SHERIFF'S SALE

B7

TOWNSHIP OF LOWER

SYNOPSIS OF AUDIT REPORT FOR PUBLICATION Attention is directed to the fact that a summary or synopsis of the audit report, together with the recommendations, is the minimum required

to be published pursuant to N.J.S. 40A:5-7. COMBINED COMPARATIVE BALANCE SHEET **ASSETS** Dec. 31, 2017 Dec. 31, 2016 Cash and Investments \$21,929,595.01 Taxes, Assessments & Liens Receivable 1.041.398.62 1,028,882.73 Property Acquired for Taxes- Assessed Valuation Accounts Receivable 1.652.200.00 1.663.300.00 2,268,528.09 2,898,435.56 21 557 911 09 Deferred Charges 19.485.552.09 TOTAL ASSETS \$67,060,588.85 \$62,237,976.56 LIABILITIES, RESERVES & FUND BALANCE Serial Bonds & Bond Anticipation Notes \$15,019,911.09 \$17,301,552.09 Improvement Authorizations 10.650.899.82 7.735.578.39 Other Liabilities & Special Funds 12,801,513.67 10,495,887.06 Reserve for Certain Assets Receivable 2 694 969 37 2.714.701.76 Investment in General Fixed Assets 18,623,471.93 17,287,385.46 Fund Balance 7.269.822.97 6.702.871.80 TOTAL LIABILITIES, RESERVES AND FUND BALANCES COMPARATIVE STATEMENT OF OPERATIONS AND CHANGE IN FUND BALANCE - CURRENT FUND Dec. 31, 2016 Dec. 31, 2017 Revenue and Other Income Realized \$2 525 000 00 \$2 180 000 00 Fund Balance Utilized Miscellaneous From Other than 5,922,680.52 Local Property Tax Levies 5,505,234.50 Collection of Delinquent Taxes and Tax Title Liens 821, 110.23 825,830.26 Collection of Current Tax Levy 63 138 758 54 62.053.946.14 Total Income 71,990, 103.27 70,982,456.92 Expenditures Budget Expenditures: Municipal Purposes 26,574,262.66 25,550, 734.66 County Taxes 9.968.241.78 9.736.780.93 Local and Regional School Taxes Other Expenditures 2,308, 168.16 2,261,486.33 Total Expenditures Less: Expenditures to be Raised 67,468,348.42 69,629,152.10 by Future Taxation 731.000.00 Total Adjusted Expenditures 68,898, 152.10 67,468,348.42 Excess in Revenue 3,091,951.17 3,514, 108.50 Fund Balance January 1 6,579,408.70 5.245.300.20 Less: Utilization as Anticipated 9,671,359.87 8,759,408.70 2.525.000.00 2 180 000 00 \$7,146,359.87 RECOMMENDATIONS:

The above synopsis was prepared from the report of the audit of the Township of Lower, County of Cape May, for the calendar year 2017. This

report of audit, submitted by Leon P. Costello, Registered Municipal Accountant, of Ford, Scott & Associates, L.L.C., CPAs, is on file at the

5/16, pf \$94.24

SHERIFF'S SALE

Township Clerk's and may be inspected by any interested person

BY VIRTUE of a Writ of Execution issued out of the Superior Court of New Jersey, Chancery Division, Cape May County, and Docket No. F 018932 17 therein, pending wherein, WELLS FARGO BANK, NA is the Plaintiff and DAN LEE COONS, ET AL is the Defendant, I shall expose to sale at public venue on:

WEDNESDAY.

Court House Building, Route 9, Cape May Court House, New Jersey.

Property to be sold is located in the TOWNSHIP OF LOWER, County of Cape May in State of New Jersey

Commonly known as: 701 NEW ENGLAND ROAD, COLD SPRING, NJ 08204-4118 C/K/A 701 NEW ENGLAND ROAD, LOWER TOWNSHIP, NJ 08204-

BEING KNOWN as BLOCK 747.02. TAX LOT 17.02. 18 & 19. on the official Tax Map of the Township of Lower, County of Cape May, New Jersey.

Dimensions of Lot: 176.71FT X 120FT X 182.13 FT X 120.12FT Nearest Cross Street: SHUN PIKE

Subject to any unpaid taxes, municipal or other charges, and any such taxes, charges, liens, insurance premiums or other advances made by plaintiff prior to this sale. All interested parties are to conduct and rely upon their own independent investiga-tion to ascertain whether or not any outstanding interest remain of record and/or have priority over the lien being foreclosed and, if so, the current amount due thereon. If the sale is set aside for any reason, the Purchaser at the sale

shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

Surplus Money: If after the sale and satisfaction of the mortgage debt, including costs and expenses, there remains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the nature and extent of that person's claim and asking for an order directing payment of the surplus money. The Sheriff or other person conducting the sale will have infor-

mation regarding the surplus, if any.

Amount due under judgment is \$202,553.46 costs and Sheriff's fees to be added. At the time of the Sale cash, certified check, cashier's check or treasurer's check in the amount of 20 percent of the bid price is required. The Sheriff reserves the right to adjourn any sale without further notice of Publication.

All publication costs are paid for by the Plaintiff.

ATTORNEY: PHELAN, HALLINAN, DIAMOND & JONES 400 FELLOWSHIP ROAD, SUITE 100 MT LAUREL NJ 08054 BOB NOLAN, SHERIFF CH756081

4/25, 5/2, 5/9, 5/16, pf \$177.32 6

WANT TO SEE YOUR LEGAL AD IN THIS SECTION?

Email cmlegalsads@gmail.com or call 609-884-3466

Is someone's **Birthday** around the corner?

Let the Star & Wave know about it!



cution issued out of the Superior Court of New Jersey, Chancery Division, Cape May County, and Docket No. F 019071 17 therein, pending wherein, BAYVIEW LOAN SERVICING, LLC is the Plaintiff and EDWARD J. KEEL-EN, ET ALS is the Defendant, I shall expose to sale at public venue on:

WEDNESDAY, 06/06/2018

at one o'clock in the afternoon of the said day, at the Old Historical Court House Building, Route 9, Cape May Court House, New

Jersey.
Property to be sold is located in the TOWNSHIP OF LOWER County of Cape May in State of New Jersey.

Commonly known as:
9903 SEAPOINTE BOU-LEVARD. TOWNSHIP LOWER, NJ 08260, UNIT 409

SEAPOINTE VILLAGE III BEING KNOWN as BLOCK 719, TAX LOT 1.12, QUAL. C-409, on the official Tax Map of the Township of Lower, County of Cape May, New Jersey.

Dimensions of Lot: N/A CONDOMINIUM, UNIT 409 Nearest Cross SEAPOINTE VILLAGE III CON-DOMINIUMS - ATLANTIC AV-**FNUF**

AMOUNT DUE FOR TAXES:

Subject to any unpaid taxes, municipal or other charges, and any such taxes, charges liens, insurance premiums or other advances made by plaintiff prior to this sale. All nterested parties are to conduct and rely upon their own independent investigation to ascertain whether or not any outstanding interest remain of record and/or have priority over the lien being foreclosed and, if so, the current amount due thereon. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgager, the Mortgagee or the Mortgagee's attorney.

Julie Picard, Township Clerk

Margaret Vitelli

Purchasing Agent

Date: May 11, 2018

Adv 05/16/2018

BID # 2018-

Township of Lower 2600 Bayshore Road

Villas, NJ 08251

Phone (609)886-2005 X123

or Fax Request to (609)886-5342

Notice is hereby given that sealed proposals will be received by the Lower Township Purchasing Agent on Friday May 25, 2018 at 11:00

am at which time the said sealed proposals will be publicly opened

*With option for 2019 Season

Copies of such Proposal Form, this advertisement, and the Terms

and Specifications may be obtained from the Township Treasurer's

Office at 2600 Bayshore Road, Villas, NJ and the bidder must absolutely comply with all of the terms of the said documents.

ALL PROPOSALS MUST BE CLEARLY ADDRESSED AND

MAILED OR DELIVERED TO: TOWNSHIP OF LOWER

TREASURER'S OFFICE Att: Margaret Vitelli, QPA 2600 BAYSHORE ROAD

VILLAS, NJ 08251

The Township Council reserves the right to reject any or all bids if it

deems it is in the best public interest to do so. Bidders are required to

comply with the requirements of Public Laws of 1975, Chapter 127, Affirmative Action Requirements. Bidders are required to comply with

CAPE MAY POINT PLANNING BOARD NOTICE OF

REGULAR MEETING DATE CHANGE

PLEASE TAKE NOTICE that the regular meeting of the Cape May Point Planning Board scheduled for Tuesday, May 15, 2018 at 6:30

pm has been rescheduled for Thursday, May 24, 2018 at 6:30 pm. THIS NOTICE is being provided via publication, the Borough website

and has been placed on the bulletin board in Borough Hall in com-

pliance with the Open Public Meetings Act, Chapter 231, P.L. 1975. Rhiannon Worthington, Board Secretary

SHERIFF'S SALE BY VIRTUE of a Writ of Execution issued out of the Superior Court

of New Jersey, Chancery Division, Cape May County, and Docket No.

F 014937 17 therein, pending wherein, EVERBANK is the Plaintiff and MICHAEL J. HALLAHAN, SR. ET AL is the Defendant, I shall

WEDNESDAY,

05/23/2018 at one o'clock in the afternoon of the said day, at the Old Historical Court House Building, Route 9, Cape May Court House, New Jersey.

Property to be sold is located in the TOWNSHIP OF LOWER, County of Cape May in State of New Jersey.

BEING KNOWN as BLOCK 494.03, TAX LOT 19.11, on the official

If after the sale and satisfaction of the mortgage debt, includ-

ing costs and expenses, there remains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file

a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the

nature and extent of that person's claim and asking for an order

directing payment of the surplus money. The Sheriff or other

person conducting the sale will have information regarding the

If the sale is set aside for any reason, the Purchaser at the sale

shall be entitled only to a return of the deposit paid. The Purchasel

shall have no further recourse against the Mortgagor, the Mortgagee

or the Mortgagee's attorney.

Amount due under judgment is \$153,395.48 costs and Sheriff's

fees to be added. At the time of the Sale cash, certified check, ca-

shier's check or treasurer's check in the amount of 20 percent of the

bid price is required. The Sheriff reserves the right to adjourn any sale

SHERIFF'S SALE

BY VIRTUE of a Writ of Execution issued out of the Superior Court of New Jersey, Chancery Division, Cape May County, and Docket

No. F 004964 15 therein, pending wherein, WILMINGTON SAVINGS FUND SOCIETY, FSB, A FEDERAL SAVINGS BANK D/B/A CHRIS-

TIANA TRUST, A DIVINSION OF WILMINGTON'S SAVINGS FUND

SOCIETY, FSB, SOLELY IN ITS CAPACITY AS TRSUTEE FOR AND ON BEHALF OF THE KNOXVILLE 2012 TRUST, AND THROUGH

ITS SERVICER 21ST. is the Plaintiff and CLARENCE E. CRAWLEY JR., ET AL is the Defendant, I shall expose to sale at public venue on: WEDNESDAY,

at one o'clock in the afternoon of the said day, at the Old Historical

Court House Building, Route 9, Cape May Court House, New Jersey.

Property to be sold is located in the TOWNSHIP OF LOWER,

BEING KNOWN as **BLOCK 217, TAX LOT 12,** on the official Tax Map of the Township of Lower, County of Cape May, New Jersey. Dimensions of Lot: 75FT X 100FT

If the sale is set aside for any reason, the Purchaser at the sale

Amount due under judgment is \$203,927.35 costs and Sheriff's fees to be added. At the time of the Sale cash, certified check, ca-

shier's check or treasurer's check in the amount of 20 percent of the bid price is required. The Sheriff reserves the right to adjourn any sale

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: 846 Broadway West Cape May, N.J. 08203

shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee

County of Cape May in State of New Jersey

15 GEORGIA AVENUE, VILLAS, NJ 08251

Nearest Cross Street: GEORGIA AVENUE

All publication costs are paid for by the Plaintiff.
ATTORNEY:

or the Mortgagee's attorney.

HELFAND, & HELFAND 350 FIFTH AVENUE,

NEW YORK, NY 10118 BOB NOLAN,

SHERIFF

5/9, 5/16, 5/23, 5/30, pf \$127.72

SUITE 5330

without further notice of Publication.

6/06/2018

without further notice of Publication.

All publication costs are paid for by the Plaintiff

PLUESE, BECKER & SALTZMAN 20000 HORIZON WAY

MT. LAUREL, NJ 08054 BOB NOLAN,

SHERIFF

CH756076 4/25, 5/2, 5/9, 5/16, pf \$141.36

ATTORNEY:

Tax Map of the Township of Lower, County of Cape May, New Jersey

113 JENNIFER LANE, NORTH CAPE MAY, NJ 08204

Dimensions of Lot: 100' X 78.91' X 100' X 75

Nearest Cross Street: TOWNBANK ROAD

expose to sale at public venue on:

Commonly known as:

the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17-27 et seq

5/16, pf \$24.18

and read for the following:

LOWER TOWNSHIP POOL CONCESSION FOR 2018

not constitute a full legal description said full legal description is annexed to that certain deed recorded in the Office of the Clerk of Cape May County in Mortgage Book 1921, Page 0043 et seg., New Jersey, and the Writ of Execution on file with the Sheriff of Cape May County. Surplus Money: If after

As the above description does

the sale and satisfaction of the mortgage debt, including costs and expenses, there re mains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the nature and extent of that person's claim and asking for an order directing pay ment of the surplus money. The Sheriff or other person conducting the sale will have information regarding the sur-

plus, if any.

Amount due under judgment is \$46,912.10 costs and Sheriff's fees to be added. At the time of the Sale cash, certified check cashier's check or treasurer's check in the amount of 20 percent of the bid price is required. The Sheriff reserves the right to adjourn any sale without further

notice of Publication. All publication costs are paid for by the Plaintiff. ATTÓRNEY.

SCHILLER, KNAPP, LEFKOW-ITZ & HERTZEL, LLP 950 NEW LOLUDON ROAD SUITE 109 LATHAM. NY 12110

BOB NOLAN, SHERIFF 5/9, 5/16, 5/23, 5/30, pf \$198.40 **LEGALS**

SHERIFF'S SALE

cution issued out of the Superior Court of New Jersey, Chancery Division, Cape May County, and Docket No. F 008142 17 therein, pending wherein, U.S. BANK NATIONAL ASSOCIA-TION AS TRUSTEE FOR NBZ PASS-THROUGH TRUST IV is the Plaintiff and CHARLES B WEBBER SR., ET AL is the Defendant, I shall expose to sale at

public venue on: WEDNESDAY, 06/06/2018

at one o'clock in the afternoon of the said day, at the Old Historical Court House Building, Route 9, Cape May Court House, New

Property to be sold is located in the TOWNSHIP OF LOWER, County of Cape May in State of New Jersey.

Commonly known as 17 MATHÉWS AVENUE, VIL-LAS (LOWER TOWNSHIP), NJ

08251 168. TAX LOT 15. on the official Tax Map of the Township of Lower, County of Cape May, New Jersey.

Dimensions of Lot: 50 FEET WIDE BY 100 FEET LONG Nearest Cross Street: MOW-

ERY AVENUE

due thereon.

* Subject to any unpaid taxes, municipal or other charges, and any such taxes, charges, insurance premiums or other advances made by plaintiff prior to this sale. All interested parties are to conduct and rely upon their own independent investigation to ascertain whether or not any outstanding interest remain of record and/or have priority

-2018 DUE DATE: QTR1 - 2/01: \$577.62 OPEN; SIBJECT TO POSTING

over the lien being foreclosed

and, if so, the current amount

QTR2 - 5/01: \$577.61 OPEN SEWER ACCT# 1788 0 4/01/2018 - 6/30/2018 \$80.00 OPEN AND DUE 4/01/2018; \$80.00 OPEN PLUS PENALTY OTHER: ACCT #1788 0 1/01/2018 - 12/31/2018 \$320.00 OPEN AND DUE 12/01/2018; \$320.00 OPEN PLUS PENALTY; OWED IN ARREARS

Surplus Money: If after the sale and satisfaction of the mortgage debt, including costs and expenses, there re mains any surplus money, the money will be deposited into the Superior Court Trust Fund and any person claiming the surplus, or any part thereof, may file a motion pursuant to Court Rules 4:64-3 and 4:57-2 stating the nature and extent of that person's claim and asking for an order directing payment of the surplus money The Sheriff or other person conducting the sale will have information regarding the surplus, if any. If the sale is set aside for any

reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor. the Mortgagee or the Mortgagee's attorney. Amount due under judgment is \$278.842.66 costs and Sher-

iff's fees to be added. At the time of the Sale cash, certified check, cashier's check or treasurer's check in the amount of 20 per-cent of the bid price is required. The Sheriff reserves the right to adjourn any sale without further notice of Publication.

All publication costs are paid for by the Plaintiff. ATTORNEY: RAS CITRON LAW OFFICES 130 CLINTON ROAD SUITE 202

FAIRFIELD, NJ 07004 BOB NOI AN SHERIFF CH756100

5/9, 5/16, 5/23, 5/30, pf \$198.40

BOROUGH OF WEST CAPE MAY COUNTY OF CAPE MAY STATE OF NEW JERSEY ORDINANCE NO. 541-18 AN ORDINANCE AMENDING SECTION 6 OF THE BOROUGH CODE
REGARDING ALCHOHOLIC BEVERAGE CONTROL

The above captioned Ordinance was finally adopted after Second Reading and Public Hearing by the Board of Commissioners of the Borough of West Cape May, in the County of Cape May, State of New Jersey, at a Regular Meeting of the Board of Commissioners held on May 9, 2018.

Suzanne M. Schumann

Municipal Clerk

5/16, pf \$13.02

NOTICE OF APPLICATION FOR DEVELOPMENT or APPEAL APPLICANT's/APPELLANT'S NAME AND ADDRESS: Chet & Joanne Rietheimer 241 Mercer Ave

Bellmawr NJ 08031 SUBJECT PROPERTY - STREET ADDRESS:

111 Pinewood Rd. Townbank NJ 08204 BLOCK/LOT NUMBERS:

Block 516 Lot 4, 5, 6
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 7 day of June 2018, at 7:00 PM, to consider an application for development (or an appeal).

regarding the above mentioned property, wherein the Applicant (or Appellant) is seeking permission to: Construct a 1-Story garage. Variance is requested for garage height which exceeds the height of the existing single family residence, along with any and all other design waivers or variances the board

contrary to the requirements of Section(s) 400-15D of the Zoning Ordinance. 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-

Public Notice is hereby given to all persons that the following action

12, et seq. 5/16, pf \$25.42

CITY OF CAPE MAY PLANNING BOARD LEGAL NOTICE

was taken by the City of Cape May Planning Board at their meeting The application for Cape Coachman Realty, LLC "Beach Shack," 205-211 Beach Avenue, Block 1019, Lot(s) 26 & 40, received approval for:

All approvals listed above are subject to all conditions of approval discussed at the hearing on May 8, 2018, and outlined in the review

memorandum from Board Engineer Craig R. Hurless, PE, PP, CME, dated April 10, 2018.
The application for Anthony and Donna Caputo, 286 Windsor Avenue,

Block 1023, Lot(s) 7 & 8, received approval for:

Minor Subdivision Variances

☐ §525-15B(1) Table 1 – Lot Size – Lots 7 & 8 ☐ §525-15B(1) Table 1 – Lot Width – Lots 7 & 8 □ §525-15B(1) Table 1 – Lot Frontage – Lots 7 & 8
□ §525-15B(1) Table 1 – Side Yard setback (Each) Lot 8

□ §525-15B(2) Table 1 – Lot Coverage – Lot 8 All approvals listed above are subject to all conditions of approval discussed at the hearing on May 8, 2018, and outlined in the review memorandum from Board Engineer Craig R. Hurless, PE, PP, CME,

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

Tricia Oliver Board Assistant May 10, 2018 5/16, pf \$28.52

LEGALS

LEGALS BOROUGH OF WEST CAPE MAY

COUNTY OF CAPE MAY STATE OF NEW JERSEY
ORDINANCE NO. 539-18 AN ORDINANCE AMENDING SECTION 27 OF THE BOROUGH CODE REGARDING PERMITTED USES

IN THE COMMERCIAL DISTRICTS WHEREAS, subject to certain recommendations and approvals, the Borough Commission for the Borough of West Cape May believes it in its best interest of the health, welfare of the residents and businesses in the Borough to present an ordinance concerning certain proposed zoning changes to provide for evolving business opportunities with the Borough so as to encourage and permit additional compatible commercial uses; and

WHEREAS, the Code establishes permitted, conditionally permitted, and prohibited uses of premises located within certain zoning districts of the Borough; and

WHEREAS, the Borough Commission finds it appropriately beneficial to the entire community and in the best interest of the Commercial Districts to amend the Code to explicitly declare breweries operating under a limited brewery license and distilleries with a distillery license are conditionally permitted uses in the C-2 and C-3 zoning districts: NOW, THEREFORE, BE IT ORDAINED by the Borough Commission of the Borough of West Cape May as follows:

Section 1. Section 27-16.1 of the Borough Code shall be amended as follows, with all strikethroughs indicating deleted portions and all bold and underlined portions indicating additions: 27-16.1 Permitted Uses in the C-2 District.

I.Brewery establishment operating under an approved State-issued limited brewery license issued and valid pursuant to N.J.S.A. 33:1-10(1b), permitted as Conditional Use subject to the requirements in

Section 27-29. m.Any distillery operating under a State issued distillery license issued and valid pursuant to N.J.S.A. 33:1-10(3), permitted as Condi-

tional Use subject to the requirements in Section 27-29.
Section 2. Section 27-17.1 of the Borough Code shall be amended as follows, with all strikethroughs indicating deleted portions and all bold and underlined portions indicating additions: Permitted Uses in the C-3 District.

i.Brewery establishment operating under an approved State-issued limited brewery license issued and valid pursuant to N.J.S.A. 33:1-10(1b), permitted as Conditional Use subject to the requirements in

j.Any distillery operating under a State issued distillery license issued and valid pursuant to N.J.S.A. 33:1-10(3), permitted as Conditional Use subject to the requirements in Section 27-29. Section 3. Section 27-29 of the Borough Code shall be amended as follows, with all strikethroughs indicating deleted portions and all bold

and underlined portions indicating additions: 27-29 CONDITIONAL USES Restaurants Serving Alcoholic Beverages.

Except as provided below in subsection (b). On-premises alcoholic beverage services will be limited to restaurant establishments serving food. Restaurants may have an ancillary bar area, but only in conjunction with the restaurant as a place for restaurant patrons wait ing for a table. No stand-alone or bar-only operations are permitted Breweries and Distilleries

 The license holder of a Limited Licensed Brewery (hereafter brewery), licensed by the State of New Jersey, is permitted to brew and sell malt alcoholic beverages, as per N.J.S.A 33:1-10(1b), at a Limited Licensed Brewery in the Borough of West Cape May for consumption on premises and for consumption off premises in a quantity of not more than 15.5 fluid gallons per person.

2. The license holder of a Craft Distillery License (hereafter distillery) licensed by then State of New Jersey is permitted to manufacture and sell distilled alcoholic beverages as per N.J.S.A. 33:1-10(3) for consumption on premises and for consumption off premises of not more than 5 liters per person.

3. The brewery and/or distillery may operate for business to serve customers seven (7) days per week. On Sundays the brewery or dis-tillery may not conduct business by serving customers before twelve o'clock noon. Sunday through Thursday, the brewery or distillery shall stop serving customers no later than 10:00 p,m., and on Friday and Saturday shall stop serving customers no later than 11:00 p.m. The customers in the above facilities may remain for an hour after service cut off time to finish that which they have been served. Notwithstanding the above, breweries and distilleries are permitted to manufacture their product at any time during any day.

4. The brewery or distillery shall not sell food or operate a restaurant on the licensed premises including any outdoor facility of the brewery or distillery. Pretzels, potato chips, nuts, and other such ready prepared finger food snacks are permitted so long as they are provided ithout charge.

5. The brewery or distillery may provide for an outdoor seating facility in accordance with Section 27-27.15 of this code, which shall be controlled by and adjacent to the brewery or distillery, and within the commercial district, provided that the Alcoholic Beverage Control (ABC) has approved such outdoor seating within the licensed prem-

6.Plans shall be submitted that include a scale diagram of the entire interior of the brewery or distillery showing the location of all receiving, storage, brewing or distilling area, servicing, seating and waiting areas, waster removal and garbage storage arears, and the intended location of tables, counters, bars and their respective seats or chairs. 7.Storage of waste materials and garbage shall be in enclosed containers, such containers shall be stored inside the main building or in a separately enclosed structure that will completely confine odors and obstruct view of the waste/garbage.

8.A system to vent brewing or distilling and other exhausts and odors shall be provided so that the exhaust and odor shall not offend or disturb nearby commercial or residential uses or intrude on any street, sidewalk, or walkway. This shall include the requirement of filters or other technologically adequate means of eliminating oils, grease, and odors from the exhaust. Such vents shall be interior and exist through

9.A brewery or distillery use is to be considered the principal use or any structure and not an accessory use.

10. Each brewery or distillery shall provide parking for patrons as specified in subsection 27-27.3 Parking.
Section 4. Section 27-27.3 of the Borough Code shall be amended as follows, with all strikethroughs indicating deleted portions and all bold and underlined portions indicating additions:

Parking Requirements. All uses shall provide adequate off-street parking. The following is the minimum number of spaces required for each particular category

Number of Spaces

Breweries/Distilleries1 space for each 6 seats or 1 space per 150 square feet of total floor area (including outdoor seating area), whichever is greater.

27-6 DEFINITIONS

Restaurant, outdoor dining Outdoor Seating shall mean any part of a food establishment, brewery, or distillery located outdoors, not used for any other purposes, and open to the sky, with the exception that it may have a retractable awning or umbrellas, and may contain furniture, including tables, chairs, railings, and planters that are readily

Section 6. Section 27-15 of the Borough Code shall be amended as follows, with all strikethroughs indicating deleted portions and all bold and underlined portions indicating additions:

Outdoor Dining Seating Standards

8. Outdoor seating proposed in connection with a brewery or distillery shall be contained within the licensed premises. Such license may be revoked if any of the provisions of the license have been violated, or that the outdoor dining seating operation in

some way creates an unsafe situation. Section 8. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of that conflict.

Section 9. Severablility. Should any portion of this ordinance be declared unconstitutional or invalid, the remaining portion of this ordinance. nance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are declared

to be severable Section 10. Effective Date. This ordinance shall take effect 20 days after passage and publication, according to law.

Carol E. Sabo, Mayor Peter C. Burke, Deputy Mayor John H. Francis, III, Commissioner Suzanne Schumann, RMC

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 May 9, 2018, 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 May 23, 2018, 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

5/16, pf \$148.18

PLANNING BOARD PUBLIC NOTICE

You are hereby notified that I have applied to the City of Cape May Planning Board for approval for variance relief which will permit me to subdivide the property into two lots both of which will meet and exceed the lot area requirements. The existing non conforming commercial use of the Doctor's office in the existing building will be abandoned and the structure will revert to its original single family use and a new single family home on the new vacant lot area wil be constructed that will meet all of the setback requirements. The property is located at 1302 Texas Avenue, Block 1159, Lots 3, 4 and 5 on the tax map of City of Cape May, New Jersey. This property is located in the R-2 Low Medium Density Residential zoning district. Relief is being sought from the following section(s) of the City's ordinance: For proposed Lot 3.01 (the lot with the existing building) Section 525-15(B)(1) Table 1, Building setback line (preexisting condition); Rear Yard Setback for the existing building; for proposed Lot 3.02 (the new vacant lot) Section 525-15(B)(1) Table 1, Lot Width; Lot Frontage for new vacant lot together with any and all other variances and or waivers that the board shall deem necessary at the time of the hearing along with any and all other applicable sections needed for approval of said matter

The City of Cape May Planning Board on June 12, 2018 will hold a public hearing on my application at 6:30 pm, 643 Washington Street, Cape May New Jersey. All documents pertaining to this application 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 participate therein in accordance with the rules of the City of Cape May Planning Board

Ronald J. Gelzunas, Esquire Attorney for the Applicant Andrew F. Drake

5/16, pf \$29.14