# <u>City of Millville</u> <u>Municipal Public Access Plan</u>

Submitted by: City of Millville

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Approved by the New Jersey Department of Environmental Protection: Date of NJDEP approval

> Adoption by the City: Date will be added upon adoption

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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.

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# Introduction

The intent of this document is to provide a comprehensive public access plan for the City of Millville which lays out their 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 at N.J.A.C. 7:7E-8.11. This MPAP was developed in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and approved by the NJDEP on date. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility and potential funding opportunities for Millville.

Public rights of access to, and use of, the tidal shorelines and waters, including the ocean, bays, and tidal rivers, in New Jersey are founded in the Public Trust Doctrine. First set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, the Public Trust Doctrine establishes the public's right to full use of the seashore.

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 NJDEP adopted new rules governing public access on November 5, 2012 that enable 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.

On date representatives from municipality met with NJDEP staff to begin the public access planning process. This plan was then developed in collaboration with the NJDEP, planning board, consultants and community groups and was presented to the Planning Board on date and was approved for submission to the NJDEP on date. Upon receiving approval from the NJDEP on date, the MPAP was incorporated into the specify element Element of the Master Plan by resolution on date, see Appendix 2. All public access decisions made within Millville after this date will be consistent with this plan.

# **Authority for Municipal Public Access Plans**

The premise of the authorization of MPAPs is that public access to tidal waters is fundamentally linked to local conditions. Municipalities have a better awareness and are more responsive to these conditions than a broader State "one size fits all" mandated public access plan.

The voluntary development of a MPAP by the City of Millville enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitor. Also, it informs and/or identifies public access requirements associated with any proposed development or redevelopment project. The MPAP was incorporated into the specify element Element of the municipality's Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D).

Upon approval of the MPAP by the NJDEP and incorporation into the Master Plan, Millville will be responsible for ensuring that public access to tidal waterways along the municipality's shorelines is provided in accordance with this plan. For each new public access project, Millville will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect, and ensure that public access requirements are satisfied in accordance with, this plan. Per

N.J.A.C. 7:7E -8.11(j)4, Millville is required to submit a progress report on plan implementation to NJDEP within five (5) years from date of plan adoption.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7E-8.11. See Appendix 1.

# I. <u>Municipal Public Access Vision</u>

# A. Overview of Municipality

The City of Millville is located in Cumberland County, NJ and encompasses an area of 44.5 squaremiles, of which about 60% is natural and undeveloped. The undeveloped areas are primarily comprised of woodlands, freshwater and tidal wetlands, nature preserves, and Wildlife Management Areas. The population of Millville is 28,400 according to the 2010 US Census. One of Millville's most treasured amenities is the Maurice River which in its entirety runs from its headwaters in neighboring Vineland to the Delaware Bay. In Millville, the Union Lake impoundment divides the upper Maurice River from the tidal Maurice River which meanders approximately 26 river-miles to its mouth at the Delaware Bay. Approximately 7-miles of the tidal Maurice River lies within Millville. It is noted that in 1993, the lower 4-mile segment of the tidal Maurice River lying within Millville along with a 1.4 mile segment of the Menantico Creek was federally designated into the National Wild & Scenic River System (Recreational Classification). Millville is very unique by the fact that it owns much of its urban riverfront and has capitalized on such ownership to enhance its shorelines with parks and public access amenities. From Union Lake Dam to the north to the upper Wild & Scenic River boundary below Fowser Road, the Maurice River meanders approximately 3-miles resulting in a total of 6-miles of riverfront shoreline. The City of Millville presently owns over 2.5-miles of this 6miles of riverfront shoreline. Of the remainder, approximately 1.1 miles are owned by business and industry, 1.1 miles are residential, and 1.3 miles are privately-owned undeveloped lands. Presently, approximately 1.9 miles of the City-owned riverfront shoreline is improved or partially-improved for public access including park areas and linear access which comprises over 130-acres acres of public park lands.

# History:

**Impetus:** In 2010, staff members of NJDEP Green Acres Program toured Millville's waterfront boasting it as "one of the best waterfront park systems in the State" (Bruce Bechtloff, Program Development Specialist, NJDEP Green Acres). The City presently has another riverfront project in the implementation stage that involves a 14.5-acre City-owned parcel of land and that proposes to provide an additional 0.2-miles of linear public access with fishing pier and wildlife viewing amenities. This project is totally funded with \$390,000 of grant funds through a NJDOT Local Aid Bikeway Program grant and \$18,000 in municipal contributions, and is in the NJDEP permitting phase. However, as part of the NJDEP permitting process, concern has been raised regarding the City's master plan for future linear public access linkages to connect segmented riverfront public sites due to threatened and endangered species habitats, specifically the bald eagle. These concerns strengthen the City's need to update our Waterfront Usage Plan and adopt a MPAP compatible with CZM program rules and to provide future benefit to the public in accordance with the Public Trust Doctrine. Additionally, recent floodwater damages to the Maurice River Nature & Bikeway Trail and City Public Works Facilities due to inundation as a result of Hurricane Irene (8/28/11) and Superstorm Sandy (10/29/12) have

reinforced the need for the City to analyze existing and proposed public facilities and their resiliency to coastal hazards in order to assure long-term stability.

# 1. Public Access Description

Public Access in Millville is provided by the municipality and conservation groups including the Nature Conservancy and Natural Lands Trust and consists of a variety access points and facilities including boat ramps, public marina, waterfront trails, public parks, wildlife observation points, scenic river overlooks, restroom facilities, fishing piers, riverfront boardwalk, parking facilities and a public beach. The City of Millville protects and ensures public access through conservation easements, ordinances and zoning. The Department of Parks and Public Property is responsible for maintaining public property while the Public Affairs and Public Safety Department enforce ordinances. All Public amenities including public parks, industrial park construction, parking facilities, river walks, marinas, and bulkhead have been designed and constructed under the supervision of the Engineering Department. The Department also provides oversight for on-going maintenance to these facilities.

The City of Millville understands the importance of the Public Trust Doctrine for the benefit of all people, and is a longtime proponent of public trust rights which allow the public to fully enjoy tidal waterways and their adjacent shorelines for a variety of public uses. In 1981, Millville was one of the first municipalities in the State to adopt a Waterfront Usage Plan. This plan was funded through a NJDEP Coastal Planning Grant similar to the MPAP grant, and involved mapping and identification of coastal resources along a 3-mile stretch of the Maurice River and development of a linear public access plan including conceptual designs for three specific park/recreation projects. Specifically, the 1981 Waterfront Usage Plan was responsible for the completion of three waterfront projects being the rehabilitation of Fowser Road Boat Ramp (1983), construction of Sharp Street Park & Fishing Pier (1985), and construction of the Maurice River Nature & Bikeway Trail (1995-1998). The boat ramp and fishing pier projects were constructed utilizing NJDEP Green Acres grant/loan funds, and the nature/bikeway trail was constructed in three phases utilizing various rounds of NJDOT Local Aid Bikeway Program funds. While the 1981 Waterfront Usage Plan served as an impetus to implement public access to the waterfront, the City's commitment has continued to present. The City has aggressively built upon the initial plan through its riverfront master planning and redevelopment visions and has continued to identify new enhancement projects and implementation strategies. A complete list of the city's waterfront development achievements since 1981 are as follows:

- o 1983 Fowser Road Boat Ramp
- o 1984 Waltman Park Rehabilitation
- o 1985 Sharp Street Fishing Pier
- o 1988 Waterfront Park Phase I
- o 1999 Waterfront Park Phase II (Capt. Buck Park)
- o 2000 Waterfront Park Phase III Boardwalk
- o 2005 Maurice River Nature & Bikeway Trail Phases I&II
- o 2006 Ware Avenue Public Marina Facility
- o 2007 Maurice River Nature & Bikeway Trail Phase III

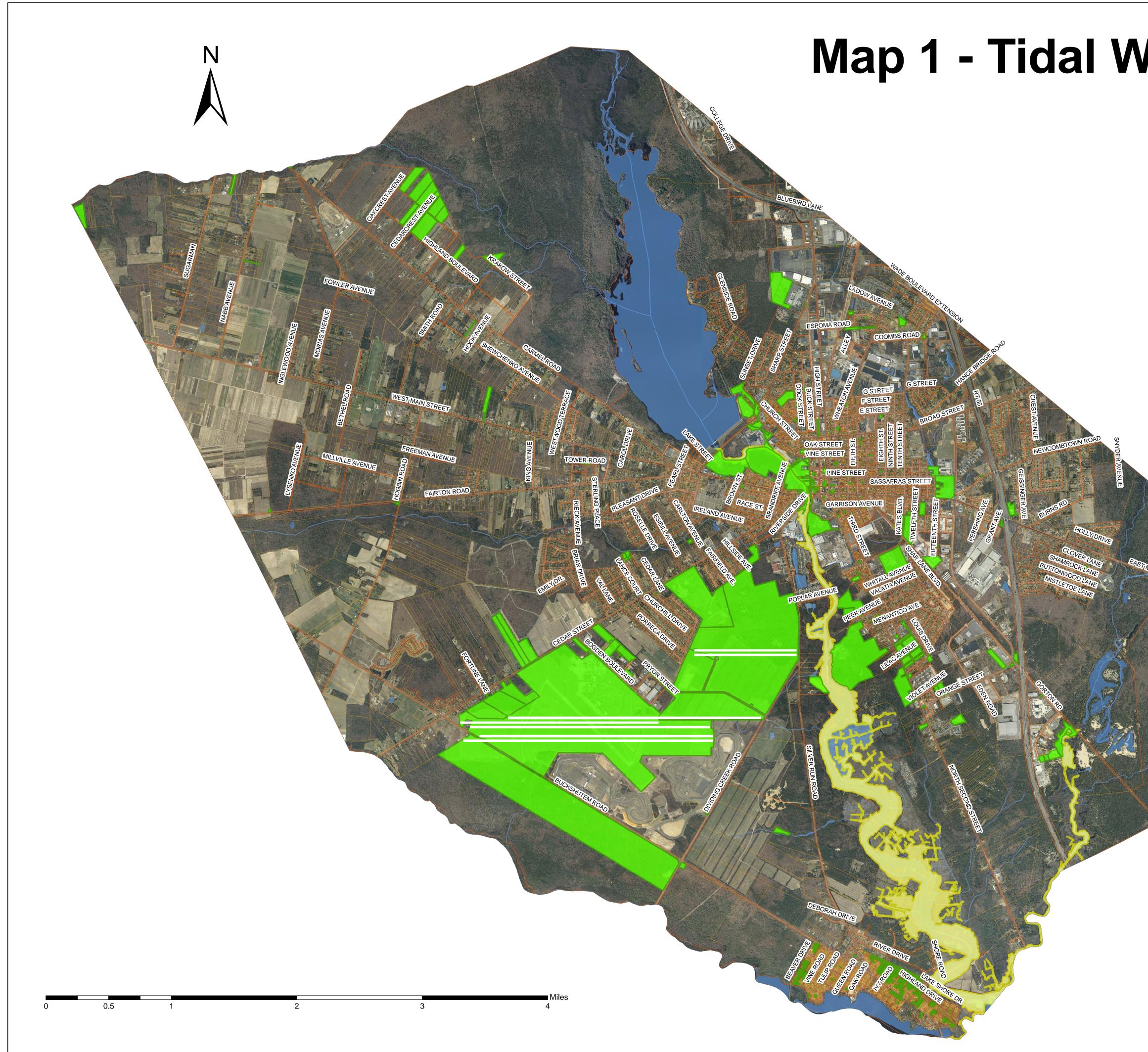
- o 2007 Waterfront Park Pedestrian Plaza (Capt. Buck Park)
- o 2008 Waterfront Park Phase IV (Capt. Buck Park north)
- o 2009 Maurice River Pedestrian Bridge
- o 2011 Waterfront Park Phase V (Capt. Buck Park north)
- o 2010 Maurice River Nature & Bikeway Trail Plaza
- o 2013 Maurice River Nature & Bikeway Trail Phases IV (in progress)

It is also important to note that in 2006, the City completed a comprehensive Riverfront Redevelopment Master Plan and Implementation Strategy focusing on mixed-use development along a 2.5-mile stretch of Millville's urban riverfront. This intent of this plan is to help guide Millville's future by capitalizing on the Maurice River amenity for economic growth, while also fostering redevelopment in an appropriate manner through controlled land uses and densities, adaptive reuse of brownfield sites, and the creation of a public realm properly balanced with preservation of open space and protection of environmentally sensitive areas.

The overall goal of this MPAP is to establish the City of Millville's plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores. Additionally, recent floodwater damages to the Maurice River Nature & Bikeway Trail and City Public Works Facilities due to inundation as a result of Hurricane Irene (8/28/11) and Superstorm Sandy (10/29/12) have reinforced the need for the City to analyze existing and proposed public facilities and their resiliency to coastal hazards in order to assure long-term stability.

# 2. Map 1. Millville Tidal Waterways and Lands

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



# Map 1 - Tidal Waterways & Lands City of Millville

# Municipal Public Access Plan

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- Lands Held By City
- **Tidal Waters**
- **Rivers & Streams**

Lakes

- **Block Limits**
- Parcel Lines

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

# 1. Goals & Objectives

- 1. Maintain exiting Public Access Sites and identify new opportunities for Waterfront Parks and Recreation Facilities based on State standards and best practices.
- 2. Identify Public Needs compared to the amenities offered by existing facilities through a Community Needs Assessment.
- 3. Identify proposed Improvements, potential New Projects, and Project Alternatives.
- 4. Establish Critical Linkages between existing and proposed Waterfront Access Sites.
- 5. Protect the City's Natural Resources and the Environmental Integrity of the Maurice River including Threatened and Endangered Species Habitats and Water Quality.
- 6. Establish a Resiliency Plan and Implementation Strategy to protect Public Access Facilities against Coastal Hazards in order to assure Uninterrupted Public Benefit.
- 7. Update the City's Municipal Master Plan to maintain consistency with the current CZM Rules to guide future Planning and Development along the Waterfront.
- 8. Streamline NJDEP & USACE Environmental Permitting Processes
- 9. Improve eligibility for State & Federal Grants and Funding Assistance including NJDEP Green Acres, NJDOT Pedestrian/Bikeway, federal Transportation Alternatives, and Recreational Trails Programs.
- 10. Promote Ecotourism and Economic Development by increasing visitorship to the City's Urban Waterfront and Glasstown Arts District.

In addition to those goals outlined within the Master Plan, Millville establishes the following State required goals specifically for public access:

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

**Millville'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 City. The previous goals are compliant with the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-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 Millville's Master Plan Community Facilities, Circulation, Historic Preservation, Recreation, Conservation, Economic Development, Land Use and Sustainability Elements.

# II. <u>Public Access</u>

# A. Public Access Locations

**Map 2** Millville Public Access Locations, identifies an inventory of all public access locations within Millville, 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 Appendix 3, for detailed information for each location.

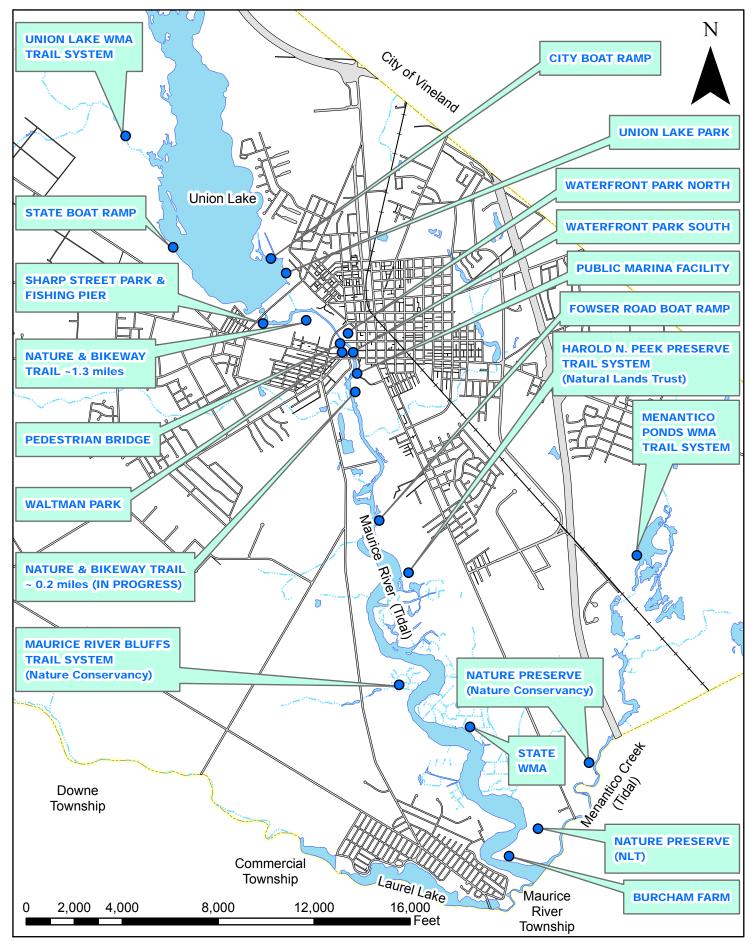
Millville has made vast improvements to much of the municipal public access locations along the tidal Maurice River in the downtown areas. There are, however, several sites that are privately owned where links between neighborhoods do not currently exist.

On the northeastern end of the tidal portion of the river, Amcor Rigid Plastics USA, Inc. owns 2,200 linear feet of river frontage. Approximately 600 feet of this frontage is utilized by their industrial facility and adjacent private parking area. During the Public Access meeting, personnel identified the need to repair the existing bulkhead at this location. They have previously received quotes estimating \$500,000 to repair the bulkhead, rebuild the parking area and install a standpipe for the Fire Department. They also acknowledged that they are open to looking at potential projects in the future to address the unutilized and dilapidated portion of their facility that is foremost on the riverfront. Future permitting for any bulkhead repair or replacement may warrant a dedicated public right of way along this frontage and offer an opportunity to extend the existing public right of way to the south of this property.

Immediately south of this frontage is municipally owned land on which the historically significant Union Lake spillway canal is situated. Below that is privately owned lands where a partially constructed 120 unit fee-simple condominium community sits. This development has infrastructure in place and is currently listed for sale. A dedicated 10 foot public right of way is part of the frontage and connects to the improved municipal boardwalk which runs south of the Brandriff Avenue Bridge along the riverfront. The public right of way in currently unimproved on the privately owned lot but is required as part of the approved development plan.

Municipal improvements south of Brandriff Avenue Bridge cross Main Street and currently end on Ware Avenue near the public marina. The property south of this is existing industrial land owned by Harris Storage Company. This segment of the river front cuts off linkages between the downtown riverfront improvements and the municipal and privately owned protected lands to the south.

Most of the lands south of Main Street and Patriot Park to the west of the river are privately owned and developed within the commercial and residential districts along Silver Run Road. Conservation easements protect a large portion of river frontage in the River Conservation District.



# CITY OF MILLVILLE - Map #2 WATERFRONT AMENITIES & PUBLIC ACCESS SITES

# **B.** Improved Public Access Locations

Map 2 Millville's Improved Public Access Locations, provides an inventory of the existing public access locations that currently provide access to public trust lands and waters. See Table 1, located in Appendix 3, for detailed information this location.

#### **Maurice River Waterfront Park**

Includes all public areas along the Maurice River waterfront bounded by the Maurice River to the west, Brandriff Avenue to the north, Buck Street and Ware Avenue to the east and the Municipal Boat docks to the south.

The improvements along the eastern side of the river begin south of Brandriff Avenue Bridge with the Waterfront Park system extending to Main Street which includes the public library, a riverfront boardwalk, pavilions, passive park areas, a 150'x10' pedestrian bridge, hardscaping and parking. This park system is serviced by roughly 250 parking stalls in several public parking lots within 150 feet of the riverfront. The Waterfront Park is often the center of public events including Fourth of July celebrations, festivals, and concert series. The Waterfront Park is located in downtown Millville which also expands the parking capacity by 142 on-street spaces available on High Street and more in the adjacent residential neighborhoods. The Waterfront Park acts as a link between several residential, commercial and recreational uses to promote pedestrian mobility in Center City Millville.

The Waterfront Park south of Main Street along Ware Avenue is improved with hardscaping, trash receptacles, benches, and lighting. This includes the municipal transient dock and municipal lease docks. The park is open from 6am to 12 midnight and includes signage indicating hours and restrictions. The current terminus of the waterfront park is the most recent extension of the Maurice River Bikeway which extends to the Harris Storage industrial property. The Municipal Complex and Municipal Park are adjacent to the Waterfront Park along Ware Avenue. The Millville City Municipal Complex includes the Municipal Building (City Hall), the Police and Court Administration Building, the access road, police way, adjacent parking lots and related improvements. The Millville City Municipal Park includes Ware Avenue, Municipal Utilities Drive, the Streets and Roads Building, the Water Utility Building, the Babe Ruth ballfields, adjacent parking lots, storage facilities, batting cages, concessions, restrooms and related improvements.

#### **Fowser Road Boat Ramp**

South of the 1,640' industrial property frontage is privately and municipally owned flood hazard area for almost 3,000' until you reach the municipal Fowser Road Boat Ramp facility. The Fowser Road complex is about 100 acres and includes the Municipal Sewer Utility and a 7.4 acre solar field. 50 acres of the complex is dedicated Green Acres and includes 2 boat ramps with staging piers, parking and signage including hours, restrictions and interpretive signage. The park is open from 6am to 11pm and is heavily utilized by visitors. There are no fees associated with the boat ramp.

#### **Conservation Easements**

Much of the riverfront south of Fowser Road is permanently protected through conservation easements by Natural Lands Trust (NLT), NJDEP and the Nature Conservancy. There are also smaller lots of privately held lands. The NLT owns a 305 acre natural area known as the Peek Preserve. The Peek Preserve supports its own 2-mile network of interpretive nature trails, boardwalk, wildlife viewing platforms, and a visitor's center. The NLT has received a grant to install several Maurice River Water Trails guide signs to inform kayakers and canoers of launch points, recreational areas, tide schedules and safety concerns. The City is working with the NLT to permit signage on municipal launch points.

#### **Union Lake**

The improvements along the western side of the riverfront begin at the start of the tidal waters at the Union Lake Dam along Sharp Street. The dam is within the 5,000+ acre Union Lake Wildlife Management Area which is maintained and regulated by NJDEP. Although the Public Trust Doctrine addresses tidal waters, the Union Lake WMA is a significant portion of water based activities within the City of Millville and should be included when reviewing the Maurice River culture in Millville. The Union Lake WMA includes the 900 acre Union Lake, the largest freshwater body of water in New Jersey. The dam can be accessed from Sharp Street where a 30 stall parking lot provides access to fishing and viewing of the aluminum fish ladder. Public improvements can be accessed from Carmel Road/CR 609 including a boat ramp and dock. A large parking area of 100+ parking stalls provides plenty of staging area for boats and kayaks. Visitors can also enjoy vast unmarked trails, mountain back riding, horseback riding, birdwatching, fishing and portable restroom facilities. Permits are required for boaters and activity is restricted to outboard motors of 10 horsepower. NJDEP Division of Fish & Wildlife regulate the hours of the park; 5am to 9pm. Parking passes are not required.

#### **Union Lake Park**

Union Lake Park is the municipal portion of lakefront that adjoins the Union Lake WMA and consists of two parts. The beach area is approximately 400 feet long fronting the water and 100 feet wide. There are no longer lifeguards are on duty; swimming is permitted at your own risk. The ball field area includes a softball diamond, basketball court, play equipment, and picnic sites. The Union Lake Tennis and Sailing Club operates a private facility used by approximately 200 member families.

#### **Sharp Street Park Complex**

Immediately south of Sharp Street on the western side of the river is the 23 acre Sharp Street Park Complex and 32 acre Stewart Estate. The Complex contains 2 American league baseball fields, batting cages, dugouts, concession stand, press box, playground, restrooms and a fishing pier. The facilities are only open during activities and remain locked where there are no events

to deter vandalism. There is access to the Maurice River Bikeway Trail from this park. The Bikeway Trail is open from Dawn to Dusk and includes improved paths, bridges and nature overlooks. The Trail extends 1 mile south along the Steward Estate riverfront and runs through Waltman Park. The City has received \$517,000 in federal funding through the 2014 Transportation Alternatives Program to complete Phase V of the Trail. This phase will increase pedestrian safety along Sharp Street and provide a link to the Union Lake WMA from the downtown trail system.

#### Waltman Park

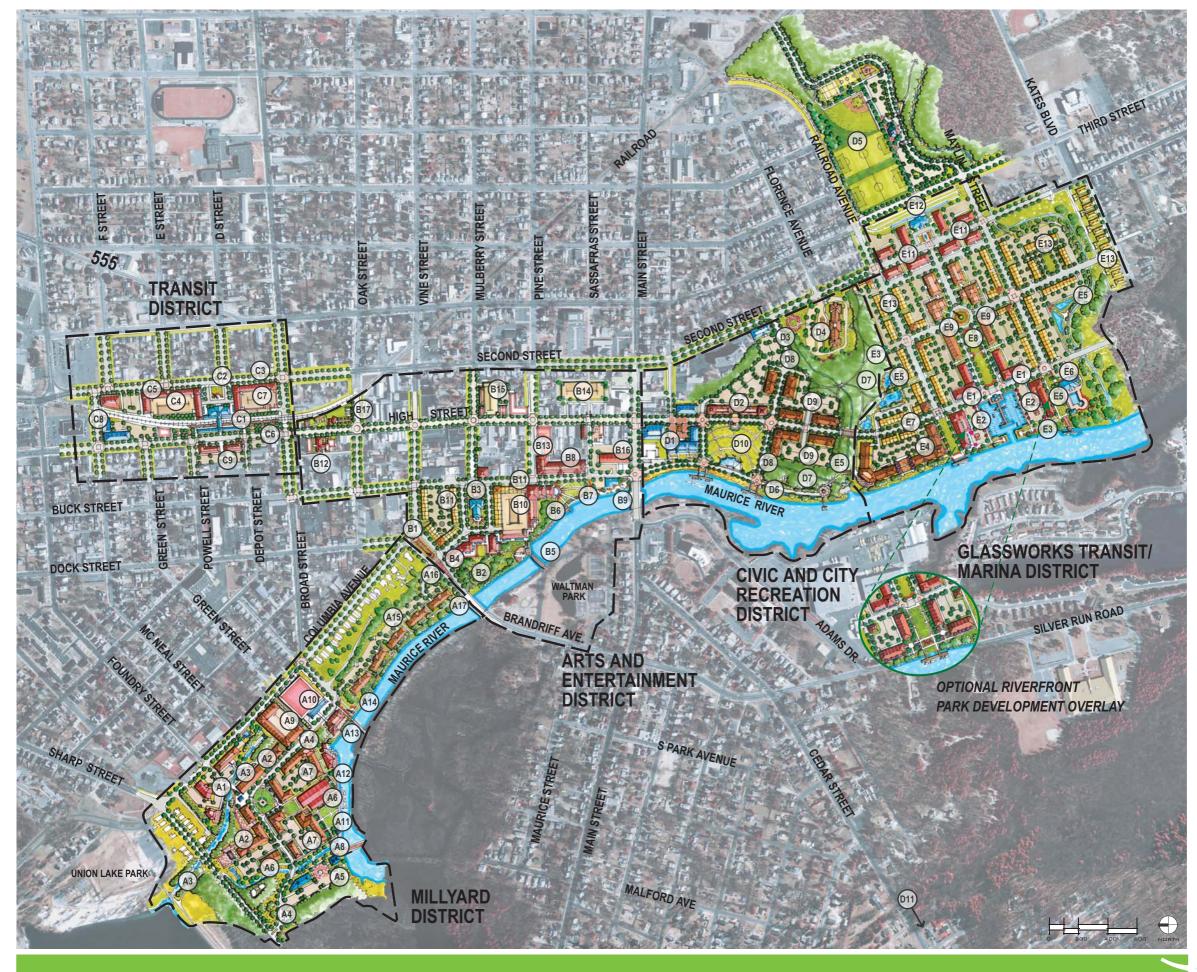
Waltman Park is a 10 acre park accessed via Brandriff Avenue and West Main Street. Waltman Park has 3 ponds, picnic areas, tennis courts, horseshoe courts, bocce ball court, basketball courts and an all-abilities playground. The park is serviced by 10 parking spaces from Brandriff Avenue and 50 spaces from West Main Street; the two parking areas are separated by the pedestrian bridge.

#### **Patriot Park**

Patriot Park is located at the corner of West Main Street and Riverside Drive and provides waterfront views of the Maurice River. There are 3 veterans memorials honoring Millville's veterans and veteran associations. Trees have been dedicated here, and throughout Millville, in honor of veterans through a cultivation program with Southern State Correctional Facility.

#### Maurice River Bluffs

The Nature Conservancy manages the 500-acre preserve which gets its name from the majestic bluffs overlooking the river. The preserve provides crucial stopover habitat for migrating and breeding birds, including songbirds, waterfowl, and raptors like nesting osprey and bald eagles, and hosts productive freshwater ponds and unique plant communities, including some of New Jersey's largest contiguous wild rice marshes. As one of New Jersey's most visited preserves, Maurice River Bluffs provides many opportunities for outdoor recreation, including four established trails. The Bluffs are also home to a floating dock and offers an unobstructed view of a bald eagle nest, as well as many benches and picnic tables which provide scenic spots for observation and relaxation. The new yellow trail features a 35-foot long bridge, steps and rails throughout the steeper parts that make the trails accessible to all levels of hikers, and multiple benches and picnic tables. An exciting new preserve addition is a bird blind overlooking the river. This enclosure allows visitors a "bird's eye view" of various waterfowl and eagles in their natural habitat without disturbing them. Visitors to the preserve can also take advantage of the new visitor kiosk, stocked with interpretive information and trail maps. There is a large, unmarked parking area that can be accessed from Silver Run Road/CR 627.





# **C. Limitations to Public Access**

The following limitations to public access currently exist:

# 1. Temporary Restrictions

- The Maurice River Waterfront Park is open from 6am to 12 midnight.
- The Union Lake Wildlife Management Area is open from 5am to 9pm
- The remaining Municipal parks are open from 6am to 11pm.
- Any person over the age of 12 years or under the age of 62 years may not utilize the Union Lake Beach without obtaining a beach permit from the City of Millville. Persons totally and permanently disabled are exempt from the payment of a beach fee. The beach fee for a weekly beach permit shall be \$5. The beach fee for a seasonal beach permit shall be \$10. This regulation in not strictly enforced.
- The Department of Parks and Public Property may regulate and limit, on a first-comefirst-served basis, the number of persons allowed on the beach at any one time in the interest of public safety.
- Alcoholic beverages. No person shall consume or take an alcoholic beverage in any public building or on any public land.
- Fire. No person shall build or attempt to build any fire on any public land without permission of the Fire Official and the permission of the owner.
- Littering. No person shall discard, place or throw any bottles, cans, debris, garbage, glass, trash or litter of any kind on any public lands except in proper receptacles.
- Motor vehicles. No person shall drive any motor vehicle on any public lands except upon the designated parking areas, roadways and streets.
- Picnics. No person shall conduct a picnic on any public land except at such place and times designated by the Department of Parks and Public Property, or the owner.
- Swimming in waters. No person shall bathe, swim or wade in any waters or waterways adjacent to public land except at such places and times designated by the Department of Parks and Public Property.

# 2. Permanent Restrictions

- Much of the municipal Maurice River Waterfront Park system has been permanently preserved through the NJDEP Green Acres program as designated on the Recreation and Open Space Inventory.
- Thousands of acres of riverfront property has been preserved through conservation easements obtained through NJDEP, Natural Lands Trust and the Nature Conservancy.

# III. Community Needs Assessment

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

The City previous Waterfront Usage Plan was adopted in 1981 and has been the impetus for several waterfront access points in the municipality. Since then, the City has conducted public hearings with a specific study area of the downtown riverfront and arts district as well as a general input meeting for the tidal riverfront access.

The 2006 downtown riverfront redevelopment study are was bordered by the Maurice River to the west, Union Lake to the north, ; Harris Industrial Park to the south; and Second Street, Buck Street and Columbia Avenue to the east. The importance of this area stems from its potential as an active use of the Maurice Riverfront, municipally owned lands, and for its proximity to downtown and adjacent South Millville and Third Ward Neighborhoods. The plan builds on existing assets downtown and addressed higher and better uses for underutilized sites along the river. The planning process actively engaged over 100 Millville stakeholders and residents through individual interviews, small group forums, and public meetings. A Riverfront Steering Committee was formed to work with the consultant and stakeholders to develop several different riverfront scenarios for additional input and recommendations from the public.

The comments, concerns and questions discussed at the meeting have been categorized by responses to each of the questions posed during the meetings.

What types of things and/or areas would you like to protect and enhance along the riverfront and in the adjacent downtown area?

- City park improvements
- River walkway/bikeway
- Wildlife habitat/nature preserves
- Fishing areas
- River views
- Shoreline improvements at Waltman Park
- Sharp Street pedestrian sidewalks and crossings to Union Lake
- Historical Gangway Bridge and spillway canal preservation/enhancement

What types of amenities would you like to see introduced to the riverfront and downtown core?

- Footbridge across River
- Trails
- Skateboard park
- Outdoor theater
- Water activities, canoe/kayak rentals
- ADA Accessibility
- Shuttle services
- Additional marinas
- River cruise from New Jersey Motorsports Park to downtown
- Restrooms
- Eco-tours
- Fishing areas
- Directory kiosks/wayfinding signage
- Parking facilities

What types of development/land-uses would you like to see considered for the study area?

- Grocery Store
- Bed & Breakfast

- Theater
- Hotel conference center
- Professional medical center
- Mixed housing options
- Restaurants, cafes
- Entertainment
- Discount shopping malls/outlets
- Marketplace

What things would you like to see changed in the riverfront or downtown areas?

- Redevelop outmoded industrial sites into mixed housing, business and open space
- Public Library & Learning Source Center
- Welcome & Info center
- Provide mixed housing types

A stakeholder meeting was held in 2015 to discuss assets and needs along the tidal Maurice River with conservation group representatives, private landowners and river users. The assessment will be broken down below by area.

# Union Lake Beach (Municipal)

PROS

- Good access to parking
- Active recreation sites including softball, basketball and a free boat ramp

CONS

• Lacks public restroom facilities

**OPPORTUNITIES** 

- Private kayak/canoe rental facility
- Add as destination to fish and observe wildlife
- Add portable restroom facilities with fence surround to deter vandalism

# Union Lake WMA (State)

PROS

- Good access to parking
- Restrooms available
- Boat ramp is widely utilized by visitors

**OPPORTUNITIÉS** 

• "Wawa" Parcel (Block 35 Lot 1) would be a good opportunity for scenic overlooks and trails along Union Lake.

# Maurice River Bikeway

PROS

- Connects several neighborhoods and districts
- Preserves natural habitat

CONS

• Lacks public restroom facilities

• Secluded areas, perceived safety concerns

# **OPPORTUNITIES**

- Add lighting
- Add additional wayfinding and interpretive signage
- Partner with existing facilities for restroom access (i.e. Riverside Wawa, Four Seasons Pizza, other downtown facilities)
- Add distance markers
- Promote bike patrol route
- Add cameras
- Utilize Safety App for smartphone users

# **Sharp Street Park**

PROS

- Good access to parking
- Active recreation sites including softball, playground and fishing pier

CONS

- Pedestrian Safety Sharp Street is the 2<sup>nd</sup> highest volume County roadway
- Lacks public restroom facilities when events are not scheduled

**OPPORTUNITIES** 

- Partner with Sharp Street Wawa
- Crosswalks and increased pedestrian visibility on Sharp Street

# Waterfront Park

PROS

- Good access to parking
- Passive recreation sites

CONS

• Vandalism and loitering

**OPPORTUNITIES** 

• Promote bike patrol route

# **Municipal Marina**

PROS

- Good access to parking
- Passive recreation sites
- Maurice River Cruises successful

**OPPORTUNITIES** 

• Provide fishing receptacles

# Fowser Road

PROS

- Good access to parking
- Widely utilized boat ramp

CONS

• Lack of restroom facilities

# **OPPORTUNITIES**

- Add portable restroom with fence surround
- Provide visitor information kiosk

# **Peek Preserve**

PROS

- Restrooms
- Kayak landing
- Signage

**OPPORTUNITIES** 

• Additional signage

# **Maurice River Bluffs**

PROS

- Good access to parking
- Passive recreation sites
- Marked trails
- Signage

# Map 3 – Millville's Proposed downtown Waterfront Redevelopment Plan

# IV. Implementation Plan

Millville 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

Millville developed the following priorities:

# 1. Maintain Existing Public Access

The City of Millville Department of Parks and Public Property will continue to maintain all publically owned lands and improvements thereon. The existing public access improvements promote community use of the riverfront, which in turn, creates increased litter, vandalism and maintenance. The Department will continue to provide trash receptacles at community facilities and clean up any signs of vandalism expeditiously. The City has ordinances in place to assess fines for those in violation of regulations. The Department of Public Safety should increase enforcement of these regulations. Funds collected could be utilized for additional public safety officers or towards the maintenance of public property.

# 2. Preserving Public Access

The City of Millville has developed an extensive riverfront park system by utilizing NJDEP Green Acres funds with much of the downtown riverfront preserved in perpetuity as designated on the official Recreation and Open Space Inventory. Large tracts of riverfront lands have been permanently preserved by conservation groups through the utilization of conservation easements. The City will work to ensure any future private development of the Amcor and Harris industrial sites include dedicated public rights away along the riverfront.

# 3. Proposed Locations and Facilities

Current Zoning of the Downtown Riverfront Mixed Use District regulates future development for the purpose of providing an appropriate mix of planned new development and redevelopment of existing sites along the downtown Maurice River. Future development and redevelopment is envisioned to be a partnership between private and public entities to allow for integration of new uses with existing communities. The City may leverage State and Federal funds to develop infrastructure improvements when necessary. The municipality and community organizations should work to research private grants to enhance public access amenities such as restrooms, signage, safety enhancements and recreational accessories.

# **B.** Signage

Millville has provided the following signage:

- Wayfinding signage throughout the City to tourist destinations
- Signage detailing regulations at public access locations
- Signage identifying Green Acres areas

It is recommended that Millville install more interpretive signage and guide kiosks to promote eco-tourism and link destination visitors with recreational opportunities throughout the City.

# V. <u>Resolution of Incorporation</u>

Millville has approved a resolution for the incorporation of the MPAP. See Appendix 2 for the resolution.

### APPENDIX 1 Municipal Public Access Plans Required Sections per NJAC 8.11 (e)

- 1. (e) 1 Statement describing 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 ensure that the municipality will meet public access goals
- 2. (e) 2 Statement of Consistency with...Master Plan
- 3. (e) 3 Public access needs assessment that evaluates:
  - existing access locations and capacities
  - practical limitations (esp. parking and bathrooms)
  - alternatives to address any limitations determined to exist
  - need for additional locations
- 4. (e) 4 Digital Map and Inventory identifying...:
  - tidal waterways within municipality and adjacent lands held by municipality
  - existing and proposed public access ways
  - proposed public access facilities
  - identified facilities compliant with ADA

#### 5. (e) 5 Implementation strategy

- forms of proposed public access responsive to needs assessment (i)
- comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
- proposed tools to implement the plan, including (iii) i.adoption or amendment of muni ordinances
  - ii.uses of monetary compensation (Public Access Fund), if any
- proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
- proposed compliance with ACOE requirements for shore protection projects [see 8.11(r)] (v)
- cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
- implementation schedule (vii)
- ordinances in place/to be adopted re signage requirements (viii)
- measures to permanently protect public access per MPAP (ix)
- examples/models of easements/restrictions for permanent protections (x)
- draft resolution incorporating DEP-approved MPAP into a MP element (xi)

# APPENDIX 2 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 deciaion-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 and 7.7E.

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

Municipal Clerk

# Appendix 3 <u>Public Access Table</u>

Block/Lot	Street Access		Acres	Common Name	Water Access	Green Acres	Public Building	Accessory Bldg/Structur e	Parking Lot	Park Site	Athletic Field	Playground	Athletic Court	Concession Stand	Restrooms	Pier	Marina	Fishing	Boat Launch	Boating	Swimming	Handicap Accessable Features	Signage	Description / Amenities Inventory
461/1	Public Acce Ware Avenue	ess 101-105 Ware Ave.	14.70	Bikeway Trail Phase IV	Visual	No		1		NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	N/A	PROHIBITED	YES	YES	
461/1.02	Ware Avenue	25 Ware Ave.	0.55	Ware Public Marina	Physical	Yes		1		YES	NO	NO	NO	NO	NO	YES	YES	YES	NO	YES	PROHIBITED	YES	YES	transient dock; riverwalk
461/1 546/36	Ware Avenue Fowser Road	101-105 Ware Ave. 355 Fowser Rd.	45.00	Lease Docks Fowser Park/Boat Ramp	Physical Physical	no No		25 2 Piers	YES 1	NO YES	NO NO	NO NO	NO NO	NO NO	NO NO	YES YES	NO NO	YES YES	NO YES	YES YES	PROHIBITED	NO YES	NO YES	lease docks 2 boat ramps w/ staging piers
96/9		117 Sharp St.	22.89	Sharp St. Park Complex	Physical	Yes		7	1	YES	2	YES	NO	YES	YES	YES	NO	YES	NO	YES	PROHIBITED	YES	YES	concession/restrooms/clubhouse;press box; batting cage;4 dugouts; American Baseball; Playground; Fishing Pier
96/9	Sharp Street			Bikeway Trail/Stewart Estate	Visual	Yes				NO	NO	NO	NO	NO	NO	NO	NO		NO	N/A	PROHIBITED	YES	YES	Linion Lake Dam: fishing: parking lat: fish
18/1	Sharp Street	Union Lake Dam		Dam	Physical	No		1	1	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	PROHIBITED	YES	YES	Union Lake Dam; fishing; parking lot; fish ladder
96/9; 97/37	Mulford Ave	Mulford Ave.	32.33	Bikeway Trail/Stewart Estate	Visual	Yes	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	N/A	PROHIBITED	YES	YES	1-mile riverfront trail; 6 bridges riverfront park; 3 ponds; picnic; 3 tennis;
101/1	Main Street	2 W. Main St.	9.50	Waltman Park Patriot Park/Springsteadah	Physical	Yes	NO	1	3	YES	NO	3	YES	NO	YES	NO	NO	YES	NO	YES	PROHIBITED	YES	YES	6 horseshoe courts; bocce ball court; 2 basketball courts; (former) street hockey
123/1	Main Street	7 W. Main St.	2.44	Plaza	Visual	Yes	NO	1	NO	YES	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	PROHIBITED	YES	YES	3 veteran monuments
n/a	Main Street	Maurice River	0.11	Boardwalk/Pedestrian Bridge	Visual	No	NO	2	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	PROHIBITED	YES	YES	420'x8' boardwalk; 150'x10' pedestrian bridge
	Brandriff Ave.			Maurice River Bikeway	Visual	No		NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	NO	N/A	PROHIBITED	YES	YES	1-mile riverfront trail; 6 bridges
418/1,2	Buck Street	Buck St.	0.14	Capt Buck Park (south)	Visual	Yes	NO	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	PROHIBITED	YES	YES	riverwalk; ornamental iron; holly leaf fountain riverwalk; Capt. Buck statue; pavilion;
417/2		100 Buck St.	1.05	Capt Buck Park (statue)	Visual	Yes	NO	2	YES	YES	NO	NO	NO	NO	NO	NO	NO	YES	NO	YES	PROHIBITED	YES	YES	picnic
410/1	Buck Street	210 Buck St. 2nd Street Rear	3.40	Capt Buck Park (north) Flood Hazard Area (11.14	Visual	Yes	YES		YES	YES	NO	NO	NO	NO	YES	NO	NO	YES	NO	YES	PROHIBITED	YES	YES	Library; riverwalk; gazebo
533/26.01	2nd Street Rear	(Peek Ave)	13.24	acres)	?	No	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	PROHIBITED	NO	NO	
533/40	2nd Street Rear	Peek Ave	4.04	Flood Hazard Area (3.11 acres)	?	No	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	PROHIBITED	NO	NO	concession/clubhouse bldg; ice bldg;
462/7	South High Street	12 S. High St.	5.60	Babe Ruth Complex; Ewan Field; Chiola Field	Visual	Yes	NO	14	YES	YES	2	NO	NO	2	YES	NO	NO	N/A	NO	N/A	N/A	YES	YES	smokehouse; press box; maintenace garage; storage shed; storage/lockers bldg; batting cage; 4 dugouts; restrooms/storage bldg;
236/127	Union Lake (Municipal)	1414 Canal St.	12.63	Union Lake Park/Boat Ramp	Physical NON-TIDAL	Yes	NO	2	2	YES	NO	YES	YES	YES	YES	NO	NO	YES	YES	PROHIBITED	NO	NO	NO	restrooms/maintenance bldg; concession bldg; playground; basketball court; picnic; boat ramp
236/127	· · · /	1414 Canal St.	?	Municipal Beach	Physical NON-TIDAL	Yes	NO	NO	2	YES	NO	NO	NO	YES	YES	NO	NO	NO	NO	PROHIBITED	YES	NO	YES	Swim Beach
18/1	Union Lake (State Wildlife Management Area)	Carmel Road/CR 608	5129.21	Union Lake	Physical NON-TIDAL	No	NO	NO	1	YES	NO	NO	NO	NO	YES	YES	NO	YES	YES	YES	PROHIBITED	YES	YES	Boat ramp; dock; unmarked trails, horseback riding; mountain biking, hunting
546/35, 36.01, 36.02	S and Street	2100 S. 2nd Street	250.00	Peek Preserve (Natural Lands Trust)	Physical	No	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO	NO	YES	NO	YES	PROHIBITED	NO	YES	
140/1	Silver Run	1200 Silver Run Road	535.00	Maurice River Bluffs (Nature Conservancy)	Physical	No	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	NO	YES	NO	YES	PROHIBITED	NO	YES	
	City Buildings t	to Note						ſ	T		1	T	1	Ī			T	[	T	1	1			
462/7		12 S. High St.	3.25	City Hall	Indirect; river views Adjacent to Ware Ave. Waterfront Park	No	1		68						1			N/A		1	N/A			
				Police	Indirect; river views Adjacent to Ware Ave. Waterfront Park	No	1		RESTRICTED									N/A			N/A			
365/9		420 Buck St.	1.08	Fire Dept.	N/A	No	1		RESTRICTED									N/A			N/A			-
421/10		200 E. Main St.	0.11	Historical Society	N/A Parallel;	No	1		30									N/A			N/A			
410/1		210 Buck St.	1.88	Library	Part of Waterfront Park	Yes	1		100									YES			N/A			
546/29		1500 S. 2nd St.	15.90	Senior Center	Indirect; Adjacent to Peek Preserve	No	1		20						1			N/A			N/A			
461/1	Ware Avenue	101-105 Ware Ave.	14.70	Streets & Roads	Indirect; Adjacent to Ware Ave. Waterfront Park	No	1	3	RESTRICTED									NO			N/A			office; 2 maintenance garages; salt bldg
461/1	Ware Avenue			Water Treatment Plant	Indirect; Adjacent to Ware Ave. Waterfront Park	No			RESTRICTED									NO			N/A			
546/36	Fowser Road		51.90	Sewage Treatment Plant	Parallel Waterfront	No	1	?	50									NO	<u> </u>		N/A			<u>+</u>
410/1	Columbia Ave	300 Columbia Ave.	2.04	Fleet	N/A	No	1		RESTRICTED									N/A			N/A			impound lot
419/3,4,5	North High Street (downtown)	18-24 High St.	0.14	RRCA	N/A	No	1		50									N/A			N/A			
419/1	North High Street (downtown) City-Maintained La	30-36 High St.	0.20	Glasstown Plaza	N/A	Yes				1								N/A			N/A			fountain; 3 art trellises
	Noble Street		1.03	Friendship Park	NO	Yes			1	1		1	1					N/A						basketball court, playground, swings
352/52		Columbia Ave.	0.88	Brandrif/Columbia	Riverfront Mixed Use District																			ROW
ROW		Broad & Columbia	0.06	Broad/Columbia Island	Riverfront Mixed Use District																			ROW
101/30		W. Main St.	0.15	Waltman Park (ent. NW corner)	Indirect; Park Entrance																			
410/2 4 4 04		Buck & Ding Ct-	0.000	Library (adi yacast)	Parallel; Part of Waterfront	Yes									$ $ $\top$									
410/3,4,4.01 416/1		Buck & Pine Sts. 127 Buck St.	0.283 0.12	Library (adj. vacant) Markizon (vacant)	Park N/A																			<u>+</u>

					Parallel:			1		1 1	1		r				
					Part of Waterfront Yes												
417/1		124-128 Buck St.	1.12	Vacant	Park												
41771		124 120 Buok Ot.	1.12	Vuodint	Direct; Riverfront							1					
					Redvelopment												
352/3		601 N. Sharp St.	3.42	Raceway	District												Historical raceway
	Foreclosure Pro		0.42	Rucenay	District					1							Thistorical face way
478/8,9	1 of colosure 1 h	203/205 S. 2nd St.	0.10	205 S 2nd	N/A	F/C vacant		1			1		1				F/C vacant
		200.200 0. 2.10 0.	0.10	200 0 2110	N/A; Industrial Park			-			-		-				170 Hount
530/16		467 S. 2nd St.	0.16	467 S 2nd	Entrance	F/C residence	9										F/C residence
					Indirect; Riverfront												
					Redvelopment	F/C vacant											
352/18		1016 Columbia Ave.	1.85	Indyg Property	District												F/C vacant
				,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,, ,,	Indirect; Fowser	F/C vacant (a	t	1		1	1	1 1	t				
546/1		1002 S. 2nd St.	0.83	1002 S. 2nd St.	Road entrance	Fowser)							1				F/C vacant (at Fowser)
	Public Parking	Facilities		·			•		•		•	•	•	• • •	R		 • • •
416/13	Buck Street	101-115 Buck St.	0.21	Buck Street Parking Lot (south)	N/A			18						N/A		N/A	
				Buck Street Parking Lot	N//A									N/A		N1/A	
416/14		111 Buck St.	0.15	(middle)	N/A			14						N/A		N/A	
416/15	Buck Street	115 Buck St.	0.05	Buck Street Parking Lot (north)	N/A			14						N/A		N/A	
	North High Street				N/A			30						N/A		N/A	
421/8	(downtown)	208-210 E. Main St.	0.16	2nd & Main Parking Lot													
	North High Street				N/A		1	43	1					N/A		N/A	btwn. High & 2nd; gazebo; message
415/18	(downtown)	126 Sassafras St.	0.76	Sassafras St. Parking Lot													board
	North High Street				N/A			50						N/A		N/A	
419/14	(downtown)	29 Buck St.	0.57	Glasstown Center Parking Lot													
	North High Street				N/A			55						N/A		N/A	
409/1	(downtown)	316 Buck St.	0.95	Buck/Vine/Columbia Triangle													
	North High Street				N/A			32						N/A		N/A	
412/13	(downtown)	115 Mulberry St.	0.18	Mulberry St. Parking Lot									L				
	North High Street				N/A			20					1	N/A		N/A	
411/21	(downtown)	20 Pine St.	0.03	Pine St. Parking Lot													btwn. High & Buck (former L&I Dress)
		1			1								1				
	North High Street				N/A			37	1				1	N/A		N/A	Shared parking agreement with Jim's
463/11,12	(downtown)	110-114 Smith St.	0.14	Smith St Park													Lunch and Eagle building

# APPENDIX 4 Recreation and Open Space Inventory

<b>RECORDING INFORM</b>	ATION SHEET	CUMBERLAN	ND COUNTY CLERK'S OFF 60 WEST BROAD STR BRIDGETON NJ 0					
INSTRUMENT NUMBER:		DOCUMENT TYPE						
365527		<b>AGREEMEN</b>	Г					
Official Use Only	Return Address (for ) CITY OF MILLV PO BOX 609 ATTN: ROBERT MILLVILLE NJ 0	ILLE THOMAS	ž					
GLORIA NOTO, COUNTY CLERK CUMBERLAND COUNTY, NJ			·					
INSTRUMENT NUMBER 365527	No. Of Pages (excludin	ng Summary Sheet)						
RECORDED ON April 14, 2010 09:31 am BOOK:4069 PAGE:2581	Recording Fee (excluding	g Transfer Tax)	\$110.0					
KT	Realty Transfer Tax		\$0.00					
	Amount Charged	(Charge)	\$110.00					
	Parcel Information	Block Lot	·.					
	First Party Name	MILLVILLE CITY OF						
	Second Party Name NEW JERSEY STATE OF DEPT OF ENV PROT							
AIL COPY O COPY	Additional Information (Official Use Only)							
NVELOPE								
DITIONAL STAMPINGS	- · · · · · · · · · · · · · · · · · · ·							
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**************************************	'UMMARY FORM) IS PA	E THIS PAGE.********** ART OF CUMBERLAND CO FUTURE REFERENCE.***	OUNTY FILING RECORD					

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# **DECLARATION OF ENCUMBRANCE**

# CITY OF MILLVILLE Cumberland County

ТО

# THE STATE OF NEW JERSEY Department of Environmental Protection

Record and return to:

Department of Environmental Protection Green Acres Program P.O. Box 412 Trenton, New Jersey 08625-0412

Attention: Bruce W. Bechtloff

Prepared by Bruce W. Bechtlof

2/10/99 Forms/encagt



#### DECLARATION OF ENCUMBRANCE

This Declaration of Encumbrance is made this  $15^{t}$  day of <u>April</u>, 20%, by the City of Millville, County of Cumberland, ("Local Unit"), whose mailing address is P.O Box 609 – 12 South High Street, Millville, New Jersey 08332.

The Local Unit makes this Declaration in consideration of the State of New Jersey, Department of Environmental Protection, Green Acres Program's agreement to provide funding in connection with:

Maurice River Waterfront Phase IV & V Project # 0610-00-026 As approved on June 1, 2000

The attached exhibit to this Declaration is labeled "Recreation and Open Space Inventory," comprising <u>\_\_\_\_</u> pages. This exhibit is incorporated into, and forms a part of this Declaration.

The Local Unit represents and warrants (a) that all lands described in the exhibit attached to this Declaration are held by it for recreation and conservation purposes, and (b) in accordance with <u>N.J.S.A.</u> 13:8A-1 et seq., <u>N.J.S.A.</u> 13:8A-19 et seq., <u>N.J.S.A.</u> 13:8A-35 et seq., <u>N.J.A.C.</u> 7:36-1.1 et seq., and all of the Green Acres Bond Acts (collectively, the "Green Acres Laws"), covenants, agrees, and declares that all lands described on the exhibit attached to this Declaration are subject to the covenants, restrictions, and conditions described in the Green Acres Laws, and further agrees that:

- 1. The Local Unit shall not dispose of or divert to a use for other than recreation and conservation purposes any lands described in the exhibit attached to this Declaration without the approval of the Commissioner and State House Commission.
- 2. Should lands held by the Local Unit for recreation or conservation purposes be, by mistake or inadvertence, omitted from the exhibit attached to this Declaration, such lands shall be subject to the terms and conditions of this Declaration to the same extent as though they had been included.

#### LOCAL UNIT ATTORNEY Reviewed and approved

on \_, 20*\_[O* 

(signature)

ICHARD C. MCCARTHY (print name) Local Unit Attorney

LOCAL UNIT CHIEF EXECUTIVE OFFICER

Bv (signature)

MAYOR NON (print name and title)

Date: 4-1-11

STATE OF NEW JERSEY

SS

)

COUNTY OF CUMBERLAND)

I CERTIFY that on  $\frac{4/1/10}{(date)}$ ,  $\overline{Tames T, Shahnon}$  personally came before me, (date) (official designated above) (clerk) who signed this Declaration and that he/she

a. is authorized to execute this Declaration, and

b. executed this Declaration as his/her own act, and as the act of the <u>cityof Millolle</u> represented by him/her as

(municipality Idministrato (official's title)

signature) Clerk (print name and title below)

# EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY

A Local Unit which receives a loan or grant from the State of New Jersey, Office of Green Acres shall not dispose of, or divert to a use for other than recreation and conservation purposes, any lands (1) acquired or developed with Green Acres or Federal Land and Water Conservation Fund assistance or (2) held by the Local Unit for recreation and conservation purposes at the "time of receipt of Green Acres funds" (the restricted lands) <u>N.J.S.A.</u> 13:8A-47. The primary purposes of this recreation and open space inventory (ROSI) are to document all restricted lands and to provide notice of the restrictions to title searchers.

#### Instructions

All restricted lands must be described on the completed ROSI by their block and lot identification numbers as shown on the current, official tax map and specify whether or not each parcel is funded or unfunded parkland. The Local Unit shall submit a tax map current as of the date of Green Acres application showing each parcel of parkland listed on the ROSI, with the approximate boundaries of each such parcel clearly marked in colored ink. Staff knowledgeable of the Local Unit's land use regulations and the uses of its land holdings must complete this ROSI. If only a portion of a current tax lot is to be restricted, the phrase *part of* or *portion of* shall be used on the ROSI. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Office of Green Acres (See N.J.A.C. 7:36-20.3).

The completed ROSI must be duly executed and certified by the Local Unit's Chief Executive Officer and planning board chairperson (or equivalent). The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page.

All pages, including this Page 1 and the following Page 2, of the ROSI must be submitted.

#### Special Notes

Lands held by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Unit.

If lands held by the Local Unit for recreation and conservation purposes are omitted from this ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. This ROSI, as completed and duly executed, shall be incorporated into, and be a part of, both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.

#### **Recommendations**

The Local Unit's planning board, and other boards or commissions, are encouraged to participate in the preparation and review of this ROSI. When preparing the ROSI, the listed parcels of parkland should be confirmed by reference to the tax maps that are required to be submitted as part of the Green Acres application (See N.J.A.C. 7:36-6.4(a)3ii or 12.4(a)4ii).

The Local Unit's governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan.

The Local Unit's governing body should officially and permanently dedicate all lands held for recreation and conservation purposes. However, failure to do so shall have no effect on the validity of the Declaration. Rev. 1/29/99

#### Page 2 of 6

## EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY

#### **Definitions**

For the purposes of this ROSI, the following definitions shall apply whenever the quoted words, or a form of the word are used:

"Declaration" means the recordable, written instrument executed by the Local Unit which declares that all of the Local Unit's funded and unfunded parklands are subject to Green Acres restrictions.

"Development" means any improvement or physical alteration designed to expand or enhance the use of parkland for recreation and conservation purposes.

"Funded parkland" means parkland that a Local Unit has acquired or that a Local Unit has developed with Green Acres funding.

"Held" means owned, leased, or otherwise controlled (by the Local Unit for recreation and conservation purposes).

"Lands" means real property, including improvements, rights-of-way, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

"Local Unit" means a municipality or county, or other local political subdivision of this State, or any agency thereof whose primary purpose is to acquire, administer, protect, develop, and maintain lands for recreation and conservation purposes.

"Parkland" means land acquired, developed, and/or used for recreation and conservation purposes.

"Recreation and conservation purposes" means the use of lands for parks, natural areas, forests, camping, fishing, reservoirs, water reserves, wildlife preserves, hunting, boating, winter sports and similar uses for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres Bond Acts. This term also includes the use of historic areas pursuant to <u>P.L.</u> 1974, c.102; <u>P.L.</u> 1978, c.118; <u>P.L.</u> 1983, c.354; <u>P.L.</u> 1987, c.265; <u>P.L.</u> 1989, c.183; <u>P.L.</u> 1992, c.88; and <u>P.L.</u> 1995, c.204; and the use of historic buildings and structures pursuant to <u>P.L.</u> 1992, c.88 and <u>P.L.</u> 1995, c.204; and the use of ecological and biological study areas pursuant to <u>P.L.</u> 1989, c.183; <u>P.L.</u> 1992, c.88; and <u>P.L.</u> 1995, c.204.

"ROSI" mean the listing of all parcels of land held by a Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds, including a description sufficient to identify each such parcel.

"Time of receipt of Green Acres funds" means at all times beginning on the date of the letter from the Department under <u>N.J.A.C.</u> 7:36-6.7 or 12.5 notifying the Local Unit of the amount of the Green Acres funding award and ending on the date of receipt of the first transmittal of Green Acres funds.

"Unfunded parkland" means parkland, other than funded parkland, that is held by the Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds.

#### Legislative References

<u>N.J.S.A.</u> 13:8A-1 <u>et seq.</u>; <u>N.J.S.A.</u> 13:8A-19 <u>et seq.</u>; <u>N.J.S.A.</u> 8:A-35 <u>et seq.</u> (as amended and supplemented); <u>N.J.A.C.</u> 7:36-1<u>et seq.</u>; 16 <u>U.S.C.</u> 460 s.1 <u>et seq.</u>

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#### EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY

# Local Unit <u>City of Millville</u> County: <u>Cumberland</u>

Developed and Partially Developed Lands Held for Recreation and Conservation Purposes (\*If necessary, use the <u>first</u> page following & after Page 4 for additional developed and partially developed lands)

<u>Key</u>	<u>Municipa</u> Location	<u>l</u> Name	Block	Lot	<u>Acres</u>	<u>Funded/</u> <u>Unfunded</u>
1.	Mlv.	Sharp St. Park	96	9	22.9	F
2.	Mlv.	Waltman Park	101	1	9.5	F
3.	Mlv.	**Riverside/Springsteadah Plaza	123	1	2.4	U
4.	Mlv.	*Cedarville Rd. Recreation Complex	128	41	47.6	U
5.	Mlv.	McCafferty Blvd. Soccer Complex	136	1.02	46.8	U
6.	Mlv.	Sharp St. Recreation Complex	227	1.01	22.2	F
7.	Mlv.	Union Lake Ballfield & Swimming Area	236	127	12.6	U
8.	Mlv.	Scout Park	254	1	1.6	U
9.	Mlv.	North Street	284	18	0.1	U
10.	Mlv.	High & Broad Mini Park	295	4	0.9	U
11.	Mlv.	Triangle Park (Wood School)	305	1	0.2	U
12.	Mlv.	Fourth & "F" Triangle	315	1	0.2	U
13.	Mlv.	Second & Vine Triangle	361	1	0.1	U
14.	Mlv.	**Corson Park	400	1	15.2	U
. 15.	Mlv.	*Waterfront Phase II	410	1	2.5	F
16.	Mlv.	*Waterfront Park	417	1 & 2	0.3	F
17.	Mlv.	Waterfront Park	418	1&2	0.1	F
18.	Mlv.	Fourth Street Park	428	8&9	0.1	U
19.	Mlv.	Ware Ave. Public Marina Facility	461	1.02	0.6	F

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\* Only portion of the lot is restricted by Green Acres.

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\*\* Acreage subject to State House Commission approval.

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) <u>keyed</u> to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named <u>Tax Assessment Map City of Millville</u> and is dated <u>June, 2001</u>.

Page 4 of 6

#### EXHIBIT I to DECLARATION RECREATION AND OPEN SPACE INVENTORY

## Local Unit: City of Millville

County: <u>Cumberland</u>

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) <u>keyed</u> to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named <u>Tax Assessment Map City of Millville</u> and is dated <u>June, 2001</u>

**CERTIFICATION: I** HEREBY CERTIFY that this Exhibit 1 to Declaration, comprising <u>6</u> total pages, is a complete and accurate listing of all lands held by the Local Unit, as of this <u>8th day of March, 2010</u>, for recreation and conservation purposes during the time of receipt of Green Acres funding. This ROSI is being submitted to Green Acres as part of the project entitled <u>MAURICE RIVER WATERFRONT</u> <u>PHASE IV & V.</u>

.....

Chief Executive Officer of Local Unit James T. Shannon, Mayor

3/10/2010 Date:

Planning Board Charperson (or equivalent) Stanley Shewlakow. Chairman

Date: 3-10-2010

This Certification is to be signed only on this page, Page 4, of EXHIBIT 1 to DECLARATION.

Page 5 of 6

#### EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY

# Local Unit <u>City of Millville</u> County: <u>Cumberland</u>

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) <u>keyed</u> to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named <u>Tax Assessment Map City of Millville</u> and is dated <u>June, 2001</u>.

Developed and Partially Developed Lands Held for Recreation and Conservation Purposes (\*If necessary, use the <u>first</u> page following & after Page 4 for additional developed and partially developed lands)

<u>Key</u>	<u>Munici</u> Locatio		<u>Block</u>	Lot	Acres	<u>Funded/</u> Unfunded
20.	Mlv.	*Chiola Field	462	7	5.8	U
21.	Mlv.	Noble Street	528	3	0.9	U
22.	Mlv.	*Fowser Road Boat Ramp	546	36	45.0	F
23.	Mlv.	Delsea Village	581	21	3.9	U
24.	Mlv.	Glasstown Plaza	419	- 1	0.2	U
Subto	tal of Acr	es on this page		•••••	<u>55.80</u>	10 X

Total Acres of developed and partially developed lands from all pages of this ROSI .. 241.70

\* Only portion of the lot is restricted by Green Acres.

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\*\* Acreage subject to State House Commission approval.

# EXHIBIT I to DECLARATION RECREATION AND OPEN SPACE INVENTORY

Local Unit: City of Millville

County: Cumberland

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) <u>keyed</u> to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named <u>Tax Assessment Map City of Millville</u> and is dated <u>June, 2001</u>

Wholly Undeveloped Lands Held for Recreation and Conservation Purposes

(\*If necessary, use the second page following & after Page 4 for additional wholly undeveloped lands)

Key	<u>Municipal</u>					Funded/			
	<b>Location</b>	Name	<u>Block</u>	Lot	<u>Acres</u>	<u>Funded</u>			
А.	Mlv.	Carmel Road	7	1	8.7	U			
B.	Mlv.	Carmel Road	7	3	11.6	U			
С.	Mlv.	Carmel Road	7	4	9.8	U			
D.	Mlv.	Carmel Road	7	5	4.3	U			
E.	Mlv.	Carmel Road	8	1	7.7	U			
F.	Mlv.	Carmel Road	8	2	5.4	U see			
G.	Mlv.	Carmel Road	11	1	15.0	U			
H.	Mlv.	Carmel Road	12	3	4.6	U			
I.	Mlv.	Cedarville Road	52	80	9.2	U			
· <b>J.</b>	Mlv.	Cedarville Road	52	83	12.6	U			
К.	Mlv.	Cedarville Road	52	84	12.2	Ŭ			
L.	Mlv.	Stewart Estate	97	37	32.3	U			
M.	Mlv.	*Buckshutem Road	124	16	65.0	U			
N.	Mlv.	* Silver Run Road	136	1	95.0	U			
О.	Mlv.	Laurel Lake	152	171-211	1.9	U			
Р.	Mlv.	Laurel Lake	153	212-257	2.1	U			
R.	Mlv.	13th & Mulberry Street	400	4	2.8	U			
S.	Mlv.	Columbine Avenue	574	8	1.0	U			
Subtotal	of Acres on t	<u>his</u> page	*****		301.2	č			
Total Acres of wholly undeveloped lands from all pages of this ROSI									
			0 ··· ··· ··· ···		V JL . A				

\* Only portion of the lot is restricted by Green Acres.

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