
Township of Upper **Municipal Public Access Plan**

Submitted by: Township of Upper

Date of Current Submittal: 12/19/2019

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

Adoption by the Township Planning Board:
Date will be added upon adoption

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Introduction

This document is intended to provide a comprehensive public access plan for the Township of Upper 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 A.D. 500 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 of 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 (NJDEP) encourages municipalities to develop and adopt MPAPs to govern public access within their Township. 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 NJDEP, Planning Board, Strathmere Improvement Association, Citizens for Strathmere & Whale Beach, Green Team and presented to the Planning Board on 10/17/2019, 12/19/19 and approved for submission to the NJDEP on **date**. Upon receiving approval from the NJDEP on **date**, the MPAP was incorporated into the Recreation Element of the Master Plan by resolution on **date**, (see Appendix 1). All public access decisions made within Township of Upper 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 Township of Upper 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.

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

I. Municipal Public Access Vision

A. Overview of Township of Upper

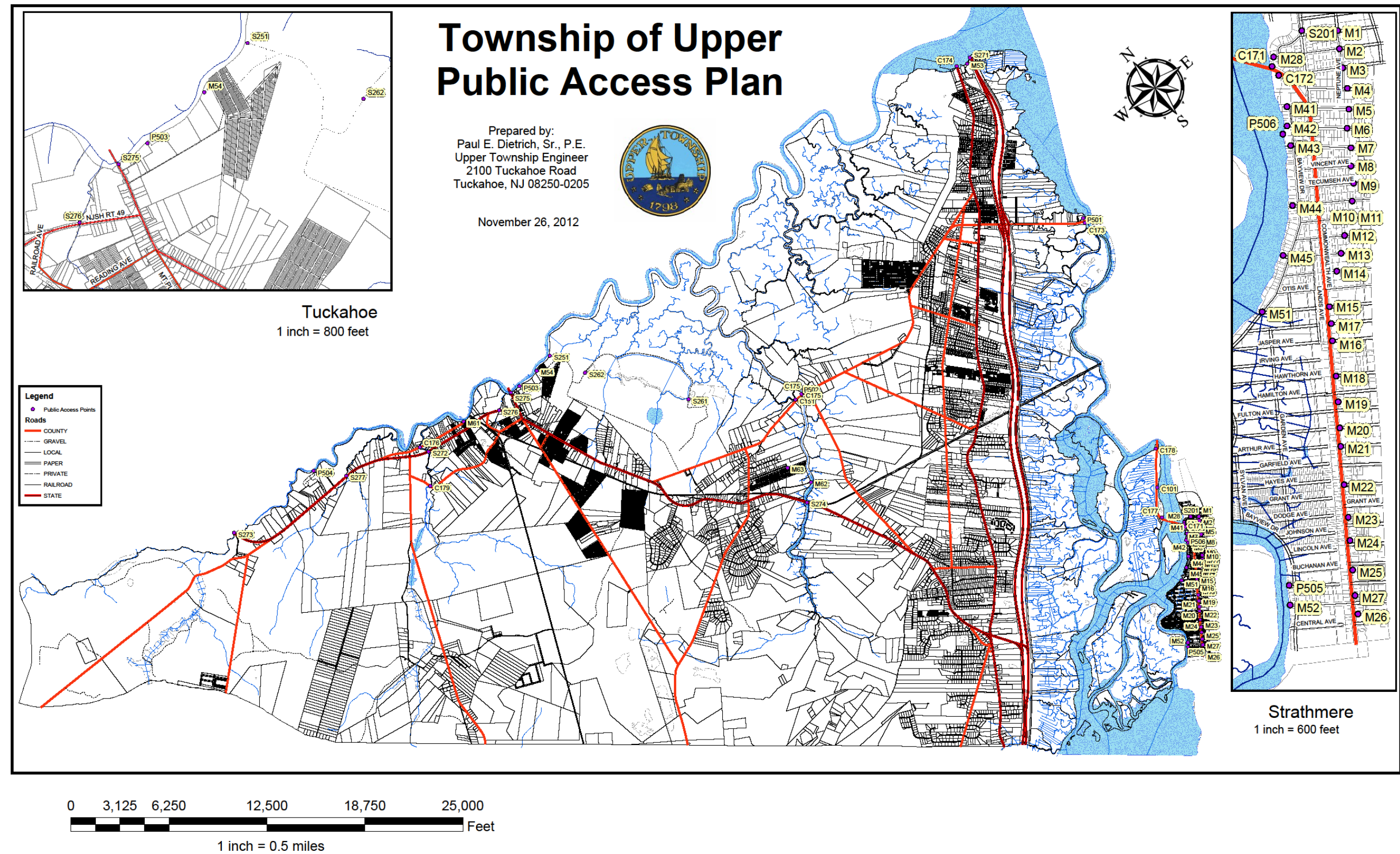
The Township of Upper is located in the northern part of Cape May County and encompasses approximately 68 square miles. Upper Township is primarily a residential community with distinct single-family neighborhoods. The neighborhoods of Beesley's Point, Marmora, Palermo, Seaville and Greenfield are along the US Rt-9/ Stagecoach Road corridor, the neighborhoods of Petersburg, Tuckahoe, Marshallville & Steelmantown are to the west and is separated by the Cedar Swamp Creek and its associated wetlands. The barrier island community of Strathmere and Whale Beach is physically separated from the mainland community by marshland and tidal lands. The Township is bordered by the Cape May County municipalities of Dennis Township, Woodbine, Township of Upper and Sea Isle City; the Atlantic County municipalities of Corbin City and Estell Manor; and the Cumberland County municipality of Maurice River Township.

The 2010 Census determined a population for Upper Township is 12,373.

The major tidal waterways that are within Upper Township include the Atlantic Ocean, Strathmere Bay, Corson's Inlet, Crook Horn Creek, Great Egg Harbor Bay, Tuckahoe River, Cedar Swamp Creek and Mill Creek. There are no major freshwater water-ways in Upper Township. Over 48 percent of the land area of Upper Township consists of tidal and freshwater wetlands. Over 46 percent of the land area is publicly owned by either the State, Federal, County or Township.

1. Map 1. Township of Upper Tidal Waterways and Lands

Map 1 shows all the tidal waterways within the Township of Upper and all lands held by the Township of Upper.



Map 1: Township of Upper Tidal Waterways and Lands and access points

B. Municipal Public Access Goals and Objectives

1. Goals & Objectives

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

- i. Upper Township will maintain an accessible waterfront for the enjoyment of its residents and seasonal visitors;
- ii. Upper Township will seek to maintain, enhance, and create public opportunities for access to tidal waters and their shores, on a non-discriminatory basis, for recreation and commerce;
- iii. Upper Township will strive to improve public waterfront areas and recreational facilities with additional water-dependent or water-oriented amenities; and
- iv. Upper Township will ensure that new development in Upper Township shall provide opportunity for public access to tidal waters and their shores on site, or in coordination with this Municipal Public Access Plan.

In addition to those goals outlined within this Plan, Township of Upper affirms the following State required goals specifically for public access:

- v. Maintain all existing public access to the maximum extent practicable;
- vi. Maintain safe and adequate access locations for fishing in those areas where fishing is safe and appropriate; and
- vii. Provide clear informative signage for access locations.

Upper Township'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 Township of Upper. 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

This MPAP is consistent with the Township's Master Plan Land Use Element and the Open Space and Recreation Element.

In accordance with N.J.A.C. 7:7-16.9, this Municipal Public Access Plan shall be reviewed and approved by the Township of Upper Planning Board for its consistency with the Township of Upper Master Plan. Upon approval by the NJDEP, the MPAP shall be incorporated by resolution into the Township of Upper's Master Plan.

II. Public Access

Public Access in Township of Upper is provided by the municipality and consists of a variety of access points and facilities discussed below and include boat ramps, lifeguarded beaches, unguarded beaches and public access points.

A. Public Access Locations

Map 1 Township of Upper Public Access Locations, identifies an inventory of all public access locations within Township of Upper, whether they are currently Utilized (facility that has physical improvements is maintained by an authorized organization), Un-utilized (facility that has no physical improvements, or Restricted to the public (facility that may have restrictions on access or use), along with their attributes of improvements and activities. Not all the locations are maintained or controlled by Upper Township.

All public access locations which access the Atlantic Ocean have appropriate signage. The Township has no public parking lots available along the Atlantic Ocean and there is no Township property available. There is free street parking available throughout Strathmere and Whale Beach for approximately 800 cars. There is a 200 car parking area that Cape May County operates at 4th Street in Sea Isle City just South of Whale Beach.

The Beesley's Point Park is currently proposed for renovation in 2020 and will have 50 car parking spaces and 7 boat parking spaces.

See Table located in the Appendix 2, for detailed information for each location.

B. Limitations to Public Access

Township of Upper is fortunate to have a multitude of available access to the Atlantic Ocean, Tuckahoe River and tributaries and bayside shorelines. Public access to the edge of tidally flowed waters in Township of Upper may be restricted both in part (seasonally or hourly) or in full, where in the judgment of municipal officials, use will create conditions that may be reasonably expected to endanger the health or safety of the public or environment or create a significant security vulnerability, consistent with federal law. Public access to the edge of Township of Upper's tidally flowed waters may be prohibited in locations where it is inconsistent with federal law or where it is not practicable based on the risk of injury from hazardous operations or substantial permanent obstructions, and no measures can be taken to avert these risks.

As documented herein, numerous street ends provide visual access along the back bay. Public docks providing access for nature viewing, fishing, crabbing, and launch facilities for boats, kayaks and canoes are limited to three locations. The lack of off-street parking necessary to support additional watercraft launch locations on the back bay is a significant impediment to further development of these facilities.

Access to public restrooms immediately adjacent to its shoreline is particularly limited due to lack of a public sewer system. Public port-a-potties are provided by the Township at four (4) locations adjacent to the Atlantic Ocean beachfront (as listed in Appendix 2) and one (1) at the Beesley's Pt Park. The addition of new public restroom facilities adjacent to the shoreline is generally limited by a lack of available locations on public land and public sewer.

Surfing:

When lifeguards are on duty surfing is limited to the area between Sherman Ave and Vincent Ave. When lifeguards are off duty, surfers are free to enter the water at their own risk.

Fishing:

When lifeguards are on duty, for swimmer safety, fishing is restricted and at the direction of the lifeguards on duty.

Dogs:

Dogs are not permitted on the Strathmere beach from March 15 to August 31 in accordance with the Township's approved Beach Management Plan.

III. Community Needs Assessment

Township of Upper has performed a community needs assessment consisted of the following:

- Township Planning Board held a public meeting on October 17, 2019 to discuss the MPAP and the future needs of the community.
- Township also distributed the DRAFT MPAP to numerous community organizations to engage discussion and receive input on the MPAP.

Comments received from the public included the following items:

- Beautification of the access locations to the Beach and Bay in Strathmere
- Seating area & enhancements for public viewing at access locations to the Beach and Bay in Strathmere
- There was mixed input from the public regarding adding a fishing pier along Strathmere Bay. This issue should be studied further in the future with a greater public outreach to be done in the future.

Upper Township is fortunate to have enough readily available public access to the Atlantic Ocean, Tuckahoe River and back bay waters for both its year round residents and its annual summer population. Upper Township recognizes the need to continue to improve and maintain its existing public access points and amenities along its waterfront areas.

IV. Implementation Plan

Township of Upper 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

Township of Upper developed the following priorities:

1. Maintain Existing Public Access

Upper Township shall maintain the existing Township public access locations as shown on Map 1 and described in Appendix 2. The Township shall continue to fund routine maintenance of our existing public access locations through the local budget process.

2. Preserving Public Access

Upper Township will continue to maintain and improve, as recommended herein, all improved public access to waterways including appropriate signage along the public beaches in Strathmere and Whale Beach.

Improvements to unimproved public access to waterways will be sensitive to the capacity of these areas to accommodate anticipated intensity of use.

Where found applicable, proposed improvements to all public access to waterways points will be consistent with the requirements for protection of shore areas, as promulgated by the United States Army Corps of Engineers.

3. Proposed Locations and Facilities

Upper Township shall look to enhancing public access at the following locations:

- Upper Township shall look to develop further public input on future opportunities for fishing locations along Strathmere Bay;
- Upgrading boat ramp facilities at Beesley's Pt Park;
- Provide additional accessible access mats to beach crossovers in Strathmere and Whale Beach;
- Beautification and enhancement at both beach and bay access locations in Strathmere and Whale Beach; and
- Enhance seating & areas for public viewing at access locations to the Beach and Bay in Strathmere and Whale Beach.

B. Signage

Township of Upper has provided the following signage at all Atlantic Ocean beach access locations along Strathmere & Whale Beach beaches since 2012. Signage was installed in 2012 and will be maintained as necessary. Public Works Department inspects the signage every two weeks between May and October.

PUBLIC BEACH ACCESS

Accessible beach entrances at
Williams & Prescott Ave.'s

For emergency contact
you are at beach crossover:
“see list below”

C. United States Army Corps of Engineers Requirements for Shore Protection Projects

Township of Upper has met the USACE Requirements by providing perpetual easements and/or actual municipal ownership of the Public Beach area in Strathmere and Whale Beach. The USACE performed the initial shore protection project in 2016. The first re-nourishment was completed in November & December of 2019 will include over 510,000 CY of sand and dune reconstruction and will be partially funded with Municipal Funds.

D. Additional Steps

Township of Upper has taken additional steps to implement the MPAP including maintaining a General Permit with the NJDEP for Beach and Dune Maintenance and coordinating with the United States Fish and Wildlife Service and NJDEP in developing and maintaining a Beach Management Plan which as last updated in 2019.

V. Resolution of Incorporation

Township of Upper Planning Board has approved a resolution for the incorporation of the MPAP. See Appendix 1 for the 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 Township of Upper Municipal Public Access Plan (MPAP) was submitted to the Upper Township Planning Board and reviewed at the regular meeting of {date}, and

WHEREAS, the planning board has approved the plan as submitted, and

WHEREAS, the planning board 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 Upper Township Planning Board of Township of Upper, the “Township of Upper 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 the Recreation Plan.

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 Upper Township Planning Board at a meeting held on {date}.

Municipal Clerk

Appendix 2
Public Access Table

| ID | Signs | Parking | Location | Cross Street | Badge | Swim | Fishing | Surfing | Playgrd | Park | Pier | Boat Launch | Marina | Restroom | H/C | Shore-Line | Access Type |
|-------|-------|---------|--|-----------------------|-------|------|------------|------------|---------|------|------|-------------|--------|----------|-----|------------|---|
| C 101 | no | street | Ocean Drive (CR 619) | Corson's Inlet Bridge | no | no | yes | n/a | no | no | no | no | no | no | no | Inlet | County - pedestrian crossover |
| C 151 | no | street | North side of Rt 631 | Tyler Rd | no | no | no | n/a | no | no | no | informal | no | no | no | River | County - informal parking and launch site |
| C 171 | no | street | Ocean Drive (CR619) eastern bridge approach | Corson's Inlet Bridge | no | no | no | n/a | no | no | no | no | no | no | no | Inlet | County - Visual @ bridge |
| C 172 | no | street | Ocean Drive (CR619) eastern bridge approach | Corson's Inlet Bridge | no | no | no | n/a | no | no | no | no | no | no | no | Inlet | County - vegetated dune |
| C 173 | no | street | West approach to Rt 623 bridge | Roosevelt Blvd | no | no | yes | n/a | no | no | yes | yes | no | no | no | River | County - Ocean City High School - Crew dock |
| C 174 | no | street | Former Beesly's Point Bridge | Harbor Rd | no | no | yes | n/a | no | no | no | no | no | no | no | Bay | County - Former bridge abutment |
| C 175 | no | street | North side of Rt 631 at west bridge approach | Tyler Rd | no | no | yes | n/a | no | no | no | no | no | no | no | Bay | County - informal parking |
| C 175 | no | street | North side of Rt 631 at east bridge approach | Tyler Rd | no | no | yes | n/a | no | no | no | no | no | no | no | Bay | County - Visual @ Bridge |
| C 176 | no | street | Marshallville Rd (closed to traffic) | Rt-49 | no | no | no | n/a | no | no | no | no | no | no | no | River | County - Visual @ Bridge; bridge closed to vehicles |
| C 177 | no | street | Ocean Drive Corson's Inlet Bridge approach | Corson's Inlet Bridge | no | no | yes | n/a | no | no | no | no | no | no | no | Inlet | County - visual @ Bridge |
| C 178 | no | street | Ocean Drive Rush Chattin Bridge approach | Rush Chattin Bridge | no | no | yes | n/a | no | no | no | no | no | no | no | River | County - informal parking and launch site |
| C 179 | no | street | Rt 557 | Woodbine Blvd | no | no | no | n/a | no | no | no | no | no | no | no | River | County - Visual @ Bridge |
| M 1 | Yes | street | Seaview | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 2 | Yes | street | Seacliff | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 3 | Yes | street | Winthrop St | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 4 | Yes | street | Williams St | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | yes | yes | Ocean | Vehicle & Pedestrian access, Handicap, Port-a-Potty |
| M 5 | Yes | street | Willard St | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 6 | Yes | street | Whittier St | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 7 | Yes | street | Webster Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 8 | Yes | street | Vincent Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 9 | Yes | street | Tecumseh Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 10 | Yes | street | Sumner Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 11 | Yes | street | Sherman Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 12 | Yes | street | Randolph Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 13 | Yes | street | Putnam Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | yes | yes | Ocean | path to beach, handicap, port-a-potty |
| M 14 | Yes | street | Prescot Ave | Commonwealth Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | boardwalk to beach |
| M 15 | Yes | street | 1091 S Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | boardwalk to beach |
| M 16 | Yes | street | 1291 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | boardwalk to beach |
| M 17 | Yes | street | 1191 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | path to beach |
| M 18 | Yes | street | 1401 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | yes | yes | Ocean | Vehicle Access w/ gate, Port-a-Potty |
| M 19 | Yes | street | 1607 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Walkover structure |
| M 20 | Yes | street | 1707 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Walkover Structure |
| M 21 | Yes | street | 1901 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Walkover Structure |
| M 22 | Yes | street | 2101 Commonwealth Ave | Prescott Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Walkover Structure |
| M 23 | Yes | street | 2215 Commonwealth Ave | Taylor Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Crossover Structure |
| M 24 | Yes | street | 2315 Commonwealth Ave | Taylor Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Crossover Structure |
| M 25 | Yes | street | 2505 Commonwealth Ave | Taylor Ave | no | yes | restricted | restricted | no | no | no | no | no | yes | no | Ocean | Dune Crossover Structure, Port-a-Potty |
| M 26 | Yes | street | 2705 Commonwealth Ave | Taylor Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Path |
| M 27 | Yes | street | 2613 Commonwealth Ave | Taylor Ave | no | yes | restricted | restricted | no | no | no | no | no | no | no | Ocean | Dune Walkover Structure |
| M 28 | Yes | street | Seacliff | Bayview Dr | no | yes | no | n/a | no | no | no | no | no | no | no | Bay | Fence at bulkhead, drainage outfall |
| M 41 | Yes | street | Willard St | Bayview Dr | no | yes | restricted | n/a | no | no | no | no | no | no | no | Bay | Bulkhead @ street end; Visual |
| M 42 | Yes | street | Whittier St | Bayview Dr | no | yes | yes | n/a | no | no | no | no | no | no | no | Bay | Bulkhead @ street end |

| | | | | | | | | | | | | | | | | | |
|-------|-----|-----------|--------------------------------------|------------------|----|-----|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|---|
| M 43 | Yes | street | Webster Ave | Bayview Dr | no | yes | restricted | n/a | yes | yes | no | no | no | no | no | Bay | tot lot, fenced in; Visual |
| M 44 | Yes | street | Sumner Ave | Bayview Dr | no | yes | yes | n/a | no | no | no | no | no | no | no | Bay | Bulkhead @ street end |
| M 45 | Yes | street | Putnam Ave | Bayview Dr | no | yes | yes | n/a | no | no | no | no | no | no | no | Bay | Bulkhead @ street end |
| M 51 | Yes | street | South end of Bayview Dr | Bayview Dr | no | yes | yes | n/a | no | no | no | no | no | no | no | Bay | ramp area with limited parking, free |
| M 52 | Yes | street | End of Taylor Ave. | Bayview Dr | no | yes | yes | n/a | no | no | no | no | no | no | no | Bay | ramp area with parking, free |
| M 53 | Yes | Lot, Free | Beesley's Point Park | Harbor Rd | no | yes | yes | n/a | no | yes | yes | yes | no | yes | yes | Bay | Township beach, parking, boat ramp (fee) |
| M 54 | Yes | Lot, Free | Mosquito Landing | Rt-50 | no | no | yes | n/a | no | no | no | yes | no | no | no | River | non-motorized boat Ramp, no-swimming due to water quality |
| M 61 | no | street | Cedar Ave. Marshallville | Marshallville Rd | no | no | no | n/a | no | no | no | no | no | no | no | River | street end, Very steep bank |
| M 62 | no | street | North extent of Upper Bridge Rd | Rt-50 | no | no | yes | n/a | no | no | no | no | no | no | no | River | street end, deep water access |
| M 63 | no | street | End of Frances St at Virginia St. | CR 610 | no | no | no | n/a | no | no | no | no | no | no | no | River | Street end, marsh access |
| P 501 | no | Lot, Free | 551 Roosevelt Blvd | Rt - US9 | no | no | yes | n/a | no | no | yes | yes | yes | yes | no | Bay | Private - Full service marina - All Seasons Marina |
| P 502 | no | Lot, Free | 1301 Tuckahoe Road | Tyler Rd | no | no | no | n/a | no | no | yes | yes | yes | no | no | River | Private - Full service marina - Holtz Boat Works |
| P 503 | no | street | 7 Mosquito Landing Road | Rt-50 | no | no | no | n/a | no | no | yes | yes | no | no | no | River | Private - Boat repair yard - Yank Marine |
| P 504 | no | Lot, Free | 465 Rt-49 | Woodbine Blvd | no | no | yes | n/a | no | no | no | yes | no | yes | no | River | Private - Boat ramp at campground - Scenic River Campground |
| P 505 | no | Lot, Free | 2608 S Bayview Dr | Taylor Ave | no | no | yes | n/a | no | no | yes | no | yes | no | no | Bay | Private - Full service marina - Whale Creek Marina |
| S 201 | Yes | street | Commonwealth Ave | Seaview Ave | no | yes | yes | no | no | no | no | no | no | no | no | Inlet | State - Pedestrians & Vehicle Entrance to Strathmere Natural Area (Corson's Inlet St. Park) |
| S 251 | no | Lot, Free | Mosquito Landing | Rt-50 | no | no | yes | n/a | no | no | no | yes | no | no | no | River | State - Ramp, parking, Lester G McNamara FWA |
| S 261 | no | street | Lester G McNamara FWA | CR 631 | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Dike and causeway |
| S 262 | no | street | Lester G McNamara FWA | CR 631 | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Dike and causeway |
| S 271 | no | none | At foot of GSP over Great Egg Harbor | Exit 25 | no | no | no | n/a | no | no | no | no | no | no | no | Bay | State - beach, adj to Twp. beach |
| S 272 | no | street | Route 49 | Rt-50 | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Visual @ Bridge |
| S 273 | no | street | Head Of River at Route 49 | Woodbine Blvd | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Visual @ Bridge |
| S 274 | no | street | Route 50 | Tyler Rd | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Visual @ Bridge |
| S 275 | no | street | Route 50 Tuckahoe | Meadowview La | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Visual @ Bridge |
| S 276 | no | street | Route 49 Tuckahoe | Rt-50 | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Visual @ Bridge |
| S 277 | no | street | Route 49 | Woodbine Blvd | no | no | no | n/a | no | no | no | no | no | no | no | River | State - Visual @ Bridge |

Table 1 Upper Township Public Access Location Amenities

Explanation of table:

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

PARKING: Is parking for the location/facility provided on the street or in a lot and is it free or do you have to pay? Street, free; Street, pay; Lot, free, Lot, pay

STREET: On what street is the public access located?

CROSS STREET: What is the cross street where this location is located?

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

SWIMMING: Is swimming permitted at this location? Yes or No (Limitations on swimming, such as hours, lifeguards, etc., are discussed in Section II.B and C)

FISHING and SURFING: Is fishing/surfing permitted at this location? Yes or No (Limitations/restrictions are discussed in the Section II.B and C)

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

H/C: What amenities are handicap accessible at this location/facility? (Not necessarily ADA Compliant) None, Parking reserved, Ramp provided, and/or Restrooms accessible

SHORELINE: What shoreline does this location inhabit? Ocean, Bay, River and/or inlet

ACCESS TYPE: Describe the type of access: Beach, Fishing, Boat, and/or Visual

APPENDIX 3

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 000-2020

**RE: AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN AMENDMENT
TO THE UPPER TOWNSHIP RECREATION AND OPEN SPACE INVENTORY**

WHEREAS, in accordance with N.J.A.C. 7:36-25.3(k), the Township of Upper wishes to amend its Recreation and Open Space Inventory (ROSI) to include a portions of various street ends in the Township of Upper, County of Cape May that currently provide public access to the waters of New Jersey as designated on the attached Public Access Map, dated November 26, 2012, attached hereto as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor of the Township of Upper is hereby authorized, directed, and empowered to sign a Declaration, attached hereto as Exhibit B, amending the Township's ROSI.
3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

RICHARD PALOMBO, Mayor

BARBARA L. YOUNG, Twp. Clerk

Exhibit B

CERTIFICATION:

I HEREBY CERTIFY that this Recreation and Open Space Inventory, comprising of 1 page, is a complete and accurate listing of all lands held by the Local Government Unit, as of the 1st day of June, 1982, for recreation and conservation purposes updating the Recreation and Open Space Inventory.

This ROSI is being submitted to Green Acres as an amendment of Public street ends that provide Public Access to waterways.

Richard Palombo, Mayor

Date:_____

Jim Kelly, Planning Board Chairperson

Date:_____

If required by local ordinance, number and date of governing body resolution authorizing Mayor to sign the ROSI:

Resolution Number

Date of Resolution

(Resolution attached)

Local Unit: Township of UpperCounty: Cape May County

All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the local government unit. The official map used for this ROGI is named 1982 ROGI Map and is dated October 13, 2017.

Lands Held in Fee Simple for Recreation and Conservation Purposes

| Map Key | Municipal Location per Tax Records | Name of Park / Facility | Block No. | Lot No. | Total Lot Acres | Partial Lot? (Y / N) <i>Note 1</i> | GA Encumbered Acres <i>Note 2</i> | Co-Owners? (Y / N) <i>Note 3</i> | Green Acres Funded? (F / U) <i>Note 4</i> | EIFP Funded? (Y / N) <i>Note 5</i> | Notes |
|---------|------------------------------------|-------------------------------------|-----------|---------|-----------------|---------------------------------------|--------------------------------------|-------------------------------------|--|---------------------------------------|-------|
| M 1 | Seaview Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 2 | Seacliff Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 3 | Winthrop Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 4 | Williams Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 5 | Willard Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 6 | Whittier Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 7 | Webster Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 8 | Vincent Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 9 | Tecumseh Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 10 | Sumner Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 11 | Sherman Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 12 | Randolph Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 13 | Putnam Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 14 | Prescot Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 15 | 1091 S Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 16 | 1291 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 17 | 1191 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 18 | 1401 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 19 | 1607 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 20 | 1707 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 21 | 1901 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 22 | 2101 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 23 | 2215 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 24 | 2315 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 25 | 2505 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 26 | 2705 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 27 | 2613 Commonwealth Ave | Street end public access at Beach | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 28 | Seacliff Ave | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 41 | Willard Ave | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 42 | Whittier Ave | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 43 | Webster Ave | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 44 | Sumner Ave | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 45 | Putnam Ave | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |

Local Unit: Township of UpperCounty: Cape May County

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Lands Held in Fee Simple for Recreation and Conservation Purposes

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|---------|------------------------------------|-------------------------------------|-----------|---------|-----------------|---|--|---|--|---|-------|
| M 51 | South end of Bayview Dr | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 52 | Taylor Ave. | Street end access at Strathmere Bay | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 54 | Mosquito Landing Rd | Street end at Tuckahoe River | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 61 | Cedar Ave. Marshallville | Street end at Tuckahoe River | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 62 | North extent of Upper Bridge Rd | Street end at Cedar Swamp Creek | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| M 63 | end of Frances St at Virginia St. | Street end at Cedar Swamp Creek | n/a | n/a | n/a | Yes | n/a | No | No | No | |
| | | | | | | | | | | | |

Total of all fee simple Green Acres-encumbered acres on this page only: -