



**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No.
CENAP-OP-R-2012-1358

Date
FEB 13 2015

Application No.

File No.

In Reply Refer to:
REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Pennylane Associates, LLC

AGENT: Mr. Thomas A Dase, PE, PP
Arthur W. Ponzio Company & Associates, Incorporated
400 North Dover Avenue
Atlantic City, NJ 08401

WATERWAY: Beach Thorofare

LOCATION: The project is located at 9315 Amherst Avenue, on the property known as block 528, lot 4, in the City of Margate, Atlantic County, New Jersey.

ACTIVITY: As shown on the attached plan **E-5**, the applicant proposes to install twenty six, 12 inch piling for the construction of a new fixed pier, an aluminum gangway, and five floating docks, associated with the development of a new commercial/public marina (Margate Marina). As shown on the attached plan **E-6**, the proposed **67** linear foot long by **6.5** foot wide fixed pier would be constructed using 14 foundation piles, 2" by 6" decking materials, and placed **3.7 feet** above the Mean High Water elevation. The fixed pier would be used as a walkway to the new gangway/ramp. The installation of the gangway/ramp would provide access to the proposed EZ floating dock system, as shown on the attached plans **E-5** through **E-14**. The floating dock system would be comprised of **one**, **136.22** linear foot long by **5.72** foot wide section, **three**, **61.62** linear foot long by **4.86** foot wide sections, and **one**, **116.76** linear foot long by **4.86** foot wide section leading to a **31.66** linear foot long by **4.86** foot wide "T". The floating dock system would accommodate **41**, **12** linear feet long by **4** foot wide EZ Port 3 personal watercraft docks. The new EZ Port 3 docks would provide for **41** new jet ski moorings.

As proposed by the applicant, all structures would be constructed of Non-Polluting Materials, as referenced on the attached plan **E-15**. The proposed project does not involve any dredging activities. In addition, the proposed structures would be installed a minimum of **125** linear feet from the existing **Federal Navigation Channel and/or Intracoastal Waterway**. At this time, no navigation hazards have been identified.

The proposed project would impact (cover) approximately **0.065 acres** of tidal waters of the United States.

PURPOSE: The purpose of the project is to provide a new personal watercraft/jet ski commercial/public marina.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within **30 days** to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations

in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, specifically page 42.

Analysis of the Effects: At this time, the proposed project may have an Adverse Effect on **Winter Founder** eggs, larvae. Therefore this office proposes, as a Conservation Recommendation, a seasonal restriction to prohibit in-water work from **January 1 to May 31**, of any given year, to avoid any adverse effects to the winter flounder life cycles, and EFH. As the evaluation of this application continues, additional information may become available from the National Marine Fisheries Service which could modify this preliminary determination.

Corps of Engineers View: Based upon the above analysis, the Corps of Engineers has determined that the proposed project would not have a direct, indirect, site-specific, or habitat-wide impact on EFH, or upon the managed species and their life stages listed in the above referenced EFH guide, either individually, cumulatively or synergistically. The proposed project would not eliminate, diminish, nor disrupt the functions of EFH.

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

Compensatory Mitigation: There is no proposed placement of dredged or fill material in waters or wetlands. As such, compensatory mitigation has not been proposed and is not anticipated at this time.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Mr. Bryan P. Bellacima at (215) 656-6732, via email at bryan.p.bellacima@usace.army.mil, or writing this office at the above address.



† Frank J. Cianfrani
Chief, Regulatory Branch

PROPOSED PERSONAL WATERCRAFT MARINA EXPANSION to MARGATE MARINA

FOR
PENNY LANE ASSOCIATES, LLC

BLOCK 528 LOT 4

AMHERST AVENUE

CITY OF MARGATE ATLANTIC COUNTY NEW JERSEY

SHEET	DESCRIPTION	LAST REVISED
1	COVER SHEET	12/11/2014
2	LOCATOR MAP	4/2/2013
3	FEMA PRELIMINARY FIRM	8/12/2014
4	EXISTING CONDITIONS PLAN	12/11/2014
5	WATERFRONT DEVELOPMENT PLAN	1/16/2015
6	PROFILE - SHEET 1	1/16/2015
7	PROFILE - SHEET 2	12/9/2014
8	PROFILE - SHEET 3	12/9/2014
9	PROFILE - SHEET 4	12/9/2014
10	PROFILE - SHEET 5	12/9/2014
11	PROFILE - SHEET 6	12/9/2014
12	PROFILE - SHEET 7	12/9/2014
13	PROFILE - SHEET 8	12/9/2014
14	PROFILE - SHEET 9	12/9/2014
15	NOTES	12/9/2014

1
15

US ARMY CORPS PLAN SET - COVER SHEET

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY



THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO. & ASSOCIATES

SURVEYING~ENGINEERING~PLANNING



400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

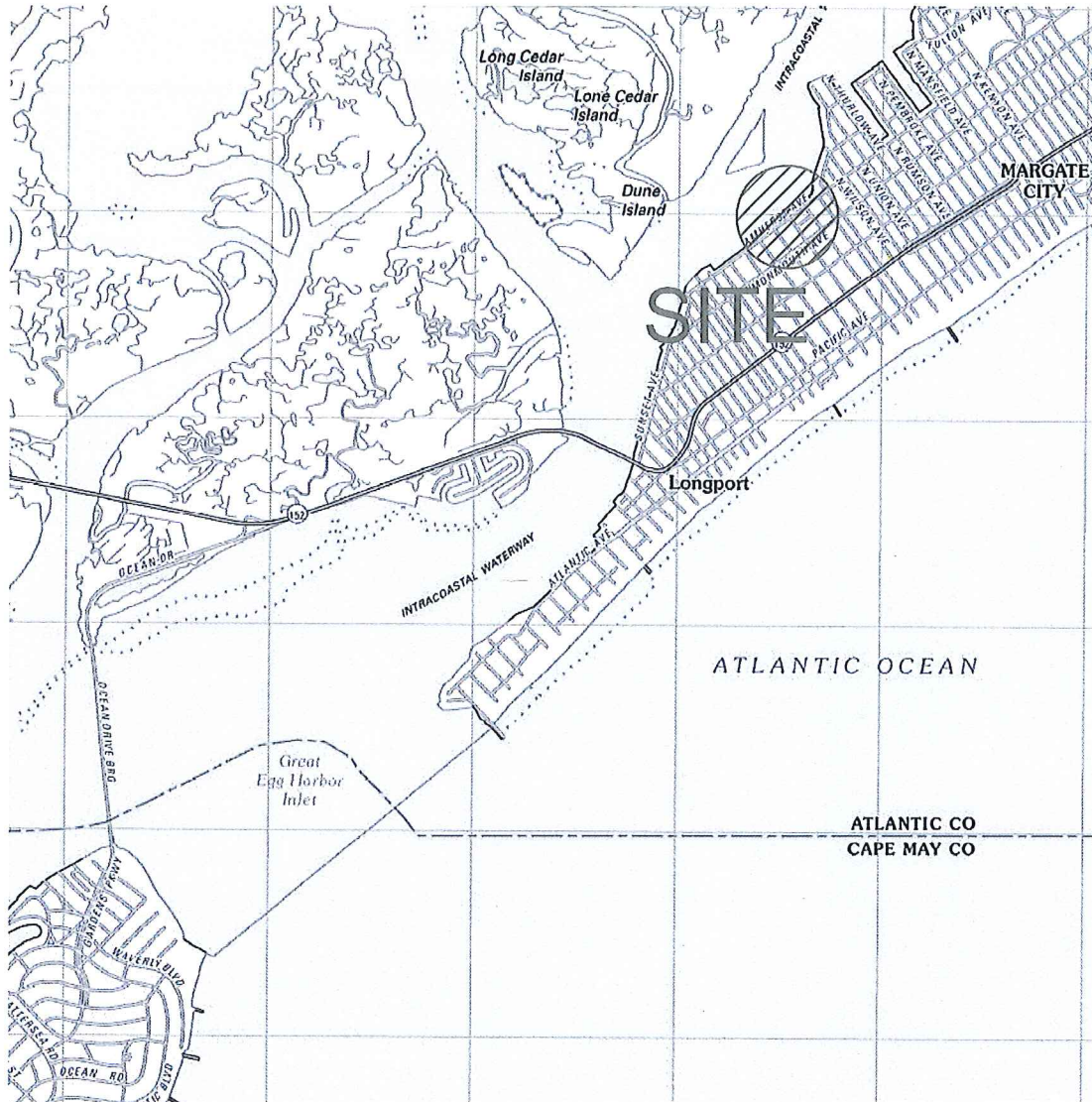
DATE: 12/11/14

DRAWN BY: T DASE

SCALE: AS NOTED

PROJECT NO.: 30743

E-1



P/O USGS QUAD MAP - OCEAN CITY

2
15

US ARMY CORPS PLAN SET - LOCATOR MAP

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING

400 NORTH DOVER AVENUE

ATLANTIC CITY, NEW JERSEY 08401

PHONE (609) 344-8194 FAX (609) 344-1594

NEW JERSEY AUTH. NO.: 24GA28001300



DATE: 4/2/13

SCALE: AS NOTED

DRAWN BY: T DASE

PROJECT NO.: 30743

E-2



US ARMY CORPS PLAN SET - FEMA PRELIMINARY FIRM

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING



400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

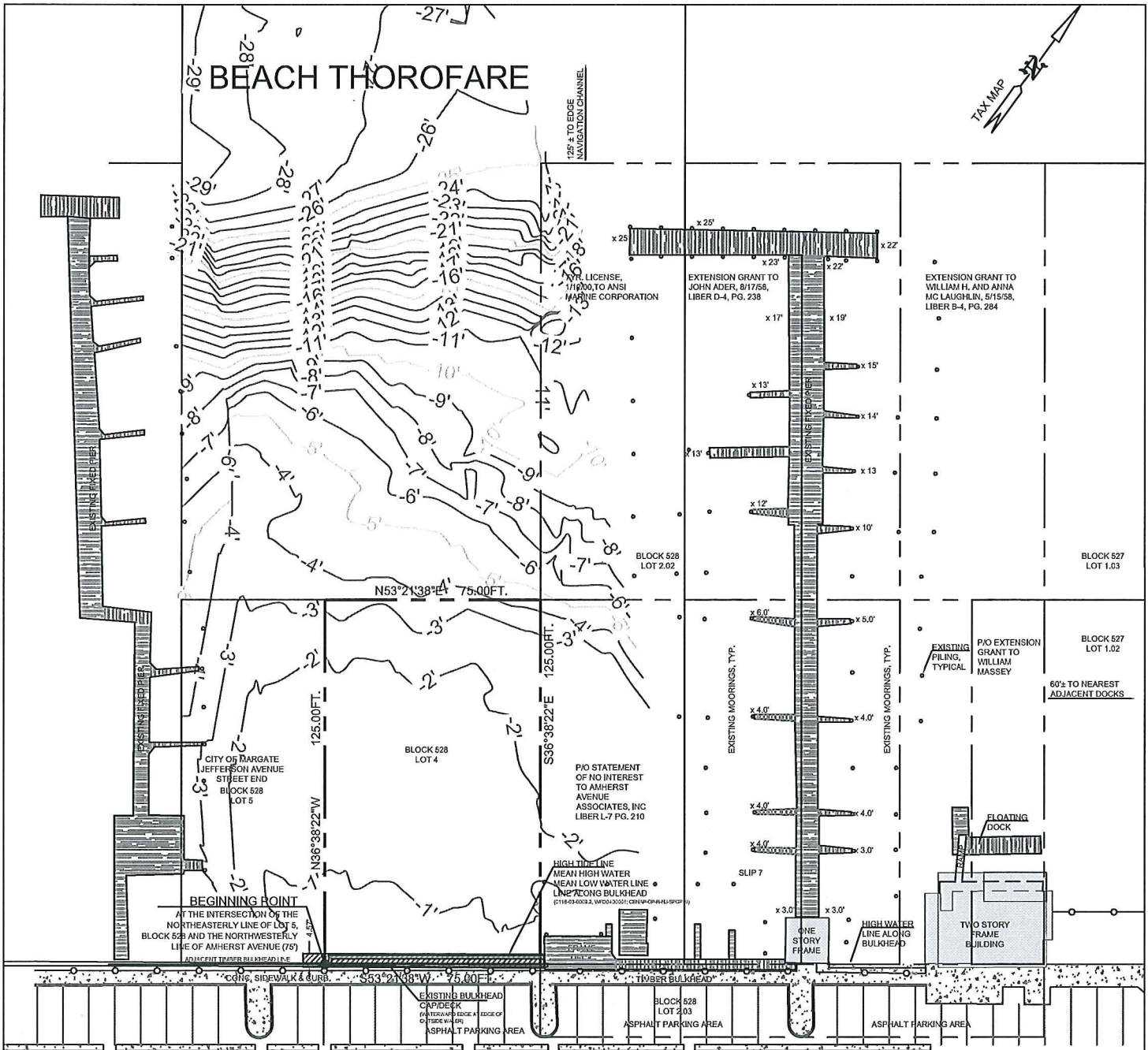
DATE: 8/12/14

DRAWN BY: T DASE

SCALE: AS NOTED

PROJECT NO.: 30743

E-3



AMHERST AVENUE (75' WIDE)

4
15

US ARMY CORPS PLAN SET - EXISTING CONDITIONS

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING

400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300



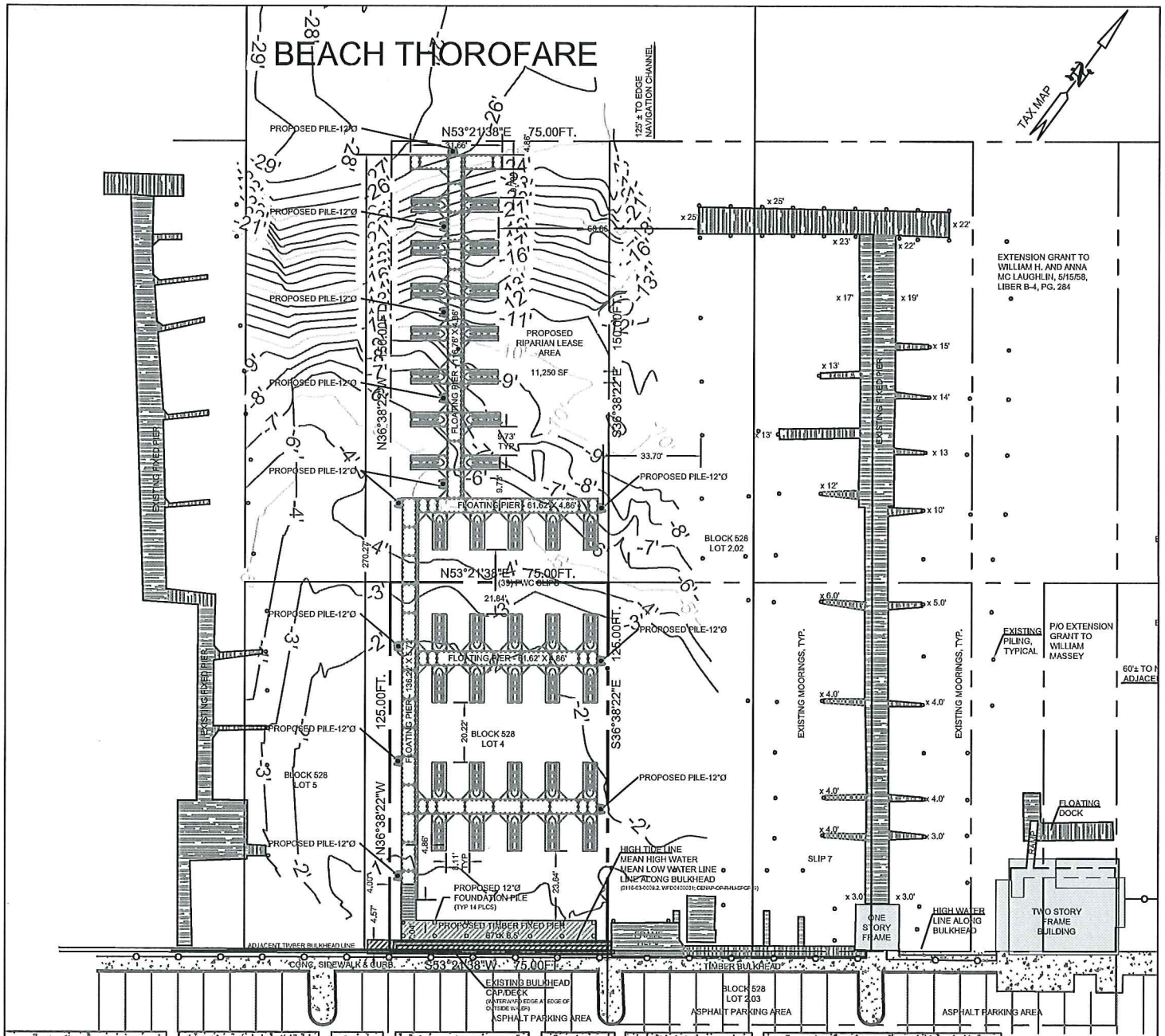
DATE: 8/12/14

SCALE: 1"=50'

DRAWN BY: T DASE

PROJECT NO.: 30743

E-4



AMHERST AVENUE (75' WIDE)

5
15

US ARMY CORPS PLAN SET - PROPOSED CONDITIONS

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING

400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300



DATE: 1/16/15

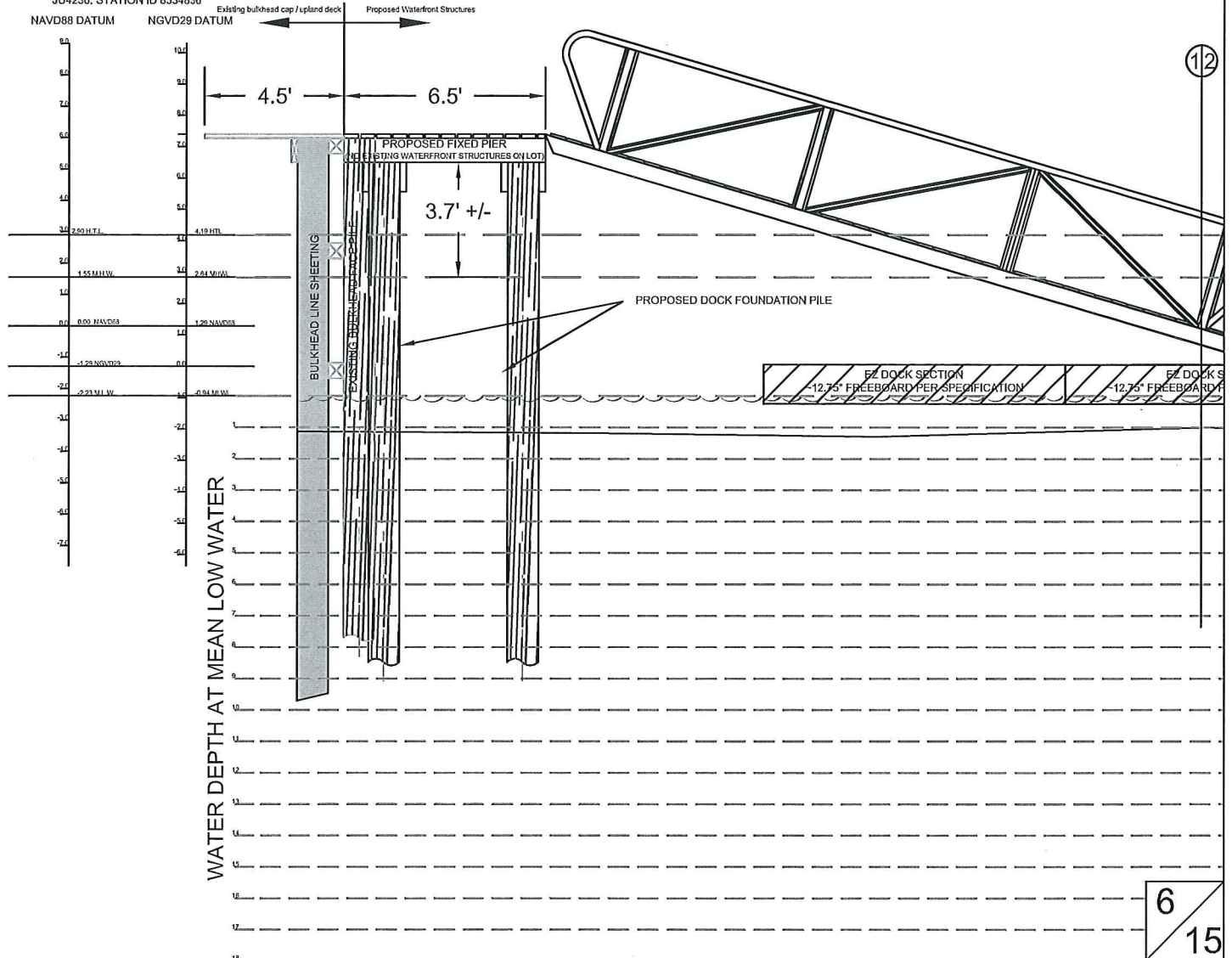
SCALE: 1" = 50'

DRAWN BY: T DASE

PROJECT NO.: 30743

E-5

PRESENT EPOCH (1983-2001)
TIDE STATION: LONGPORT, RISLEY'S CHANNEL
JU4236; STATION ID 8534836



US ARMY CORPS PLAN SET - PROFILE - SHEET 1

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING

400 NORTH DOVER AVENUE

ATLANTIC CITY, NEW JERSEY 08401

PHONE (609) 344-8194 FAX (609) 344-1594

NEW JERSEY AUTH. NO.: 24GA28001300



DATE: 1/16/15

SCALE: 1" = 10'

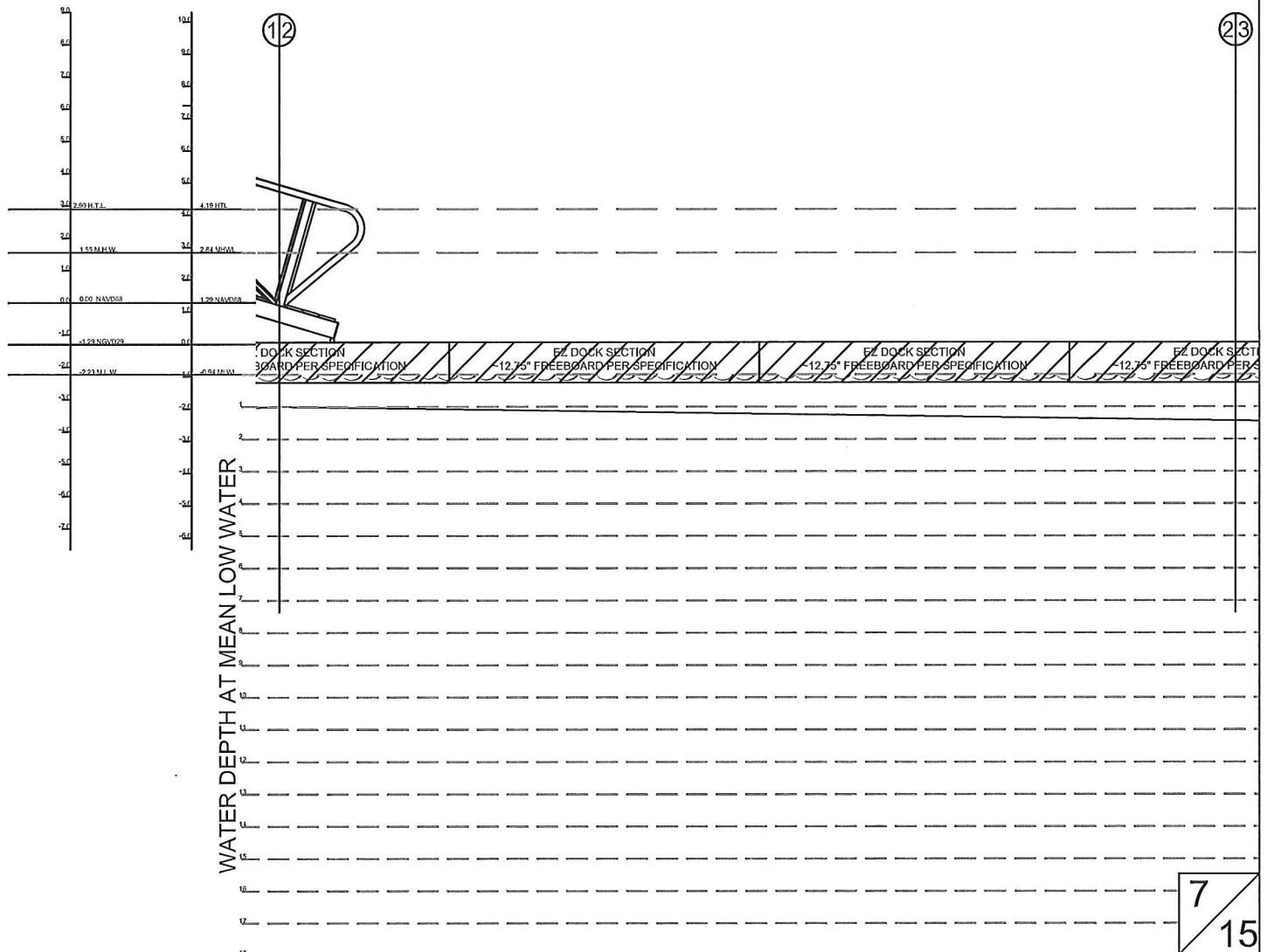
DRAWN BY: T DASE

PROJECT NO.: 30743

E-6

PRESENT EPOCH (1983-2001)
TIDE STATION: LONGPORT, RISLEY'S CHANNEL
JU4236; STATION ID 8534836

NAVD88 DATUM NGVD29 DATUM



US ARMY CORPS PLAN SET - PROFILE - SHEET 2

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase
THOMAS A. DASE
PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING

400 NORTH DOVER AVENUE

ATLANTIC CITY, NEW JERSEY 08401

PHONE (609) 344-8194 FAX (609) 344-1594

NEW JERSEY AUTH. NO.: 24GA28001300

DATE: 12/9/14

SCALE: 1" = 10'

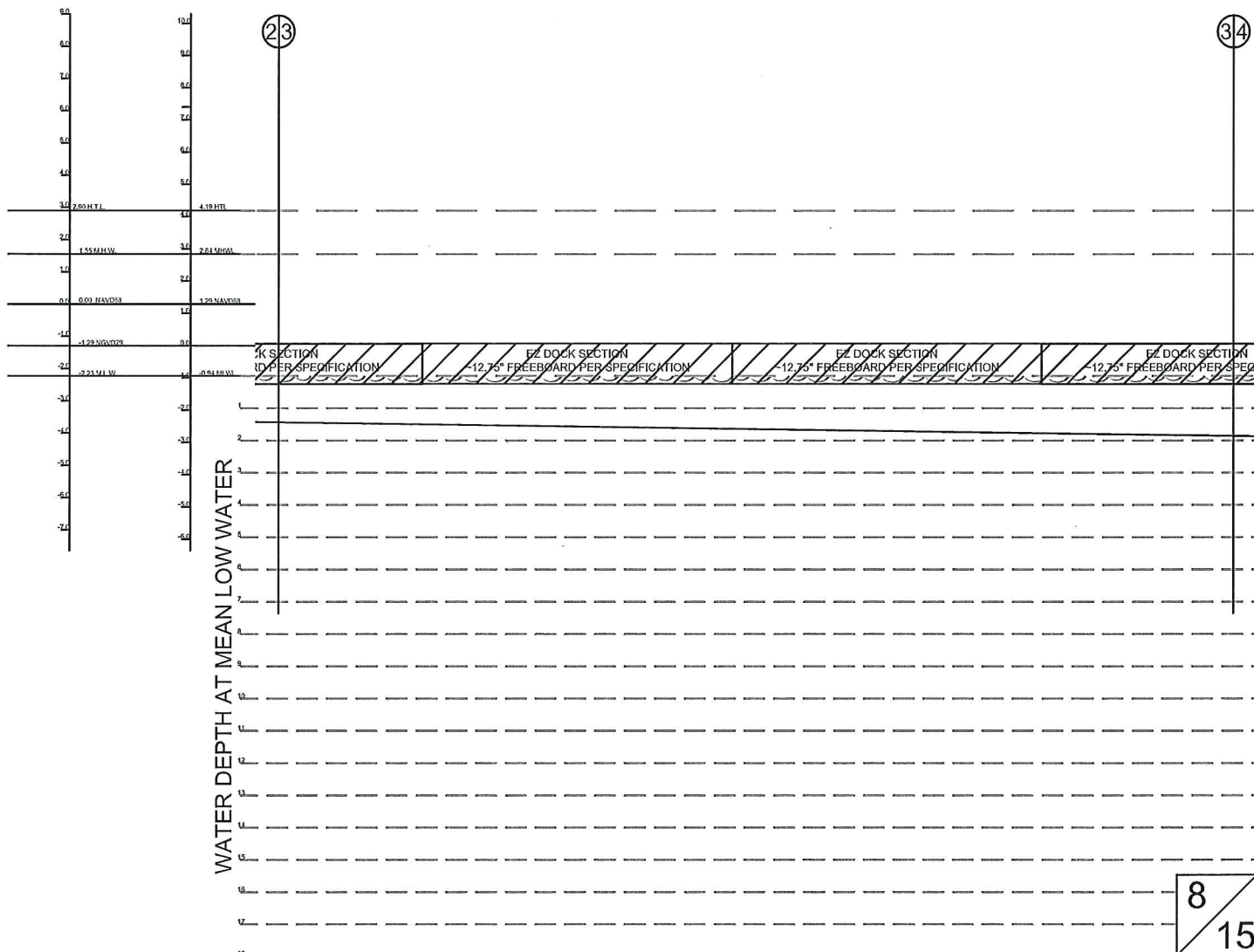
DRAWN BY: T DASE

PROJECT NO.: 30743

E-7

PRESENT EPOCH (1983-2001)
TIDE STATION: LONGPORT, RISLEYS CHANNEL
JU4236; STATION ID 8534836

NAVD88 DATUM NGVD29 DATUM



US ARMY CORPS PLAN SET - PROFILE - SHEET 3

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING

400 NORTH DOVER AVENUE

ATLANTIC CITY, NEW JERSEY 08401

PHONE (609) 344-8194 FAX (609) 344-1594

NEW JERSEY AUTH. NO.: 24GA28001300



DATE: 12/9/14

SCALE: 1" = 10'

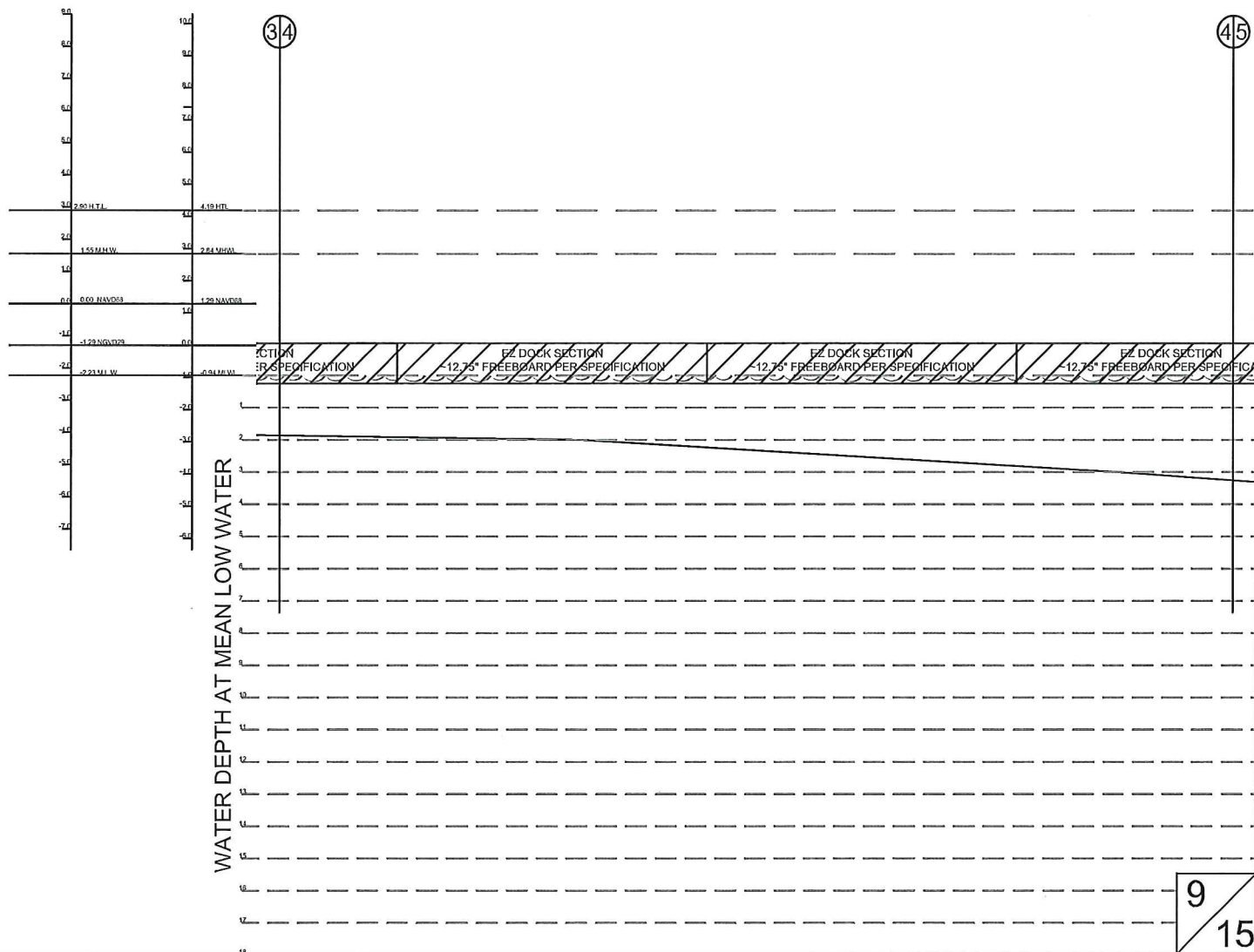
DRAWN BY: T DASE

PROJECT NO.: 30743

E-8

PRESENT EPOCH (1983-2001)
TIDE STATION: LONGPORT, RISLEYS CHANNEL
JU4236: STATION ID 8534836

NAVD88 DATUM NGVD29 DATUM



US ARMY CORPS PLAN SET - PROFILE - SHEET 4

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING



400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

DATE: 12/9/14

SCALE: 1" = 10'

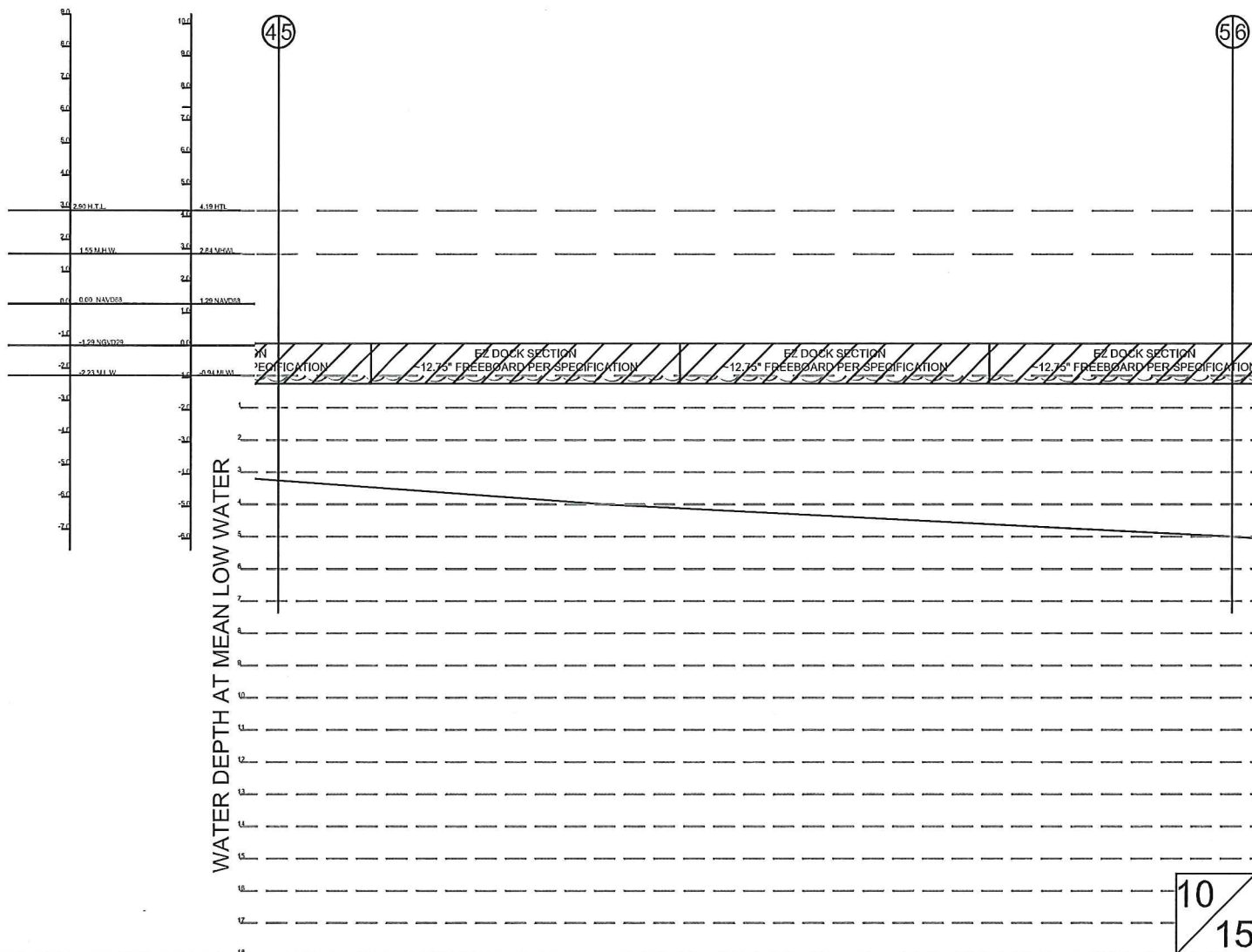
DRAWN BY: T DASE

PROJECT NO.: 30743

E-9

PRESENT EPOCH (1983-2001)
TIDE STATION: LONGPORT, RISLEYS CHANNEL
JU4236: STATION ID 8534836

NAVD88 DATUM NGVD29 DATUM



US ARMY CORPS PLAN SET - PROFILE - SHEET 5

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING



400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

DATE: 12/9/14

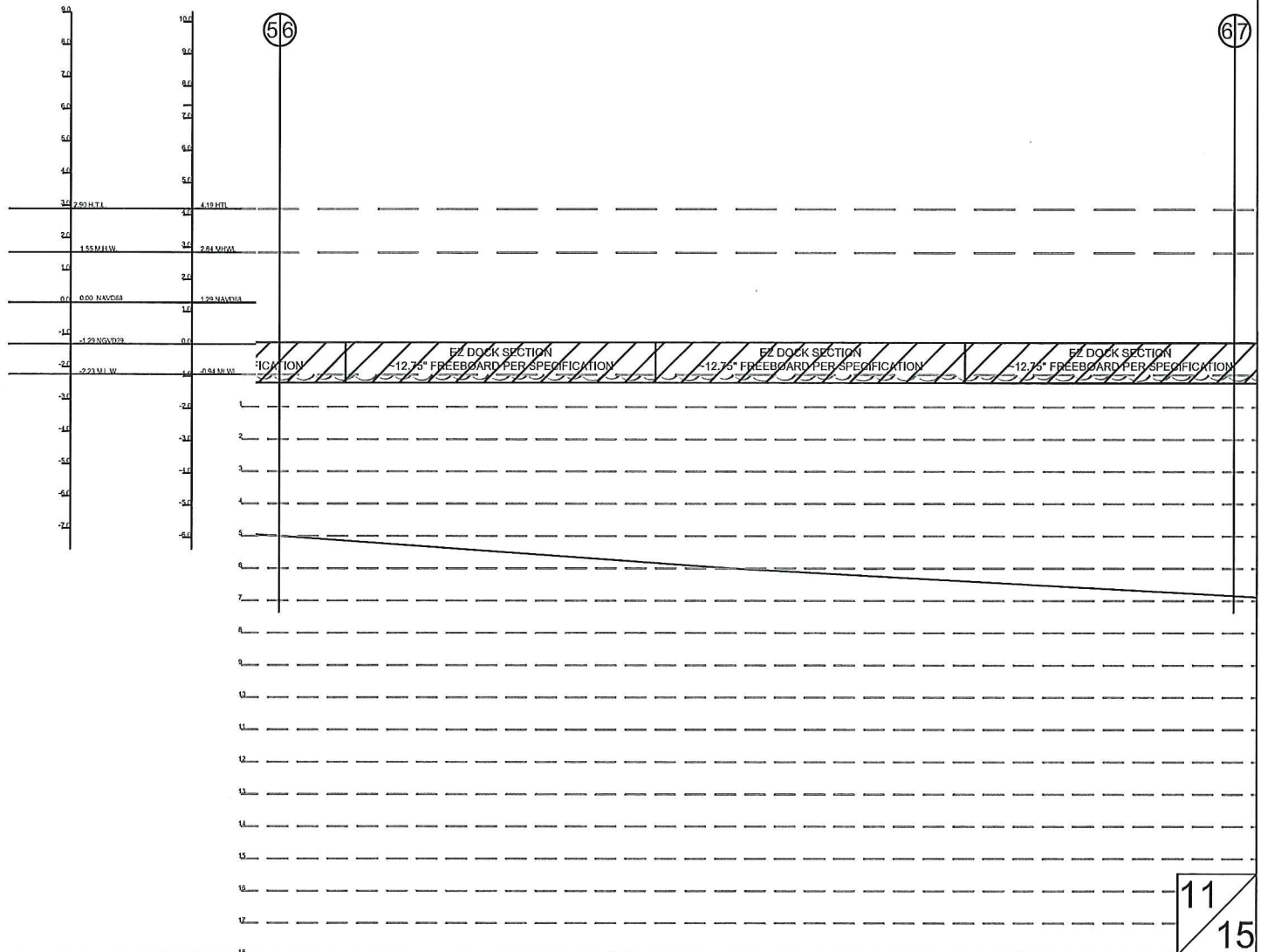
SCALE: 1" = 10'

DRAWN BY: T DASE

PROJECT NO.: 30743

E-10

NAVD88 DATUM	NGVD29 DATUM
100.00	100.00
100.01	100.01
100.02	100.02
100.03	100.03
100.04	100.04
100.05	100.05
100.06	100.06
100.07	100.07
100.08	100.08
100.09	100.09
100.10	100.10
100.11	100.11
100.12	100.12
100.13	100.13
100.14	100.14
100.15	100.15
100.16	100.16
100.17	100.17
100.18	100.18
100.19	100.19
100.20	100.20
100.21	100.21
100.22	100.22
100.23	100.23
100.24	100.24
100.25	100.25
100.26	100.26
100.27	100.27
100.28	100.28
100.29	100.29
100.30	100.30
100.31	100.31
100.32	100.32
100.33	100.33
100.34	100.34
100.35	100.35
100.36	100.36
100.37	100.37
100.38	100.38
100.39	100.39
100.40	100.40
100.41	100.41
100.42	100.42
100.43	100.43
100.44	100.44
100.45	100.45
100.46	100.46
100.47	100.47
100.48	100.48
100.49	100.49
100.50	100.50
100.51	100.51
100.52	100.52
100.53	100.53
100.54	100.54
100.55	100.55
100.56	100.56
100.57	100.57
100.58	100.58
100.59	100.59
100.60	100.60
100.61	100.61
100.62	100.62
100.63	100.63
100.64	100.64
100.65	100.65
100.66	100.66
100.67	100.67
100.68	100.68
100.69	100.69
100.70	100.70
100.71	100.71
100.72	100.72
100.73	100.73
100.74	100.74
100.75	100.75
100.76	100.76
100.77	100.77
100.78	100.78
100.79	100.79
100.80	100.80
100.81	100.81
100.82	100.82
100.83	100.83
100.84	100.84
100.85	100.85
100.86	100.86
100.87	100.87
100.88	100.88
100.89	100.89
100.90	100.90
100.91	100.91
100.92	100.92
100.93	100.93
100.94	100.94
100.95	100.95
100.96	100.96
100.97	100.97
100.98	100.98
100.99	100.99
101.00	101.00



CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas C. Case

PROFESSIONAL ENGINEER N.J. NO. GE48387

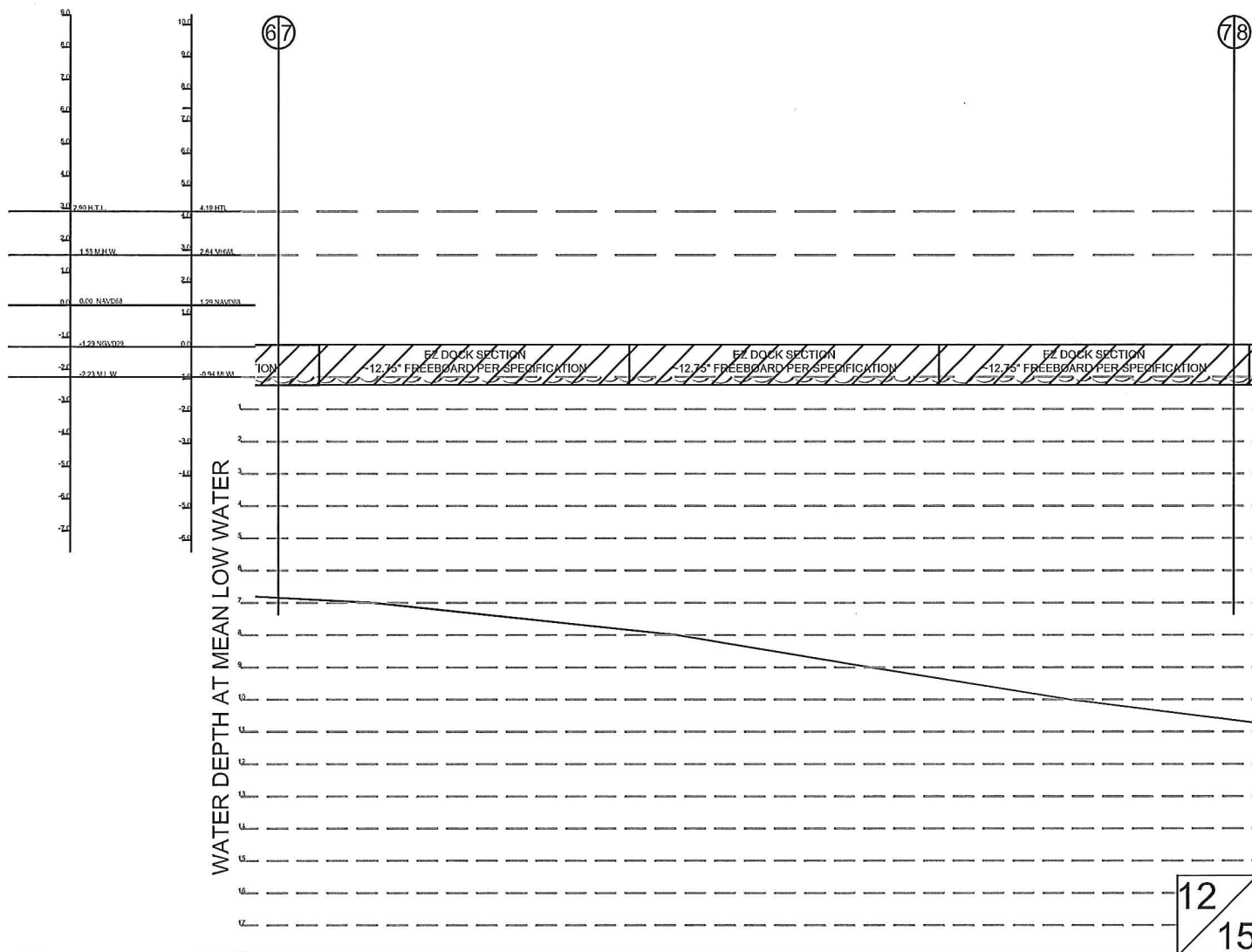
NEW JERSEY AUTH. NO.: 24GA28001300



PROJECT NO.:30743

E-11

NAVD88 DATUM NGVD29 DATUM



CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

& ASSOCIATES

NEW JERSEY AUTH. NO.: 24GA28001300



PROJECT NO.:30743

Thomas C. Case

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

E-12

NAVD88 DATUM NGVD29 DATUM



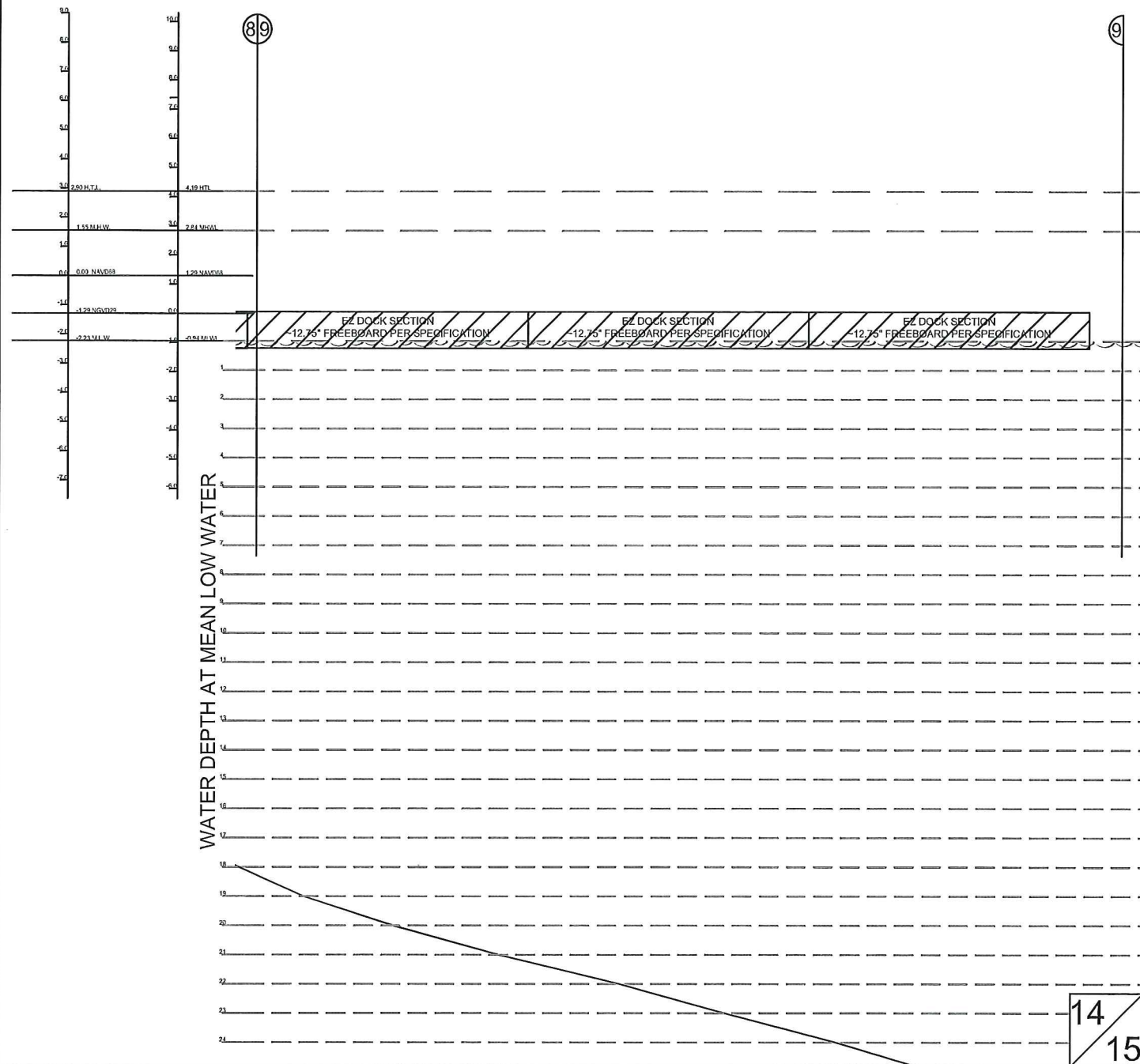
CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

PROJECT NO.:30743

E-13

PRESENT EPOCH (1983-2001)
TIDE STATION: LONGPORT, RISLEYS CHANNEL
JU4236; STATION ID 8534836

NAVD88 DATUM NGVD29 DATUM



US ARMY CORPS PLAN SET - PROFILE - SHEET 9

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY

Thomas A. Dase

THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO.

& ASSOCIATES

SURVEYING~ENGINEERING~PLANNING



400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

DATE: 12/9/14

SCALE: 1" = 10'

DRAWN BY: T DASE

PROJECT NO.: 30743

E-14

1. ALL MATERIALS TO BE NON-POLLUTING. MATERIALS TO BE UTILIZED INCLUDE
 - a. FLOATING DOCKS TO BE MANUFACTURED WITH NRA-235 HIGH PERFORMANCE, GENERAL-PURPOSE, UV-STABILIZED, ROTATIONAL MOLDING GRADE RESINS (MOBIL OIL CORPORATION, ENVIRONMENTAL HEALTH AND SAFETY DEPARTMENT, 970418-01 MATERIAL SAFETY DATA BULLETIN)
 - b. PILING TO BE GREENHEART PILE;
 - c. FIXED PIER TO BE CONSTRUCTED FROM HARDWOODS OR VINYL WRAPPED TREATED LUMBER. NO EXPOSED TREATED LUMBER WILL BE USED IN THE FIXED PIER CONSTRUCTION;
 - d. ALL HARDWARE TO BE GALVANIZED STEEL

2. MANUFACTURER SPECIFICATIONS
 - a. UNDER DEAD LOAD FREEBOARD SHALL BE APPROXIMATELY 12.75" (DRAFT=2.25")
 - b. UNDER DEAD LOAD PLUS ADDITIONAL 30 PSF UNIFORM LIVE LOAD FLOTATION SHALL PROVIDE A MINIMUM OF 7" OF FREEBOARD (DRAFT=8")
 - c. AT MEAN LOW WATER THE DOCKS WILL BE CLEAR OF MUD LINE BASED ON SOUNDINGS TAKEN AUGUST 5, 2014.

15
15

US ARMY CORPS PLAN SET - NOTES

CITY OF MARGATE
BLOCK 528 LOT 4
ATLANTIC COUNTY, NEW JERSEY



THOMAS A. DASE

PROFESSIONAL ENGINEER N.J. NO. GE48387

ARTHUR W. PONZIO CO. & ASSOCIATES

SURVEYING~ENGINEERING~PLANNING



400 NORTH DOVER AVENUE
ATLANTIC CITY, NEW JERSEY 08401
PHONE (609) 344-8194 FAX (609) 344-1594
NEW JERSEY AUTH. NO.: 24GA28001300

DATE: 12/9/14

DRAWN BY: T DASE

SCALE: 1" = 10'

PROJECT NO.: 30743

E-15