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# **Borough of Avalon**

## **Municipal Public Access Plan**



**Submitted by:**  
**Avalon Borough Council**  
**Borough of Avalon, New Jersey**  
**3100 Dune Drive**  
**Avalon, NJ 08202**

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**Approved by the New Jersey Department of Environmental Protection:**  
***(Insert Date of NJDEP Approval)***



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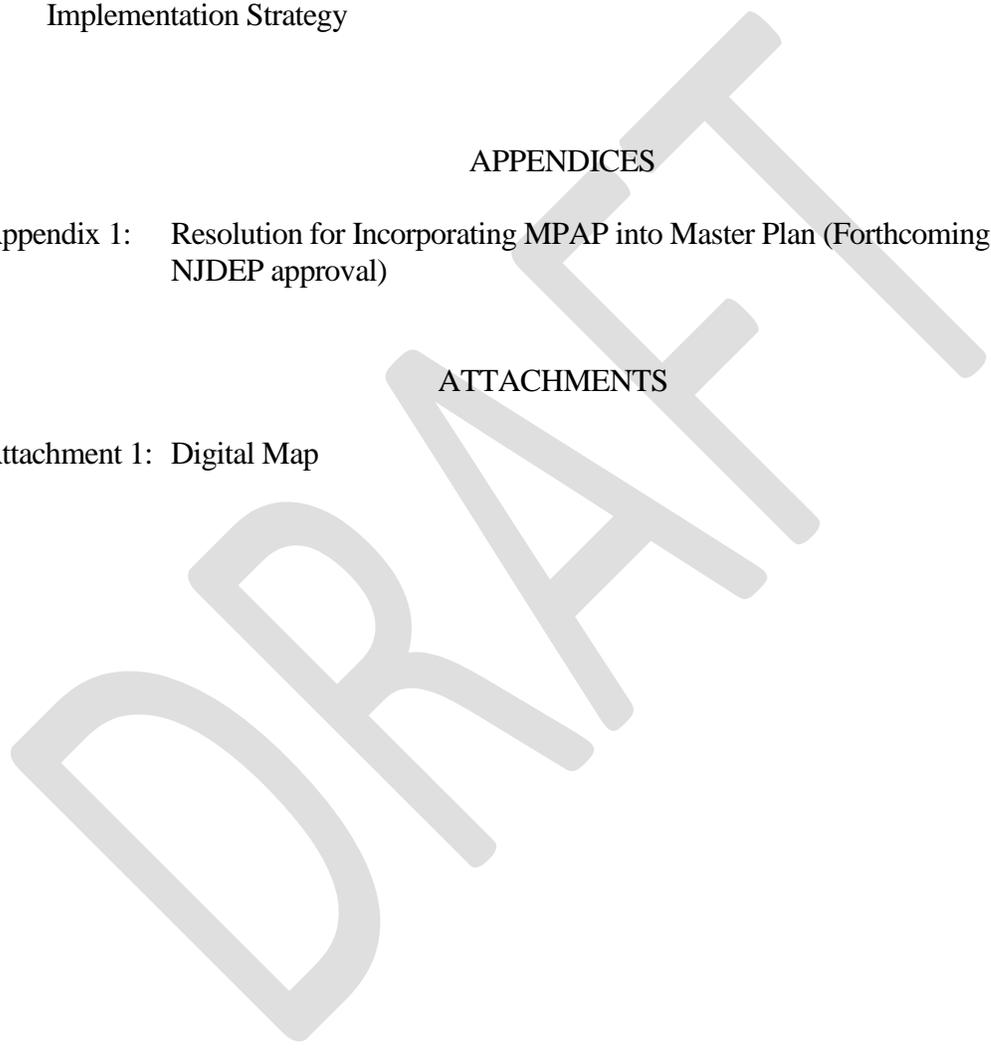
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# I. Introduction

## 1.1 Public Access Rights

The public's right of access to tidal waters for fishing, commerce and navigation embodied in the "Public Trust Doctrine" have long been recognized by New Jersey's Courts. A series of court decisions beginning in the 1970's extended those rights to include recreation, access to municipally controlled beaches and in some settings, to privately owned beaches.

Public access rights have historically been enforced through litigation, through New Jersey Department of Environmental Protection (NJDEP) permitting actions or through conditions on State Aid for shore protection. In 2012, NJDEP amended its Public Access Rule (N.J.A.C. 7:7E-8.11) to encourage the preparation of "Municipal Public Access Plans" (MPAPs). The Public Access Rule generally requires that new development that is regulated by DEP must provide public access to the shoreline in accordance with certain DEP mandated standards. The Rule provides the following with respect to MPAPs:

- Once a municipality has a NJDEP approved MPAP, public access requirements for property owners needing coastal permits shall be met in accordance with the provisions of the MPAP.
- The municipality will remain eligible for the NJDEP Coastal General Permit for Beach and Dune Maintenance Activities (N.J.A.C. 7:7-7.6).
- Property owners may, in selected circumstances, make a monetary contribution to a public access project identified in the MPAP in lieu of providing on-site access.

Public access has always been part of Avalon's community character. The Borough provides uninterrupted access to its oceanfront beaches and to as much of its bayside waterways as is feasible, given existing development patterns. Avalon is now proposing this Municipal Public Access Plan in satisfaction of NJDEP's Public Access Rule. It is the Borough's expectation that adoption of the MPAP will minimize the burden on property owners who need development approvals from NJDEP, and will increase the predictability and uniformity of public access requirements in the Borough.

The purpose of this document is to provide a comprehensive Municipal Public Access Plan (MPAP) for the Borough of Avalon in accordance with N.J.A.C.7:7-8.11(e). The MPAP has been prepared for approval by the New Jersey Department of Environmental Protection (NJDEP) so that public access requirements for permits may be satisfied in accordance with the provisions of the approved MPAP.

This MPAP and/or other mitigation measures required in lieu of onsite public access requirements shall provide public access opportunities equivalent to the cumulative access provided by individual, onsite public access requirements.

## **1.2 Authority for Public Access Planning Responsibility**

As of the date of submittal, public access planning responsibility remains with the New Jersey Department of Environmental Protection. Upon approval of the submitted plan, the Borough of Avalon will become the authority responsible for ensuring that public access to tidal waterways is provided in accordance with the Coastal Zone Management Rules under N.J.A.C. 7:7E.

## **1.3 Overview of the Municipality**

Avalon is representative of the resorts which developed along the Cape May barrier islands in anticipation of the arrival of the West Jersey and Seashore railroad, in the 1880s.

The Borough of Avalon is located on Seven Mile Island in the middle-eastern portion of Cape May County and is surrounded by the Atlantic Ocean to the east; Stone Harbor, its island neighbor to the south; the intra-coastal waterway, salt marshes, and Middle Township to the west; and Townsend's Inlet and Sea Isle City to the north. Avalon projects further east towards the Atlantic Ocean, compared to the neighboring islands to the north and south, hence the Borough's slogan "Cooler by a mile..."

Seven Mile Beach, the longest of the Cape May County New Jersey barrier islands, became a resort in 1887 when the Seven Mile Beach Company established Avalon. Originally three separate communities, named Avalon, Peermont and Holiday Beach, they seceded from Middle Township, consolidated and Avalon was incorporated in 1891.

When Avalon was first developed, the early subdivision layouts provided lot widths of fifty to sixty feet, which were very generous at the time compared to other seaside resorts in New Jersey. Early land use ordinances established business and residential zones and wide public promenades. Later ordinances established minimum lot sizes of four thousand square (4,000) feet, front yard building setbacks of fifteen (15) feet, side yard setbacks of five (5) feet, and building heights of forty (40) feet.

Other important community and public agency decisions include, establishing the dune line to preserve the remaining dune environment along the oceanfront and preservation of undeveloped meadowlands. These conservation efforts contribute to Avalon's charm and community character. Another aspect of Avalon's continued success, as an attractive resort destination has been the enforcement of zoning, flood plain, and construction regulations that govern development in the community.

Avalon Borough is largely developed and is being redeveloped in all existing residential and commercial zones through demolitions and reconstruction. There is an element of the redevelopment that consists of infill and demolition of dwellings located on more than one lot, or conversions of single family units or commercial properties to two-family dwellings.

According to the 2010 Census the total number of housing units in Avalon is 5,434, and of that figure there are 692 permanently occupied units. The occupied units account for only 13% of the total units. It is evident that most of the units are seasonal in nature and account for the population swell in the summer months.

The Cape May County Planning Department estimates seasonal population or seasonal migration. The Planning Department 2011 revised summer population estimates for Avalon show that the seasonal population in mid-summer is around 36,924. That estimate is based upon the number of dwelling units (5281) multiplied by five (5) persons or occupants, and additionally includes hotel/motel occupancy, group quarters, marinas and day-trippers.

Despite its development status, Avalon has preserved a large portion of the natural vegetation-covered dunes protecting its wide beaches. Visitors follow curving paths over the dunes through the dense maritime forest and scrub shrub vegetation, emerging at the top of a wide stretch of sand. The Avalon dune system is a critically important and integral natural resource of the community that provides: (a) a protective buffer dissipating coastal storm energy; (b) a bank of sand to replenish the beach system during coastal storm events, and; (c) an extensive and diverse habitat for local plants and wildlife adapted to the dune ecosystems. It also contains and protects the unique maritime forest. Accordingly, the stewardship of the Avalon dunes under Chapter 23 Beach and Dune Protection of the Borough Code and (Ord. No. 577-2006 § 9:10-13) is not only recognized as a model for community protection and coastal dune enhancement, but also is critical to the protection of the Borough.

Piping Plovers and Least Terns are Federal and State listed threatened and endangered beach nesting birds that migrate to Avalon each spring and summer to nest on the upper beach. In an effort to balance recreational use of the beach with the protection of critical beach habitat, in 2009 the Borough adopted a Beach Management Plan (BMP) for the Protection of Federally and State-Listed Species. The Plan contains five separate management zones that have been created to establish protective practices for each management zone considering human uses, habitat conditions and the distribution and occurrence of listed species. The Avalon Dune nesting area, which the Borough has designated as a Protection Zone in its Beach and Dune Management Plan, is located between 40<sup>th</sup> and 58<sup>th</sup> Streets. During the summer nesting season, active nesting areas are posted and roped off in order to prohibit access to these areas. During the nesting season, beach raking in the Protected Zones is not performed to avoid destruction of nests and impacts to foraging habitat.

#### **1.4 Elements of the Municipal Public Access Plan**

N.J.A.C. 7:7E-8.11(e) requires that an MPAP include six elements:

1. A statement describing the overall goal of the MPAP and the administrative mechanisms (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to insure that the municipality will provide permanently protected access of the water and water-dependent and water-oriented activities along all tidal waterways and their shores within the municipal boundaries.

2. A statement of consistency with any applicable provisions of the Municipal Master Plan.
3. A public access needs assessment.
4. A digital map and inventory identifying all existing and proposed public accessways and facilities,
5. An implementation strategy, and
6. Documentation of any public meetings held in connection with the proposed MPAP.

### **1.5 Overall Goal of the Municipal Public Access Plan**

The goal of the Borough of Avalon Municipal Public Access Plan and the administrative mechanisms that are in place, or shall be put in place by the Borough, is to ensure that the Borough of Avalon will provide permanently protected access to the water and, water-dependent and water-oriented activities along all of the tidal waters and their shores within its municipal boundaries in accordance with the Public Trust Doctrine and NJDEP mandated standards. In pursuit of this goal the Borough proposes the following:

- Avalon will maintain an accessible waterfront for the enjoyment of its residents and seasonal visitors.
- The Borough will seek to maintain, enhance, and create public opportunities for access to tidal waters and their shores, on a non-discriminatory basis, for recreation and commerce.
- The Borough will strive to improve public waterfront areas and recreational facilities with additional water-dependent or water-oriented amenities.
- The Borough will continue to maintain all current public access to and along the edge of waters flowed by the tide.
- The Borough will ensure that new development in Avalon shall provide opportunity for public access to tidal waters and their shores on site, or in coordination with this Municipal Public Access Plan.

## **II. Municipal Master Plan Consistency Statement**

This MPAP is consistent with the 2007 Avalon Master Plan Land Use Element and the Open Space and Recreation Element.

In accordance with N.J.A.C. 7:7E-8.11(e) 2, this Municipal Public Access Plan shall be reviewed and approved by the Borough of Avalon Planning Board for its consistency with the Borough of Avalon Master Plan. Upon approval by the NJDEP, the MPAP shall be incorporated by resolution into the Borough of Avalon's Master Plan.

### III. Public Access Needs Assessment

#### 3.1 Overview of Existing Public Access Facilities

The Borough is bordered by the Atlantic Ocean to the east, Townsend's Inlet at the north end of the island, and the intra-coastal waterway, lagoons and coastal wetlands to the west. There is ample public access to the beaches, back bay waters, lagoons, and other recreational and natural features.

Avalon has more than 4 miles of Atlantic Ocean beachfront with 63 maintained access points, of which three (3) are ADA accessible. More hard-packed beach access paths exist along the beach; however, their vertical slopes may exceed ADA standards. The Borough manages and maintains the beach and dune system, and provides lifeguards at 22 beach locations. Beach tags are required for bathing, and are available on a seasonal, weekly and daily basis. Fees are described later.

A one-half mile long boardwalk exists along the back beach between 21<sup>st</sup> and 32<sup>nd</sup> Streets. Adjacent to the Boardwalk at 30<sup>th</sup> Street is the Avalon Community Center, a public restroom facility and the recently improved 29<sup>th</sup> Street municipal parking lot containing 81 unmetered spaces, including 4 designated handicapped spaces.

Avalon also operates the Bay Park Marina, located at 54<sup>th</sup> Street and Ocean Drive, with seasonal slip rentals and boat ramp for daily users, along with the recent addition of a kayak park that offers a free launching area to the general public, and rack storage for 196 kayaks.

Avalon has no beaches along its back bay waters; however, there are multiple street ends along these waters, nine of which include public piers that offer visual and physical access to these waters. A boardwalk trail adjacent to Avalon Boulevard provides access across the marsh to a mud flat and navigable waters.

The Borough operates public restrooms at nine (9) different locations, of which five (5) are handicap accessible facilities.

All of the beaches, street ends, piers, pavilions, boardwalk, marina and restrooms are operated and maintained by the Borough of Avalon's Department of Public Works.

#### 3.2 Existing Water Dependent and Water Oriented Activities

The following are the existing water dependent and water oriented activities that provide public access to tidal waters and their shores within the municipality.

**Guarded Bathing Beaches:** Neither the NJDEP Public Access rules nor any of the applicable court cases distinguish between guarded and unguarded beaches. It is nevertheless obvious that public safety is an essential element of meaningful public access. The Borough provides lifeguards at the following beach locations, in season from June 16<sup>th</sup> through August 18<sup>th</sup>. Lifeguards will be assigned to beaches as available per-

sonnel permits in the shoulder seasons from May 26<sup>th</sup> to June 15<sup>th</sup> and August 19<sup>th</sup> to September 9<sup>th</sup>. In season lifeguards are on duty 10:00 AM to 5:00 PM daily. The Borough has dedicated guarded beaches where rafts and inflated objects are allowed as indicated below with an (R):

- 9<sup>th</sup> Street (R)
- 12<sup>th</sup> Street (R)
- 15<sup>th</sup> Street
- 18<sup>th</sup> Street (R)
- 21<sup>st</sup> Street
- 24<sup>th</sup> Street (R)
- 26<sup>th</sup> Street
- 28<sup>th</sup> Street (R)
- 30<sup>th</sup> Street
- 32<sup>nd</sup> Street
- 35<sup>th</sup> Street (R)
- 38<sup>th</sup> Street
- 40<sup>th</sup> Street (R)
- 43<sup>rd</sup> Street (R)
- 50<sup>th</sup> Street (R)
- 57<sup>th</sup> Street
- 61<sup>st</sup> Street (R)
- 65<sup>th</sup> Street
- 69<sup>th</sup> Street (R)
- 73<sup>rd</sup> Street (R)
- 76<sup>th</sup> Street
- 79<sup>th</sup> Street (R)

**Beach Tags:** To partially offset the cost of maintaining and protecting its beaches for the public's enjoyment, Avalon requires that beach tags be worn by all using the beach, 12 yrs. or older, 10 A.M. to 5 P.M. , starting the Saturday of Memorial Day weekend through September 1, 2014. Avalon continues its practice of offering free beach tags to active members of the United States Armed Forces and their immediate family members.

Beach tags may be purchase at the following times and location. The following 2014 Beach Tag Rates were determined in accordance with State law:

- Pre-season beach tags may be purchased weekends beginning April 5, 2014 at the Beach Tag Booth at Community Hall.
- Other beach tags may be purchased daily April 26 through September 2 at the booth on or beginning the Saturday of Memorial Day weekend from beach tag inspectors on the beach.
- Beach tag fees are: pre-season (purchase on or before May 23) \$21.00; season tag (effective June 1) \$26.00.
- Weekly (Saturday through Saturday) \$12.00 and daily \$6.00.

- Reciprocity of beach tags is observed between Avalon and Stone Harbor.

Source: <http://avalonboro.net/beacheskayaksbaypark-marina/>

**Surfing:** The Borough has dedicated beaches for surfing at the following locations:

- Either side of 12th Street lifeguard stand, but not near bathers; and
- 30th Street.

**Other Surf Activities:** On beaches, kayaks (inflatable and non-inflatable), stand-up paddle boards, bodyboards and bellyboards with skegs are prohibited on any beaches during the hours of 10:00 am through 5:00 pm. All boaters are required to wear personal flotation devices. Catamarans are not permitted on the beach.

**Dogs on the Beach:** Dogs are not permitted on the Avalon beach, boardwalk, or dunes anytime between March 1st and September 30th. In other areas of the Borough, dogs must be kept on a leash (when not confined) and their droppings must be retrieved immediately by the person in charge of the dogs.

**Volleyball and Frisbees:** The playing of volleyball and Frisbee is permitted on the beach between 38th Street and 76th Street with the exact locations to be designated by and under the control of the Beach Patrol Captain; and, also at 31st Street behind Community Hall.

**Beach Access for 4-Wheel Drive Vehicles:** Beach vehicle access points are marked at: 9<sup>th</sup>, 15<sup>th</sup>, 20<sup>th</sup>, 32<sup>nd</sup>, 38<sup>th</sup>, 60<sup>th</sup> and 79<sup>th</sup> Streets.

- Vehicles are permitted on the beach from September 15<sup>th</sup> through March 31<sup>st</sup>.
- Permits must be obtained from the licensing clerk or by writing for an application and enclosing a self-addressed stamped envelope.
- Permit fee: \$40
- Inspection of vehicle & equipment is required at the police station between 9AM and 4 PM.

**Fishing:** Fishing is permitted on Borough beaches, but prohibited within 50 yards of designated bathing areas (guarded beaches). Access for fishing along Townsend's Inlet is permitted along Ocean Drive, the pocket beach, the First Avenue and Third Avenue groins and the 8<sup>th</sup> Street jetty. Fishing is permitted from all backbay public access points.

**Handicap Beach Chairs:** Also known as surf chairs, the Borough of Avalon is deeply appreciative of the efforts of the Avalon Civic Club for developing Avalon's popular surf chair program for all beach goers who are physically challenged. These surf chairs are beach chairs specifically designed for individuals with special needs. The Avalon Civic Club purchased the first surf chair in 1993 so all beach goers could enjoy the Avalon beach and is currently responsible for the Surf Chair Program.

The surf chairs are available year round for no charge on a first come, first serve basis from 10am-5pm at the Avalon Beach Patrol Storage Units at 9th, 30th, and 80th Streets, and at the Lifeguard Station at 32nd & Avalon Ave. In addition, the chairs are available offseason at Avalon Community Hall at 30th Street & Avalon Ave.

### **3.3 Overview of Practical Limitations to Public Access**

Public access to the edge of tidally flowed waters in Avalon may be restricted both in part (seasonally or hourly) or in full, in the judgment of municipal officials, where use will create conditions that may be reasonably expected to endanger the health or safety of the public or environment or create a significant security vulnerability, consistent with federal law.

Public access to the edge of Avalon's tidally flowed waters may be prohibited in locations where it is inconsistent with federal law or where it is not practicable based on the risk of injury from hazardous operations or substantial permanent obstructions, and no measures can be taken to avert these risks

Avalon has extensive beach access via its many maintained beach access paths and its oceanfront boardwalk. In 1994 the Borough of Avalon entered into a State Aid Agreement with the New Jersey Department of Environmental Protection as a condition to the receipt by the Borough of Avalon of funds from the State of New Jersey for the purpose of beach and dune restoration. The Borough of Avalon agreed to maintain in effect its Beach Protection Ordinance, subject to prior approval of any amendment thereto by NJDEP, and to comply with certain procedural and substantive requirements set forth within the State Aid Agreement in the review of applications for development within the Beach Dune Area under the Ordinance. It is recognized that it would be very difficult to get any additional beach access paths approved by the NJDEP due to the following obstacles:

- New paths could lead directly into a piping plover "Protected Zone" as designated in the Borough's Beach Management Plan (BMP) and thus have a negative impact on a recognized Threatened and Endangered (T/E) species habitat, which is prohibited in the NJ Coastal Zone Management Rules.
- The dunes and likely some wetlands or wetland buffers would be cleared of vegetation and filled. The impacts to the dune and wetlands would require a CAFRA and Freshwater Wetlands Individual permit whereby the applicant would be required to demonstrate that there is no practicable alternative to constructing the access through a T/E Species habitat.
- It may be difficult to persuade the NJDEP of the need for the path since there are existing pathways in the vicinity.
- There will also likely be significant opposition from residents and environmental groups that the NJDEP will take into account upon review of the NJDEP application.
- The BMP discourages any new access paths within the "Protected Zones".

Numerous street ends provide visual access along the back bay waters and lagoons. While the Borough maintains nine public docks that provide access for nature viewing, fishing and crabbing, public access for boat launching, kayaking and canoeing activities is limited to the two launch ramps at Bay Park Marina and Kayak Park and two small piers, one at Fifth Avenue & 20<sup>th</sup> Street and the one at Fifth Avenue & 24<sup>th</sup> Street. The lack of off-street parking that would be essential to support additional watercraft access to the back bay waters limits further development of these facilities.

Avalon has somewhat limited access to public restrooms immediately adjacent to its waterfront areas. Two facilities are immediately adjacent to the beach at 30<sup>th</sup> Street and a third is adjacent to the intra-coastal waterway at the 54<sup>th</sup> Street Bay Park Marina. The addition of new public restroom facilities is limited by a lack of available locations on public land.

### **3.4 Needs for Additional Access**

The Borough is fortunate to have enough readily available public access to the Atlantic Ocean, Townsend's Inlet, back bay waters and lagoons for both its year round residents and its annual summer population. The Borough recognizes the need to continue to improve and maintain its existing public access points and amenities along its waterfront areas.

## **IV. Digital Map and Inventory**

### **4.1 Digital Map**

In accordance with the requirements under N.J.A.C. 7:7E-8.11(e) 4, a digital map titled "Borough of Avalon Municipal Public Access Plan", prepared by Hatch Mott MacDonald has been prepared depicting the information required in support of the Borough of Avalon's MPAP.

### **4.2 Inventory**

The Municipal Public Access Plan Map shows the location of the public access facilities listed and described below, including those facilities that are compliant with the Americans with Disabilities Act of 1990.

**Atlantic Ocean Beach Access:** Avalon has extensive perpendicular access to the ocean and beach from well maintained and signed beach access paths at almost every street end in the Borough. Limited beach access is provided between 40<sup>th</sup> Street and 57<sup>th</sup> Street due to the extensive high dune system, wetlands and abutting beach nesting bird habitat.

- First Avenue and 7<sup>th</sup> Street
- 8<sup>th</sup> Street and Avalon Avenue
- All street ends from 9<sup>th</sup> Street south to 30<sup>th</sup> Street
- All street ends from 32<sup>nd</sup> Street south to 40<sup>th</sup> Street
- 44<sup>th</sup> Street
- 48<sup>th</sup> Street

- 50<sup>th</sup> Street
- All street ends from 57<sup>th</sup> Street south to 80<sup>th</sup> Street at the Stone Harbor boundary

**Boardwalk/Promenade:** Avalon has a half-mile long boardwalk along the Atlantic Ocean between 21<sup>st</sup> Street and 32<sup>nd</sup> Street. Bicycles are permitted on the boardwalk between 5 AM and 10 AM. Motorized bicycles, skateboards, roller skates, roller blades, and mopeds are not permitted on the boardwalk anytime. The Boardwalk/Promenade offers visual access of the beach and ocean for visitors who, for whatever reason, choose to not physically access the beach.

Located at the southern end of the Boardwalk are the Borough's Beach Patrol Headquarters at 32<sup>nd</sup> Street & Avalon Avenue and the Avalon Community Hall at 30<sup>th</sup> Street & Avalon Avenue. A playground with a public restroom facility is between 29<sup>th</sup> and 30<sup>th</sup> Streets, as well as restrooms at the Community Hall.

**Townsend's Inlet:** There is access to the Townsends Inlet pocket beach on the northern end of the island at Inlet Drive, via a walkway over the seawall with additional access along both sides of Ocean Drive to the bridge to Sea Isle City. There is also parking along Ocean Drive. Two access points along the seawall at First and Third Avenues permit perpendicular access over the seawall for fishing on the groins.

**Back bay Waters and Lagoon Access:** In addition to the Avalon Bay Park Marina located at 54<sup>th</sup> Street and Ocean Drive, public access to the back bay waters and lagoons exists at numerous street ends from the north end to the south end of town. Most street ends provide visual access only. However, several street ends have small timber piers attached to the bulkhead that provide enhanced access for nature viewing, fishing and crabbing. Piers located at Fifth Avenue & 20<sup>th</sup> Street and Fifth Avenue & 24<sup>th</sup> Street provide direct water access where a kayak or canoe could be launched. Existing bayside waterfront public access points are listed below:

- 7<sup>th</sup> Street at Fifth Avenue (Street end)
- 7<sup>th</sup> Street at Sixth Avenue (Street end)
- 8<sup>th</sup> Street with Pier
- 12<sup>th</sup> Street (Street end)
- 20<sup>th</sup> Street and Fifth Avenue (Pier with water access)
- 21<sup>st</sup> Street Gazebo
- 22<sup>nd</sup> Street at Fifth Avenue North & South
- 22<sup>nd</sup> Street at Sixth Avenue with Pier
- 23<sup>rd</sup> Street and Fifth Avenue with Pier
- 24<sup>th</sup> Street and Fifth Avenue North (Pier with water access)
- 24<sup>th</sup> Street and Fifth Avenue South
- 24<sup>th</sup> Street and Sixth Avenue North
- 24<sup>th</sup> Street and Sixth Avenue South
- 24<sup>th</sup> Street (Street end)
- 25<sup>th</sup> Street (Street end)

- 26<sup>th</sup> Street (Street end)
- 27<sup>th</sup> Street (Street end)
- 29<sup>th</sup> Street (Street end)
- 31<sup>st</sup> Street with 9 parking spaces
- 32<sup>nd</sup> Street (Street end)
- 33<sup>rd</sup> Street with pier
- 34<sup>th</sup> Street (Street end)
- 37<sup>th</sup> Street with pier
- 38<sup>th</sup> Street (Street end)
- 42<sup>nd</sup> Street (Street end)
- 42<sup>nd</sup> Street and Pelican Drive (Street end)
- 49<sup>th</sup> Street (Street end)
- 51<sup>st</sup> Street (Street end)
- 53<sup>rd</sup> Street with Pier
- 54<sup>th</sup> Street Marina with boat ramp
- 57<sup>th</sup> Street with pier and kayak ramp
- 58<sup>th</sup> Street (Street end)
- 60<sup>th</sup> Street (Street end)
- 62<sup>nd</sup> Street (Street end)
- 64<sup>th</sup> Street (Street end)
- 66<sup>th</sup> Street (Street end)
- 68<sup>th</sup> Street (Street end)
- 70<sup>th</sup> Street (Street end)
- 72<sup>nd</sup> Street (Street end)
- 74<sup>th</sup> Street (Street end)
- 76<sup>th</sup> Street (Street end)
- 80<sup>th</sup> Street (Street end)
- Avalon Boulevard (boardwalk marsh trail)

**Parking:** The Borough has ample on-street parking available at most beach, bayside and Townsend's Inlet access points. Municipal parking lots are located at the following sites:

- The municipal parking lot adjacent to the Boardwalk between 29<sup>th</sup> & 30<sup>th</sup> Streets has recently been reconstructed and restriped adding three new spaces totaling 81 parking spaces adjacent to the beach, with four newly designated ADA parking spaces;
- The municipal parking lot adjacent to the Boardwalk between 28<sup>th</sup> & 29<sup>th</sup> Streets;
- Community Hall at 30<sup>th</sup> Street & the beach;
- 20<sup>th</sup> Street near Ocean Drive;
- The improved street end at 31<sup>st</sup> Street and the Avalon Canal contains nine designated parking spaces;
- 7<sup>th</sup> Street and First Avenue groin adjacent to Townsend's Inlet;
- 30<sup>th</sup> & Dune Drive next to the Public Safety Building;

- 32<sup>nd</sup> & Dune Drive behind the Municipal Building;
- Corner of 21<sup>st</sup> Street and Fifth Avenue; and
- Avalon Bay Park Marina at Ocean Drive & 54<sup>th</sup> Street

**Public Restrooms:** The Borough has existing restroom facilities located at:

- Between 29<sup>th</sup> and 30<sup>th</sup> Streets adjacent to the beach;
- Borough Hall at 32<sup>nd</sup> Street & Dune Drive;
- Public Safety Building at 31<sup>st</sup> Street & Dune Drive;
- Community Hall at 30<sup>th</sup> Street & the beach;
- Tennis Buildings at 8<sup>th</sup> Street;
- Tennis Buildings at 39<sup>th</sup> Street;
- Avalon Bay Park Marina at Ocean Drive and 54<sup>th</sup> Street;
- 10<sup>th</sup> Street and Dune Drive Recreation Field; and
- The Senior Center at 31<sup>st</sup> Street and Dune Drive.

**Undeveloped Public Rights-of-Way and Lands with Waterfront Access:** The Borough contains three undeveloped public rights-of-way (paper street ends) and a public parcel of land comprised of beach and dune habitats identified on the Borough of Avalon's tax maps with boundaries along Dune Drive and Bayberry Drive. On paper these lands depict access lands contiguous with the waters of the Atlantic Ocean. However, no visual or physical access to the waterline exists on any of the listed public rights-of-way that extend only short distances from their intersections with Dune Drive ranging from 135 feet to 225 feet into the existing dunes. The larger publicly owned parcel identified as Block 81, Lot 1 contains discontinuous access, fragmented by private lands, along Bayberry Drive and Dune Drive from 41<sup>st</sup> Street south to 57<sup>th</sup> Street. The mapped street ends are at the following locations:

- 51<sup>st</sup> Street
- 52<sup>nd</sup> Street
- 53<sup>rd</sup> Street

These lands are comprised of environmentally sensitive maritime forest and scrub/shrub vegetated dunes. Based on its more suitable and stable habitat and historical use by listed beach nesting birds, the state and federal wildlife agencies have recognized that the beach in this area supports most of Avalon's beach nesters and therefore should receive the highest level of protection. In 2010 all the piping plover nests in Avalon, except one, were located between 40<sup>th</sup> and 58<sup>th</sup> Streets. This stretch of beach is the most important nesting zone in Avalon, and is designated in the Borough of Avalon's Beach Management Plan for the protection of Federally and State Listed Species (BMP) as the Avalon-Dune Protected Zone.

The Borough maintains existing beach access paths within the Protected Zone at 40<sup>th</sup>, 44<sup>th</sup>, 50<sup>th</sup>, and 57<sup>th</sup> Streets. The BMP recognizes that an excessive number of beach accesses will bring more recreation users into conflict with listed bird species by fragmenting nesting areas. Working in cooperation with the New Jersey Division of Fish and Wildlife and the US Fish and Wildlife Service, the Borough has agreed to not

propose any new beach access points/structures within the Protected Zones designated in the BMP. Therefore, the Borough will not propose to make public access improvements by the adding any new beach access paths within this area

**Avalon Bay Park Marina:** Located at 54<sup>th</sup> Street and Ocean Drive, on the Long Reach canal, this marina is municipally-owned and operated. Boat slips are available for seasonal rental.

- Fees for season boat slip rental shall be \$85.00 per foot. Boats may not exceed twenty-one (21) feet in length. Fees may, from time to time thereafter, be revised by Resolution of Borough Council.
- Launching Ramp Season permit will be effective from the first Saturday in May through the first Sunday after Labor Day of each year.
- Hours of operation are Monday-Friday 7:00am-3:00pm; Saturday and Sunday 7:00am-5:00pm.
- There is a \$10.00 fee for a one time daily use of the boat ramp.
- A season boat ramp permit fee for the period covering the second weekend in May through the second weekend in September of each year shall be established at \$100.00. Permits are not transferable and shall be issued on the basis of one per boat and shall be visibly displayed upon the boat or boat trailer.

**Kayak Park:** As an amenity to the Avalon Bay Park Marina, the Borough of Avalon maintains a free kayak park at the northwest corner of 57th Street and Ocean Drive. All members of the general public are invited to launch their kayaks from the park launching area.

Due to an overwhelming popularity of the free storage racks, in 2014, the Avalon Borough Council approved a new pilot program that results in storage of the kayaks to be offered only to Avalon residents and property owners. Storage for 196 kayaks will be available on a first come, first served basis through a registration program offered by the Avalon Department of Recreation. Any residential property owner or Borough resident who desires to store a kayak at the Kayak Park shall be required to register the kayak and obtain a registration sticker from the Avalon Department of Recreation. The sticker must be affixed to the kayak and stored only in the assigned berth on the kayak storage racks.

Registration of kayaks shall begin on April 12th at 9:00 am on the Borough website, or at Avalon Community Hall. Registration will continue for Avalon residents and property owners until all berths have been assigned. A copy of all park rules and regulations will be provided to the applicant when the sticker is picked up at the Avalon Department of Recreation.

**Handicap Access:** As depicted on the accompanying digital map titled, “Borough of Avalon Municipal Public Access Plan,” prepared by Hatch Mott MacDonald, Avalon provides the following public access facilities that are compliant with the Americans with Disabilities Act of 1990.

**Handicap Beach Access from Street Ends:** Hard packed gravel paths from the street to the beach are located at:

- 32<sup>nd</sup> Street
- 38<sup>th</sup> Street
- 60<sup>th</sup> Street
- More hard packed beach access paths exist along the beach; however, their slopes may exceed ADA standards.

**Handicap Boardwalk Access:** Ramps to the Avalon boardwalk are located at

- 21<sup>st</sup> Street
- 23<sup>rd</sup> Street
- 24<sup>th</sup> Street
- 26<sup>th</sup> Street
- 27<sup>th</sup> Street
- 29<sup>th</sup> Street
- 30<sup>th</sup> Street
- 32<sup>nd</sup> Street

**Handicap Beach Access from The Boardwalk:** There are ramps from the boardwalk to the beach at the following streets:

- 30<sup>th</sup> Street
- 8<sup>th</sup> Street & Avalon Avenue
- 80<sup>th</sup> Street (and to an observation platform at this location)

**Handicap Parking:** Designated handicapped parking is available at following listed Borough parking facilities:

- The municipal parking lot adjacent to the Boardwalk between 29<sup>th</sup> Street and 30<sup>th</sup> Street has recently been reconstructed and restriped adjacent to the beach, with four newly designated ADA parking spaces.
- 30<sup>th</sup> Street & Dune Drive next to the Public Safety Building
- 32<sup>nd</sup> Street & Dune Drive behind the Municipal Building
- Avalon Bay Park Marina at Ocean Drive and 54<sup>th</sup> Street

**Handicap Restrooms:** Handicapped accessible restrooms are located throughout town at the following locations:

- Between 29<sup>th</sup> & 30<sup>th</sup> Streets and the beach
- 10<sup>th</sup> Street & Dune Drive Recreation Field
- The Senior Citizen Center at 31<sup>st</sup> Street & Dune Drive,
- Borough Hall at 32<sup>nd</sup> Street & Dune Drive
- Community Hall at 30<sup>th</sup> Street & the beach

## **V. Implementation Strategy**

### **5.1 Overview of Future Public Access Facilities**

The Borough is fortunate to have enough readily available public access to the Atlantic Ocean, Townsend's Inlet, back bay waters and lagoons for both its year round residents and its annual summer population. The Borough will continue to improve and maintain its existing public access points and amenities along its waterfront areas. Just this year the Borough accepted Public Access mitigation funds from an individual permittee for the purchase of two non-coin operated public viewers. The public viewers are to be installed at the public pier at 57<sup>th</sup> Street and at the sea wall at Audubon Seawatch at 7<sup>th</sup> Street.

As part of its Implementation Strategy, the following is a list of potential public access initiatives and projects that may be considered for future implementation by the Borough.

- A review of practicable new locations for restroom facilities adjacent to the Avalon beach may be initiated.
- There is substantial public access to the ocean for bathing, fishing, surfing and kayaking. The Borough will continue to manage and maintain its beach so as to provide optimal conditions for the general public's use at the same time managing the protection of wildlife habitat.
- Physical improvements to existing public access locations along the back bay waters and lagoons that will allow enhanced opportunities for nature viewing, fishing /crabbing and kayaking /canoeing activities will be considered.
- The Borough has been a good steward of its extensive dune system and beach, and will continue to carefully maintain the public access paths over the dunes and from the boardwalk.
- The Borough will continue to maintain its existing ADA public access amenities.
- Public access to the back bay and lagoon waters within the Borough is desirable for passive recreation such as nature viewing, and/or fishing and crabbing. The Borough will consider improvements to existing waterfront street ends by adding amenities such as new piers or landscaped areas with seating for pedestrian and bicycle friendly access.

