

RESOLUTION 21-54 - LEASE AMENDMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE MAY BREWING LLC.

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (“Airport”); and

WHEREAS, CMB desires to continue to lease approximately 6,000 square feet of space in Building 96 comprised of Units 5,6,7 & 8 and approximately 30,000 square feet of land adjacent to the building for a beer garden at the Cape May Airport; and

WHEREAS, Cape May Brewing LLC entered into an agreement with the Airport to add approximately 42,100 sq.ft. area to expand the beer garden and build a permanent structure on the premises, bringing the leasehold to 72,100 sq.ft.; and

WHEREAS, NJ Alcohol Beverage Control (ABC) has added additional requirements to CMB expansion plans that necessitates CMB to add an additional 5,000 sq.ft. of space to the leasehold. The total beer garden leasehold with the addition will be 77,100 sq.ft.; and

WHEREAS, the term of this agreement shall be coterminous with the base agreement; and

WHEREAS, the commencement of this amendment will be contingent upon Cape May Brewery acquiring the necessary permits and approvals from NJ Alcohol Beverage Control and the local permitting agencies, and

WHEREAS, the rent for the initial year of this agreement shall be an additional Nine Thousand Four Hundred Twenty Dollars 00/100 Dollars (\$9,420.00) annually; and

WHEREAS, rent shall increase beginning March 1, 2023 by the Consumer Price Index (CPI) and on each March 1st during the remain years of the renewal period; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Amendment with Cape May Brewing LLC and, with the advice and consent of counsel, to have such Lease Amendment executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 21-54 Executive Summary

Resolution: Authorizing the Execution of a Lease Amendment between the Delaware River and Bay Authority and Cape May Brewing LLC, regarding Cape May Airport

Committee: Economic Development

Committee Date: December 21, 2021

Board Date: December 21, 2021

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease amendment for existing lease space at the Cape May Airport.

Background for Resolution:

The Delaware River and Bay Authority operates a retail building at the Cape May Airport commonly referred to as Building 96. Cape May Brewing currently leases Units 5, 6, 7 & 8 in the building in addition to 30,000 sq.ft. of space behind the building for a beer garden at the Cape May Airport. Cape May Brewing would like to expand their beer garden and build a permanent building with restrooms and a sales area. NJ ABC has made additional requirements in order to approve the expanded beer garden that will require additional space to be leased. The term of the lease coordinates with the remaining term of their facilities at the airport so that they will all expire at the same time.