



**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.	Date
CENAP-OP-R-2018-00108-86	April 17, 2018

Application No.	File No.
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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: Harbour Bay, LLC
3330 Bargaintown Road, Suite 2
Egg Harbor, NJ 08234

AGENT: Arthur W. Ponzio Co. & Associates, Inc.
400 North Dover Avenue
Atlantic City, NJ 08401

WATERWAY: Beach Thorofare

LOCATION: 9317 Amherst Avenue
Margate City, NJ 08402

ACTIVITY:

The proposed activity includes the construction of a new marina. The proposed marina will include one (1) 8 foot by 6 foot wide fixed pier with one (1) 30 foot by 4 foot wide ramp leading to a 24 foot by 4 foot wide floating pier that connects to an "L" shaped floating pier. The "L" shaped pier will be 189.5 feet in length by 6 feet wide. The end of the "L" shaped pier is 56 feet in length by 8 feet wide. The "L" shaped pier includes four (4) 24 foot by 4 foot wide finger piers, one (1) of which will have a boarding platform servicing one (1) proposed boat lift, two (2) 45 foot by 6 foot wide finger piers with associated boarding platforms to service two (2) proposed boat lifts and, twenty two (22) moorings for personal watercrafts. One (1) additional mooring area will be reserved for the fueling station located at the end of the pier. A proposed fish cleaning station will be at the end of the row of moored personal watercrafts. Additionally there will be a 8 foot by 6 foot wide fixed pier with a 30 foot by 4 foot wide ramp leading to one (1) 24 foot by 4 foot wide floating pier that services two (2) boat lifts. Approximately 80 pilings will be installed to secure the piers and boat lift structures. All piles will be driven to an approximate depth of 25' below the dredge line.

PURPOSE:

The stated purpose of this proposed activity is the needed redevelopment of an existing facility that sustained major damage during super storm Sandy.

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.

The permit action may have the potential to impact historic properties eligible for or listed on the National Register of Historic Places. The USACE Cultural Resource Specialist will consult with the New Jersey Historic Preservation Office and make a determination on potential impacts to historic properties.

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 .

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.

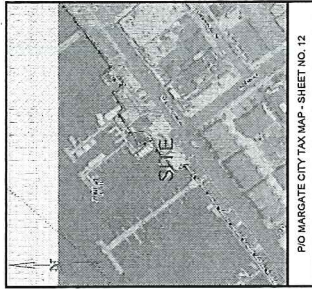
Compensatory Mitigation: There is no proposed placement of dredged or fill material in waters or wetlands. As such, compensatory mitigation has not been proposed and is not anticipated.

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.

Additional information concerning this permit application may be obtained by calling Genevieve Rybicki at (215) 656-8597, via email at Genevieve.T.Rybicki@usace.army.mil, or writing this office at the above address.



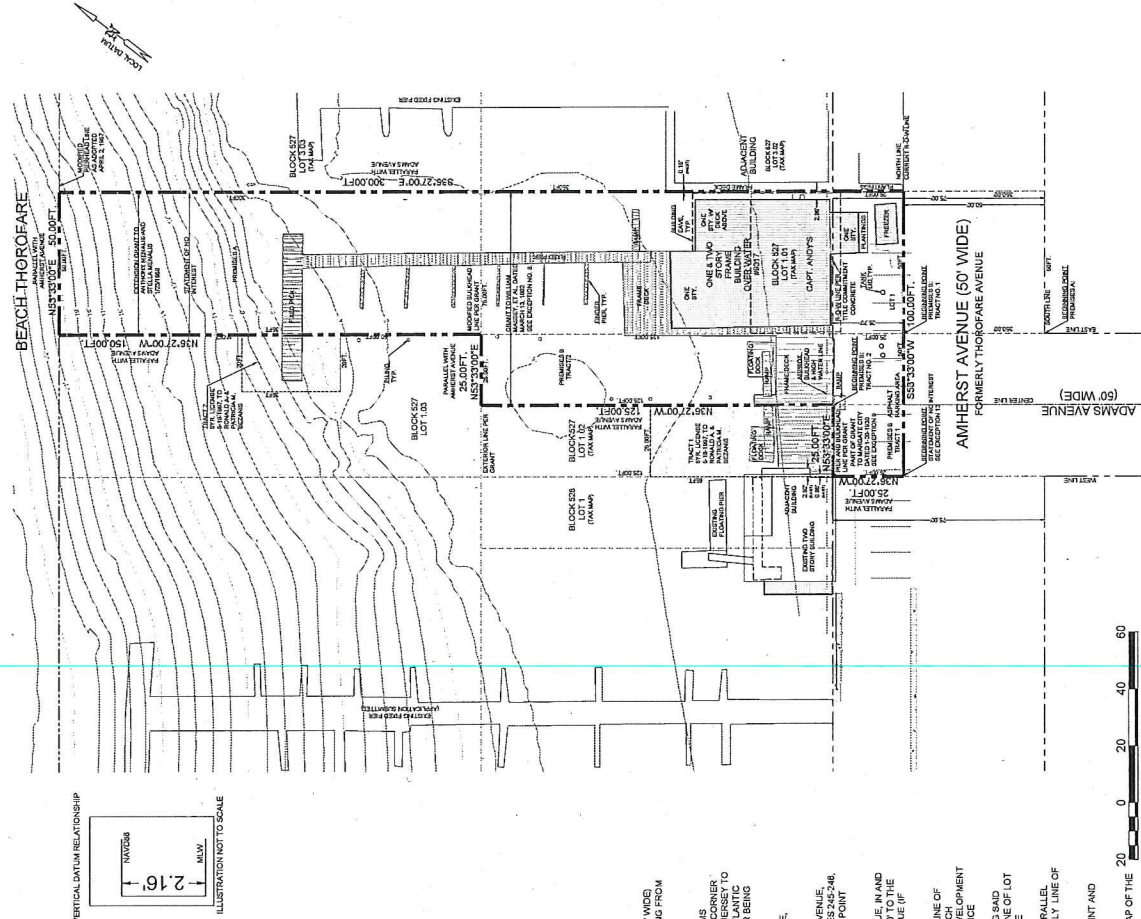
Edward E. Bonner
Chief, Regulatory Branch



TITLE SHEET BLOCK 527 MARGATE CITY ATLANTIC COUNTY NEW JERSEY		SHEET NO. C-1 OF 1 OF 4
SCALE: N.T.S. DATE: 12-20-17		BY: WJP PROJ. NO. 33111

- C-1 TITLE SHEET
C-2 EXISTING CONDITIONS PLAN
C-3 SITE DEVELOPMENT PLAN
C-4 CONSTRUCTION DETAILS

SCHEDULE OF LOTS INCLUDED
 LOT 1
 LOT 1.01 (RIPARIAN GRANT)
 LOT 1.04 (RIPARIAN GRANT)
 PART OF LOT 1.02 (LICENSE AREA)
 PART OF LOT 1.03 (LICENSE AREA)

[illegible]

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF AMHERST AVENUE (50' WIDE) WITH THE WESTERLY LINE OF ADAMS AVENUE (50' WIDE), IF EXTENDED, AND EXTENDING FROM SAID BEGINNING POINT; THENCE

1. NORTH 28° 37' 07" WEST IN AND ALONG THE EXTENDED WESTERLY LINE OF ADAMS AVENUE; 25.00 TO THE NORTHERLY LINE OF AMHERST AVENUE [76' WIDE], SAID CORNER BEING THE POINT OF BEGINNING; 25.00 TO THE SOUTHWESTERLY LINE OF MARGATE CITY OFFICE BUILDING NO. 1930, RECORDED MAPS 25, 190 IN THE ATLANTIC COUNTY CLERK'S OFFICE IN DEED BOOK 240, PARCELS 46-47, SAID POINT FURTHER BEING THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 525, THENCE
2. SOUTH 53° 33' 00" EAST IN AND ALONG THE SECOND COURSE MENTIONED ABOVE, PARALLEL WITH AMHERST AVENUE, 25.00 TO THAT POINT, THENCE
3. NORTH 69° 07' 00" WEST IN AND ALONG THE EXTENDED CENTER LINE OF ADAMS AVENUE, ALSO IN THE THIRD COURSE REVERSED DESCRIBED IN DEED BOOK 147, PAGES 242 & 248, CROSSING THE BULKHEAD LINE 123.00 FT. IN "BEACH THOROFARE, SAID POINT BEING
4. THE POINT WHERE SAID CENTER LINE OF ADAMS AVENUE CROSSES THE BULKHEAD LINE OF THE FIRST CORNER IN SAID DEED, THENCE
5. NORTH 15° 33' 00" EAST IN "BEACH THOROFARE PARALLEL WITH AMHERST AVENUE, IN AND ALONG THE SECOND COURSE REVERSED IN THE LAST MENTIONED DEED, 25.00 TO THE SECOND CORNER, SAID CORNER BEING IN THE EASTERLY LINE OF ADAMS AVENUE (IF EXTENDED), THENCE
6. NORTH 30° 37' 00" WEST, IN "BEACH THOROFARE, IN AND ALONG THE EASTERLY LINE OF "BEACH THOROFARE, 100.00 TO THE POINT OF BEGINNING OF THE EASTERLY LINE OF "THOROFARES AS NOTED MAP 2, 1957 IN THE DIVISION OF PLANNING AND DEVELOPMENT OF THE DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT, THENCE
7. NORTH 65° 59' 00" EAST CONTINUING IN "BEACH THOROFARE, 50.00 TO AN ALONG SAID PERPHED LINE PARALLEL WITH AMHERST AVENUE, 100.00 TO THE WESTERLY LINE OF LOT 3.12 AND 3.13 IN BLOCK 527 AS SHOWN ON THE MARGATE CITY OFFICIAL LOT MAP.
8. SOUTH 19° 07' 00" EAST IN AND ALONG THE WESTERLY LINE OF SAID LOT 3.12 PARALLEL WITH ADAMS AVENUE CROSSING THE BULKHEAD LINE 100.00 TO THE NORTHERLY LINE OF AMHERST AVENUE (50' WIDE), THENCE
9. SOUTH 65° 59' 00" WEST IN AND ALONG SAME A DISTANCE OF 100.00 TO THE POINT AND PLACE OF BEGINNING.

BEING KNOWN-AS LOT 1, 1.01 & 1.04 IN BLOCK 527 AS SHOWN ON THE CURRENT TAX MAP OF THE CITY OF MADRASCAT

ALSO BEING KNOWN AS 9317 AMHERST AVENUE

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AWP

ARTHUR W. PONZIO CO. & ASSOCIATES, INC.
SURVEYORS, PLANNERS, ENGINEERS
420 NORTH DOVER AVENUE, ATLANTIC CITY, N.J. 08401
PHONE: 609-344-8194 FAX: 609-344-1384
NEW JERSEY STATE AUTH. NO.: 24G42001320

Arthur W. Ponzio, Jr.
ARTHUR W. PONZIO, JR.
PROFESSIONAL PLANNER N.J. NO. 33L000267600
PROFESSIONAL LAND SURVEYOR N.J. NO. 24G028314000

PROPERTY SURVEY
BLOCK 527 LOT SEE SCHEDULE ON PLAN
MARGATE CITY ATLANTIC COUNTY NEW JERSEY

BY: WJP
PROJ. NO. 331111

SCALE: 1" = 20'
DATE: 12-20-17

SHEET NO.
C-2
POST 2 of 4

1. SUBJECT PROPERTY CONTAINS A CALCULATED AREA OF 19,375 SF. OF UPLANDS AND WATER AREA.
2. PERMANENT MARKERS SET OR FOUND AS NOTED.
3. OFFSETS SHOWN ARE GIVEN FOR CHECKING COMPLIANCE WITH DEED RESTRICTIONS AND ZONING REGULATIONS ONLY. OFFSETS SHALL NOT BE USED FOR ANY PURPOSES. SURVEYOR SHOWS NO LIABILITY FOR ANY LIABILITY OR RESPONSIBILITY IF THE OFFSETS SHOWN ARE USED OTHER THAN AS INTENDED.
4. THIS PROPERTY IS SUBJECT TO DOCUMENTS OF RECORD, UNDERGROUND IMPROVEMENTS, EASEMENTS, PROPERTY LINE AGREEMENTS OR OTHER CONDITIONS UNKNOWN TO THE SURVEYOR ARE NOT SHOWN. SURVEYOR RESERVES THE RIGHT TO MODIFY THIS SURVEY SHOULD ANY SUCH INFORMATION BECOME AVAILABLE.
5. SURVEYOR'S SIGNATURE AND SEAL SIGNIFY THAT THIS SURVEY WAS COMPLETED UNDER MY DIRECT SUPERVISION, ONLY SIGNED SEALED COPIES SHALL BE CONSIDERED AS TRUE COPIES.
6. THE ILLUSTRATION OF RIPARIAN CLAIMS OR RIGHTS, OR UNREGULATED OR REGULATED WETLANDS IMPACTING SUBJECT PROPERTY, IF ANY, ARE NOT INCLUDED AS A PART OF SURVEYOR'S CONTRACT WITH CLIENT. SURVEYOR RESERVES THE RIGHT TO MODIFY THIS SURVEY SHOULD CLIENT REQUEST THESE ADDITIONAL SERVICES.
7. THIS SURVEY HAS BEEN PREPARED ONLY FOR THE USE OF THE NAMED PARTIES. SURVEYOR SHALL NOT HAVE ANY LIABILITY OR RESPONSIBILITY FOR USE WITH SURVEY AFFIDAVIT, OR FOR USE BY ANY OTHER PERSON OR ENTITY NOT SPECIFICALLY NAMED, FOR ANY REASONS OTHER THAN AS ORIGINALLY INTENDED.
8. THE DEDICATION, LOCATION OR IDENTIFICATION OF HAZARDOUS SUBSTANCES IS NOT INCLUDED AS PART OF SURVEYOR'S CONTRACT WITH CLIENT.
9. SURVEY PERFORMED ON THE GROUND ON 07-13-16.
10. SURVEY REFERENCES A TITLE COMMITMENT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY AND THE TITLE COMPANY OF JERSEY WITH AN EFFECTIVE DATE OF JUNE 15, 2016 BEING FILE NO. 703970.
11. ALL CONTOURS SHOWN ON THE PLAN ARE IN FEET AND REFER TO MEAN LOWER LOW WATER (MLW) BASED ON TIDAL EPOCH 1983-2001.
12. MLW WAS DETERMINED USING NOAA VDATUM CONVERSION SOFTWARE.

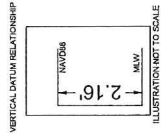
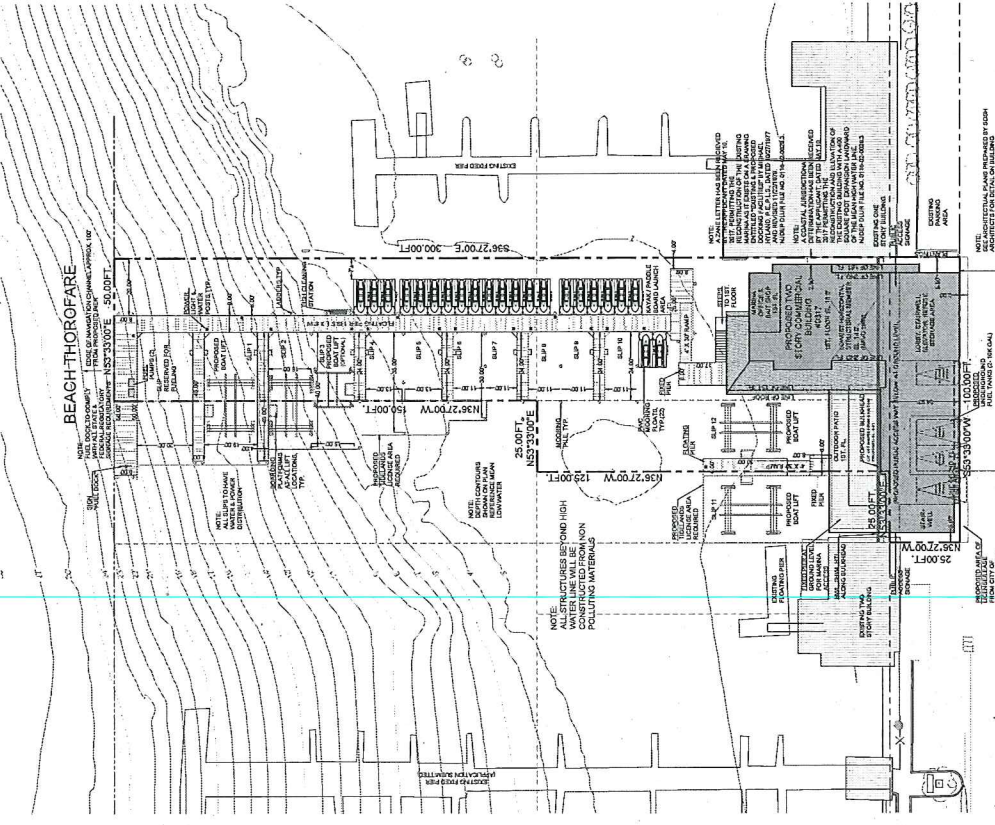


ILLUSTRATION NOT TO SCALE

APPLICATION NOTES

- OWNER / APPLICANT
HARBOR BAY LLC
330 BARGAIN TOWN ROAD, SUITE 2
EGG HARBOR TWP., NJ 08024
- PROPERTY INFORMATION
BLOCK 527, LOT 1, 1.01, 1.02, 1.03 (EXISTING LICENSE AREA)
MARGATE CITY, ATLANTIC COUNTY
- ZONING - M2D & R
- EXISTING USE - FORMER CAPTAIN ANDY'S MARINA
FULLY PERMITTED FIRM FLOOD ZONE - F.E. 1 & 1A
- PROPERTY SURVEY SHOWN ON THIS PLAN ACQUIRED FROM A PHYSICAL
FIELD SURVEY BY ARTHUR W. PONZO CO. & ASSOC., INC.
- ALL ELEVATIONS INDICATED REFLECT HAWG 1988
- INTENT OF APPLICANT
DEDICATION OF ALL EXISTING SITE IMPROVEMENTS
CONSTRUCTION OF A NEW MARINA AND PIER
LOCATED 25' FROM THE OUTSIDE OF THE EXISTING
BLAKEHEAD
OCCUPYING THE SAME FOOTPRINT OVER WATER, AND
INCLUDING A NEW 2,500 SF +/- ADDITION TO BE LOCATED ON
CONSTRUCTION OF A NEW MARINA FOR THE MOORING OF
OTHER VESSELS A TRANSFER SLIP AT THE END OF THE PIER
FOR PERSONAL WATERCRAFT VESSELS, 12 MOORINGS FOR
PLAN COMPLETION WITH ALL REQUIRED PILING AND UTILITIES
11, AND 12
REDEVELOPMENT OF THE PARKING AND SIDEWALK AREAS
DEVELOPMENT OF A PUBLIC PEDESTRIAN WALKWAY ALL
ALONG THE FRONTAGE OF THE SITE

NOTE: THIS DRAWING IS DESIGNED FOR PERMIT APPROVAL ONLY. NOT
TO BE USED FOR CONSTRUCTION PURPOSES.



SCHEDULE OF LOTS INCLUDED

LOT	DESCRIPTION
LOT 1	1.01 (RIPARIAN GRANT)
LOT 1	1.02 (RIPARIAN GRANT)
LOT 1	1.03 (LICENSE AREA)

NOTE: THIS DRAWING IS INTENDED FOR FEDERAL,
STATE AND LOCAL APPROVAL PURPOSES AND NOT
TO BE USED AS A CONSTRUCTION DOCUMENT.

ARTHW W. PONZO CO. & ASSOCIATES, INC.
400 NORTH DOWER AVENUE, ATLANTIC CITY, N.J. 08401
NEW JERSEY STATE AUTH. NO. 24A0007000

ARTHW W. PONZO, JR.
PROFESSIONAL PLANNER N.J. NO. 31A00257600
PROFESSIONAL LAND SURVEYOR N.J. NO. 24A00257600

NEW JERSEY STATE AUTH. NO. 24A0007000

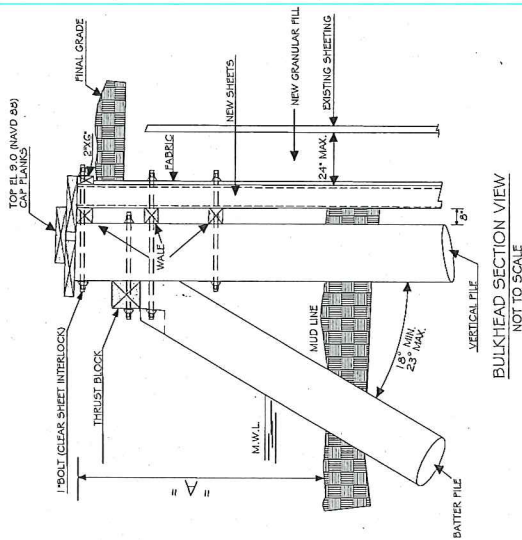
ARTHW W. PONZO CO. & ASSOCIATES, INC.
SURVEYORS, PLANNERS, ENGINEERS

SITE DEVELOPMENT PLAN
BLOCK 527 LOT SEE ABOVE
MARGATE CITY ATLANTIC COUNTY NEW JERSEY

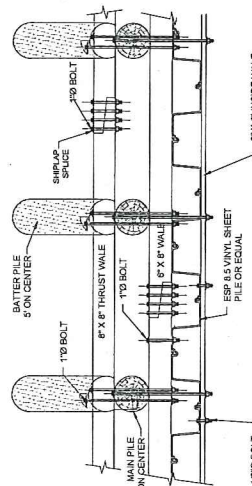
BY: WJP
PROJ. NO. 33111

SHEET NO. C-3
SHEET 3 OF 4

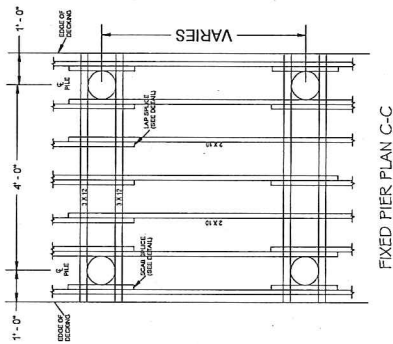
NO.	DATE	BY	DESCRIPTION



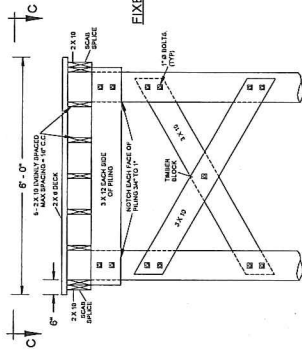
BULKHEAD SECTION VIEW
NOT TO SCALE



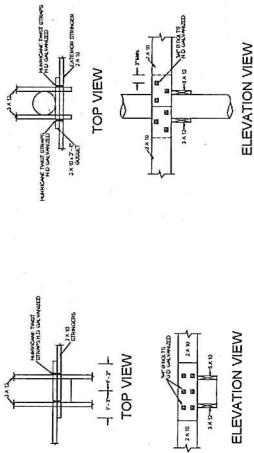
BULKHEAD PLAN VIEW
NOT TO SCALE



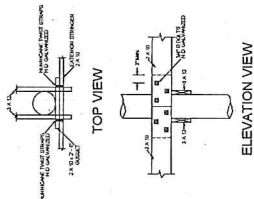
FIXED PIER PLAN C-C



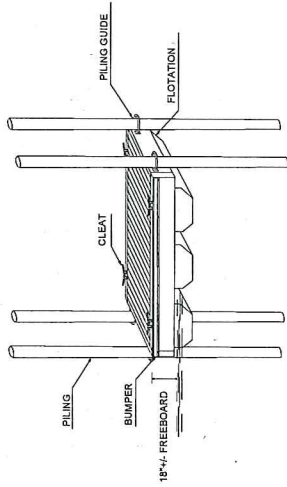
FIXED PIER SECTION A-A
(TRANSVERSE \"X\" BRACING NOT SHOWN)



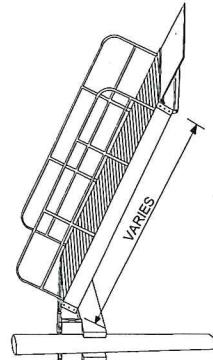
LAP SPLICE DETAIL



SCAB SPLICE DETAIL



FLOATING DOCK SCHEMATIC
DESIGN BY OTHERS



ACCESS RAMP SCHEMATIC
DESIGN BY OTHERS

NOTE:
ALL MATERIAL UTILIZED FOR THE CONSTRUCTION
OF PROPOSED BULKHEAD, PIERS, DECKS, DOCKS, ETC
SHALL BE NON-POLLUTING AS DEFINED BY NUDEP AND ACOE

SCHEDULE OF LOTS INCLUDED
LOT 1
LOT 1.01 (RIPARIAN GRANT)
LOT 1.04 (RIPARIAN GRANT)
PART OF LOT 1.02 (LICENSE AREA)
PART OF LOT 1.03 (LICENSE AREA)

Arthur W. Ponzio, Jr.
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PROFESSIONAL PLANNER N.J. NO. 3100287600
PROFESSIONAL LAND SURVEYOR N.J. NO. 34520281400

AWP
ARTHUR W. PONZIO CO. & ASSOCIATES, INC.
SURVEYORS, PLANNERS, ENGINEERS
400 NORTH DOWNS AVENUE, ATLANTIC CITY, N.J. 08407
NEW JERSEY STATE AUTH. NO. 24520281400

NO.	DATE	BY	DESCRIPTION

APPROVED FOR CONSTRUCTION BY: [Signature]
DATE: [Date]
TITLE: [Title]
PROJECT: [Project Name]
SHEET NO. [Sheet Number] OF [Total Sheets]

SHEET NO. **C-4**
CONSTRUCTION DETAILS
BLOCK 527 LOT SEC. 801E
MARGATE CITY ATLANTIC COUNTY
NEW JERSEY
BY: WJP
PROJ. NO. 33111