



**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-2016-0147

Date

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: Brian T. Kimmins
119 Stockton Lake Boulevard
Manasquan, New Jersey 08736

AGENT: Charles E. Lindstrom
Lindstrom, Diessner and Carr, P.C.
136 Drum Point Road
Suite 6
Brick, New Jersey 08723

WATERWAY: Manasquan River

LOCATION: Block 59, Lots 11 and 11.01, in the Borough of Brielle, Monmouth County, New Jersey.

ACTIVITY: The applicant proposes to maintain structures that were constructed on the project site. The applicant received a New Jersey State Programmatic General Permit Number 19 on May 14, 1996, from the New Jersey Department of Environmental Protection (NJDEP) to construct structures at the above referenced site. The construction activities took place on the site in 2013. The structures that were constructed on the site were not constructed as the plot plan that was approved by the NJDEP (Sees E-2 that is attached to this document for what was approved by the NJDEP). The following structures were constructed at the site:

The main fixed pier is approximately five (5) feet wide and extends approximately one hundred two (102) foot from the existing bulkhead.

Approximately fifty one (51) feet from the bulkhead, situated parallel to the existing bulkhead, an eight (8) foot wide, twenty five (25) foot long dock extension connects an eight (8) foot wide, forty five (45) foot long fixed pier to the main pier forming a "U" shaped structures.

Within the “U” formed by the above referenced structures, a sixteen (16) foot by twenty (20) foot boat lift was installed.

An approximately three (3) foot wide, twenty (20) foot long ramp connects a twenty five (25) foot long, six foot wide floating dock to the “U” shaped structures.

Two (2) mooring piles were instated at the site.

A series of steps were installed along the bulkhead and extends approximately ten (10) feet waterward of mean high water would be removed.

The structures were installed using barge mounted equipment. The structures were constructed using treated timber and aluminum components. The vessels that are moored to the structures have a maximum length forty (40) feet with a draft of three and one half (3.5) foot draft. The waterward end of the structure are located approximately twenty two (22) feet from the center of the waterway. No dredging or filling of areas waterward of the high tide line occurred during the construction of the above referenced structures.

PURPOSE: The applicant's stated purpose is to legalize structures that allow for the mooring of private boats for access to the waterway.

A preliminary review of this application indicates that the work would have no affected any ESA 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 15 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. This office has determined that the proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impact a historic property

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 14, the work performed would have had an adverse effect on EFH that is not substantial. The piles used were treated timber, which will have an effect on the food resource for the species of concern. To mitigate for any adverse effect, all future work at the site will be required to use non-polluting materials.

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.

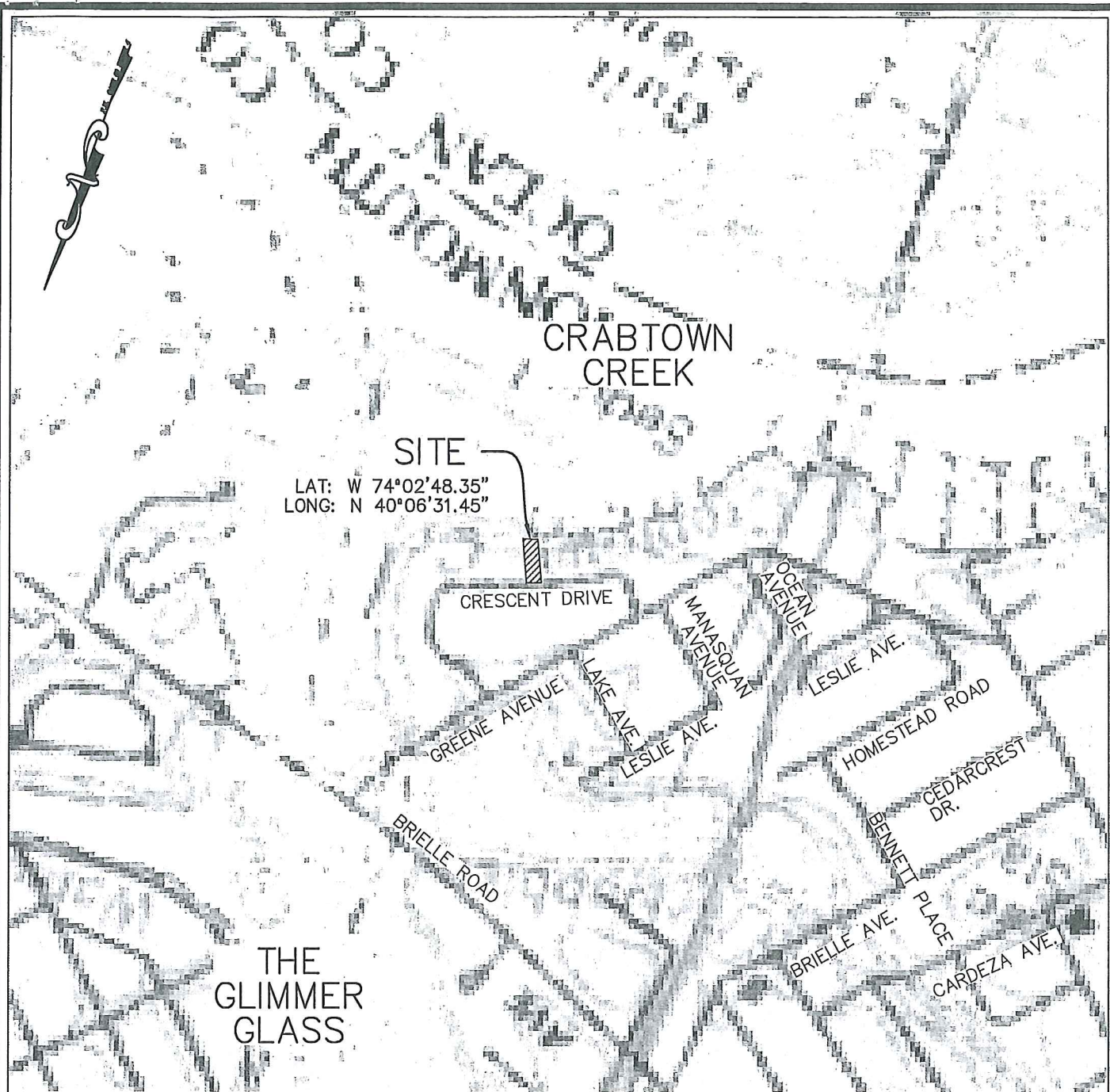
Compensatory Mitigation: There is no proposed placement of dredged or fill material in waters or wetlands. As such, compensatory mitigation has not been proposed and is not anticipated.

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.

- 4 -

Additional information concerning this permit application may be obtained by calling Lawrence Slavitter at 215-656-6734, via email at lawrence.m.slavitter@usace.army.mil, or writing this office at the above address.

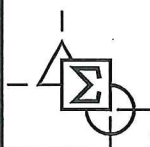
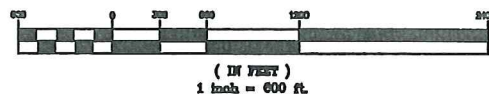
Samuel L. Reynolds
Acting Chief, Regulatory Branch



NOTES:

1. MAP REFERENCED FROM THE USGS 7.5X7.5 GRID POINT PLEASANT, NJ TOPO QUAD MAP, DATED 1995
2. FOR FEDERAL REVIEW (USACE PERMITTING PLAN).

GRAPHIC SCALE



Lindstrom, Diessner & Carr, P.C.

ENGINEERING ♦ SURVEYING ♦ PLANNING

136 Drum Point Road • Suite 6 • Brick, NJ 08723 • Tel.(732)477-8900 • Fax.(732)477-8026

KIMMINS RESIDENCE

VICINITY PLAN

LOT 11 & 11.01, BLOCK 59

BOROUGH OF BRIELLE MONMOUTH COUNTY NEW JERSEY

Charles E. Lindstrom

CHARLES E. LINDSTROM

PROFESSIONAL ENGINEER N.J. LIC. NO. 24GE02473900
PROFESSIONAL PLANNER N.J. LIC. NO. 33LI00233300

DRAWN BY: SLH

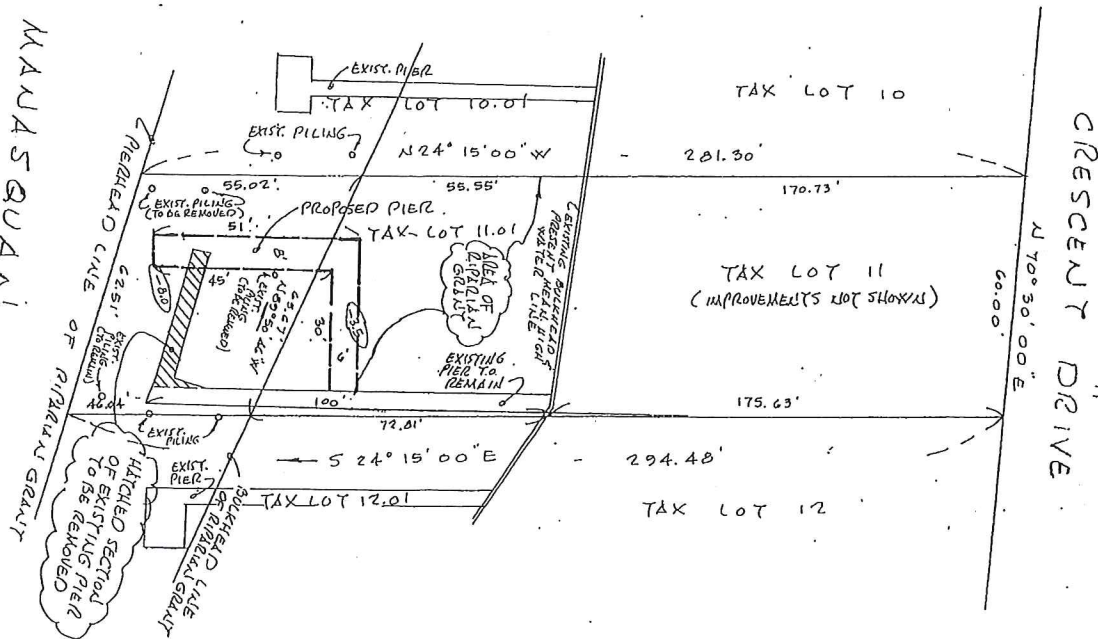
SCALE: 1"=600'

DATE: 11/9/2015

SHEET: 3 OF 6

PROJECT: 12082

E-1



NOTE:
- JUDICIALS SOUNDINGS
BASED ON K.L.V.

APPLICANT - JACK & MARY KEYER
8 CASCADE AVE.
BRIELLE N.J. 08724

LOTS 11 & 11.01
BLOCK 50
SHEET 4 (TAX MAP)
BOROUGH OF BRIELLE

William B. Pinder

65 PATTERSON AVENUE
TRENTON, NEW JERSEY

APPROVED LWRP 1308-96-0003,1

Решаю то accomplish

FOR JACK MEYER and ADALCY MEYER

BOROUGH OF
MONMOUTH COUNTY
NEW JERSEY

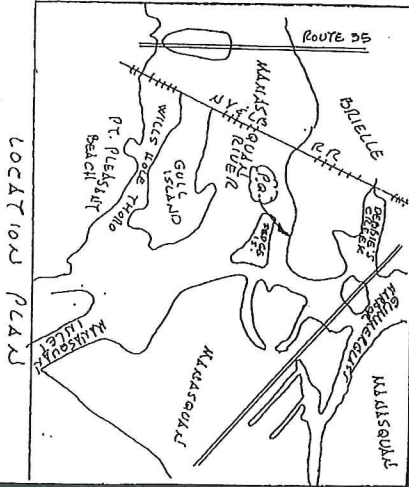
MAVDS QUAD

21VEN

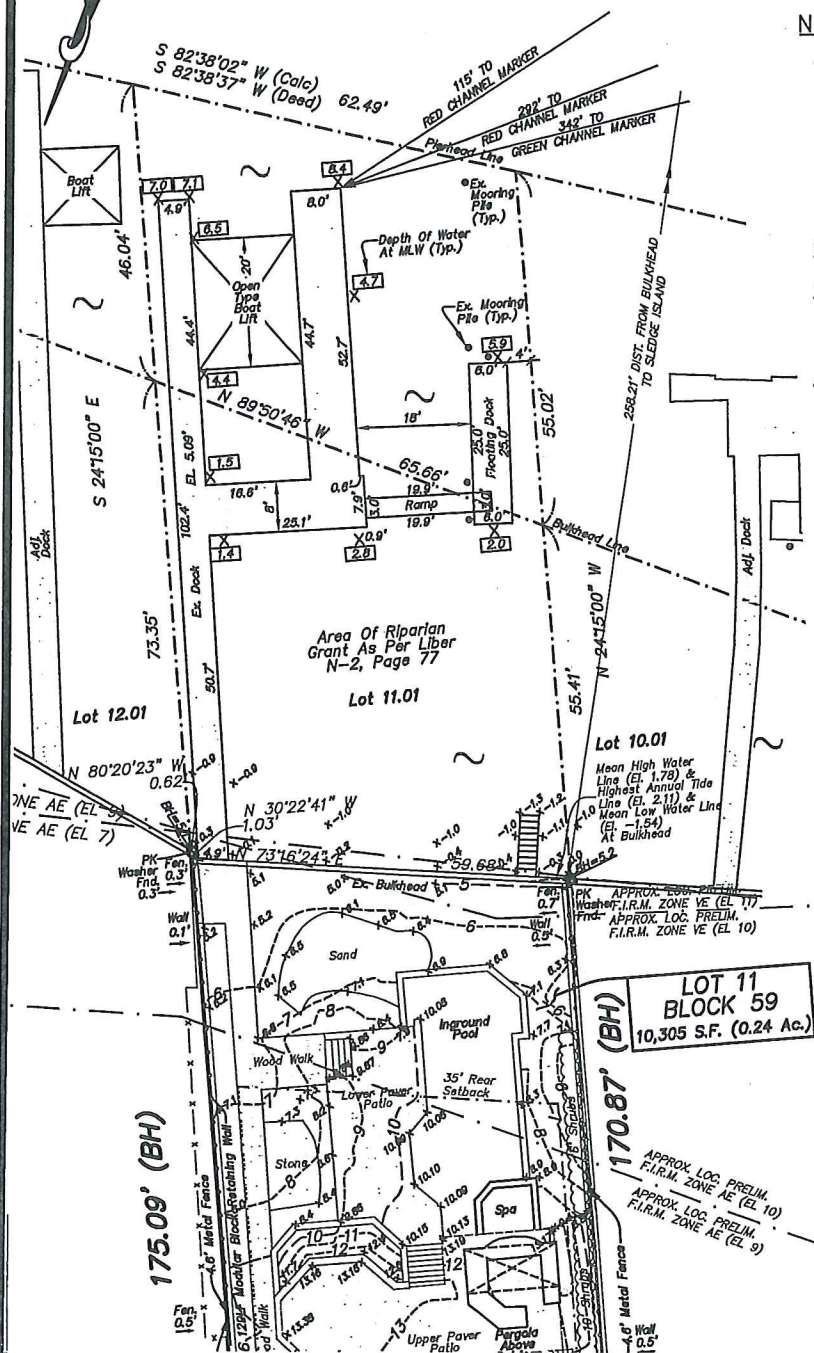
Uair	2/23/96	Scale	1" = 30'	Drawn	JLJ	Checked	
Pld Bk	101der	Pg	—	Proj No	96-0010		

New Jersey Professional Land Surveyor

William B Pinder 2/6/96
William B. Pinder
NJLS Lic No 23139



MANASQUAN RIVER



NOTES:

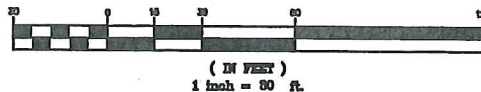
1. SURVEY AND TOPOGRAPHY TAKEN FROM A SURVEY ENTITLED "FINAL ASBUILT SURVEY, FOR LOT 11 & 11.01, BLOCK 59, BOROUGH OF BRIELLE, MONMOUTH COUNTY, NEW JERSEY." PREPARED BY LINDSTROM DIESSENER & CARR, P.C. DATED JUNE 6, 2014, WILLIAM H. DOOLITTLE, P.L.S., FOR BRIAN T. KIMMINS.
2. ELEVATIONS BASED ON NAVD 1988 DATUM.
3. BENCHMARK USED COAST AND GEODETIC MONUMENT STAMPED 2585 C 1976 ELEVATION 10.08 FEET. (A18479)
4. PROPERTY LOCATED IN FLOOD ZONE X AND AE (EL 7) AND AE (EL 9) COMMUNITY NUMBER 340290 MAP NUMBER 34025C0456F EFFECTIVE DATE SEPTEMBER 25, 2009. PROPERTY LOCATED IN FLOOD ZONE VE (EL 11), ZONE AE (EL 10), ZONE AE (EL 9), AND ZONE X (0.2%), BASED ON FEMA PRELIMINARY FLOOD INSURANCE RATE MAPS RELEASED JANUARY 30, 2015.

DESCRIPTION OF PROPERTY BEING KNOWN AS LOTS 11 & 11.01 IN BLOCK 59 ON TAX MAP SHEET 4 OF THE BOROUGH OF BRIELLE, MONMOUTH COUNTY, NEW JERSEY.

REFERENCES USED:

- DEED BOOK OR 8953, PAGE 1164
- FILED MAP CASE NO. 9 SHEET 4
- FEMA MAP NUMBER 34025C0456F EFFECTIVE DATE SEPTEMBER 25, 2009

GRAPHIC SCALE



Lindstrom, Diessner & Carr, P.C.

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KIMMINS RESIDENCE
ENLARGED EXISTING CONDITIONS
LOT 11 & 11.01, BLOCK 59

BOROUGH OF BRIELLE MONMOUTH COUNTY NEW JERSEY

DRAWN BY: SLH

SCALE: 1"=30'

DATE: 11/9/2015

SHEET: 2 OF 6

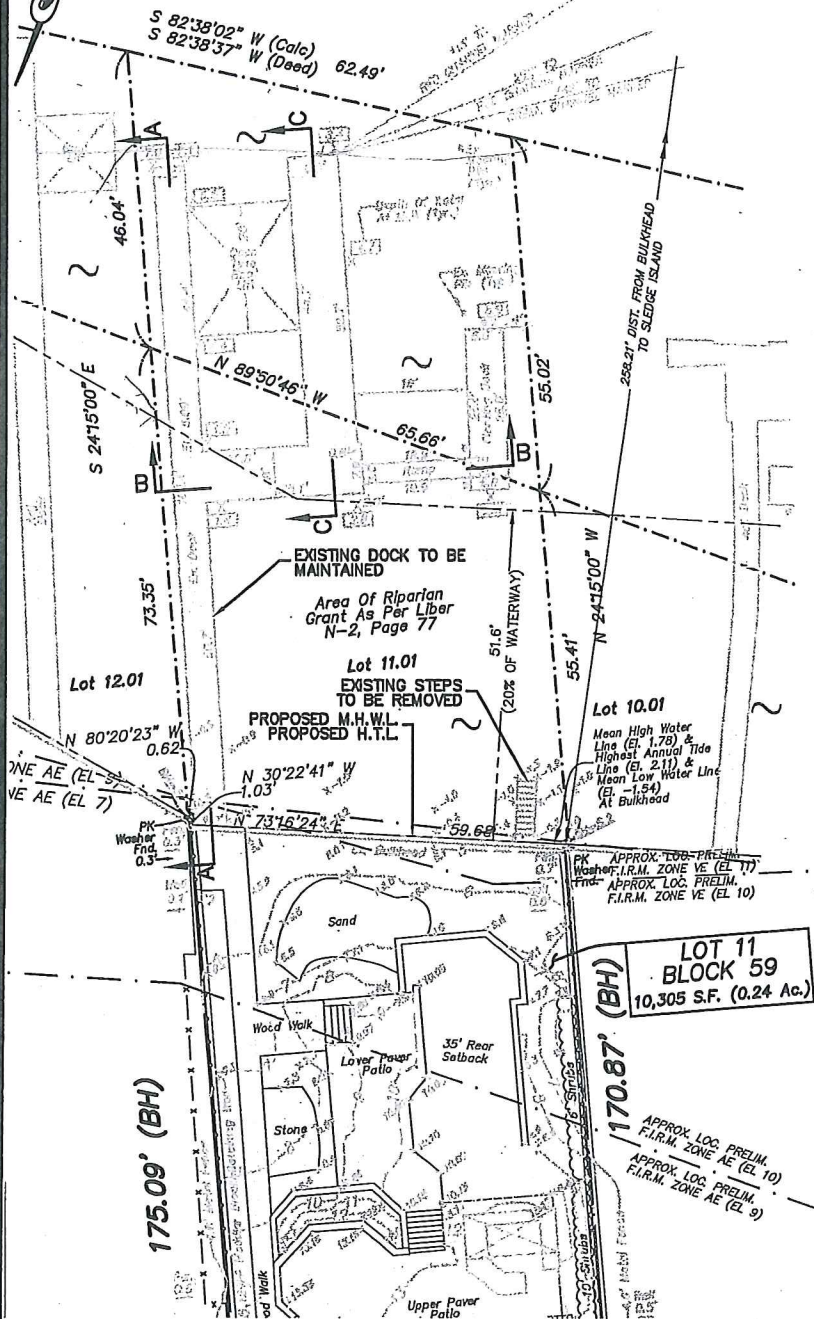
PROJECT: 12082

CHARLES E. LINDSTROM

PROFESSIONAL ENGINEER N.J. LIC. NO. 24GE02473900
 PROFESSIONAL PLANNER N.J. LIC. NO. 33LJ00233300

E-3

MANASQUAN RIVER



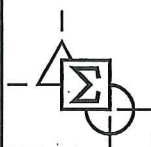
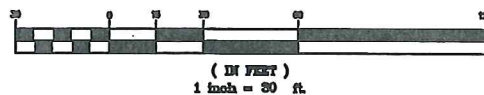
GENERAL NOTES:

- SURVEY AND TOPOGRAPHY TAKEN FROM A PLAN ENTITLED "FINAL ASBUILT SURVEY LOTS 11 & 11.01 BLOCK 59 TOWNSHIP OF BRIELLE, MONMOUTH COUNTY, NEW JERSEY," PREPARED BY LINDSTROM, DIESSNER AND CARR P.C. DATED 6/6/2014. WILLIAM H. DOOLITTLE P.L.S. FOR BRIAN KIMMINS
- ELEVATIONS BASED ON NAVD 1988 DATUM.
- BENCHMARK USED COAST AND GEODETIC MONUMENT STAMPED 2585 C 1976 ELEVATION 10.08 FEET. (A18479)
- THERE ARE NO WETLANDS ON SITE.
- MHWL EL. = 1.78
MLWL EL. = -2.25
H.T.L. EL. = 2.11
- THIS APPLICATION IS FOR A PERMIT FOR THE FOLLOWING:
 - LEGALIZE THE MAIN PIER AT 4.9' WIDE X 102.4' LONG.
 - LEGALIZE AN 8' WIDE X 25.1' DOCK SECTION
 - LEGALIZE A 3'X19.9' RAMP.
 - LEGALIZE A FLOATING DOCK 6' WIDE X 25' LONG.
 - LEGALIZE TWO MOORING PILES.
 - LEGALIZE AN 8' X 44.7' DOCK SECTION FORMING A "U" SHAPED MOORING AREA.
 - LEGALIZE A 16.6' WIDE X 20' LONG OPEN-TYPE BOAT LIFT WITHIN THE "U" SHAPED MOORING AREA.
 - LEGALIZE THE ADDITIONAL LENGTH OF DOCK LYING WITHIN THE 20% WATERWAY WIDTH.
- ITEM 6(A) THROUGH 6(H) HAVE BEEN APPROVED BY NJDEP IP WATERFRONT DEVELOPMENT PERMIT FILE NO.1308-12-0001.1 WFD 15001, MAY 5, 2015

REFERENCES USED:

- DEED BOOK OR 8953, PAGE 1164
- FILED MAP CASE NO. 9 SHEET 4

GRAPHIC SCALE



Lindstrom, Diessner & Carr, P.C.

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**KIMMINS RESIDENCE
DEVELOPMENT PLAN
LOT 11 & 11.01, BLOCK 59**

BOROUGH OF BRIELLE MONMOUTH COUNTY NEW JERSEY

DRAWN BY: SLH

SCALE: 1"=30'

DATE: 11/9/2015

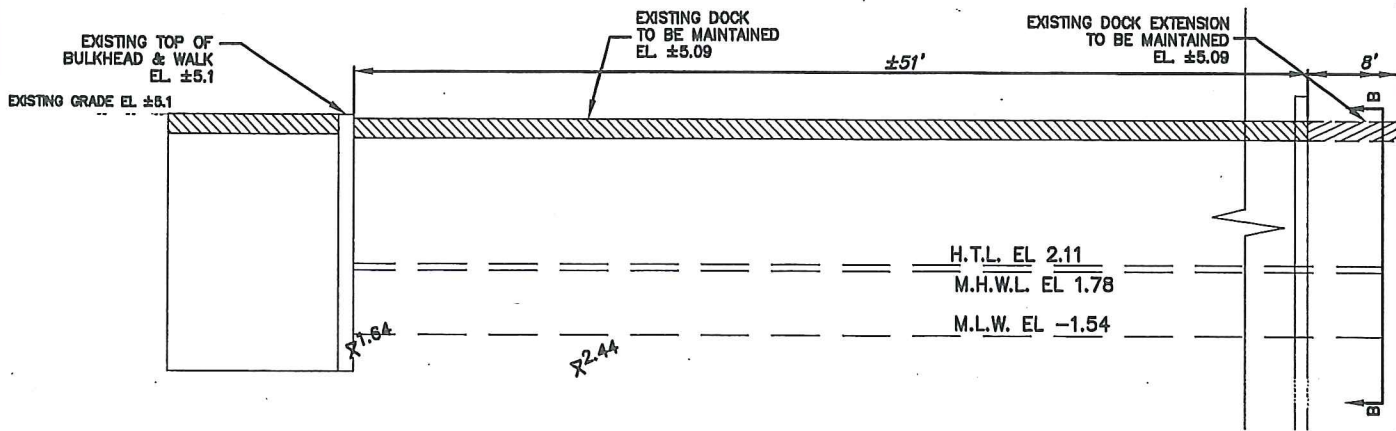
SHEET: 4 OF 6

PROJECT: 12082

Charles E. Lindstrom

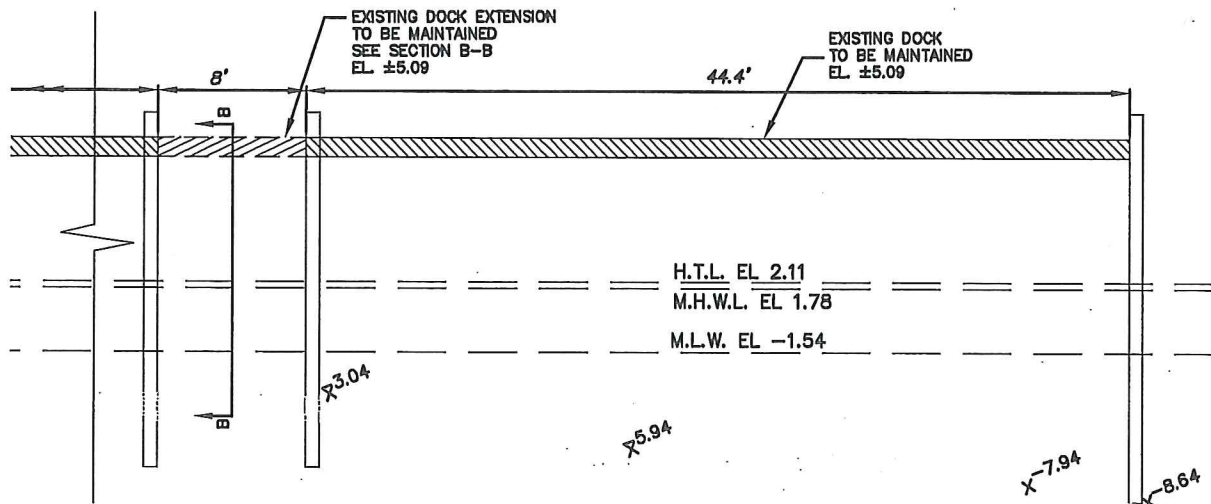
CHARLES E. LINDSTROM
PROFESSIONAL ENGINEER N.J. LIC. NO. 24GE02473900
PROFESSIONAL PLANNER N.J. LIC. NO. 33LI00233300

E-4



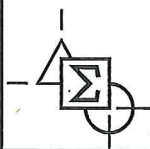
EXISTING DOCK PROFILE A-A

SCALE: NTS



EXISTING DOCK PROFILE A-A

SCALE: NTS



Lindstrom, Diessner & Carr, P.C.

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KIMMINS RESIDENCE

PROFILES

LOT 11 & 11.01, BLOCK 59

DRAWN BY: SLH

SCALE: NTS

DATE: 11/9/2015

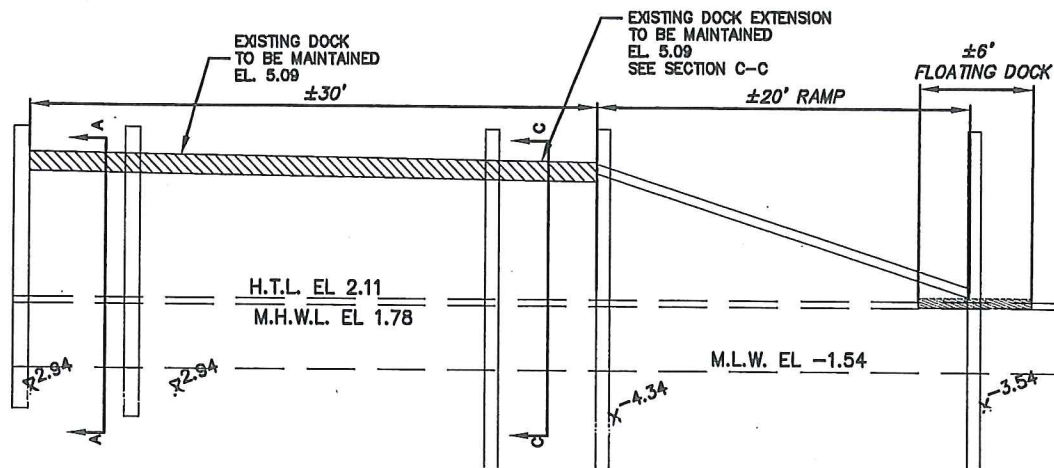
SHEET: 5 OF 6

PROJECT: 12082

Charles E. Lindstrom
CHARLES E. LINDSTROM
 PROFESSIONAL ENGINEER N.J. LIC. NO. 24GE02473900
 PROFESSIONAL PLANNER N.J. LIC. NO. 33LJ00233300

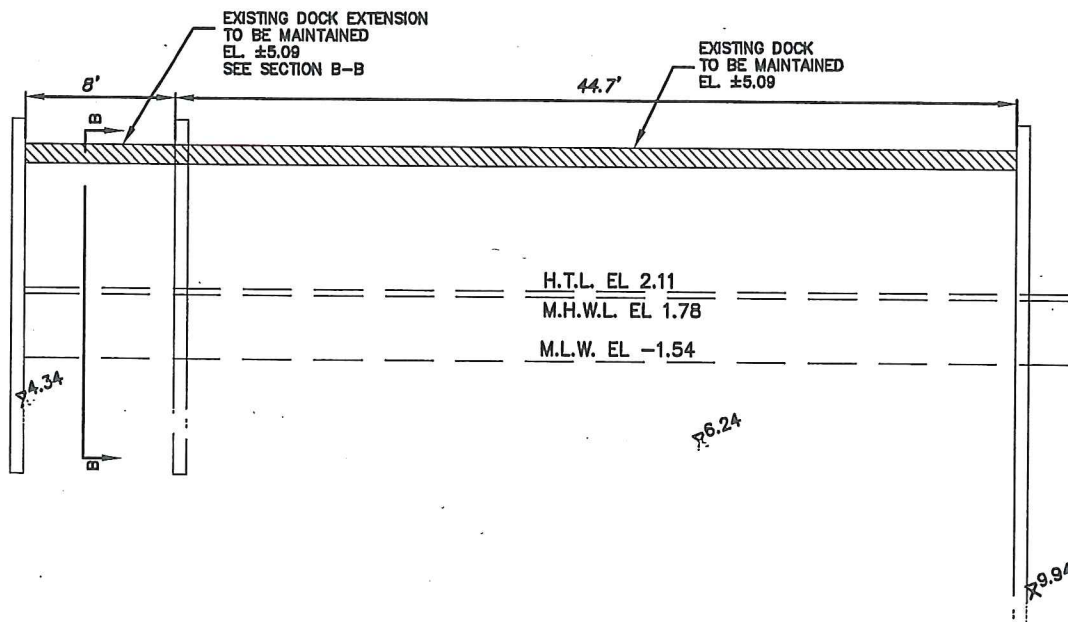
BOROUGH OF BRIELLE MONMOUTH COUNTY NEW JERSEY

E-5



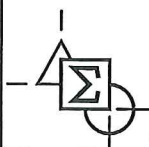
EXISTING DOCK PROFILE B-B

SCALE: NTS



EXISTING DOCK PROFILE C-C

SCALE: NTS



Lindstrom, Diessner & Carr, P.C.

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**KIMMINS RESIDENCE
PROFILES
LOT 11 & 11.01, BLOCK 59**

BOROUGH OF BRIELLE MONMOUTH COUNTY NEW JERSEY

DRAWN BY: SLH

SCALE: NTS

DATE: 11/9/2015

SHEET: 6 OF 6

PROJECT: 12082

Charles E. Lindstrom

CHARLES E. LINDSTROM

PROFESSIONAL ENGINEER N.J. LIC. NO. 24GE02473900
PROFESSIONAL PLANNER N.J. LIC. NO. 33LI00233300

E-6