
City of Somers Point

Municipal Public Access Plan

Submitted by: City of Somers Point

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Approved by the New Jersey Department of Environmental Protection:
{Date of NJDEP Approval}

Adoption by the City
{Date of Municipal Adoption}

Prepared By:
Mott Associates, LLC

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 Somers Point 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 N.J.A.C. 7:7E-8.11 and in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and has been approved by the NJDEP. 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 Somers Point.

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 as declared in the following quotation from Book II of the Institutes of Justinian:

“By the law of nature these things are common to all mankind – the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations.”

Influenced by Roman civil law, the tenets of public trust were maintained through English common Law and adopted by the original 13 colonies. Following the American Revolution, the royal right to tidelands was vested to the 13 new states, then to each subsequent state, and has remained a part of public policy into the present time. 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, plus plans to preserve and enhance access based on community needs and State standards.

On November 4, 2013 representatives from the City of Somers Point met with NJDEP staff to begin the public access planning process. This plan was then developed in collaboration with the NJDEP, Recreation Commission, Planning Board, Master Plan Steering Committee, City Council, 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 Open Space and Recreation Element of the Master Plan by resolution on **{date}**. Incorporation into the Master Plan, and final approval of this MPAP by the NJDEP, was recognized by Public Notice in the NJDEP Bulletin. All public access decisions made within the City of Somers Point will be consistent with this plan.

Authority for Municipal Public Access Plans

The authority for a municipality to develop a MPAP is derived from the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 5, 2012. The premise of the authorization of Municipal Public Access Plans 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 Somers Point enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. The MPAP will be incorporated into the Open Space and Recreation Element of the municipality’s Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D). The MPAP, as an official component of the municipal Master Plan, informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

Upon approval of the MPAP by the Department and incorporation into the Master Plan, the City of Somers Point will be responsible for ensuring that public access to tidal waterways along the municipality’s shorelines is provided in accordance to this plan. For each new public access project, the City of Somers Point will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect this and ensure that public access requirements are satisfied in accordance to this plan. Per N.J.A.C. 7:7E - 8.11(j)4, the City of Somers Point 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, adopted by NJDEP on November 5, 2012 See Appendix 1.

State of New Jersey Public Access Goals

Through the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-1.1 (c)), the State of New Jersey establishes a broad set of coastal protection goals, including the following specifically addressing public access:

- Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
- Provide meaningful public access to and use of tidal waterways and their shores.
- Preserve public trust rights to tidal waterways and their shores.
- Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
- The enhancement of public access by promoting adequate affordable public facilities and services.

- Create and enhance opportunities for public access to tidal waterways and their shores, on a non-discriminatory basis.
- Maintain all existing public access to, and along tidal waterways and their shores.
- Provide opportunities for public access to tidal waterways and their shores through new development.
- Provide public access that does not create conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

The City of Somers Point'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 of Somers Point.

I. Municipal Public Access Vision

A. Overview of Municipality

1. *Municipal Description*

The City of Somers Point is a 5.159 square mile, back bay waterside community with a year-round population of 10,795 based on the 2010 U.S. Census. The City is situated on a peninsula surrounded by the Great Egg Harbor Bay to the east and the south, the Patcong Creek, which is a tributary of the Great Egg Harbor River, on the west, and the City of Linwood, located in Atlantic County, New Jersey to the north. The City of Somers Point includes 4.030 square miles of land and 1.129 square miles of water with approximately 7 linear miles of tidal waters.

Somers Point contains many amenities which augment the general activity of the community including: marinas and water access, a golf course, diverse shopping, motels and hotels, nightclubs, restaurants and a large, respected hospital facility with ancillary services. Because of the proximity of Somers Point to Ocean City, these facilities are not only important and attractive to the regional residents, but to tourists as well. Bridges cross the bay to connect Somers Point to the popular beach destinations of Ocean City and Longport.

2. *Public Access Description*

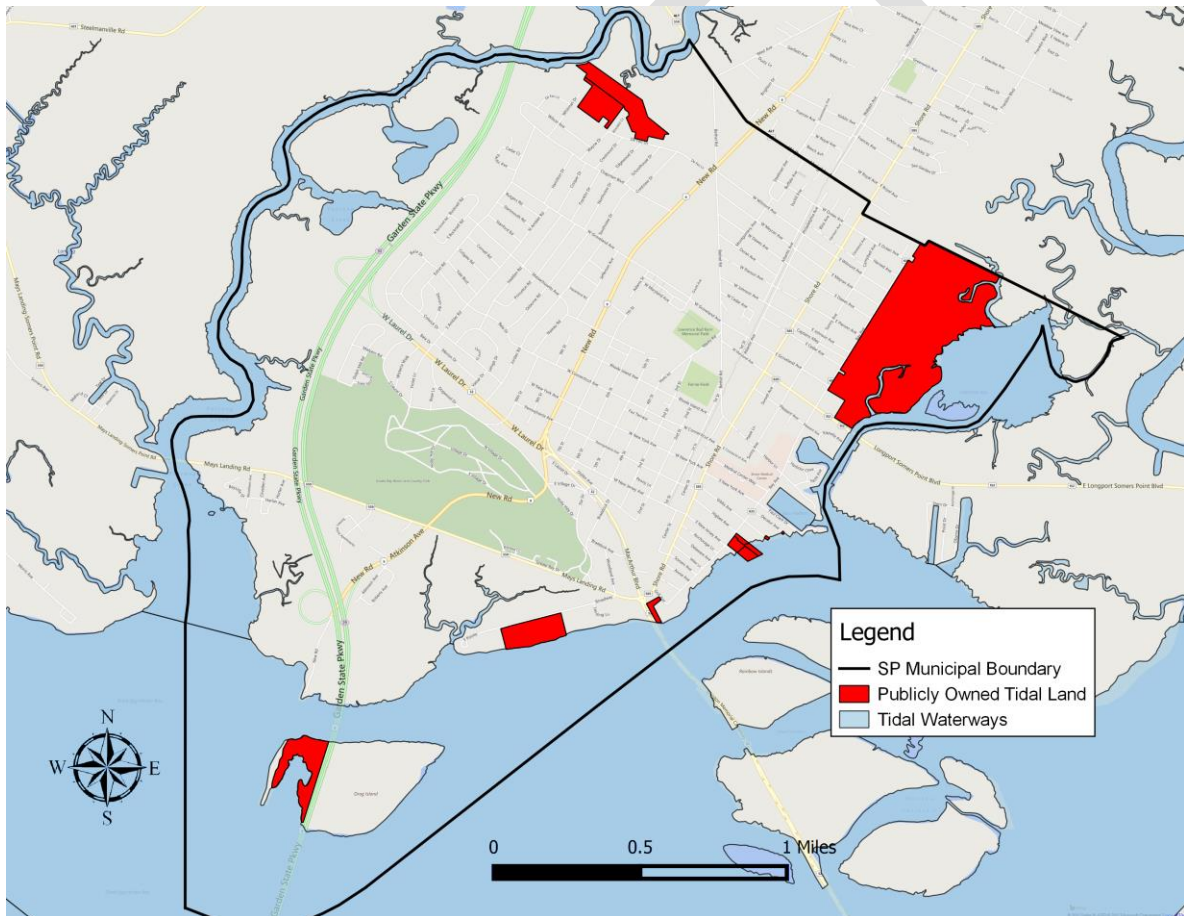
Public Access in the City of Somers Point is provided by the municipality and consists of a variety of access points and facilities including boat ramps, beach walkways, bathroom facilities, lifeguarded beaches, kayak and small boat launches, and public parks. Somers Point protects and ensures public access through conservation easements, ordinances, community clean-ups, yearly inspections. The overall goal of this MPAP is to establish

Somers Point’s plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

In addition, most of the parcels east of Bay Avenue from NJ. Rt.52 to New Jersey Avenue are considered filled water’s edge areas according to NJAC 7:7E-3.23 and development must comply with the lands and waters rules subject to the public trust rights rule, NJAC 7:7E-3.50, and the public access rule, NJAC 7:7E-8.11. The goal of this MPAP is also to develop a plan for public access locations in this area.

3. Map 1- Somers Point Tidal Waterways and Lands

This map shows all the tidal waterways within the municipality and all lands held by the municipality.



Map 1- Somers Point Tidal Waterways and Lands

B. Municipal Public Access Goals and Objectives

As part of the planning process, this MPAP has been reviewed and is consistent with the following goals/elements/policies established in the City of Somers Point's Master Plan that was adopted by the Somers Point Planning Board January 21, 2015:

1. Goals

- (a) To encourage municipal action to guide the appropriate use or development of all lands in this state in a manner that will promote the public health, safety, morals and general welfare;
- (b) To secure safety from fire, flood, panic and other natural and man-made disasters;
- (c) To provide adequate light, air and open space;
- (d) To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the state as a whole;
- (e) To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and the preservation of the environment;
- (f) To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- (g) To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- (h) To promote a desirable visual environment through creative development techniques and good civic design and arrangements;
- (i) To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the state and to prevent urban sprawl and degradation of the environment through improper use of land;
- (j) To encourage planned unit developments that incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- (k) To give municipalities the flexibility to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space and historic sites.

2. **Elements** – Recreation and Open Space element of the Master Plan.
3. **Policies** – Provisions for a vibrant, waterfront community with better looking and more successful Route 9 commercial corridor, a broader array of recreational opportunities, an attractive and accessible waterfront, a livelier and more walker friendly Bay Avenue, and finally a homeowner friendly environment which encourages residents to stay and improve homes rather than to relocate.

4. Objectives

- Retain and protect diverse recreational opportunities.
- Protect open spaces and natural areas.
- Enhance pedestrian and bicycle movements throughout the City.
- Improve public access to the waterfront.
- Expand opportunities for pedestrian access, recreation and economic development.

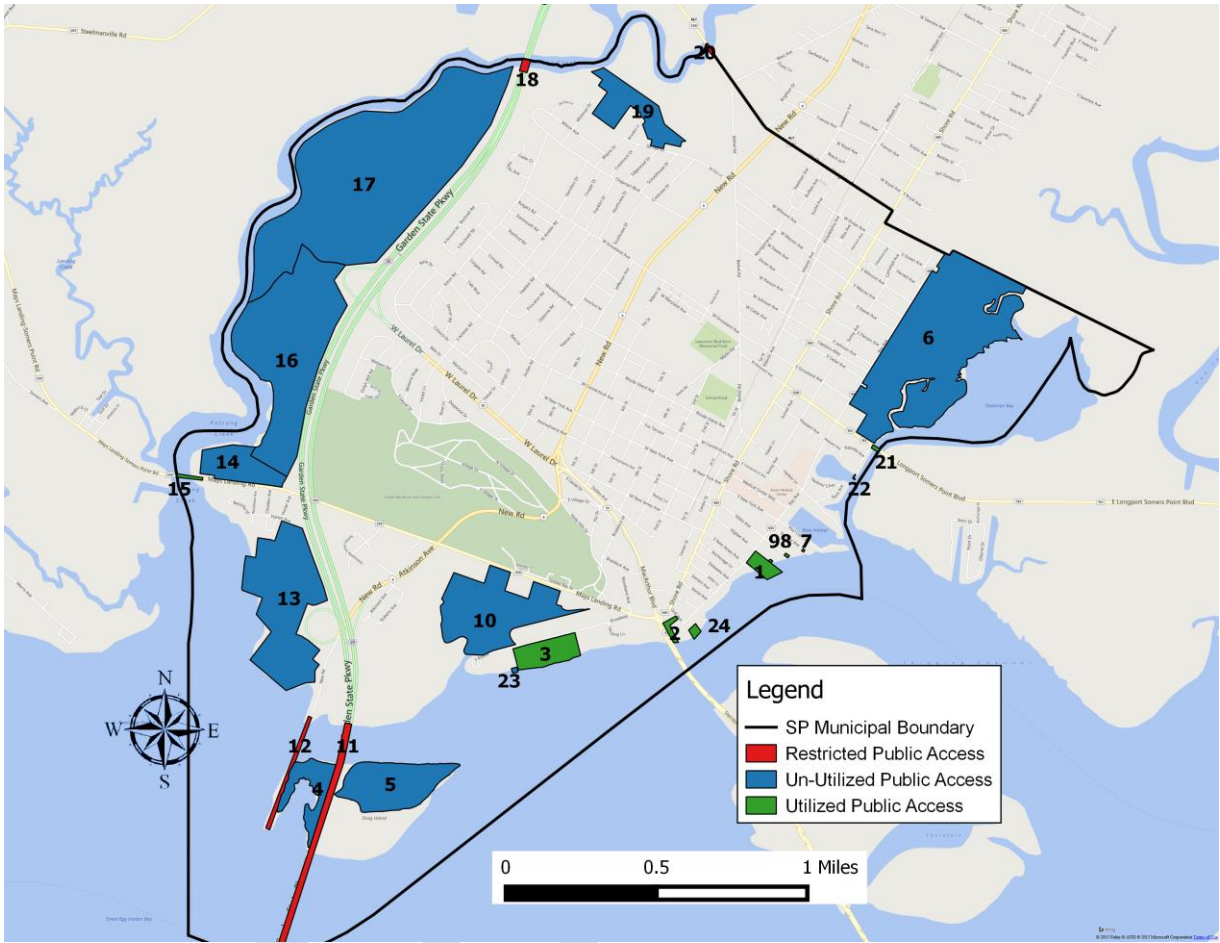
In addition to those goals outlined within the Master Plan and the three State required goals below (1-3), the City of Somers Point establishes the following as goals specifically for public access:

1. All existing public access shall be maintained to the maximum extent practicable.
2. Maintain safe and adequate access locations for fishing
3. Provide clear informative signage for access locations.
4. Create a public access fund so that development within the City of Somers Point's boundary that would be required to provide onsite public access will contribute to the City of Somers Point's Public Access Fund (the Fund) in lieu of providing this access.
5. Solve circulation issues, enhance parking, prevent congestion and provide safe pedestrian movement.

II. Existing Public Access

A. Public Access Locations

Map 2 - City of Somers Point Public Access Locations, identifies an inventory of all public access locations within City of Somers Point whether they are currently Utilized, Restricted, Un-utilized along with their attributes of improvements, and activities(See below for definitions). **Table 1** provides detailed information needed for each location, which may be found in Appendix 3.



Map 2 - City of Somers Point Public Access Locations

Utilized – meaning this location is used by the public and provides official or unofficial public access

Restricted – meaning the location poses known or likely public health and safety or environmental damage concerns.

Un-utilized – meaning this location contains no improvements and receives little or no use by the public

Current Public Access Locations Include:

1. William Morrow Municipal Beach is bounded by Bay Avenue on the west, a municipally owned pier at New Jersey Avenue to the south and a municipally owned pier at Higbee Avenue on the north. This site is listed as Block 1612, Lots 1, 1.01, 2, and 2.01 on the City of Somers Point’s tax map. The bay side of the beach is adjacent to Ship Channel, a navigable channel that directly accesses the Great Egg Harbor Inlet. Adjacent to the beach is a small parking lot and bathroom facilities. Beach concerts are held throughout the summer at William Morrow Beach.

The New Jersey Avenue Pier is provided with benches, a picnic table, gazebo and fishing area. The pier at Higbee Avenue which was purchased by the City of

- Somers Point in 1993, was in disrepair at the time of purchase, and has only been partially renovated. This is due, in great part to the fact that the waters there are extremely shallow. Currently, a portion of that pier is leased to a commercial "day fisher" boat. That boat is a pontoon boat, which is the only type of boat which can utilize the facility, due to the shallow waters. At this time, that is the only feasible method of utilizing this facility for public access.
2. Improvements to the NJ Rt.52 Bridge, which was completed in 2012, includes a new boat ramp with parking, located north of the new bridge, which is accessible by an entrance on Goll Avenue. A new ten foot wide multiuse path that begins on the north side of the bridge, crosses under the bridge, and rises to the street elevation the south side allows pedestrians and bicyclist access to Ocean City. A fishing pier was also constructed on the south side of the bridge that is accessible from the multiuse path.
 3. John F. Kennedy Park is on a high bluff overlooking Great Egg Harbor Bay. This facility is located along Broadway and is shown on Block 2012, Lot 1 on the municipal tax map. This park measures 1,117.5 feet along Broadway and is between 340 feet and 400 feet wide to the Great Egg Harbor Bay. JFK Park is utilized mainly as a passive recreational facility. The park is used as a picnic area for large groups and individuals alike, as a natural area for all age groups and as a passive sitting area for the senior citizen population of Somers Point, as well as adjoining communities. The park is also utilized as a boat-launching site to the waters of the Great Egg Harbor Bay.
 4. Drag Island is located at the terminus of Route 9 and is partially owned by the City of Somers Point and is shown as Block 2903, Lot 1 on the City of Somers Point's tax map. The portion owned by the City of Somers Point totals 9.68 acres. It has been reported that the New Jersey Turnpike Authority plans to provide land-based fishing access points in this area as part of the Garden State Parkway improvements although there significant concerns about security related to the Parkway and environmental damage since most of the island consists of wetlands. However, no formal plans currently exist for Drag Island access and the removal of the Beesley's Pt. Bridge has eliminated land-based fishermen access to Drag Island, which in the past had been significant.
 5. Other portions of Drag Island are owned by the New Jersey Department of Transportation (Block 2902, Lot 1) and are inaccessible except by boat. The Department of Transportation does that have any plans for enhancement of this property.

6. The City of Somers Point owned property along Bay Avenue north of Maryland Avenue provides wonderful views of the wetlands and the Absecon Island skyline.
7. The end of Gibbs Avenue has an existing small beach with access to the Great Egg Harbor Bay.
8. The end of Decatur Avenue provides views of the Great Egg Harbor Bay.
9. The end of Higbee Avenue has an existing small beach with access to the Great Egg Harbor Bay.
10. This 43.37 acre open space marsh area is owned by the County of Atlantic and provides views of the Great Egg Harbor River. The County does that have any plans for enhancement of this property.
11. This bridge carries traffic from the Garden State Parkway and provides views of Somers Point, Upper Township, Atlantic City, Ocean City, and the Great Egg Harbor Bay and River. The southbound span of the bridge is currently being replaced but once construction is completed in 2018, it will feature a multi-use path to connect Somers Point and Upper Township.
12. This bridge previously carried traffic for US Rt. 9 (Beesley's Pt. Bridge) but has since been demolished due to safety concerns with the structure. It has been reported that the New Jersey Turnpike Authority plans to provide land-based fishing access points using the piles from the demolished bridge as part of the Garden State Parkway improvements.
13. This 39.71 acre open space marsh area is owned by the New Jersey Department of Environmental Protection and provides views of the Great Egg Harbor River. The Department of Environmental Protection does that have any plans for enhancement of this property.
14. This 13.18 acre open space marsh area is owned by the New Jersey Department of Environmental Protection and provides views of Patcong Creek. The Department of Environmental Protection does that have any plans for enhancement of this property.
15. This bridge carries traffic of County Route 559 (Mays Landing-Somers Point Road) and provides views of the Great Egg Harbor Bay and Patcong Creek. It is also wide enough for pedestrians. Fishing is permitted from this bridge.
16. This 21.08 acre open space marsh area is owned by the City of Somers Point and provides views of Patcong Creek. The City of Somers does that have any plans for enhancement of this property.

17. This 1258.03 acre open space marsh area is owned by the New Jersey Turnpike Authority and provides views of Patcong Creek. The Turnpike Authority does that have any plans for enhancement of this property.
18. This bridge carries traffic from the Garden State Parkway over the Patcong Creek and provides view of the creek.
19. This open space parcel located near the Patcong Creek and provides views of the wetlands and Patcong Creek. The 12.8-acre parcel is listed as Block 525, Lot 1 and Lot 2.01 on the local tax maps.
20. This bridge carries traffic of County Route 559 Alternate (Ocean Heights Avenue) and provides views of the Patcong Creek.
21. This bridge carries traffic of NJ Rt. 152 and provides views of the Great Egg Harbor Bay and Atlantic City. It is also wide enough for pedestrians. Fishing and crabbing are permitted at this bridge.
22. Public access to the waterfront from Block 1008, Lot 3 and Block 1211, Lots 2 and 6 includes the following restrictions and activities:
 - A. There is a five (5) foot wide linear waterfront walkway accessible to the public during daylight hours along Bass Harbor and Harbour Cove Marina.
 - B. Public access is to be clearly marked with department's-approved signage. Six (6) vehicles including one-handicapped designated parking spaces must be reserved by signage for use by the public. Access shall be barrier free where practicable.
 - C. A fee for use may be charged and shall be no greater than that which is required to operate and maintain the facility and may not discriminate between residents and non-residents.
 - D. Public access to the waterfront shall comply with the Law Against Discrimination, NJ.S.A. 10: 5-1 et seq.
 - E. A public fishing pier shall be maintained by Harbour Cove Marina LLC along Bass Harbor to complement the public access to the waterfront.
 - F. An area for kayak and canoe launch must be maintained by Harbour Cove Marina, LLC on property owned by Harbour Cove Marina, LLC in Somers Point.

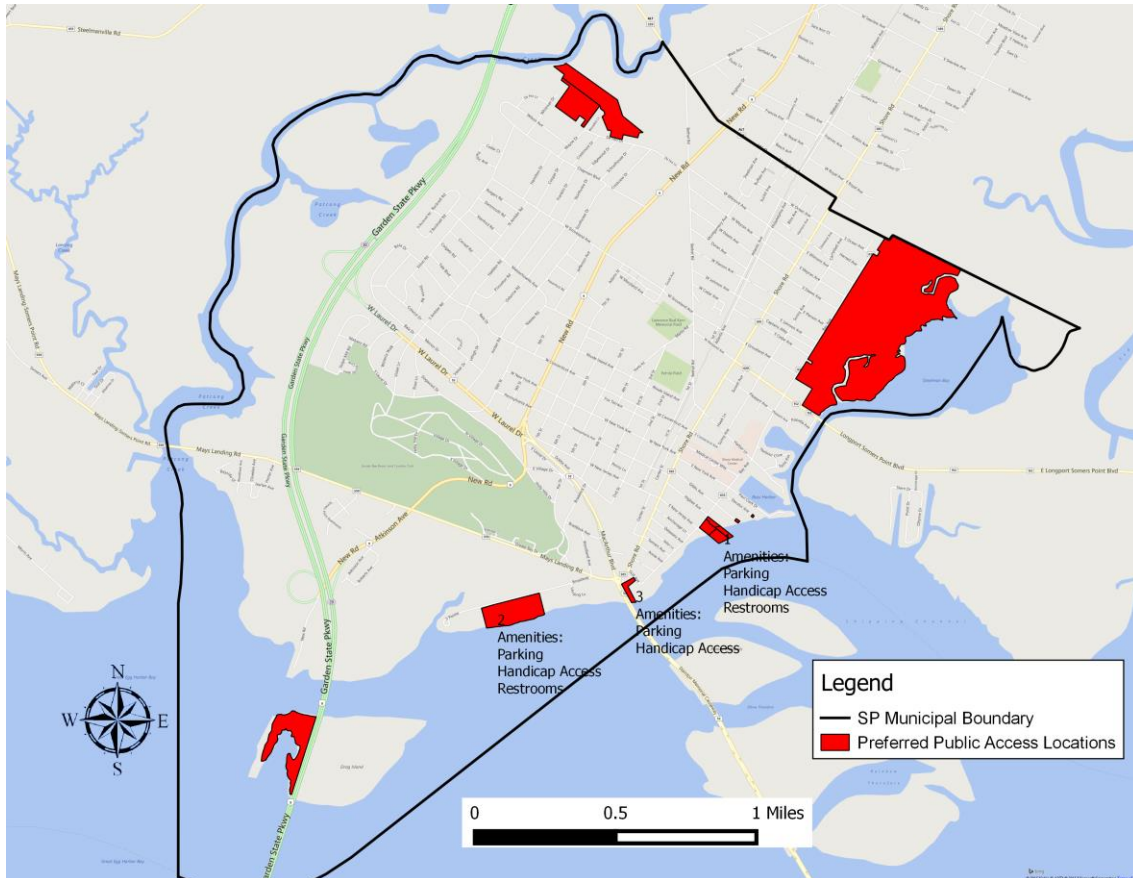
- G. Public enjoyment of the waterfront shall be enhanced with installation and maintenance of a waterside gazebo and at least two (2) benches to be maintained by Harbour Cove Marina, LLC.
- H. A boat storage area shall be maintained on the site to complement the Harbour Cove Marina, and maintenance shall remain the responsibility of Harbour Cove Marina, LLC.
- I. All maintenance and restrictions to be subject to NJDEP and Somers Point inspections for compliance.
23. Public access to the waterfront from Block 2018, Lots 1.01-1.05, and 2.02 includes the following restrictions and activities:
- A. Construction of a perpendicular and parallel public access walkway with associated public parking and associated amenities along the waterfront area of the subject property.
- B. The proposed on-site public walkway shall consist of the following:
- 10 foot wide timber promenade with a 42" security railing as part of an access easement that varies in width from 25 feet to 37 feet along the Great Egg Harbor Bay.
 - 8 foot wide paved concrete walkway along the westerly side of the subject property, perpendicular, to the Great Egg Harbor Bay as part of an access easement that varies in width from 13 feet to 57 feet.
 - 10 foot wide concrete walkway on the southerly side of the subject property that will provide continuous access to the waterfront and connect to the adjacent park (Kennedy Park).
- C. Public parking area (13 spaces) totaling 21,163 square feet as part of the 57 foot access easement perpendicular to the Great Egg Harbor Bay.
- D. Public amenities (trash receptacles, benches, lighting fixtures and signage).
- E. Landscaping.
- F. Deed Restriction for public Access.
24. Public access to the waterfront from Block 1810, Lot 3 includes the following restrictions and activities:

- A. In order to protect the DEP's right to ensure public access, the permittee shall provide a deed restricted 25-foot wide public access easement from Bay Avenue to the waters edge and a 25-foot public access easement parallel to the waters edge for the entire length of the site. In addition, the permittee shall execute and deliver a Deed of Conservation Easement (Deed restriction) in recordable form in favor of the Department, in form and substance fully acceptable to the Land Use Regulation Program, including a metes and bounds description, which clearly delineates the 25 ft. wide public access parallel to the Great Egg Harbor Bay and perpendicular accessway from Bay Avenue as public access facilities, open to the general public on a 24 hour basis, to be maintained and managed by the permittee (or its assigns) in perpetuity. Such Deed of Conservation Easement shall provide for construction and maintenance of the public access and associated public access amenities in compliance with N.J.A.C. 7:7E-3.48 and 7:7E-8.11.

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B. Improved Public Access Locations

Map 3 - City of Somers Point Preferred Public Access Locations, provides an inventory of the preferred, existing and proposed, public access locations that provide access to public trust lands and waters. See **Table 1** which provides detailed information, which may be found in Appendix 3.



Map 3 - City of Somers Point Preferred Public Access Locations

1. William Morrow Municipal Beach currently has signs identifying the public beach, fishing pier, and parking. All parking is free and no time limits are imposed. Handicap Accessible parking is available with a handicap accessible route to the restroom facilities. The existing fishing pier is ADA compliant
2. John. F. Kennedy Park currently has signs identifying the public park, hours of operation, and the location of the public boat ramp. Handicap Accessible parking is available.
3. The new boat ramp adjacent to Rt.52 off Goll Avenue currently has signs identifying public parking and the public boat ramp. No restroom facilities are available.

C. Limitations to Public Access

The following limitations to public access in the City of Somers Point currently exist:

1. *Temporary Restrictions*

- a. Parking along Bay Avenue can be problematic due to the limited number of public parking spaces available on Bay Avenue and the municipal lots compared to the parking demand during the summer. Three (3) free municipal parking lots currently exist. The first municipal lot is located between Somers Avenue and Annie Avenue on Bay Avenue and has approximately thirty-two (32) standard parking spaces and two (2) van accessible handicap spaces. The second municipal lot is located at the northwest corner of Bay Avenue and Higbee Avenue and has approximately thirty-eight (38) standard parking spaces. The third municipal lot is located on Higbee Avenue adjacent to the William Morrow Municipal Beach and has approximately thirty-nine (39) standard parking spaces and two (2) van accessible handicap spaces.
- b. Swimming is restricted at William Marrow Beach to when lifeguards are on duty and is not permitted without lifeguards. Lifeguards are on duty on weekends from Memorial Day weekend until the end of June from 10am – 5pm and are on duty seven days a week from the end of June to Labor Day weekend from 10am – 5pm.
- c. Organized events at William Marrow Beach with over twenty (20) people require a permit from the Somers Point Recreation Commission. The fee schedule is determined annually by the Somers Point Recreation Commission and is listed on the City's website. The standard rental includes use of the restrooms.
- d. John F. Kennedy Park is open from dusk to dawn all year. Boat Launching is restricted to those with a permit from May 15th to September 15th of every year with the hours of operation being at high tide, plus two hours before and after. All fees collected go into a separate account for the maintenance of the boat ramp. A fee for the use of the boat ramp are only required from May 15th to September 15th of every year. The fee schedule is determined annually by the Somers Point Recreation Commission and is listed on the City's website. The standard rental includes use of Pavilion Area and restrooms.
- e. Drag Island (location 4 on Map #2) is currently only accessible by boat. It has been reported that the New Jersey Turnpike Authority plans to provide land-based fishing access points in this area as part of the Garden State Parkway improvements. However, no formal plans currently exist for Drag Island access and the removal of the Beesley's Pt. Bridge has eliminated land-based fishermen access to Drag Island, which in the past had been significant.
- f. The Beesley's Pt. Bridge (location 12 on Map #2) is currently not accessible as it has been demolished. It has been reported that the New Jersey Turnpike

Authority plans to provide land-based fishing access points using the piles from the demolished bridge as part of the Garden State Parkway improvements.

- g. The southbound span of the Garden State Parkway Bridge over the Great Egg Harbor Bay is currently being replaced but once construction is completed in 2018, it will feature a multi-use pedestrian and bicycle path to connect Somers Point and Upper Township. Fishing and crabbing are not planned to be permitted.
- h. The open space parcel located near the Patcong Creek (location 19 on Map #2) is not developed and currently inaccessible and its use is discouraged due to safety concerns. Safety concerns are a result of authorities being currently unable to patrol the area and respond to emergencies. This parcel may be developed for the public in the future as a recreational area but the City of Somers Point currently has no formal plans for this site since it has determined all recreational needs are currently being met. The tip of the site that reaches into Patcong Creek is privately owned Block 251, Lot 1 and should be acquired by the City of Somers Point to complement this parcel for future public access.
- i. The open space parcel located along Bay Avenue (location 6 on Map #2) consists of mostly marsh grasses, which contributes nutrients to the estuarine ecosystem of the back-bay areas. As such, it is very unlikely that these areas could be developed, since the Wetlands Act of the State of New Jersey prohibits the destruction of such areas for development purposes, although a permit to provide limited public access may be possible, although difficult.

It is recommended in the Master Plan that a linear park strip be developed along the meadows to preserve for posterity the unspoiled view of the wetlands in this area. In selected areas, two or three small parcels of 5,000 to 6,000 square feet could be selectively cleared to provide tiny park alcoves along this strip. They would not be elaborate facilities, but would merely serve as a place from which to view the meadows.

- j. The proposed public access improvements at the private site adjacent to John F. Kennedy Park have not be completed (location 23 on Map #2).

2. *Permanent Restrictions*

- a. Stopping, standing, fishing, & crabbing is prohibited on the Garden State Parkway Bridge over the Patcong Creek (location 18 on Map #2) because it is unsafe considering the high speed that vehicles travel on this highway.
- b. Stopping, standing, fishing, & crabbing is prohibited on the Ocean heights Avenue bridge over the Patcong Creek (location 20 on Map #2) because it is unsafe due to the narrow width of the bridge.

III. Community Needs Assessment

The City of Somers Point has performed a community needs assessment. The methods and results are described in the following section:

The Master plan includes the results of a community needs assessment conducted for all open space in the City of Somers Point, including those areas that provide public access to tidelands.

The National Recreation and Park Association (NRPA) suggests that a park system, at a minimum, be composed of a “core” system of parklands, with a total of 6.25 to 10.5 acres of developed open space per 1,000 population. This classification is intended to serve as a guide to planning.

The municipal parks in Somers Point total 70.35 acres with an additional 1.5 acres in school playgrounds and 80.85 acres in open space for a total of 152.7 acres. Taking into consideration that the City of Somers Point’s 2010 population was, there is a need for 68 to 113 acres of parkland in the City of Somers Point. Hence, the City of Somers Point meets the NRPA guidelines.

In addition, a Vision Plan was completed in 2012, which was based on ideas and issues brought forth by residents and local stakeholders. The purpose of the Vision plan was to refresh and update the policy framework guiding growth, investment, and preservation initiatives throughout the City of Somers Point and set a solid foundation for the forthcoming City Master Plan process. The Vision Plan included having Vision tours (guided bus tour with City of Somers Point officials that made six (6) stops throughout the City to gather public input), interviews with all City of Somers Point Departments, workshops for residents of the City of Somers Point which included visual mapping exercises to point out the general good and bad things about Somers Point, an online survey asking participants various questions about how they envision the City of Somers Point, and an Open House discussing the results. Some of the needs that were identified relating to public access include:

- 1. Additional parking for the Bayfront Area**
- 2. Additional Access to water for fishing, bird watching, crabbing, & kayaking.**
- 3. Currently there is no Transient Marina**
- 4. Currently there is no way to walk along the Bay to enjoy the waterfront**

A public meeting was also held on June 18, 2014 and on August 20, 2014 at the Planning Board meeting to invite the public to provide input for the Master Plan being completed, which includes public access. These meetings were advertised in the local papers and the public was encouraged to attend by City of Somers Point Officials. Around ten members of the public provided comments at both meetings, with one dealing with public access. In addition, a public meeting with the Recreation Commission was held

on September 4, 2014 to discuss the public access plan and to invite comments from the public. The same issues identified from the Vision plan were discussed and are included in the Master Plan that was adopted in January 2015.

IV. Implementation Plan

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

A. Priorities

The City of Somers Point developed the following priorities:

1. *Maintain Existing Public Access*

A capital Improvement plan that addresses the maintenance of existing public access facilities should be developed so that funding is budgeted. A capital improvement plan should be completed in early 2015. In the meantime, public works makes regular inspections of public access facilities and repairs them as necessary.

2. *Planned Enhancement to Public Access Locations and/or Facilities*

- a. To increase parking capabilities, the City of Somers Point believes a visitor's parking lot for satellite parking with a shuttle service available to the Bay Avenue area should be created. It believes that any such specific idea with respect to a parking solution should be part of an overall general traffic parking plan for the Bay Avenue area. A comprehensive parking study may be necessary to address this issue.

In addition, creating an area along Bay Avenue for a Water Taxi to dock and travel between Somers Point and Ocean City, Longport, Margate, Upper Township, and Atlantic City would be an incentive for people to come visit, go to restaurants and bars, and shop without worrying about bringing their cars over the Rt. 52 Bridge and back again.

- b. It was identified that there was need for more locations for fishing, bird watching, crabbing, & kayaking. The City of Somers Point owned property along Bay Avenue north of Maryland Avenue could provide locations for bird watching as part of a linear park, since the area is undeveloped wetlands. In addition, the open space parcel located near the Patcong Creek could be enhanced for crabbing, kayaking, and bird watching if the portion of the site that reaches into Patcong Creek is (Block 251, Lot 1) is acquired.

- c. The City of Somers Point Transient Marina - The City of Somers Point has requested funding for a transient marina to be located at the pier at Higbee Avenue. The plan includes renovating the pier, adding a floating dock and providing approximately 26 docking spaces for boats of 26 feet or more in length.
- d. The City of Somers Point desires to connect their waterfront restaurants, marinas, and shops along the waterfront and to provide other walkways throughout the City of Somers Point as a result of a lack of walkability along Bay Avenue that offers views of the waterfront. Therefore a Harbor Walk from the Route 52 Bridge to William Morrow Beach is desired. Since this is such an important priority for the City, the City requires in its codebook that the developer of a harborfront parcel shall construct a landscaped harbor walk. The harbor walk shall maintain continuity with the adjacent parcels and shall be maintained by the parcel owner and shall be part of the public accessway.

B. Preservation of Public Access Locations

The City of Somers Point developed the following preservation and conservation measures:

1. Preservation Measures

All municipal owned properties that currently provide public access are listed on the municipal Recreation and Open Space Inventory (ROSI), which protects the land from non-recreational development (shown below and in appendix 4). Other municipal properties that can provide public accesses but are not currently utilized are prohibited from being developed due NJDEP wetlands regulations, as all properties not on the ROSI list are wetlands.

Block	Lot	Facility Name	Interest	Type	Last Updated
1016	12	LAWRENCE "BUD" KERN FIELD	FEE	M	5/6/2010
1216	5	FEHRLE FIELD	FEE	M	5/6/2010
1218	8	SENIOR CITIZENS AREA	FEE	M	5/6/2010
1612	1	MUNICIPAL BEACH PARK*	FEE	M	5/6/2010
1612	1.01	MUNICIPAL BEACH PARK*	FEE	M	5/6/2010
1612	2	BAYFRONT AREA*	FEE	M	5/6/2010
1612	2.01	BAYFRONT AREA*	FEE	M	5/6/2010
2012	1	J F KENNEDY PARK*	FEE	M	5/6/2010
2903	1	DRAG ISLAND*	FEE	M	5/6/2010
524	12	WAYNE DRIVE	FEE	M	5/6/2010
525.04	5	EXTON RD AREA	FEE	M	5/6/2010
525.04	7	EXTON RD AREA	FEE	M	5/6/2010
ROW		BIKEPATH ROW / OLD RR ROW	ROW	M	5/6/2010

*Denotes area that adjoins tidal waters

2. Conservation Easements

JFK Park has a conservation easement on the property limiting it to public access in addition to being listed on the ROSI list

C. Signage

Municipal ordinance needs to be updated so that public tidal waterways and their shores shall be clearly marked. Department approved public access signs shall be installed at each public accessway, public access area and/or public parking area at the development site and maintained in perpetuity by the permittee and its successors in title and interest.

NJDEP regulation 8.11(t) 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.

D. Proposed Access Improvements and Facilities

The City of Somers Point has proposed the following access improvements and facilities:

1. The portion of Bay Avenue extending generally east of Maryland Avenue along the marine tidal marsh could be retained as a linear park strip along the meadows to preserve for posterity the unspoiled view of the wetlands and Absecon Island skyline in this area. In selected areas, two or three small parcels of 5,000 to 6,000 square feet could be selectively cleared to provide tiny park alcoves along this strip. They would not be elaborate facilities, but would merely serve as a place from which to view the meadows. This park could also consist of a paved path/boardwalk to provide an off-road walking, jogging and biking path

The marsh areas adjacent to this narrow strip of filled land are inhabited by marsh grasses, which are very productive and which contribute large amounts of nutrients to the estuarine ecosystem of the back-bay areas. As such, it is very unlikely that these areas could be developed, since the Wetlands Act of the State of New Jersey prohibits the destruction of such areas for development purposes. The proposal for this linear park, therefore, is compatible with existing land-use controls. This area is not currently developed, is already owned by the City of Somers Point, and no formal access is currently provided beside visual access.

2. **Transient Marina:** The City of Somers Point has requested funding for a transient marina to be located at the pier at Higbee Avenue from the National Boating Infrastructure Grant Program in 2014 and expects to receive a response in early 2015. The plan includes renovating the pier, adding a floating dock and providing approximately 26 docking spaces for boats of 26 feet or more in length. If funding is not obtained from the National Boating Infrastructure Grant Program, other grants will be pursued.
3. **Harbor Walk:** A Harbor Walk from the Route 52 Bridge to William Morrow Beach is recommended to connect waterfront restaurants, marinas and shops along the waterfront. The Harbor Walk will be built gradually as existing properties along the bayfront are slowly redeveloped and required to construct a landscaped harbor walk as per City Code. Since each section of the Harborwalk will be built as approvals are granted, the completed Harborwalk may take decades. The harbor walk will maintain continuity with the adjacent parcels and will be maintained by the parcel owner and shall be part of the public access way.

E. Municipal Tools for Implementation

The City of Somers Point has the following tools for the maintenance, enhancement and development of public access locations:

1. Maintenance Tools

Somers Point Public Works is continuously inspecting and repairing public access facilities.

2. Enhancement Tools

A Municipal Public Access fund is proposed to allow the City of Somers Point to enhance existing public access facilities.

3. Development Tools

Somers Point development code § 114-32 states all uses located on property abutting the Great Egg Harbor Bay shall provide, in a manner acceptable to the municipal agency, reasonable public access to and along the harbor and to adjacent properties along the harbor. Buildings shall be set back a minimum of 25 feet from the water as measured from the mean high-water line.

The code also states that a developer of a harborfront parcel located in the Historic Village Waterfront shall construct a landscaped harborwalk. The harbor walk shall maintain

continuity with the adjacent parcels and shall be maintained by the parcel owner and shall be part of the public accessway, which will require an easement. This requirement is consistent with the City of Somers Point's goal of providing a harbor walk from the Route 52 Bridge to William Morrow Beach to connect waterfront restaurants, marinas and shops along the waterfront. The construction of a harbor walk will be a condition of approval when any development is approved by the Planning Board or Zoning Board of Adjustment.

In addition, all buildings constructed within the Historic Village Waterfront Zone shall be so located and so designed as to minimize any obstruction to public view of the Great Egg Harbor Bay.

Somers Point development code § 114-32 should be revised to state that only those parcels from the Route 52 Bridge to William Morrow Beach shall be required to construct a harborwalk to connect waterfront restaurants, marinas and shops along the waterfront.

F. Municipal Public Access Fund (if applicable)

The City of Somers Point will create a Municipal Public Access Fund as follows:

1. Any development within the City of Somers Point's boundary that would be required to provide onsite public access will contribute to the City of Somers Point's Public Access Fund (the Fund) in lieu of providing this access, except for development that requires the construction of a harborwalk as required in Somers Point development code § 114-32.
2. Money collected in the Fund must be used towards the proposed enhancements to public access identified in this plan.
3. A contribution to the Fund by the project developer/applicant will be required upon NJDEP approval of the developer/applicant's permit application and the amount contributed will be consistent with the formulas found at N.J.A.C. 7:7E-8.11(f).

The resolution (#____) establishing the dedication by rider for the municipal Public Access Fund can be found in Appendix 6.

This Trust Fund has been dedicated under the provisions of N.J.S.A. 40A:4-39.

G. Implementation

Somers Point has created an Implementation Schedule as follows:

1. ***Existing Maintenance***

The City of Somers Point Public Works is continuously inspecting and repairing public access facilities. A capital improvement plan will be completed and approved in early 2015 by the Planning Board using a Post Sanding Planning Grant that has been awarded for this purpose to identify facilities that need to be repaired and can be budgeted for. Large repairs are currently budgeted for in the City of Somers Point's Capital budget.

2. *Enhancements to Existing Locations*

Enhancements to existing locations include a new transient marina. The majority of the funding for this project is anticipated to be obtained by the National Boating Infrastructure Grant. It is anticipated that if the grant is awarded, work will commence on this project in 2016. If funding is not obtained from the National Boating Infrastructure Grant Program, other grants will be pursued.

3. *Proposed Locations and Facilities*

The proposed Harborwalk along Bay Avenue in the Historic Village Waterfront Zone will be funded by individual property owners along Bay Avenue who will be required to build a harbor walk if a new project requires Planning or Zoning Board approval. Since each section of the Harborwalk will be built as approvals are granted, the completed Harborwalk may take decades. There are currently 18 parcels in the Historic Village Waterfront Zone that this applies to. All parcels are currently developed but many are outdated and in need of redevelopment.

H. Army Corps of Engineers Requirements for Shore Protection Projects (if applicable)

The City of Somers Point has met the ACOE Requirements as follows:

All Shore protection projects are reviewed by the Army Corps of Engineers before a permit is issued by the ACEO. There are not any current ACEO projects nor are any planned for Somers Point.

V. Relationship to the Other Regional and State Plans (OPTIONAL)

The City of Somers Point MPAP has been reviewed for consistency and has the following relationship to other Regional and State Plans:

This plan is consistent with the State Plan of providing public access

VI. Resolution of Incorporation

The City of Somers Point has approved a resolution for the incorporation of the MPAP. See Appendix 2 for the *draft* resolution.

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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

Resolution # _____

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the City of Somers Point Municipal Public Access Plan was submitted to the City Council and reviewed at the regular meeting of {date}, and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, the "Somers Point Municipal Public Access Plan," a copy of which is attached, is hereby approved.

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 City Council of the City of Somers Point at a meeting held on {date}.

Municipal Clerk

**APPENDIX 3
Tables**

Table 1 City of Somers Point Public Access Location Amenities

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LOCATION ON MAP#2	SIGNS	PARKING	NUM_ PARKING	STREET	BADGE	SWIM- MING	FISHING	SURFING	PLAY- GRD	PARK	PIER	BOAT- LNCH	MARINA	FOOD_ DRINK	REST- RM	SEATS	H_C	SHORE- LINE	ACCESS_ TYPE
1	Yes	No Fee	79	Bay Avenue between New Jersey Ave &	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Bay	Physical
2	Yes	No Fee	26	Goll Aveue	No	No	No	No	No	No	No	Yes	No	No	No	No	Yes	Bay	Physical
3	Yes	No Fee	50	Broadway	No	No	No	No	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Bay	Physical
4	No	No		Garden State Parkway	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Bay	Physical
5	No	No		Garden State Parkway	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Bay	Physical
6	No	No		Bay Avenue	No	No	No	No	No	No	No	No	No	No	No	No	No	Bay	Visual
6	No	No		Defeo Lane	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
7	No	No		Gibbs Avenue	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Bay	Physical
8	No	No		Decatur Avenue	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Bay	Visual
9	No	No		Higbee Avenue	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Bay	Visual
10	No	No		Mays Landing SP Road	No	No	No	No	No	No	No	No	No	No	No	No	No	Bay	Visual
11	No	No		Garden State Parkway	No	No	No	No	No	No	No	No	No	No	No	No	No	Bay	Visual
12	No	No		US Rt. 9	No	No	No	No	No	No	No	No	No	No	No	No	No	Bay	Visual
13	No	No		Garden State Parkway	No	No	No	No	No	No	No	No	No	No	No	No	No	Bay	Visual
14	No	No		Mays Landing	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
15	No	No		Mays Landing	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Creek	Visual
16	No	No		Garden State Parkway	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
17	No	No		Garden State Parkway	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
18	No	No		Garden State Parkway	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
19	No	No		Defeo Lane	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
20	No	No		Ocean Heights Avenue	No	No	No	No	No	No	No	No	No	No	No	No	No	Creek	Visual
21	No	No		NJ Rt. 152	No	No	Yes	No	No	No	No	No	No	No	No	No	No	Bay	Visual
22	Yes	Yes	6	Pleasant Avenue	No	No	Yes	No	No	No	Yes	No	Yes	No	No	No	Yes	Bay	Physical
23	Yes	Yes	13	Broadway	No	No	Yes	No	No	No	Yes	No	No	No	No	No	Yes	Bay	Physical
24	No	No		Bay Avenue	No	No	No	No	No	No	Yes	No	No	No	No	No	Yes	Bay	Physical

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

SIGNS: Does the location provide signage 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 can 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 and SURFING: Is fishing/surfing allowed at this location? Unrestricted= Fishing/surfing is allowed at all times with no restrictions; Restricted= There exists a form of restriction of fishing/surfing, examples include time of day, seasonally, etc. These restrictions should be discussed in the 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? The Beach, Bay, or River?

TYPE: Describe the type of access-physical, visual only,

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New Jersey Department of Environmental Protection
Green Trust Local Assistance Program

RECREATION AND OPEN SPACE INVENTORY FORM
(see instructions on reverse)

Local Unit: Somers Point County: Atlantic

NOTE: Using this form, indicate all lands held by the Local unit for public recreation, conservation and/or open space purposes. List all blocks and lots. Total acres after last entry. Attach additional sheets as required.

DEVELOPED park and recreation areas:

<u>Municipality where located</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>
1. Somers Point, NJ	Fehrle Field	1216	5	8.8
2. Somers Point, NJ	Lawrence "Bud" Kern Field	1016	12	21.0
3. Somers Point, NJ	J.F. Kennedy Park	2012	1	10.5
4. Somers Point, NJ	Municipal Beach Park	1612		2.4472
5. Somers Point, NJ	Somers Point Bike Path Mun. Right-of-Way			9.8
6. Somers Point, NJ	Senior Citizens Area			.8290
.....Total Acres				<u>53.3762</u>

UNDEVELOPED conservation and open space areas or other interests (e.g. easements):

<u>Municipality where located</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>
A. Somers Point, NJ	Wayne Drive	524	12	4.14
B. Somers Point, NJ	Exton Road Area	525.04	5 & 7	.2989
C. Somers Point, NJ	Beach Park	1612	1,1.01,2,2.01	.98
D.				
E.				
F.				
.....Total Acres				<u>5.4189</u>

INVENTORY MUST BE KEYED TO AN OFFICIAL MAP OF LOCAL UNIT.

Certification: I HEREBY CERTIFY that the within is a true and accurate listing of Recreation and Open Space site Inventory submittals completed by _____, dated _____, and filed in the office of the Green Trust Local Assistance Program, DEP.

Charles J. Parker - Mayor
Chief Executive Officer
Date: 5-3-93

Brian G. Levine
Planning Board Chairperson
Date: 4/23/93

APPENDIX 5

Public Access Trust Fund Resolution

(upon adoption the final resolution will replace this model)

RESOLUTION: REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MUNICIPAL PUBLIC ACCESS FUND REQUIRED BY THE STATE OF NEW JERSEY

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and'

WHEREAS, William E. Swain, Chief Financial Officer provides for receipt of various donations to the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Municipal Public Access Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Somers Point, of the County of Atlantic, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Municipal Public Access Fund from such dedicated revenues.
2. The Clerk of the City of Somers Point, County of Atlantic, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

I Carol L. Degrassi, City Clerk of the City of Somers Point, New Jersey, hereby certify that the foregoing Resolution is a true copy, duly adopted by the City Council of said City at a Regular meeting held on the XXth day of XXXX .

In Witness Whereof, I have hereunto set my hand and seal of my Office this XX day of XXXX .

Carol L. Degrassi, RMC/MMC, City Clerk