



## Committee looks at trouble spots for bikers, walkers

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## House of the Week

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170th YEAR NO. 38 CAPE MAY, N.J. Serving America's National Historic Landmark City WEDNESDAY, SEPTEMBER 18, 2024 \$1.00

# DEP holds hearing on proposed climate change rules

By JACK FICHTER  
Cape May Star and Wave

TRENTON — The state Department of Environmental Protection (DEP) held the second of three hearings Sept. 12 to solicit public comment on proposed regulations to address climate change.

Jennifer Moriarity, assistant commissioner for DEP's watershed and land management program, acted as hearing officer.

She said key components of the proposed regulations — known as Protection Against Climate Threat (PACT) and Resilient Environmental and Landscapes (REAL) rules — include adjusting coastal flood hazard areas to account for rising sea levels and storm surge. That would extend jurisdictional

area farther inland and require higher first-floor elevations or flood-proofing for buildings and elevated roadways.

"The rule proposes to create an Inundation Risk Zone (IRZ) to address risk for residential buildings and critical structures proposed in areas of permanent or daily inundation due to sea level rise," Moriarity said.

She said the regulations propose to improve water quality and reduce flooding by adding stormwater management practices to areas where it is not adequately addressed.

Nature-based solutions would be encouraged and renewable energy would be supported by balancing habitat conservation with infrastructure demands.

"The rules propose to improve state alignment with FEMA's (Federal Emergency Management Agency) national flood insurance program and the rules propose to improve DEP permitting processes to better track our authorizations for permits from start of construction to project completion," Moriarity said.

New Jersey League of Conservation Voters Public Policy Assistant Jay Weisbond said the organization strongly supports the PACT rules, particularly regarding the emphasis to use current data and "modern climate science to reflect the reality on the ground."

He said the recent federal National Climate Assessment report stated more than 80 percent of properties in the Northeast lack

adequate flood insurance coverage. Weisbond said misinformation has been spread about the PACT rules which "absolutely will not create no-build zones."

"A recent report from the U.S. Chamber of Commerce found that every dollar spent on climate resilience and preparedness for communities saves \$13 in damages, cleanup costs and economic impact," he said.

Ray Cantor, New Jersey Business and Industry Association (NJBIA) vice president of government affairs, said the regulations would be harmful to economic growth, affordable housing and urban redevelopment. He said he believes DEP should "go back to the drawing board" and have meaningful meetings with stakeholders.

While IRZs may be a small part of the state, they would be a large part of many coastal towns, Cantor said. He said PACT would increase housing prices.

"Almost all of the damage that's crippled New Jersey from violent storms was caused by ignorance of natural processes and what damage irresponsible development does to the land," Lower Township resident John Eric Schneider said.

An ecological inventory of the state has been in existence for more than 50 years, in which limiting factors were identified where development could occur without harming natural processes, he said.

Schneider said that information

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# Development may get more costly in town

## City may increase escrow amount, application fees

By JACK FICHTER  
Cape May Star and Wave

CAPE MAY — Development fees have not been updated since 2020 and City Council has introduced an ordinance to raise them.

At a Sept. 3 meeting, City Manager Paul Dietrich said a countywide survey of development fees was conducted for the Planning Board.

"We are proposing fees that are in line with the county average," he said. "What is probably going up a little more significantly is what the escrow fees are, fees that are used to pay the board's professionals."

About 30 percent of applications submitted to boards require additional fees, and the board administrator must track down the applicants and recoup the fees, Dietrich said.

He said if an applicant did not receive an approval, he or she may hesitate to pay the additional fees which means the "city is on the hook to pay the professionals out of the

city coffers."

It also delays the professional receiving payment for their services 30 to 90 days, Dietrich said.

If an applicant submitted a set of plans that are reviewed by the professionals and the plans must be revised, there is an additional fee, but the city does not collect that fee upfront.

"If a plan needs two revisions, and then a revision at the end of the plan, you end up trying to collect an extra \$300 or \$500 that you are always having to chase down the applicants to get the money and the board administrator spends a lot of their time chasing down money to pay the board's professionals," Dietrich said.

If sufficient escrow money is collected at the beginning of the process, the city has enough funds to pay the professionals and unused money would be refunded at the end.

Councilwoman Maureen McDade said she spoke with the secretary for the city's planning and

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Jack Fichter/CAPE MAY STAR AND WAVE

## Communities come together to mark 9-11 anniversary

Fire Department personnel salute during Cape May's ceremony marking the anniversary of the Sept. 11, 2001, terror attacks on the United States. Below left, a member of the U.S. Coast Guard Color Guard plays 'Taps.' Below right, in a provided photo, Lower Township held its event at Naval Air Station Wildwood Aviation Museum.



# Smoke 'em if you've got 'em at Shore House Canna soiree

By JACK FICHTER  
Cape May Star and Wave

WEST CAPE MAY — Shore House Canna will celebrate its first anniversary as a cannabis dispensary Sept. 28 with an event at Rea Farm, where participants will be able to consume marijuana.

At a Sept. 11 Borough Commission meeting, the agenda included a resolution allowing Bucket Brigade Brewery to serve beer at the event with an off-premises license from the state Division of Alcoholic Beverage Control (ABC).

Borough Commissioner Jack Antonicello requested three resolutions for events at the Rea Farm be removed from the consent agenda to receive individual votes.

Borough Clerk Theresa Enteado said all three events at the farm were regulated by the ABC. She said the police department reviewed and approved the application for beer sales at the Shore House Canna event.

Mayor Carol Sabo said Borough Commission approves beer sales at events all summer for the Rea's Farm Market.

Deputy Mayor George Dick said there was an "overriding factor" with the Shore House Canna event. He asked what was the ruling from the state Cannabis Control Commission (CRC) on alcohol sales at an event approved by the CRC.

Borough solicitor Frank Corrado said he did not believe the borough had received a definitive word from the CRC about its approval of the event.

"They're still thinking about it," he said. "They've given us sort of a tentative approval."

Corrado said the CRC had no

problem with the event but the borough "could do what it wants to do."

"I don't believe the borough has the right to do anything other than manage the traffic and safety and make sure there is a plan the police department has signed off on," he said.

Cape Police Chief Dekon Fashaw said the Rea Farm is private property and not regulated by the CRC.

"There are no CRC restrictions of what happens on the farm obviously other than your vendors cannot sell the product there," he

said.

Cannabis law gives the property owners the right to decide whether to permit or prohibit consumption like in a hotel or Airbnb, Fashaw said. He compared consumption at the event to homeowners entertaining friends in their backyard and allowing guests to smoke a joint.

Fashaw said the police department has concerns about parking and traffic. He said a lieutenant and two officers would be assigned to the event.

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# HIGH TIDE HAPPY HOUR

EVERY Monday-Friday from 12pm-5pm.

Score Big on weekdays at the Rusty Nail with \$8 Well Drinks, \$2 Off All Beer, Half Off All Bottles of Wine, \$8 Dip Trio and \$10 Buffalo Chicken Dip!

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