
Borough of Stone Harbor **Municipal Public Access Plan**

Submitted by: Borough of Stone Harbor

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Prepared By:

Mott MacDonald LLC., 3 Paragon Way, Suite 200, Freehold, NJ 07728

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Introduction

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

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

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

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

This plan has been developed in collaboration with the DEP, Planning Board, Coastal Engineer and presented to the Planning Board on **date** and approved for submission to the DEP on **date**. Upon receiving approval from the DEP on **date**, the MPAP was incorporated into the **specify element** Element of the Master Plan by resolution on **date**, (see **Appendix 1**). All public access decisions made within the Borough Stone Harbor after this date will be consistent with this plan.

Importance of Municipal Public Access Plans

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

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

I. Municipal Public Access Vision

A. Overview of Municipality

The Borough of Stone Harbor is a coastal resort community that proudly integrates an abundance of natural resources, residential neighborhoods, and a thriving downtown business district with tourism (Map 1). Originally a fishing and hunting village, Stone Harbor was developed as a visitor destination in the late 1800's. The Borough's pristine beachfront property was purchased by a wealthy Philadelphia investor and soon thereafter it flourished as an upscale getaway for wealthy vacationers from Philadelphia and New York. The Borough of Stone Harbor was incorporated in 1914. Stone Harbor is located on the southern 1.6 square miles of Seven Mile Beach Island situated between The Wildwoods and Ludlum Island in Cape May County. The north-south reach of the Borough stretches from 80th Street to Stone Harbor Point (South of 122nd Street). The Borough of Avalon comprises the northern portion of the barrier island from 80th Street to Townsends Inlet.

The Borough experiences extreme fluctuations in population between seasonal and non-seasonal months. The year-round population is about 866 persons and that increases nearly twenty times in the summer months to more than 23,000. Recently, the Borough is experiencing a decrease in the number of permanent residents and rental housing units, and an increase in the number of second-home owners. These second-home owners spend considerably less time in the Borough than permanent residents, resulting in a shorter, less dense seasonal population. This is the second time in the Borough's history that there has been a decennial decline in year-round population. The summer increased population is welcomed by businesses and the Borough is successful in managing the challenges brought by the increased visitors on the natural resources such as the dunes and coastal wetlands. The Borough maintains significant public access to its ocean and bayside waterways and those areas are presented in this plan.

1. Map 1. Borough of Stone Harbor Tidal Waterways and Lands

Map 1 in **(Appendix 2)** shows all the tidal waterways within the municipality and all lands held by the municipality.

B. Municipal Public Access Goals and Objectives

1. Goals & Objectives

- i. Protect the Borough's natural resources.
- ii. Provide opportunity for public access in areas where new development adjoins tidal waters and shores.
- iii. Present areas that may be restricted, in part, either seasonally, hourly, or in extent, or where use will create conditions that may be reasonably expected to endanger the health or safety of the public or environment, or will create a significant security vulnerability, consistent with federal law.
- iv. Present areas that may be prohibited for public access 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.
- v. Maintain consistency with the land use planning objectives outlined and adopted in the Stone Harbor Master Plan (2009) and its 2019 Reexamination, the Stone Harbor Beach

Management Plan for the Protection of Federally and State-listed Species (inclusive of the Conservation Plan for Stone Harbor Point) (2008), the Cape May County Master Plan (2002) and the New Jersey State Development and Re-development Plan (2001).

In addition to those goals outlined within the Master Plan, the Borough of Stone Harbor affirms the following State required goals specifically for public access:

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

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

2. Municipal Master Plan Consistency

The goals and objectives provided in this Municipal Public Access Plan have been reviewed and are consistent with the Borough of Stone Harbor Master Plan and the Borough's 2019 Master Plan reexamination. The Borough of Stone Harbor adopted its Master Plan in 2009. A general reexamination of its master plan and development regulations was published June 2019. This report was the culmination of the reexamination for the Borough of Stone Harbor and fulfills the required objectives set forth in N.J.S.A. 40:55D-89. The Periodic Reexamination Report was adopted after a public hearing by Resolution # 2019-004 by the Stone Harbor Planning Board on July 8th, 2019.

Public Access to the bay (including walking and activity areas) is highlighted in Part 2:Public Outreach, Vision, and Objectives. This section notes the Borough's desire for the development of the Marina District Plan to take advantage of the existing municipal marina area along the Borough's back bay waterfront. The Master Plan also notes the creation of the Waterfront District in areas along the back bay waterways and lagoons that are underutilized and publicly inaccessible. In these areas, the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1 may require a public access easement and walkways. The Master Plan requires that any permitted walkway be of a compatible design as other existing waterfront walkways. In addition, the Master Plan requires that views to the bay should be provided to the greatest extent possible in any new or redevelopment projects.

II. Public Access

The Borough of Stone Harbor is bordered by the Atlantic Ocean to the east and the Great Channel, as part of the New Jersey Intracoastal Waterway (ICW), and coastal wetlands to the west. Public Access in Stone Harbor is provided by the municipality and consists of a variety of access points and facilities discussed below, including abundant public access to the beaches, bays, and lagoons, as well as to other recreational and natural features such as the Stone Harbor Bird Sanctuary.

A. Public Access Locations

Map 2. Stone Harbor Public Access Locations (Appendix 2), identifies an inventory of all public access locations within Stone Harbor, whether they are currently Utilized, Un-utilized, or Restricted to

the public. Table 1, provided in **Appendix 3**, presents detailed information regarding each ocean and bay access location. All locations listed are considered “utilized” accessways (meaning that the location is used by the public and provides official or unofficial public access).

All public access locations are identified by an Access ID number and their street names to indicate the precise location of the access point. The only “restricted” access (meaning the location poses known or likely public health and safety or environmental damage concerns) is the beach area south of the Stone Harbor Point Ocean access location. The beaches south of this location may be seasonally restricted to the public due to foraging or nesting endangered or threatened species. Seasonal beach closures must follow the approved Stone Harbor Beach Management Plan for the Protection of Federally and State-listed Species (inclusive of the Conservation Plan for Stone Harbor Point) (2008).

The County owned and operated bridge at 96th Street (CR 657) spans the Great Channel into Stone Harbor. Per the County Engineer pedestrian access is provided on the south side of the bridge. Though fishing may not be officially prohibited, the bridge operators try to keep fisherman off of the bridge due to safety concerns. They do not permit fisherman to occupy the area between the two gates since this impacts bridge operations. There are no signs prohibiting fishing, only diving. The bascule is scheduled to be replaced in 2025, during that construction a viewing platform will be added to the south pedestrian walkway and a separate northern pedestrian walkway will be added, and the movable span will be widened to create a consistent bridge width.

The Borough has more than three miles of Atlantic Ocean beachfront with 42 access points. The Borough maintains the beach and dune system and provides lifeguards at 22 beaches. Beach badges are required, and are available on a seasonal, weekly, and daily basis at the Stone Harbor Beach Tag Office located at 95th Street and 1st Avenue. Active-duty military staff, active-duty NJ National Guard staff, and their dependents may use the Borough’s beaches free of charge but must show identification at the Stone Harbor Beach Tag Office. The public can get a vehicle beach access permit through the Borough Clerk’s office. The application is available on the Borough’s website and in the Clerk’s office; the fee is \$60/season. Permits are issued only between September 1 – 30. Applicants must provide proof of valid insurance and vehicle registration as well as a valid driver’s license. Access to the beach south of the terminal groin is from the day after Labor Day – March 15; access north of the terminal groin is from October 1 – March 15.

Effective 3/4/14 any veterans who served in any of the Armed Forces of the United States and has obtained Veteran Status can obtain a beach badge with no fee imposed. Veterans can receive a free specialty beach tag by providing required documentation. Fees are listed on the Borough’s website at <http://www.stone-harbor.nj.us/general.asp>.

Stone Harbor has approximately three miles of waterfront along the Great Channel and several manmade lagoons with direct access to the New Jersey portion of the Intracoastal Waterway (ICW). The Borough of Stone Harbor operates a municipal marina at 81st Street with a large parking lot primarily used by fisherman and boaters, with 60 trailer parking spots that can be rented. The public can get a trailer permit through the Borough Clerk’s office. The application for a trailer spot is available on the Borough’s website and in the Clerk’s office; the fee is \$150/season, April 15 – November 15. The applicant will receive a sticker for the trailer. In addition to its ample parking the marina includes a municipally owned and operated boat ramp to the North Basin and approximately 80 boat slips that can be rented for the season. Other Marina District amenities comprise a paved walkway with a pavilion along the Great Channel bulkhead. In addition to the Marina District access locations there are 19 additional street ends that offer visual and fishing access to the adjacent tidal waters with some on-

street parking, including physical access to the water by stairs at the street-end bulkhead and small park area with benches at the end 114th Street.

The Stone Harbor Point is a designated conservation area maintained by the Borough at the southern tip of the island. It is an excellent place for nature walks, bird watching, beach fishing, and simply enjoying the pristine untouched beauty of Stone Harbor. Programs already exist to protect the natural beauty of the point as well as restore habitat for migrating and beach nesting birds. The borough's partnership with the Wetlands Institute has been vital for developing programs to protect and restore the point as a destination for shore birds and visitors alike. The Point should continue to be a focus of conservation efforts and maintained accordingly. Access to this conservation area is served by a municipal parking lot at the southern end of 2nd Avenue and the beach.

B. Improved Public Access Locations

Map 2 shows the Borough of Stone Harbor inventory of the preferred and existing public access locations that provide access to public trust lands and waters along both the ocean and back bay shorelines. Public access signs are posted at all ocean street ends and provide the beach regulations for public protection and safety. Signs are planned to be added to existing Bayfront street-ends with physical access to the waterfront. **Map 2** also shows the handicapped accessible locations and the locations of public restrooms. **Table 1** provides detailed information and amenities for each of the identified access locations. The maps and table are provided in **Appendices 2 and 3** and are available on the NJDEP website at: <http://www.state.nj.us/dep/cmp/access/mapindex.htm>

The Borough operates public restrooms at many locations along the ocean coast and bay shoreline, including accessible facilities. The Borough of Stone Harbor completed new ADA amenities at 90th Street (ocean-side) in 2016. There is a comfort station located at the 95th Street parking lot, the 82nd Street Recreation Building and on Second Avenue across from Borough Hall within the business district. All the beaches, street ends, pavilions, marina, and restrooms are operated and maintained by the Borough of Stone Harbor Department of Public Works. The lifeguards are overseen by the Borough's Beach Patrol from the new Beach Patrol Building abutting the beach at 95th Street.

Ample, free beach access parking facilities are located at the Borough recreational area at 80th to 83rd and 1st Avenue and at Stone Harbor Point south of 122nd Street. On-street angled parking along the ocean blocks of the oceanfront street ends provides additional public parking opportunities for beachgoers. There is no municipal time limit for daytime use of the parking sites. The metered parking on the adjoining lots at 95th to 96th Streets and the beach, and the on-street metered parking generally found in the business district have time limits controlled by the metered fee scale.

ADA compliant/handicapped parking spaces are provided at 80th, 81st, 82nd, 83rd, 88th, 92nd, 93rd, 95th, 99th, 101st, 103rd, 105th, 111th, 114th, 119th streets, and at Stone Harbor Point. Ramps from the street to the beach are located at 83rd, 88th, 92nd, 95th, 101st, 103rd, 105th, 111th, 114th, and 119th streets. The municipality uses timber ramps at the street ends and "hard pack" I-5 and infield mix for on-beach handicapped access routes to the high tide line. In addition, Surf Chairs are available free of charge from the Borough to allow those with disabilities to use on the beach. The Borough owns six Surf Chairs and those must be reserved through the Stone Harbor Beach Tag Office (609/368-6805).

The Borough maintains beach pavilions at 88th, 95th, and 101st Streets. Here, visitors can view the ocean without walking on the beach. All the pavilions are handicapped-accessible. Saturday evening worship services are held during the summer season at the 101st Street pavilion.

Public rest rooms with accessible stalls are located near the oceanfront street ends at 95th Street and at the Stone Harbor Point parking facility. The portable rest rooms previously at the 82nd Street Recreation Building between First and Second Avenues were replaced by a permanent restroom building in 2019. All the facilities are within walking distance from the beach. The Borough maintains seasonal restrooms at the Municipal Marina. Water stations (foot rinse and shower rinse) are available at the beach access on 95th Street and at the Marina location.

The Borough provides daily beach raking (seasonal) and maintains trash and recycle containers. Seasonal catamaran slips are available on the ocean beach at Stone Harbor Point Park from 123rd Street to the terminal groin to the south. These slips are available for a small fee and can be reserved through the Borough Clerk's Office. The Borough also provides free ambulance service to local area hospitals for the injured.

A permit is required to drive on the ocean beach south of the terminal groin within Stone Harbor Point. This section of the beach is closed to driving by the New Jersey Department of Environmental Protection – Division of Fish and Wildlife (F&W) to protect nesting shorebird species. The seasonal closures occur approximately March 15 to October 30. Specific dates are announced on the F&W website at <http://www.state.nj.us/dep/fgw/ensp/beachclozmap.htm>

Off-street parking facilities accommodating access to back bay waterways are located at 80th, 81st, 83rd, and 114th Streets. Handicap spaces are available at each of these locations. Public access locations on the bay side are typically located at bulkheaded street-ends. These access points are open for fishing though fish cleaning stations are available only at the 81st and 83rd Street facilities. ADA-compliant portable rest rooms are available at 81st Street. **Table 1 in Appendix 3** provides the list of amenities associated with the back bay access locations.

C. Limitations to Public Access

There are very few limitations to public access in the Borough of Stone Harbor. Complaints are rare regarding the Borough's public access availability, signage, or facilities. Waterfront accessibility is highly regarded by the Borough as a way for residents and visitors to enjoy the natural resources of the community. The Borough is proud of its Marina District facilities and its popularity as a community destination. The public facilities include the marina with boat slips and public boat ramp. Designated beach access paths are maintained at oceanfront street-ends.

The Stone Harbor Master Plan and 2019 Reexamination report ensures that the Borough will maintain the cleanliness and utilization of adjacent waterways. The master plan identifies items that may constrain present waterfront access such as the need for way finding signs and streetscape furniture.

The following limitations to public access currently exist:

1. Temporary Restrictions

Because elevations within the Borough are less than ten feet above sea level, public access to the waterfront may be temporarily impacted during extreme weather conditions that cause coastal

flooding. Seasonal restrictions for certain beach related activities are contained in the Stone Harbor Beach Management Plan for the Protection of Federally and State-listed Species (inclusive of the Conservation Plan for Stone Harbor Point) (2008) to protect Federally listed threatened/endangered beach nesting birds and plants. The free parking lot adjacent to the Stone Harbor Point Park is closed from 2:30 am to 5:30 am for public safety reasons.

Swimming is monitored at the guarded ocean beaches during the summer season between 10 a.m. and 5 p.m. After that time and in the off season, swimming is at your own risk. Surfing is popular at 83rd, 111th and 123rd Streets but is allowed at all ocean beaches before 10am and after 5pm during the summer and “at own risk” during the off season.

There are no seasonal or hourly restrictions for fishing at the back bay access locations. Fishing is also allowed on the ocean beaches within 20 feet of the jetty and after bathing hours. Driving on the beach is not allowed at night because the beach is unlit and is a safety risk.

2. Permanent Restrictions

Permanent restrictions to public access does not exist for any municipal waterfront properties. Restrictions only apply at all private residential properties, the privately owned Yacht Club of Stone Harbor and the County owned property at 96th Street.

III. Community Needs Assessment

Stone Harbor has performed a community needs assessment. The results are described in the following section.

The Borough of Stone Harbor currently provides ample public access to its ocean beaches and back bay shoreline for the enjoyment of all its residents and visitors. There are 42 perpendicular access points along the approximately three miles of Atlantic Ocean shoreline with adequate parking nearby and 23 access points available for public use along the approximately three miles of the back bay shoreline within the municipality’s two square miles. This serves the needs of nearly all types of water-dependent or water-oriented users (e.g., beach and swimming, fishing, boating, etc.). The existing facilities provide access opportunities for the entire community. Current access point amenities are presented in **Table 1** in **Appendix 3**.

There is ample parking available with both community “pay” parking areas and free street parking along all public streets. The “pay” parking area abutting the beach between 95th and 96th Streets provides restrooms and sand rinsing stations. In general, the access points with free parking do not provide restrooms or additional facilities, except the parking lot at 122nd Street. On-street parking may be metered or non-metered. The metered parking on the lots at 95th and 96th Streets and the on-street metered parking generally found in the business district have time limits controlled by the metered fee scale. Free street parking does not have a time limit. Currently, there is no need for new or additional perpendicular access to the ocean or bay shorelines. The temporary restrictions to access are noted in Section C.1. (Access at night and swimming) are required for public safety within the community and do not affect the overall commitment to public access. The Borough appropriately addresses complaints by the public regarding the restrictions, and there have been limited requests or more public access in the community.

Stone Harbor Point is a municipally run park located at the south end of the town on the spit of land comprised of coastal dune and beach habitat that extends from the south end of 2nd Avenue to Hereford Inlet. Visitors to the park must have beach tags during the summer season. Seasonal restrictions for access and certain activities are limited during the spring and summer beach nesting seasons in accordance with the Stone Harbor Beach Management Plan for the Protection of Federally and State-listed Species (inclusive of the Conservation Plan for Stone Harbor Point). The free parking lot adjacent to the park is closed from 2:30 am to 5:30 am for public safety reasons.

Though not waterfront access, the Borough proudly hosts a bird sanctuary for birders and eco-tourists. Established in 1947 and designated by the National Park Service as a Registered National Landmark, this site is located between 111th and 117th Streets and 2nd and 3rd Avenues. The sanctuary is free and open to the public from dawn to dusk. Both on-street and off-street parking in a free lot is available for access to the site.

The 2019 Master Plan reexamination recognized that Stone Harbor continues to develop its facilities to a level befitting of the borough. The recently completed public safety building, library and Lifeguard Station reflects that goal. The Borough residents, visitors, and employees are well served by all of Stone Harbor's existing facilities. One area where there is always need is additional bathrooms to serve beachgoers. The greatest need was determined to be at the two ends of the island. Beachgoers and bird watchers at the point are currently being served by portable toilets which require frequent pumping to maintain along with less durability and difficulty to keep clean. Similarly, the playground and the beach at the north end of the Borough were also being served by portable toilets facing the same issues as the point. The nearby community center and the newly constructed tennis support building do contain bathrooms but were often overlooked for not being close enough to the beach and playground. Hence, the portable toilets were replaced by a permanent restroom facility that was constructed at the 82nd Street Park in 2019.

Currently, the future needs identified by the community are to continue to renovate existing access to meet ADA standards and a vision for an improved Marina district as discussed in the 2019 Master Plan Reexamination.

Borough sources indicate the 95th St ADA renovations were completed in 2016. Planned renovations for the 88th and 101st St access locations received bids in August 2022 and should be completed prior to Memorial Day, 2023."

The Borough owned marina at the end of 81st Street is primarily used as a parking lot for fisherman and boaters. In addition to its ample parking there is also a municipally owned and operated boat ramp and approximately 80 boat slips that can be rented for the season along with 60 trailer parking spots that can be rented as well. Findings from the Public Facilities Element in the 2019 Reexamination report indicate that the marina may only engage a small portion of the summer population in its current configuration. The parking area sits behind a steel bulkhead and is largely paved. Aside from a small gazebo there is little to no shade and no green space. While the marina serves boaters and fisherman well it goes largely unused by the remainder of Stone Harbor's tourist and resident population. The 2019-report recognized there is an opportunity to redevelop the marina to serve a larger audience and create yet another place to enjoy the "Seashore at Its Best".

The report suggests that the marina would benefit from a best use study and conceptual drawings to determine how to best utilize the space. The bulkhead will need to be reconstructed and brought up to the current bulkhead standard and the lot filled to mitigate the flooding and preserve any grass, trees, or

greenery that may be planted to soften the landscape. The current redesign of the boat ramp should consider the future uses of the marina and be constructed accordingly. The Master Plan Reexamination 2019 report emphasized that any marina redevelopment should not alienate boaters and fisherman as they will remain vital to the use of the marina. The possibility of reconfiguring the current docks along with adding more along the channel side could increase boater use along with access and should be studied. A boardwalk surrounding the perimeter as well as easily accessed bathrooms could serve pedestrians and fisherman alike. The addition of trees and landscaping could add to the beauty of the marina while providing a place to escape the summer sun. A small restaurant or several food trucks, and a picnic area could also attract visitors who wish to enjoy a meal right on the water. The restaurant would serve boaters, fisherman, and others looking to grab a quick meal and continue their activity without leaving the area. Planning a location for a gas dock is also suggested. As the value of Stone Harbor property continues to rise the current privately owned gas dock may one day end up being sold and no longer operated. Having a gas dock is a convenience to local boaters and draw to others passing through the area. The report suggests that without it, the increased difficulty in getting fuel could push boaters to other marinas where that amenity is easily accessed. The municipal marina could also continue to provide a place to store and launch kayaks and standup paddleboards. The ability to rent kayaks and standup paddleboards could also be added to attract residents and tourists to the marina who might not otherwise visit there. With careful planning the area could become a draw for many and give tourists and residents alike one more reason to enjoy all that Stone Harbor has to offer.

The basic public access needs in the Borough of Stone Harbor are believed to be adequately met through existing locations and facilities. The 2019 Master Plan Reexamination report recognized the potential opportunity to redevelop the marina to serve a larger segment of the population. Assessments of the conditions of the existing access areas are first conducted by the Borough's Public Works Department. Upgrades to access, parking, and future facilities must be initiated by the Borough Planning Board and approved by the Borough Council.

IV. Implementation Plan

Stone Harbor 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

Stone Harbor developed the following priorities:

1. Maintain Existing Public Access

There are 64 public access locations along the ocean and back bay waterfronts within the Borough of Stone Harbor where the Borough's Department of Public Works is responsible for the maintenance and cleanliness at each location. The Stone Harbor Municipal Public Access Plan does not present new or different elements that would change the Borough's maintenance of public waterfront access locations. Existing maintenance procedures include trash pickup, restroom facilities, and parking.

a. Tools

Public access to the ocean and bay shorelines is preserved through the Borough's general ordinances (Chapter 156, Beaches) and public use of the beaches is included in the Stone Harbor Master Plan (2009) and in the Zoning District Designation (2011) (<http://stone-harbor->

nj.com/pdfs/Zoning_12-6-2011.pdf). Street-end access is protected in perpetuity the by the Deed of Dedication and Public Access Easement attached in **Appendix 4**.

b. Cost and Funding

The Borough's Department of Public Works is responsible for maintaining the existing access locations and facilities. Funding for these activities comes from the Borough's General fund and the latest annual costs of maintenance have been calculated to be \$42,104.05.

2. Enhancements to Public Access Locations and/or Facilities

The Borough plans to enhance several existing crossovers along the ocean beaches for greater ADA access. The Borough has made significant improvements to the 83rd Street Fishing Pier (located on the island's bay side) in 2014. Reconstruction of the 95th Street access ramp providing wider access and eliminating many switchbacks as well as adding a large deck area with pergola were completed in 2016. Both projects provide better access to both the ocean and bay front locations and are both ADA accessible. The 88th and 101st St renovations received bids in August 2022. DPW believes Council will award the work in September 2022. They should be completed prior to Memorial Day, 2023. Public access signs are planned to be installed at bay side street-ends where physical access to the water exists.

To enhance alongshore access, the Borough began removing the stormwater outfall pipes from the ocean beaches in 2010. If the funding is approved the remaining outfall removals at 111th Street and 114th Street and related work will probably take place in 2023 and 2024.

a. Funding

According to the DPW the two remaining ocean outfalls will be the subject of an application for a low interest loan, likely in October or November 2022.

3. Preserving Public Access

The Borough of Stone Harbor developed the following preservation and conservation measures:

Public access to the ocean and bay shorelines is preserved through the Borough's general ordinances (Chapter 156, Beaches) and public use of the beaches is included in the Stone Harbor Master Plan (2009) and in the Zoning District Designation (2011) (http://stone-harbor-nj.com/pdfs/Zoning_12-6-2011.pdf).

a. Tools

Street-end and municipally owned lands used for public access will be protected in perpetuity by the attached Deed of Dedication and Public Access Easement in **Appendix 4**.

The Stone Harbor Point Natural Conservation Area (The Point) extends from 123rd Street south to the southern end of the island and public use activities are identified in the Stone Harbor Point Conservation Plan (2008). The Borough administers the conservation plan in consultation with state and federal regulators. Public access may be affected along this stretch of the shoreline if there is potential for adverse impacts to federally and state-listed shorebirds, colonial waterbirds, or plant species.

4. Proposed Locations and Facilities

No additional public access locations are proposed at this time.

C. Signage

N.J.A.C. 7:7-16.9(u) requires that public access to tidal waterways and their shores shall be clearly marked. Department-approved public access signs shall be installed at each public access way, public access area and/or public parking area at the development site and maintained in perpetuity by the permitted entity and its successors in title and interest.



Figure 1. Sample beach access sign in the Borough of Stone Harbor.

The Borough posts signs at all ocean beach access points that provide information for the public's protection and safety (Figure 1). For back bay access Department-approved public access signs will be installed at those public access locations with physical access to the water and will be maintained in perpetuity by the Borough.

D. Army Corps of Engineers Requirements for Shore Protection Projects

The Borough of Stone Harbor is the recipient of a federal shore protection project and has met the US Army Corps of Engineers (USACE) requirements for public access as follows:

The Borough complies with the applicable Federal and state laws and regulations regarding public ownership and use of the shore and continues to provide and maintain access roads, parking areas, and other public use facilities open and available to all on equal terms. All lands, easements and rights-of-way are provided for access and maintenance or repair of the Federal shore protection project. And all existing oceanfront access remains open unless there are temporary restrictions for beach nourishment maintenance. In that case, for security and public safety reasons, temporary fencing along with signage will limit public use of the beach. The Borough and USACE work with the contractors to minimize the impacts to the public's use of the shoreline.

V. Relationship to the Other Regional and State Plans

The Stone Harbor MPAP has been reviewed for consistency and has the following relationship to other Regional and State Plans:

The Stone Harbor Municipal Access Plan provides elements that are consistent with the land use planning objectives outlined or adopted in the New Jersey State Development and Re-development Plan (2001). Under the state plan, Stone Harbor is a designated Town Center as well as a CAFRA Town Center in the NJ Coastal Zone Management rules.

VI. Resolution of Incorporation

Stone Harbor has approved a resolution for the incorporation of the MPAP. See **Appendix 1** for the Draft resolution.

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

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

Resolution # _____

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

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

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

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

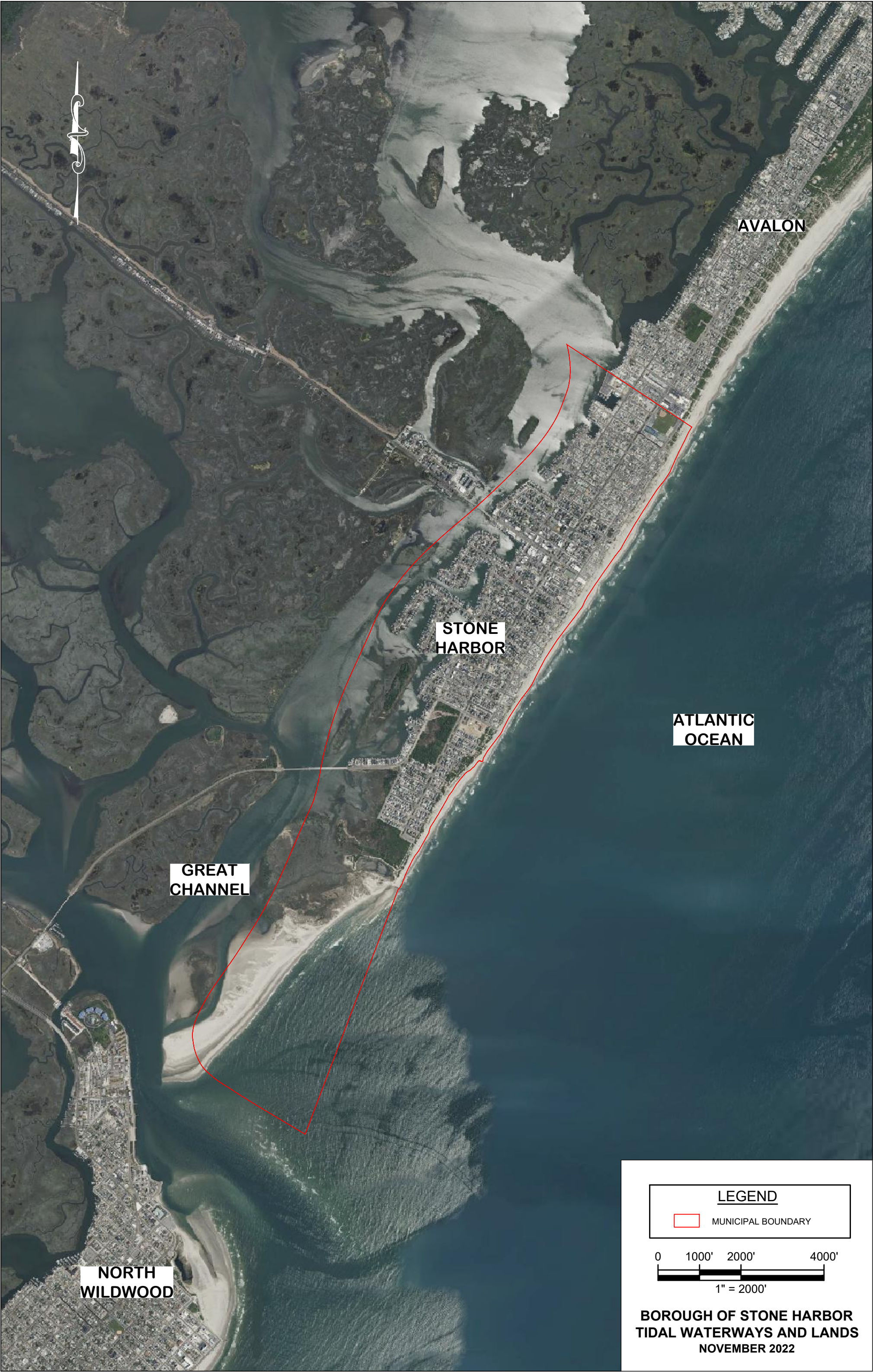
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, the “Borough of Stone Harbor Municipal Public Access Plan,” a copy of which is attached, is hereby approved.

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

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

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

Municipal Clerk



AVALON

STONE
HARBOR

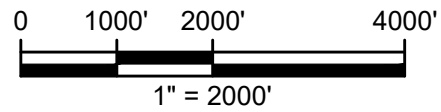
ATLANTIC
OCEAN

GREAT
CHANNEL

NORTH
WILDWOOD

LEGEND

MUNICIPAL BOUNDARY



BOROUGH OF STONE HARBOR
TIDAL WATERWAYS AND LANDS
NOVEMBER 2022



**BOROUGH OF STONE HARBOR
PUBLIC ACCESS LOCATIONS
NOVEMBER 2022**

Table 1 - Borough of Stone Harbor Public Access Location Amenities (OCEAN)

OBJECTID	SIGNS	PRKING FEE	AMT PRKING	STREET	BADGE	SWIMMING	FISHING	SURFING	PLAYGRD	PARK	PIER/BKHD	BOAT RMP	MARINA	FOOD	RESTROOM	SEATS	H-ACCESS	H-PARKING	SHORELINE	ACCESS TYPE
1	Yes	No Fee	65	First Ave/81st	Yes	Guard	Restricted	Restricted	Yes	Yes	No	No	No	Yes	Yes	Yes	No	2	Ocean	Physical
2	Yes	No Fee	65	First Ave/82nd	Yes	Guard	Restricted	Restricted	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	2	Ocean	Physical
3	Yes	No Fee	10	83	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Yes	Yes	2	Ocean	Physical
4	Yes	No Fee	6	84	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
5	Yes	No Fee	6	85	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
6	Yes	No Fee	8	86	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
7	Yes	No Fee	7	87	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
8	Yes	No Fee	9	88	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Pavilion	Yes	1	Ocean	Physical
9	Yes	No Fee	5	89	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
10	Yes	No Fee	9	90	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	Yes	1	Ocean	Physical
11	Yes	No Fee	11	91	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
12	Yes	No Fee	7	92	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	Yes	1	Ocean	Physical
13	Yes	No Fee	13	93	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	1	Ocean	Physical
14	Yes	No Fee	9	94	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
15	Yes	Fee	104	95	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes	Yes	Yes	Yes	8	Ocean	Physical
16	Yes	Fee	15	96	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	Yes	No	No	Not Desig	Ocean	Physical
17	Yes	No Fee	8	97	Yes	Guard	Restricted	Restricted	Yes	Yes	No	No	No	No	Yes	No	No	Not Desig	Ocean	Physical
18	Yes	No Fee	7	98	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
19	Yes	No Fee	15	99	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	1	Ocean	Physical
20	Yes	No Fee	8	100	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
21	Yes	No Fee	10	101	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Pavilion	Yes	1	Ocean	Physical
22	Yes	No Fee	7	102	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
23	Yes	No Fee	8	103	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Yes	Yes	1	Ocean	Physical
24	Yes	No Fee	8	104	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
25	Yes	No Fee	8	105	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Yes	Yes	1	Ocean	Physical
26	Yes	No Fee	13	106	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
27	Yes	No Fee	7	107	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
28	Yes	No Fee	6	108	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
29	Yes	No Fee	9	109	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
30	Yes	No Fee	3	110	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
31	No	No Fee	10	111	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Yes	Yes	1	Ocean	Physical
32	Yes	No Fee	21	113	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
33	Yes	No Fee	30	114	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	Yes	1	Ocean	Physical
34	Yes	No Fee	17	115	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
35	Yes	No Fee	11	116	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
36	Yes	No Fee	13	117	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
37	Yes	No Fee	12	118	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
38	Yes	No Fee	12	119	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	Yes	Yes	1	Ocean	Physical
39	Yes	No Fee	9	120	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
40	Yes	No Fee	11	121	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Not Desig	Ocean	Physical
41	Yes	No Fee	11	122	Yes	Guard	Restricted	Restricted	No	No	No	No	No	No	Yes	No	No	Not Desig	Ocean	Physical
42	Yes	No Fee	93	South end 2nd Ave.	Yes	Guard	Restricted	Restricted	No	Yes	No	No	No	No	Yes	No	Yes	5	Ocean	Physical

Table 1 - Borough of Stone Harbor Public Access Location Amenities (BAY)

OBJECTID	SIGNS	PRKING FEE	AMT PRKING	STREET	BADGE	SWIMMING	FISHING	SURFING	PLAYGRD	PARK	PIER/BKH D	BOAT RMP	MARINA	FOOD	RESTROOM	SEATS	H-ACCESS	H-PARKING	SHORELINE	ACCESS TYPE
43	No	No Fee	185	80/81 Mun. Marina	No	No	Unrestricted	N/A	No	No	Bulkhead	No	Yes	No	No	Gazebo	Yes	4	Bay	Visual
44	No	No Fee	Unmrkd	82	No	No	Unrestricted	N/A	No	Yes	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
45	No	No Fee	"	83	No	No	Unrestricted	N/A	No	No	Bulk/Pier	No	Yes/gas	Nearby	No	Yes	Yes	No	Bay	Physical
46	No	No Fee	"	84	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
47	No	No Fee	"	86	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
48	No	No Fee	"	88	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
49	No	No Fee	"	93	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
50	No	No Fee	5	94	No	No	Unrestricted	N/A	N/A	No	Bulkhead	No	No	N	No	No	No	No	Bay	Visual
51	No	No Fee	"	95	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
52	No	No Fee	"	96 (CR 657)	No	No	No	N/A	No	No	Bridge	No	No	No	No	No	No	No	Bay	Visual
53	No	No Fee	"	99	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
54	No	No Fee	"	Corinthian/Berkley	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
55	No	No Fee	"	Corinthian/104	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
56	No	No Fee	"	Sunset/Berkley	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
57	No	No Fee	"	Sunset/104	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
58	No	No Fee	"	105	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
59	No	No Fee	"	106	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
60	No	No Fee	"	107	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
61	No	No Fee	"	110	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
62	No	No Fee	"	Sunset/111	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
63	No	No Fee	"	114	No	Yes	Unrestricted	N/A	No	Yes	Bulk.Stair	Kayak	No	No	No	Yes	No	No	Bay	Physical
64	No	No Fee	"	118/Paradise	No	No	Unrestricted	N/A	No	No	Bulkhead	No	No	No	No	No	No	No	Bay	Visual
65	No	No Fee	"	3rd & 122nd	No	No	Restricted	N/A	No	Yes	Path	No	No	No	No	No	No	No	Bay	Physical

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

PARKING: Is there parking; and if so, is there a charge? Charge = there is a charge for public parking; No Charge = there is no charge for public parking; No = No public parking provided.

AMT: How many parking spots are available? Provide a number.

STREET: At what street end is the public access located? For parallel access, cross streets may be provided. Examples: 1st St; Ocean Ave/3rd; 45th St

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

SWIMMING: Can you swim at this location? Guard = A guard is provided at times; At Own Risk = No guard is provided; No = Swimming is not allowed.

FISHING & SURFING: Is fishing allowed at this location? Unrestricted = Fishing/surfing is allowed at all times with no restrictions; Restricted = There exists a form of restriction on fishing/surfing, examples include time of day, seasonally, etc. These restrictions should be discussed in Section II,C. (Limitations to Public Access)

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

H_C: Is this location handicap accessible? (Not necessarily ADA Compliant) Yes/No. The type of accessibility should be expanded upon in Section II, B (Improved Public Access Locations)

SHORELINE: What shoreline does this location inhabit? Beach/Bay/River

APPENDIX 4

DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT

THIS DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT is made this ____ day of _____ BY AND

BETWEEN

THE Borough of Stone Harbor, a Municipal Corporation whose address is

8508 Second Avenue, Stone Harbor, New Jersey 08247

Referred to herein as Grantor,

AND THE Borough of Stone Harbor, a Municipal Corporation of the State of New Jersey whose address is 8508 Second Avenue, Stone Harbor, New Jersey 08247 AND THE

STATE OF NEW JERSEY both of whom are referred to herein collectively as the “Grantees”,

WITNESSETH

WHEREAS, Grantor is the owner of that certain tract of land, located in the Borough of Stone Harbor, County of Cape May, State of New Jersey, located on and/or identified as public street ends in List 1 - Approximate Street End Descriptions as identified in Addendum A and Addendum B (Deed of Easement Maps) prepared on the official tax map of the Borough of Stone Harbor, hereinafter the “Property(s),” and Grantor holds the requisite interest to grant this Deed of Easement; and

WHEREAS, the Grantees recognize that tidal waterways and their coastlines at Borough of Stone Harbor, New Jersey are valuable economic resources to the municipality and the State of New Jersey; and

WHEREAS, access to tidal waterways at Borough of Stone Harbor, New Jersey is a right provided to the public under the Public Trust Doctrine; and

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

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

WHEREAS, the Borough of Stone Harbor shall consider this Deed of Easement in establishing the assessed value of any lands subject to such restrictions; and

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

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

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

GRANT OF EASEMENT: A perpetual and assignable six (6) foot wide pedestrian easement and right-of-way across that land of the Property(s) hereinafter the “Property(s),” to be measured equally three (3) feet on each side of the dedicated centerline of each respective street end, beginning at the extended curb line of the nearest intersecting street, and extending (if applicable) to the mean high water line of either the ocean or bay for each street described as public street ends as set forth in Table 1 – Public Access Location Amenities and as further identified in Addendum A (Approximate Street End Descriptions) and Addendum B (Deed of Easement Maps) on the official 2016 tax map of the Borough of Stone Harbor (the “Easement Area”). Grantor holds the requisite interest to grant this Deed of Easement listed above for use by the State of New Jersey and the Borough of Stone Harbor, their representatives, agents, contractors and assigns to:

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

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

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

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

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

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

Miscellaneous:

1. The enforcement of the terms of this Easement shall be at the discretion of the Grantees and any forbearance by Grantees to exercise their rights under this Easement in the

event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent violation or of any of Grantee's rights under this Easement. No delay or omission by Grantees in the exercise of any right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.

2. The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey.
3. If any provisions of this Deed of Easement or the application thereof to any person or circumstance is found to invalid, the remainder of the provision of this Easement or the application of such provisions to person or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.
4. Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first-class mail, postage prepaid and by Certified Mail, Return Receipt Requested, addressed to the mailing addresses set forth above or any other address of which the relocation party shall notify the other, in writing.
5. The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.
6. Structures no part of the project are not authorized.

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

Accepted by the Property(s) Owner, Borough of Stone Harbor, Grantor

By: _____, Mayor

Date: _____

Witnessed by:

NOTARY PUBLIC OF THE STATE OF NEW JERSEY

Accepted by the State of New Jersey, GRANTEE

By: _____

Date: _____

Witnessed by:

NOTARY PUBLIC OF THE STATE OF NEW JERSEY

STATE OF NEW JERSEY, COUNTY OF CAPE MAY SS.:

I CERTIFY that on _____, Judith M. Davies-Dunhour, Mayor personally came before me and this person acknowledged under oath, to my satisfaction that this person (or if more than one, each person);

- 1) Is named in and personally signed this Deed of Easement;
- 2) Signed, sealed and delivered this Deed of Easement as his or her act and deed;
- 3) Holds the requisite ownership interest and authority to execute this Deed of Easement; and
- 4) Made this Deed of Easement for the full and actual consideration as set forth herein.

NOTARY PUBLIC OF NEW JERSEY

ADDENDUM A
Borough of Stone Harbor
Approximate Street End Easement Descriptions
(Revised 11.14.22)

Except for the easement at the southerly end of 2nd Avenue, each easement area location described below represents a typical (6) six-foot-wide pedestrian easement measured equally (3) three feet on each side of the following described dedicated centerline of each respective street end.

Access Descriptions (Ocean)

Access ID Street Location Description (Tax Map)

3 83rd Street

Beginning from the southeasterly terminus of 83rd Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 1)

4 84th Street

Beginning from the southeasterly terminus of 84th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 1)

5 85th Street

Beginning from the southeasterly terminus of 85th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 4)

6 86th Street

Beginning from the southeasterly terminus of 86th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 4)

7 87th Street

Beginning from the southeasterly terminus of 87th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 4)

8 88th Street

Beginning from the southeasterly terminus of 88th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 4)

9 89th Street

Beginning from the southeasterly terminus of 89th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 4)

10 90th Street

Beginning from the southeasterly terminus of 90th Street extending northwestwardly approximately 195 feet to the intersection of the southeast line of 1st Avenue. (Sheet 7)

11 91st Street

Beginning from the southeasterly terminus of 91st Street extending northwestwardly approximately 210 feet to the intersection of the southeast line of 1st Avenue. (Sheet 7)

12 92nd Street

Beginning from the southeasterly terminus of 92nd Street extending northwestwardly approximately 239 feet to the intersection of the southeast line of 1st Avenue. (Sheet 7)

13 93rd Street

Beginning from the southeasterly terminus of 93rd Street extending northwestwardly approximately 243 feet to the intersection of the southeast line of 1st Avenue. (Sheet 7)

14 94th Street

Beginning from the southeasterly terminus of 94th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 7)

15 95th Street

Beginning from the southeasterly terminus of 95th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 10)

16 96th Street

Beginning from the southeasterly terminus of 96th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 10)

17 97th Street

Beginning from the southeasterly terminus of 97th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 10)

18 98th Street

Beginning from the southeasterly terminus of 98th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 10)

19 99th Street

Beginning from the southeasterly terminus of 99th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 10)

20 100th Street

Beginning from the southeasterly terminus of 100th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 16)

21 101st Street

Beginning from the southeasterly terminus of 101st Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 16)

22 102nd Street

Beginning from the southeasterly terminus of 102nd Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 16)

23 103rd Street

Beginning from the southeasterly terminus of 103rd Street extending northwestwardly approximately 257 feet to the intersection of the southeast line of 1st Avenue. (Sheet 16)

24 104th Street

Beginning from the southeasterly terminus of 104th Street extending northwestwardly approximately 270 feet to the intersection of the southeast line of 1st Avenue. (Sheet 16)

25 105th Street

Beginning from the southeasterly terminus of 105th Street extending northwestwardly approximately 270 feet to the intersection of the southeast line of 1st Avenue. (Sheet 21)

26 106th Street

Beginning from the southeasterly terminus of 106th Street extending northwestwardly approximately 257 feet to the intersection of the southeast line of 1st Avenue. (Sheet 21)

27 107th Street

Beginning from the southeasterly terminus of 107th Street extending northwestwardly approximately 245 feet to the intersection of the southeast line of 1st Avenue. (Sheet 21)

28 108th Street

Beginning from the southeasterly terminus of 108th Street extending northwestwardly approximately 237 feet to the intersection of the southeast line of 1st Avenue. (Sheet 21)

29 109th Street

Beginning from the southeasterly terminus of 109th Street extending northwestwardly approximately 205 feet to the intersection of the southeast line of 1st Avenue. (Sheet 25)

30 110th Street

Beginning from the southeasterly terminus of 110th Street extending northwestwardly approximately 181 feet to the intersection of the southeast line of 1st Avenue. (Sheet 25)

31 111th Street

Beginning from the southeasterly terminus of 111th Street extending northwestwardly approximately 183 feet to the intersection of the southeast line of 1st Avenue. (Sheet 25)

32 113th Street

Beginning from the southeasterly terminus of 113th Street extending northwestwardly approximately 604 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 25)

33 114th Street

Beginning from the southeasterly terminus of 114th Street extending northwestwardly approximately 585 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 28)

34 115th Street

Beginning from the southeasterly terminus of 115th Street extending northwestwardly approximately 425 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 28)

35 116th Street

Beginning from the southeasterly terminus of 116th Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 28)

36 117th Street

Beginning from the southeasterly terminus of 117th Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 28)

37 118th Street

Beginning from the southeasterly terminus of 118th Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 28)

38 119th Street

Beginning from the southeasterly terminus of 119th Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 30)

39 120th Street

Beginning from the southeasterly terminus of 120th Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 30)

40 121st Street

Beginning from the southeasterly terminus of 121st Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 30)

41 122nd Street

Beginning from the southeasterly terminus of 122nd Street extending northwestwardly approximately 290 feet to the intersection of the southeast line of 2nd Avenue. (Sheet 30)

42 2nd Avenue

Beginning from the southwesterly terminus of 2nd Avenue (120' wide) extending northeasterly approximately 70 feet to the southwest line of 122nd Street. (Sheet 33)

Access Descriptions (Bay)

44 82nd Street

Beginning from the northwesterly terminus of 82nd Street extending southeastwardly approximately 90 feet to the intersection of 3rd Avenue. (Sheet 3)

45 83rd Street

Beginning from the northwesterly terminus of 83rd Street extending southeastwardly approximately 180 feet to the intersection of Sunset Drive. (Sheet 3)

46 84th Street

Beginning from the northwesterly terminus of 84th Street extending southeastwardly approximately 80 feet to the intersection of Sunset Drive. (Sheet 3)

47 86th Street

Beginning from the northwesterly terminus of 86th Street extending southeastwardly approximately 75 feet to the intersection of the northwest line of Sunset Drive. (Sheet 6)

48 88th Street

Beginning from the northwesterly terminus of 88th Street extending southeastwardly approximately 75 feet to the intersection of the northwest line of Sunset Drive. (Sheet 6)

49 93rd Street

Beginning from the northwesterly terminus of 93rd Street extending southeastwardly approximately 105 feet to the intersection of the northwest line of Sunset Drive. (Sheet 14)

50 94th Street

Beginning from the northwesterly terminus of 94th Street extending southeastwardly approximately 105 feet to the intersection of the northwest line of Sunset Drive. (Sheet 14)

51 95th Street

Beginning from the northwesterly terminus of 95th Street extending southeastwardly approximately 105 feet to the intersection of the northwest line of Sunset Drive. (Sheet 14)

53 99th Street

Beginning from the northwesterly terminus of 99th Street extending southeastwardly approximately 110 feet to the intersection of the northwest line of Sunset Drive. (Sheet 15)

54 Corinthian Dr/Berkley Dr

Beginning from the southwesterly terminus of Corinthian Drive extending northeastwardly approximately 100 feet to the intersection of the southwest line of Berkley Road. (Sheet 20)

55 Corinthian Dr/104th St

Beginning from the northeasterly terminus of Corinthian Drive extending southwestwardly approximately 100 feet to the intersection of the northeast line of 104th Street. (Sheet 20)

56 Sunset Dr/BerkleyDr

Beginning from the southeasterly terminus of Sunset Drive extending northeastwardly approximately 110 feet to the intersection of the southeast line of Berkley Road. (Sheet 20)

57 Sunset Dr/104th St

Beginning from the northwesterly terminus of Sunset Drive extending southwestwardly approximately 103 feet to the intersection of the northeast line of 104th Street. (Sheet 20)

58 105th Street

Beginning from the northwesterly terminus of 105th Street extending southwestwardly approximately 110 feet to the intersection of the northwest line of 3rd Avenue. (Sheet 23)

59 106th Street

Beginning from the northwesterly terminus of 106th Street extending southwestwardly approximately 110 feet to the intersection of the northwest line of 3rd Avenue. (Sheet 23)

60 107th Street

Beginning from the northwesterly terminus of 107th Street extending southwestwardly approximately 110 feet to the intersection of the northwest line of Sunset Drive. (Sheet 23)

61 110th Street

Beginning from the northwesterly terminus of 110th Street extending southwestwardly approximately 127 feet to the intersection of the northwest line of Sunset Drive. (Sheet 27)

62 Sunset Dr/111th St

Beginning from the southwesterly terminus of Sunset Drive extending northwestwardly approximately 130 feet to the intersection of the southwest line of 111th Street. (Sheet 27)

63 114th Street

Beginning from the northwesterly terminus of 114th Street extending southeastwardly approximately 350 feet to the intersection of the northwest line of Paradise Drive. (Sheet 29)

64 118th St/Paradise Dr

Beginning from the northerly terminus of 118th Street extending approximately 155 feet to the intersection of the northerly line of Paradise Drive. (Sheet 29)

65 3rd Ave/122nd St

Beginning from the southwesterly terminus of 3rd Avenue extending northeastwardly approximately 70 feet to the intersection of the southwest line of 122nd Street. (Sheet 33)

REVISED
JULY 1, 1996

SHEET

82ND
ST.

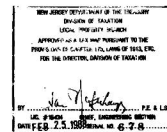
SECOND

STREET

FIRST

84TH

SHEET 34



REVISED
JULY 1, 1996
MAY 8, 2001
MAR. 14, 2002

SHEET 7

63.02	63.01	64.01	65.01	66.01	67.01	68.01	69.01	70.01
64.02	65.02	66.02	67.02	68.02	69.02	70.02		
88.21								

57	58							
55	56							
53	54							
51	52							
49	50							
47	48							
45	46							
43	44							
41	42							
39	40							
37	38							
35	36							
33	34.02	34.01						
31	32.02	32.01						
29	30.02	30.01						
27	28.02	28.01						

25.01	25.02	26.02	26.01					
23.01	23.02	24.02	24.01					
21.01	21.02	22.02	22.01					
19.01	19.02	20.02	20.01					
17	18.02	18.01						
15	16.02	16.01						
13	14.02	14.01						
88.01								

BULKHEAD R.O.W.

SECOND

63.01	64.01	65.01	66.01	67.01	68.01	69.01	70.01
64.02	65.02	66.02	67.02	68.02	69.02	70.02	
87.21							

PENNSYLVANIA

57	58.02	58.01						
55	56.02	56.01						
53	54.02	54.01						
51	52.02	52.01						
49	50							
47	48							
45	46							
43	44							
41	42							
39	40							
37	38							
35	36							
33	34							
31	32							
29	30							
27	28							

FIRST

25	26.02	26.01						
23	24.02	24.01						
21	22.02	22.01						
19	20.02	20.01						
17.01	17.02	18.02	18.01					
15.01	15.02	16.02	16.01					
13.01	13.02	14.02	14.01					
87.01								

BULKHEAD R.O.W.

SHEET 5

(20' WIDE)

63.01	64.01	65.01	66.01	67.01	68.01	69.01	70.01
64.02	65.02	66.02	67.02	68.02	69.02	70.02	
86.21							

57	58							
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51	52							
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47	48							
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41	42							
39	40							
37	38							
35	36							
33	34.02	34.01						
31	32.02	32.01						
29	30.02	30.01						
27	28.02	28.01						

STREET

AVENUE

63.01	64.01	65.01	66.01	67.01	68.01	69.01	70.01
64.02	65.02	66.02	67.02	68.02	69.02	70.02	
85.21							

AVENUE

57	58							
55	56							
53	54							
51	52							
49	50							
47	48							
45	46							
43	44							
41	42							
39	40							
37	38							
35.02	35.01							
33	34							
31	32							
29	30							
27	28							

STREET

AVENUE

25	26							
23	24							
21	22							
19	20							
17	18							
15	16							
13	14							
85.01								

BULKHEAD R.O.W.

63.01	64.01	65	66	67.01	68.01	69.01	70.01
64.02	65	66	67.02	68.02	69.02	70.02	
84.02							

59	60							
57	58							
55	56							
53	54							
51	52							
49.02	50.02							
47	48							
45	46							
43.01	43.02							
41	42							
39	40							
37.01	37.02							
35.01	35.02							
33	34							
31	32							
29	30							
27	28							

STREET

80' WIDE
DRIVEWAY
EASEMENT

84TH

SHEET 1

4

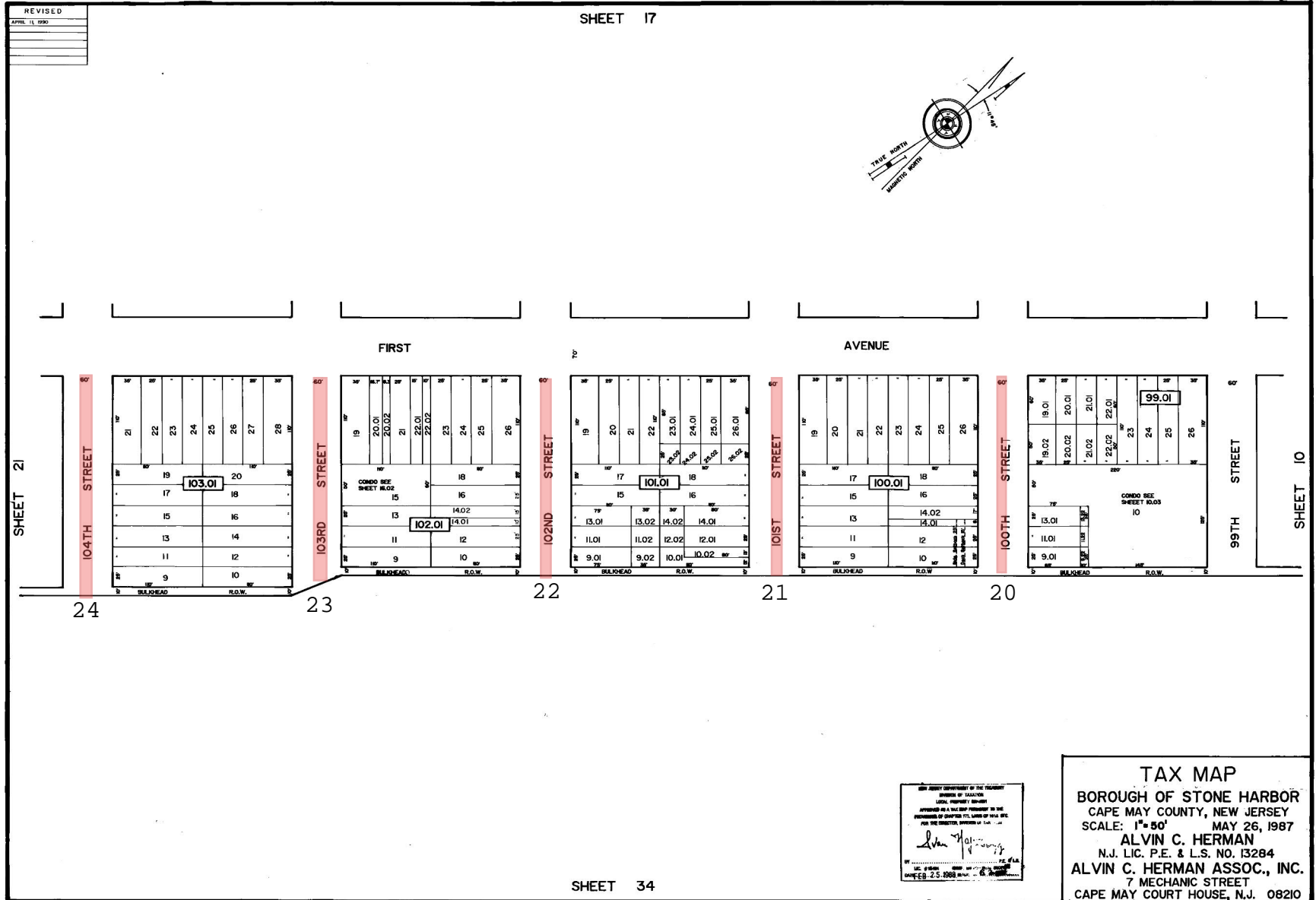
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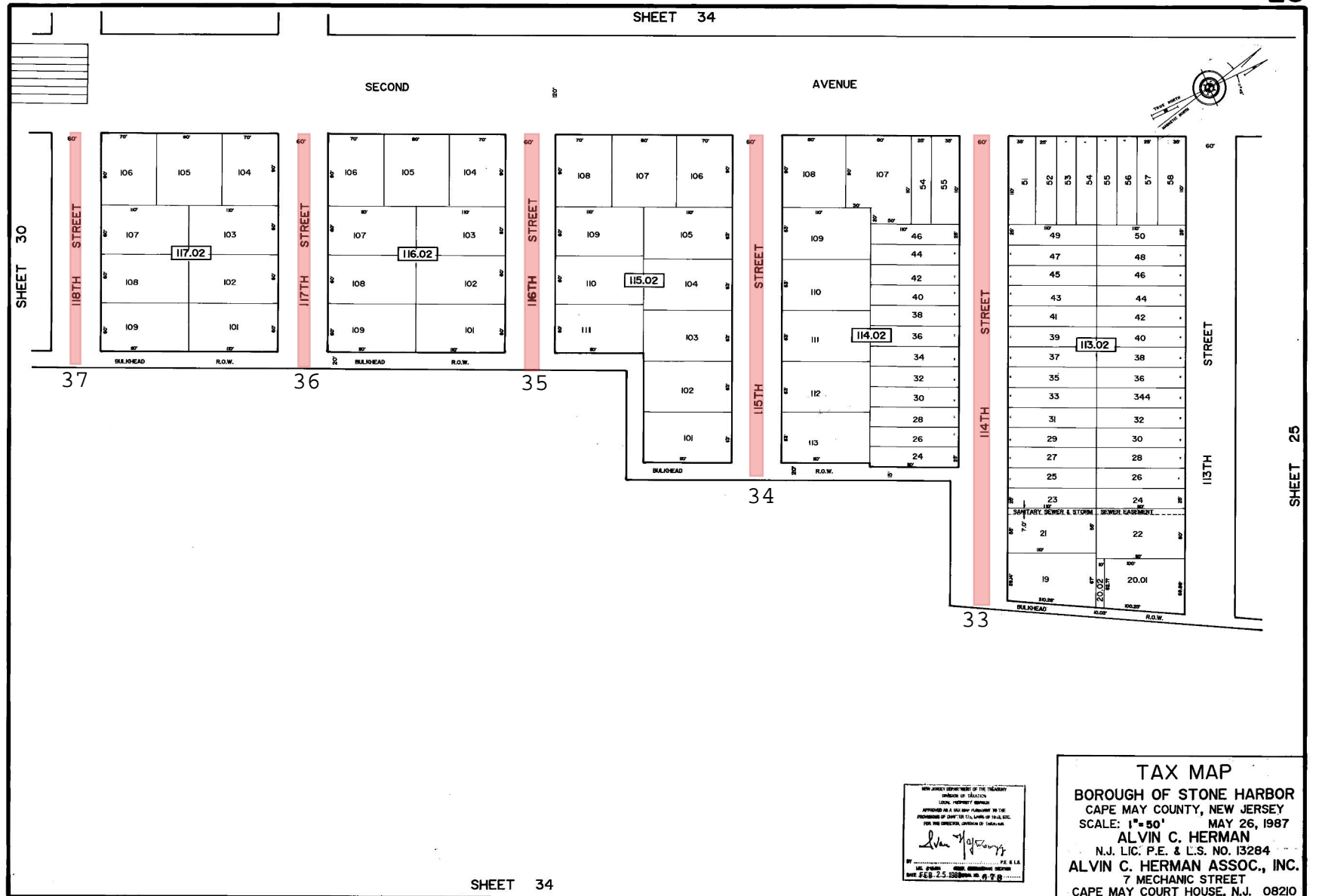
TAX MAP

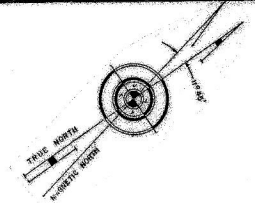
BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
SCALE: 1" = 50' MAY 26, 1987
ALVIN C. HERMAN
N.J. LIC. P.E. & L.S. NO. 13284
ALVIN C. HERMAN ASSOC., INC.
7 MECHANIC STREET
CAPE MAY COURT HOUSE, N.J. 08210

NEW JERSEY DEPARTMENT OF TREASURY
OFFICE OF TAXATION
ALVIN C. HERMAN
APPROVED AS A TAX MAP PREPARED BY THE
OFFICE OF TAXATION IN ACCORDANCE WITH
THE REVENUE CODE, CHAPTER 127, N.J.A.C.
17:27
DATE: FEB. 25, 2004
BY: [Signature]
N.J. LIC. P.E. & L.S. NO. 13284

SHEET 34







REVISED
DATE 21, 1995
APRIL 11, 1996
MARCH 8, 1993
JULY 1, 1995
JAN. 10, 2007
JAN. 10, 2008

GREAT

CHANNEL

THE ACTUAL BULKHEAD SHALL BE THE ESTABLISHED BULKHEAD LINE IN THIS AREA ONLY

THE ACTUAL BULKHEAD SHALL BE THE ESTABLISHED BULKHEAD LINE IN THIS AREA

48

47

SUNSET

DRIVE

SOUTH BASIN

SUNSET DRIVE

SHEET 9

89TH STREET

88TH STREET

87TH STREET

86TH STREET

84TH STREET

SHEET 3

THIRD

(OCEAN DRIVE)

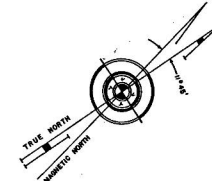
AVENUE

SHEET 5

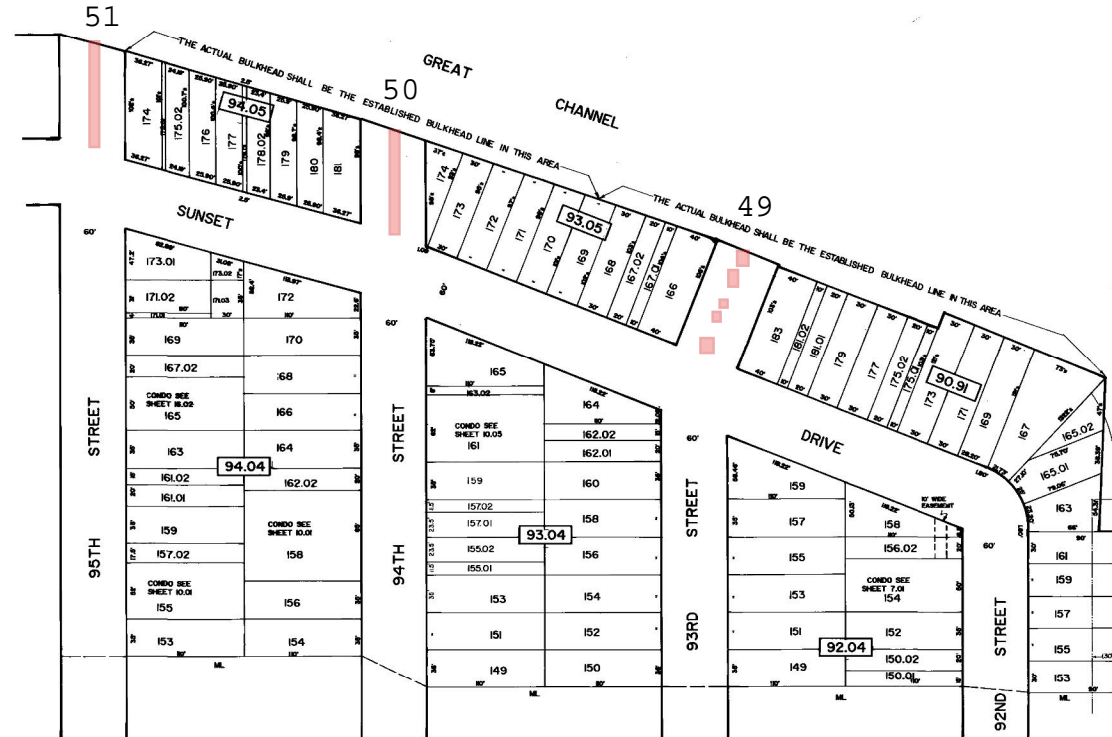
NEW JERSEY DEPARTMENT OF TREASURY
BUREAU OF TAXATION
DIVISION OF REVENUE
APPROVED FOR RECORDING BY THE
DEPARTMENT OF TREASURY, BUREAU OF TAXATION
DATE FEB 28, 2008 BY [Signature]

TAX MAP
BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
SCALE: 1" = 50' MAY 26, 1987
ALVIN C. HERMAN
N.J. LIC. P.E. & L.S. NO. 13284
ALVIN C. HERMAN ASSOC., INC.
7 MECHANIC STREET
CAPE MAY COURT HOUSE, N.J. 08210

REVISED
JUNE 21, 1989
APRIL 11, 1990

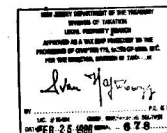


SHEET 15



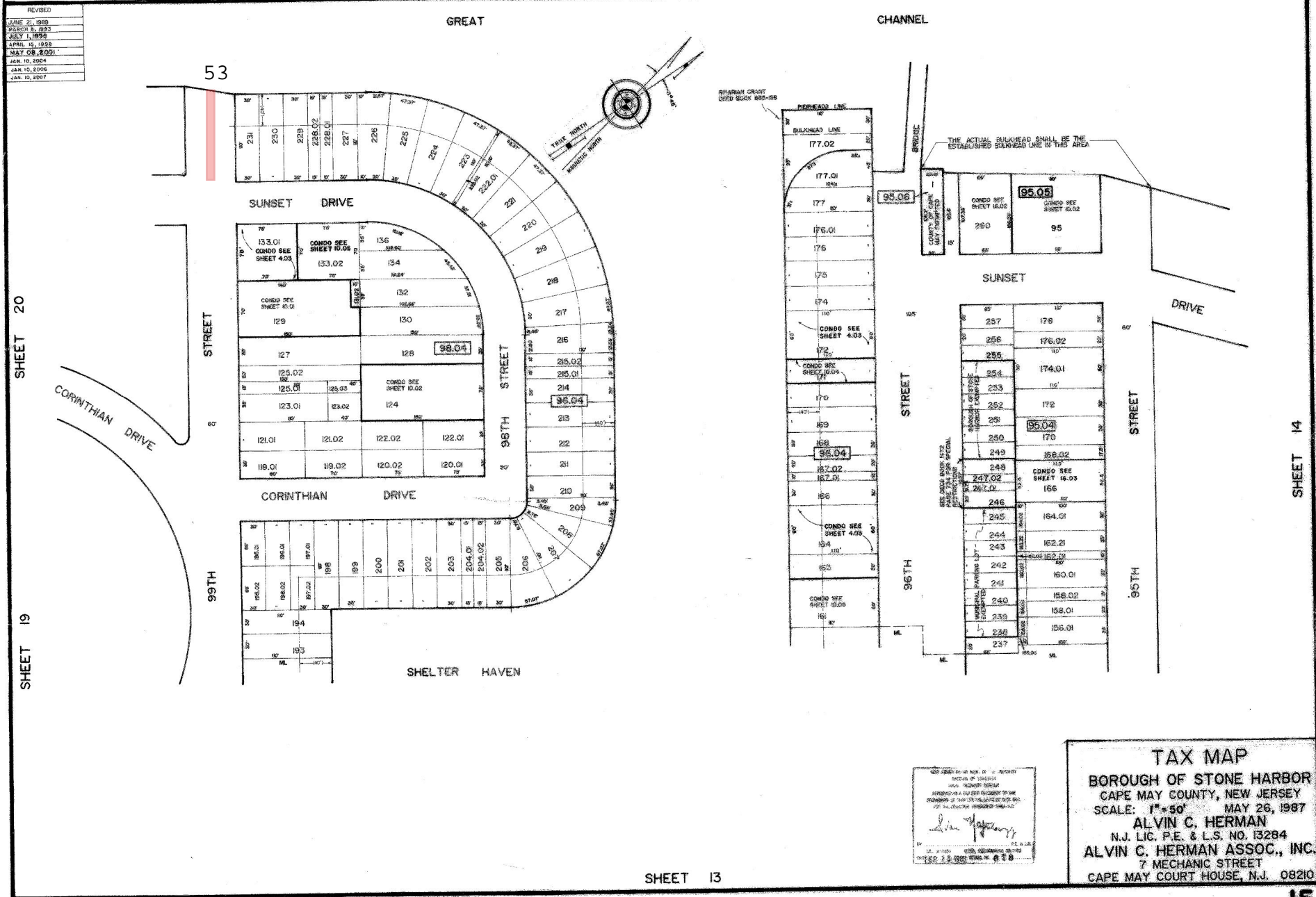
SHEET 13

SHEET 9

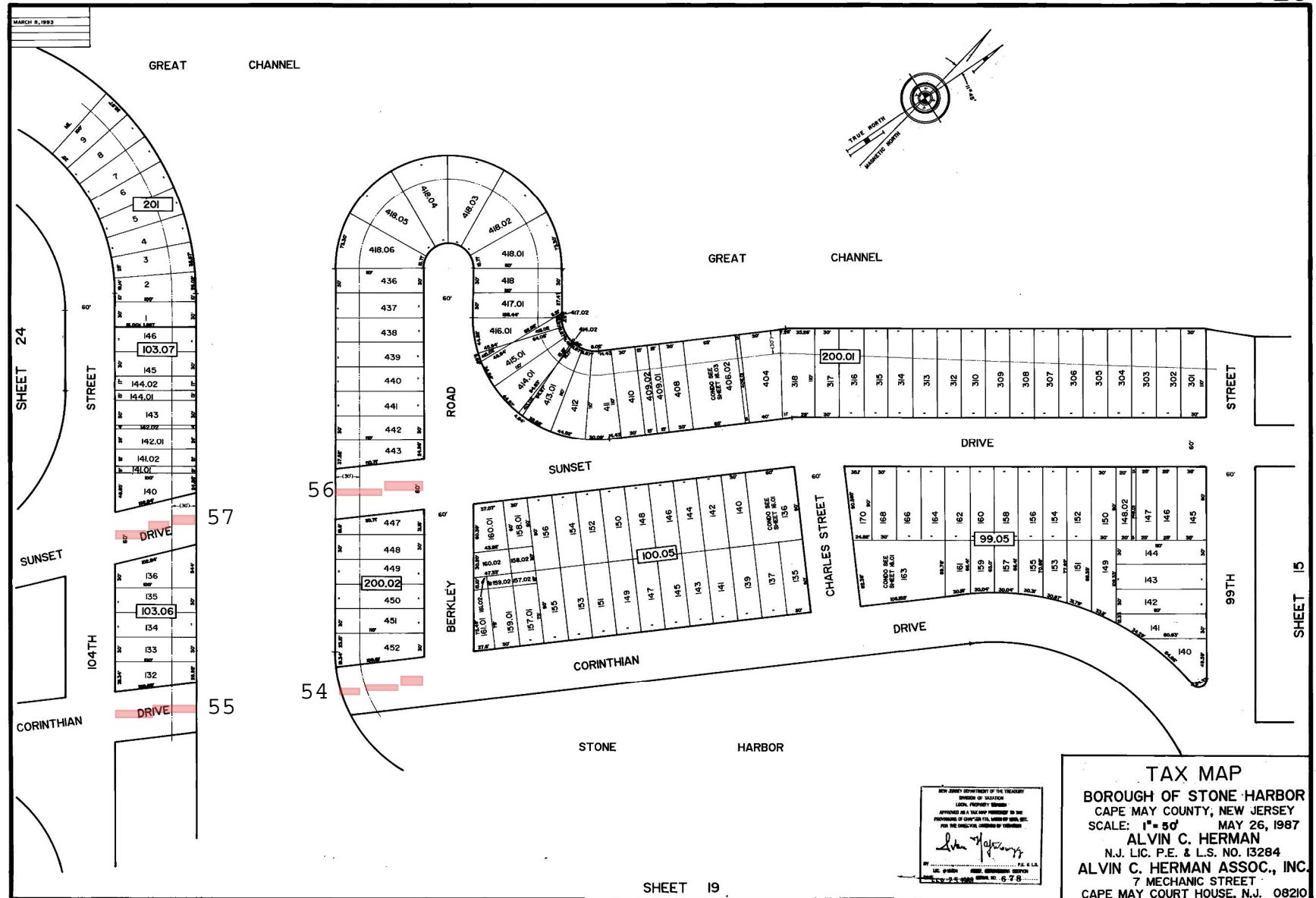


TAX MAP
BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
SCALE: 1"=50' MAY 26, 1987
ALVIN C. HERMAN
N.J. LIC. P.E. & L.S. NO. 13284
ALVIN C. HERMAN ASSOC., INC.
7 MECHANIC STREET
CAPE MAY COURT HOUSE, N.J. 08210

REVISED
JUNE 21, 1999
MARCH 8, 1993
JULY 1, 1992
APRIL 15, 1988
MAY 28, 1987
JAN. 10, 1984
JAN. 10, 1980
JAN. 10, 1977



TAX MAP
BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
SCALE: 1"=50' MAY 26, 1987
ALVIN C. HERMAN
N.J. LIC. P.E. & L.S. NO. 13284
ALVIN C. HERMAN ASSOC., INC.
7 MECHANIC STREET
CAPE MAY COURT HOUSE, N.J. 08210

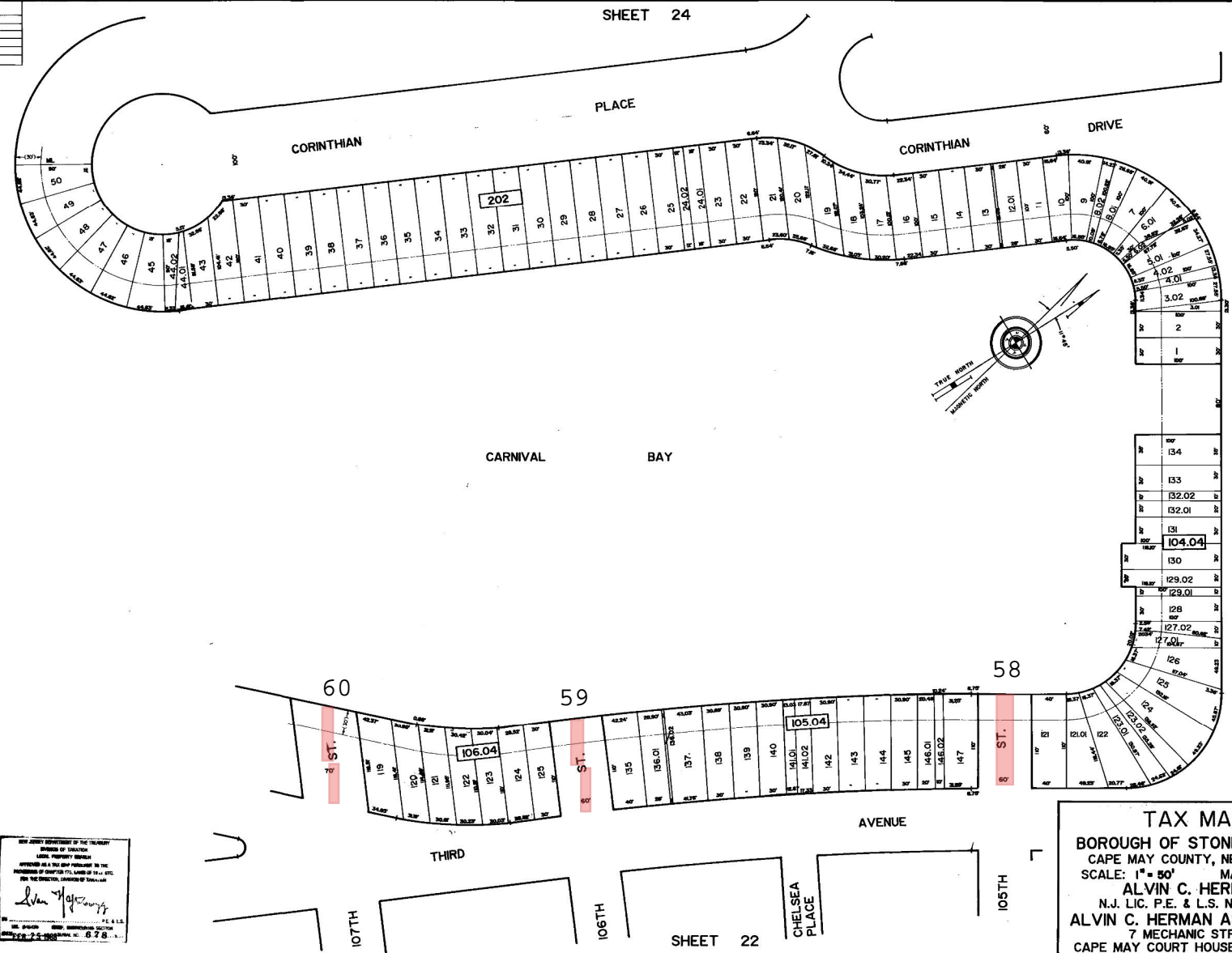


MARCH 8, 1993

SHEET 27

SHEET 24

23



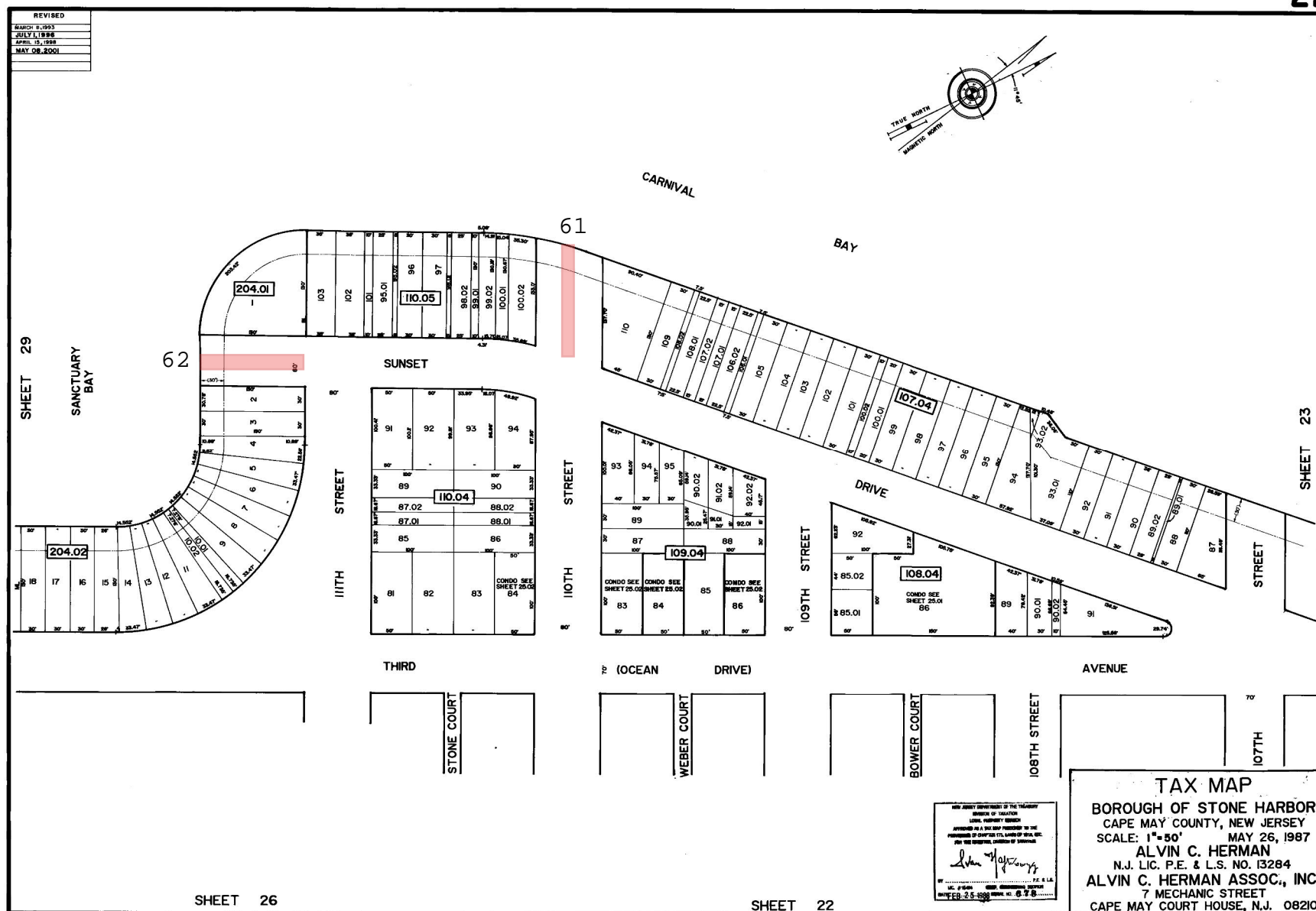
NEW JERSEY DEPARTMENT OF THE TREASURY
BUREAU OF TAXATION
LOCAL PROPERTY TAXES
APPROVED AS A TRUE AND CORRECT COPY OF THE
ORIGINAL OF WHICH THE LANS OF THE STATE
AND THE DIRECTOR, DEPARTMENT OF TAXATION

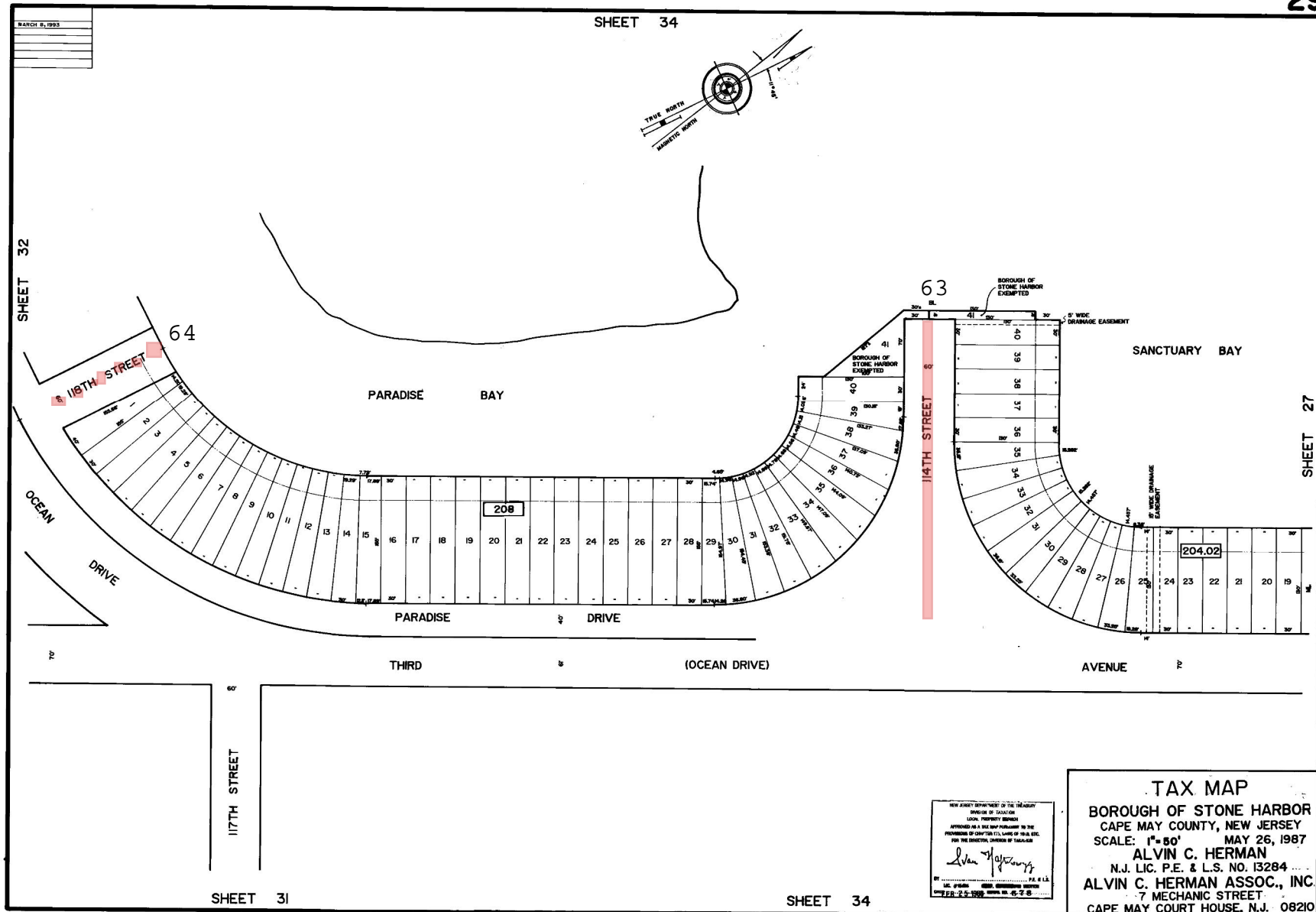
Alvin C. Herman

ALVIN C. HERMAN ASSOC., INC.
7 MECHANIC STREET
CAPE MAY COURT HOUSE, N.J. 08210

TAX MAP
BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
SCALE: 1" = 50' MAY 26, 1987
ALVIN C. HERMAN
N.J. LIC. P.E. & L.S. NO. 13284
ALVIN C. HERMAN ASSOC., INC.
7 MECHANIC STREET
CAPE MAY COURT HOUSE, N.J. 08210

23

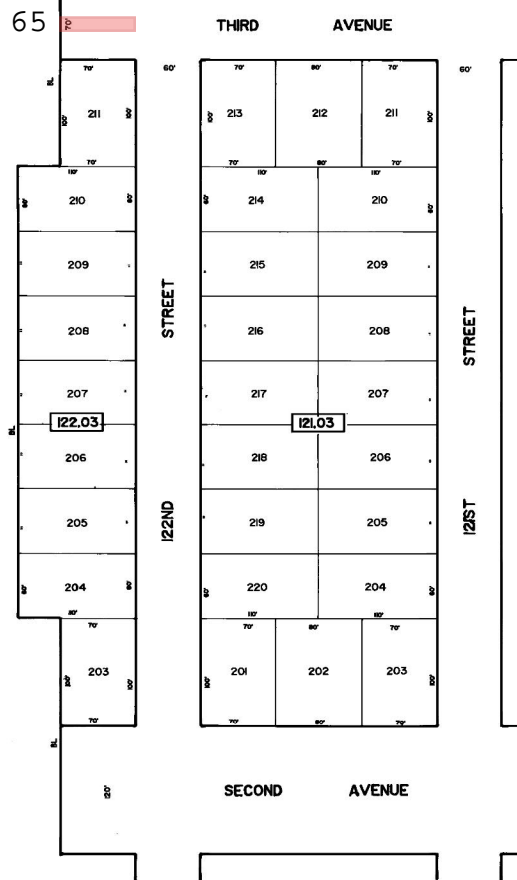
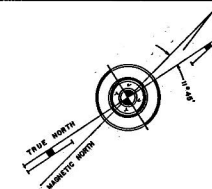




TAX MAP
 BOROUGH OF STONE HARBOR
 CAPE MAY COUNTY, NEW JERSEY
 SCALE: 1"=50' MAY 26, 1987
 ALVIN C. HERMAN
 N.J. LIC. P.E. & L.S. NO. 13284
 ALVIN C. HERMAN ASSOC., INC.
 7 MECHANIC STREET
 CAPE MAY COURT HOUSE, N.J. 08210

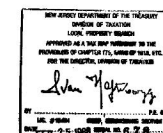
NEW JERSEY DEPARTMENT OF TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY TAXES
 APPROVED AS A TRUE COPY FORWARDED TO THE
 COMMISSIONER OF TAXATION, STATE OF NEW JERSEY
 FOR THE DIRECTOR, DIVISION OF TAXATION
Alvin C. Herman
 ALVIN C. HERMAN
 N.J. LIC. P.E. & L.S. NO. 13284
 MAY 26, 1987

SHEET 34



SHEET 30

SHEET 31



TAX MAP
 BOROUGH OF STONE HARBOR
 CAPE MAY COUNTY, NEW JERSEY
 SCALE: 1"=50' MAY 26, 1987
 ALVIN C. HERMAN
 N.J. LIC. P.E. & L.S. NO. 13284
 ALVIN C. HERMAN ASSOC., INC.
 7 MECHANIC STREET
 CAPE MAY COURT HOUSE, N.J. 08210