
A. Effective January 1, 2020, an operator of a store may provide a
customer with a single-use paper carryout bag, provided that the oper-
ator shall impose and collect a fee of not less than \$0.05, and not
more than the actual per bag cost incurred by the store, for each such
single-use paper carryout bag, and/or reusable carryout bag provided
to the customer.
B. Each operator shall indicate on the sales or other receipt given to
the customer the total number of single-use paper carryout bags
provided to that customer, and the total fee charged pursuant to sub-
section A. of this section.
C. Each operator shall retain the entire fee required to be charged
pursuant to subsection A. of this section. Any operator shall have the
same right in respect to collecting the fee from a customer as if the
fee were a part of the sales price of the product sold and payable at
the same time.
18-7.5. Public Awareness Campaign.
Upon the enactment of this ordinance, and at least until enforcement
of the ordinance begins on its effective date, the Borough Commis-
sion and administration, in cooperation with the Environmental Com-
mission, shall take steps to educate the business community and the
residents of and visitors to West Cape May, along with the public at
large, regarding the provisions of this chapter, and the environmental
benefits to be derived therefrom, and shall encourage the residents
of West Cape May and the shoppers in its stores to use reusable
carryout bags.
18-7.6 Violations and penalties.
Any person found in violation is guilty of a noncriminal infraction pun-
ishable by a fine not to exceed the sum of \$100 for a first offense, and
\$500 for each offense thereafter.
18-7.7 Severability.
Should any portion of this Ordinance be adjudged by a court of com-
petent jurisdiction to be invalid, such judgment shall not affect, impair
or repeal the remainder of this Ordinance.
18-7.8 Effective Date.
This ordinance shall take effect twenty (20) days after adoption and
publication, according to law.

NOTICE OF PENDING ORDINANCE
The foregoing Ordinance was introduced at a Regular Meeting of
the Board of Commissioners of the Borough of West Cape May held
on October 23, 2019, when it was read for the first time and then
ordered to be published according to law. This Ordinance will be
further considered for final passage by the Board of Commissioners
of the Borough of West Cape May at a meeting to be held at Borough
Hall, 732 Broadway, West Cape May, New Jersey on November 13,
2019, at 7:00pm or as soon thereafter as possible, at which time and
place, all persons interested will be given an opportunity to be heard
concerning such ordinance.
Suzanne M. Schumann, RMC
Municipal Clerk
10/30, pf \$130.82 4

PLANNING BOARD PUBLIC NOTICE
You are hereby notified that the Applicant named below has applied
to the City of Cape May Planning Board for an amendment to an
approved site plan and for relief under N.J.S.A. 40:55D-70(c)(1) and
(c)(2) which will permit the Applicant to convert the existing grocery
market to a 20 seat restaurant. There are no proposed changes to
the existing parking layout on site or the existing bike shop at the
property located at 605 Lafayette Street, Block 1060, Lot 32, on the
tax map of the City of Cape May, New Jersey. This project is located
in the C1 zoning district. Applicant is requesting waivers as to certain
submission standards and relief from the following section(s) of the
City's ordinance:
Sections 525-22(B) and 525-49
1. Bulk Regulations side yard setback, which is a pre-existing noncon-
formity;
2. Number of parking spaces requirement
The Applicant may request additional variances and/or waivers as
may be identified by the Board.
The City of Cape May Planning Board on November 12, 2019 will
hold a public hearing on my application at 6:30 p.m., 643 Washington
Street, Cape May, New Jersey. All documents pertaining to this ap-
plication are on file with the Planning/Zoning Board Secretary and are
available for public review during regular working hours (M-F 8:30am
- 4:30pm). Any interested party may appear at said hearing and par-
ticipate therein in accordance with the rules of the City of Cape May
Planning Board.
Kate and Joseph Chew, Applicant
c/o Andrew D. Catanese, Esquire
Monzo Catanese Hillegass, P.C.
211 Bayberry Drive, Suite 2A
Cape May Court House, NJ 08210
Phone: (609) 463-4601
Attorney for Applicant
10/30, pf \$29.14 7

NOTICE OF A REGULAR MEETING
The November regular meeting of the Board of Education of the
Lower Cape May Regional School District, will be held on Thursday,
November 21, 2019, at 6:00 p.m. in the Administration Building, lo-
cated at 687 Route 9, Cape May, New Jersey.
A work session, open to the public, will precede the regular meeting
at 5:00 p.m. in the conference room. It is expected that part of the
meeting will be held in closed session. It is also expected that formal
action will be taken at this meeting.
This meeting has been called to conduct regular business and for
reporting the following elements:
-Status of mandated program reviews (N.J.A.C. 6:8-4.10)
- School Performance Report
Mark G. Mallett
Business Administrator/
Board Secretary
10/30, pf \$14.88 8

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PUBLIC NOTICE
Take Notice that an application has been submitted to the New Jersey Department of Environmental Protection, Land Use Regulation Program
for a CAFRA Individual Permit for the development described below:
APPLICANT: Achristavest Pier 6600 LLC
MAILING ADDRESS: 2501 Seaport Drive Chester PA 19013
PROJECT DESCRIPTION: Construction of a deck, infinity pool, temporary event tent and banquet facility and reconstruction of the bulkhead
PROJECT STREET ADDRESS: 9701 Atlantic Avenue
BLOCK: 710.01
LOT: 1
MUNICIPALITY AND COUNTY: Lower Township, Cape May County
A complete copy of the CAFRA Individual Permit application can be reviewed at either the Municipal Clerk's office or by appointment at the
Department's Trenton office. Either a 30-day public comment period or public hearing will be held on the application in the future. Individuals
may request a public hearing on the application within 15 calendar days of the date of this notice. Requests for a public hearing shall be sent
to the Department at the address below and shall state the specific nature of the issues to be raised at the hearing.
New Jersey Department of Environmental Protection Division of Land Use Regulation
P.O. Box 420, Code 501-02A
Trenton, NJ 08625-0420
Attn: Lower Township Supervisor Telephone Number (609) 777-0454
10/30, pf \$33.48 9

BOROUGH OF WEST CAPE MAY
HISTORIC PRESERVATION COMMISSION
NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS
NOTICE is hereby given that the undersigned has applied to the Bor-
ough of West Cape May Historic Preservation Commission for the
following:
Addition of bathroom to the back of my home on the 2nd story. Ground
floor will be expanded approx. 6 feet to accommodate the 2nd story bath.
Property is known as Block 54 Lot 10 or also known as 121 Sixth
Avenue, West Cape May, New Jersey.
You are in receipt of this notice because the above property is within
two hundred (200) feet of the property owned by you.
A hearing will be held on this application by the Historic Preservation
Commission of the Borough of West Cape May, at Borough Hall, 732
Broadway, West Cape May, New Jersey, on November 14, 2019 at
7:00 PM.
All members of the public will have an opportunity to offer comments
and/or ask questions regarding this proposal. For those who are in
opposition to the proposal, you have the right to obtain an attorney to
represent you, although this is not a requirement.
The file and plans of the proposal may be inspected in the office of
the Historic Preservation Commission, West Cape May Borough Hall,
732 Broadway, West Cape May, NJ, during the hours of 9:00 AM to
3:00 PM, Monday through Friday. If you have questions, you may
contact the Commission at 609 884-1005, Extension 6.
Date: 10/24/2019
Applicant's Name: Annie Mullock
Address: 121 Sixth Avenue
West Cape May, NJ
** It is recommended for those members of the public who plan to
attend the public hearing on a specific application, that the HPC of-
fice be contacted on the day of the meeting to inquire if any changes
have been made to the schedule.**
1030, pf \$29.76 12

City of Cape May Zoning Board of Adjustment
Legal Notice
Public Notice is hereby given to all persons that the following action
was taken by the City of Cape May Zoning Board of Adjustment at
their meeting held on October 24, 2019.
The application for Edward and Linda Farrington, 1012 Pittsburgh Av-
enue, Block 1156, Lot(s) 13.01, received approval for: §525-17B(1)
Table 1 – Lot Size, §525-17B(1) Table 1 – Rear Yard Setback, §525-
17A(2)(a)[2][d] Accessory Shed – Rear Yard, §525-17A(2)(a)[2][d]
Accessory Shed – Side Yard, §525-17A(2)(a)[2][b] Accessory Shed
– Length, §525-17A(2)(a)[2][c] Accessory Shed – Width, subject to
all conditions of approval discussed at the hearing and outlined in the
review memorandum from Board Engineer Craig R. Hurless, PE, PP,
CME, August 21, 2019.
The application for Barbara Morris, 1131 Pennsylvania Avenue, Block
1124, Lot(s) 35 & 36 received approval for §525-17B(1) Table 1 –
Building Setback, subject to all conditions of approval discussed and
implemented at the hearing and outlined in the review memorandum
from Board Engineer Craig R. Hurless, PE, PP, CME, dated October
11, 2019.
The application for Barbara Caldwell, 1133 Pennsylvania Avenue,
Block 1124, Lot(s) 33 & 34 received approval for §525-17B(1) Table
1 – Building Setback, subject to all conditions of approval discussed
and implemented at the hearing and outlined in the review memo-
randum from Board Engineer Craig R. Hurless, PE, PP, CME, dated
October 11, 2019.
All documents, application(s), actions and decisions of the Board are
on file and available for review in our City Hall Construction/Zoning
Office, 643 Washington Street, Cape May, NJ. The Board's meeting
dates, minutes and legal notices are also posted on the City's web-
site. This notice is being given in compliance with the Open Public
Meetings Act and The Municipal Land Use Law, Chapter 291, of the
State of New Jersey.
Karen Keenan
Board Secretary
October 28, 2019
10/30, pf \$32.24 14

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NOTICE OF APPLICATION FOR DEVELOPMENT or APPEAL
APPLICANT'S/APPELLANT'S NAME AND ADDRESS:
Timothy and Carol Daly
52 David Drive, Newtown, PA 18940
SUBJECT PROPERTY - STREET ADDRESS:
310 Millman Lane, Lower Township, NJ 08251
BLOCK/LOT NUMBERS:
Block 138 / Lot 7
TAKE NOTICE* that a hearing will be held before the Zoning Board of
Adjustment at the Lower Township Municipal Building meeting room,
2600 Bayshore Road, Villas, NJ 08251, on the 14th day of November
2019, at 6:00 PM, to consider an application for development (or an
appeal), regarding the above mentioned property, wherein the Ap-
plicant (or Appellant) is seeking permission to:
Permission to demolish the existing single family residence and re-
place it with a new single family dwelling located at 310 Millman Lane,
Block:138, Lot: 7 contrary to the requirements of Section 400-15 (D)
(1) Lot Frontage, Lot Width, which are pre-existing conditions, and
side yard setbacks each and total, together with any and all other var-
iances and/or waivers the Board shall deem necessary at the time of
the hearing. Maps and documents relating to the said matter, if any,
will be available for public inspection in the office of the Zoning Board
of Adjustment, at the Lower Township Municipal Building, 10 days
prior to the hearing date, during normal business hours.
This Notice is given pursuant to NJSA 40:55D-11, et seq.
* Must be served and published in accordance with NJSA 40:55D-
12, et seq.
10/30, pf \$24.18 11

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CAPE MAY HOUSING AUTHORITY
639 Lafayette Street, Cape May, NJ 08204
BOARD MEETING DATES
CALENDAR YEAR 2020
Meetings to be held in the Cape Housing Authority Offices
at 4:00 p.m.
Monday, January 27, 2020
Monday, February 24, 2020
Monday, March 16, 2020
Monday, April 20, 2020
Monday, May 18, 2020
Monday, June 15, 2020
Monday, July 20, 2020
Monday, August 17, 2020
Monday, September 28, 2020
Monday, October 26, 2020
Monday, November 16, 2020
Monday, December 21, 2020
10/30, pf \$16.74 13

REQUEST FOR QUALIFICATIONS AND PROPOSALS
PROFESSIONAL AND EXEMPT SERVICES
These contracts shall be awarded under the "Non-Fair and Open"
process, pursuant to N.J.S.A. 19:44A-20.3 et seq.
The City of Cape May is requesting qualifications and proposals for
the following:
CITY OF CAPE MAY
2020 CITY PROFESSIONALS
3.1 Auditor
3.2 City Attorney and/or Conflict Attorney
3.3 City Engineer and/or Alternate Engineer
3.4 City Labor Counsel
3.5 Bond Counsel
3.6 City Prosecutor and/or Alternate City Prosecutor
3.7 Public Defender and/or Alternate Public Defender
3.8 Tax Appeal Attorney
3.9 Risk Management Consultant (RMC)
3.10 Redevelopment Counsel
3.11 Planning Board and Zoning Board Solicitors and/or Alternates
3.12 Planning Board and Zoning Board Engineer and/or Alternates
Responses due to the City Clerk on December 4, 2019
at 11:00 A.M. in the City Clerk's Office, 643 Washington Street,
Cape May, NJ 08204
10/30, pf \$21.08 15

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OUT OF SIGHT
OUT OF MIND...
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Advertise today and let your business be in sight
and in the minds of your customers.
Call 609-884-3466 to speak to your advertising consultant.

Cape May Star & Wave
The Cape May Star and Wave has been watching over the shores at the southernmost tip of New Jersey since 1854.
It is where locals and visitors have turned for their news weekly for more than 150 years.
The Star and Wave is a weekly newspaper for local people by local people, and a great resource for visitors
who want to stay abreast on what is happening in Cape May, West Cape May, Cape May Point, North Cape May,
the Villas, Town Bank, Fishing Creek, Erma and the rest of Lower Township, along with other local communities.
From keeping a watch on the political machinations in Cape May County and cities and towns to offering a wonderful
forum for opinions and viewpoints of citizens and elected officials alike, the Cape May Star and Wave is part of the living
history of this area. Stay tuned to find the best place for dining, entertainment, shopping and household services.
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