

West Cape raises water, sewer rates

By JACK FICHTER
Cape May Star and Wave

WEST CAPE MAY — Borough Commission has raised the minimum quarterly rate for water and sewer services.

Minimum quarterly water use will be increased from 6,000 gallons to 7,000 gallons with the fee increasing from \$105 to \$130. Usage from 7,000 gallons to 29,999 gallons will be billed at \$10.30 per 1,000 gallons.

The borough's minimum annual sewer rate for single family homes and apartment units will increase from \$500 to \$660. The annual sewer rate for restaurants will increase from \$940 to \$1,000.

On Feb. 23, during public comment, Environmental Commission member Janice Payne said she conserves water and is concerned about the proposed change to the minimum usage amount. She said raising the minimum

water usage from 6,000 gallons to 7,000 gallons did not promote water conservation.

"If anything, the minimum usage and minimum fee should be lowered to promote conservation in our town," she said. "Also changes could be made in the proposed usage tiers that would promote water conservation."

Mayor Carol Sabo replied the borough was not encouraging more water use.

Payne asked how many residents used less than 6,000 gallons of water per quarter. She said she did not believe she was the only resident of the borough that used less than 6,000 gallons per quarter.

Borough Water and Sewer Supervisor David Carrick said he did not believe West Cape May would ever run out of water. He noted the borough's water was supplied by Cape May's desalination plant.

"I'm big on conservation too but we're talking about 1,000 gallons over 978 customers," Carrick said.

A number of customers use over 6,000 gallons per quarter, he said. Rather than penalize those customers with an overage charge, the borough decided to make the minimum 7,000 gallons to incorporate those users into the minimum fees, Carrick said. He said the tiered system for overages was changed. Carrick said he has worked for the borough for 29 years and the town has changed in the past five years.

"I think there were 69 or 70 houses built in the last five years," he said. "Cape May was selling us water at 41 million gallons in 2017, they are selling us over 50 million gallons now."

Stress on the systems has caused sewage disposal bills from the county Municipal Utilities Authority to in-

crease.

"These utilities are going to climb higher if you want to continue to live here and the population continues to grow, this will not stop," Carrick said.

Cape May plans to increase the size of desalination plant.

"I know each summer we barely get away with what they are providing now," he said.

The more water you use, the more you will pay under the tiered system, Carrick said. A high-water user who stresses the system will pay more, he said.

Carrick said the borough has a flat rate for sewer charges regardless of water use. A high-water user, whether a lot of the water was used for lawn sprinkling or it went into the sewer system, would pay for the sewer charge which will put needed money into the budget to pay the bills.

TIDES: March 2-9, 2022

DATE	HIGH		LOW	
	A.M.	P.M.	A.M.	P.M.
2	7:37	8:03	1:04	1:44
3	8:22	8:46	1:54	2:26
4	9:05	9:28	2:41	3:07
5	9:46	10:09	3:27	3:47
6	10:27	10:49	4:13	4:25
7	11:09	11:32	4:59	5:04
8	11:54		5:49	5:44
9	12:18	12:46	6:44	6:30

MOON PHASES

New moon, March 2 • first quarter, March 10

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Zoners reverse HPC decision

Continued from Page A1

funds to install a much more expensive cedar shake roof.

HPC Commissioner Corbin Cogswell commented in 2019 that cedar shakes may be located under the asphalt shingles, Monzo said.

"There is absolutely no reference anywhere to a requirement or a concern that there may be wood underneath the asphalt other than Mr. Cogswell's comment," Monzo said. "There's nothing in the deliberations, there's nothing in findings, there's nothing in the motion, there's nothing in the resolution."

King said the HPC design standards state if there is evidence of an original material, the new roof should replicate it in shape, lines, overhang, pitch and materials.

Monzo said the HPC approved an asphalt shingle roof in 2019 knowing there was a strong possibility there were cedar shakes underneath. He said if that was a relevant issue, it was the responsibility of the HPC to condition the approval on it.

The only basis under the law to reopen an application two years later was if a mistake were made in the application process by the applicant, Monzo said. He said Quinn was honest and truthful.

If there was a question of whether there were cedar shakes under the asphalt shingles, the HPC hearing could have been continued the at a future date so the applicant could have verified that information, Monzo said.

He said the city construction official did not visit the site or issue a stop work order.

"There's been nothing that prevents them from acting on the first application. HPC is advisory to the construction office official who has not said a thing about this," Monzo said.

Monzo asked under whose authority the HPC stopped the project.

He said almost every building on Jackson Street has an asphalt roof. Monzo said those properties replaced "like for like" but the HPC wanted Quinn to replace "like for what was."

Monzo said the second HPC hearing did not revoke the first decision.

Zoning Board member Bill Murray said a 2008 HPC property report described the roof as sheathed with architectural, dimensional asphalt shingles.

HPC solicitor Robert Fineberg said at the second hearing, the HPC approved replacing the roof with part done in asphalt shingles and the part visible from the street in cedar shakes. He said it was a compromise for all the other renovations the applicant was completing on the inn.

Murray asked if the HPC had a duty to investigate applications.

"Absolutely not," replied Fineberg. "I think it would be improper for individual members to do that and then come back to the board with what their findings are."

He said no evidence of cedar shingles on the roof was presented at the 2019 hearing. Fineberg said the applicant had been warned if cedar shingles were discovered, they may have to

use that material.

Fineberg said during the course of the renovation work, it was observed the roof had an underlying cedar shingles evidenced by visual observations from the street and the applicant agreed to stop the work pending further review of the matter by the HPC.

He said there was a mistake of fact at the 2019 hearing, an honest mistake.

"If somebody hadn't walked by and discovered that roof underneath there, we would not be here I take it," Murray said.

Monzo said it was hard for him to grasp that HPC members did not know that a house built in the 1800s did not originally have a wooden roof. He said asphalt was not invented to the 1900s, but they did further inquire.

The HPC in 2021 was "covering their tracks for all the mistakes they made in 2019," he said.

Murray said HPC's actions were not arbitrary or capricious. He asked if it was unreasonable to have somebody rely upon your decision and

then make another decision later that adversely affects the person involved in the decision.

"Did it really unreasonably effect the people that made that application?" Murray asked. "My opinion is yeah."

Murray said the HPC later requiring the applicant to use cedar shingles was contrary to the law of estoppel.

Prior to the vote, King said the question was whether the HPC had evidence of cedar wood shingles such that it should be bound by its first decision and if it did not have that evidence, is it the responsibility of the applicant or the HPC to make sure that information was before the HPC.

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