

WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
WEDNESDAY, July 5, 2023 – 5:00 pm.

Opening Announcement
Pledge of Allegiance & Moment of Silence
Roll Call & Determination of Quorum

Work Session

Consent Agenda

Approval of Minutes – June 19, 2023

Res. #2023-244 Authorization for the payment of Vouchers \$ 1,455,762.16

Res. #2023-245 Renewal of 2023 Campground License

Res. #2023-246 A Resolution Requesting Reduction of Performance Guarantee for Earl Drive Estates Major Subdivision; Block 501; Lot 11.01, Bond #P THartle

Res. #2023-247 A Resolution Requesting that the County of Cape May Reduce the Posted Speed Limit on Jonathan Hoffman Road from 40 Miles Per Hour to 30 Miles Per Hour

Res. #2023-248 A Resolution Awarding A Professional Service Contract without public bidding to Surenian, Edwards & Nolan, LLC to serve as Special Counsel to the Township of Lower for Affordable Housing Matters/Litigation

Res. #2023-249 Appointments to the Lower Township Environmental Commission

Res. #2023-250 Certification of Lot Clearing Charges to the Tax Collector

Regular Agenda

Ordinance #2023-11 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 3, Parking, of the Code of the Township of Lower in Order to Regulate/Restrict Valet Parking in Public Locations Throughout the Township.

Ordinance #2023-12 An Ordinance Amending Chapter 600, Towing and Storage, Specifically Subsection 6(A)(3), Towing and Storage Fee Schedule, of the Code of the Township of Lower

Ordinance #2023-13 An Ordinance Amending Chapter 90, Police Department, of the Code of the Township of Lower In Order to Establish a Deputy Chief Position and to Realign the Superior Officer Chain of Command

Ordinance #2023-14 An Ordinance Amending Chapter 400, Land Development, of the Code of the Township of Lower

Manager's Report

Administrative Reports

Personnel Action Report

Finance

Public Comment

Council Comments

Adjourn

COUNCIL MEETING MINUTES – June 19, 2023

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on June 19, 2023 at 5:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Clerk announced that the meeting was being held in compliance with the Open Public Meetings Act and that adequate notice of the meeting had been provided according to law.

The following members of Council were present for roll call taken by the Clerk:

Councilmember Thomas Conrad
Councilmember Kevin Coombs
Councilmember Roland Roy, Jr.
Deputy Mayor David Perry
Mayor Frank Sippel

Also present: Michael Laffey, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Oath of Office – Robert White & Steven Gindville

Police Chief, Kevin Lewis, shared Patrolman Robert White's biography.

Mayor Sippel administered the Oath of Office as Ptl. White's Uncle, Michael Cronin, held the Bible and his mother, Colleen White, pinned his badge.

Chief Lewis shared Patrolman Steven Gindville's biography.

Mayor Sippel administered the Oath of Office as Ptl. Gindville's father, Steven Gindville, held the Bible and his mother, Tresa Gindville, pinned his badge.

Mayor Sippel thanked the Police Department for their hard work.

Public Hearing – Renewal of Liquor License #0505-31-024-001; Sunset Beach Sportsman Club, 6 Sunset Blvd, Lower Township

Mayor Sippel announced the Public Hearing for Sunset Beach Sportsman's Club and shared a letter of objection, dated April 17, 2023, from NJDEP Fish & Wildlife Division.

Chris Gillin Schwartz, attorney for Sunset Beach Sportsman's Club, communicated the reason for the public hearing, stating that the liquor license renewal process should be routine in nature, however, due to the objection, a public hearing is required. He acknowledged the number of people present in support of the Club's renewal, and noted no one present to represent the objection. He stated that the Sunset Beach Sportsman's Club is still in possession of the clubhouse and meets all the qualifications for renewal. He provided documents to support the Club's position, including a copy of the lease from the State of New Jersey, dated July 7, 1999 and thanked Council for their consideration.

Ed Claven, President of Sunset Beach Sportsman's Club, thanked the Township for their consideration and thanked the Club members for their time and support of the cause.

Solicitor Stefankiewicz advised Council that the NJDEP's real-estate dispute with the Club is a separate issue from the Club's liquor license renewal. Based on his opinion, there is no impediment to renewing the license as long as the Club meets all requirements.

Mayor Sippel commented in favor of the Club and thanked them for being great stewards of the community.

Councilmember Conrad commented in favor of the Club.

Council Action on Liquor License #055-31-024-001

Resolution #2023-243 A Resolution Authorizing the Renewal of Liquor License #0505-31-024-001

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS		X	X				
ROY			X				
PERRY			X				
SIPPEL			X				

Consent Agenda

Approval of Minutes – June 5, 2023

- Res. #2023-217 Authorization for the payment of vouchers \$ 1,401,491.16
- Res. #2023-218 Bid Acceptance and Award of Concession Contract to Supply, Install and Service Vending Machines in the Township of Lower 2023-2025
- Res. #2023-219 Annual Renewal of Liquor Licenses for the year 2023-2024
- Res. #2023-220 Award National Cooperative Purchasing Agreement with Sourcwell to Jesco, Inc. to Purchase One (1) 2023 John Deere 524 P Tier 4WD Loader (\$236,220.)
- Res. #2023-221 Award National Cooperative Purchasing Agreement with Sourcwell to Hunter Jersey Peterbilt to Purchase One (1) 2024 or Newer Peterbilt 389 Tri-Axel Cab & Chassis (\$237,818.)
- Res. #2023-222 Approving Change Order #1 to South State Inc. to Grout Existing Concrete Pipe, Remove Existing 12" Corrugated Plastic Pipe, Install 4' Manhole due to Vacuum Sanitary Sewer Trench Conflict for the Reconstruction of Carriage Lane, Briarwood Drive, Bridle Path, Paddock Lane, Timber Lane and Trotter Way Project (LT-C-032) (\$40,400.78)
- Res. #2023-223 Authorization for 2023 Incentive Award for Insurance Waiver (\$50,416.67)
- Res. #2023-224 Revise Resolution to Add Pitney Bowes Inc. and idemia Identity & Security USA LLC to the Annual New Jersey State Contract Vendor Listing Pursuant to N.J.S.A. 40A:11-12a
- Res. #2023-225 A Resolution authorizing a Grant Application to the Lead Grant Assistance Program
- Res. #2023-226 Approval to Submit a Grant Application MA-2024 – Resurfacing of Ridgewood Avenue – 00052 (Bayshore Road to the Western End of Ridgewood Avenue) and Execute Grant Agreement with the New Jersey Department of Transportation
- Res. #2023-227 Approval of a Professional Service Contract with Wizard's Festival of Fun, Inc. for the Township of Lower's Independence Day Celebration, July 3, 2023
- Res. #2023-228 Award National Cooperative Purchasing Agreement with Sourcwell to Granturk Equipment Company Inc. to purchase One (1) Elgin REGENX-RM Sweeper Mounted on 2025 Freightliner M2 Chassis (\$295,000)
- Res. #2023-229 Approving Change Order #1 to MJJ Construction LLC for the Installation of an Additional Shower, Foot-wash and Bottle Filling Station for the Lincoln Boulevard Restroom Facility (LT-C-035) (\$11,119.)
- Res. #2023-230 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS Online Auction Website
- Res. #2023-231 Approval of Holy Spirit Lutheran Church application to Conduct a Flea Market
- Res. #2023-232 Renewal of 2023 Campground License
- Res. #2023-233 Reappointment to the Zoning Board of Adjustment (D.Brand)
- Res. #2023-234 Reappointment to the Planning Board (S.Supplee)
- Res. #2023-235 Approving Change Order #2 to MJJ Construction, LLC for a Contract Time Extension at No Cost from 60 days to 128 Calendar Days for the Lincoln Boulevard Restroom Facility (LT-C-035)
- Res. #2023-236 Approval of an Alcoholic Beverage Control Plenary Retail Consumption License (Pocketed) Person to Person transfer; License #0505-33-012-012; From PM Cape May, LLC to RL Farms, Inc.
- Res. #2023-237 Award National Cooperative Purchasing Agreement with Sourcwell to Jesco Equipment Inc to Purchase One (1) John Deere Model 320 P-Tier Backhoe Loader (\$146,131.)
- Res. \$2023-238 Resolution of the Lower Township Council Amending Resolution #23-211 to Include the Governing Body's Commitment to Long Term Maintenance of the Exterior Improvements at Diamond Beach Park
- Res. #2023-239 Authorization for the Payout of Accumulated Compensatory Time (W.Omrod \$2,874.59)
- Res #2023-240 Approval for Whale of a Day Festival (July 8, 2023)
- Res. #2023-241 Bid Acceptance and Contract Award of Purchase of Palfinger Roll Off Container Hoist with Hydraulic Tarping System or Equivalent Installed on Existing (new) 2024 Peterbilt 389 Tri-Axel Cab & Chassis (Hunter Jersey Peterbilt \$56,860.67)
- Res. #2023-242 Appointment to the Lower Township Environmental Commission

Ordinance #2023-15 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 3, Parking, Specifically SS7-3.3, Parking Prohibited at All Times on Certain Streets, of the Code of the Township of Lower to Prohibit Parking on Village Road and Bates Avenue. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for July 17, 2023

Motion to TABLE Resolution #2023-236

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS			X				
ROY			X				
PERRY	X		X				
SIPPEL		X	X				

On the CONSENT AGENDA:

Bill Greenfield, New Jersey Ave., addressed Council to request New Jersey Avenue be added to the Ordinance #2023-15. Mayor Sippel agreed to look into it for future consideration.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS			X				
ROY		X	X				
PERRY	X		X				
SIPPEL			X				

Regular Agenda

Engineer Report

Will Hanson gave Council an update on the following projects being handled by DeBlasio & Associates including: Diamond Beach Park Improvements; Reconstruction of Fire Lane; Replacement of Various Pavilions; Municipal Pool Renovations; Reconstruction of Wildwood Avenue; Reconstruction of Carriage Lane, Briarwood Drive, Bridle Path, Paddock Lane, Timber Lane and Trotter Way; Lincoln Boulevard Restroom Facility; Beach Access Paths; Rotary Community Park Renovations and Bay Outfall Extensions.

Mayor Sippel inquired about lettering for the tops of the pavilions. Manager Laffey informed that the lettering has been ordered from a local sign company.

Monthly Reports

Clerk, Construction, Dog, Tax, Vital

Public Comment

Cherie Eleissawy, Bayshore Café, addressed Council regarding her property relative to the Cannabis Overlay Zone.

Solicitor Stefankiewicz advised Council to refrain from comment due to the matter being in litigation.

He communicated that the Township followed the legal process to adopt the ordinance. He suggested Ms. Eleissawy communicate with the attorney handling the litigation.

Council Comments

Councilmember Conrad reminded residents to use caution, as schools are out for summer.

Councilmember Coombs echoed Councilmember Conrad's comments.

Councilmember Roy acknowledged the reappointments to the Planning and Zoning Boards and thanked the volunteers for their service.

Deputy Mayor Perry voiced anticipation for a successful July 3rd celebration.

Mayor Sippel pointed out the itinerary for the July 3rd event, including road closures.

Adjourn

There being no further business to address, motion to adjourn moved by Mayor Sippel, seconded by Councilmember Coombs. Motion to adjourn was unanimous. Meeting adjourned at 5:44 p.m.

Frank Sippel, Mayor

Township Clerk

Approved:

Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
00852	CHERRY VALLEY TRACTOR CO.*		Continued				
23-01586	06/15/23	BACKHOE PARTS/DPW	Open	<u>1,239.74</u>	0.00		
				99,871.29			
01125	MARGARET CROMPTON						
23-00155	01/12/23	CONTRACTUAL REIMBURSEMENT M	Open	100.00	0.00		B
01602	THOMSON WEST*						
23-01082	05/09/23	COURT SUBSCRIPTION INVOICE	Open	2,026.00	0.00		
23-01561	06/13/23	NEW JERSEY CRIMINAL & MOTOR	Open	<u>330.00</u>	0.00		
				2,356.00			
01653	GENTILINI FORD						
23-01520	06/09/23	PARTS FOR VEICLES/DPW	Open	2,106.27	0.00		
01690	GRANTURK EQUIPMENT CO*						
23-01566	06/13/23	PRESSURE UNIT/DPW	Open	539.07	0.00		
01741	GENTILINI CHEVROLET, LLC*						
23-01372	06/06/23	4 CHEVY TAHOE PATROL UNITS	Open	224,038.88	0.00		
01806	ANTHONY J HARVATT, II, ESQ						
23-00420	02/15/23	2023 ZBA Solicitor Salary	Open	625.00	0.00		
01873	HOME DEPOT*						
23-01321	06/01/23	SUPPLIES FOR POOL TOILET ROOMS	Open	1,472.70	0.00		
02025	HUNTER JERSEY PETERBILT~						
23-01237	05/19/23	PARTS FOR TRUCKS/DPW	Open	2,084.63	0.00		
23-01602	06/19/23	SUPPLIES FOR TRUCKS/DPW	Open	<u>375.98</u>	0.00		
				2,460.61			
02027	JESCO INC~						
23-01639	06/21/23	RES 23-220 4WD LOADER	Open	236,220.00	0.00		
02065	S. VITALE PYROTECNICO IND CORP						
23-01071	05/09/23	RES#23-147 JULY 3RD FIREWORKS	Open	61,000.00	0.00		
02097	LACAL EQUIPMENT INC						
23-01377	06/06/23	BROOMS FOR SWEEPER	Open	649.56	0.00		
02108	KEEN COMPRESSED GAS CO*						
23-01594	06/19/23	BOTTLED GAS/DPW	Open	124.11	0.00		
02140	KINDLE FORD LINC/MERC., INC.*						
23-01599	06/19/23	SUPPLIES FOR VECHICLES/DPW	Open	43.04	0.00		
02183	KLENSWITE POOL SPA SUP.CO INC~						
23-01611	06/19/23	CHEMICALS FOR POOL	Open	2,279.00	0.00		
02223	LANDSMAN UNIFORMS*						
23-00795	04/10/23	UNIFORMS NEW CLASS II OFFICERS	Open	761.70	0.00		
23-00817	04/10/23	UNIFORMS	Open	539.75	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02223	LANDSMAN UNIFORMS*				Continued				
		23-01508	06/09/23	UNIFORMS	Open	54.00	0.00		
						1,355.45			
02247	LAWSON PRODUCTS, INC.*								
		23-01666	06/23/23	SUPPLIES FOR GARAGE/DPW	Open	699.41	0.00		
02292	DONALD LOMBARDO								
		23-01686	06/28/23	CONTRACTUAL REIMBURSEMENT M	Open	1,431.60	0.00		
02448	JOHN MACCARTER								
		23-01629	06/21/23	CONTRACTUAL REIMBURSEMENT V	Open	285.00	0.00		
02461	JOHN MAHER								
		23-01687	06/28/23	CONTRACTUAL REIMBURSEMENT M	Open	2,946.48	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC*								
		23-00041	01/06/23	RES#23-17 MONTHLY DNE\$43517	Open	3,626.41	0.00		B
03008	NJ DEPT OF TREASURY/FEES								
		23-01173	05/19/23	RECYCLING MONITORING FEES	Open	2,282.50	0.00		
		23-01175	05/19/23	WATER ALLOCATION FEES	Open	230.00	0.00		
						2,512.50			
03026	NJ STATE HEALTH BENEFITS								
		23-01684	06/26/23	JULY 2023 NJSHBP ACTIVE	Open	240,334.17	0.00		
		23-01685	06/26/23	JULY 2023 NJSHBP RETIREES	Open	121,358.61	0.00		
						361,692.78			
03305	PEDRONI FUEL*								
		23-01597	06/19/23	NO LEAD GAS/DPW 6/7/23	Open	680.37	0.00		
03518	RIGGINS, INC.*								
		23-01665	06/23/23	DIESEL/DPW	Open	959.31	0.00		
03537	RUTGERS, THE STATE UNIVERSITY*								
		23-00455	02/17/23	CPWM REVIEW COURSE/J DOUGLASS	Open	390.00	0.00		
03573	SAFETY-KLEEN CORP*								
		23-01003	05/05/23	EQUIP MAINTENANCE/DPW	Open	488.78	0.00		
03671	SOUTH JERSEY OVERHEAD DOOR, INC								
		23-01570	06/13/23	INTERMITTANT PROBLEM/DPW	Open	295.00	0.00		
03692	SOUTH JERSEY GAS CO*								
		23-01703	06/28/23	5/18-6/19/23 NATURAL GAS	Open	811.10	0.00		
03764	TCTANJ								
		23-00774	04/03/23	2023 TCTA SPRING CONFERENCE	Open	430.00	0.00		
03820	MUNICIPAL UTIL. AUTH ON CALL								
		23-01568	06/13/23	REIMBURSE HALF TOTAL BILL	Open	231.28	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03904	LOWE'S HOME CENTER INC*								
		23-01005	05/05/23	SUPPLIES FOR BUILDING/DPW	Open	303.36	0.00		
		23-01295	05/30/23	DNE \$500	Open	219.65	0.00		
		23-01325	06/01/23	SUPPLIES FOR POOL BATHHOUSE	Open	796.96	0.00		B
		23-01362	06/06/23	WELLNESS PRIZES	Open	<u>1,000.00</u>	0.00		
						2,319.97			
03915	TURF EQUIPMENT & SUPPLY CO*								
		23-00997	05/05/23	MOWER PARTS/DPW	Open	151.18	0.00		B
		23-00998	05/05/23	MOWER PARTS/DPW	Open	<u>457.98</u>	0.00		
						609.16			
03994	MARGARET VITELLI								
		23-01701	06/28/23	MILEAGE REIMBURSEMENT TRAINING	Open	64.85	0.00		
04030	WEST PUBLISHING PAYMENT *								
		23-00450	02/16/23	CLEAR PROGRAM	Open	3,505.92	0.00		
04075	BARBER CONSULTING SERVICES LLC								
		23-01677	06/23/23	MIS OT FOR TOWNHALL & PD	Open	1,253.75	0.00		
		23-01691	06/28/23	COMAST INSTALL	Open	<u>3,160.00</u>	0.00		
						4,413.75			
04085	CHRISTOPHER WINTER								
		23-01630	06/21/23	CONTRACTUAL REIMBURSEMENT M	Open	228.00	0.00		
04097	CINTAS FIRST AID AND SAFETY*								
		23-01678	06/23/23	TOWNHALL FIRST AID 6/21/23	Open	33.52	0.00		
04261	STATE OF NEW JERSEY								
		23-01635	06/21/23	2ND QTR 2021	Open	4,776.65	0.00		
04301	SEASHORE ASPHALT CORPORATION*								
		23-01000	05/05/23	PATCH/DPW	Open	102.30	0.00		B
04504	MEDIA FIVE LTD*								
		23-00903	04/24/23	RES#23-113 JULY 3RD FESTIVAL	Open	2,500.00	0.00		
05079	SHORE MEDICAL CENTER								
		22-00717	03/24/22	CPR CARDS	Open	408.00	0.00		
05083	ALLEGRA MARKETING, PRINT & MAIL								
		23-01645	06/21/23	INDEPENDENCE DAY POSTERS	Open	132.50	0.00		
2023	ATLANTIC TACTICAL INC*								
		23-01593	06/19/23	GAS MASK CANISTERS	Open	5,760.00	0.00		
6059	USABLE LIFE								
		23-01694	06/28/23	JULY 23 LIFE INS	Open	970.65	0.00		
6063	CAPE MINING & RECYCLING, LLC*								
		22-00112	01/11/22	SUPPLIES FOR TWP. ROADS	Open	29.70	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6071	UNITED UNIFORMS LIMITED LIAB*	23-00796	04/10/23	NEW CLASS II PATCHES	Open	250.00	0.00		
6094	ANCHOR RUBBER STAMP & PRINT*	23-01510	06/09/23	NOTARY STAMP	Open	25.90	0.00		
7098	SHORE VETERINARIAN ANIMAL *	23-00182	01/18/23	2023 ANIMAL CONTROL DNE\$60K	Open	5,000.00	0.00		B
7160	MICHAEL NUSCIS	23-01215	05/19/23	2023 EQUIPMENT ALLOWANCE	Open	150.00	0.00		
7196	LAUREN HUGGINS SUIT*	23-00040	01/06/23	RES#23-09 PUBLIC INFO OFFICER	Open	1,356.67	0.00		B
7199	STAPLES CREDIT PLAN-INSTORE PU	23-01534	06/09/23	OFFICE SUPPLIES	Open	78.24	0.00		
		23-01535	06/09/23	OFFICE SUPPLIES/APW	Open	226.92	0.00		
						305.16			
7216	THE ZONE GROUP, INC.	23-00905	04/24/23	PER RES#23-113 JULY 3RD FEST.	Open	900.00	0.00		
7354	FLEETPRIDE INC.*	23-01601	06/19/23	SUPPLIESFOR VEHICLES/DPW	Open	1,126.08	0.00		
7475	SUZANNE M SCHEID	23-01628	06/21/23	CONTRACTUAL REIMBURSEMENT M	Open	46.99	0.00		
7507	STEFANKIEWICZ & BELASCO LLC*	23-00034	01/06/23	RES#2023-01 MONTHLY DNE\$34K	Open	2,833.33	0.00		B
7636	MOTT MACDONALD LLC*	23-01334	06/01/23	PB MOTT MACDONALD VOUCHERS	Open	251.22	0.00		
7689	GOVERNMENT FORMS AND SUPPLIES*	23-01314	06/01/23	Printing - Summer Newsletter	Open	318.08	0.00		
7770	BEN SHAFFER RECREATION INC	23-00835	04/12/23	WHEEL DEAL PACKAGE BENNETS	Open	2,547.00	0.00		
7813	TUCKAHOE BIKE SHOP	23-01115	05/11/23	BICYCLE MAINT. PARTS, LABOR	Open	626.87	0.00		
7820	DEBLASIO & ASSOCIATES, P.C*	23-01555	06/13/23	PB ENGINEER VOUCHERS	Open	1,014.90	0.00		
7836	AXON ENTERPRISE, INC*	21-03053	12/07/21	IN CAR CAMERAS (16) RES	Open	117,879.99	0.00		
		22-01144	05/03/22	TASER BATTERIES	Open	2,730.00	0.00		
		22-02305	09/23/22	CO #1 RES#22-276 FLEET	Open	89,328.00	0.00		
						209,937.99			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7929	AMAZON CAPITAL SERVICES, INC ~								
		23-00398	02/10/23	MANAGERS FLOOR PROTECTORS	Open	115.78	0.00		
		23-00688	03/17/23	IDLER PULLEY REPLACEMENT	Open	0.00	0.00		
		23-00883	04/14/23	HVAC FILTERS	Open	1,029.95	0.00		
		23-00974	04/27/23	PURCHASING OFFICE SUPPLIES	Open	71.88	0.00		
		23-01162	05/17/23	SAFETY SWEATSHIRTS	Open	895.17	0.00		
		23-01164	05/17/23	TRACTOR RADIATOR FOR COUNTY	Open	537.78	0.00		
		23-01337	06/01/23	DESKTOP CHARGER	Open	34.99	0.00		
		23-01376	06/06/23	POWER TOOLS	Open	570.62	0.00		
		23-01576	06/13/23	WIRELESS ENDOSCOPE CAMERA	Open	39.99	0.00		
		23-01577	06/13/23	Basics 6-Outlet Surge Power	Open	38.74	0.00		
		23-01591	06/19/23	OFFICE SUPPLIES-TREASURER	Open	19.99	0.00		
						<u>3,354.89</u>			
7959	ALL PRO TEAM SPORTS								
		23-01351	06/05/23	INTEGRATED FOOTBALL PANTS	Open	1,665.00	0.00		
8001	KEVIN O'BRIEN								
		22-00887	04/07/22	EQUIPMENT ALLOWANCE 2022	Open	150.00	0.00		
		23-01216	05/19/23	2023 EQUIPMENT ALLOWANCE	Open	103.46	0.00		B
						<u>253.46</u>			
8084	CHRIS KANE								
		23-01582	06/15/23	SPRING SOCCER OFFICIAL '23	Open	360.00	0.00		
8105	JOSEPH HARRISON								
		23-01537	06/09/23	SOCCER REF ASSIGNOR	Open	156.00	0.00		
8175	INTEGRITY INTERPRETING LLC *								
		23-01637	06/21/23	COURT INTERPRETER	Open	116.44	0.00		
8184	BUDDY TREEN								
		23-01606	06/19/23	SPRING SOCCER OFFICIAL '23	Open	160.00	0.00		
8403	ANDREA IAPALUCCI ~								
		23-01357	06/05/23	229 Bay Ave Lot Clearing	Open	875.00	0.00		
		23-01545	06/09/23	lot clearing	Open	400.00	0.00		
		23-01547	06/09/23	lot clearing	Open	350.00	0.00		
		23-01610	06/19/23	Lot Clearing 601 Lincoln Blvd	Open	900.00	0.00		
						<u>2,525.00</u>			
8459	BATTERIES PLUS BULBS #636 *								
		23-01018	05/05/23	RDS/SANT/RECY/DPW	Open	730.00	0.00		
		23-01661	06/23/23	BATTERIES/DPW	Open	760.00	0.00		
						<u>1,490.00</u>			
8508	CSI TECHNOLOGY GROUP *								
		23-01571	06/13/23	RMS MAINT./INFOSHARE 8/1/23-24	Open	6,900.00	0.00		
8512	KARATE GARAGE (BAND)								
		23-00904	04/24/23	PER RES#23-113 JULY 3RD FEST.	Open	800.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8537	ASBURY PARK PRESS	23-01365	06/06/23	2023 E-SUBSCRIPTION 7/5-12/5	Open	14.99	0.00		PC1
8721	BLANEY, DONOHUE, & WEINBERG PC	23-00039	01/06/23	RES#2023-05 PROSECUTOR DNE\$45K	Open	3,750.00	0.00		B
8726	APEX INSURANCE AGENCY LLC	23-01564	06/13/23	PACIFIC OUTDOOR QM-2747	Open	1,597.24	0.00		
8818	POWERDMS INC	23-01589	06/19/23	POWER FTO	Open	3,180.00	0.00		
8907	LACIE EUBANKS	23-01647	06/22/23	CONTRACTUAL REIMBURSEMENT V	Open	95.00	0.00		
8909	COMCAST BUSINESS	23-01679	06/23/23	BUS INTERNET PD 6/1-6/30/23	Open	974.95	0.00		
8917	DEERE & COMPANY	22-03161	12/22/22	JOHN DEERE GATOR XUV825M	Open	19,871.16	0.00		
8974	DONNA BOYLE	23-01322	06/01/23	RETURN OF UNUSED ESCROW	Open	63.42	0.00		
8989	TIMOTHY M PYNE	23-01533	06/09/23	RELEASE OF DEMO BOND	Open	1,000.00	0.00		
8990	CENTRAL JERSEY EQUIPMENT LLC	23-01554	06/13/23	PARTS FOR COUNTY TRACTOR	Open	423.61	0.00		
8991	DHY MOTORSPORTS	23-01572	06/13/23	PARTS FOR QUAD MAINT.	Open	1,329.07	0.00		
8994	KAITLYN LACEY	23-01605	06/19/23	REIMBURSEMENT-LIFEGUARD TRAINI	Open	45.00	0.00		
8996	LONE WOLF GAMING LLC	23-01670	06/23/23	LASER TAG YOUTH CAMP 7/18/23	Open	1,100.00	0.00		
PRINCE	STEPHEN PRINCE JR	23-01643	06/21/23	SPRING '23 SOCCER OFFICIAL	Open	240.00	0.00		

Total Purchase Orders: 134 Total P.O. Line Items: 0 Total List Amount: 1,455,367.16 Total Void Amount: 0.00

TOWNSHIP OF LOWER, COUTNY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-244

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
NJ DEPARTMENT OF TRANSPORTATION	NJDOT PERMIT APP	\$395.00
	TOTAL Manual Checks	\$395.00
	TOTAL Computer Generated	\$1,455,367.16
	TOTAL BILL	\$1,455,762.16

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 05, 2023.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-245

Title: RENEWAL OF 2023 CAMPGROUND LICENSE

WHEREAS, Sun Outdoors Cape May has applied for renewal of their Campground License; and

WHEREAS, the applicant has paid the required license fee.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Campground License for the following are hereby renewed for the period of April 1, 2023 through March 31, 2024 subject to all real estate taxes being current.

Sun Holly Shores, LLC

t/a Sun Outdoors Cape May

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 5, 2023.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-246

Title: A RESOLUTION REQUESTING REDUCTION OF PERFORMANCE GUARANTEE FOR EARL DRIVE ESTATES MAJOR SUBDIVISION; BLOCK 501; LOT 11.01; BOND #P THARTLE

WHEREAS, Thomas Hartle posted a Performance Guarantee with the Township of Lower in the reduced amount of \$114,455.60 for the major subdivision referenced above; and

WHEREAS, the Township Engineer has recommended that improvements having a total value of \$57,828.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced by the said amount of \$57,828.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Performance Guarantee of \$114,455.60 be and hereby is reduced by the sum of \$57,828.00 leaving a remaining balance of \$56,627.60.

BE IT FURTHER RESOLVED that the Township Treasurer be granted permission to issue a check in the amount of \$57,828.00 plus any accrued interest (if applicable) in payment of the reduced Performance Guarantee.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 5, 2023.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER

2500 Bayshore Road
Villan, New Jersey 08225



Incorporated 1798

(609) 886-2005

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP
Director of Planning

DATE: June 22, 2023

RE: Resolution #2023-246
Major Subdivision
Earl Drive Estates
Block 501, Lot 11.01
Thomas Hartle
Twp Escrow #P08-02-05

The Land Development Ordinance of the Township of Lower, Chapter XVI, Subsection 400-81E, requires that "The governing body shall by resolution, release or declare in default each Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2023-246 is required to reduce the Performance Guarantee held in trust by the Township of Lower for Thomas Hartle.

The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Mott MacDonald. The Township Engineer recommends the reduction of the retained \$114,455.60.

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Improvements having a total value of \$57,828.00 have been completed. Therefore, the Township Engineer recommends the reduction of the Performance Guarantee.

cc: financial file
att.: Engineer's Report



Mr. William Galestok, PP, AICP
Lower Township Planning Director
2600 Bayshore Road
Villas, NJ 08251

Via E-mail

Your Reference
Twp. No P08-02-05

Our Reference
MM No. 507100071-028

3 Paragon Way
Freehold, NJ 07728

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com

**Major Subdivision Earl Drive Estates – Performance Guarantee
Reduction #2
Block 501, Lot 11.01
Township of Lower, Cape May County**

June 20, 2023

Dear Mr. Galestok:

The applicant, Tom Hartle, has requested a reduction in the performance guarantee for various items associated with the above referenced project. Mott MacDonald has conducted multiple inspections at the project site, and has found a portion of these items may be released based on what was constructed, as follows:

- Item #3 – Concrete Driveway Apron cannot be released as none of the driveway aprons within the site have been constructed. The driveway apron at Lot 9.15 was reconstructed; however, this was not bonded.
- Item #4 – Concrete Sidewalk can be released since the only concrete sidewalk that was bonded for was associated with extended sidewalk as part of the cul-de-sac restoration. The cul-de-sac restoration has been eliminated from the project therefore this can be released.
- Item #5 – Concrete Rolled Curb has been completed.
- Item #6 – Demolition and Restoration of Existing Cul-De-Sac has been eliminated from the project; however the curbed island was added to the project and not bonded for. Associated pavement restoration, fence installation and completion of the island remain, therefore I recommend a 75% reduction of this item.
- Item #7 – Manhole Cover has been completed.
- Item #9 – 3" Asphalt Base Course has been completed.

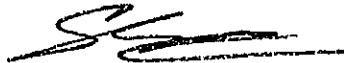
Mott MacDonald finds the construction to be in conformance with the approved plan set; therefore, we recommend the performance guarantee be reduced from **\$114,455.60** (first reduction) to **\$56,627.60** as indicated in red on the table below.

PERFORMANCE GUARANTEE ITEMS					
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
1	Site-Clearing	1	LS	\$5,000.00	\$5,000.00
2	Deciduous Tree	20	EA	\$225.00	\$4,500.00
3	Concrete Driveway Apron	1,006	SF	\$12.00	\$12,072.00
4	Concrete-Sidewalk	216	SF	\$10.00	\$2,160.00
5	Concrete-Rolled-Curb	162	LF	\$40.00	\$6,480.00
6	Demolition and Restoration of Existing Cul-De-Sac	1 0.25	LS	\$12,000.00	\$12,000.00 \$3,000.00
7	Manhole-Cover	1	EA	\$750.00	\$750.00
8	1.5" Asphalt Surface Course	149	TON	\$105.00	\$15,645.00
9	3" Asphalt Base Course	298	TON	\$100.00	\$29,800.00
10	6" Dense-Graded-Aggregate	1,520	SY	\$10.00	\$15,200.00
11	Street Light	2	EA	\$2,500.00	\$5,000.00
12	Concrete Monument	8	EA	\$225.00	\$1,800.00
13	Seeding	10,060	SF	\$0.10	\$1,006.00
ESTIMATED IMPROVEMENT TOTAL (PERFORMANCE GUARANTEE ITEMS)					\$43,023.00
SAFETY AND STABILIZATION GUARANTEE					\$5,000.00
PERFORMANCE GUARANTEE TO BE SUBMITTED <i>(N.J.S.A. 40:55D-53.a.1 - (120% of estimated improvement total - Performance Guarantee Items) & Safety and Stabilization Guarantee)</i>					\$138,695.60
PERFORMANCE GUARANTEE BASED ON COMPLETED ITEMS (FIRST REDUCTION) <i>(N.J.S.A. 40:55D-53.a.1 - (120% of estimated improvement total - Performance Guarantee Items) & Safety and Stabilization Guarantee)</i>					\$114,455.60
PERFORMANCE GUARANTEE BASED ON COMPLETED ITEMS (SECOND REDUCTION) <i>(N.J.S.A. 40:55D-53.a.1 - (120% of estimated improvement total - Performance Guarantee Items) & Safety and Stabilization Guarantee)</i>					\$56,627.60

Should you have any questions, please do not hesitate to call.

Very truly yours,

Mott MacDonald, LLC



Shawn A. Carr, PE, CME
 Principal Project Manager
 T 609.465.9377 F 609.465.5270
 Shawn.Carr@mottmac.com

SAC
 encl.

cc: Patrick Wood, Lower Township (via email)
 Tim Clarke, Mott MacDonald (via email)
 Tom Hartle (via email)

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-247

Title: **A RESOLUTION REQUESTING THAT THE COUNTY OF CAPE MAY REDUCE THE POSTED SPEED LIMIT ON JONATHAN HOFFMAN ROAD FROM 40 MILES PER HOUR TO 30 MILES PER HOUR**

WHEREAS, Jonathan Hoffman Road is a public right-of-way located within the Township of Lower which is under the jurisdiction of, and maintained by, the County of Cape May; and

WHEREAS, over the course of the past several weeks, the Township of Lower has received several complaints from Township residents concerning motor vehicles travelling at high rates of speed along Jonathan Hoffman Road, and said residents have requested that the Township of Lower consider reducing the posted speed limit on this roadway; and

WHEREAS, the Township Council of the Township of Lower finds that it is in the best interest of the general public to request that the County of Cape May reduce the posted speed limit on Jonathan Hoffman Road from 40 miles per hour to 30 miles per hour, in the following locations:

Bayshore Road just South of the Intersection with Route 9 to the Intersection with Jonathan Hoffman

AND

All of Jonathan Hoffman Road from Bayshore Road to Seashore Road

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Lower Township Council hereby requests that the County of Cape May reduce the posted speed limit on Jonathan Hoffman Road from 40 miles per hour to 30 miles per hour in the areas identified herein.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 5, 2023.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-248

Title: A RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING TO SURENIAN, EDWARDS & NOLAN, LLC TO SERVE AS SPECIAL COUNSEL TO THE TOWNSHIP OF LOWER FOR AFFORDABLE HOUSING MATTERS/LITIGATION

WHEREAS, the Township of Lower has a need to acquire/retain special counsel possessing expertise in the area of affordable housing and the Fair Housing Act in order to assist the Township with addressing its affordable housing obligation, and desires to authorize this appointment using a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Surenian, Edwards & Nolan, LLC has submitted a proposal to serve as Affordable Housing Special Counsel for the Township of Lower at a rate set forth in the attached proposal; not to exceed \$20,000.00; and

WHEREAS, the Township CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation #: 3-01-20-155-286

CFO Signature: Lauren Read, CFO

WHEREAS, Surenian, Edwards & Nolan, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or committee in the Township of Lower in the previous year, and that the contract will prohibit them from making any reportable contributions during the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a contract without public bidding be awarded to Surenian, Edwards & Nolan, LLC as Special Counsel on Affordable Housing for the Township of Lower at the rate attached hereto; for a total price not to exceed \$20,000.00 for the year.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above award shall be published in the Township's Official paper.

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows of names: CONRAD, COOMBS, ROY, PERRY, SIPPEL.

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 5, 2023.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-249

Title: APPOINTMENTS TO THE LOWER TOWNSHIP ENVIRONMENTAL COMMISSION

WHEREAS, pursuant to N.J.S.A 40:56A-1, the governing body is authorized to establish an Environmental Commission for the protection, development or use of natural resources, including water resources, located within the Township limits; and appoint members to serve on the Commission; and

WHEREAS, the Lower Township Environmental Commission is a 5 member board (3 Year Term) and up to two alternates, (2 year Term), which currently has 4 Regular Member and 2 alternate member vacancies; and

WHEREAS, The Township Council of the Township of Lower has reviewed applications on file with the Clerk from individuals who have expressed an interest to serve on the Lower Township Environmental Commission to fill the vacancies.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following individual is hereby appointed to serve on the Municipal Utilities Authority Board:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Jill M Connell	Regular Member	July, 2024
Wendy Allen	Regular Member	July, 2025
Jim Dougherty	Regular Member	July, 2026
Linda Portewig	Regular Member	July, 2026
Margaret Keane	Alternate Member	July, 2025

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 5, 2023.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2023-250

Title: **CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR**

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code; and

WHEREAS, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition; and

WHEREAS, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

Block	Lot	Name	Property Location	Amount	Admin Fee	Lien Amount
113	35	Smail, Georgeann	229 Bay Avenue	\$ 875.00	\$ 500.00	\$ 1,375.00
686	12	Maclaren, Dana & Judy	601 Lincoln Blvd	\$ 900.00	\$ 500.00	\$ 1,400.00
501	28	Harer, Dorothy	768 Seashore Rd	\$ 400.00	\$ 500.00	\$ 900.00
97	3	Cudworth, Valerie	106 E Atlantic Ave	\$ 350.00	\$ 500.00	\$ 850.00
				TOTAL		\$ 4,525.00

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the costs and fees set forth above, incurred by the Township of Lower to abate the unlawful conditions on the properties listed above are charged as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 5, 2023

Julie A Picard, Township Clerk

Memo

To: Julie Picard, Clerk

From: Walter Fiore, Code Enforcement Officer

Subject: Liens for Lot Clearings

Date: June 28, 2023

CC: File

I respectfully request liens be placed on the properties listed below for lot clearing charges incurred by the Township.

Please note the Township cost to be added to all liens is \$500.00

BLK/LOT	Name (As Assessed)	Amount	Property Location
113 / 35	SMALL, GEORGEANN	\$875.00	229 BAY AVENUE
686 / 12	MACLAREN, DANA P & JUDY A	\$900.00	601 LINCOLN BLVD
501 / 28	HARER, DOROTHY M	\$400.00	768 SEASHORE ROAD
97 / 3	CUDWORTH, VALERIE	\$350.00	106 E ATLANTIC AVENUE



**Township of Lower
Code Enforcement
2600 Bayshore Road
Villas NJ 08251
(609)-886-2624**

*no
close
5-26-23*

**NOTICE OF VIOLATION AND ORDER TO CORRECT
IDENTIFICATION**

7020 3160 0002 1065 2544

Reference Number: 10018236	Notice Date: 04/25/2023	Comply Date: 05/06/2023
Name: SMALL, GEORGEANN Address: 229 BAY AVE VILLAS, NJ 08251	Block: 113 Site Address: 229 BAY AVENUE LOWER TOWNSHIP	Lot : 35 Qual :
Phone:		

PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exists. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
Violation Comments.			
302.1	04/25/2023		PM-302.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
302.4	04/25/2023		PM-302.4 High Grass and Weeds: High grass and weeds on property need to be cut.
185-2	04/25/2023		185-2 Trash, Debris, and Obnoxious Brush, Etc.: It is unlawful to permit trash, debris, obnoxious brush, weeds, dead and dying trees, stumps, roots, and poison growths.

Sincerely,

Walter Fiore

Walter Fiore, Code Enforcement

Date

4-25-23

⊞ Add ⊞ Edit ⊞ Close ⊞ Previous ⊞ Next ⊞ Detail ⊞ Letter ⊞ Help

Notes Exist

Block: 113

Lot: 35

Qualifier:

LOT CLEARING PENDING

Owner: SMALL, GEORGEANN

Prop Loc: 229 BAY AVENUE

Account Id: 0001112

Tax Bill PTR Form

General Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Owner Street 1: 229 BAY AVE

Additional Lot 1: L36,37

Street 2:

Additional Lot 2:

City/St: VILLAS, NJ

Property Class: 2

Zip: 08251-

Parcel Key:

Country:

Unpaid Interest: .00

Phone: (609)886-7298

Vendor:

Email:

User Msgs: 020

Bank Code: 00660 CORELOGIC

Municipal Lien: Assignment: Bankruptcy: APR 2:

Exclude from Tax Sale:

Outside Lien: Sp Charges: Install. Plan:

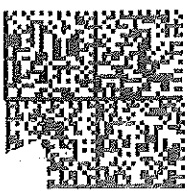
Online Payment Restrictions: None



TOWNSHIP OF LOWER
2600 BAYSHORE ROAD
VILLAS, NEW JERSEY 08251



7020 3160 0002 1065 2544



FP [®] **US POSTAGE**
\$008.10⁹
First-Class - **INTL**
ZIP 08251
04/25/2023
034A 0081801237

Vac

SMALL, GEORGEANN
229 BAY AVE
VILLAS, NJ 08251



Township of Lower
Code Enforcement
2600 Bayshore Road
Villas NJ 08251
(609)-886-2624

No
Change
6-12-23

NOTICE OF VIOLATION AND ORDER TO CORRECT

IDENTIFICATION

7020 3160 0002 1065 2759

Reference Number: 10018282

Notice Date: 05/24/2023

Comply Date: 06/03/2023

Name: MACLAREN, DANA P & JUDY A
Address: 601 LINCOLN BLVD
NORTH CAPE MAY, NJ 08204

Block: 686 Lot: 12 Qual:
Site Address: 601 LINCOLN BLVD
LOWER TOWNSHIP

Phone:

PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exists. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
Violation Comments.			
302.4	05/24/2023		PM-302.4 High Grass and Weeds: High grass and weeds on property need to be cut.
302.1	05/24/2023		PM-302.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Sincerely,

Walter Fiore

Walter Fiore, Code Enforcement

Date 5-24-23

Add Edit Close Previous Next Detail Letter Help

Block: 686

Lot: 12

Qualifier:

LOT CLEARING PENDING

RETURNED MAIL

Owner: MACLAREN, DANA P & JUDY A

Prop Loc: 601 LINCOLN BLVD

Account Id: 0001849

Tax Bill PTR Form

General Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Owner Street 1: 601 LINCOLN BLVD

Additional Lot 1:

Street 2:

Additional Lot 2:

City/St: NORTH CAPE MAY, NJ

Property Class: 2

Zip: 08204

Parcel Key:

Country:

Unpaid Interest: .00

Phone: (609)435-4632

Vendor:

Email:

User Msgs: 020 014

Bank Code: 00597 LERETA, LLC

Municipal Lien: Assignment: Bankruptcy: APR 2:

Exclude from Tax Sale:

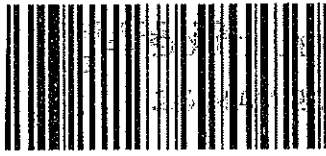
Outside Lien: Sp Charges: Install. Plan:

Online Payment Restrictions: None

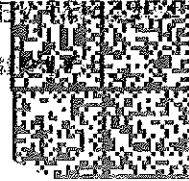


CERTIFIED MAIL

08251130099 2419-01191
UNABLE TO FORWARD
RETURN TO SENDER
INVESTMENT ADDRESS
171 DE 1 0000



160 0002 1065 2759

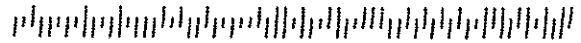


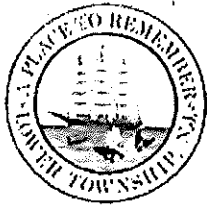
US POSTAGE
\$008.10⁰
First-Class Mail
ZIP 08251
05/25/2023
034A 0081801237

MACLAREN, DANA P & JUDY A
601 LINCOLN BLVD
NORTH CAPE MAY, NJ 08204

Handwritten signature/initials

08204-303301





**Township of Lower
Code Enforcement
2600 Bayshore Road
Villas NJ 08251
(609)-886-2624**

**NOTICE OF VIOLATION AND ORDER TO CORRECT
IDENTIFICATION**

Reference Number: 10018228	Notice Date: 04/18/2023	Comply Date: 04/28/2023
Name: HARER, DOROTHY M Address: 768 SEASHORE ROAD CAPE MAY, NJ 08204	Block: 501 Site Address: 768 SEASHORE ROAD LOWER TOWNSHIP	Lot : 28 Qual :
Phone:		

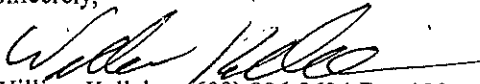
PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exists. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
302.1 DEBRIS	04/19/2023		PM-302.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
302.4 H,G,W	04/19/2023		PM-302.4 High Grass and Weeds: High grass and weeds on property need to be cut.
302.7 POOL IN DISREPAIR	04/19/2023		PM-302.7 Accessory Structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Sincerely,



William Kelleher (609) 886-2624 Ext. 180

Date

4/18/23

Add Edit Close Previous Next Detail Letter Help

Notes Exist

Block: 501
Lot: 28

Qualifier: RETURNED MAIL

Owner: HARER, DOROTHY M

Prop Loc: 768 SEASHORE ROAD Account Id: 00008827

Tax Bill PTR Form

General Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Owner Street 1: 768 SEASHORE ROAD

Street 2: Additional Lot 1:

City/St: CAPE MAY, NJ

Property Class: 2 Additional Lot 2:

Zip: 08204-

Country: Unpaid Interest: .00

Parcel Key: Vendor:

Phone: () - User Msgs: 014

Email:

Bank Code: Municipal Lien: Assignment: Bankruptcy: APR 2: Exclude from Tax Sale:

Outside Lien: Sp Charges: Install. Plan: Online Payment Restrictions: None

ENTRUSTED MAIL SERVICE NUMBERED
INDICATED TO BE DELIVERED BY AIR

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BARER, DOROTHY M
753 SEASHORE ROAD
CAPE MAY, NJ 08204



9590 9402 7589 2098 5996 18

2. Article Number (Transfer from service label)

7005 1160 0003 1617 2240

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below. No

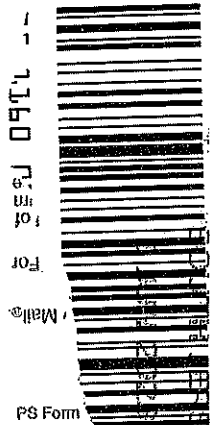
3. Service Type
- Adult Signature Restricted Delivery
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail™
 - Insured Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt



TOWNSHIP OF LOWER
2600 Baysshore Road
Villas, New Jersey 08251

CERTIFIED MAIL



PS Form



PP **US POSTAGE**
\$008.10⁺
First-Class - **TM**
ZIP 08251
05/31/2023
034A 0081801237

HARER, DOROTHY M
768 SEASHORE ROAD
CAPE MAY, NJ 08204

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

RETURN TO SENDER
UNLESS INDICATED
OTHERWISE

ANRRK1:9333189782

VAC 8251-1360
08204-854988

RC: 0825136099 *2193-01811-01-42
08204-854988

Handwritten signature



Township of Lower

Code Enforcement

2600 Bayshore Road

Villas NJ 08251

(609)-886-2624

7018 1130 0001 0063 3127

**NOTICE OF VIOLATION AND ORDER TO CORRECT
IDENTIFICATION**

Reference Number: 10018272	Notice Date: 05/23/2023	Comply Date: 06/02/2023
Name: CUDWORTH, VALERIE	Block: 97	Lot : 3 Qual :
Address: 106 E ATLANTIC AVE VILLAS, NJ 08251	Site Address: 106 E ATLANTIC AVENUE LOWER TOWNSHIP	
Phone:		

PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exists. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

VIOLATION LISTINGS

Violation No.	Violation Date	Corrected Date	Violation Description
Violation Comments.			
302.4	05/23/2023		PM-302.4 High Grass and Weeds: High grass and weeds on property need to be cut.

Sincerely,

William Kelleher (609) 886-2624 Ext. 180

Date 5/23/23

Add Edit Close Open Previous Next Detail Letter Help

Block: 97 Lot: 3 Sp Charges Notes Exist

Qualifier: LOT CLEARING

Owner: CUDWORTH, VALERIE

Prop Loc: 106 E ATLANTIC AVENUE Account Id: 00000967

Tax Bill PTR Form

General Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Owner Street 1: 5918 10TH STREET

Additional Lot 1: L4-6

Street 2:

Additional Lot 2:

City/ST: MAYS LANDING, NJ

Property Class: 2

Zip: 08330-

Parcel Key:

Country:

Unpaid Interest: .00

Phone: (609) 889-6907

Vendor:

Email:

User Msgs: 007

Bank Code:

Municipal Lien: Assignment: Bankruptcy: APR 2:

Exclude from Tax Sale:

Outside Lien: Sp Charges: Install. Plan:

Online Payment Restrictions: None



INTERNATIONAL POSTAGE NUMBER
POSTAGE WILL BE PAID BY ADDRESSEE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CUDWORTH, VALERIE
106 E ATLANTIC AVE
VILLAS, NJ 08251



9590 9402 5005 9063 4886 79

2. Article Number (Transfer from service label)

7018 1130 0001 0063 3127

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt



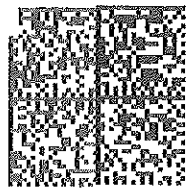
TOWNSHIP OF LOWER
2600 Bayshore Road
Villas, New Jersey 08251

DELIVERED MAIL



7018 1130 0001 0063 3127

CUDWORTH, VALERIE
106 E ATLANTIC AVE
VILLAS, NJ 08251



FP [®] **US POSTAGE**
First-Class - TM
\$008.10[®]
05/24/2023
034A 0081801237

271 NFE 1 RTN TO SEND C2118805/27/23
FORWARD TIME EXP
CUDWORTH VALERIE
5215 LINDSEY
WAYS LANDING NJ 08259-2116

INT 082592503308

RETURN TO SENDER
082592503308

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2023-11

Title: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 3, PARKING, OF THE CODE OF THE TOWNSHIP OF LOWER IN ORDER TO REGULATE/RESTRICT VALET PARKING IN PUBLIC LOCATIONS THROUGHOUT THE TOWNSHIP

WHEREAS, the Township Council of the Township of Lower previously enacted Chapter 7, Subsection 3, which establishes parking regulations throughout the Township of Lower; and

WHEREAS, during the summer months, the Township of Lower receives complaints from residents in regards to commercial establishments that provide valet parking services and claims that said establishments are utilizing public on-street parking locations throughout the Township to park customer vehicles; and

WHEREAS, the valet parking of customer vehicles in public on-street parking locations rather than on the site of the respective commercial establishment reduces the number of public parking locations available to the general public and serves to circumvent established off-street parking requirements associated with commercial operations; and

WHEREAS, in an effort to address this issue and to ensure that on-street parking is maximized and available to the general public, the Township Council of the Township of Lower deems it to be appropriate to established valet parking regulations applicable throughout the Township of Lower;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

Section 1. Chapter 7, Traffic, is hereby amended to establish valet parking regulations as follows:

7-3.12 Valet Parking Regulations

Definitions

VALET PARKING

The act of taking a vehicle from the street whether or not a fee is charged and parking it on private property, in a private parking lot, or in a privately owned parking garage for the vehicle operator. Parking private vehicles via a valet service in a legal on-street parking spot, within the public right-of-way, or in any municipally/publicly owned location is prohibited.

VALET PARKING ATTENDANT

An individual employed by a private commercial establishment who, through its agents and employees, provides the service of valet parking for customers/patrons of the establishment.

Restrictions

- A. Valet parking shall be confined to private property, in a private parking lot, or in a privately owned parking garage.
- B. Commercial establishments providing valet parking services, and their valet parking attendants, shall be prohibited from parking customers/patrons vehicles in a legal on-street parking spot, within the public right-of-way, or in any municipally/publicly owned location.

Violations and Penalties.

- A. Any person violating or failing to comply with any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$100 for a first offense and a fine of \$200 for a second and/or subsequent violation.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

Roland Roy, Jr., Councilmember

David Perry, Deputy Mayor

Frank Sippel, Mayor

First Reading: June 5, 2023

Adopted:

Attest: _____
Julie A Picard, Township Clerk

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2023-12

Title: **AN ORDINANCE AMENDING CHAPTER 600, TOWING AND STORAGE, SPECIFICALLY SUBSECTION 6(A)(3), TOWING AND STORAGE FEE SCHEDULE, OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Lower Township Police Department has requested a revision to Chapter 600, Towing and Storage, specifically Subsection 6(A)(3), Towing and Storage Area Fee Schedule, of the Code of the Township of Lower, in order to ensure consistency in relation to the application/collection of storage fees charged by towing companies and towing contractors.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

Section 1. Chapter 600, Towing and Storage, Subsection 6(A)(3), is hereby repealed and replaced with:

600-6(A)(3) Storage Facilities; hours; transporting vehicles.

(3) The following is the daily fee schedule for storage services:

(a) Inside building: \$30 per day.

(b) Outside secured facility: \$25 per day.

(c) Outside Contractors, Towing Companies, and/or Towing Contractors shall be prohibited from charging storage fees in situations where vehicles are stored within municipally owned lots or on municipally owned property. In the event the vehicle is thereafter towed to an inside building or outside secured facility owned, managed and/or maintained by an outside contractor, towing company, or towing contractor, it shall be permitted to charge the fees set forth within Subsection A(3)(a) and (b) herein.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

First Reading: June 5, 2023

Kevin Coombs, Councilmember

Adopted:

Roland Roy, Jr., Councilmember

David Perry, Deputy Mayor

Attest: _____
Julie A Picard, Township Clerk

Frank Sippel, Mayor

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2023-13

Title: AN ORDINANCE AMENDING CHAPTER 90, POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF LOWER IN ORDER TO ESTABLISH A DEPUTY CHIEF POSITION AND TO REALIGN THE SUPERIOR OFFICER CHAIN OF COMMAND

WHEREAS, pursuant to Chapter 90, subsection 2, of the municipal code of the Township of Lower, the composition of the Lower Township Police Department currently consists of a Chief of Police, up to two (2) Captains, up to four (4) Lieutenants, up to seven (7) Sergeants, up to forty (40) full-time patrolmen, and such number of civilian employees as the Township may designate; and

WHEREAS, the Chief of Police has recommended that the Township of Lower establish a Deputy Chief position in an effort to restructure the Department's current chain of command in order to provide an additional level of supervision and authority within the Department; and

WHEREAS, the creation of a Deputy Chief position would further allow the Department to streamline command oversight of operations and personnel while also ensuring a properly balanced ratio of supervisors to officers as the establishment of a Deputy Chief Position would be the result a conversion of one existing Captain position; and

WHEREAS, the Township Council of the Township of Lower recognizes that the Township has budgeted for a Deputy Chief position, and the conversion of an existing Captain position, and the subsequent elimination of same will significantly minimize any cost or impact to the Township by establishing the position of Deputy Chief;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 90, Police Department, Article I, Subsection 2, Creation; composition, of the Code of the Township of Lower, be and hereby is amended as follows:

Section 1. Chapter 90, Article I, Establishment; Organization, Subsection 7, Temporary and permanent appointments, is hereby amended as follows:

90-1 Creation; composition.

There is hereby created a Police Department for the Township of Lower, County of Cape May, State of New Jersey, the head of which shall be the Chief of Police, and which may consist of one (1) Deputy Chief, up to one (1) Captain; up to four (4) Lieutenants; up to seven (7) Sergeants, and up to forty (40) full-time patrolmen; and such number of civilian employees as the Township may designate.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable. **Section 4.** This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

First Reading: June 5, 2023

Roland Roy, Jr., Councilmember

Adopted:

David Perry, Deputy Mayor

Attest: _____
Julie A Picard, Township Clerk

Frank Sippel, Mayor

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2023-14

Title: **AN ORDINANCE AMENDING CHAPTER 400, LAND DEVELOPMENT, OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, Chapter 400, Land Development, of the Code of the Township of Lower regulates and limits the uses of land, the uses and locations of buildings and structures; regulating and restricting the height and bulk of buildings and structures determining the area of yards and other open spaces; regulating and restricting the density of population; dividing the Township of Lower into districts for such purposes; adopting a map of said Township showing boundaries and the classification of such districts; establishing rules, regulations and standards governing the subdivision of land within the Township; establishing a Planning Board and a Board of Adjustment; and prescribing penalties for the violation of its provisions; and

WHEREAS, pursuant to N.J.S.A. 40:55D-89, the governing body shall, at least every ten (10) years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination; and

WHEREAS, pursuant to the New Jersey Municipal Land Use Law, specifically N.J.S.A. 40:55D-25 and 40:55D-28, the Lower Township Planning Board is given exclusive authority to adopt or amend the Master Plan, or a component thereof, including a municipality's land use ordinance; and

WHEREAS, on May 18, 2023, the Lower Township Planning Board completed a periodic reexamination of the Township's Master Plan and it transmitted a copy of its "General Re-examination of the Master Plan May 18, 2023" report to Township Council for its review and consideration; and

WHEREAS, the said "General Re-Examination of the Master Plan" report contains various recommendations outlining proposed revisions to the Township's Land Development Ordinance and the proposed rezoning of certain portions of the R-3 and GB-1 zoning district for Council's consideration;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 400, Land Development, of the Code of the Township of Lower, be and hereby is amended as follows:

Section 1. The following subsections of **Chapter 400, Land Development**, are hereby amended and restated as follows:

400-10(B) Zoning Map

(7) R-3 District.

(a) The Erma R-3 District includes the area within a boundary beginning at Cresse Lane and the railroad right-of-way and traveling northward along that right-of-way to the Middle Township municipal boundary, then eastward along that line to the southbound lane of the Garden State Parkway, then southward along the parkway to the northeasterly edge of Block 507.01, then westward along that edge and following that perimeter southward then westward again until it intersects the easterly edge of Lot 6 (Block 507.01), then southward along that edge to Cresse Lane, then westward along Cresse Lane to the beginning point.

(b) The Villas, Town Bank and North Cape May R-3 District includes the area within a boundary line beginning at the point where the southerly edge of Block 1 intersects the Delaware Bay and goes southward along that water's edge to Lincoln Boulevard, then eastward along that road to the westerly edge of the North Cape May GB-1 District, then northward, then eastward, southward and eastward along that boundary until it reaches the southeast corner of Lot 2.05 of Block 741.01, then northward along the easterly edge

of that lot and continuing northward along the westerly edge of Block 499.01 and still continuing northward along the westerly edge of Lot 15 of Block 496.01 to its northernmost point, then westward along the southerly edge of Lot 19 of Block 496.01 to Bayshore Road, then northward along Bayshore Road to the southeast corner of Lot 17.02 of Block 494.01, then westward and northward along its edges to its intersection with Lot 15, then westward along its southerly edge to its intersection with the westerly edge of the Beerworld R-1 District, then northward and eastward along that district boundary to Bayshore Road, then southward along Bayshore GB District, then eastward along that boundary to Breakwater Road, continuing eastward along Breakwater Road to the westerly edge of the Airport Industrial District, then northward along that district boundary to Fulling Mill Road, then westward along Fulling Mill Road to its GB District boundary, then southward and westward along that district boundary, and continuing southward along the GB-1 District boundary and the GB District boundary in the vicinity of Township Hall, then westward and northward along the southerly and westerly GB and GB-1 District boundaries to the southerly edge of the Conservation District, then westward along that district boundary to the beginning point.

- (c) The Kechemeche II R-3 District includes those areas within a boundary line beginning at the southwest corner of Lot 1 of Block 496.06 and going eastward along the edge of Block 496.01 to the southernmost point of Lot 2 of Block 496.08, then northward along the edge of Block 496.01 to Mickels Run, then westward along Mickels Run to Bayshore Road, then southward along Bayshore Road to the beginning point. The following blocks and lots shall be added to this zone: Block 496.01, Lot 26.03; Block 496.29, Lots 1-7, 28-33, 68, 71-85, 87-119, comprising the Mickel's Run Subdivision.
- (d) The R-3 District covering the northwest portion of the Villas is bounded by the Conservation District to the north and east, and by the GB and GB-1 District to the south and west.

(8) R-4 District.

- (a) The R-4 District encompasses all those lands lying within a boundary line which begins at the northernmost corner of Lot 2.03 of Block 820 and travels southwestward along the southeastern line of Lot 1 of Block 820 until it intersects with an imaginary line formed by the extension of Madison Avenue into the marshes; the boundary then travels southeastward along that line and along Madison Avenue to within 120 feet of Pacific Avenue; it then turns to the northeast and runs parallel to Pacific Avenue, 120 feet to the west of it, until it intersects the Wildwood Crest municipal boundary; the line then follows that boundary northwestward and then northeastward to the easternmost corner of Lot 2.03 of Block 820, then follows the northeasterly line of that lot back to the point of beginning, which is the northernmost corner of that lot; and Blocks 698, 703, 708, 713, 718, 723, 728 and 733. The R-4 District shall also include Block 820, Lots 2.04 and 2.05. The new lots within Block 820 that shall be located within the R-4 zone are Lots: 2.20, 2.21, 2.22, 2.23, 2.24, and 2.04.
- (b) The Tranquility Park R-3 District includes the area within a boundary line beginning where the Route 109 bridge crosses the canal and going westward along the canal to the railroad right-of-way until its intersection with Ferry Road, then eastward along Ferry Road to Route 109, and continuing eastward along Route 109 until its intersection with the easterly edge of Lot 1, Block 753.05, then southward along that edge to Portsmouth Road, then eastward along that road until it intersects 11th Avenue, then southward along that road to 8th Avenue, then eastward along 8th Avenue to Wissahickon Avenue, then southward along Wissahickon Avenue to 7th Avenue, then eastward along 7th Avenue to Route 109 to the beginning point. The R-3 District shall include Block 753.01, Lot 39.03; Block 753.05, Lot 1; Block 773, Block 774 and Block 775.

- (c) The GB District along the Route 109 curve consists of the area bounded by a line beginning at the northeast corner of Lot 1, Block 753.05, running southward along the easterly boundary of that lot to its intersection with Portsmouth Road, then eastward along Portsmouth Road to 11th Avenue, then southward to its intersection with 8th Avenue, then eastward along 8th Avenue to its intersection with Wissahickon Avenue, then southward along Wissahickon Avenue to 7th Avenue, then eastward along 7th Avenue to US Route 109, then northward and around the bend westward to the point of beginning. This GB District shall not include Block 753.01, Lot 39.03; Block 753.05, Lot 1; Block 773, Block 774 and Block 775.

(11) GB-1 District.

- (a) The Diamond Beach GB-1 District includes those lands west of Pacific Avenue, between Madison Avenue and the Wildwood Crest municipal boundary, which are within 120 feet of Pacific Avenue.
- (b) The North Cape May GB-1 District encompasses Block 690; Block 673, Lots 8, 9, 11 through 17; Block 655, Lots 6 and 24 through 27; those lots in Blocks 628, 629 and 630 which front on Bayshore Road; Block 494.03, Lots 1, 19.02, 19.03, 19.04; Block 628, Lots 101-107 and 134, and that portion of Lot 19.01 which is within 125 feet of Bayshore Road; Block 499.02, Lots 33.01, 33.02 and 33.13; and Block 741.01, Lots 1.01, 1.02, 2.01, 2.02, 2.03, 3, 28.02, 28.03 and that portion of Lot 28.01 lying to the west of an imaginary line formed by extending the easterly boundary of Lot 3 in a southerly direction.
- (c) The GB-2 District in the Villas consists of Block 3, Lot 1.02 and Lot 1.01 for a depth of 200 feet from Bayshore Road; Block 5, Lots 1 through 11 and 26 through 30; Block 11, Lots 32, 33 and 34; Block 12, Lots 1.01 through 6; Block 18, Lots 27.01 through 32; Block 19, Lots 1 through 6; Block 27; Block 28, Lots 1 through 8; Block 37, Lots 11, 12 and 25 through 30; Block 28, Lots 1 through 6; Block 47, Lots 24 through 29; Block 48, Lots 1 through 3 and 14 through 16; Block 59, Lots 23 through 28; Block 60, Lots 11 and 12; Block 71, Lots 26 through 30; Block 111, Lots 33 and 34; Block 114, Lots 27 through 34; Block 79, Lots 1 through 4; Block 80, Lots 1 through 7; Block 118, Lots 9 through 12; Block 126, Lots 18 through 27; Block 84, Lots 62.01, 63.01, 63.02, 64.01, 64.02 and 64.03; Block 127, Lots 37.01 and 51 through 60; Block 125; Block 88, Lots 1 through 7 and 72 through 75; Block 92, Lots 1 through 9; Block 132, Lots 13 through 20; Block 137, Lots 25 through 33; Block 96, Lots 1 through 4 and 42 through 44; Block 100, Lots 1 through 6, Block 142, Lots 18 through 22 and 40 through 43; Block 107; Block 147, Lots 22 through 27; Block 109, Lots 1.01 through 3; Block 165, Lots 1 through 3; Block 152, Lots 21 through 28; Block 157, Lots 27 through 30; Block 166, Lots 1 through 6; Block 162, Lots 28 through 30; Block 163, Lots 26 through 32; Block 167, Lots 1 through 3; Block 168, Lots 1 through 4; Block 164.01, Lots 1 through 9; Block 169, Lots 1 through 8 and 31; Block 170, Lots 1 through 4; Block 171, Lots 1 through 4; Block 172, Lots 1 through 10; Block 173, Lots 1 through 8; Block 216, Lots 1 through 4 and 23 through 39; Block 252, Lots 1, 2, 3.21 and 22; Block 217, Lots 1.01 through 5; Block 218, Lots 1 through 5; Block 253, Lots 1, 2, 23 and 24; Block 254, Lots 1 and 2; Block 257, Lots 1, 23.01 through 23.04; Block 238, Lots 8.01 and 8.02; Block 243, Lots 1 and 2; Block 259, Lots 1 through 5; Block 247, Lots 1 through 4 and 44; Block 263, Lots 1, 2, 6.01, 6.03, 7.01 and 8 through 11; Block 251, Lots 1 through 3; Block 278, Lots 1 through 4; Block 282, Lots 1 through 8; Block 286, Lots 1 through 8; Block 290, Lots 1 through 7; Block 274, Lots 22 and 23; Block 324, Lot 20; Block 297, Lots 1 through 12; Block 326, Lots 1 through 6; Block 328, Lots 1 through 8; Block 303, Lots 1 through 4; Block 308; Block 330, Lots 1 through 4; Block 334, Lots 1 and 2 through 5; Block 313; Block 321, Lots 1 through 4; Block 323, Lots 1 through 4; Block 338, Lots 1 through 4; Block 344, Lots 1 through 14; Block 348, Lots 1 through 4; Block 334.02, Lot 3; Block 334.09, Lots 1, 2, 3 and 4; Block 334.13, Lots 1, 2, 3 and 4; Block 349.05, Lots 1 and 2.

(13) GB District.

- (a) The GB District abutting the northbound lane of the Garden State Parkway consists of Lots 11.01, 11.02, 11.03 and 12.02 of Block 793.
- (b) The GB District at the intersection of Shunpike and Ferry Roads consists of Lots 12.02, 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07 and 14 of Block 741.01.
- (c) The GB District at the intersection of Breakwater and Bayshore Roads consists of Lots 13.01, 13.02, 14, 15 and 16 of Block 495.01; and Block 496.01, Lots 24.01, 24.02, 25, 26.01 and 26.02 and Block 496.29, Lot 86.
- (d) The GB District abutting Bayshore Road and lying to the west of it, near and below Mickels Run consists of Block 494.01, Lots 13.01 and 13.02, 17.01 and 17.02, and the portions of Block 494.01, Lots 14, 15, 16.02 and 16.03 which are within 200 feet of Bayshore Road.
- (e) The GB District in the vicinity of Township Hall consists of Block 368.03, Lot 9.01; Block 349.10; Block 410.02; Block 334.17, Lots 1 and 2; Block 368.04, Lot 28; Block 410.01, Lots 59.03, 63.02, 63.03, 63.04, 64.01, 64.02; and the portion of Lot 59.02 which is within 200 feet of Bayshore Road.
- (f) The GB District along Fulling Mill Road consists of Block 173, Lots 18 through 26; Block 193, Lots 9 through 15 and 22 and 23; Block 194, Lots 1 through 5; Block 207, Lots 9 through 20; Block 208; Block 252, Lots 4 through 20; Block 255, Lots 81.01, 81.05, 81.06 and 81.07; Block 409, Lots 5.02, 5.03, 5.04, 6 and 7; Block 410.10, Lots 12 and 13; Block 410.16, Lots 1 and 18; Block 410.20, Lots 1 and 14; and Block 410.22, Lots 1 and 6.
- (g) The GB District at the intersection of Bayshore and Fishing Creek Roads consists of Block 494.01, Lots 5, 6.01 and 6.02.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

Roland Roy, Jr., Councilmember

First Reading: June 5, 2023

Adopted:

Dave Perry, Deputy Mayor

Frank Sippel, Mayor

Attest: _____
Julie A Picard, Township Clerk

TOWNSHIP OF LOWER


2000 Rebirth - Reed
Hills, New Jersey 08215



Incorporated 1790
Phone: (609) 886-2005

MEMORANDUM

TO: Mayor Frank Sippel and Council Members
Cape May County Planning Board
Clerks of Adjoining Municipalities

FROM: Lower Township Planning Board
William J. Galestok, PP, AICP
Board Secretary 

DATE: May 18, 2023

RE: Periodic Examination

As required by N.J.S.A. 40:55D-89, the Lower Township Planning Board is forwarding for information and review, a re-examination list of objectives of the Township's Land Use Policy.

The specific objectives which have guided the evolution of the Township's Land Use Policies have been reviewed and are included in the enclosed re-examination along with a determination of their appropriateness, a statement of their progress and a re-statement of objectives, if required.

WJG:kms

Att:2

GENERAL RE-EXAMINATION

OF THE MASTER PLAN

MAY 18, 2023

TOWNSHIP OF LOWER

This periodic examination of the Master Plan was authored by the Planning Board pursuant to Article 11, C40:55D-89; Municipal Land Use Law, Chapter 291, Laws of N.J., 1975. The Township of Lower Planning Board adopted this report on the findings of the Board, by Resolution on May 18, 2023.

PLANNING BOARD MEMBERS

Chairman:	Michael Rosenberg
Vice-Chairman:	Chris McDuell
Board Members:	Frank Sippel
	Steve Morris
	Roland Roy
	Lindsay Selby
	Roy Abrams, Jr.
	Gunär Arenberg
Alternate I:	Scott Supplee
Alternate II:	Alyce Parker
Mayor's Designee:	Jeff Lindsay

Secretary:	William J. Galestok, PP, AICP
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Recording Secretary:	Patrick Wood
Zoning Clerk:	Kathryn Steiger
Board Engineer:	Bill Cathcart, P.E.

GOALS AND OBJECTIVES OF THE CURRENT PLAN:

The Land use Development Plan for Lower Township is the result of the application of certain goals and objectives to the potential for development of the Township outlined in the background studies. These goals and objectives are substantially consistent with those stated in the Purpose of the Municipal Land use Law, as given in N.J.S.A. 40:55D-2.

- a. To provide the first step in the continuing process of development a Master Plan.
- b. To encourage municipal action to guide the appropriate use of development of all lands in this state, in a manner which will promote the public health, safety, morals and general welfare.
- c. To secure from fire, flood, panic and other natural and man-made disasters.
- d. To provide adequate light, air and open space.
- e. To ensure that the development of Lower Township does not conflict with the development and general welfare of neighboring municipalities, the county and the state as a whole.
- f. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities, regions and preservation of the environment.
- g. To encourage and appropriate and efficient expenditure of public funds by coordination of public development with land use policies.
- h. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.
- i. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location such facilities and routes which result in congestion or blight.
- j. To promote a desirable visual environment through creative development techniques and good civic design and arrangements.
- k. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the municipality and to prevent urban sprawl and degradation of the environment through improper use of land.

- l. To encourage senior citizen community housing construction.
- m. To encourage planned unit development, residential cluster, which incorporates the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site.
- n. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.
- o. To promote utilization of renewable energy resources.
- p. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

The current specific objectives which have guided the evolution of the Township's land use policies have been reviewed and are included in the following re-examination along with a determination of their appropriateness and a re-statement of the objective.

1. OBJECTIVE: The desire to promote good site design practices in commercial areas in terms of entrances, exits, landscaping, front yard setbacks, signs, lighting, drainage, trash disposal and adequate parking.

There has been progress made towards achieving the objective, as stated. After careful consideration, it has been determined that this objective is still appropriate.

2. OBJECTIVE: The desire to integrate and organize new residential development into cohesive neighborhoods using development techniques and densities compatible with established residential development, roads, not only for vehicular traffic, but for access for emergency vehicle, fire safety, traffic patterns, and maximum use of utility capabilities.

There has been progress made towards achieving the objective, as stated. The Board has examined fire safety aspects by requiring the applicant to present site plans and subdivision to the Bureau of Fire Safety for review and approval*. After careful consideration, it has been determined that this objective is still appropriate.

3. OBJECTIVE: The desire to consider the physical limitations of the land and the infrastructure e.g. water, sewer, streets and roads, most appropriate locations for various kinds of intensities of land use and the Environmental Constraints of the area.

There has been progress made towards achieving the objective, as stated. After careful consideration, it has been determined that this objective is still appropriate.

4. OBJECTIVE: The desire to make every effort to ensure that all new housing will be served to the extent possible by sufficient commercial, recreational, educational and transportation facilities, in keeping with sound planning principles.

There has been progress made towards achieving the objective, as stated. After careful consideration, it has been determined that this objective is still appropriate.

5. OBJECTIVE: To preserve open space and farmland north and south of the Caped May Canal to the maximum extent possible, respecting the environmental limitations of that area to absorb development and recognizing the need to maintain areas for aquifer recharge. To help in achieving this objective, we encourage concentrating municipal services and facilities in the more densely development areas north of the Canal and the use of transfer of development rights and the Cape May County Farmland Preservation Project for the preservations of farm land.

There has been progress made towards achieving the objective, as stated. After careful consideration, it has been determined that this objective is still appropriate, with the following changes:

- A. Subsection 400-40 and 400-29 C & D of the land Development Ordinance of the Township of Lower should be amended to recognize a specific exemption for the raising and housing of horses.
1. One (1) horse per acre of ground.
 2. 40' Minimum setback to all property lines and dwelling from any livestock shelter specifically for horses.
 3. Maximum of two (2) horses on the same lot.
 4. All existing horses and horse shelters shall be protected from the application of these changes.
- 6C. CURRENT OBJECTIVE: The CONSERVATION DISTRICT represents the largest single land use category proposed. Since wetlands are severely constrained in terms of the degree and kind of development which they can physically sustain, based on their critical importance to the food chain and their susceptibility to frequent flooding, the type and intensity of land use proposed for them must respect such limitations while permitting reasonable use of private property. Recommended permitted land uses for this district would include low intensity, water-related activities, aqua-culture, farming and recreation. These land uses are consistent with the types of activities which are permitted in wetland areas and regulated by the Department of Environmental Protection under the Wetland Act and Order described in the Background Studies and in effect presently, and in the future enforced by the EPA and its agencies.

There has been progress made towards achieving the objective, as stated. After careful consideration, it has been determined that this objective is still appropriate.

- 7C. CURRENT OBJECTIVE FOR RESIDENTIAL AREA: There are six types of residential land use districts delineated in the Plan. Recommended densities are based on a number of factors, including the density of existing residential development within each district, the physical capacity of the land to support individual wells and on-site septic systems in the absence of the public sewerage and water, and the desire to concentrate population growth near existing nodes of development to increase the efficiency with which municipal services can be provided. Due to the generally high-water table present on most vacant residentially designated land and the poor suitability of the soils for septic disposal, most future residential development will have to take place at fairly low densities. However, clustering can be encouraged up to a point, for economic reasons and to conserve energy. This will permit greater flexibility in subdivision design and allow the reservation of environmentally sensitive areas.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan*. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhoods; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 7.A AMENDED OBJECTIVE FOR RESIDENTIAL AREA: There are six types of residential land use districts delineated in the Plan. Recommended densities are based on a number of factors, including the density of existing residential development within each district, the physical capacity of the land to support individual wells and on-site septic systems in the absence of public sewerage and water, and the desire to concentrate population growth near existing nodes of development to increase the efficiency with which municipal services can be provided. Due to the generally high-water table present on most vacant residentially designated land and the poor suitability of the soils for septic disposal, most future residential development will have to take place at fairly low densities. However, clustering can be encouraged up to a point, for economic reasons and to conserve energy. This will permit greater flexibility in subdivision design and allow the reservations of environmentally sensitive areas. The Planning Board recognizes that one of the goals of the current Master Plan, "o. To promote utilization of re-newable energy resources", is more important, now, than ever before. Therefore, the Planning Board recommends that solar energy systems be established as a permitted accessory use, in all residential zoning districts, if in fact, they are found not to be a permitted accessory use in Lower Township's current Zoning Ordinance.

The Planning Board recognizes that one of the goals of the current Master Plan, "o. To promote utilizations of re-newable energy resources" is more important, now, than ever before. Therefore, the Planning Board recommends that solar energy systems be established as a permitted accessory use, in all residential zoning districts, if in fact, they are found not to be permitted accessory use in Lower Township's current Zoning Ordinance.

- 8C. CURRENT OBJECTIVE FOR THE R-1 DISTRICT: The R-1 District is designed to be developed for single family residential purposes at a gross density of one dwelling unit per acre, based on the physical constraints and the relative inaccessibility of the area to municipal services and facilities. Furthermore, it is an expressed goal of the Lower Township Planning board that this area should retain its rural character as it develops. However, some areas of zoning should be changed. The board recognizes some areas should be r-zoned to Conservation. This area should be looked at and changed. Land areas recently purchased by the State of New Jersey Green Acres Program should be re-zoned Conservation. Further reduction in densities in the R-1 Zone, if any, should be proceeded by a State of New Jersey Vacant Land Purchase Program to provide compensation consistent with the N.J.D.C.A., Office of Smart Growth Equity policy. Public actions should not have the effect of diminishing equity on any one group of citizens.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate lights, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones. The R-1 District (Ponder Lodge) Block 494.01, Lots 3, 1.04, 28 & 24 is recommended for re-zoning to Conservation.

- 8A. AMENDED OBJECTIVE FOR THE R-1 DISTRICT: The R-1 District is designed to be developed for single family residential purposes at a gross density of one dwelling unit per acre, based on the physical constraints and the relative inaccessibility of the area to municipal services and facilities. Furthermore, it is an expressed goal of the Lower Township Planning Board that this area should retain its rural character as it develops. However, some areas of zoning should be changed. The Board recognizes some areas should be re-zoned to Conservation. This area should be looked at and changed if found appropriate by the Planning board. Land areas recently purchased by the State of New Jersey Green Acres Program should be re-zoned Conservation.

The Township of Lower Land Development Ordinance Subsection 400-14E. should be amended to delete the requirement of a six (6') setback to property lines for a parking area or driveway. This standard is unique to the R-1 & R-2 Districts and is no longer deemed necessary.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 9C. CURRENT OBJECTIVE FOR THE R-2 DISTRICT: The R-2 District is also proposed to be developed at a low density, again based on physical capacities, limitations and aquifer recharge capabilities. However, it is anticipated that a greater variety of uses would be permitted here than in the R-1 District, and that a higher density, two dwelling units per acre, would be permitted if off-site sewer is available. For example, certain institutions requiring considerable land area as well as the superior access of much of the R-2 district could be permitted on lots of sufficient size to allow compatibility with surrounding residences. Cluster development with public sewer and water is encouraged. Conflicts with the State Plan Map are inevitable as Centers must be large enough to accommodate growth and room for affordable housing while reducing densities in the environs. The DCA Office of Smart Growth Equity Policy must be incorporated into any down zoning scheme. Specifically, a land purchase compensation program must be established.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 9A. AMENDED OBJECTIVE FOR THE R-2 DISTRICT: The R-2 District is also proposed to be developed at a low density, again based on physical capacities, limitations and aquifer recharge capabilities. However, it is anticipated that a greater variety of uses would be permitted here than in the R-1 District, and that a higher density, two dwelling units per acre, would be permitted if off-site sewer is available. For example, certain institutions requiring considerable land area as well as the superior access of much of the R-2 District could be permitted on lots of sufficient size to allow compatibility with surrounding residences. Cluster development with public sewer and water is encouraged. 400-14E. Parking area and driveway setback of six (6) feet should be removed from the Zoning Ordinance.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 10C. CURRENT OBJECTIVE FOR THE R-3 DISTRICT: The R-3 districts encompass most of the existing residential development within Lower Township, including development which has taken place in Villas, Erma and North Cape May. The recommended density for the R-3 district is approximately six (6) dwelling units per acre, where lots are served by public sewerage, but only one unit to the acre in the absence of sewerage. Office of Smart Growth recommended that Zoning for upland areas with natural resources be adjusted to recognize the environmental constraints. (May 23, 2006 OSG Consistencies Report.) The Lower Township COAH Plan will concentrate affordable units in the seweraged portions of the R-3. Rehabilitation is an affordable housing option worth considering. Garden Apartments and Townhouses should be removed from the R-3 zone as a permitted use. [Land for this use is not longer available.]

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation route and traffic safety are some of the important areas to be considered in changing the residential zones.

- 10A. AMENDED OBJECTIVE FOR THE R-3 DISTRICT: The R-3 districts encompass most of the existing residential development within Lower Township, including development which has taken place in Villas, Erma and North Cape May. The recommended density for the R-3 district is approximately six (6) dwelling units per acre, where lots are served by public sewerage, but only one unit to the acre in the absence of sewerage. The Lower Township COAH Plan will concentrate affordable units in the seweraged portions of the R-3. Rehabilitation is an affordable housing option worth considering. Garden Apartments and Townhouses should be removed from the R-3 zone as a permitted use. Land for this use is no longer available. The proposed Beach Drive Pedestrian Access Improvements are needed as a desirable safety improvement to the R-3 District.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 11C. CURRENT OBJECTIVE FOR THE R-2 CLUSTER: The R-2 district, a restrained use of the residential cluster form of development would maximize flexibility of design, in light of the considerable physical and infrastructural limitations of these areas, and would permit the reservation of some land for ball fields, tot lots or tennis courts for the use and enjoyment of persons within the subdivision, reducing the pressures of new development on existing and currently proposed recreational facilities. The maximum house size allowable in the cluster zone should be studied further. A conflict with the State Plan Equity Policy is noted and should be addressed through the OSG Plan Endorsement process.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 11A. AMENDED OBJECTIVE FOR THE R-2 CLUSTER: In R-2 Districts, a restrained use of the residential cluster form of development would maximize flexibility of design in light of the considerable physical and infrastructural limitations of these areas, and would permit the reservation of some lands for ball fields, tot lots or tennis courts for the use and enjoyment of persons within the subdivision, reducing the pressures of new development on existing an currently proposed recreational facilities. The maximum house size allowable in the cluster zone should be studied further.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 12C. CURRENT OBJECTIVE FOR THE R-4 DISTRICT: The R-4 Residential District is intended to encompass future garden apartments, duplexes, townhouses and single-family dwelling development at densities similar to the adjacent island communities. Most of the land area west of Park Boulevard is environmentally sensitive and should be considered for re-zoning to Conservation. Almost all the upland portions of the R-4 Zoning district are fully developed.

There has been some progress made toward achieving this objective, as stated. After careful consideration, it has been determined that this objective, is still appropriate, but should be amended to reflect the following changes.

- 12A. AMENDED OBJECTIVE FOR THE R-4 DISTRICT: The R-4 Residential District is intended to encompass future garden apartments, duplexes, townhouses and single-family dwelling development at densities similar to the adjacent island communities. Most of the land area west of Park Boulevard is environmentally sensitive. Almost all the upland portions of the R-4 Zoning District are fully developed.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood. The Diamond Beach, GB-1 Zoning District, Block 820, Lots 2.04 and 2.05 plus 2.20, has been changed to contain new residential building lots. This area is recommended to be changed and added to the R-4 Zoning district. The new Lots shall be enumerated 2.20, 2.21, 2.22, 2.23, 2.24, and 2.04.

- 13C. CURRENT OBJECTIVE FOR THE R-5 DISTRICT: The R-5 district is intended to provide for mid-rise development on the mainland. It is intended that the ratio of dwellings to open space be maintained to provide the optimum use and provide open space. The R-5 Zoning District should be re-classified as a Conservation district. The R-5 Zone is completely inappropriate for development. The area largely consists of Delaware Bay Beach, primary and secondary dune system and freshwater wetlands. The New Jersey State Plan Map designates this area as Planning Area 5 and Parkland.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones.

- 13A. AMENDED OBJECTIVE FOR THE R-5 DISTRICT: The R-5 Zoning District was re-classified as a Conservation District. The R-5 Zone was completely inappropriate for development. The area largely consisted of Delaware bay Beach, primary and secondary dune system and freshwater wetlands. The New Jersey State Plan map designated this area as Planning area 5 and Parkland.

14C. CURRENT OBJECTIVE FOR THE INDUSTRIAL AREAS: Recommended industrial acreage consists largely of lands in the immediate vicinity of the Cape May County Airport which are close enough to the runway approach and departure zones to be affected by noise and air and vehicular traffic related to the airport, but which would also benefit from proximity to the airport in terms of access. In view of the environmental constraints and the risks of high-density development in close proximity to the airport* it is intended that densities in the Industrial District be kept relatively low. It is recommended that the Industrial Area in the vicinity of the airport be expanded. We want to encourage better transportation capability to and from the Airport Industrial Zone. The Industrial District located at the Cape May Airport affords a special opportunity to absorb certain uses that may be considered unsettling to the general public if located in residential neighborhoods. We want to encourage these types of uses in the Cape May Airport section of the Industrial District due to the fact that it is better policed, busier and physically separated from residential districts. Industrial uses require public sewer service for the health, safety and welfare of the general public as well as protection to the potable water supply and environment in general. Additional uses recommended are General Business (GB), General business (GB-1). Outdoor flea markets as a permitted use. Additional uses to be permitted on Block 410.01, Lots 36, 37 & 37.01, in the Airport Hazard Zoning District. Site Plan on approval should not be required on the "air side" of the Airport. (Regulated by the FAA)

*As indicated in the Model land use and Zoning Ordinance for New Jersey Public use Airports, prepared in 1977 by the New Jersey Department of Transportation.

14A. AMENDED OBJECTIVE FOR THE INDUSTRIAL AREAS: Recommended industrial acreage consists largely of lands in the immediate vicinity of the Cape May County Airport which are close enough to the runway approach and departure zones to be affected by noise and air and vehicular traffic related to the airport, but which would also benefit from proximity to the airport in terms of access. In view of the environmental constraints and the risks of high-density development in close proximity to the airport* it is intended that densities in the Industrial District be kept relatively low. It is recommended that the Industrial Area in the vicinity of the airport be expanded. We want to encourage better transportation capability to and from the Airport Industrial Zone. The Industrial District located at the Cape May Airport affords a special opportunity to absorb certain uses that may be considered unsettling to the general public if located in residential neighborhoods. We want to encourage these types of uses in the Cape May Airport section of the Industrial District due to the fact that it is better policed, busier and physically separated from residential districts. Industrial uses require public sewer service for the health, safety and welfare of the general public as well as protection to the potable water supply and environment in general. Additional uses recommended are General Business (GB), General business (GB-1). Outdoor flea markets as a permitted use. Additional uses to be permitted on Block 410.01, Lots 36, 37 & 37.01, in the Airport Hazard Zoning District. Site Plan on approval should not be required on the "air side" of the Airport. (Regulated by the FAA). These changes have been made by Lower Township Council amendments to the Zoning Ordinance.

Public electric vehicle charging infrastructure is recommended for installation in the Airport Industrial Zoning district.

*As indicated in the Model land use and Zoning Ordinance for New Jersey Public Use Airports, prepared in 1977 by the new Jersey Department of Transportation.

15. **OBJECTIVE COMMERCIAL DISTRICT:** Commercial Districts oriented to a combination of local residential needs and the needs of a transient tourist population, encompass most of the existing commercial development in Lower Township, particularly that along Bayshore road. These areas are characterized by proximity to major transportation arteries. As the demand for commercial space in lower Township increases over a period of time, the location attributes of the Commercial District will encourage their development and redevelopment. With a view toward re-development, the need for curbs and sidewalks in the area of Bayshroe Road from the Municipal Building north to the Township line has been met, but the need for municipal parking still exists. Public parking and other amenities in the area should take high priority in the planning process. Whatever new commercial development does take place should be “planned commercial development” within the area designated for commercial use.

There has been some progress made toward achieving this objective, as stated. After careful consideration, it has been determined that this objective is still appropriate, however, the following changes need to be made in the future. Residential uses over commercial uses should be allowed at a higher density of 3.4 or 5 units per business. Outdoor recreational uses should include miniature golf. Lodges and clubs have been added as a permitted use. In order to create a pedestrian friendly environment, the speed limit needs to be lowered to 25 MPH in Schellengers Landing. Lower Township Council can recommend a speed study be conducted by Cape May County to accomplish this goal.

Changing times and the current trends in development call for the re-examination of all commercial areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate commercial uses, transportation routes, and traffic safety are some of the important areas to be considered in changing the commercial zones. Public electric vehicle charging infrastructure is recommended for installation in the General Business Zoning District.

Upon re-examination of the commercial areas, it was noted that a large number of use variances were necessarily granted for single family dwellings in the “GB Zoning district along the Route 109 Curve...”, Subsection 400-10B(13)(a). and Subsection 400-10B.(7)(b) of the Lower Township Land Development Ordinance need to be modified in order to map this area as the R-3 Zoning District, on the Zoning Map, to allow for residential use and to prohibit GB uses. (See description and proposed zoning map amendment, Appendix A.) Subdivision and use variances were also granted in the Diamond Beach GB-1 District.

The Planning Board recommends that this area be changed to be include in the R-4 Zoning District.

16. **OBJECTIVE FOR THE MOTEL/HOTEL DISTRICT:** The Motel/Hotel District has been established in Lower Township. The high-density Motel/Hotel District is intended to provide for transient traffic. The high-density Motel/Hotel District will permit the construction of restaurants and small shops oriented to the convenience of guests, but only as accessory uses and only within the principal hotel structure.

There has been some progress made toward achieving this objective, as stated. After careful consideration, it has been determined that his objective is still appropriate, however, the GB Zoning district at the end of the Garden State Parkway and the GB-1 Zoning district in North Cape May from Townbank Road south should include Motel/Hotel development as permitted use of six (6) stories and 65-foot maximum height.

- 17C. CURRENT OBJECTIVE FOR THE R-6 DISTRICT: The R-6 district represents high density condominium residential uses and is intended to provide for high rise facilities in Diamond Beach. There is a desire to increase orderly development by the application of sound planning techniques. It is recommended that the Zoning Ordinance reflect the Master Plan recommendation for the R-6 Zone.

Changes to residential zone classifications and/or boundaries need to be made in the future in order to bring them into conformance with the goals and objectives of the Master Plan. Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhood; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered in changing the residential zones

- 17A. AMENDED OBJECTIVE FOR THE R-6 DISTRICT: The R-6 District represents high density condominium residential uses and is intended to provide for the high-rise facilities in Diamond Beach. There is a desire to increase orderly development by the application of sound planning techniques. It is recommended that the Zoning Ordinance reflect the Master Plan recommendation for the R-6 Zone.

Changing times and the current trends in development call for the re-examination of all residential areas. Providing for the public health, safety and morals; providing adequate light, air and open space; the establishment of appropriate population densities and neighborhoods; sufficient space for agriculture, transportation routes and traffic safety are some of the important areas to be considered. Residential buffers and a transition “zone” should be studied in order to mitigate the height and shadow effects of buildings in the R-6 zone.

- 18C. CURRENT OBJECTIVE FOR THE MARINE DEVELOPMENT DISTRICT: Marine Development Areas encompass marinas and marine oriented industrial development along Ocean Drive and in the northeast corner of lower Township adjacent to the City of Wildwood. More intensive marina development is anticipated in these districts than in the Conservation District. Commercial fisheries and related industries are encouraged and residential uses are strongly discouraged along Ocean Drive. There are some areas of the Marine Development Zone that should be considered for re-zoning because of development trends in the area and the environmental constraints of the land. Specifically, the area known as Shawcrest Island have been re-zoned MD-1 to include the classification of single-family residential dwelling as a permitted use. Shawcrest Island shows potential as future Smart Growth Redevelopment Area.

There has been some progress made toward achieving this objective, as stated. After careful consideration, it has been determined that this objective is still appropriate, but should be amended to reflect the following changes.

18A. AMENDED OBJECTIVE FOR THE MARINE DEVELOPMENT DISTRICT: Marine Development Areas encompass marinas and marine oriented industrial development along Ocean Drive and in the northeast corner of Lower Township adjacent to the City of Wildwood. More intensive marina development is anticipated in these districts than in the Conservation District. Commercial fisheries and related industries are encouraged and residential uses are strongly discouraged along ocean Drive. There are some areas of the Marine Development Zone that have been re-zoned because of development trends in the area and the environmental constraints of the land. Specifically, the area known as Shawcrest Island have been re-zoned MD-1 to include the classification of single-family residential dwelling as a permitted use.

19. OBJECTIVE FOR DIAMOND BEACH: It is the intention of the Plan that the Diamond Beach area will be developed with high-rise hotel/motel and high-rise residential uses along the oceanfront, and with GB-1 and R-4 uses along Pacific Avenue. With careful planning, this area could be both an economic and an aesthetic asset to Lower Township. However, pedestrian walkways and crossings, open spaces, beach access, street lighting and directional signs have been included in the development application to assure sound site plan review procedures. Buffers should be provided between commercial uses on the west side of Pacific Avenue and existing residential uses adjacent to Wildwood Crest and should include sufficient screening to prevent the residential uses from being overwhelmed by commercial development. A pedestrian walkway system tying residential uses to the hotel/ motel uses within the commercial area, and tying all uses with the beach, is as important to the Diamond Beach development scheme as a vehicular circulation system.

There has been some progress made toward achieving this objective, as stated. After careful consideration it has been determined that this objective is still appropriate.

20C. CURRENT OBJECTIVE FOR SCHELLENGER'S LANDING MGB DISTRICT: Schellenger's landing requires a careful analysis from a traffic engineering standpoint of existing vehicular and pedestrian circulation problems. However, significant improvement of the area will require the creation of public parking area and of pedestrian pathways with overpasses to integrate commercial development on both sides of Route 109. Lighting, landscaping and directional signing will help to increase the value of properties in Schellenger's landing and encourage new commercial uses and entertainment facilities to locate in the area. Back Harbor Wharf has particular potential as a location for smaller commercial enterprises, developed along a nautical theme, which could be mutually reinforcing in their ability to attract patrons. A "mini-plan" for this area has been developed. Implementation of this plan may require some change in zoning, and other regulations specifically for this area. New Jersey State Highway improvements in Schellenger's Landing to Route 109 must take into account pedestrian access to both sides of the new highway as well as the provision of public parking, lighting, an off-site shuttle system, and landscaping, as part of the comprehensive plan.

After careful consideration, it has been determined that this objective is still appropriate with the following changes:

A. The speed limit needs to be lowered to 25 MPH on Route 109 and Cross Walks with yield to pedestrian signs installed.

B. Tax relief, transfer of development right, and the Open Space Program should be expanded to protect existing marine related businesses and provide for public access to the marine environment.

C. The MD-2 Zone is recommended to be extended on the east side of Route 109 from the Cape may Canal south to the Lower Township/Cape May City Municipal boundary line.

21. OBJECTIVE FOR GREENBELT AREAS: The Planning Board desires to provide open space and alternative means of transportation. This may be achieved by the establishment of greenbelts throughout the Township, which follow the watersheds of various existing streams. These greenbelts will provide open space walkway-like paths and related recreational areas.

After careful consideration, it has been determined that this objective, as stated, is no longer appropriate.

22. OBJECTIVE FOR PROPOSED C-1 DISTRICT: The Planning Board expresses a desire to establish a municipal open space area zoned exclusively for marine related educational and research facilities. Areas to be considered for these marine related educational and research facilities should be located adjoining an already existing Conservation Zone.

After careful consideration, it has been determined that this objective, as stated, is still appropriate, however, Eco-Tourism is encouraged in the C Zoning District.

23. OBJECTIVE FOR R-B DISTRICT: The intent of the R-B Zone is to maintain the residential viability and character of the area, and all for “Mom & pop” type, owner operated, businesses. The Zoning Ordinance should be reviewed to reflect the intent of the Master Plan and to better accommodate small businesses.

After careful consideration, it has been determined that this objective, as stated, is still appropriate, with the following recommendation:

1. That Subsection 400-18(2) of the Land Development Ordinance of the Township of Lower be amended to remove the requirement that the residential structure be owner occupied.

24. OBJECTIVE FOR ENFORCEMENT: To provide adequate enforcement provisions to ensure that the zoning ordinance is meaningful.

After careful consideration, it has been determined that this objective is still appropriate.

25. MUNICIPAL STORMWATER MANAGEMENT PLAN: CHAPTER 575, STORMWATER MANAGEMENT, "TOWNSHIP OF LOWER ADMINISTRATIVE CODE":

As required under N.J.A.C. 7:8 Stormwater Management Rules, the Lower Township Planning Board evaluated the extent to which the Master Plan, in its entirety, along with the Zoning Regulations, implemented the principals of stormwater management as expressed in N.J.A.C. 7:8-5.3(b) since 2004. The Planning Board reviewed the N.J.D.E.P., Municipal Stormwater Regulation Program, 2010 status summary report. After careful consideration, and a report from the Lower Township Engineer, on the status and implementation of the Lower Township Stormwater Management Plan and Stormwater Management Regulations, the Lower Township Planning Board finds; that Lower Township's Stormwater Management Plans, Zoning Regulations, and entire Master Plan, implement the principles expressed in N.J.A.C. 7:8-5.3(b). (N.J.A.C. 7:8-5.3(b), Nonstructural stormwater management strategies, attached.)

Next re-examination report planned **before MAY Year 2033**.

**FINDINGS AND CONCLUSIONS OF
THE PLANNING BOARD OF
THE TOWNSHIP OF LOWER**

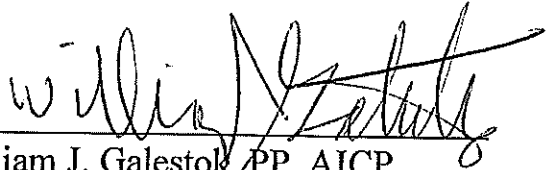
RESOLUTION NO. 23-21

WHEREAS, the Planning Board of the Township of Lower has conducted a re-examination of the Master Plan of the Township of Lower pursuant to N.J.S.A. 40:55D-89; and

WHEREAS, the Planning Board wishes to formalize their re-examination and to direct that this re-examination be passed along to the governing body and to the County Planning Board and Municipal Clerk of each adjoining municipality;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Lower, Cape May County, New Jersey, on the 18th Day of May, 2023, that the document entitled General Re-examination of the Master Plan, Township of Lower, dated May 18, 2023, be and the same is here by adopted; and

BE IT FURTHER RESOLVED that a copy of this document be forwarded to the governing body of the Township of Lower, the County Planning Board of Cape May County and the Municipal Clerks of each and every adjoining municipality.



William J. Galestok, PP, AICP
Director of Planning

DATED: May 18, 2023

PERSONNEL ACTIONS

Report for Council Meeting of 07/5/2023

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
DPW	Brown, James	01/01/23		Promotion	Maintenance Repairer	Yes
DPW	Harron, Gregory	01/01/23		Promotion	Diesel Mechanic	Yes
DPW	Garrison, Raymond	01/01/23		Promotion	Sr. Maint Repairer	Yes
DPW	West, Andrew	06/05/23		Promotion	Maintenance Repairer	Yes
DPW	Rementer, Joseph	06/05/23		Promotion	Supv Equip Operator	Yes
DPW	Jackson, Matthew	06/05/23		Promotion	Laborer 3	Yes
DPW	Szczur, Marc	06/05/23		Promotion	Motor Broom Operator	Yes
DPW	McCloskey, Andrew	06/05/23		Promotion	Motor Broom Operator	Yes
Tax Assessor	Devereaux, Nicole	01/01/23		Promotion	Clerk 2	Yes
Public Safety	Scheid, Suzanne	01/01/23		Salary Increase	Civ Agcy Comp Mngr/ NJSP CJIS Comp Mngr	Yes
BOCA	Blanda, Rebecca	01/01/23		Promotion	Keybrd Clk 2/TACO	Yes
Clerk	Binder, Lacie	01/01/23		Promotion	Sr. Clerk Typist/Reg	Yes

Date of report: 06/29/0223

c: Manager
Clerk

CASH RECONCILIATION MAY 31, 2023

	Cash		Less Checks Outstanding	Cash Book Balance
	*On Hand	On Deposit		
Current	1,420,500.63	12,745,632.48	1,409,722.66	12,756,410.45
Trust - Assessment				
Trust - Dog License	25.01	13,455.95	171.60	13,309.36
Trust - Other	14,097.09	4,319,938.47	148,118.60	4,185,916.96
Capital - General	0.00	2,032,333.56	63.60	2,032,269.96
Water - Operating				0.00
Water - Capital				0.00
Assessment Utility Trust				0.00
Public Assistance**				0.00
Garbage District				0.00
Grant Fund				0.00
Total	1,434,622.73	19,111,360.46	1,558,076.46	18,987,906.73

*Include Deposits in Transit (and change funds)

**Be sure to include a Public Assistance Account reconciliation and trial balance if the municipality maintains such a bank account.

REQUIRED CERTIFICATION

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at 31-May-23

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at 31-May-23

All "Certificates of Deposits," "Repurchase Agreements," and other investments must be reported as cash and included in this certification.

(THIS MUST BE SIGNED BY THE REGISTERED MUNICIPAL ACCOUNTANT (STATUTORY AUDITOR) OR CHIEF FINANCIAL OFFICER) depending on who prepared this Annual Financial Statement as certified to on Sheet 1 or 1(a).

Signature:

Lauren Reed

Title: CFO, Township of Lower

Township of Lower
Treasurer's Report
2023

	Total	Jan	Feb	Mar	Apr	May
BEG. BAL. JAN. 1, 2023	12,076,232.69	12,076,232.69	12,661,122.53	15,508,964.37	10,909,865.89	14,830,006.93
RECEIPTS:						
Per Revenue Status	42,755,574.24	5,655,254.86	11,369,873.66	1,422,403.71	9,819,653.06	14,488,388.95
less: post cash surplus	(4,360,000.00)					(4,360,000.00)
Interest due from Capital	(11,589.19)				(5,480.09)	(6,109.10)
Interest due from Escrow	(3,799.15)	(131.31)	(133.92)	(893.39)	(1,348.64)	(1,291.89)
Due from Capital Reserve	(200,000.00)					(200,000.00)
	38,180,185.90	5,655,123.55	11,369,739.74	1,421,510.32	9,812,824.33	9,920,987.96
Transfers:						
Capital - Clear Interfund	1,704,056.93	1,213,805.16	261,376.95	228,874.82		
Grants Received:						
BODY CAMERA \$ RECD	99,454.00			99,454.00		
CC \$ RECD	91,560.71					91,560.71
CMC Arts \$ Recd	8,123.25			8,123.25		
DISTRACTED DRIVING \$ RECD	7,000.00					7,000.00
DSGPO \$ RECD	9,450.00		9,450.00			
JIF \$ Recd	6,221.85	2,746.85			3,475.00	
NJDOT - FIRE	127,500.00	127,500.00				
NJDOT - STAR	46,250.00					46,250.00
OPEN SPACE \$ RECD	1,229,491.28				1,229,491.28	
Opioid Settlement	10,398.98	8,901.83	1,497.15			
Recycling Tonnage \$ Recd	40,755.42		40,755.42			
SC \$ RECD	365,353.45		337,935.11			27,418.34
STORMWATER ASSISTANCE	15,000.00				15,000.00	
2,056,558.94						
TOTAL RECEIPTS:	41,940,801.77	7,008,077.39	12,020,754.37	1,757,962.39	11,060,790.61	10,093,217.01
DISBURSEMENTS:						
2022 Reserves	470,284.51	281,916.74	165,386.48	7,663.56	10,100.53	5,217.20
2023 Current	40,470,715.80	5,111,336.78	8,820,961.08	6,232,448.84	7,209,138.81	13,096,830.29
2023 Capital	2,300,929.58	1,213,805.16	261,376.95	228,874.82	57,884.76	538,987.89
less: Def chgs TAX MAP	(24,000.00)					(24,000.00)
less: Due capital bond ord paydown	(1,065,000.00)					(1,065,000.00)
less: Due capital CIF	(250,000.00)					(250,000.00)
Appropriation Refunds:	(578,543.82)	(183,871.13)	(74,811.98)	(111,926.35)	(136,474.53)	(71,459.83)
TOTAL DISBURSEMENTS	41,324,386.07	6,423,187.55	9,172,912.53	6,357,060.87	7,140,649.57	12,230,575.55
END. BAL. DEC. 31, 2023	12,692,648.39	12,661,122.53	15,508,964.37	10,909,865.89	14,830,006.93	12,692,648.39
Total Appropriation Refunds	(578,543.82)	(183,871.13)	(74,811.98)	(111,926.35)	(136,474.53)	(71,459.83)

