



5014MF



Monmouth County Document Summary Sheet



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FREEHOLD NJ 07728

Return Name and Address
Suzanne M. Koegler
Maser Consulting P.A.
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Submitting Company Maser Consulting P.A.

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7

JUN 21 2018

CHRISTINE GIORDANO HANLON
COUNTY CLERK
MONMOUTH COUNTY, NJ

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COUNTY RECORDING FEES \$90.00
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First Party	Name(s) (Last Name, First Name or Company Name)		Address (Optional)		
	Borough of Belmar		601 Main Street P.O. Box A Belmar, NJ 07719		
Second Party	Name(s) (Last Name, First Name or Company Name)		Address (Optional)		
	NJ D E P				
The Following Section is Required for DEEDS Only					
Parcel Information	Municipality	Block	Lot	Qualifier	Property Address
Recording Reference to Original Document (if applicable)					
Reference Information (Marginal Notation)	Book	Beginning Page		Instrument No.	

Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION

P.O. Box 439, Trenton, New Jersey 08625-0439
Fax: (609) 777-3656 or (609) 292-8115
www.state.nj.us/dep/landuse

PERMIT



In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.		Approval Date July 7, 2010
		Expiration Date July 7, 2015
Permit Number(s) #1306-01-1001.3 CAF090001	Type of Approval(s) CAFRA Individual Permit	Enabling Statute(s) N.J.S.A. 13:19-1
Applicant Borough of Belmar 601 Main Street – P.O. Box A Belmar, NJ 07719		Site Location Block: 78, 88, 98, 108, 118, 119, 225 All Blocks are Lot: 1 Municipality: Belmar County: Monmouth
<p>Description of Authorized Activities and Limit of Disturbance</p> <p>Construct a 2-story, 36,800 s.f. retail and restaurant building, a temporary/seasonal restaurant on the 10th Avenue pier, a recreation facility at the southern end of the marina next to the "L" Street beach, a comfort facility, a workshop and emergency facility on the southernmost side of the "I" Street beach, two temporary/seasonal gazebos on the upland adjacent to the "L" Street beach, and two temporary/seasonal clam bars, one on the "K" Street pier and one beneath the Route 35 bridge. Additional site improvements include the replacement of two existing impervious parking areas at the southern end of the site with two grass paver parking areas, associated landscaping, and stormwater management facilities. Prior to site preparation, the permittee shall submit a draft copy of the required conservation restriction for review and written approval of the Division. Upon written approval of the draft, a final conservation restriction shall be recorded with the property deed in the office of the County Clerk and proof of recordation shall be submitted to the division. No site preparation or construction authorized by this permit shall commence until the approved conservation restriction is recorded with the property deed in the office of the County Clerk.</p> <p>The proposed project is as shown in seventeen sheets entitled "2009 CAFRA Permit Application, Belmar Municipal Marina, Borough of Belmar, New Jersey", dated June 25, 2009, all sheets last revised July 6, 2010, and prepared by Birdsall Engineering, Inc., N.J.P.E. License #27028.</p> <p>This work is acceptable under the Coastal Zone Management Rules (N.J.A.C. 7:27E-1.1 et seq.). Issuance of this permit in no way relinquishes, and shall not be construed as a relinquishment by the State of New Jersey of any tidelands right, title, ownership/interest in the subject property or in any land surrounding same.</p> <p>Prepared by</p> <p>Gail J. Moore</p> <p>THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH IN THIS PERMIT.</p>		
<p>This permit is not valid unless authorizing signature appears on the last page.</p>		

Received or Recorded by County Clerk

STANDARD CONDITIONS:

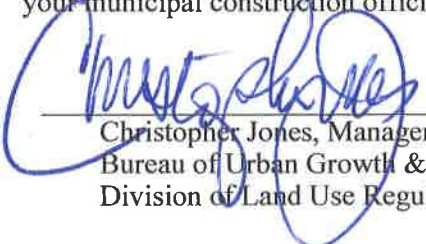
1. **Extent of approval:**
 - a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
 - b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
 - c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.
2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, **do not begin** construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*.
3. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date.
4. **Permit Conditions:** This permit is issued subject to compliance with N.J.A.C. 7:7-1.5 Permits and Permit Conditions.
5. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
6. **Rights of the State:**
 - a. This permit is revocable and subject to modification by the State with due cause.
 - b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
 - c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.
7. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.

SPECIAL CONDITIONS IN ADDITION TO THE STANDARD CONDITIONS:

1. Prior to commencement of construction, the permittee must provide a letter from the local water authority stating that adequate capacity is available for the new facilities.
2. Prior to commencement of construction, the permittee must provide a letter from the sewer water authority stating that adequate capacity is available for the new facilities.
3. **Prior to site preparation and/or commencement of construction**, the permittee must submit to the Division for review and approval a Conservation/Easement for the 331,366 s.f. "waterfront" portion of the site as shown on the approved plan. This Conservation/Easement must include the maintenance of the open space in perpetuity. This area must be accessible to the public 24 hours a day, 365 days of the year. The approved easement is to be recorded by the permittee in the office of the County Clerk (the REGISTRAR OF DEEDS AND MORTGAGES in the applicable counties) in the county wherein the lands included in the permit are located within ten (10) days after receipt of the approved draft copy and verified notice shall be forwarded to the Division of Land Use Regulation immediately thereafter.
4. The 2 gazebos, the 2 clam bars, and the restaurant on the 10th Street pier shall remain in place from May 1 through October 31 only.
5. The 2 gazebos, the 2 clam bars, and the restaurant on the 10th Street pier shall be removed in the event of the issuance of a warning for a storm that, in the opinion of the Borough of Belmar, is expected to be of sufficient strength to warrant such removal.
6. **Prior to site preparation and/or commencement of construction** of the clam bar under the Route 35 bridge, the permittee must receive approval from the New Jersey Department of Transportation for construction within the bridge right-of-way and from the U.S. Department of Homeland Security for construction under a bridge.
7. **WITHIN 30 DAYS OF THE ISSUANCE DATE OF THIS PERMIT**, the permittee must submit to the Division, for review and written approval, a draft Conservation Restriction for the beach area of the site. The Conservation/Easement must address the public's right to free vertical and horizontal access to the dry sand beach area and free use of the dry sand for intermittent recreational purposes. The Conservation/Easement may also describe the permittee's right to charge a fee for extended use of beach services which the permittee must provide in order to charge a fee, and the fact that the State reserves the right to review and approve all fees before initiated.
8. Indigenous coastal plants shall be used in landscaping wherever feasible. No plastic liners shall be used in landscaped or gravel areas. All liners shall be made of filter cloth or other permeable material.
9. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit.
10. This project has not been reviewed for consistency with the applicable Areawide Water Quality Management Plan or the Statewide Water Quality Management Planning Rules at N.J.A.C 7:15. As such, this authorization shall not be construed as any type of consistency determination for any sewage generating structures on the project site. There shall be no development unless and until the proposed sewage generating structures have been found to be consistent with the appropriate Areawide Water Quality Management Plan. For information regarding the water quality planning process, please contact the Department's Division of Watershed Management at (609) 984-6888.

Borough of Belmar

11. It is understood that the floor elevations of the permanent structures of 11 feet NGVD, as shown on the approved drawings is the elevation of the lowest finished floor of the proposed buildings. The construction of any habitable area below this elevation, such as a basement or storage area, is prohibited.
12. All electrical or mechanical utilities within the proposed permanent buildings shall be placed above 11 feet NGVD. No construction may begin until the terms of this condition are included in the deed of each affected lot. The Department has not reviewed the proposed structure/s to determine compliance with the International Building Code or any other local construction codes or flood ordinances. The proposed buildings may therefore not fully comply with any such requirements. Please contact your municipal construction official for further information.
13. All foundations, slabs, footings and walls of the proposed permanent structures shall be designed to resist uplift and lateral loads associated with hydrostatic pressure resulting from flooding to the design flood elevation of 10 feet NGVD. Furthermore, all structural components shall be designed to resist hydrodynamic forces resulting from the design flood. Compliance with this condition shall be determined by the municipal construction official.
14. The Department has determined that this project meets the requirements of the Stormwater Management rules at N.J.A.C. 7:8. Any future expansion or alteration of the approved stormwater management system, which would affect water quality, increase the rate or volume of stormwater leaving the site, affect the infiltration capacity on the site, or alter the approved low impact site design, shall be reviewed and approved by the Department prior to construction. This includes any proposed changes to the discharge characteristics of any basin, the construction of new inlets or pipes that tie into the storm sewer network and/or the replacement of existing inlets or pipes with structures of different capacity.
15. This approval does not in any way affect the right of the State to seek and collect monetary penalties or to take other enforcement action, should it be determined that a violation of the Flood Hazard Area Control Act or the Flood Hazard Area Control Act rules has occurred onsite.
16. All excavated material shall be disposed of in a lawful manner outside of any flood hazard area riparian zone, open water, freshwater wetland and adjacent transition area at an approved disposal site, and in such a way as to not interfere with the positive drainage of the receiving area.
17. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.
18. The Department has not reviewed the proposed structure to determine compliance with the International Building Code or any other local construction codes or flood ordinances. The proposed building may therefore not fully comply with any such requirements. Please contact your municipal construction official for further information.



Christopher Jones, Manager
Bureau of Urban Growth & Redevelopment
Division of Land Use Regulation



Date

c: Bureau of Coastal and Land Use Enforcement, Toms River
Belmar Construction Official

RECEIVED

JUN 15 2018

MASER CONSULTING P.A.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation

Mail Code 501-02A

P.O. Box 420

Trenton, New Jersey 08625-0420

www.state.nj.us/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

NOV 08 2017

Ms. Colleen Connolly
Borough Administrator
Borough of Belmar
601 Main Street
P.O. Box A
Belmar, New Jersey 07719

RE: **CAFRA Permit - Modification**
File No. 1306-01-1001.3
Activity No: CAF160001
Applicant: Borough of Belmar
Project: Improvements to Belmar Marina
Blocks: 78/ 88/ 98/ 108/ 118/ 119/ 225 Lots: 1/ 1/ 1/ 1/ 1/ 1/ 1
Borough of Belmar, Monmouth County

Dear Ms. McCort:

In response to your May 3, 2016 request, and in accordance with the Coastal Zone Management Rules, specifically N.J.A.C. 7:7-27.5, you are hereby granted a modification to CAFRA permit No. 1306-01-1001.3CAF090001, for the following:

1. At the Maclearie Park area of the marina, the construction of:
 - a) An 18,131-square foot grass paver parking area,
 - b) A bathroom trailer,
 - c) Proposed asphalt drive aisle,
 - d) Shade structure, bocce courts, bathroom trailer, a kayak storage area, and sailing facility,
 - e) Reconstruction of tennis courts and timber walkways.
2. The construction of a 39,395-square foot asphalt parking lot and Stormwater management sand filter.
3. The construction of two (2) grass paver parking areas, 19,035 and 45,882 square feet in size located opposite Eleventh and Twelfth Streets, respectively.
4. The legalization of an existing mini-golf course and accompanying storage shed.

5. Reduction of the previously approved restaurant from 36,800 square feet to 12,264 square feet.
6. On the 9th Avenue Pier, the construction of two temporary seasonal restaurant/bar structures; this first is hexagonal in shape and 30 feet wide, the dimensions of the second are 50 feet by 20 feet wide.

The proposed modification maintains the existing use of the site and does not impact any special areas. The modified project will also result in a 92,743-square foot reduction in impervious surfaces. Therefore, the proposed modification is in compliance with N.J.A.C. 7:7-27.5(d) and your request for a modification to the original permit is approved subject to the following conditions.

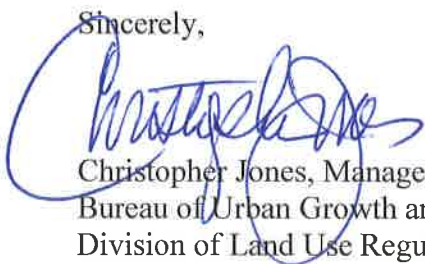
APPROVED PLANS:

The modified project is shown on fifteen (15) sheets, prepared by Maser Consulting P.A., entitled "2010 Marina CAFRA Permit Modification For Borough of Belmar N.J. State Highway RT 35 Borough of Belmar, Monmouth County, New Jersey", dated December 28, 2015, sheets 2, 11, 12, and 15 last revised September 12, 2017, all other sheets last revised July 18, 2017.

A copy of this permit modification shall be appended to the original permit. Please be advised all other conditions of the original Waterfront Development Permit No. 1306-01-1001.3CAF090001 are to remain in force unless otherwise noted in this approval.

This letter does not extend the expiration date of the original permit. All terms and conditions of the original permit remain in effect. Please don't hesitate to contact me at Christopher.Jones@dep.nj.gov or at (609) 984-6216 if you have any questions.

Sincerely,



Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

c: City of Belmar Construction Official

Ms. Jacqueline McCort
Maser Consulting, P.A.
331 Newman Springs Road
Suite 203
Red Bank, New Jersey 07701

John Hanf, NJDEP Bureau of Coastal and Land Use Enforcement – Toms River

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