

LEGALS

**BOROUGH OF WEST CAPE MAY PLANNING BOARD NOTICE OF HEARING**

PLEASE TAKE NOTICE that Mark Alden Lukas and Edward C. Celata (collectively, the "Applicant") having an address at 119 Myrtle Avenue, West Cape May, New Jersey 08204, has filed an application (the "Application") with the Borough of West Cape May Planning Board (the "Planning Board") concerning property located in the C-1 Broadway Commercial Zoning District. The subject property is designated on the official tax map of the Borough of West Cape May as Block 4, Lot 4, having an address of 119 Myrtle Avenue, West Cape May, New Jersey 08204, and Block 4, Lots 20.01 and 20.02 (123 Broadway, West Cape May, New Jersey 08204) (the "Property").

The Application seeks preliminary and final site plan approval with variances and a waiver to convert the existing building located on the Property into an 80-seat restaurant and boutique hotel with six (6) units and to construct a 3-story addition in the rear of the existing building that will contain eighteen (18) additional units, for a total of twenty-four (24) units, and a rooftop pool, gym, spa, and other related site and infrastructure improvements, including parking, lighting and utilities serving the building.

The Application seeks variance relief from the following requirements of the West Cape May Zoning Regulations (the "Ordinance"): (1) Ordinance Section 27-15.3 requires a minimum lot area of 33,500 square feet, whereas a minimum lot area of 31,278 square feet is proposed; (2) Ordinance Section 27-15.3 permits a maximum lot coverage of 50%, whereas a lot coverage of 73.5% is proposed; (3) Ordinance Section 27-27.3 requires that there be 38 parking spaces, whereas 33 parking spaces are proposed; (4) Ordinance Section 27-27.6.b requires a 4-foot maximum fence height in side yards, whereas a 6-foot high fence is proposed along all side yards; (5) Ordinance Section 27-27.3.b requires a minimum parking lot buffer of 4-feet in width, whereas a 1.5-foot wide buffer is proposed along the north and south boundary lines of Block 4, Lot 20.01; (6) the Ordinance requires a minimum driveway width of 24 feet, whereas a 21.07-foot wide driveway in the parking area behind the building is proposed; (7) Ordinance Section 27-36.a.4 requires a minimum overall vegetation coverage of 35%, whereas a vegetation coverage of 26.5% is proposed; (8) Ordinance Section 27-27.4.1.(a) (4) requires a 4-foot maximum height for a monument sign, whereas a 6-foot high monument sign is proposed; and (9) Ordinance Section 27-15.4.i requires a maximum of 50 seats for the restaurant in the hotel building to be located on the Property, whereas 80 seats are proposed. The Application also seeks a waiver from the requirements of the Borough's Stormwater Control Ordinance (i.e., Chapter XXII of the Code of the Borough of West Cape May).

In addition, the Application also seeks such other deviations, variances, waivers, exceptions, interpretations, approvals, plan revisions or amendments and/or relief from the Ordinance as may be necessary or desirable in connection with the Application.

All interested persons will have an opportunity to be heard regarding the Application at the public hearing of the Planning Board to be held on October 10, 2017, at 7:00 p.m., and thereafter on such other dates as such hearing may be continued, in the Borough of West Cape May Municipal Hall, located at 732 Broadway, West Cape May, New Jersey 08204. The Application, plans and other related documents are available for inspection in the Planning Board office at the Borough of West Cape May Municipal Hall, located at 732 Broadway, West Cape May, New Jersey 08204, during regular business hours.

**DRINKER BIDDLE & REATH LLP**  
Attorney for Applicant  
105 College Road East  
Princeton, New Jersey 08542-0627  
(609) 716-6518  
By: Dorothy E. Bolinsky, Esq.  
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9/27, pf \$57.66

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**PUBLIC NOTICE OF ASSIGNMENT OF MUNICIPAL TAX SALE CERTIFICATE**

Notice is hereby given that the Township of Lower in the County of Cape May, has set October 16, 2017 at 7:00 P.M. in the Municipal Building, 2600 Bayshore Road as the date, place and time to consider the offer of Christopher Lizzi, to acquire by assignment, the following Tax Sale Certificates dated September 11, 2017, held by the Township of Lower and known as:

Certificate #17-00006 Block 93, Lot 45, 145 E Atlantic Avenue  
Certificate #17-00014 Block 208, Lot 1, 1600 Star Avenue  
Certificate #17-00027 Block 468, Lot 3, 923-325 Oak Lane

Said offer represents the amount due with subsequent liens. The owner of said property and all interested parties will be given the opportunity to be heard prior to action by the Governing Body.

This notice is given pursuant to the provision of N.J.S.A. 54:5-114

Susan Jackson  
Tax Collector

9/27, pf \$16.12

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**Notice of Special Meeting**

Please be advised that the Commissioners of Fire District No. 1 in the Township of Lower, County of Cape May, shall hold a special meeting on Wednesday, October 4, 2017 at 6:30 p.m. at the Villas Firehouse, 1619 Bayshore Road, Villas, NJ for the purpose of discussing the 2018 budget.

The Commissioners of Fire District No. 1  
Township of Lower, County of Cape May

9/27, pf \$8.68

LEGALS

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY NOTICE OF FINAL ADOPTION**

Notice is hereby given that the following Ordinance was approved for final adoption by the City Council of the City of Cape May at a Regular Meeting held September 19, 2017.

**ORDINANCE NO. 308-2016**  
AN ORDINANCE AMENDING CHAPTER 199 OF THE CAPE MAY CITY CODE REGARDING CONSTRUCTION PERMIT FEES  
ORDINANCE NO. 328 - 2017  
AN ORDINANCE AMENDING CHAPTER 10, SECTION 14(B) OF THE CAPE MAY CITY MUNICIPAL CODE, REGARDING THE POWERS OF THE MAYOR  
ORDINANCE NO. 329 - 2017  
AN ORDINANCE AMENDING CHAPTER 525, SECTION 35(B) OF THE CAPE MAY CITY MUNICIPAL CODE, REGARDING APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION

Patricia Harbora, City Clerk  
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9/27, pf \$18.60

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**BOROUGH OF CAPE MAY POINT NOTICE OF PENDING ORDINANCES**

08-2017 AN ORDINANCE AMENDING CHAPTER 120, PEACE AND GOOD ORDER OF THE CODE OF THE BOROUGH OF CAPE MAY POINT TO REGULATE CONSTRUCTION ACTIVITY WITHIN THE BOROUGH

In Summary, the purpose of this Ordinance is to limit the hours during which construction activity is permitted to 8 am and 6 pm every day.

09-2017 AMENDING THE SALARY ORDINANCE OF THE BOROUGH OF CAPE MAY POINT

In Summary, the purpose of this Ordinance is to set the salary ranges for every employee in the Borough.

The above Ordinances were introduced and passed on first reading at the Board of Commissioner of the Borough of Cape May Point meeting on September 21, 2017, and will be taken up for second reading, public hearing and final passage at a meeting of said Commissioners to be held at the Fire House meeting room, 412 Yale Avenue, Cape May Point, NJ on October 12, 2017, at 6:00 p.m. This Notice is posted in the Municipal Building and full copies may be obtained by the general public from the office of the Municipal Clerk or from the Borough's website www.capepoint.org.

Elaine L. Wallace, RMC  
Municipal Clerk  
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9/27, pf \$21.70

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**NOTICE OF DECISION**  
Lower Township Planning Board

The Lower Township Planning Board, at a regularly scheduled meeting held on September 21, 2017 at the Lower Township Municipal Building, took the following action on applications submitted for development and considered at that time:

1. Minor site plan & hardship variance applications for additional signage and two (2) outdoor display area, hardship variances needed for number of signs and sign area, submitted by Acme Markets, Inc., for the location known as Block 741.01, Lot 28.01, 3845 Bayshore Road, was CONTINUED UNTIL THE OCTOBER 19, 2017 MEETING AT THE APPLICANT'S REQUEST.
2. Preliminary & final site plan & hardship variance applications to demolish the existing single family dwelling and "Cape Liquors" and construct a new building containing a liquor store, deli, storage area and office space including a second level mezzanine. Hardship variances needed for number of signs, setback for signs and parking setback, submitted by FCF Realty, Inc., for the location known as Block 776, Lots 10-20 & 34-38, 920-928 Route 109, was conditionally approved.
3. Minor site plan application to construct a 63 x 65 aircraft & storage hanger with four (4) parking spaces, submitted by Frederick Boyle, Sr., for the location known as Block 410.01, Lot 36, was conditionally approved.
4. Minor site plan & hardship variance applications to construct a 2nd floor apartment over the existing garage encroaching into the front & side yard setbacks and construct a 40 x 52 pole barn encroaching into the side yard setback and larger than the principal structure and have a six (6) foot fence in the front yard, submitted by John & Dolores McNulty for the location known as Block 410.01, Lot 21.02, 502 Seashore Road, was APPLICATION WAS WITHDRAWN FROM THE PLANNING BOARD & TRANSFERRED TO THE ZONING BOARD BY VIRTUE OF THE REQUIREMENT FOR A USE VARIANCE.
5. The following resolution concerning application heard on July 20, 2017:  
Acme Markets, Inc.: Block 741.01, Lot 28.01
6. The following resolution concerning applications heard on August 17, 2017, was approved:  
DiStefano: Block 237, Lots 23-25  
Lund's Fisheries, Inc. 793, Lot 15.01  
Olivio: Block 291, Lots 1 & 2 & Block 299, Lots 1-3

Copies of each determination of resolution of the Board will be filed in the Planning and Zoning Office and will be available for inspection by the public.

William J. Galestok, PPAICP  
Director of Planning  
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9/27, pf \$40.30

LEGALS

**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 023130 15 therein, pending wherein, MTGLQ INVESTORS, L.P. is the Plaintiff and DONALD MILLER, ET AL is the Defendant, I shall expose to sale at public venue on:

**WEDNESDAY, 10/04/2017**

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:  
**101 EAST VIRGINIA AVENUE, LOWER TOWNSHIP, NJ 08251 WITH A MAILING ADDRESS OF 101 EAST VIRGINIA AVENUE, VILLAS, NJ 08251**

BEING KNOWN as **BLOCK 178, TAX LOT 13 AND 14**, on the official Tax Map of the Township of Lower, County of Cape May, New Jersey.

Dimensions of Lot: 50 X 100  
Nearest Cross Street: MOWREY AVENUE

**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 AFund 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 Mortgagee, the Mortgagee or the Mortgagee's attorney.

Amount due under judgment is **\$212,918.27** 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:  
PLUESE, BECKER & SALTZMAN  
20000 HORIZON WAY  
MT. LAUREL, NJ 080544318  
GARY G. SCHAFFER,  
SHERIFF  
CH755725

9/6, 9/13, 9/20, 9/27, pf \$147.56  
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**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: P.O. Box 2427 Cape May, N.J. 08204**



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# 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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