

New Jersey Department of Environmental Protection  
Coastal Management Program

**Municipal Public Access Plan Application Form**

**For Office Use Only**

Date Received by DEP    /    /    Project Identification Number

**PLEASE PRINT**

1. **Municipal Public Access Plan for** \_\_\_\_\_ City of Atlantic City  
(Enter name of municipality)  
County: Atlantic

2. **Agent or Applicant Submitting Request on Behalf of Local Government**

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3. **Regional Planning Considerations**

- A. A full copy of the submittal has been provided to any regional planning entity with jurisdiction over any portions of the municipality affected by the Municipal Public Access Plan.

☒ Yes ☐ No ☐ Not Applicable

If yes, which agency? CRDA

- B. A full copy of the submittal has been provided to any municipality or county participating in any joint projects identified by the Municipal Public Access Plan.

☒ Yes ☐ No ☐ Not Applicable

If yes, which municipality and/or county? Atlantic County

#### 4. Certification

I hereby certify that the information submitted with this application is accurate, to the best of my knowledge.

J. T. Kern      4/2/19  
Signature      Date

J. Timothy Kernan  
Please print name

Geographic Discipline Leader/Principal Associate  
Title

Additional information may be required upon review by the Department.

Send completed application form and attachments to:

New Jersey Department of Environmental Protection  
Division of Coastal and Land Use Planning  
Mail Code 401-07C  
PO Box 420  
401 East State Street  
Trenton, NJ 08625

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# **Atlantic City**

# **Municipal Public Access Plan**

**Submitted by:** The City of Atlantic City

**Date of Current Submittal:** 4/4/2019

**Approved by the New Jersey Department of Environmental Protection:**

**Date of NJDEP approval**

**Adoption by the City:**

**Date will be added upon adoption**

**Prepared By:**

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## Introduction

This document is intended to provide a comprehensive public access plan for Atlantic City which lays out a vision for providing access to tidal waters and shorelines within the municipal boundary. This Municipal Public Access Plan (MPAP) was developed in accordance with the Coastal Zone Management Rules. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility.

The Public Trust Doctrine, first set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, establishes the public's right to full use of the seashore. The Public Trust Doctrine states that natural resources, including, but not limited to, tidal waterways and their shores, air and wildlife in the State of New Jersey are held by the State in trust for the benefit of all of the people. Further, the Public Trust Doctrine establishes the right of the public to fully utilize these natural resources for a variety of public uses.

The original purpose of the doctrine was to assure public access to waters for navigation, commerce and fishing. In the past two centuries, State and Federal courts in New Jersey have recognized that public uses guaranteed by the Public Trust Doctrine also include public recreational uses such as swimming, sunbathing, fishing, surfing, sport diving, bird watching, walking and boating along the various tidal shores.

Through various judicial decisions, the right of use upheld by the Public Trust Doctrine has been incorporated into many state constitutions and statutes, allowing the public the right to all lands, water and resources held in the public trust by the state, including those in New Jersey. The New Jersey Department of Environmental Protection (DEP) encourages municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations and plans to preserve and enhance access based on community needs and State standards.

This plan has been developed in collaboration with the DEP, City Planning and Engineering offices with input from the Planning Board and other local advisory bodies, and approved for submission to the DEP on 4/4/2019. Upon receiving approval from the DEP **on date**, the MPAP will be incorporated into the Master Plan by resolution **on date**, (see Appendix 1). All public access decisions made within Atlantic City after this date will be consistent with this plan.

## Importance of Municipal Public Access Plans

The premise of the authorization of MPAPs is that public access to tidal waters is fundamentally linked to local conditions. The development of a MPAP enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. It also informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

Atlantic City is responsible for ensuring that public access to the tidal waters within the municipality is in accordance with this plan as approved by DEP and adopted as part of the municipal Master Plan. For each new project that is required to provide public access through a DEP issued Coastal Area Review Act or Waterfront Development permit, Atlantic City will provide DEP with a letter confirming its consistency with this MPAP. Upon adoption of this MPAP into the municipal Master Plan, the DEP public access requirement shall be satisfied in accordance with this plan.

## **I. Municipal Public Access Vision**

### **A. Overview of Municipality**

Atlantic City is located in Atlantic County in southeastern New Jersey on Absecon Island. It is a beachfront community located on the Atlantic Ocean and surrounded by bays and inlets. The City is just under 16 square miles in size, but of that only 2,624 acres are developable; 3,079 acres are water and 3,708 acres are wetlands. Of the developable area, land uses generally consist of commercial uses along the coast and high density residential neighborhoods towards the north.

The City was initially established as a “health resort” in 1854, marketing the supposed healing properties of the salt water and sea air. Tourists flocked to the City from Philadelphia and throughout the region. In the 1920s, it was considered the premier tryout town for theatrical productions headed for Broadway and beyond. However, the unique draw of Atlantic City could not last forever. Similar to other urban areas, Atlantic City began to decline after World War II. With the increase of automobile travel and cheaper air travel, more resort options became available. Additionally, as suburbanization boomed, people no longer sought weekend escapes from the city. In an attempt to revitalize the City, gambling in Atlantic City was legalized in 1976.

A 30-year building boom followed, with the opening of the Resorts Casino in 1978 and concluding with the opening of the Revel Casino – the City’s twelfth – in 2012. The development of the casinos greatly increased tourism; between 1978 and 1988 the number of annual visitors increased from 700,000 to over 35 million annually (Atlantic City Master Plan Reexamination 2016).

Through the 2000s, the gaming industry continued to monopolize the City’s economy, however competition from new legal casinos in neighboring states began to have an effect in 2010. Casino revenue began dropping, jobs were lost, and the City’s assessed value of property decreased significantly. Specifically, between 2007 and 2015, casino revenue decreased from \$5.2 billion to \$2.5 billion; four of the twelve casinos closed and two declared bankruptcy; approximately 2,000 casino employees lost their jobs; and, assessed value dropped from \$22 billion to \$7 billion in 2015 (Atlantic City Master Plan Reexamination 2016).

The impact of this decline in the gaming industry hit hard a population that already has lower incomes than the state or county (Per Capita income in Atlantic City: \$18,282, Atlantic County: \$27,411, New Jersey: \$36,359) and higher rates of poverty (poverty in Atlantic City: 35.8%, Atlantic County: 15.1%, New Jersey: 11.1%) according to 2014 US Census estimates.

Furthering the economic devastation was Superstorm Sandy, which came ashore in Atlantic City on Monday, October 29, 2012 and produced storm surge and wave erosion of historic proportions. This major coastline-altering event was perhaps the most destructive storm in New Jersey history. As Sandy made landfall, the storm surge raised water levels along the inlet and back-bays of Atlantic City, causing significant damages estimated at \$75.2 million including losses to public buildings, beaches and boardwalk, housing, and convention business revenue ("Storm Damage Mitigation Project," November 21, 2012).

Now, in 2018, maintaining its role as a tourist draw is necessary for the economic health of the City. As of the most recent decennial US Census, in 2010 the City had a year-round population of 39,558, and approximately 35% of the employed population worked in the leisure and hospitality sector. The City is, in fact, the most significant employment center in the region, with the casinos employing not only 23% of the employed residents of the City but also a significant number of residents of neighboring municipalities.

Recognizing these developments, the City plans to return its emphasis to its largest natural asset, the waterfront, and make public access to it a priority. The City is already known for its Boardwalk, but there are also opportunities to expand public access on the backside of the island along the bay and inlets. Additionally, in many areas the conditions on the Boardwalk itself can be improved.

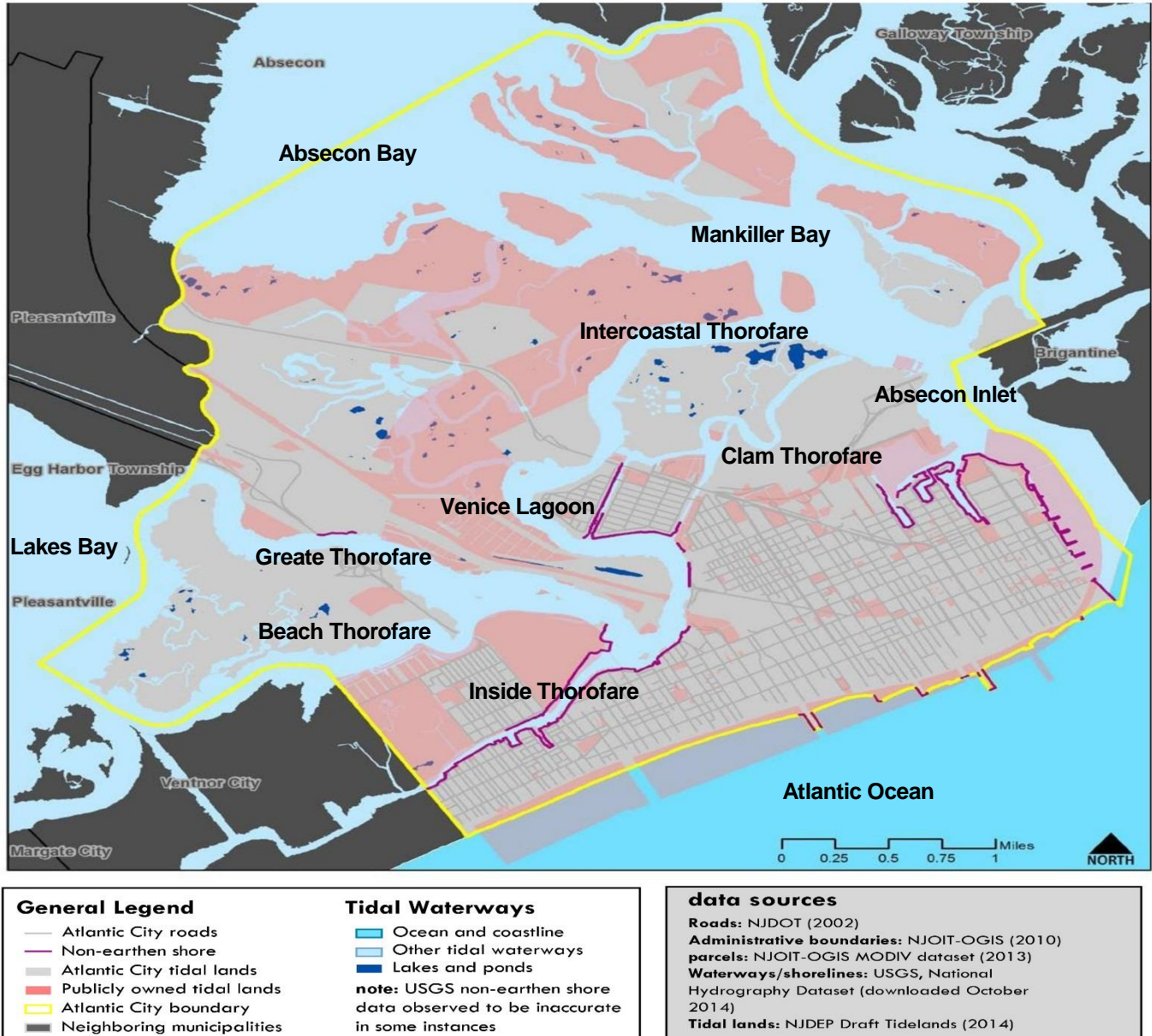
The Casino Reinvestment Development Authority (CRDA) greatly influences the City. Since 2011, CRDA has controlled land use throughout Atlantic City's 1,700-acre Tourism District, and conducts its own development project reviews and hearings. In 2012, CRDA developed a Tourism District Master Plan which covers much of the waterfront area. Currently, many oceanfront properties are zoned Resort Commercial Development or have specific redevelopment zoning designations. Other areas along the waterfront, especially towards the back of the island, are zoned residential.

In order for the CRDA initiatives outlined in the Tourism District Master Plan to succeed, more attention must be paid to public access to the waterfront. In addition, opportunities for access not included in the CRDA plan, such as along areas fronting the Back Bay, should be identified. The City's goal is to maintain and improve all existing public access points, create new public access where appropriate, and ensure that the location of waterfront access is better identified for residents and visitors.

## 1. Map 1. Atlantic City Tidal Waterways and Lands

Map 1 shows all the tidal waterways within the municipality and all lands held by the municipality.

**Map 1. Atlantic City Tidal Waterways and Lands**





## **B. Municipal Public Access Goals and Objectives**

### **1. Goals & Objectives**

- i. Maintain all existing public access to the maximum extent practicable.
- ii. Maintain safe and adequate access locations for fishing.
- iii. Provide clear informative signage for access locations.
- iv. Improve and increase public access locations along the Back Bay and on other areas away from the Boardwalk.
- v. Promote and advertise public access to increase tourism.

In addition to those goals outlined within the Master Plan, Atlantic City affirms the following State required goals specifically for public access:

- vi. All existing public access shall be maintained to the maximum extent practicable.
- vii. Maintain safe and adequate access locations for fishing in those areas where fishing is safe and appropriate.
- viii. Provide clear informative signage for access locations.

Atlantic City's Municipal Public Access Plan embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust lands which surround the municipality. The previous goals are compliant with the New Jersey Coastal Zone Management Rules broad set of coastal protection goals (see N.J.A.C 7:7-1.1 (c)).

### **2. Municipal Master Plan Consistency**

The goals and objectives provided in this Municipal Public Access Plan have been reviewed and are consistent with **the 2008 Atlantic City Master Plan and the 2016 Master Plan Re-Examination**.

#### **Land Use Element**

- The City, once known as the Queen of Resorts, should provide land use planning to diversify its tourism economy and realize its true potential as a world-class resort area.
- Protect the City's natural resources – the beach, the wetlands, and the Back Bay environment in conjunction with sound development practices.

#### **Open Space and Recreation Element**

- Provide both passive and active recreational opportunities that are safe and accessible for all residents and visitors and meet the needs of the present community.
- Provide all segments of the population opportunities for outdoor recreation experiences and improved quality of life.

### **Conservation Element**

- Preserve environmentally sensitive land and natural features such as wetlands, beaches, unique ecology, and prime wildlife habitats.

The Public Access Master Plan has the potential to address these five goals, by making water access easy, well-defined, visible, and encouraged in locations that will serve all segments of the population without imposing damage or compromise to the natural environment.

The **2016 Master Plan Reexamination Report** reiterates the goals of the 2008 Plan, and furthers that:

- The waterfront is underutilized. Public access to the waterfront needs to be improved. Pedestrian trails should be located along the bayfront and activities such as kayak and boat rentals, boat launches and fishing areas added.

And, as specifically related to circulation:

- Develop a comprehensive bicycle and integrated jogging trail and sidewalk system along the back bay connecting the residential neighborhoods in the City.

Additionally, a number of Open Space and recreation goals and suggestions could be made possible by improving access to waterfront areas (including both passive and active opportunities)

The **2017 Annual Action Plan** – a document focused on housing and other programs receiving CDBG and HOME dollars - also supports the efforts of this Access Plan. A priority need identified in this report is to “[m]aintain and improve public facilities including parks and recreation facilities; make handicap accessibility improvements as needed.”

## **II. Public Access**

Public Access in Atlantic City is provided by the municipality and consists of a variety of access points and facilities, the majority of which are owned by the City.

Atlantic City is one of the few communities that does not have any Beach Badge requirements and is free and accessible to all people during proper hours of use.

The largest access area is the 3.4-mile Boardwalk lining the oceanfront. Along the Boardwalk, the City provides both visual and physical access to the beach, with ADA (Americans with Disabilities Act of 1990)-accessible ramps in some locations.

During the tourist season these beaches are protected by lifeguards, and numerous access points feature showers and bathroom facilities. Additional public access to the waterfront is located along the bays and inlets. Examples of existing non-Boardwalk public access include boat ramps, small boat launches, public waterway parks, and the AC Waterfront Sculpture Walk, managed by CRDA. The overall goal of this MPAP is to establish Atlantic City's plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

### **A. Public Access Locations**

**Map 2 Atlantic City Public Access Locations**, identifies an inventory of all public access locations within Atlantic City, whether they are currently Utilized, Un-utilized, or Restricted to the public, along with their attributes of improvements and activities. See Table 1, located in the Appendix, for detailed information for each location.

## Map 2: Atlantic City's Public Access Locations

**Map 2. existing public Access Locations - Full extent**



**data source:** Aerial photography is the 2012-2013 High Resolution Orthophotography made available by the New Jersey Geographic Information Network.

**point dataset Collection:** The set of access points herein displayed is an updated version of historical access point data dating from June 2011. This original dataset was verified, adjusted, and added to based on field work conducted in October 2014.

### **note**

Unless otherwise noted, each access points should be considered utilized, meaning that the location is used by the public and provides official or unofficial public access.

**Additional Large-scale Maps showing access points With street signs follow in maps 2.1-2.10.**



**Enhanced Beach Access Points**

## B. Improved Public Access Locations

**Maps 3.1 through 3.7 Atlantic City's Improved Public Access Locations**, provide an inventory of the existing public access locations that currently provide access to public trust lands and waters. See Table 1, located in the Appendix, for detailed information about these locations.

**Map 3.1** illustrates the location of access points with available restroom facilities. Seventeen access points have restrooms.

Historically ADA compliance has referred to the ability of any location to be accessible to someone from the public with a disability and did not refer to support facilities or a full range of services, such as parking and bathrooms. In a City like Atlantic City there is a wide range and type of access (see Map 3.5) with many locations offering access to public restrooms and public parking.

**Map 3.2** shows which access points have swimming. Seventy access points offer swimming (seven of which are restricted or at own risk). This includes approximately 15 *enhanced* access points from the boardwalk, in the form of wooden ramps.

Overall, the entire stretch of Atlantic City along the Atlantic Ocean allows swimming and is shown with green dots. These are all the areas covered by lifeguards.

The map also indicates where swimming is restricted due to several conditions and notes that points along the Absecon Inlet are labeled as SWIM AT OWN RISK, due to these areas not having lifeguards and experiencing stiff currents.

The map notes at the bottom left states:  
“Restricted points along ocean beach: beach patrol only”.

**Map 3.3** shows which access points that allow surfing. Four *beaches* allow surfing and one allows Stand Up Paddleboarding and Kayaking; however, lifeguards consider a “beach” to informally extend 50-75 yards north and south of an access point. As such, where appropriate access points at the northern and southern boundaries of each surfing beach are counted, bringing the total number of access points which allow surfing (and Stand Up Paddleboarding/Kayaking) to ten.

There are a few areas where it is restricted due to potential conflict with beach events, but overall where it indicates that Surfing is Not Allowed refers to times when the lifeguards are on duty, 10 AM to 5 PM only, Memorial Day to Labor Day, and that off hours surfing is tolerated.

**Map 3.4** shows access points which allow fishing. Fishing is allowed at 124 access points.

Surf Fishing is allowed at any location outside of lifeguard hours.

**Map 3.5** shows proximity of parking to access points. 113 access points have immediately adjacent parking areas. Of these parking areas, 10 are public parking garages, 13 are metered public lots, 4 are free public lots, 26 are unrestricted on-street parking, 54 have limited (3-hour) on-street parking, and the remainder are undefined.

And, **Map 3.6** shows which access points are ADA accessible. ADA access is provided at 106 access points.

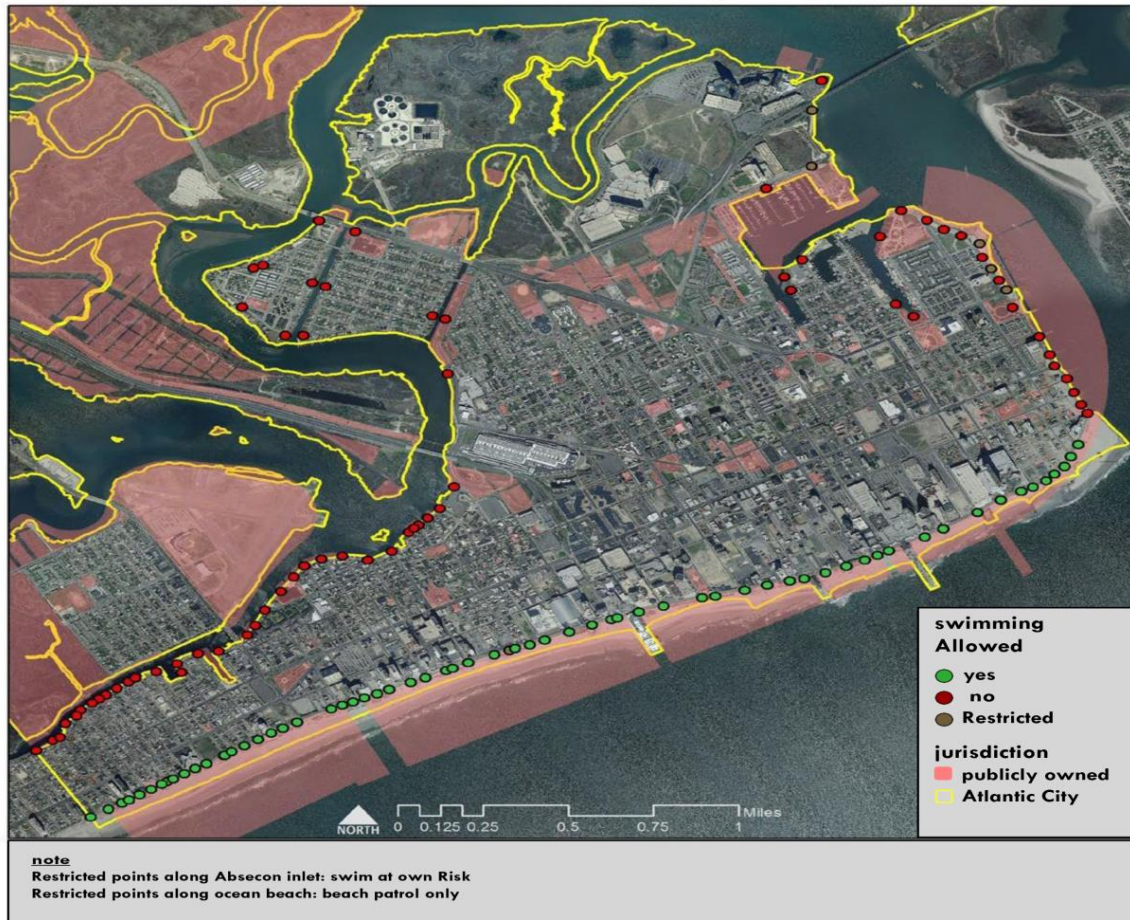
Lastly, **Map 3.7** shows which access points have access and/or interpretive signage. Forty access points have signage of some sort.



**Map 3.1 existing public Access Locations - Restroom Availability**



**Map 3.2 existing public Access Locations - swimming allowed**

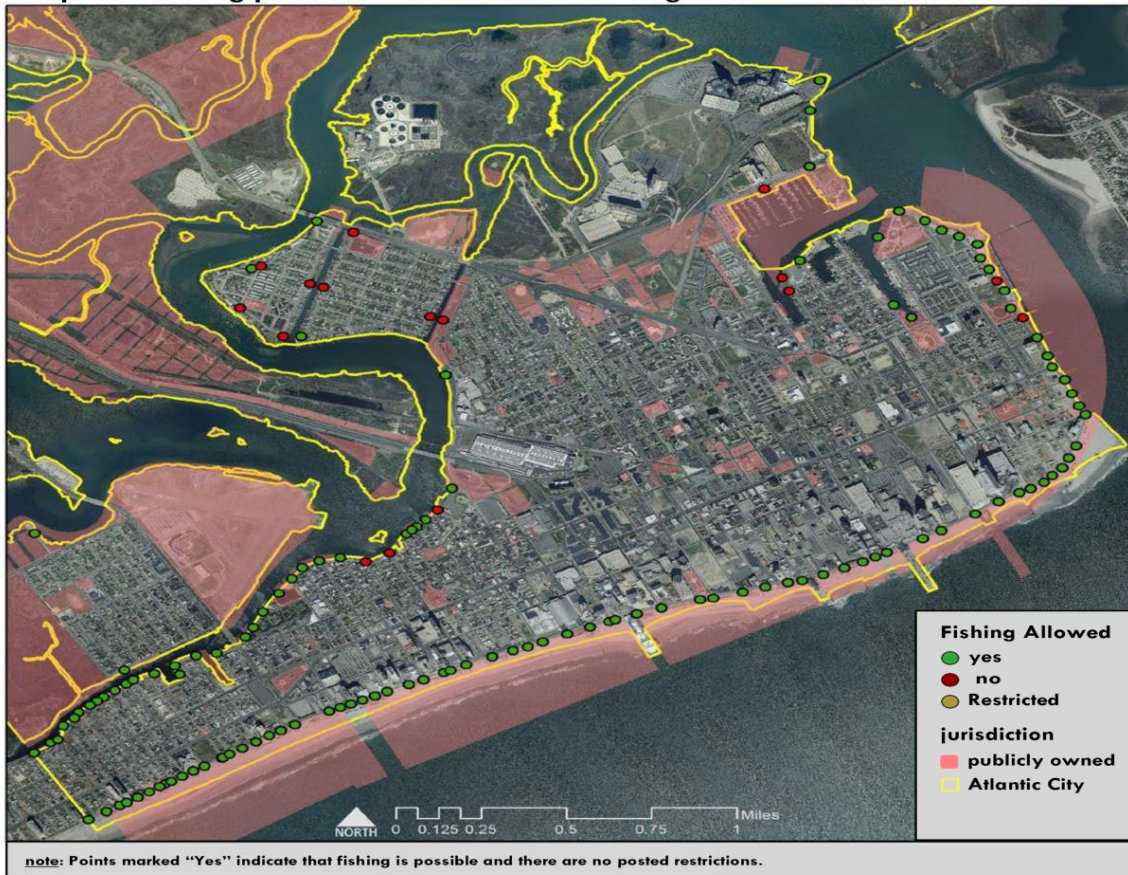




**Map 3.3 existing public Access Locations – surfing allowed**



**Map 3.4 existing public Access Locations - Fishing allowed**





**Map 3.5 existing public Access Locations - nearby parking**



**Map3.6 existing public Access Locations - handicapped accessible points**





Map 3.7 prioritizing public Access Locations - signage



## C. Limitations to Public Access

The following limitations to public access currently exist:

### 1. Temporary Restrictions

- Beaches citywide are closed from 10PM-6AM.
- Ball games, frisbee, and catch are not permitted on the Boardwalk and beach between June 15 and September 15.



Image 1: Consistent Beach Signage

### 2. Permanent Restrictions

- Access under the Boardwalk is restricted to City personnel, City contractors, and medical or law enforcement personnel responding to an emergency for safety reasons.
- Swimming is restricted at unprotected beaches for safety reasons.
- Sand dunes (a sensitive ecosystem) are restricted from public access in an effort to protect the environment.

- Swimming is permanently restricted at many non-beach sites for safety reasons.
- Destroyed portions of the Boardwalk along Absecon Inlet (see Image 2) were off-limits to protect public health and safety, but as of Memorial Day 2018 the reconstructed boardwalk and seawall in this area was reopened.



*Image 2: Destroyed Boardwalk section (2014)*



*Image 3: New Boardwalk section (2018)*





*Image 4: New Boardwalk and Seawall section along Absecon Inlet (2018)*

3. Preserving Public Access: The ROSI (Recreation and Open Space Inventory) included in the appendix shows that the entire beach is located on the ROSI. The interpretation is that All Public Access points are preserved by the fact that the Boardwalk, street ends and beach are all public property that allows for uninterrupted public access.

In the Appendix is an Example Deed of Dedication and Perpetual Public Access Easement which is being provided as a mechanism the City can use to preserve their access as required. The use of this easement does not require detailed metes and bounds descriptions for each public access locations and all the City's public access can be included in one easement.

### **III. Community Needs Assessment**

Atlantic City has performed a community needs assessment. The methods and results are described in the following section.

The 2008 Mater Plan stated that "the existing park system of Atlantic City is mainly comprised of minipark and smaller neighborhood parks. The City has a total of thirty-nine parks that form approximately seventy-five acres of public park space... [And] In addition to the parks, Atlantic City also has more than four miles of beach and boardwalk."



The conclusion of the open space analysis determined that, because of the extensive beach, boardwalk, and wetlands, Atlantic City has ample open space. However, an effort should be made to “maintain and improve its existing facilities.”

The **2016 Master Plan Reexamination Report** reiterates the goals of the 2008 Plan, and furthers that:

- The waterfront is underutilized. Public access to the waterfront needs to be improved. Pedestrian trails should be located along the bayfront and activities such as kayak and boat rentals, boat launches and fishing areas added.

And, as specifically related to circulation:

- Develop a comprehensive bicycle and integrated jogging trail and sidewalk system along the back bay connecting the residential neighborhoods in the City.

Additionally, a number of Open Space and recreation goals and suggestions could be made possible by improving access to waterfront areas (including both passive and active opportunities)

The **2017 Annual Action Plan** – a document focused on housing and other programs receiving CDBG and HOME dollars - also supports the efforts of this Access Plan. A priority need identified in this report is to “[m]aintain and improve public facilities including parks and recreation facilities; make handicap accessibility improvements as needed.”

The City has since made efforts to address some of these suggestions. The Bike Loop project is underway, and improved park maintenance continues.

## **IV. Implementation Plan**

Atlantic City has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, Proposed Access Improvements and Facilities, and Municipal Tools for Implementation as described in the following section:

### **A. Priorities**

Atlantic City has developed the following priorities:

#### **1. Maintain Existing Public Access**

A comprehensive inventory of Atlantic City’s public access points was conducted, and the attributes and amenities of each point were recorded (see Appendix 1). The inventory documented 200 existing public access points, with a range of maintenance-based conditions and accessibility levels.

Simultaneously, access points not considered in danger must continue to be maintained. The Atlantic City Public Works Department will carry out this work, except for access points

within the Tourism District, which will be maintained by the CRDA Environmental Services department.

**a. Tools**

1. Conduct an access inventory update every 3-5 years to ensure that all public access points still exist and are still publicly accessible.
2. Adequate signage will be added; misleading signage will be removed in accordance with code. Chapter 249 has been established to affirm this position.
3. Trash shall be cleared on a regular basis by the Public Works Department or CRDA. Revisions to Chapter 143 have been made to affirm this position.
4. Vegetation will be managed on a regular basis by the Public Works Department, CRDA, or other assignee. Revisions to Chapters 103 and 203 have been made to affirm this position.
5. Paths and roadways within and leading to the access points will be cleared of debris on a regular basis by the Public Works Department or CRDA, and streets improved where needed. Revisions to Chapters 103 and 203 have been made to affirm this position.
6. The Atlantic City Municipal Code §163-59(4) establishes the Mixed Use Recreation District to “integrate residential, commercial, cultural, transportation and transient [sic] oriented uses.” The district encourages “[w]ater-based uses that provide alternative modes of transportation to other locations throughout the City,” and the ordinance stresses that “[p]ublic access along the waterfront is a major component of the district plan, to provide a scenic venue and pedestrian links to the Walk.” This shall be upheld.

**b. Cost and Funding**

1. The cost of maintaining existing access points should be absorbed by the agencies charged with doing so and absorbed into their annual operating budgets.
2. The cost of creating, purchasing, and installing new signage and maintaining existing signage is estimated at \$20,000 per year and is paid for by The City of Atlantic City and the Atlantic City Special Improvement District (SID).

**2. Preserving Public Access**

Atlantic City currently has a number of parks and recreation complexes listed on the NJDEP Green Acres Recreation and Open Space Inventory (ROSI).

**a. Tools**

1. ROSI: The City of Atlantic City has included a portion of Bader Field on their ROSI (NJDEP Recreation and Open Space Inventory) shown as 20 acres in the southeast portion of the site, closest to the bridge. At the present time there is a public access boat ramp and stone parking area that can be used by anyone.

2. The Atlantic City Municipal Code §163-63(C)(3) provides special protection for public access to the beaches in B Beach District, which comprise all natural public beaches along the Atlantic Ocean. A proposed use in this district shall not limit public access.
3. The Atlantic City Beach Patrol maintains a fleet of handicap “surf chairs” to facilitate beach access points with ADA-compliant beach ramps. This inventory is evaluated annually to ensure appropriate supply is on hand. Any additional chairs are handled as a capital expense paid for by the Atlantic City Special Improvement District (SID) and the Department of Public works.

**b. Cost and Funding**

The present costs associated with the locations and services listed above are handled as routine maintenance by the Department of Public Works within their operating budget.

**3. Proposed Locations and Facilities**

Several new access locations and facilities are proposed or in progress at this time.

- A. The Seawall Project: Atlantic City is in the process of implementing the construction of a seawall, bulkhead, and new boardwalk along Absecon Inlet. The reconstructed boardwalk (north of Oriental Avenue to Caspian Avenue) will provide pedestrian connectivity between the oceanfront and Gardner’s Basin. The seawall has been constructed by the Army Corps of Engineers and was federally funded, while boardwalk construction will be funded by Atlantic City and the State of New Jersey. This project is almost complete.
- B. Sunset Trail: The Bloustein Atlantic City Waterfront Access and Revitalization Plan proposes a pedestrian trail that would connect the entire bayside of the City, from the western end of South Boulevard in the Chelsea Heights neighborhood to the Farley State Marina and Gardner’s Basin. The trail will make use of existing City-owned pedestrian walkways where available and will rely on the construction of additional walkways and supporting infrastructure as needed. The trail will provide approximately 5 miles of pedestrian connectivity and waterfront access, as well as to the roughly four miles of existing and proposed Boardwalk.
- C. Atlantic City Bike Loop: A bike loop is currently underway, providing access to Gardiner’s Basin at the terminus of North Rhode Island Avenue as well as the Boardwalk at South New Jersey Avenue.

**a. Tools**

1. Current planning documents for Atlantic City (Storm Damage Mitigation Project 2012, Tourism District Master Plan 2012) support the development of new public access by extending the Boardwalk to Gardner’s Basin. Complying with and supporting the recommendations of these documents should be prioritized.
2. The 2016 Atlantic City Master Plan Re-Examination re-iterates the desire to

promote “recreational activities along the back bay” and “partnerships with private property owners to provide access for canoeing and viewing wildlife and waterborne transportation.” This shall be upheld.

**b. Cost and Funding**

1. Sewall construction along Absecon Inlet – 2 Million Dollars – federally funded
2. Boardwalk reconstruction along Absecon inlet – 5 Million dollars– state and local funding
3. Sunset Trail – Proposed projected costs are flexible based upon phasing – funding being sought through Transit Agencies and roadway improvement funding
4. Atlantic City Bike Loop - Proposed projected costs are flexible based upon phasing – funding being sought through Transit Agencies and roadway improvement funded projects

**4. Access Enhancements**

Some sites, while accessible, could use enhancements to draw the public to them, including:

- Added or improved restroom facilities
- Amenities such as chairs, tables, and benches
- Shade trees on waterfront areas, and street trees leading to or at the arrival point of access points
- Bike racks
- Added or improved vehicle parking, where appropriate
- Increased ADA access

There are public access points which provide proper facilities for small-boat access. Efforts should be made to install improvements for small-boat access in areas deemed safe and desirable without heavy traffic from larger vessels, such as Delta Basin and other commercial fishing areas along the Back Bay.

In order to promote cleanliness and a better overall experience, popular fishing areas should contain proper amenities. This includes trash cans, gutting and cleaning stations, benches, and tables.

As emphasized in the Maintain Public Access section of the Bloustein Report, proper signage and visual access play important roles, with an inviting draw and clear regulations informing users of recreational opportunities permitted at each access point so confusion does not inhibit use.

**a. Tools**

1. The 2016 Atlantic City Master Plan Re-Examination recommends to "[p]lan, design and install signage to direct and designate public beach access points and upgrade facilities such as shower head [sic] and restrooms at these locations." This is to be pursued.

2. The 2016 Atlantic City Master Plan Re-Examination recommends to "[m]aintain and enhance existing public beach access points and continue to designate them." This is to be pursued.

**b. Cost and Funding**

1. The costs to provide additional signage are being sought as part of the Atlantic City Special Improvement District (SID) funding, and the maintenance of the existing public beach access points is a combination of the City Department of Public Works and the Atlantic City Special Improvement District (SID).

**B. Signage**

The N.J.A.C. 7:7-16.9(u) requires that public access to tidal waterways and their shores shall be clearly marked. Atlantic City provides consistent public access signs along the Boardwalk and public access areas and/or public parking area.

The Boardwalk is clearly marked with consistent signage that delineate rules and amenities:



*Image 5: Boardwalk Signage*

Chapter 227 of the municipal code addresses surfing and includes provisions for signs permitting such activities and warning bathers of that risk. Similarly, Chapter 228 of the municipal code, addresses kayaking and water sports, and includes provisions for signs permitting such activities and warning bathers of that risk. These signs should remain or be replaced in-kind where necessary.

The beaches have existing signage (see Image) that has been used as a template throughout the city. These same signs can be found at various access points and provide visitors with a readily identifiable listing of permissible and prohibited uses, times of opening and closing and other information, such as, Dangerous Rip Tide Current areas.

The signs follow the same format of a 30" x 30" laminated panel within a square wood framed attached to a 4" x 4" wood post topped with a cap and ball. As seen below and earlier in this report the sign is readily identifiable and of bright coloring to attract the attention of the public.



*Image: Example of successful signage*

The City will continue to provide signage, improve and maintain signage and plan for future signage as indicated in the DRAFT Ordinance in the Appendix to this Plan.

Atlantic City is unique in that there is a variety of water related open spaces and public uses besides the Beach. Below are images of areas that provide a range of access from purely passive and visual access to Public Boat Launch and informal Fishing areas.



*Image 6: Bader Field Boat Launch Area*



*Image 7: Access and Restroom Facilities on Absecon Inlet*

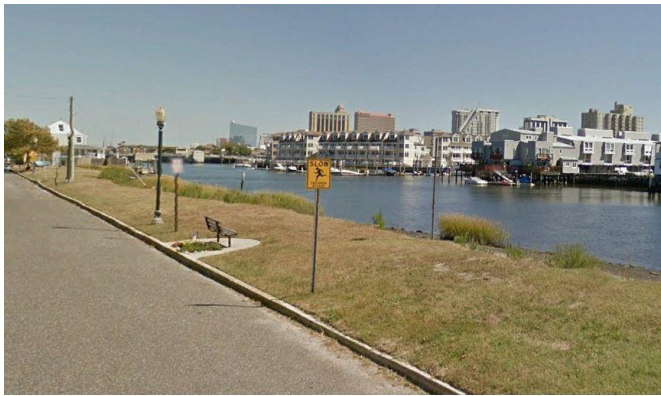




*Image 8: Informal Fishing Access in Gardner's Basin*







*Image 9-11: Variety of Informal Passive Waterfront Access (Gardner's Basin walk, Sunset Avenue walk, South Boulevard overlook)*

This variety of access has a variety of regulations and signage associated with the intended uses.

### **C. Army Corps of Engineers Requirements for Shore Protection Projects**

The large waterfront section along Absecon Inlet is part of a U.S. Army Corps of Engineers Flood and Coastal Storm Damage Reduction Project. This project includes constructing beachfill and replenishing it at regular intervals. A 0.3-mile long bulkhead is being constructed for the waterfront along Absecon Inlet.

Future improvements to public access sites along Absecon Inlet are planned, taking into account the ongoing nature of these projects. Improvements to public access sites cannot interfere with beachfill replenishment efforts or the construction of the bulkhead along Absecon Inlet.

## **V. Resolution of Incorporation**

Atlantic City has approved a resolution for the incorporation of the MPAP. See Appendix 1 for the resolution.

Approval of this plan does not eliminate the need for any Federal, State, County or municipal permits, certifications, authorizations or other approvals that may be required by the Applicant, nor shall the approval of this plan obligate the Department to issue any permits, certifications, authorizations or other approvals required for any project described in this plan.

**APPENDIX 1**  
**Model Resolution for Incorporating MPAP into Master Plan**  
(upon adoption the final resolution will replace this model)

Resolution # \_\_\_\_\_

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the *{municipality name}* Municipal Public Access Plan (MPAP) was submitted to the Township Council and reviewed at the regular meeting of *{date}*, and

WHEREAS, the governing body has approved the plan as submitted, and

WHEREAS, the governing body recognizes the need to make the MPAP an authorized component of municipal decision-making by incorporating it into the municipal master plan,

NOW, THEREFORE, BE IT RESOLVED by the *{municipality governing body}* of *{municipality name}*, the “*{municipality name}* Municipal Public Access Plan,” a copy of which is attached, is hereby approved.

FURTHER RESOLVED, the MPAP shall be incorporated into the municipal master plan within {element}.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7.

I hereby certify the foregoing to be a resolution adopted by the *{governing body}* at a meeting held on *{date}*.

\_\_\_\_\_  
Municipal Clerk

## Appendix 2

### Public Access Table

**Table 1 Atlantic City Public Access Location Amenities**

Table 1 Atlantic City Public Access Location Amenities																	
ID	SIGNS	PARKING	STREET	BADGE	SWIM-MING	FISH-ING	SURF-ING	PLAY-GRD	PARK	BOAT-LNCH	MAR-INA	FOOD-DRINK	REST-RMS	SEATS	H_C	SHORE-LINE	TYPE
1	NO	NO	Annapolis	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Physical
9	NO	No Charge	Delancy	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Bay	Visual
10	NO	No Charge	Columbia	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Bay	Visual
13	NO	No Charge	Kingston	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Bay	Visual
14	NO	No Charge	Aberdeen	NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	Benches	NO	Bay	Visual
25	NO	No Charge	Kingston	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
26	NO	No Charge	Bartram	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
28	NO	N/A	Columbia	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Visual
54	NO	Charge	Park	NO	NO	NO	NO	NO	YES	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
55	NO	Charge	Indiana	NO	NO	NO	NO	NO	YES	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
66	YES	N/A	Connecticut	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
67	YES	N/A	Massachusetts	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
76	NO	No Charge	Atlantic	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Visual
77	NO	No Charge	Pacific	NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
78	NO	No Charge	Euclid	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
79	NO	No Charge	Madison	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	NO	YES	Inlet	Visual
80	NO	No Charge	Melrose	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	Benches	YES	Inlet	Physical
81	NO	No Charge	Adriatic	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	Benches	NO	Inlet	Visual
82	NO	No Charge	Caspian	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	Benches	YES	Inlet	Physical
90	NO	No Charge		NO	NO	NO	NO	YES	YES	NO	NO	NO	NO	YES	YES	Canal	Visual
95	NO	No Charge	Kuehnle	NO	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	Bay	Visual
98	NO	No Charge		NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	Bay	NONE
100	NO	No Charge	Hartford	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Bay	Visual
101	NO	No Charge	Saint Davids	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
102	NO	No Charge	Sovereign	NO	NO	YES	NO	YES	YES	NO	NO	NO	YES	NO	YES	Bay	Visual
103	NO	No Charge	Montpelier	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	YES	NO	Bay	Visual
104	NO	No Charge	Chelsea	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
105	NO	No Charge	Morris	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
108	NO	No Charge	Turnpike	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
109	NO	No Charge	Texas	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
110	NO	No Charge	Arizona	NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	NO	NO	Bay	Visual
111	NO	No Charge	California	NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	NO	YES	Bay	Visual
112	NO	No Charge	Georgia	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual

114	YES	No Charge	Yg	NO	NO	YES	NO	NO	YES	NO	NO	NO	YES	YES	YES	Inlet	Visual
115	NO	NO		NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	Benches	YES	Inlet	Visual
116	NO	No Charge		NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	NO	NO	Bay	Visual
117	NO	No Charge		NO	NO	YES	NO	YES	YES	NO	NO	NO	YES	NO	YES	Bay	Visual
118	NO	NO		NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	Boardwalk	Physical
121	NO	N/A	Boston	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
124	NO	N/A	Jackson	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
125	YES	N/A	Montgomery	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
126	YES	N/A	Plaza	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
127	NO	N/A	Tallahassee	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
128	YES	N/A	Berkley	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
129	YES	N/A	Kingston	NO	Yes	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
130	NO	N/A	Bartram	NO	YES	YES	YES	NO	NO	NO	NO	NO	YES	Benches	YES	Ocean	Physical
131	NO	N/A	Delancy	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
132	YES	N/A	Raleigh	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
133	NO	N/A	midblock	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
135	YES	N/A	Richmond	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
136	YES	N/A	Annapolis	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
137	NO	N/A	Annapolis	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
138	YES	N/A	Dover	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
139	NO	N/A	Elberon	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
140	YES	N/A	Lincoln	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
141	YES	N/A	Roosevelt	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
142	NO	N/A	Albany	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
143	YES	N/A	Ridgeway	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
144	YES	N/A	bw Hartford & Wilson	NO	At Own Risk	YES	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
145	YES	N/A	Wilson	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
146	YES	N/A	Providence	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
147	NO	N/A	bw Providence & Boston	NO	YES	YES	Yes	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
148	YES	N/A	Sovereign	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
149	YES	N/A	Montpelier	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
151	YES	N/A	Chelsea	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
152	NO	N/A	Morris	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
153	YES	N/A	Brighton	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
154	NO	N/A		NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
155	YES	N/A	Iowa	NO	YES	YES	YES	YES	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
156	YES	N/A	California	NO	YES	YES	YES	YES	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
157	NO	N/A	Texas	NO	Restricted	NO	Restricted	NO	NO	NO	NO	NO	NO	NO	NO	Ocean	Restricted
158	YES	N/A	Texas	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	Ocean	Physical
159	YES	N/A	Bellevue	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
160	YES	N/A	Florida	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical

161	NO	N/A		NO	YES	YES	YES	NO	NO	NO	NO	YES	YES	Benches	YES	Ocean	Physical
162	YES	N/A	Mississippi	NO	YES	YES	YES	NO	NO	NO	NO	YES	YES	Benches	YES	Ocean	Physical
163	NO	N/A		NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
164	YES	N/A	Missouri	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
165	NO	N/A	Arkansas	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
166	YES	N/A	Michigan	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
167	NO	N/A	Ohio	NO	At Own Risk	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Ocean	Physical
168	YES	N/A	Park	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
169	YES	N/A	Indiana	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
170	YES	N/A	Dr Martin Luther King	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
171	YES	N/A	Kentucky	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
172	YES	N/A	New York	NO	YES	YES	YES	NO	NO	NO	NO	YES	YES	Benches	NO	Ocean	Physical
173	YES	N/A	St James Place	NO	YES	YES	YES	NO	NO	NO	NO	YES	YES	Benches	NO	Ocean	Physical
174	YES	N/A	Ocean	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
175	NO	N/A	South Carolina	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
176	NO	N/A	North Carolina	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	YES	Ocean	Physical
177	NO	N/A		NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
178	YES	N/A	Pennsylvania	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
179	NO	N/A		NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
180	YES	N/A	States	NO	YES	YES	YES	NO	NO	NO	NO	YES	NO	Benches	NO	Ocean	Physical
183	NO	N/A	New Jersey	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
184	YES	N/A	Metropolitan	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
185	YES	N/A	Rhode Island	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
186	NO	N/A	Victoria	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
187	NO	N/A	Vermont	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
188	NO	N/A	Seaside	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	NO	Ocean	Physical
189	NO	N/A	New Hampshire	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	Benches	YES	Ocean	Physical
192	NO	NO	Melrose	NO	Restricted	YES	NO	NO	YES	NO	NO	NO	NO	Benches	NO	Inlet	Physical
193	NO	No Charge		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Inlet	Visual
194	NO	No Charge	Adriatic	NO	Restricted	YES	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Inlet	Visual
195	NO	No Charge		NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Inlet	Physical
196	NO	NO	Caspian	NO	Restricted	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
197	NO	No Charge		NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
198	NO	No Charge		NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	physical
199	NO	No Charge		NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
200	NO	No Charge		NO	NO	YES	NO	NO	YES	NO	NO	YES	YES	YES	YES	Inlet	Visual
201	NO	No Charge		NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	YES	YES	Inlet	Visual
202	NO	No Charge		NO	NO	YES	NO	YES	YES	NO	NO	NO	NO	YES	YES	Inlet	visual
204	NO	NO		NO	NO	YES	NO	YES	NO	NO	NO	NO	NO	YES	YES	Canal	Visual

220	NO	No Charge		NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	NONE
221	NO	No Charge	Arkansas and Riverside	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Canal	Visual
222	NO	No Charge	Arkansas and Murray	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Canal	NONE
223	NO	No Charge	Arkansas and Kuehnle	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Canal	Visual
224	NO	No Charge	Penrose	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
225	NO	No Charge		NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	Bay	Visual
226	NO	No Charge	Harrahs	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	YES	YES	Inlet	Visual
228	NO	NO	Brigantine	NO	Restricted	YES	NO	NO	NO	YES	NO	NO	NO	NO	NO	Inlet	Physical
229	NO	No Charge	Huron	NO	Restricted	YES	NO	NO	NO	YES	NO	NO	NO	NO	NO	Inlet	Physical
230	NO	NO		NO	NO	NO	NO	NO	NO	NO	YES	YES	YES	YES	YES	marina	Marina
231	NO	No Charge	New Jersey	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	marina	Visual
232	NO	No Charge	Delaware	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Inlet	NONE
233	NO	No Charge	Magellan	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Inlet	NONE
234	NO	No Charge	Brighton	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
235	NO	No Charge	Iowa	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	Bay	Visual
236	NO	Charge/No	Dr Martin Luther King	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	Boardwalk	Physical
237	NO	Charge/No	Kentucky	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
238	NO	Charge/No	New York	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	Benches	YES	Boardwalk	Physical
239	NO	Charge/No	Saint James	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES	Benches	YES	Boardwalk	Physical
240	NO	No Charge	Tennessee	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
241	NO	Charge/No	South Carolina	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
242	NO	No Charge	North Carolina	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
243	NO	Charge	Pennsylvania Ave	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
244	NO	Charge	States	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
245	NO	Charge	New Jersey	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
246	NO	No Charge	Metropolitan	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
247	NO	No Charge	Rhode Island	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
248	NO	No Charge	Victoria	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
249	NO	No Charge	Vermont	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
250	NO	No Charge	Seaside	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
251	NO	No Charge	New Hampshire	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
252	NO	No Charge	Oriental	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
253	NO	No Charge	Dewey	NO	NO	Restricted	NO	NO	YES	NO	NO	NO	NO	NO	NO	Inlet	Physical
254	NO	No Charge		NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Inlet	Visual

255	NO	No Charge	Grammercy	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Inlet	Visual
256	NO	No Charge	Jackson	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
257	NO	NO		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
258	NO	No Charge	Montgomery	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
259	NO	No Charge	Plaza	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
260	NO	No Charge	Tallahassee	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	Yes	Boardwalk	Physical
261	NO	No Charge	Delancy	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
262	NO	No Charge	Raleigh	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
263	NO	No Charge	Jackson	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Bay	Visual
264	NO	No Charge	Montgomery	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
265	NO	No Charge	Plaza	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Bay	Visual
266	NO	No Charge	Tallahassee	NO	NO	YES	NO	YES	NO	NO	NO	NO	NO	Benches	NO	Bay	Visual
267	NO	No Charge	Bartram	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
268	NO	No Charge	Raleigh	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Visual
269	NO	No Charge	Laclede	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Bay	Visual
270	NO	No Charge	Richmond	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Bay	Visual
271	NO	NO	Annapolis	NO	NO	YES	NO	NO	NO	Private	NO	NO	NO	NO	NO	Bay	NONE
272	NO	No Charge	Richmond	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Physical
273	NO	No Charge	Dover	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	Bay	Physical
274	NO	No Charge	Phyllis	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Bay	Visual
275	NO	NO	Harrisburg	NO	NO	YES	NO	NO	NO	Private	NO	NO	NO	NO	YES	Bay	NONE
276	NO	No Charge	Trenton	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Bay	Visual
277	NO	No Charge	Sunset	NO	NO	YES	NO	NO	YES	NO	NO	NO	NO	NO	YES	Bay	Visual
278	NO	No Charge	Richmond	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
279	NO	No Charge	Annapolis	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Boardwalk	Physical
280	NO	No Charge	Ridgeway	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
281	NO	No Charge	Dover	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
282	NO	No Charge	Elberon	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
283	NO	No Charge	Lincoln	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
284	NO	No Charge	Roosevelt	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
285	NO	No Charge	Albany	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	Benches	YES	Boardwalk	Physical
286	NO	No Charge	Hartford	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
287	NO	No Charge	Wilson	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
288	NO	NO	Providence	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
289	NO	NO	Sovereign	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	Benches	YES	Boardwalk	Physical
290	NO	No Charge	Chelsea	NO	NO	NO	NO	NO	NO	NO	YES	YES	NO	Benches	YES	Boardwalk	Physical
291	NO	No Charge	Morris	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	Benches	YES	Boardwalk	Physical
292	NO	NO	Iowa	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	Boardwalk	Physical
293	NO	No Charge	Belmont	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
294	NO	No Charge	California	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	Boardwalk	Physical
295	NO	No Charge	Texas	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	Benches	YES	Boardwalk	Physical
296	NO	No Charge	Bellevue	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	Benches	NO	Boardwalk	Physical
297	NO	NO	Florida	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	NO	Boardwalk	Physical
298	NO	Charge	Mississippi	NO	NO	NO	NO	NO	NO	NO	YES	YES	NO	Benches	YES	Boardwalk	Physical
299	NO	Charge	Columbia	NO	NO	NO	NO	NO	NO	NO	YES	YES	NO	Benches	YES	Boardwalk	Physical



300	NO	Charge	Missouri	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
301	NO	Charge	Arkansas	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
302	NO	Charge	Michigan	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical
304	NO	No Charge	Murray	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO	Canal	Visual/Water
305	NO	No Charge	Riverside	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	Canal	Visual
306	NO	NO		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Boardwalk	Physical
307	NO	No Charge	Berkley	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	Benches	YES	Boardwalk	Physical
308	NO	No Charge	Montpelier	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	Benches	YES	Boardwalk	Physical

#### Explanation of table:

SIGNS: Does the location provide signage identifying the location as a point of public access? Yes or No

PARKING: Is parking for the location/facility provided on the street or in a lot and is it free or do you have to pay? Street, free; Street, pay; Lot, free, Lot, pay

STREET: On what street is the public access located?

CROSS STREET: What is the cross street where this location is located?

BADGE: Are there times when a badge is required to use this location? Yes or No

SWIMMING: Is swimming permitted at this location? Yes or No (Limitations on swimming, such as hours, lifeguards, etc., are discussed in Section II.B and C)

FISHING and SURFING: Is fishing/surfing permitted at this location? Yes or No (Limitations/restrictions are discussed in the Section II.B and C)

PLAYGRD, PARK, PIER, BOATLNCH, MARINA, RESTRMS: Does this location include these amenities? Yes or No

H/C: What amenities are handicap accessible at this location/facility? (Not necessarily ADA Compliant) None, Parking reserved, Ramp provided, and/or Restrooms accessible

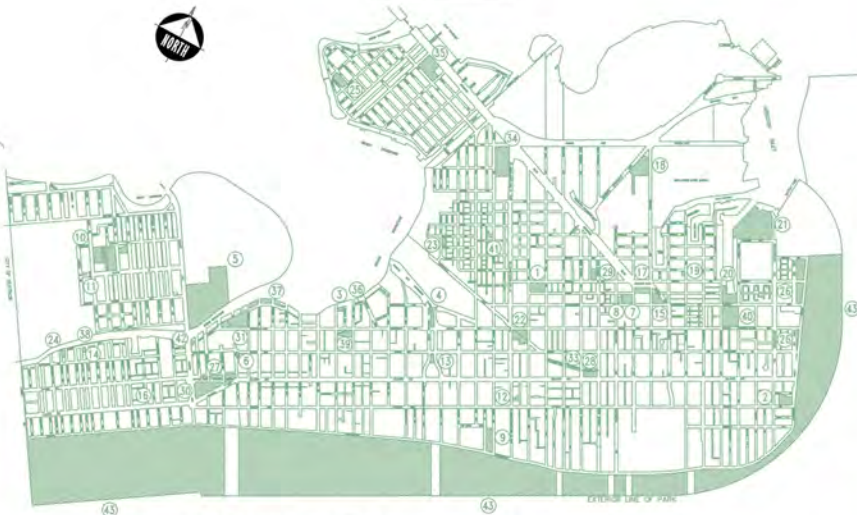
SHORELINE: What shoreline does this location inhabit? Ocean, Bay, River and/or inlet

ACCESS TYPE: Describe the type of access: Beach, Fishing, Boat, and/or Visual

[This imbedded Excel spread sheet should be used for the table described in Section II (Public Access). The title of each column should not be changed. The information about each public access location should be filled in using one of the options listed. This table will also be used to populate the information for each public access location in GIS. Additional information about each public access location can be included in the narrative portion of Section II. Please contact DEP with any questions or concerns about these options

**APPENDIX 3**  
**Recreation and Open Space Inventory**

# KEY MAP



## City of Atlantic City, New Jersey 2012 RECREATION & OPEN SPACE INVENTORY February 2012

- 1 All Wiers Memorial Playground
- 2 Altman Field/Playground
- 3 Arizona Avenue & Bay Memorial Park
- 4 Atlantic City Expressway Park
- 5 Bader Field
- 6 Boston Avenue Park
- 7 Boys & Girls Club Playground/  
Utry Daycare Center
- 8 Boys & Girls Club Recreation Complex
- 9 Brighton Park & Korean War Memorial
- 10 Chelsea Heights Ball Fields &  
Annapolis Avenue Recreation Complex
- 11 Chelsea Heights Nature Overlook
- 12 Civil Rights Garden
- 13 Columbus Park/Grand Boulevard/  
Lighthouse Park Boulevard
- 14 Delancy Park
- 15 Delaware Avenue Park
- 16 Dover Avenue Park
- 17 Drexel Avenue Park/Clock Tower Park
- 18 Dwayne E. Harris Memorial Park  
(Brigantine Playground)
- 19 Edith Donaldson Playground
- 20 Fishermans Park
- 21 Gardners Basin Park
- 22 Harold R. Brown Memorial Park
- 23 Horace Bryant Playground
- 24 Kingston Avenue Playground
- 25 Lagoon Playground
- 26 Maine Avenue Promenade  
Memorial Park
- 27 Metroplex/Center City Park
- 28 North Carolina Avenue Park
- 29 O'Donnell Memorial Park
- 30 Pete Palitto Field & Playground
- 31 Pitney Village Playground
- 32 Police & Firefighters Memorial Plaza
- 33 Pop Lloyd Stadium & Field
- 34 Shelton-Royal Field &  
Maud R. Greene Playground
- 35 Sunset Avenue Promenade (4th Ward)
- 36 Sunset Avenue Promenade (5th Ward)
- 37 Sunset Avenue Promenade (6th Ward)
- 38 Texas Avenue Playground (Jury Grant, Jr.  
& Joe McCabe Memorial Park)
- 39 Uptown Park
- 40 Weekes Westside Memorial Park
- 41 Worcester Avenue Park
- 42 Beach
- 43



## CITY OF ATLANTIC CITY

## 2012 Recreation and Open Space Inventory (ROSI)

Page . 5

Number & Notes	Block(s)	Lot(s)	Area (Acres)	Old Block	Old Lot	Open Space Park Name	Total Acres	Funded	Current Status	Park Classification	Ward
*1	460	p/o 1	1.49	RS 26	6	All Wars Memorial Playground	1.49	-----	Active & Passive Disputed Area Diversion Application	Community Park	3
2	82	3	1.53	3	67	Altman Field / Playground	1.53	[1] GAPF	Active	Neighborhood Park	1
3	381	1	0.29	169	3	Arizona Avenue & Bay Memorial Park	0.29	-----	Passive	Mini-Park	5
4	1000	1	0.62	N/A	N/A	Atlantic City Expressway Park	0.62	-----	Passive Compensation See #13	Roadway Island	4
*5	794	p/o 1	20.32	CH 110	1	Bader Field	20.32	-----	Active & Passive	Community Park	5
6	260	ROW	0.13	RS 59	ROW	Boston Avenue Park	0.13	-----	Passive	Mini-Park	5
*7	441	p/o 7	1.17	RS 59	38	Boys & Girls Club Playground - Usry Daycare Center (Shore Park)	1.17	-----	Active & Passive Disputed Area Diversion Application	Mini-Park	2
*8	441	8	0.4	RS 59	23, 24, 28, 29, 31	Boys & Girls Club Recreation Complex	0.40	-----	Active Subject to new Deed with Restrictions	Community Center	2
9	46	5	1.73	31	5	Brighton Park & Korean War Memorial	1.73	-----	Passive	Community Park	3
10	774 773	2 3 4 7 8	0.76 2.72 0.58 0.38 1.75	CH47 CH45 CH46	2.02 9-10 9-10	Chelsea Heights Ball Fields Annapolis Avenue Recreation Complex	6.19	[2] LWCF	Active	Neighborhood Park	6
11	353	ROW	0.15	N/A	N/A	Chelsea Heights Nature Overlook	0.15	-----	Passive	Mini-Park	5
12	154	11.01	0.29	N/A	N/A	Civil Rights Garden	0.29	-----	Passive Compensation See #13	Mini-Park	3

CITY OF ATLANTIC CITY 2012 Recreation and Open Space Inventory (ROSI)											Page 6
Number & Notes	Block(s)	Lot(s)	Area (Acres)	Old Block	Old Lot	Open Space Park Name	Total Acres	Funded	Current Status	Park Classification	Ward
13	282	1.01	0.4	152	5	Columbus Pk/Grand Blvd/Lighthouse Pk Plaza	0.40	-----	Passive Partially Diverted See #4,14,15,17,20,28 & 29	Mini-Park	4
14	249	1 2	0.12 0.05	BC 60	71,72	Delancy Park	0.17	-----	Passive Compensation See #13	Neighborhood Park	6
15	437	1 2 3 4	0.44 0.37 0.23 0.07	N/A	N/A	Delaware Avenue Park	1.11	-----	Passive Compensation See #13	Neighborhood-Park	2
16	196	14	0.06	BC 17	4	Dover Avenue Park	0.06	-----	Passive	Pocket Park	6
17	439	1 2 3 4	0.44 0.17 0.23 0.20	N/A	N/A	Drexel Avenue Park/Clock Tower Park	1.0	-----	Passive Compensation See #13	Mini-Park	2
18	589	p/o 4	3.7	RP 19	21	Dwayne E. Harris Memorial Park (Brigantine Playground)	3.70	GAPF	Active	Neighborhood Park	2
19	546	7	0.18	B 26	26	Edith Donaldson Playground (Bunaglow Park)	0.18	-----	Active	Neighborhood-Park	2
20	106	5	2.25	G 24	Various	Fishermans Park	2.25	-----	Passive Compensation See #13	Neighborhood Park	1
21	103	6	11.59	G 23	17	Gardners Basin Park	11.59	GAPF/LWCF	Passive	Community Park	1
22	325 326	1 1	1.36 1.02	138	25	Harold R. Brown Memorial Park (Brown Park/Third Ward Fully Accessible Playground)	2.38	GAPF	Active & Passive Vacated ROW Area Proposed Compensation for #1 & #7	Neighborhood Park	3
23	480	1	0.37	M 9	1	Horace Bryant Playground	0.37	-----	Active	Neighborhood Park	4
24	254	6	0.35	BC 58	28	Kingston Ave Playground	0.35	-----	Active	Neighborhood Park	6
25	712	1	1.21	V 48	6	Lagoon Playground	1.21	-----	Active	Neighborhood Park	4

## CITY OF ATLANTIC CITY

## 2012 Recreation and Open Space Inventory (ROSI)

Page 7

Number & Notes	Block(s)	Lot(s)	Area (Acres)	Old Block	Old Lot	Open Space Park Name	Total Acres	Funded	Current Status	Park Classification	Ward
26	87 ----- 88 93	1 2 1 1	0.03 0.04 0.03 0.47	N/A	N/A	Maine Avenue Promenade	0.57	-----	Passive	Linear-Park	1
27	Captain John O'Donnell Parkway	ROW	1.57	BC 6	Entire	Memorial Park (4 Park Islands Along Road ROW)	1.57	-----	Passive	Neighborhood Park	5
28	296	1	0.90	125	113, 114	Metroplex/ Center City Park	0.90	-----	Passive Compensation See # 13	Community Park	2
#29	537	1.07 1.08 1.09 1.10 1.11 1.12 1.13 1.14	0.083 0.083 0.114 0.083 0.083 0.083 0.083 0.149	N/A	N/A	North Carolina Avenue Park (AC Linen)	0.76	-----	Unimproved Compensation See #13	Restricted	2
30	188	1	3.34	BC 6	5	O'Donnell Memorial Park	3.34	-----	Passive Unimplemeted Diverison #0102-009	Community Park	5
31	370	1 2	3.02 .61	BC 7 C 30	26,27,29 1,2,3,4	Pete Pallitto Field / Playground & AC Board of Education Boathouse	3.63	GAPF	Active	Neighborhood Park	5
*32	390	p/o 1	0.16	159	34	Pitney Village Playground	0.16	GAPF	Active Diversion Status Pending Decision by DEP	Mini-Park	4
33	295	p/o 1 p/o 2	0.2215 0.3685	N/A	N/A	Police & Firefighters Memorial Plaza	0.59	-----	Passive	Community Park	3
34	658	1	5.04	RP 1	9	Pop Lloyd Stadium & Field	5.04	-----	Active	Neighborhood Park	3

## CITY OF ATLANTIC CITY

## 2012 Recreation and Open Space Inventory (ROSI)

Page 8

Number & Notes	Block(s)	Lot(s)	Area (Acres)	Old Block	Old Lot	Open Space Park Name	Total Acres	Funded	Current Status	Park Classification	Ward
35	735	p/o 1 2	2.63 0.72	V 22 V 34	7 50	Shellem - Royal Field & Maud Greene Playground (Venice Park)	3.35	-----	Active	Neighborhood Park	4
36	382	1	0.13	168	119	Sunset Avenue Promenade (Fourth Ward)	0.13	-----	Passive	Linear Park	4
37	352 368 369 371 373 375.01	1 1 & 2 1 1 1 & 2 1 & 2	0.14 0.05 0.74 0.49 0.57 0.40	BC1 BC3 BC5 C21 C22 C23	28 7 & 10 35 32 1, 53 88,95	Sunset Avenue Promenade (Fifth Ward)	2.39	-----	Passive	Linear Park	5
38	251	1 2 3 4 5 6 7 8 9 10 11 12	0.07 0.04 0.03 0.07 0.02 0.03 0.003 0.02 0.003 0.04 0.01 0.008	BC 59 BC 60 BC 61	26 1,75,2,3 ,4,76 1,54,55,2	Sunset Avenue Promenade (Sixth Ward)	0.31	-----	Passive	Linear Park	6
39	342	1 2 70	0.28 0.86 0.06	166	99	Texas Avenue Playground (Gary Grant Jr. & Joe McCabe Memorial Park)	1.20	LWCF	Active	Neighborhood Park	4
40	114	1	4.1	105	8,9,137, 140,141	Uptown Park	4.10	GAPF	Active Community Garden Improvement Required	Neighborhood Park	1



CITY OF ATLANTIC CITY 2012 Recreation and Open Space Inventory (ROSI) Page 9

CITY OF ATLANTIC CITY 2012 Recreation and Open Space Inventory (ROSI) Page 9

CITY OF ATLANTIC CITY 2012 Recreation and Open Space Inventory (ROSI) Page 9

Number & Notes	Block(s)	Lot(s)	Area (Acres)	Old Block	Old Lot	Open Space Park Name	Total Acres	Funded	Current Status	Park Classification	Ward
41	618	8 9 12 13 14 15	0.12 0.09 0.02 0.02 0.02 0.02	M 22	66 thru 72	Weekes Westside Memorial Park	0.28	GAPF	Passive	Mini-Park	3
42	257	1	0.02	BC 2	30	Winchester Avenue Park	0.02	-----	Passive	Pocket-Park	5

Sub Total ROSI

87.42

43	1	1 - 35 37 - 92 94 - 124 126 - 141 143 - 145 147 - 160 162 - 216				<u>[3] Beach approximately 4.41 miles long</u>	109.04		Passive & Active	Special Use	
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### Total Parks and Beach

196.46

[illegible]

Revised to February 24, 2012

**APPENDIX 4**  
**Example Sign Ordinance**

**FIRST READING:**

**ORD. NO.**\_\_\_\_\_

**2<sup>ND</sup> AND FINAL READING:**

**AN ORDINANCE DESIGNATING THE List Entity TO INSTALL AND MAINTAIN  
ALL SIGNS ASSOCIATED WITH THE MUNICIPAL PUBLIC ACCESS PLAN**

**WHEREAS**, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

**WHEREAS**, existing and future signage for public access is required; and

**WHEREAS**, installation and maintenance of signage is a requirement of N.J.A.C. 7:7E-8.11(t).

**NOW, THEREFORE, BE IT ORDAINED BY THE List Governing Body OF THE Town Name IN THE COUNTY OF County Name, NEW JERSEY, as follows:**

1. The List Entity, is named as the entity responsible for all signage in the Town Name.
2. List Entity is responsible for placement and maintenance of signage for public access.
2. This Ordinance shall take effect in accordance with applicable law.

**PASSED:**\_\_\_\_\_

President of Council

**APPROVED:** \_\_\_\_\_

Mayor

**ATTEST:**\_\_\_\_\_

City Clerk

**APPENDIX 5**  
**DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT**

THIS DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_ BY AND

BETWEEN

THE \_\_\_\_\_ (MUNICIPALITY) \_\_\_\_\_, a Municipal Corporation whose address is \_\_\_\_\_

Referred to herein as Grantor,

AND THE \_\_\_\_\_ (MUNICIPALITY) \_\_\_\_\_, a Municipal Corporation of the State of New Jersey whose address is \_\_\_\_\_

\_\_\_\_\_ AND THE STATE OF NEW JERSEY both of whom are referred to herein collectively as the "Grantees",

**WITNESSETH**

**WHEREAS**, Grantor is the owner of that certain tract of land, located in the \_\_\_\_\_ (Municipality) \_\_\_\_\_, County of \_\_\_\_\_, State of New Jersey, and/or identified as public street ends located at \_\_\_\_\_ (list of street names) \_\_\_\_\_ as identified in Addendum A (Street End Descriptions) and Addendum B (Map \_\_\_\_\_ (# and #) \_\_\_\_\_ on the official tax map of the \_\_\_\_\_ (Municipality) \_\_\_\_\_, hereinafter the "Property(s)," and Grantor holds the requisite interest to grant this Deed of Easement; and

**WHEREAS**, the Grantees recognize that tidal waterways and their coastlines at \_\_\_\_\_ (Municipality) \_\_\_\_\_, New Jersey are valuable economic resources to the municipality and the State of New Jersey; and

**WHEREAS**, access to tidal waterways at \_\_\_\_\_ (Municipality) \_\_\_\_\_, New Jersey is a right provided to the public under the Public Trust Doctrine; and

**WHEREAS**, in order for the public to access tidal waterways, perpendicular access to these areas must be secured for public use; and

**WHEREAS**, in order to ensure public access, Grantees need a Perpetual Public Access Easement on portions of said Property(s) herein described; and

**WHEREAS**, the \_\_\_\_\_ (Municipality) \_\_\_\_\_ shall consider this Deed of Easement in establishing the assessed value of any lands subject to such restrictions; and

**WHEREAS**, this Deed of Dedication and Perpetual Public Access Easement shall be subject to and consistent with any existing public access agreement or easement entered into by the Municipality with the United States Army Corps of Engineers; and

**WHEREAS**, this Deed of Easement will also serve to implement the Public Trust Doctrine and ensure permanent public access, use and enjoyment of tidal waterways and their shores.

**NOW, THEREFORE**, the Grantor grants and conveys to Grantee an irrevocable, assignable, perpetual and permanent easement as set forth herein:

**GRANT OF EASEMENT:** A perpetual and assignable easement and right-of-way across that land of the Property(s) described as public street ends located at \_\_\_\_\_ (list of street names) \_\_\_\_\_ as identified in Addendum A (Approximate Street End Descriptions) and Addendum B (Map \_\_\_\_\_ (# and #) \_\_\_\_\_ on the official 2018 tax map of the \_\_\_\_\_ (Municipality) \_\_\_\_\_, hereinafter the "Property(s)," and Grantor holds the requisite interest to grant this Deed of

Easement listed above for use by the State of New Jersey and the \_\_\_\_\_ (Municipality) \_\_\_\_\_, their representatives, agents, contractors and assigns to:

- a. Construct, preserve, patrol, operate, maintain, repair, rehabilitate, and replace a public access area to allow the public access to tidal waterways;
- b. Post signs;

The easement reserves to the Grantor, the Grantor's, successors and assigns the right and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the Grantees, subject however to existing easements for utilities and pipelines, existing public highways, existing paved public roads and existing public streets.

**Duration of Easement:** The easement granted hereby shall be in perpetuity, and in the event that the \_\_\_\_\_ (Municipality) \_\_\_\_\_ or the State of New Jersey shall become merged with any other geopolitical entity or entities, the easement granted hereby shall run in favor of surviving entities. The covenants, terms, conditions and restrictions of this Deed of Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective representatives, successors and assigns and shall continue as a servitude running in perpetuity with the land.

**Municipality to Maintain Public Access:** The Municipality agrees, consistent with all Federal, State and local statutes and regulations, that at all times it shall use its best, good-faith efforts to preserve, cause and ensure the public access areas to be maintained, consistent with all applicable Federal, State or local laws or regulations, notwithstanding any action or inaction of the State of New Jersey.

**Character of Property(s):** Notwithstanding the foregoing, nothing herein is intended or shall be deemed to grant the Grantees or otherwise permit the Grantee to any other person to cross over or use any part of the Property(s) which is not within the Easement Area; nothing herein is intended or shall be deemed to alter the boundary lines or setback lines of the Property(s).

By the acceptance of this Deed of Easement, the Municipality agrees, to the extent allowed by applicable law, that the Property(s) burdened by the easement herein described shall not be excluded from the calculations of minimum square footage requirements when construing applications under the Zoning Ordinance of the Municipality.

**Miscellaneous:**

1. The enforcement of the terms of this Easement shall be at the discretion of the Grantees and any forbearance by Grantees to exercise their rights under this Easement in the event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent violation or of any of Grantees rights under this Easement. No delay or omission by Grantees in the exercise of any right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.
2. The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey.
3. If any provisions of this Deed of Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Easement or the application of such provisions to person or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

4. Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first-class mail, postage prepaid and by Certified Mail, Return Receipt Requested, addressed to the mailing addresses set forth above or any other address of which the relocation party shall notify the other, in writing.
5. The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.
6. Structures no part of the project are not authorized.

**IN WITNESS WHEREOF**, with the parties understanding and agreeing to the above, they do hereby place their signature on the date at the top of the first page.

Accepted by the Property(s) Owner, Grantor

\_\_\_\_\_

Date: \_\_\_\_\_

Witnessed by:

\_\_\_\_\_

NOTARY PUBLIC OF THE STATE OF NEW JERSEY

Accepted by the \_\_\_\_ (Municipality) \_\_\_\_, GRANTEE

By: \_\_\_\_\_

Date: \_\_\_\_\_

Witnessed by:

\_\_\_\_\_

NOTARY PUBLIC OF THE STATE OF NEW JERSEY

Accepted by the State of New Jersey, GRANTEE

By: \_\_\_\_\_

Date: \_\_\_\_\_

Witnessed by:

\_\_\_\_\_

NOTARY PUBLIC OF THE STATE OF NEW JERSEY

STATE OF NEW JERSEY, COUNTY OF \_\_\_\_\_ SS.:

I CERTIFY that on \_\_\_\_\_, \_\_\_\_ (Mayor) \_\_\_\_ personally came before me and this person acknowledged under oath, to my satisfaction that this person (or if more than one, each person);

- 1) Is named in and personally signed this Deed of Easement;
- 2) Signed, sealed and delivered this Deed of Easement as his or her act and deed;
- 3) Holds the requisite ownership interest and authority to execute this Deed of Easement; and

- 4) Made this Deed of Easement for the full and actual consideration as set forth herein.

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NOTARY PUBLIC OF NEW JERSEY