

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
REQUEST FOR  
GREEN ACRES MAJOR DISPOSAL  
CASINO PIER RECONSTRUCTION AND RELOCATION  
SEASIDE HEIGHTS, NEW JERSEY**

**Volume I of II**

*Submitted to:*

**New Jersey Department of Environmental Protection  
Green Acres Program**

*Submitted by:*

**Borough of Seaside Heights  
Block 99.02, Lot 1**

**Seaside Heights, Ocean County**

**JULY 2015**

*Prepared by:*



**PAULUS, SOKOLOWSKI AND SARTOR, LLC.**  
**Consulting Engineers and Environmental Planners**  
Central Monmouth Business Park  
1433 Route 34, Suite A-4  
Wall, New Jersey 07727



July 9, 2015

Ms. Judith Yeane  
Mr. Kevin Appleget  
New Jersey Department of Environmental Protection  
Green Acres Program  
501 East State Street, Mail Code 501-01  
Trenton, NJ 08625-420

Education

Energy Utility

Hospitality

Public Sector

Real Estate

Science & Technology

Re: Casino Pier Reconstructive Expansion  
Request for Green Acres Major Disposal

Dear Ms. Yeane and Mr. Appleget:

On behalf of the Borough of Seaside Heights, Paulus Sokolowski and Sartor, LLC (PS&S) is pleased to submit this application request for a Major Disposal of Parkland in Seaside Heights NJ. The Borough is proposing to dispose of this property to AFMV, LLC (the owners and operators of the Casino Pier). In exchange for this disposal, certain lands will be transferred to the Borough and preserved through the Green Acres process. In addition, the historic Danzel Loof Carousel, which has been under consideration for private sale, will be transferred to the Borough to be preserved as part of this land exchange deal. The Borough also proposes to preserve additional lands in support of the public beach, including off street parking areas and other ancillary support lands. The Major Diversion will allow for the recreation of the lost footprint of Casino Pier that was destroyed in October 2012 by Superstorm Sandy. As presented in detail within this application, the project is critical to the restoration of the tourist economy of Seaside Heights and the vitality of the Jersey Shore.

The timing of this Major Diversion is critical for the summer tourist season of 2016. We are anxious to provide any information required in support of this request. Thank you in advance for your prompt consideration of this request.

Very Truly Yours,

PAULUS SOKOLOWSKI & SARTOR, LLC

Marilyn Lennon, PP, AICP, CFM  
Senior Vice President

Cc: Borough of Seaside Heights  
AFMV, LLC  
George Gilmore, Gilmore Monahan  
Jennifer Gorini, AICP

Central Monmouth  
Business Park  
1433 Highway 34  
Suite A-4  
Wall, NJ 07727  
t: 848.206.2626  
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**ATTACHMENT A**

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**Pre-Application Checklist / Final Application Checklist**

# **PRE-APPLICATION**

## ***N.J.A.C. 7:36-26.9***

### ***(Major disposals or diversions of parkland)***

**PRIOR TO SUBMITTING THE PRE-APPLICATION:** Contact the appropriate County contact at the Green Acres Program, Bureau of Legal Services and Stewardship to arrange a pre-application conference to discuss the proposal and application requirements (*N.J.A.C. 7:36-26.7(a)1 and N.J.A.C. 7:36-26.9(a)*). Once the pre-application is complete it will be reviewed by the Green Acres Program (*N.J.A.C. 7:36-26.9(f)1*).

**A SCOPING HEARING MUST BE HELD PRIOR TO SUBMITTING THE PRE-APPLICATION:** The notices for the hearing must meet the requirements to *N.J.A.C. 7:36-26.8*. Confirmation of the hearing must be provided as part of the pre-application package pursuant to *N.J.A.C. 7:36-26.8(c)1-3* and *N.J.A.C. 7:36-26.8(e)*. Please review Attachment VII: Sample Public Notices and the Public Hearing Sign Guidance Document – available at [www.nj.gov/dep/greenacres/pdflaunch.html](http://www.nj.gov/dep/greenacres/pdflaunch.html).

**THE COMPLETE PRE-APPLICATION MUST BE SUBMITTED AT LEAST 15 BUSINESS DAYS PRIOR TO THE SECOND THURSDAY OF THE MONTH:** Completed pre-applications are reviewed by an internal Green Acres review committee on the second Thursday of each month. The pre-application must be complete 15 business days before the review committee meets to be considered for review. Once the review committee meets, the applicant will be notified of the application status under *N.J.A.C. 7:36-26.9(g)*.

**COMPLETION OF THE PREAPPLICATION IN NO WAY GRANTS ANY APPROVAL FOR THE PROPOSED DISPOSAL OR DIVERSION OF PARKLAND. (*N.J.A.C. 7:36-26.9(j)*)**

Note: Please check our web site at [www.nj.gov/dep/greenacres/pdflaunch.html#legal\\_stewardship](http://www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship) for updated versions of this application form prior to filing the pre-application.

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State House Commission Pre-Application  
Local Parkland—Major Disposal/diversion**

**Major Disposal/Diversion Pre-Application Requirements**

- ☒ 1. **Description of the proposed disposal/diversion, including:**
- ☒ Block(s) and lot(s) information for the parkland proposed for disposal or diversion (*N.J.A.C. 7:36-26.9(d)1i*);
  - ☒ Acreage of the parkland proposed for disposal or diversion (*N.J.A.C. 7:36-26.9(d)1ii*);
  - ☒ Purpose of proposed disposal/diversion, including the intended future use and owner of the parkland proposed for disposal/diversion (*N.J.A.C. 7:36-26.9(d)1iii*);
  - ☒ A detailed description of how the proposed disposal/diversion will fulfill a compelling public need or yield a significant public benefit as defined at *N.J.A.C. 7:36-26.1(d)1* (*N.J.A.C. 7:36-26.9(d)1iv*);
  - ☒ A description of how the parkland is proposed to be disposed or diverted including (*N.J.A.C. 7:36-26.9(d)1v*);
    - ☒ The name of the prospective buyer, lessee or easement grantee;
    - ☒ A description of the type of legal interest to be conveyed, if any;
    - ☒ A description of any conditions or restriction on the intended use of the parkland;
  - n/a* ☐ If applicable, a copy of the draft lease or use agreement and statement of total compensation proposed to be received by the applicant for the lease of use agreement (*N.J.A.C. 7:36-26.9(d)1vi*);
  - n/a* ☐ If the proposed disposal/diversion involves the construction of a building or infrastructure on parkland, a set of plans and specifications for the construction (*N.J.A.C. 7:36-26.9(d)1vii*);
  - ☒ A general description of the natural features, history and current use of the parkland proposed to be disposed/diverted and of any parkland contiguous to or functionally related to the parkland proposed for disposal/diversion (*N.J.A.C. 7:36-26.9(d)1viii*);
  - ☒ A detailed description of any recreational facilities and/or activities to be affected by the proposed disposal/diversion of parkland and an explanation of how they will be affected (*N.J.A.C. 7:36-26.9(d)1ix*);

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**2. Alternatives analysis:**

A. Identify each alternative course of action that could be taken to fulfill the compelling public need or yield the significant public benefit to be derived from the project for which the disposal/diversion of parkland is proposed. (*N.J.A.C. 7:36-26.9(d)2i*) This identification must include all feasible, reasonable and available alternatives, including:



All alternatives presented at the scoping hearing



Any alternatives suggested by the public at the scoping hearing or in the written comments submitted during the public comment period



The alternative of constructing the proposed project on the proposed replacement land (if applicable)



A “no build” or “no action” alternative



Any alternative involving private lands or other public lands



Please also include a description of methods used to identify alternatives

B. For each alternative identified under A above, provide:



A detailed description of the environmental impact of the alternative (*N.J.A.C. 7:36-26.9(d)2ii(1)*);



A listing of all Department permits to construct or utilize the alternative (*N.J.A.C. 7:36-26.9(d)2ii(2)*);



Information on whether the alternative involves any areas mapped as endangered or threatened species habitat, including a review of the Department’s Landscape Project Mapping ([www.nj.gov/dep/fgw/ensp/landscape/index.htm](http://www.nj.gov/dep/fgw/ensp/landscape/index.htm)) and a response from or evidence that a request for information has been filed with the Department’s Natural Heritage Database (c/o Office of Natural Lands Management, Mail Code 501-04, P.O. Box 420, Trenton, New Jersey 08625-0420) (*N.J.A.C. 7:36-26.4(d)2ii(3)*);



An analysis of the overall cost of the alternative (*N.J.A.C. 7:36-26.9(d)2ii(4)*);



A description of the timetable or schedule necessary to implement the alternative to the proposed disposal or diversion (*N.J.A.C. 7:36-26.9(d)2ii(5)*);



If applicable, the estimated land acquisition or lease cost of the alternative (*N.J.A.C. 7:36-26.9(d)2ii(6)*);

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- ☒ Identification of any other zoning, land use, environmental or other constraints associated with the alternative and a description of all attempts undertaken to remove or adapt to such constraints (*N.J.A.C. 7:36-26.9(d)2ii(7)*);
- ☒ An explanation of the reasons for rejecting each alternative (*N.J.A.C. 7:36-26.9(e)*).
- ☒ 3. **Environmental Assessment Report** prepared in accordance with **Attachment I: Environmental Assessment Report Outline** (*N.J.A.C. 7:36-26.9(d)3*)
- ☒ 4. **Land Valuation Forms** using the form found at **Attachment II: Land Valuation Forms** (*N.J.A.C. 7:36-26.9(d)4 and N.J.A.C. 7:36-26.10(f)*)
- ☒ 5. **Preliminary Compensation Proposal** based on the requirements of *N.J.A.C. 7:36-26.10* and prepared in accordance with **Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland** and **Attachment II: Value Statement** (*N.J.A.C. 7:36-26.9(d)5*)
- ☒ 6. A description of how the proposed project for which the disposal or diversion of parkland is proposed, and the proposed compensation, will support the State Development and Redevelopment Plan Goals and be consistent with the State Development and Redevelopment Plan's Policy Map and the Statewide Policies. (*N.J.A.C. 7:36 26.9(d)6*)
- ☒ 7. A **listing of all permits and approvals** required for the project (**Attachment IV: Permit/Approval Checklist**). (*N.J.A.C. 7:36 26.9(d)7*)
- ☒ 8. **Copy of the deed** for the proposed disposal or diversion area and replacement parcel(s). If the replacement parcel is not already owned by the applicant, please include a brief description of how the applicant intends to acquire the replacement parcel. (*N.J.A.C. 7:36 26.7(d)8*)
- ☒ 9. **Maps. (Attachment V: Map requirements; and VI: Sample Reference Map)** (*N.J.A.C. 7:36-26.9(d)9*)
- ☒ 10. **Confirmation of the scoping hearing:**
  - ☒ Proof of publication, mailings and postings of the notice of the scoping hearing required under *N.J.A.C. 7:36-26.8(c)1-3*. A template for the notice can be found in **Attachment VII: Sample Public Notice**. (*N.J.A.C. 7:36-26.8(e)1*);
  - ☒ A copy of the transcript of the scoping hearing (*N.J.A.C. 7:36-26.8(e)2*);
  - ☒ A summary of public comments made at the scoping hearing and/or provided in writing during the public comment period and the applicant's response to the public comments (*N.J.A.C. 7:36-26.8(e)3*);

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- ☒ Copies of written comments submitted as part of the record of the scoping hearing.

- ☒ 11. **Governing body resolution.** (Attachment VIII: Resolution) (*N.J.A.C. 7:36-26.9(d)11*)
- ☒ 12. **Please attach this cover sheet and the following checklists:**
- **Attachment II: Land Assessment Form**
  - **Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland**
  - **Attachment IV: Permit/Approval Checklist**
  - **Attachment V: Map Requirements**
- ☒ 13. **Please provide the following copies:**
- **Two printed copies of the entire application including maps**
  - **Items 1 - 3, 5, and 6 in Microsoft Word Format**
  - **Maps submitted under Item 9 in .pdf format**
  - **All other application material in .pdf format**
- Digital copies may be submitted on a Standard or Mini CD-R produced to be read by any CD-ROM drive or on a USB Flash Drive.**

**NOTES:**

- The Green Acres Program will notify the applicant as to whether the applicant may proceed with the final application. (*N.J.A.C. 7:36-26.9(h)*)
- If authorized to proceed, the final application must be submitted to Green Acres 75 days prior to the meeting of the State House Commission. (*N.J.A.C. 7:36-26.11(i)*)
- The final application must be deemed complete for public hearing purposes by Green Acres before the second public hearing on the application is scheduled. (*N.J.A.C. 7:36-26.11(d)*)
- This package is also available at:  
[www.nj.gov/dep/greenacres/pdflaunch.html#legal\\_stewardship](http://www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship).

# **FINAL APPLICATION**

***N.J.A.C. 7:36-26.11***

***(Major disposals or diversions of parkland)***

**PRIOR TO SUBMITTING THE FINAL APPLICATION:** The pre-application must be reviewed by the Green Acres Program and the applicant must be given permission by Green Acres to file the final application. (N.J.A.C. 7:36-26.9(h)3) The applicant shall submit the final application within 180 days of the date of approval to proceed to Final Application. (N.J.A.C. 7:36-26.11(a))

**THE FINAL APPLICATION SUBMISSION AND APPROVAL IS DIVIDED INTO TWO PARTS.** Please note that the public hearing can only be scheduled following review and approval of Part 1 of the Final Application. (N.J.A.C. 7:36-26.11(d))

**THE COMPLETE FINAL APPLICATION (PART 2) MUST BE SUBMITTED AT LEAST 75 DAYS PRIOR TO THE STATE HOUSE COMMISSION MEETING:** The State House Commission usually meets around the 1<sup>st</sup> of March, June, September, and December; these dates are to be used ONLY as guidelines. The Green Acres Program will notify the applicant of the scheduled State House Commission meeting once the meeting date is announced. (N.J.A.C. 7:36-26.11(i))

**COMPLETION OF THE FINAL APPLICATION IN NO WAY GRANTS ANY APPROVAL FOR THE PROPOSED DIVERSION OR DISPOSAL OF PARKLAND. FINAL APPROVAL OF AN APPLICATION TO DIVERT GREEN ACRES ENCUMBERED PARKLAND MAY ONLY BE GRANTED BY THE DEP COMMISSIONER AND THE STATE HOUSE COMMISSION.**

Note: Please check our web site at [www.nj.gov/dep/greenacres/pdflaunch.html#legal\\_stewardship](http://www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship) for updated versions of this application form prior to filing the final application.



**Green Acres Program  
State House Commission Final Application  
Local Parkland—Major Diversion/Disposal**

**Major Disposal/Diversion Final Application Requirements**

**PART 1** (To be submitted prior to scheduling the public hearing)

- ☒ 1. **Appraisals** for the parkland proposed to be disposed of or diverted and the replacement land proposed as compensation (if applicable), performed in accordance with the requirements of N.J.A.C. 7:36-8.3 or 19.3, as applicable. (N.J.A.C. 7:36-26.11(b)1). Note: No appraisal is required if the applicant has obtained an appraisal waiver pursuant to N.J.A.C. 7:36-26.10(l)
- n/a ☐ 2. A **title report** for the proposed replacement land, as applicable, to determine existing restrictions, encumbrances, easements, liens, or other factors which may affect the market value of the land. (N.J.A.C. 7:36-26.11(b)2).
- ☒ 3. **Land survey plan** for the parcel(s) of land to be disposed of or diverted and the proposed replacement land(s), if applicable, prepared in accordance with *Appendix II* of the Green Acres Program Rules N.J.A.C. 7:36. (N.J.A.C. 7:36-26.11(b)3).
- ☒ 4. **A metes and bounds description** for the parcel(s) of land to be disposed of or diverted and the proposed replacement land(s), if applicable, prepared in accordance with *Appendix II* of the Green Acres Program Rules N.J.A.C. 7:36. (N.J.A.C. 7:36-26.11(b)4).
- ☒ 5. The **Final Compensation Proposal** prepared pursuant to N.J.A.C. 7:36-26.10. (Please refer to Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland of the Pre-application package for guidance) (N.J.A.C. 7:36-26.11(b)5i-iv)
- ☒ 6. The **Proposed Public Notice** for the public hearing and the proposed location of and language to be placed on the Public Notice Sign required pursuant to N.J.A.C. 7:36-26.11(h). (**Attachment I: Sample Public Notices**) (Please also review the **Public Hearing Sign Guidance Document** – available at [www.nj.gov/dep/greenacres/pdflaunch.html](http://www.nj.gov/dep/greenacres/pdflaunch.html)) (N.J.A.C. 7:36-26.11(b)7)
- ☒ 7. Any additional information requested by Green Acres to clarify the final application requirements including any portions of the Pre-application package that have been revised. (N.J.A.C. 7:36-26.11(b)8)
- ☒ 8. Maps. (**Attachment II: Map requirements; and Attachment III: Sample Reference Map**) (N.J.A.C. 7:36-26.11(b)6)
- ☒ 9. **Please attach this cover sheet and Attachment II: Map Requirements checklist.**

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**10. Please provide the following copies:**

- Two printed copies of the entire application excluding Items 1-4 and 8
  - The original, one printed, and one digital copy of Items 1 and 2
  - Three printed copies and three digital copies, one each in .dxf and .dwg file formats and a .pdf file format of the scanned signed survey, as outlined in *Appendix II* of the Green Acres Program Rules, of Items 3 and 4
  - Items 5 and 6 in Microsoft Word Format
  - One printed set and one digital set, in .pdf file format, of maps submitted under Item 8 (note that one set constitutes the number copies indicated in Attachment II: Map requirements)
  - All other application material in .pdf format
- Digital copies may be submitted on a Standard or Mini CD-R produced to be read by any CD-ROM drive or on a USB Flash Drive.

**NOTES:**

- The applicant shall submit the first part of the final application within 180 days of receiving permission to proceed to final application. (N.J.A.C. 7:36-26.11(a))
- The final application must be deemed complete for public hearing purposes by Green Acres before a public hearing on the application is scheduled. (N.J.A.C. 7:36-26.11(c))
- This package is also available at:  
[www.nj.gov/dep/greenacres/pdflaunch.html#legal\\_stewardship](http://www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship).

**Submit the above items prior to advertising or holding the required public hearing. The Green Acres Program will review the submission and determine if the submission is complete for the public hearing. After the public hearing is held, please submit the following items to complete the application:**

**PART 2 (To be submitted following completion the public hearing and public comment period)**



- 1. Proof of publication, mailings and postings** of the notice of public hearing required under N.J.A.C. 7:36-26.11(e) & N.J.A.C. 7:36-26.6(h)1-3. (N.J.A.C. 7:36-26.11(i)1) (**Attachment IV: Public Notice Requirements**)

**Note:** For a county's convenience a portion of **Attachment IV** details how counties can couple the requirements of N.J.S.A. 40A:12-13.5 et seq. with Green Acres requirements.



- 2. The transcript** of the public hearing. (N.J.A.C. 7:36-26.11(i)2)



- 3. A summary of public comments** made at the public hearing and/or provided in writing during the public comment period and the applicants response to the public comments. (N.J.A.C. 7:36-26.11(i)3)

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- ☒ 4. **Governing body resolution.** (Attachment V: Sample Resolution) (N.J.A.C. 7:36-26.11(i)4)
- ☒ 5. **Attorneys Opinion Letter.** (Attachment VI: Attorney Opinion / Review Form) (N.J.A.C. 7:36-26.11(i)5)
- ☒ 6. The **Conflict of Interest Disclosure** form as required by the State House Commission pursuant to the "New Jersey Conflicts of Interest Law" (N.J.S.A. 52:13D-12 et seq.) **Note:** Green Acres will provide the current form prior to the State House Commission meeting. This form submission is only required when a private entity will benefit from the parkland diversion/disposal.
- ☒ 7. **Please provide the following copies:**
- Two printed copies and one digital copy in .pdf file format of all application material (Items 1-6)
  - Item 3 in Microsoft Word Format
  - Any revised maps, print and/or digital copies as requested by Green Acres
  - All other application material in .pdf format
- Digital copies may be submitted on a Standard or Mini CD-R produced to be read by any CD-ROM drive or on a USB Flash Drive.
- ☒ 8. **Please attach this cover sheet and Attachment IV: Public Notice Requirements checklist.**

**NOTES:**

- The applicant shall submit the first of the final application within 180 days of receiving permission to proceed to final application. (N.J.A.C. 7:36-26.11(a))
- The final application must be deemed complete for public hearing purposes by Green Acres before a public hearing on the application is scheduled. (N.J.A.C. 7:36-26.11(d))
- If authorized to proceed, the second part of the final application must be submitted to Green Acres 75 days prior to the next scheduled State House Commission meeting. (N.J.A.C. 7:36-26.11(i).)
- This package is also available at:  
[www.nj.gov/dep/greenacres/pdflaunch.html#legal\\_stewardship](http://www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship).

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**ATTACHMENT I: SAMPLE PUBLIC NOTICES**

Pursuant to *N.J.A.C. 7:36-26.11(h)3*, all public notices are required to include the following information:

- ☒ The name of the applicant and the date, time and location of the public hearing;
- ☒ A description of the proposed disposal or diversion and a statement of the purpose for which it is proposed;
- ☒ The street address (if available), municipality, County, tax map block and lot and size of the property that is the subject of the proposed diversion or disposal and the proposed replacement land (if any);
- ☒ A description of the parkland compensation;
- ☒ A statement that an application for Commissioner and State House Commission approval of the disposal or diversion has been submitted to Green Acres and is available for review at the municipal offices and the library serving the municipality(ies) in which the parkland proposed for disposal or diversion is located and at the Green Acres Program offices; and
- ☒ A statement inviting participation in the public hearing and notifying the public that, in the alternative, written comments may be submitted to the applicant during a public comment period that will close on a date that is two weeks after the hearing date. The statement shall provide an address for submittal of written comments to the local government unit or nonprofit and shall require that copies of any written comments also be sent to:

New Jersey Department of Environmental Protection  
Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, New Jersey 08625-0420

**Note:** Please review the Sign Guidance Document – available at [www.nj.gov/dep/greenacres/pdflaunch.html](http://www.nj.gov/dep/greenacres/pdflaunch.html) for information regarding the Public Notice Sign.

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The following is provided as a **Public Notice Template**. Please complete all areas indicated in bold and fill in any blanks as necessary. (N.J.A.C. 7:36-26.11(e)3)

**Date**

**Adjacent Property Owner or Interested Party Name**

**Adjacent Property Owner or Interested Party Address**

**Adjacent Property Owner or Interested Party Block X, Lot X**

**Re: Project Name**

**Block & Lot of Diversion**

**City, Borough or Township of \_\_\_\_\_, \_\_\_\_\_ County, NJ**

**Notice of Green Acres Public Hearing**

**CERTIFIED MAIL**

**Dear (Adjacent Property Owner or Name):**

This letter is to provide you with written notification that the **(Applicant)**, located at **(Applicant's Address)**, will hold a public hearing to obtain comments regarding its application to the NJDEP Green Acres Program, for the proposed major **(disposal / diversion)** of parkland owned by **(Landowner)**. This application is subject to NJDEP Commissioner and State House Commission approval, and is available for review at **(Clerk's Office Address)** and **(Local or Regional Library Address)** and at the NJDEP Green Acres Program offices (address below).

The public hearing will be held **(date, time, and location)**. All interested parties are invited to attend and participate in the public hearing. In addition to oral comments presented during the hearing, written comments may be submitted to the agencies listed below. All written comments must be received within two weeks following the hearing by **(date)**.

The proposed parkland disposal would involve the **(description of diversion)**. In accordance with NJAC 7:36-26.5(X), **(description of compensation)**.

All written comments should be submitted to the **(Applicant)**, with copy to the NJDEP Green Acres Program, at the following addresses:

**(Applicants Address)**

NJ Department of Environmental Protection  
Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: **(NJDEP County Steward)**

Should you have any questions, please contact me at **(XXX) XXX-XXXX**.

Very truly yours,

**(Project Manager, Municipal Official)**

**(Address)**

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State House Commission Final Application  
Local Parkland—Major Diversion/Disposal**

**ATTACHMENT II: MAP REQUIREMENTS**

**For all Final Application submissions please submit the following (# of copies):**

**Location Maps (8½" x 11" in size):**

- ☒ County Road Maps: Showing the proposed disposal/diversion parcel or area and the proposed compensation area **(2)**

**Tax Maps (8½" x 11" or 11" x 17" in size):**

- ☒ A) Showing the proposed disposal/diversion parcel(s)/area and any adjacent parkland; depict the entire park boundary and separately depict the proposed disposal/diversion area **(2)**
- ☒ B) Showing the proposed compensation parcel(s)/area and any adjacent parkland **(2)**

**Aerial Site Maps\* (11" x 17" or larger in size):**

- ☒ A) A small scale site map showing the proposed disposal/diversion parcel(s) or area; depict the entire park boundary and separately depict the proposed disposal/diversion area **(18)**
- ☒ B) A small scale site map showing the proposed compensation (parcel(s)/area) and any adjacent parkland **(18)**

**\*\*If the Project is of such size/scale that the Aerial Site Map(s) also show the proposed disposal/diversion in relation to the proposed compensation, you do not need to include a large scale Reference Map requested below. If this is the case, please include 15 copies of the Aerial Site Map instead.\*\***

**Reference Map\* (Attachment III) (11" x 17" or larger in size):**

- ☒ A large scale site map showing the proposed disposal/diversion in relation to the proposed compensation. Please include aerial imagery. **(18)**

**If the proposed disposal or diversion will result in the loss of any development, additionally submit:**

**Park Facilities Maps (11" x 17"):**

- ☒ A site plan showing all recreational facilities and identifying those facilities proposed to be removed **(18)**
- ☒ A site plan showing all proposed replacement recreational facilities **(18)**

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**Notes:**

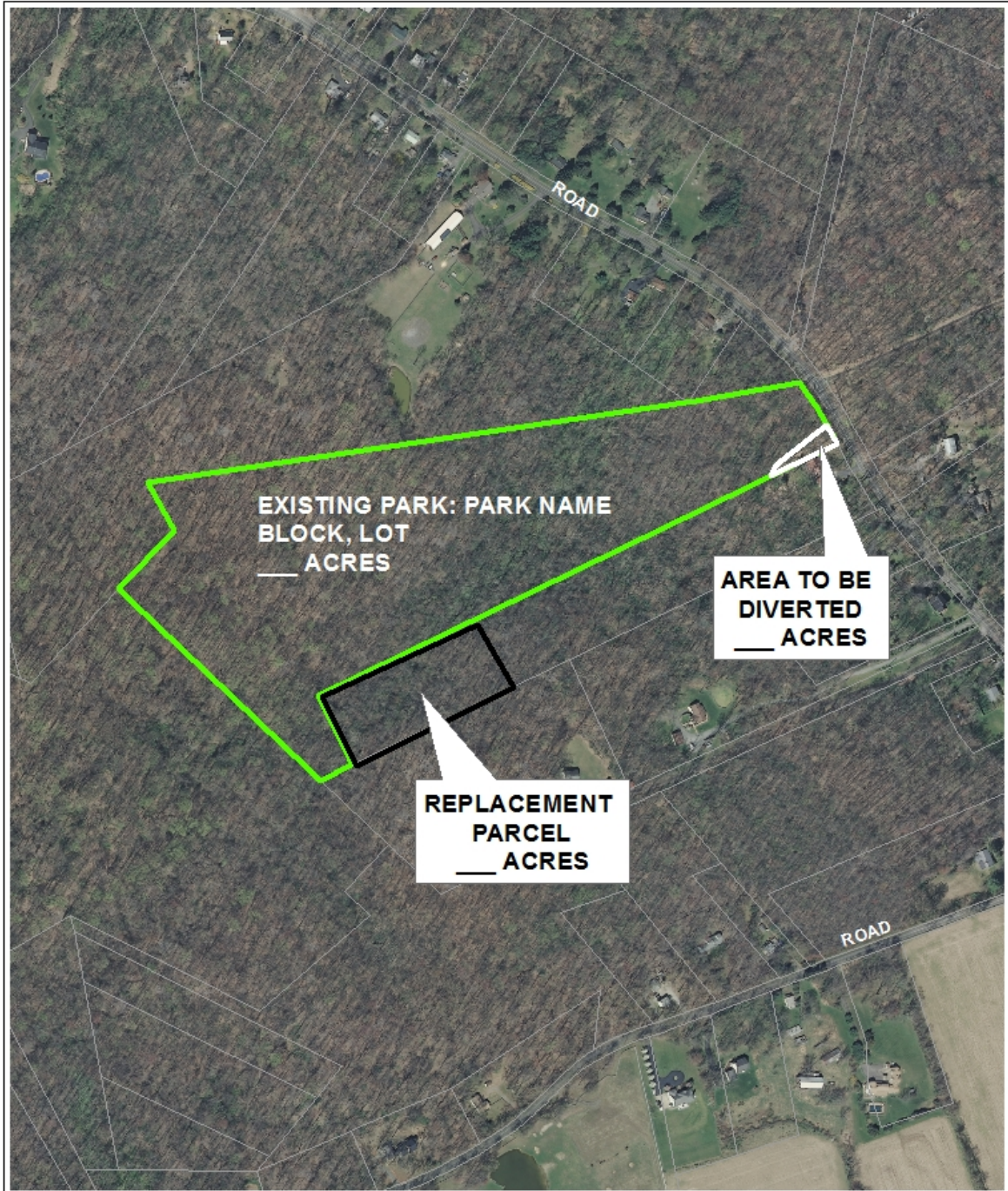
- To the extent possible, please show the following on the Aerial Site Maps, Reference Map and Park Facilities Maps:
  - Tax map block and lot number(s) (current as of the date of request),
  - The owner(s) of record,
  - The approximate dimensions and area (in acres),
  - Existing improvements and easements,
  - Road rights-of-way,
  - Wetlands (as approved by DEP Land Use Regulation Program through issuance of a Letter of Interpretation or as shown on maps prepared by the Department under the Wetlands Act of 1970, N.J.S.A. 13:9A1 et seq., and the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B1 et seq. and available from the Department at [www.nj.gov/dep/gis/lists.html](http://www.nj.gov/dep/gis/lists.html)),
  - Floodplains (as shown on the New Jersey State Flood Hazard Area maps prepared under the Flood Hazard Area Control Act, N.J.S.A. 58:16A50 et seq. and available from the Department at [www.nj.gov/dep/gis/lists.html](http://www.nj.gov/dep/gis/lists.html) or as determined from other State or Federal mapping or from a site delineation), and
  - Tidelands (as determined from New Jersey Tidelands claim maps, conveyance overlays, and atlas sheets and available from the Department at [www.nj.gov/dep/gis/lists.html](http://www.nj.gov/dep/gis/lists.html)).
- Please utilize the most current digital color infrared (CIR) orthophotography of New Jersey for the Aerial Site Maps and Reference Map, available online at [https://njgin.state.nj.us/NJ\\_NJGINExplorer/jviewer.jsp?pg=2012\\_OrthoImagery](https://njgin.state.nj.us/NJ_NJGINExplorer/jviewer.jsp?pg=2012_OrthoImagery). If the development of such maps is beyond your technological capabilities please substitute appropriately.
- In the event that you do not have access to a standard desktop GIS product that supports available imagery, such as ESRI's ArcView, freeware programs which allow viewing of the image files may be downloaded and installed to your computer. A list of open source GIS is maintained and made available from [https://njgin.state.nj.us/NJ\\_NJGINExplorer/jviewer.jsp?pg=gis\\_links#gis\\_software](https://njgin.state.nj.us/NJ_NJGINExplorer/jviewer.jsp?pg=gis_links#gis_software)

Another option is a web-based application, NJ-GeoWeb, made available by the NJDEP at [www.nj.gov/dep/gis/geoweb splash.htm](http://www.nj.gov/dep/gis/geoweb splash.htm).



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**Attachment III: Sample Reference Map**



**PROJECT NAME**

**SHC #**

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES PROGRAM

**YOUR COUNTY**

**YOUR MUNICIPALITY**



1 inch = 400 feet



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**ATTACHMENT IV: PUBLIC NOTICE REQUIREMENTS**

Once the Department has determined that the application is complete for public hearing purposes under N.J.A.C. 7:36-26.6(b), the applicant shall hold a public hearing on the complete application and provide for a public comment period during which written comments may be submitted.

The applicant shall provide notice of the public hearing and of the opportunity for the public to submit written comments in accordance with the following and shall maintain a record that documents that the notice requirements were met:

At least **30 days** prior to the hearing, the applicant shall:

☒ Publish a **legal notice** in the official newspaper of the municipality (or municipalities) in which the parkland proposed for disposal or diversion is located and, if the applicant is a County or a regional nonprofit, also in a local newspaper of general interest and circulation;

☒ Post notice of the hearing on an official web site (if available) in the same manner as other public hearing notices are posted;

☒ Provide written notice of the hearing to the following entities:

- ☒ Green Acres Program
- ☒ municipal governing body\*
- ☒ local planning board\*
- ☒ environmental commission\*
- ☒ open space advisory committee\*

\* If the project is located in multiple municipalities notify each municipality accordingly

If the local government unit is a county, also to the:

- ☒ county governing body
- ☒ county planning board
- ☒ county environmental commission
- ☒ county open space advisory committee

As applicable also to the:

- ☒ Council on Affordable Housing
- ☒ Highlands Council
- ☒ Pinelands Commission
- ☒ any other regional regulatory agency identified by the Department

☒ Provide written notice of the hearing via certified mail (return receipt requested) to:

- ☒ all persons who own land located within 200 feet of the parkland that is the subject of the proposed major disposal or diversion
- ☒ any easement holders for that land who are listed in the tax records for the municipality(ies) in which the land is located

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- ☒ Post and maintain in a legible condition until the public comment period is concluded, a sign on the parkland that is the subject of the proposed diversion or disposal. Such sign shall advise the public of the proposed diversion or disposal, the public hearing on the proposed disposal or diversion and the opportunity for public comment on the proposed disposal or diversion. **Please review the Public Hearing Sign Guidance Document – available at [www.nj.gov/dep/greenacres/pdflaunch.html](http://www.nj.gov/dep/greenacres/pdflaunch.html) for information regarding the location and content of the Public Notice Sign.**

At least **15 days** prior to the hearing, the applicant shall:

- ☒ Publish a **display ad**, a minimum of 4 inches in width, in the official newspaper(s) of the municipality(ies) in which the parkland that is the subject of the proposed disposal or diversion is located and, if the applicant is a county or regional nonprofit, also in a local newspaper of general interest and circulation; and

In order to provide **Proof of Publication of the Notice of Public Hearing**, please submit the following information with Part 2 of the Final Application (*N.J.A.C. 7:36-26.6(f)1*):

- ☒ Proof of Publication of the legal notice required to be published 30 days prior to the hearing in the official newspaper of the municipality;
- ☒ A dated copy of the official Township web site posting, if applicable;
- ☒ Proof of publication of the display ad required to be published 15 days prior to the hearing in the official newspaper of the municipality;
- ☒ Copies of and proof of mailing of the notices required under NJAC 7:36-26.6 (e)1iii and iv;
- ☒ Proof of the posting and maintenance of a sign on the parkland that is the subject of the proposed diversion or disposal.

**NOTE: For diversion of county lands only:**

Pursuant to *N.J.S.A. 40A:12-13.5*, when a **county** intends to sell or lease land for a term of 20 years or more, or exchange any real property or capital improvement for any purpose, public notice and hearing requirements apply to the transaction regardless of whether there is a Green Acres restriction on the property or not. Some of the information compiled for purposes of the Green Acres pre-application will be useful in preparing the report required by *N.J.S.A. 40A:12-13.5a(1)*. In addition, the two public hearings required under *N.J.S.A. 40A:12-13.5a(3)* may be combined with the public hearing required under *N.J.A.C. 7:36-26.6*, as long as the applicant complies with the more stringent notice requirements of *N.J.A.C. 7:36-26.6(e)*. Pursuant to *N.J.S.A. 13:8C-35(b)*, the Department is required to verify compliance with *N.J.S.A. 40A:12-13.5* prior to approving a diversion or disposal of Green Acres encumbered parkland.

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**ATTACHMENT V: SAMPLE RESOLUTION**

*(insert: Local Unit)*

**RESOLUTION  
*(insert: #)***

**RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION FINAL  
APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR  
*(insert: DESCRIPTION OF DISPOSAL/DIVERSION)***

WHEREAS, Block *(insert: #)*, Lot *(insert: #)* is part of the *(insert: Local Unit)* *(insert: Park name)* which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed *(insert: project description)*, it is necessary to remove the Green Acres restrictions from a *(insert: size)* acre portion of *(insert: Park name)*; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to *N.J.A.C. 7:36-26*; and

WHEREAS, the *(insert: Local Unit)* wishes to apply for approval for *(insert: project description)* as a major disposal or diversion of parkland under *N.J.A.C. 7:36-26*; and

WHEREAS, resolution *(insert: resolution number)* was passed on *(insert: date of resolution)* supporting the pre-application submission pursuant to *N.J.A.C. 7:36-26.9(d)11*; and

WHEREAS, a public hearing was held on *(insert: date of public hearing)* and public comment was accepted until *(insert: date of close of public comment period)*; and

WHEREAS, in accordance with *N.J.A.C. 7:36-26.11(i)4*, it is necessary for *(insert: Local Unit)* to submit as part of the final application a Resolution endorsing the application to divert or dispose of parkland;

NOW THEREFORE, BE IT RESOLVED by the *(insert: Local Unit governing body)* of the *(insert: Local Unit)*, in the County of *(insert: County Name)*, State of New Jersey as follows:

1. The *(insert: Local Unit)* endorses the filing of a final application for the *(insert: park name/description of disposal or diversion)* pursuant to *N.J.A.C. 7:36-26*;

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2. The *(insert: Local Unit governing body)* has reviewed both oral and written comments accepted during the public comment period and have made a finding that the major disposal or diversion of parkland is still in the public's best interest.
3. The *(insert: Local Unit)* hereby finds that *(insert: park name/description of disposal or diversion)* would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by *(insert: explanation of how project will fulfill a compelling public need or yield a significant public benefit)*;
4. The *(insert: Local Unit)* acknowledges that in order to obtain the approval of *(insert: park name/description of disposal or diversion)*, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.

DATE: *(insert: date)*

*(insert: Local Unit Name)*

BY: \_\_\_\_\_  
*(insert: Title)*

ATTEST: \_\_\_\_\_  
*(insert: Title)*

BY: \_\_\_\_\_  
*(insert: Title)*

ATTEST: \_\_\_\_\_  
*(insert: Title)*

## **ATTACHMENT B**

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### **Project Description and Public Need**

## **PROJECT AND DISPOAL DESCRIPTION, PURPOSE AND NEED**

Casino Pier is a highly historically valuable area of New Jersey's shore. A major destination on the Seaside Heights oceanfront, it offers rides, boardwalk games, arcades and other attractions. Casino Pier, in combination with the associated arcade and waterpark, along the public boardwalk, has been a major draw to the Seaside Heights oceanfront for decades.

Casino Pier, Funtown Pier to the south, and the adjoining boardwalk were devastated by Superstorm Sandy, resulting in a major hit on the local economy. Casino Pier, like all businesses along the Boardwalk and throughout the Borough, has faced a long road to economic recovery. The proposed Casino Pier reconstructive expansion, located adjacent to and immediately to the north of the existing amusement pier, is of critical importance to the economic viability of Seaside Heights as a tourist destination. It is because of its vital significance to the tourist economy, the project application is being jointly sponsored by both the Borough of Seaside Heights and the owner of Casino Pier.

The proposed major disposal involves expansion of Casino Pier to the north over the municipal beach in exchange for property fronting the boardwalk, lands associated with beach usage, and preservation of the only remaining carousel in the Borough. These compensation parcels, that provide exchange acreage at least at a 1:1 ration with the disposal acreage, will be added to the Borough Recreation and Open Space inventory (ROSI) in exchange for the disposal of the 1.36 acre beach parcel. The proposed compensation takes into account the estimated \$2 million value of the Dentzel-Loof Carousel. The Borough of Seaside Heights is fully supportive of the proposed expansion as a critical way to stimulate the local economy with the added benefit of saving the nostalgic carousel, which had been slated for sale in whole or in pieces at auction. The agreement has been memorialized by resolution.

Prior to Superstorm Sandy, Seaside Heights had put forth a concerted effort to preserve and build an economic tourist base that focused upon its beach, world famous Boardwalk and amusement piers. Seaside Heights has been one of the Jersey Shore's premier resort communities for almost a century. Incorporated in 1913, it has been a haven for day-trippers and vacationers seeking an affordable day at the shore ever since. Even the phrase "Jersey Shore" conjures images directly related to Seaside Heights, having been popularized by an MTV series filmed in Seaside Heights with the same name.

Seaside Heights, mindful of the economic misfortunes that struck some of New Jersey's other seaside resorts, sought to keep the Borough current and attractive to its middleclass vacationers, who are the soul of its tourist economy. Toward that end, Seaside Heights has proactively created Business Improvement Districts and redevelopment initiatives to keep its commercial and beach areas. New Jersey's State Planning Commission designated Seaside Heights as a Coastal Center in order to enable appropriate densities of development consistent with a vibrant tourist destination.

All of the redevelopment initiatives and efforts, however, were brought to a stunning halt on October 29, 2012 when Superstorm Sandy directly hit Seaside Heights with a two fist tidal

surge, first from the Atlantic Ocean and then a return swell from Barnegat Bay. Houses were torn from their foundations, flood waters inundated many of the Borough's homes and businesses, and most relevant to this discussion, Casino Pier was literally torn in half. Its iconic rollercoaster was widely photographed jetting out from the Atlantic Ocean's floor.

The owners of Casino Pier salvaged the half of the pier that remained and now seek to rebuild the portion of the pier that was destroyed by the storm. However, it was found that reconstruction in the pre-Sandy footprint with a portion of the pier located in-water over the Atlantic Ocean would be cost prohibitive in light of the type of family-oriented amusement that the pier provides. While the remaining area of the pier is not large enough to provide the concentration of amusement rides and stands that would draw families or wider visitors.

Based upon the above feasibility and cost analyses, the owners and the Borough developed a plan to construct an upland portion of the pier by proposing upland construction of a platform that is essentially an extension of the existing public boardwalk that will accommodate the types of rides that are currently competitive with this generation of amusement rides. A spectacular Ferris Wheel and rollercoaster are among the types of rides featured by the proposed expansion.

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**ATTACHMENT C**  
**Alternative Analysis and SDRP Compliance**



## **ALTERNATIVES ANALYSIS FOR RECONSTRUCTION AND RELOCATION OF CASINO PIER**

Tourism is the mainstay of the economy of Seaside Heights, and its Boardwalk and amusement piers are the main attraction, fostering a family-oriented “everyman” destination for both the day-tripper and the overnight vacationer.

Casino Pier has always been the crown jewel of the Boardwalk destination experience, and was famous for its numerous rides, games and concession stands. Before Superstorm Sandy, there were approximately 40 rides on the pier, ranging from family-oriented kiddie rides to exciting rollercoaster and other adult thrill rides. As you are aware, the Casino Pier was partially destroyed by Superstorm Sandy, and its iconic roller coaster was cast into the Atlantic Ocean. Since 2013, Casino Pier has been able to rebuild the pier’s western edge which is located over the upland portion of its site, and has re-established numerous rides and attractions. However, based upon the reduced number of destination visitors to Seaside Heights, the full re-establishment of Casino Pier is necessary to restore the Borough as a true tourist destination, vital not only to the Borough but to the New Jersey resort economy as a whole.

This Alternatives Analysis will consider the full range of options raised at the public scoping hearing, as well as addressing other options considered.

### **I. REPLACEMENT OF THE CASINO PIER IN ITS FORMER FOOTPRINT**

Immediately after the storm, the owners of Casino Pier set out to restore the site as an amusement park. Unfortunately, it was discovered that the cost of building a pier structure eastward out into the Atlantic Ocean was approximately 4 to 5 times more expensive than building upland on land adjacent to the existing pier. These estimates were derived by professional structural engineering and construction management firms. While the owners of Casino Pier set out to restore the upland portion of the pier platform, the Borough became concerned that the downgraded amusement park would not be sufficient in size or caliber to provide the type of attraction necessary to restore the tourist economy of Seaside Heights. To meet this crisis, the Borough and the owners of Casino Pier came up with the proposed solution of a reconstructive expansion of the pier northward, which would not only re-establish a critical mass of amusement rides and other forms of entertainment, but also allow for the introduction of mega-rides, such as the Ferris Wheel and Roller Coaster (Attachment O) that have been proposed as part of this Green Acres application. Amusement rides such of these have extensive geotechnical and structure components, and cannot realistically be constructed in the water and still be economically feasible for the type of family oriented tourism that is the economic mainstay of Seaside Heights.

### **II. EXPANSION OF THE CASINO PIER UPLAND TO THE SOUTH**

As part of the public hearing scoping and in subsequent public comments, questions have arisen as to why the proposed expansion is to the north of the existing pier and not to the south. Three

factors weigh in as to why the expansion to the north is the preferred alternative:

- The northern side of the pier already houses an amusement ride. The Sky Ride that traverses the northern reaches of the beach in Seaside Heights is currently located within the footprint of the proposed expansion. The proposed expansion site houses the terminus and ticket booth for this ride (Attachment P). As visitors approach the Beach, the visual plain is that of the landing pad, which has been in its present location since the early 1980's. While it is anticipated that the landing pad of the Sky Ride will be moved northward to accommodate the proposed reconstructive expansion, the proposed use is consistent with this current partial use of the beach area as an amusement ride.
- The southern side of the pier is the location of a ramp that is the main access point for the beach. This ramp is critical to the functionality of the beach for equipment and also in terms of the safety of the beach going public (Attachment P).
- The southern side of the pier includes both lands owned by Seaside Heights and those privately owned. As part of the consideration for the upland reconstructive expansion, the owners of Casino Pier contacted this landowner about possible purchase of this land, and these discussions proved unsuccessful. Acquisition of this property was critical in re-establishing the necessary footprint to house the proposed amusement rides of the scope and nature proposed.

### **III. ALIGNMENT OF PROPOSED RECONSTRUCTIVE EXPANSION WITH LOCAL AND STATE REDEVELOPMENT GOALS**

Seaside Heights is a seasonal community which currently is experiencing the economic ravages of Superstorm Sandy. Prior to Superstorm Sandy, the Borough had been in the process of a concerted effort of economic redevelopment planning, including having the NJ State Planning Commission bestowing a Town Center designation on the community. The Borough also established a Redevelopment Agency and a Business Improvement District. Both Rutgers University and the New Jersey Institute of Technology (NJIT) performed major revitalization and visioning plans. Both studies recognized Seaside Heights as a tourist destination with endless possibilities. NJIT's "Vision Plan for Seaside Heights" specifically noted the following as essential to the future of Seaside Heights:

- Recommendations regarding the need for upgrade in tourist-oriented facilities, including efforts to maintain, support and enhance existing commercial structures as well as a focus on new opportunities reflecting current market trends: "focused merchandising"
- The need to build on the "Seaside Heights" brand and to foster the Borough's image as an excellent tourist destination for the day or longer.
- Creation of Seaside Heights as the "downtown" of the barrier island, serving as a primary commercial destination for tourists of the surrounding municipalities.

The report further notes that the successful growth of Seaside Heights as a desirable vacation destination resort area for families was due largely to the presence of its amusement zone, notably the Boardwalk and its amusement piers. The reconstructive expansion of the Casino Pier that is proposed as part of this Green Acres application is critical to the restoration of the Jersey Shore's economy, not only as an element of the vacation experience in Seaside Heights, but also

to the overall restorative efforts of the barrier island as a destination offering full entertainment.

As noted in the Visioning Report, Seaside Heights is the “entertainment downtown” for this segment of the Jersey Shore and its Tri-State area population. While it is recognized that “...Undeveloped Beaches are Critical to the New Jersey resort economy...”, beaches throughout this 24 mile stretch of the Jersey shore are plentiful and publically available. In contrast, the Casino Pier reconstructive expansion is also critical to the New Jersey resort economy, and given its need to be adjacent to the existing pier to achieve a critical mass for a true tourist destination, there is no alternative other than the upland beach area immediately adjacent to the existing structure, both from a physical and economic viability standpoint.

If it were not for the expense associated with rebuilding the Casino Pier eastward into the Atlantic Ocean, this proposed location of the reconstruction of this existing amusement pier would not be necessary. The costs associated with meeting the construction code requirements of today’s flood hazard resistant standards as well as the need for substantial structural foundation supports necessary for the construction of the proposed Ferris Wheel, Roller Coaster and other modern day tourist attractions requires that construction be upland and not waterward. As noted earlier, construction costs associated with in- water versus the proposed upland pier location can be 4 to 5 times greater per square foot.

#### **IV. NEED TO RECREATE FOOTPRINT: NO FEASIBLE OR PRUDENT ALTERNATIVE**

There is no feasible alternative that can be constructed as a matter of sound engineering. As noted above, professional structural engineering and construction management firms have independently estimated that the cost of rebuilding the amusement pier eastward into the Atlantic Ocean would be 4 to 5 times more expensive than building on an upland site adjacent to the existing pier. The costs associated with building this pier structure would be cost prohibitive, and would subvert the purposed of restoring the family-oriented amusement uses that are proposed as part of this Green Acres submission. In addition to the cost of constructing the platform structure, it makes prudent economic sense in terms of the “co-location” of the amusement pier, which already has the necessary electrical and plumbing infrastructure in place. Locating this amusement pier in another location along the beach would negate this engineering requirement, and therefore is not technically feasible in being able to provide this tourist oriented massing of amusement rides and family-oriented entertainment.

In addition to the excessive costs associated with construction over the Atlantic Ocean of the amusement pier structure, the proposed introduction of the modern day “mega-rides” that are envisioned for this site require extensive structural support systems that would negate the feasibility of placing these rides over the Atlantic Ocean.

In summary, from an engineering feasibility and a prudency standpoint, the proposed upland reconstructive expansion at the proposed location is the preferred alternative.

## **V. ALTERNATIVE WILL NOT CAUSE LONG TERM IMPACTS TO THE NATURAL FUNCTIONING OF THE BEACH**

The proposed reconstructive expansion of the Casino Pier will meet the new V zone requirements both in terms of structure and height. This segment of the shore is the subject of the US Army Corps of Engineers (ACOE) beach restoration and replenishment program. The proposed structure will be elevated and will be westward of the high water line, allowing for unrestricted passage along the beach waterfront. Currently, no dunes exist in Seaside Heights. It is envisioned once the ACOE project commences, that sand will be pumped under the existing and proposed reconstructive pier structures. Based upon the proposed beach profiles provided by the ACOE, future beach height will almost be level with the existing and proposed amusement piers, truly rendering the structures to be platforms “flush” with the surround beach area. No adverse impacts are anticipated: rather the sand under the amusement piers will be part of the overall revitalized beach area. As the amusement pier will be even further upland of the new high water line, no scouring or erosion is anticipated.

This conclusion was confirmed with the US Army Corps of Engineers (ACOE). The proposed beach replenishment project will accommodate the proposed reconstructive expansion by pumping sand under both the existing and replacement expansion area, and that no impact to the success of the beach replenishment program is envisioned. It was noted by both the project’s professionals and the ACOE that pier structures actually help keep sand in place, and that as evidenced by the aftermath of Superstorm Sandy, areas to the west of the existing Casino Pier were somewhat protected by the pier structure by “breaking” the V zone wave impact.

## **VI. NO ACTION ALTERNATIVE**

The purpose and need has been well established for the recreation of the amusement pier footprint destroyed by Superstorm Sandy. Locally, 24 miles of beach extend from the Manasquan Inlet to the Barnegat Inlet. However, very limited opportunities exist for a tourist destination of this nature within the stretch of the Jersey shore. Casino Pier and its role as a tourist destination are critical to the restoration of the economy not only of Seaside Heights, but for the Jersey Shore as a whole. The Casino Pier reconstructive expansion will serve as a magnet for family oriented visitations, both for the “day-tripper” and those seeking vacations at this segment of the Jersey Shore. Tourism has yet to recover from the destruction of Superstorm Sandy: this reconstructive expansion is critical to the recovery of Seaside Heights and the Jersey Shore. A “No Action Alternative” is neither prudent nor feasible in terms of the extreme need for family oriented tourist attractions at what is essentially the major commercial hub of the Shore Region.

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**ATTACHMENT D**  
**Environmental Assessment**

## **ENVIRONMENTAL ASSESSMENT**

### **I. DESCRIPTION OF THE PROPOSED DISPOSAL OR DIVERSION**

The Borough of Seaside Heights is submitting this Green Acres application for the disposal of Block 99.02, Lots 1 and 1.01. The parcels will be utilized for the reconstructive expansion of the existing Casino Pier northward of its current footprint. The figures in Attachment H illustrate the location of the proposed disposal site. The reason that this is referred to as a reconstructive expansion is that the proposed project seeks to replace pier area that was destroyed as a result of the impacts of Superstorm Sandy. The proposed project will be located along an area currently owned by the Borough and which is partially currently occupied by the Skyride, which runs adjacent to the Beach and Boardwalk.

In order to effectuate the full development of this project, a land transfer will ultimately occur between the Borough and the AFMV, LLC, the owners of the existing and adjacent Casino Pier. The timing of the project implementation is tempered by the US Army Corps of Engineers (ACOE) federal beach reconstruction project that will be occurring along the oceanfront of this reach of the barrier island (Attachment F). The US Army Corps of Engineers has indicated that the project and the proposed reconstructive expansion of Casino Pier can be accomplished in unity with each other, but in order to be successfully accomplished, the reconstruction of the Casino Pier must begin prior to the implementation of the beach replenishment project. The Applicant has already submitted its CAFRA permit for this project, and approval is expected shortly (as of 7/8/15, the CAFRA permit approval is still pending).

The purpose and need for this project is further explained in Attachment B, but can be summarized simply by the fact the in-water construction is cost prohibitive for the type of family entertainment usage that will be provided by the reconstructive expansion of the Casino Pier. The cost of building in the water versus building on the proposed upland are is approximately 4 to 5 times more expensive for a platform of the nature needed to support this family entertainment venue.

A number of world class new rides will be placed upon the new platform. These rides include a major new Ferris Wheel and a next-generation roller coaster. Illustrations of these rides are included in this application submission in Attachment O.

### **II. SITE AREA AND DESCRIPTION**

The proposed disposal parcel will house the reconstructive expansion of the existing Casino Pier. Casino Pier is located at what is considered the northerly end of the main commercial Boardwalk zone. The existing pier is bounded by the Boardwalk to the west, public beach areas to the north and south and the Atlantic Ocean to the east. Attachments E and H provide location maps and references for the area.

The Site is located at the following State Plan Coordinates: E612725, N 404104.

The proposed disposal parcel extends approximately 225 north of Casino Pier to align with the southside of Sheridan Avenue, which is located west of and perpendicular to the existing Boardwalk. The 50-foot by 60-foot Sky Ride base currently situated on the disposal parcel and leased by the operators of Casino Pier will be relocated approximately one block north of its present location.

### **III. ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL**

The current use of the Parkland proposed for this disposal action is an amusement ride (the above referenced Sky Ride) and a public beach area. No dunes exist on the proposed disposal site. The proposal disposal does not include any water areas, and is upland of the mean high water line. The following expands upon the environmental conditions and anticipated impacts associated with the future use of the Parkland as a platform for family-oriented amusement attractions:

### **IV. EXISTING CONDITIONS AND PROJECTED IMPACTS RESULTING FROM PROPOSED PROJECT**

#### **Geological Characteristics, Topography and Steep Slopes**

The area eastward of the Sky Ride Structure is relatively flat and consists primarily of sand (See Figure 6, USDA Soils Map). No dunes or other topographic features of note exist on the project site. This area was severely impacted by Superstorm Sandy on October 29, 2012. Major areas of beach were washed into the Atlantic Ocean. To correct this loss of sand, the ACOE will commence a major beach replenishment project, extending from Berkeley Township northward to the Manasquan Inlet. Numerous meetings have been held with the ACOE, and it has been confirmed that the future use of the disposal parcel as a platform for amusement rides will not be inconsistent with the beach replenishment program. In fact, it was noted that the proposed amusement ride platform may serve to anchor the beach replenishment in place at this portion of the project.

#### **Current Use as a Public Beach**

The site currently is occupied by the Sky Ride, an amusement ride, and a public beach. The amusement ride will be relocated to the north. The project site will no longer be available for use as a public beach. However, as noted in Attachment C, Alternatives Analysis, approximately 24 miles of beach are available to the north and south of the current beach, but few alternatives exist for the expansion of this amusement pier which is critical to the economic vitality of the region. From a human and socio-economic environmental impact, the proposed use as a beach oriented tourist attraction is vital to restoring Seaside Heights as a viable tourist destination.

#### **Wetlands**

Review of the NJDEP GIS mapping and a site visit by PS&S environmental scientists on March 11, 2015 indicates there are no freshwater or coastal wetlands on the disposal parcel (See Figure

### **Threatened and Endangered Species**

Based upon review of the NJDEP's Landscape Project Mapping, foraging habitat for three species of Rank 4 State Endangered avian species are found on and adjacent to the disposal site (See Figure 7). These species include the Caspian Tern, Least Tern and Common Tern. No known nesting sites are located on or adjacent to the disposal site. As the site is currently occupied by an amusement ride, and occupied by the beach going public, no vegetation or nesting opportunities exist on the disposal parcel or areas immediately adjacent to the disposal parcel.

Project implementation resulting from the disposal action is not expected to impact these species of special concern.

### **Watercourses/Waterbodies**

The Atlantic Ocean lies immediately to the east of the disposal parcel. The parcel is located totally upland of the mean high water line of the Atlantic Ocean. Implementation of the ACOE beach replenishment project is anticipated to move the mean high water line even further to the east of the disposal parcel. No impacts are anticipated to the Atlantic Ocean as a result of this action. The Alternative Analysis (Attachment C) further provides an analysis of the need to avoid construction of the Amusement Pier expansion in this water area.

### **Public Access**

The disposal parcel currently houses an amusement ride and an entrance way to the beach. The proposed disposal action will enable the development of a publicly accessible platform housing amusement rides and family oriented attractions. Access to the shore line in front of this platform will be maintained and further enhance as a result of the ACOE beach replenishment program. Further, the platform will provide public access both physically and visually to those beach goers who otherwise have difficulty in traversing the sand, including the physically challenged.

### **Hazardous Substances**

The parcel is part of a public beach, and there are no known hazardous substances associated with the parcel.

### **Transportation Patterns**

The disposal parcel is accessed by pedestrians via the existing Boardwalk adjacent to the site. The project resulting from the disposal action will house the reconstructive expansion of the footprint of the Casino Pier that was lost as a result of Superstorm Sandy. As such, no changes are anticipated to transportation patterns. As part of the disposal compensation, areas currently used by the public for parking will be permanently dedicated to this continued use.



## **Zoning**

Per the Borough of Seaside Heights Zoning Map dated 1983, the disposal parcel and all portions of the beach are located within the Public Zone (PUB). The Public Zone as defined in Borough ordinance was created for the purpose of providing areas where generalized public purposes can be accommodated without disruption of the daily activities of residence and businesses alike.

This zone is subject to the limitation that it provides some form of benefit, whether tangible or intangible, to the public.

The existing Casino Pier is located in the Resort Recreational Zone (RR) of the Borough. This zone allows for ten specific land uses. These uses included mechanical rides, such as roller coasters, Ferris wheels, non-mechanical rides, amusement games and games of chance.

It is anticipated that the disposal parcel will be rezoned RR, or another land use instrument will be sought by the municipality to allow the proposed amusement and family oriented uses envisioned.

## **Cultural and Social Factors**

Attachments B and C provide extensive analysis regarding the need for the disposal and resultant implementation of the proposed amusement and family oriented entertainment use of the new upland platform area.

In summary, tourism is the mainstay of the economy of Seaside Heights, and its Boardwalk and remaining amusement pier are the main attraction, fostering a family-oriented “everyman” destination for both the “day-tripper” and the overnight vacationer.

Casino Pier has always been the crown jewel of the Boardwalk destination experience, and is known for its numerous rides, games and concession stands. Before the hurricane, there were approximately 40 rides on the pier, ranging from family oriented “kiddie” rides to exciting roller coaster and amusement features. Superstorm Sandy destroyed much of this pier, and its iconic roller coaster was cast into the Atlantic Ocean. Since 2013, Casino Pier has been able to rebuild the pier’s western edge with located over the upland portion of its site, and has re-established numerous rides and attractions. However, as detailed in the Alternative Analysis, rebuilding the portion over the Atlantic Ocean proved cost prohibitive. The declining number of tourists make it critical that the amusement rides and other attractions be rebuilt, and is vital not only to the future of Seaside Heights, but to the New Jersey resort economy as a whole.

## **Aesthetics**

The disposal parcel currently houses an amusement ride along its entire western edge with the Boardwalk. The landing base of the amusement ride blocks further view of the ocean. The remainder of the parcel provides a view of the beach and ocean.

Project implementation of the reconstructive expansion of the Casino Pier will change the existing natural beach vista into one of a family oriented amusement pier and other tourist-oriented attractions. Visual access to the waterfront will be enhanced through the platform area, providing further views of the waterfront in an elevated manner. The proposed use will be consistent with the current tourist oriented developed portions of the Boardwalk area, as well as the adjacent existing Casino Pier.

### **Parks/Recreational Uses**

The disposal parcel is a portion of the Borough public beach. The entire public beach is on the Borough Recreation and Open Space Inventory. The beach is used for passive and active recreational uses such as sunbathing and volleyball, and provides access to the ocean for swimming, surfing and fishing.

The proposed conversion of the disposal parcel to the relocation of a portion of Casino Pier will result in the use of this area as a public beach. However, the proposed reconstructive expansion of Casino Pier will offer public recreational opportunities in the form of amusement rides and complementary uses including boardwalk games, arcades and dining. Casino Pier is the major draw to the Seaside Heights oceanfront.

### **Historic and Archaeological Resources**

A Historic and Archeological Review was prepared as part of the CAFRA submission, and is provided as an attachment to this Environmental Assessment. The New Jersey and National Registers of Historic Places indicated there is only one historic resource in the Borough of Seaside Heights; the Denzel/Loof Carousel (ca. 1910; HABS NJ-1141). The carousel is currently located in a building on the west side of the boardwalk directly across from Casino Pier. It was recently put up for sale in its entirety or in pieces (valued at approximately \$2 million).

As part of this application for disposal, the Denzel/Loof Carousel will be preserved and donated to the Borough. It is proposed to be housed on the parcel that has been designated as one of the compensation parcels, located along the Boardwalk between Sampson and Carteret Avenues. Preservation of this Carousel is a key component of the disposal application.

### **Critical Habitats**

A review of the NJDEP GeoWeb GIS data shows no records for critical habitat on the disposal parcel or within the vicinity of the proposed activities.

## **V. POTENTIAL FOR LOSS OR ALTERATION OF FLOODPLAINS, STEEP SLOPES, WETLANDS, PRESERVED FARMLAND AND DEDICATED OPEN SPACE**

As illustrated on Figure 4, the Disposal Parcel is located in an area that is subject to high velocity water (V zones) as delineated on the Flood Insurance Rate Maps (FIRM) prepared by the

Federal Emergency Management Agency (FEMA). The Proposed Disposal Parcel is located in a VE zone, which is an area of high flood risk subject to inundation by the hundred year storm (i.e. that storm event which has a 1% chance of occurring in a given year). The VE zone also recognizes additional hazards due to storm-induced velocity wave action (i.e. a 3-foot or higher breaking wave). The easterly extent of the proposed footprint of expansion is mapped as having a base flood elevation (BFE) of +15, whereas the majority of the proposed footprint is within an area having a BFE of + 12. NJDEP Division of Land Use Regulation (DLUR) regulates construction in the Coastal High Hazard Area through its Flood Hazard Area Control Act Rules (FHA Rules) and in tidal flood hazard areas where the proposed action requires a Coastal Permit from NJDEP, FHA regulation is reviewed and enforced as part of the Coastal Permit process. The project has been designed to comply with all applicable sections of the Flood Hazard Area Control Act Rules (NJAC 7:13).

Further, the Proposed Diversion parcel is a beach that is dedicated open space. The Borough owns, protects and maintains a public beach or more than 22 acres. When compared to the economic, social and recreational benefits of the reconstructed amusement pier and the preservation of the Dentzel-Loof Carousel, the Diversion of 1.36 acres of beach would be outweighed by the benefits of the development and the Proposed compensation.

### **Water Quality Standards**

The existing and proposed facilities are located within the approved sewer service area defined in the Ocean County Water Quality Management Plan. The facilities will be served by public utilities that are compliant with applicable water quality regulations and standards. As such the proposed development would not violate Federal Clean Water Act or State laws rules and regulations promulgated pursuant thereto.

## **VI. POTENTIAL INCREASED POLLUTION OR TURBIDITY LEVELS WITHIN A SURFACE WATERBODY AND, IF SO, WHAT THE EFFECTS WILL BE DOWNSTREAM AND UPSTREAM**

As detailed in Attachment B and Attachment C, the proposed project platform resulting with this disposal application will be placed entirely upland of the mean high water line. As evidenced by the existing pier structure, no impacts to the Ocean shoreline have occurred as a result of the platform placement. Conversely, it has been evidenced that structures of this nature have a positive impact on maintaining beach sand in place. Therefore, no impact to the adjacent waterbody is anticipated.

### **Effects of Project upon Aquatic Biota and Habitats**

The proposed project is not anticipated to adversely affect any aquatic biota or habitats. The proposed project may benefit the ocean habitat since the pier is to be constructed over land and not in its original location over the Atlantic Ocean. Therefore the disturbance to aquatic habitat has been eliminated as a result of the relocation.

## **Ground Water Quality and Quantity**

The proposed project does not propose withdrawal or direct impacts to groundwater.

## **Environmental Justice**

The proposed disposal will be a benefit as a source of tourist entertainment to all residents of the State of New Jersey. The proposal disposal will not negatively impact any communities of concern, but rather will provide a diverse source of entertainment to all.

## **Temporary Construction Impacts**

Construction activities would result in a minor temporary increase in noise levels on the project site. The major source of noise from construction equipment is usually internal combustion engines, which provide operating power. In addition, pile driving activities will generate some impacts, but are expected to be limited in nature and not disruptive to the surrounding area.

Using properly maintained and muffled equipment can minimize temporary impacts due to construction noise. Construction activities are expected to be primarily limited to the off season, and are anticipated to be completed in time for the upcoming 2016 tourist season. Once the project is completed noise levels generated by amusements, games and patrons will be consistent with the existing noise levels at Casino Pier and along the Boardwalk.

## **VII. Proposed Compensation and Discussion of Existing Environmental Conditions on Compensation Parcels**

The compensation parcels consist of multiple Boroughs owned parking facilities that would be placed on the Recreation and Open Space Inventory and preserved as parking and/or storage areas for recreational uses only. Additionally, the focus of the Green Acres Compensation for the proposed disposal is the preservation of the Dentzel-Loof Carousel (Carousel) on prime boardwalk front property that is currently vacant and under private ownership. The referenced property is located on the Boardwalk between Carteret and Sampson Avenues and is known as Block 56, Lots 1, 3, 7 and 9. Prior to the proposed Green Acres Disposal, the Carousel was slated for private sale/auction and risked being dismantled and removed from the Borough. The compensation proposed herein would transfer a valuable boardwalk parcel to the Borough, preserve the parcel through placement on the ROSI, and result in construction of a museum/community facility, a portion of which will house the preserved carousel and make it available for the community and tourists.

## **VIII. ENVIRONMENTAL ASSESSMENT OF PROPOSED COMPENSATION PARCELS**

### **Geological Characteristics, Topography and Steep Slopes**

A review of NJDEP GeoWeb GIS data shows that the compensation parcels and the entire Borough are underlain by the Wildwood Member of the Kirkwood Geological Formation. Seaside Heights Borough is a generally level municipality. There are no steep slopes on any of the compensation parcels. All but one of the compensation parcels had either been previously cleared and developed, or cleared and paved.

### **Wetlands**

Review of the NJDEP GIS mapping and a site visit by PS&S environmental scientists on March 11, 2015 indicates there are no freshwater or coastal wetlands on the compensation parcels. However freshwater wetlands are mapped within 50 feet of Parcel 14 (the existing Hering Avenue Playground). According to NJ-GeoWeb data the 2007 Land Use is described as Vegetated Dune Communities. A dune is a land feature that typically does not meet the definition of regulated wetlands and would not be subject to associated wetland buffers.

### **Threatened and Endangered Species**

Based upon review of the Landscape Project Mapping, foraging habitat for Least Tern (*Sternula antillarum*), a State threatened species, is located adjacent to the Parcel 14. These birds typically forage in bays, lagoons, estuaries, rivers and lakes along the coast. The playground is located in an area with significant existing human activity. The site conditions do not provide suitable foraging conditions for the Least Tern.

GIS data did not indicate presence of habitat or records of threatened or endangered species for the remaining compensation parcels.

### **Watercourses/Waterbodies**

There are no waterbody/watercourses located on any of the compensation parcels.

### **Land Use of Parcel and Adjacent Lands**

Eleven of the compensation parcels are parking areas. Parcel 14 is currently a Borough owned playground. Parcel 13 is the privately owned, vacant boardwalk- front parcel.

### **Access**

All compensation parcels have current and adequate access via existing public roadways. Additionally, the compensation parcel slated for housing the Carousel is adjacent to the Boardwalk with access afforded to pedestrian traffic.

### **Hazardous Substances**

The Known Contaminated Sites List on the NJ-GeoWeb was reviewed to determine if any of the compensation parcels were identified. None of the compensation parcels were identified as a Known Contaminated Sites and the site visit did not readily indicate the presence of staining,

equipment, use or other conditions that would reveal potential for presence hazardous substances.

### **Transportation Patterns**

The approval of the Disposal would not result in a change of use on any parcel other than Parcel 13 where the museum/community facility would be constructed. Although, such use would result in tourist activity, it is expected that most users would access the area as pedestrians from the boardwalk. However, the proposed design would incorporate appropriate parking and access to avoid adverse impacts on transportation patterns.

### **Zoning**

Per the Borough of Seaside Heights Zoning Map dated 1983, the compensation parcels are located in the following zones:

- Low Density Residential (LD RES)
- Retail Business (RB)
- Residential (RES)
- Resort Recreational (RR)

The only proposed change of use is the housing of the carousel on the current Boardwalk adjacent parcel which is zoned Resort Recreational. This zone allows for ten specific land uses. These uses included mechanical rides, such as roller coasters, Ferris wheels, non-mechanical rides, amusement games and games of chance. The proposed use is consistent with Township zoning.

### **Cultural and Social Factors**

The compensation parcels do not currently possess any particular cultural or social value.

### **Aesthetics**

The majority of compensation parcels do not possess any unique aesthetic value. Parcel 13, the privately owned boardwalk parcel, provides views of the oceanfront, the developed boardwalk and associated boardwalk uses.

### **Parks/Recreational Uses**

Parcel 14 is currently developed and utilized as a Borough owned public playground. The remaining parcels are parking areas or vacant land that is not currently restricted for recreation uses.

### **Historic and Archaeological Resources**

The New Jersey and National Registers of Historic Places indicated there is only one historic resource in the Borough of Seaside Heights; the Denzel/Loof Carousel (ca. 1910; HABS NJ-

1141). The carousel is privately owned and is currently located in a building on the west side of the Boardwalk directly across from Casino Pier.

## **V. PROBABLE ENVIRONMENTAL IMPACTS TO THE REPLACEMENT PARCELS**

### **Geological Characteristics, Topography and Steep Slopes**

The Disposal would result the compensation parcels being placed on the ROSI. Of the parcels proposed for compensation, development/change in use is proposed only for Parcel 13. Since the Parcel exhibits no significant topography and no steep slopes, impacts to these resources would not be expected.

### **Wetlands**

There are no wetlands located on any of the compensation parcels; therefore, approval of the Disposal will not have an impact on wetlands.

### **Threatened and Endangered Species**

The Least Tern typically forages in bays, lagoons estuaries, rivers and lakes along the coast. The proposed compensation parcels are not located within the water; and are areas adjacent to significant existing human activity. The site conditions do not provide suitable foraging conditions for the Least Tern. The Disposal is not anticipated to adversely impact known habitat of threatened or endangered species.

### **Critical Habitats**

A review of the NJDEP GeoWeb GIS data shows no records for critical habitat on or within the vicinity of the compensation parcels. The Disposal is not anticipated to adversely impact any known critical habitats.

### **Names and Classifications of Watercourses**

The Borough of Seaside Heights is located on the barrier island between the Atlantic Ocean and the Barnegat Bay. The Atlantic Ocean per the Surface Water Quality Standards N.J.A.C 7:9B, is classified as “SC” (general Saline Coastal Waters). The Barnegat Bay is classified as “SE1(C1)” (general Saline Estuary Waters/ Category One) Approval of the Disposal is not expected to result in any direct or indirect adverse impact to the water bodies.

### **Land Use of parcel and adjacent lands**

With the exception of Parcel 13, where the Disposal would result in placement of a museum/community facility to house the Carousel, no change in land use would be anticipated for the compensation parcels.

Parcel 13 is bounded by roadways to the northwest and south and the existing public boardwalk

to the east. The adjacent lands are residential. Given the use of the areas adjacent to the beach for boardwalk entertainment and amusements, the Carousel would not be expected to adversely impact surrounding land uses. Parcel 14 is currently zoned as a Resort/Recreational (RR) Zone such that preservation of the Carousel is consistent with Borough planning and zoning.

### **Access**

Parcel 14, the only parcel where physical changes are anticipated, is accessible from the adjacent roadways as well as the existing boardwalk. The anticipated change in use would not be expected to limit pedestrian or vehicular access.

On the remaining compensation parcels there are no proposed changes such that existing access would be maintained.

### **Hazardous Substances**

The compensation parcels do not exhibit visible indicators of hazardous substances and none of the parcels are identified on the Known Contaminate Sites GIS database. It is not expected that the proposed uses of the parcels will result in the use of or imminent potential for release of hazardous substances.

### **Transportation Patterns**

The applicant is proposing to utilize a vacant parcel to house the historic Carousel while all other compensation parcels are to remain unchanged. While relocation of the Carousel to the new location may result in increased visitors to the north end of the boardwalk, it is not anticipated to have an adverse impact on transportation patterns. The remaining compensation parcels are expected to function as they do in existing conditions such that impacts transportation patterns would not be expected.

### **Zoning**

The Parcel which has been designated for compensation is currently zoned as Resort Recreational (RR) Zone and the proposed museum/community facility and Carousel are consistent with uses allowed in this Zone.

### **Cultural and Social Factors**

Casino Pier has historically been a major destination on the Seaside Heights oceanfront offering rides, amusements, boardwalk games, arcades and other attractions. Casino Pier, in combination with the associated arcade and waterpark, and link to the public boardwalk, has been a major draw to the Seaside Heights oceanfront for decades. Casino Pier, Fun town Pier to the south, and the adjoining boardwalk were devastated by Superstorm Sandy, resulting in a major hit on the local economy. Casino Pier, businesses along the Boardwalk and the Borough have been on a long road to economic recovery. The proposed Casino Pier reconstructive expansion is of



critical importance to the economic viability of Seaside Heights as a tourist destination.

The approval of the Disposal would result in an agreement between the Borough and AFMV, LLC to insure the preservation of the Dentzel - Loof Carousel (ca. 1910; HABS NJ-1141), which is one of two remaining carousels of its vintage in New Jersey and is considered to be of local historical significance for its pivotal role in the establishment of Seaside Heights as a resort area early in the 20th century. Prior to this agreement the carousel had been slated for sale in whole or in pieces at auction.

### **Aesthetics**

Changes to the aesthetics of the compensation parcels are only proposed on Parcel 13. The applicant is proposing to utilize the currently vacant parcel to erect a structure to house the historic Dentzel-Loof Carousel. At this time specific designs for the structure have not been finalized; however it is the intent of the Borough to construct a building that similar in style to the historic boardwalk buildings of the 1930s and consistent with the surrounding boardwalk use. Further it is anticipated that this building will provide viewing areas of the beach and oceanfront.

### **Parks/Recreational Uses**

With the exception of Parcel 13, adjacent to the existing boardwalk, the applicant is not proposing a change in current land use. The proposed utilization of vacant land to house the Carousel is an opportunity to preserve a historic structure and ensure that it remains intact for continued public use and enjoyment. The approval of the Disposal would result in the placement of all compensation parcels on the ROSI and preservation of each parcel for recreational uses.

### **Historic and Archaeological Resources**

A review of the NJ and National Registers of Historic Places website indicates the only historic resource listed for the Borough of Seaside Heights is the Dentzel-Loof Carousel. Since approval of the Disposal, would result in the preservation of this Carousel as well as its placement on the ROSI, the Disposal will only have a beneficial impact upon historic resources.

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**ATTACHMENT E**  
**Proposed Compensation**

**PROPOSED COMPENSATION FOR GREEN ACRES DISPOSAL**  
**CASINO PIER RECONSTRUCTION AND RELOCATION**

The proposed major disposal would result in the Borough transferring a 1.36 acre portion of existing public beach, identified as a portion of Block 99.02, Lot 1, into private ownership. The proposed disposal would remove this 1.36 acre parcel from the Recreation and Open Space Inventory. In accordance with NJAC 7:36-26.10, compensation in the form of replacement lands, monetary compensation, or a combination thereof, must be provided.

At the onset of the proposed Project, it was noted that the only existing State listed historic resource in the Borough, the Dentzel-Loof Carousel, was in danger of being disassembled for sale of individual horses and entirely removed from the Borough of Seaside Heights. This Carousel provides not only an important historic resource for the Borough, but also has a social and cultural benefit for the surrounding shore area (see Attachment M for Carousel Data). As such, it was determined that the Proposed Disposal could result in the additional public benefit of preserving the Carousel via utilizing the Carousel for a portion of the Green Acres required compensation. Therefore, the compensation proposed herein includes monetary compensation through the \$2,000,000 value of Carousel and well as provision of replacement lands at a minimum 1:1 ratio with the 1.36 acre Proposed Disposal.

The majority of the required replacement land acreage is provided through the Borough acquiring the privately owned Boardwalk front parcel known as Block 56, Lots 1, 3, 7 & 9 (see Attachment T for Appraisal). This 0.76 acre parcel will be acquired by the Borough for the purpose of constructing a museum/community facility building that will ultimately house the preserved carousel (see museum sketches on the following pages). An exhaustive search of all Borough owned properties has indicated that the buildout of the Borough leaves very few vacant properties available for placement on the Recreation and Open Space Inventory (ROSI). Through this search and through discussions with Green Acres staff, it was determined that the remaining replacement acreage may be accomplished by placing multiple Borough owned properties on the ROSI. These properties include parking facilities and storage areas that will be set aside for recreational uses, the Hierung Avenue Playground that is not currently on the ROSI, and a vacant Borough owned parcel that is located directly across the municipal boundary in the Township of Toms River.

Through the above described compensation proposal, the Borough has provided both the NJAC 7:36-26.10 required land replacement as well as substantial monetary value in the form of a valuable boardwalk front parcel and a preservation of a priceless historic resource in the form of the Dentzel-Loof Carousel.













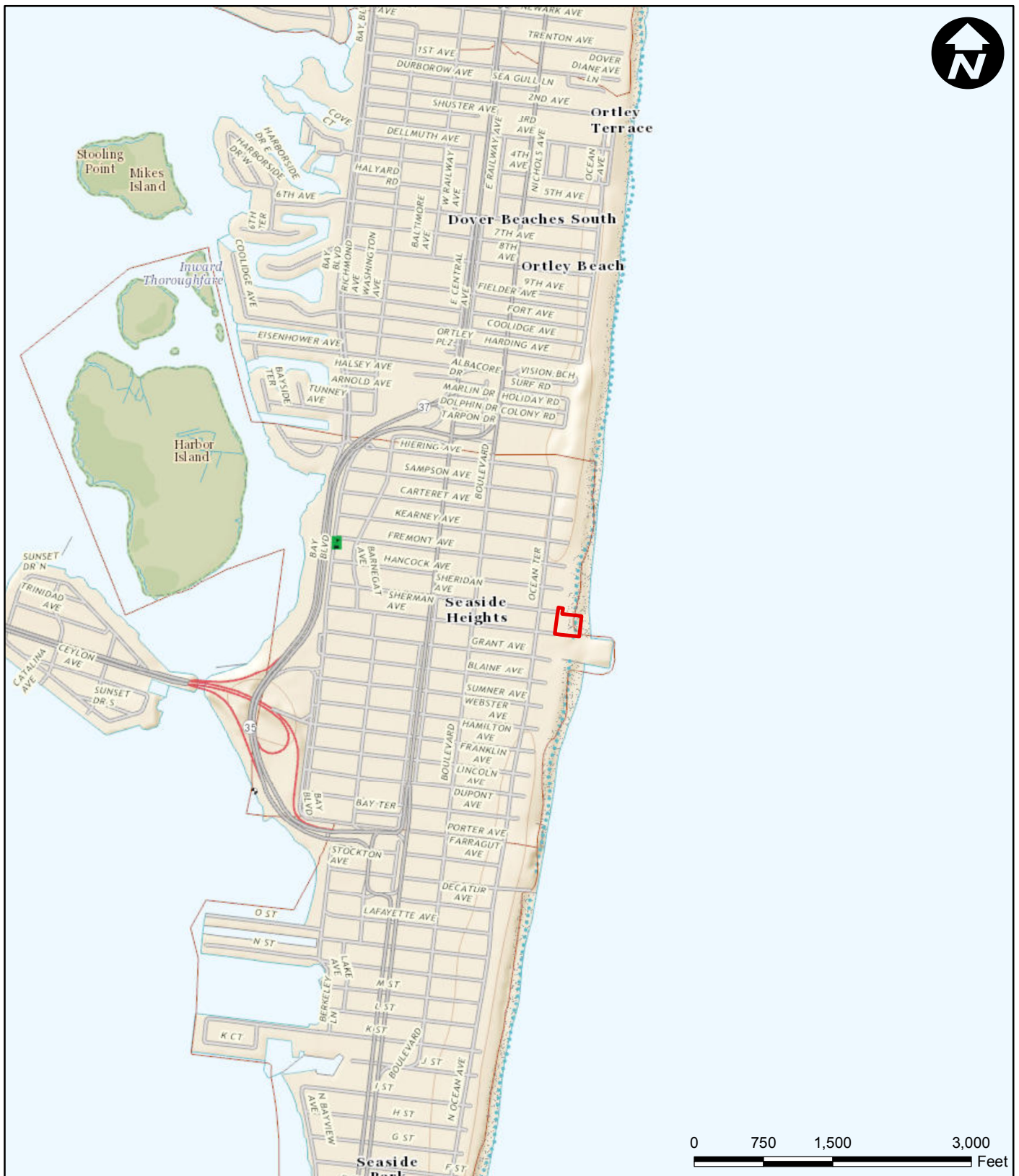


**ATTACHMENT F**

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**Figures**





### Legend

 Project Area



67A MOUNTAIN BOULEVARD EXT.  
P.O. BOX 4039  
WARREN, NEW JERSEY 07059  
PHONE: (732) 560-9700

## USGS MAP

### Casino Pier Expansion Borough of Seaside Heights Ocean County, New Jersey

Sources:  
USGS, US Topo, The National Map  
Seaside Park Quad, 2014  
STATE PLANE COORDINATES  
E 612748  
N 404539

Drawn By: BR

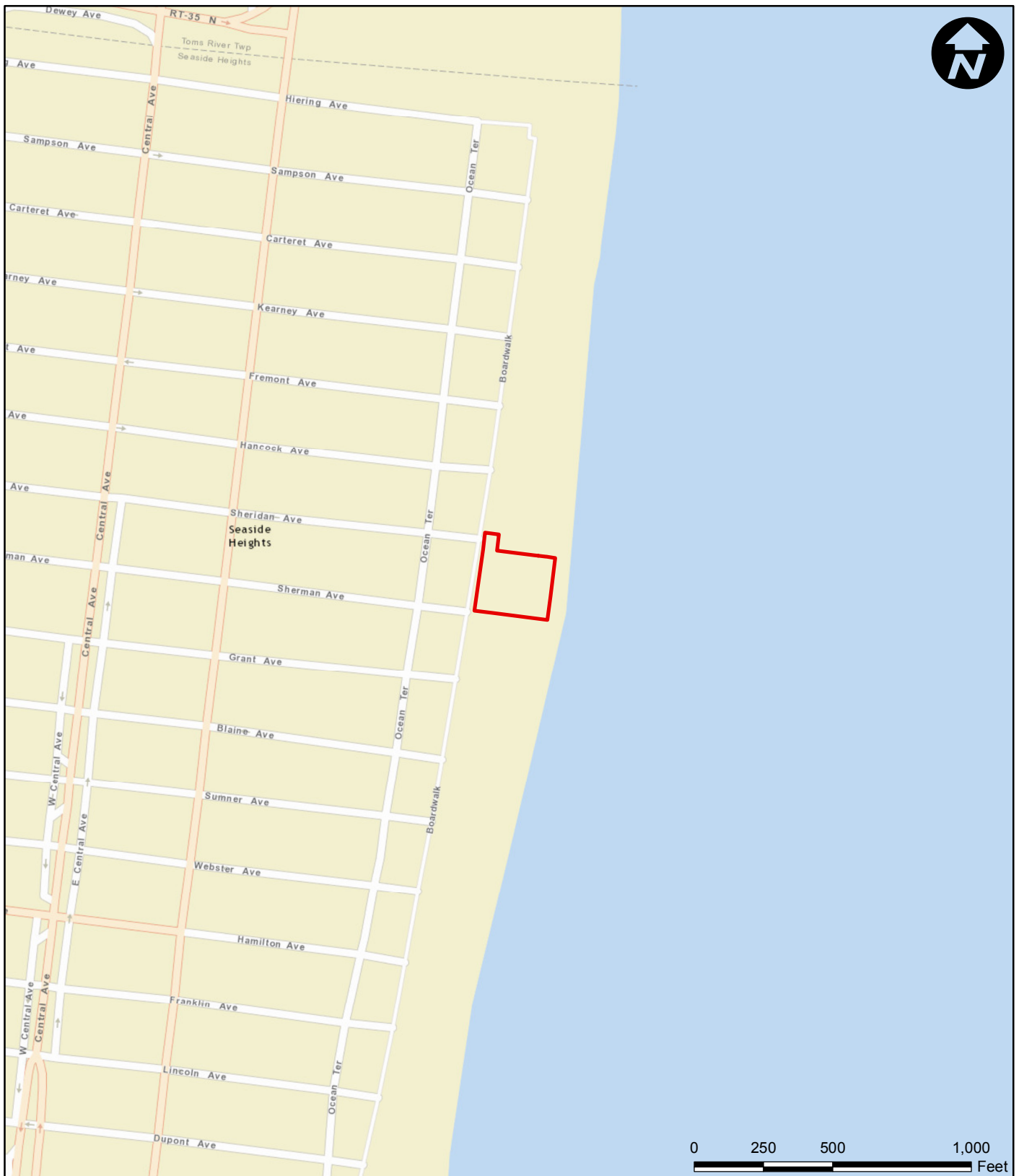
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Project No. 02424.0028

Chk'd By: DM

Date: 1/2/2015

Figure No. 1



### Legend

 Project Area



67A MOUNTAIN BOULEVARD EXT.  
P.O. BOX 4039  
WARREN, NEW JERSEY 07059  
PHONE: (732) 560-9700

## STREET MAP

### Casino Pier Expansion Borough of Seaside Heights Ocean County, New Jersey

Sources:  
ESRI, World Street Map, 2014

Drawn By: BR

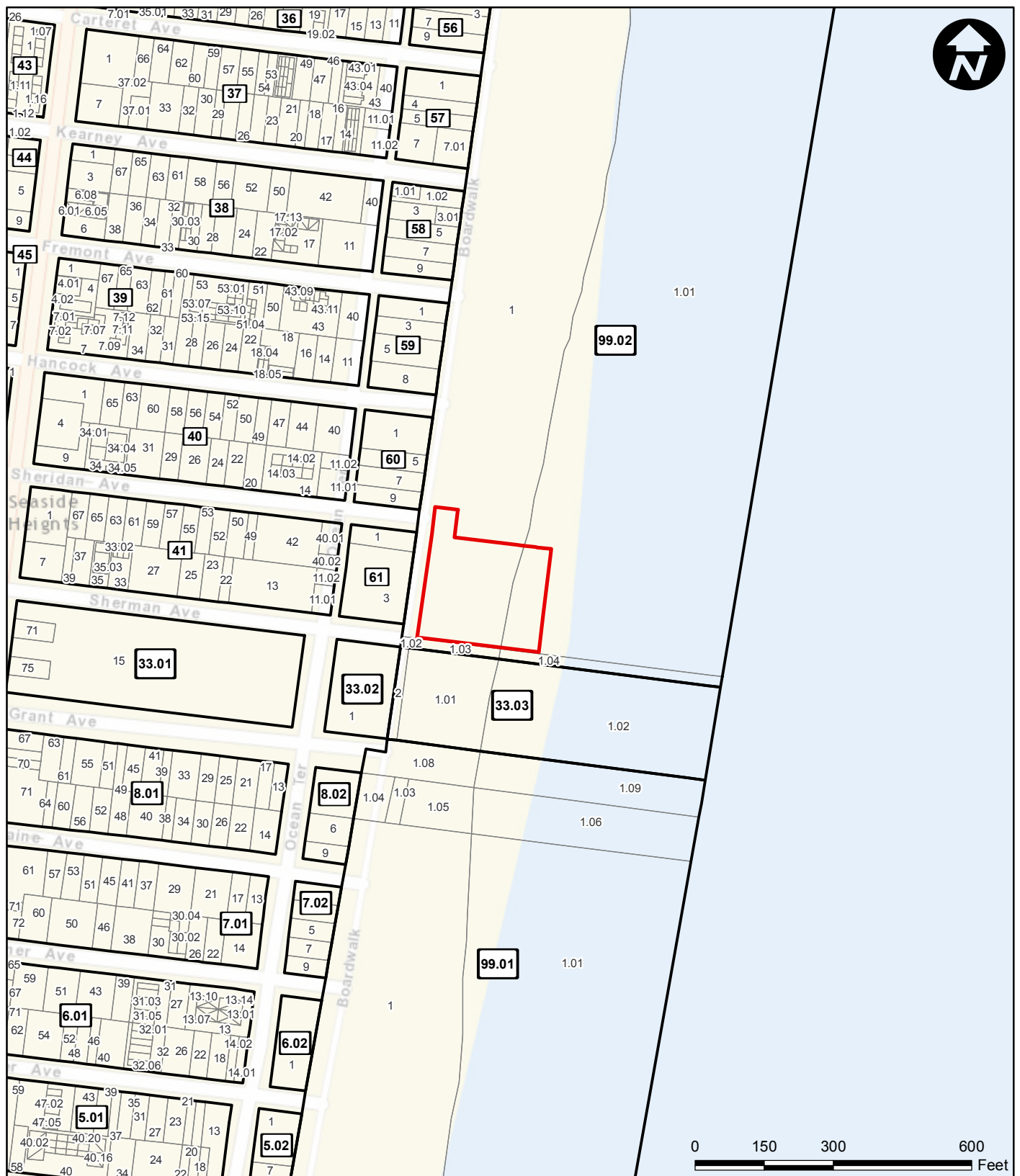
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Project No. 02424.0028




Chk'd By: KG

Date: 1/2/2015

Figure No. 2



### Legend

-  Project Area
-  Block
-  Lot



67A MOUNTAIN BOULEVARD EXT.  
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WARREN, NEW JERSEY 07059  
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## TAX MAP

### Casino Pier Expansion

### Borough of Seaside Heights

### Ocean County, New Jersey

Sources:  
Ocean County Parcel layer, State of New Jersey  
Composite of Parcels Data, 2/26/2014  
Program Ocean County Parcel layer, State of New  
Jersey Composite of Parcels Data, 2/26/2014

Drawn By: AG

Chk'd By: KG

Scale: 1" = 300'

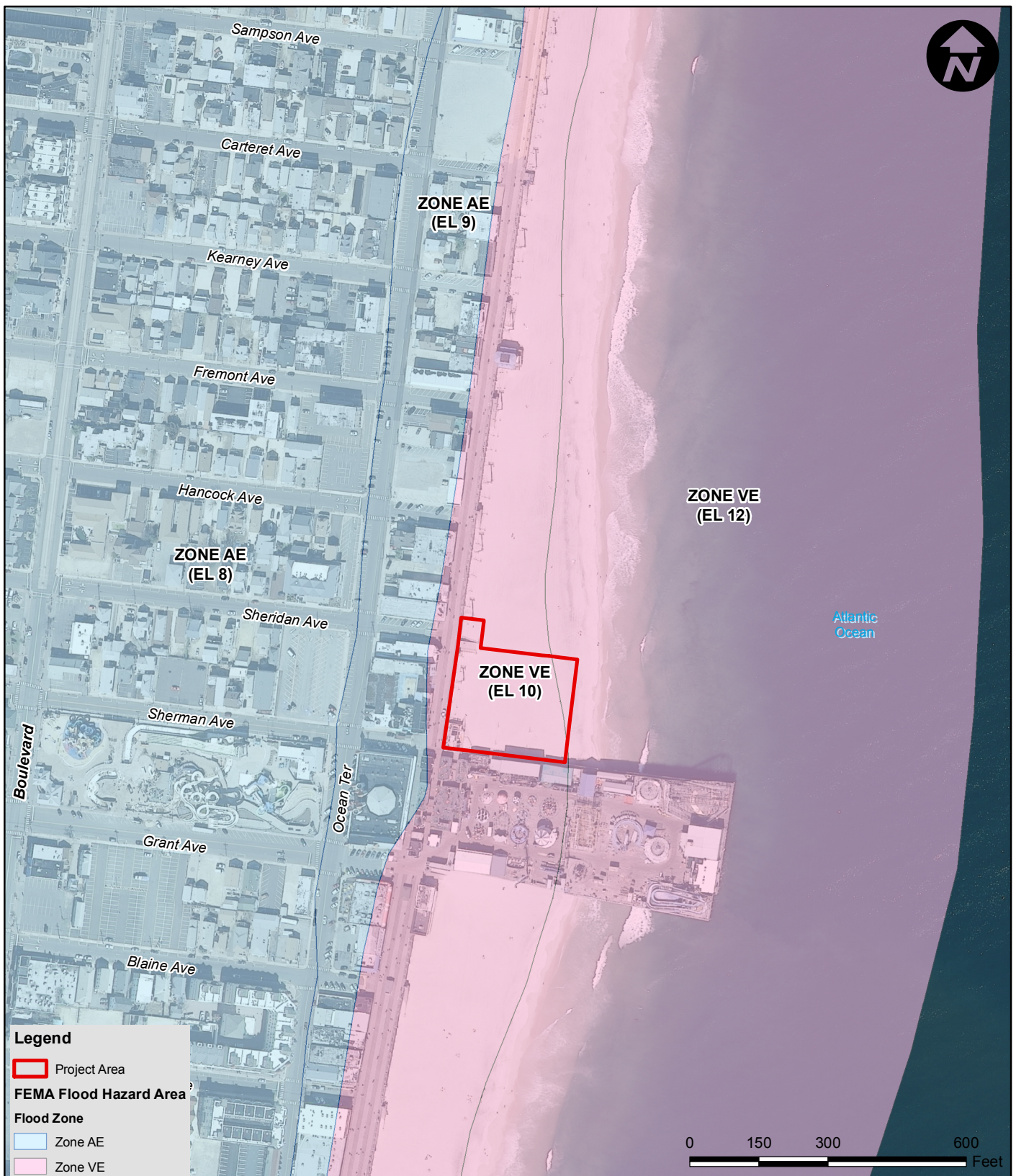
Date: 1/2/2015

Project No. 02424.0028

Figure No. 3

Path: P:\02424\0028\DWGs\ESRIY-GIS\Maps\CAFR\CAFR\_Fig03\_Tax\_20150102\_01.mxd





**Legend**

Project Area

**FEMA Flood Hazard Area**

**Flood Zone**

Zone AE

Zone VE

Note:  
Flood Hazard Areas shown within map view are approximate and may not reflect flood hazard elevations/limits pursuant to NJDEP NJAC 7:13-3.1.  
All Elevations are shown in NAVD88.

Sources:  
Fema Flood Hazard Layer, 2014  
ESRI, World Street Map, 2014  
New Jersey Aerial Imagery, 2013

  
**PS&S**  
67A MOUNTAIN BOULEVARD EXT.  
P.O. BOX 4039  
WARREN, NEW JERSEY 07059  
PHONE: (732) 560-9700

**FEMA MAP**  
Casino Pier Expansion  
Borough of Seaside Heights  
Ocean County, New Jersey

Drawn By: BR	Scale: 1" = 300'	Project No. 02424.0028
Chk'd By: DM	Date: 1/2/2015	Figure No. 4





#### Legend

- Project Area
- Wetlands

Notes:  
The wetlands data is displayed for screening purposes only. The Land Use Regulatory Program (LURP) of the NJDEP determines the extent and final determination of wetlands in the State of New Jersey on a case by case basis.  
NJDEP 2007 Land use/Land cover Update, 2010.

Sources:  
NJDEP 2007 Land use/Land cover Update, 2010.  
Imagery from ESRI ArcGIS Online, World Imagery and Reference/World Transportation web services, 2014.



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## NJDEP FRESHWATER WETLANDS

### Casino Pier Expansion

### Borough of Seaside Heights

### Ocean County, New Jersey

Drawn By: BR

Chk'd By: DM

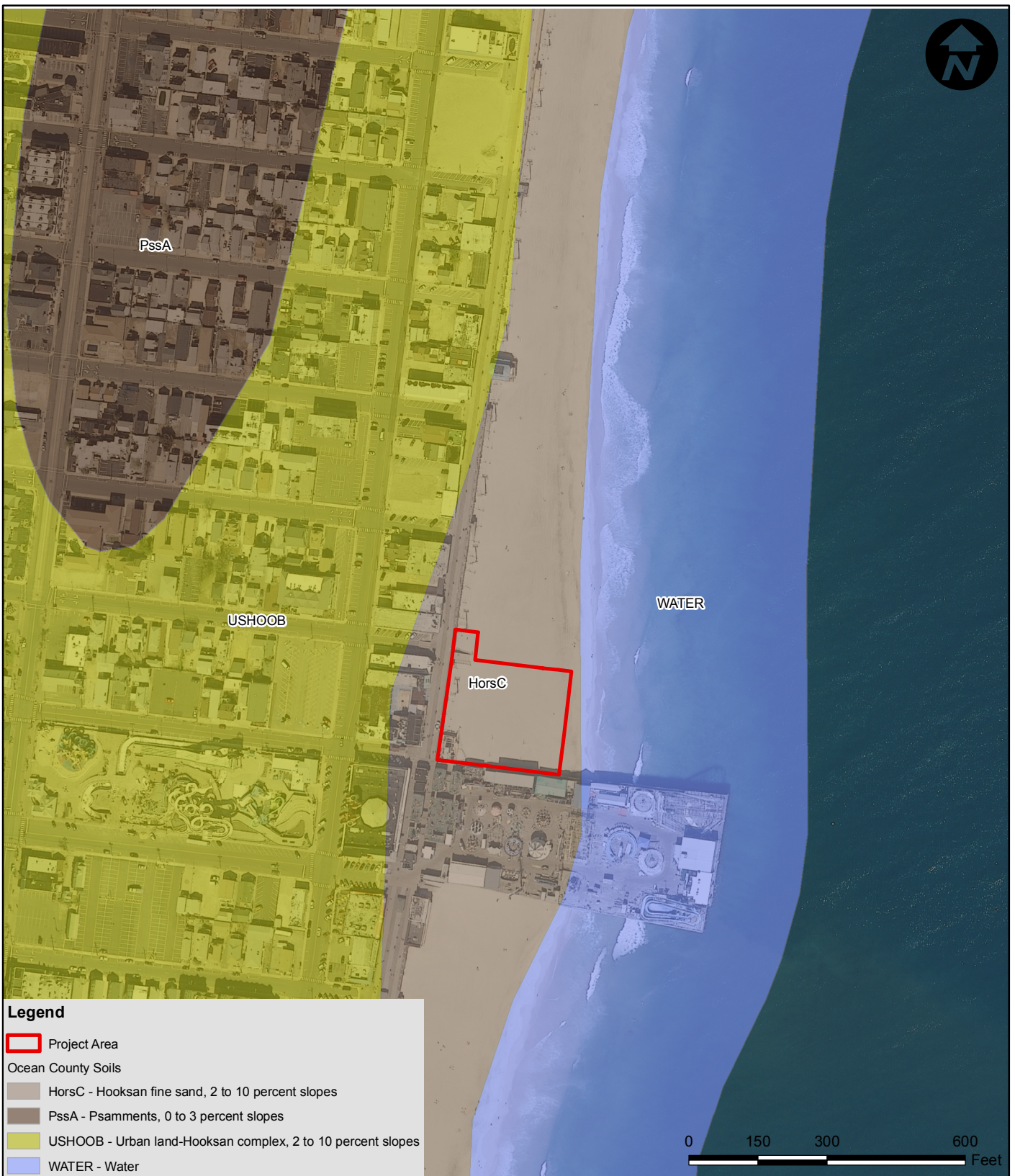
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Date: 1/2/2015


Project No. 02424.0028

Figure No. 5








**Legend**


 Project Area

Ocean County Soils

 HorsC - Hooksan fine sand, 2 to 10 percent slopes

 PssA - Psammments, 0 to 3 percent slopes

 USHOOB - Urban land-Hooksan complex, 2 to 10 percent slopes

 WATER - Water

Sources:  
Soil Survey Geographic (SSURGO)  
database for Ocean County, USDA,  
Natural Resources Conservation Service,  
12/21/2013  
ESRI, World Street Map, 2014  
New Jersey Aerial Imagery, 2012




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**USDA SOILS MAP**  
Casino Pier Expansion  
Borough of Seaside Heights  
Ocean County, New Jersey

Drawn By: BR	Scale: 1" = 300'	Project No. 02424.0028
Chk'd By: DM	Date: 1/2/2015	Figure No. 6





<div>Note: Rank 4 is assigned to patches containing occurrences of State endangered species</div> <div>Species Located Within Map View: State Endangered (4): Caspian Tern, Least Tern, Common Tern</div> <div>Sources: NJDEP Species Based Habitat, Atlantic Coastal Region, 2012 ESRI, World Street Map, 2014 New Jersey Aerial Imagery, 2013</div>	<div><div>67A MOUNTAIN BOULEVARD EXT. P.O. BOX 4039 WARREN, NEW JERSEY 07059 PHONE: (732) 560-9700</div></div>	<div>LANDSCAPE PROJECT MAP Casino Pier Expansion Borough of Seaside Heights Ocean County, New Jersey</div>		
	<div>Drawn By: BR</div>	<div>Scale: 1" = 300'</div>	<div>Project No. 02424.0028</div>	
	<div>Chk'd By: DM</div>	<div>Date: 1/2/2015</div>	<div>Figure No. 7</div>	

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**ATTACHMENT G**  
**Historic and Archaeological Resource Review**



## **Historic and Archaeological Resource Review**

### **Area History**

The Borough of Seaside Heights was part of Dover and Berkeley Townships until 1913 (Snyder 1969:205). This part of the barrier island contained just a few fishing shacks until the early 1870s (SeasidePark.org:2014). An 1872 map (Beers 1872) shows a single house and a hotel in what would become Seaside Park. Construction of a railroad connection to the mainland in the early 1880s encouraged settlement and, in 1908, developers began advertising lots for sale and offering railway transport to prospective buyers from Philadelphia. Construction of an automobile bridge to the mainland drew in new residents, allowing the borough to incorporate in 1913. Construction of the boardwalk after 1939 helped make the town an entertainment destination (Lurie and Mapped 2004:729).

The Casino Pier Expansion Project's subject property primarily consists of a beach area that does not appear to have been developed at any time historically. Historic maps drawn prior to and after the borough's 1913 incorporation depict no buildings on or near this beach. Aerial photographs covering most of the 20th century confirm that the subject property has experienced no development with the exception of the late 20th century (between 1972 and 1986) construction of a sky-ride structure and ticketing concession in the property's southwest corner. Development on the barrier island was extremely light until the very end of the 19th century and Seaside Heights itself does not appear to have experienced significant population intensification until the mid-20th century.

### **Historic Architectural Resources**

There is one National Register-listed property within a mile of the proposed expansion site. U.S. Lifesaving Station #14 is located approximately 3,000 feet to the south of the proposed expansion area. The station was built in 1894 and was added to the National Register in 1978. It now serves as Borough Hall. This resource is not within visual range of the proposed pier expansion and will not be affected by its construction.

A historic sites inventory conducted by Heritage Studies in 1980 identified the Seaside Heights Boardwalk Streetscape as a historic architectural resource. This streetscape or district is not listed on the National Register. The section of the boardwalk that Heritage Studies considered extends from Dupont Avenue to Grant Avenue, immediately south of the existing Casino Pier facility, which borders Grant Avenue. It includes 24 buildings. The existing Casino Pier buildings stand between this potential historic district and the newly proposed pier expansion area, and are very likely to block the potential district's view of any structures to be constructed in the expansion area.

Heritage Studies (1980) also identified the Freeman Carousel, c. 1890, about .3 miles south of the Casino Pier on DuPont Street. This carousel was apparently subsequently dismantled and has

been replaced by a modern version.

Two Phase IA cultural resource reconnaissance studies by Hunter Research, Inc. (Hunter Research, Inc. 1997; Burrow and Hunter 1999) identified the Casino Pier as a potential historic resource, as did a submerged and shoreline resource survey by Cox (2001). These reports also identified the Funtown Pier, ½ mile to the south, as a potential historic resource. Obviously, none of these studies were conducted after Superstorm Sandy and none formally evaluated the historic significance of the identified resources.

Historic Aerial Photographs of 1920, 1931, 1933, 1940, 1956, 1963, 1972, 1986, 1995 and 2002 were reviewed at [historicaerials.com](http://historicaerials.com) in order to provide an overview of the Casino Pier facility's history of development and the development of surrounding areas.

The earliest aerial photograph which shows at least the beginnings of construction at Casino Pier is dated to 1940. As of 1940, some of the larger buildings occupying the west side of the Casino Pier had been constructed. Three of these buildings remain, with modifications, today. Additional construction prograded the facility seaward between 1940 and 1956, resulting in the construction of perhaps one quarter of the now lost eastern portion of the property. Between 1956 and 1963, two-thirds of the eastern portion of the facility had been constructed. The pre-Sandy footprint of the eastern portion of the pier was established in full between 1963 and 1972, with the addition of a platform on the north side of the eastern section.

Roughly half of structures within the facility were substantially modified, expanded or removed during the period from 1963 to 1986. By 2007, only three buildings pre-dating 1963 remained at the facility, though the overall footprint of the facility remained essentially the same from 1972 until 2012. The three pre-1963 buildings include the building in which the Dentzel-Looff Carousel currently resides and are all in the western portion of the property.

The Casino Pier is currently home to the Dentzel - Looff Carousel (ca. 1910; HABS NJ-1141). This carousel is one of two remaining carousels of its vintage in New Jersey and is considered to be of local historical significance for its pivotal role in the establishment of Seaside Heights as a resort area early in the 20th century. Aerial photographs of 1933 and 1940 ([historicaerials.com](http://historicaerials.com)) show that the carousel was moved from its original location to its current location on Casino Pier during this time frame.

The Dentzel-Looff Carousel is located on the extant Casino Pier property and will not be physically affected by the proposed pier expansion to the north. The pier expansion will not be within the carousel's viewshed because the carousel is housed within a large frame structure with windows located at a substantial distance from the carousel itself. The size of the structure and the distance to the windows have the effect of narrowing the field of view from the carousel to surrounding structures within the existing Pier Casino facility. In addition, it should be noted that the carousel does not independently exhibit integrity of setting or location because it was moved from its original location.

## **Historic Archaeological Sites and Shipwrecks**

NJDEP Geoweb shows an area of archaeological sensitivity approximately 1,300 feet north of the proposed expansion area at its closest point. The archaeological sensitivity grid square measures about 2,700 by 2,700 feet and mostly occupies open water. It is likely to represent a zone of sensitivity around the general location of the Ortley Beach Prehistoric Site (28-Oc-104), or possibly a shipwreck site. Geoweb does not provide details concerning archaeological resources.

The wreck of the steamer S. S. Thurmond, which went down in 1909, is a little over a mile to the south of the expansion area (Cox 2001; Dolan Research, Inc. 2006). The two underwater archaeological investigations cited above, which covered the area from Manasquan Inlet to Barnegat Inlet, did not identify any shipwrecks closer to the subject property than the Thurmond. PS&S contacted an archaeologist colleague who was recently involved in Section 106 compliance for Sandy-related FEMA near-shore clean-up efforts throughout the Jersey shore region (Dewberry Engineers 2014) to determine whether this recent project identified any sites near the Casino Pier property. The archaeologist indicated that no archaeological resources were detected anywhere near the Casino Pier (Brock Giordano [FEMA] personal communication, 2014).

The developmental history of the subject property and its surrounding area, discussed above, suggests that the subject property has a very low probability of containing a historic archaeological site. Any archaeological deposits on the property would most likely be related to entertainment-related activities at the Casino Pier and are likely to be of recent origin. Unlike domestic occupation or industrial use, such activities are not likely to have generated substantial archaeological deposits that might have survived the various forces affecting the beach terrain, as discussed below. It is therefore very unlikely that a historic archaeological site would be adversely affected by the proposed construction.

## **Prehistoric Archaeological Sites**

The likelihood of a prehistoric site occurring in a given location is dictated by a number of factors. Foremost among these are the availability of resources (e.g., plant and animal resources for food, lithic sources for toolmaking, and water both for drinking and for a mode of transport) and topographic setting (e.g., an elevated locale that offers a good vantage point across the landscape, with well-drained soils not subject to flooding, or a location that offers a south-facing aspect or shelter from the elements). Prehistoric archaeological sites in New Jersey are most frequently found in upland settings near a source of potable water. While small sites used for a very short time for purposes such as resource procurement may be found in less desirable settings, long-term habitation sites are generally found in places that meet the above description.

Prehistoric sites are known to exist on New Jersey's barrier islands, but are less frequent than on the mainland and very often consist of isolated finds. At least some of the isolated finds are likely to have arrived during beach replenishment efforts during which off-shore sediment has been deposited via dredge. The low density of sites may have to do with the exposed nature of the barrier islands and their hydrology – water is plentiful, but it is saline or brackish. Prehistoric

site 28-Oc-104, for example is located in Ortley Beach, less than a mile from the subject property. Kraft (2001:78) notes a fluted point find farther south on the island, and a recent news story reported a fluted point find at Beach Haven (CBS News 2014). However, the advantages of the sheltered bayside areas on the mainland appear to have drawn the attention of prehistoric populations to locations like Tuckerton, where shellfish was harvested in massive quantities, or Beesleys Point, where both resource exploitation and complex mortuary activities took place.

Also affecting the likelihood of an intact prehistoric site being found on the barrier beaches is the perennial reshaping of the beach landscape by natural and human agencies. Holocene sea level rise drowned miles of coastline, almost certainly inundating many Paleo-Indian sites. Further, numerous storms comparable to Superstorm Sandy have deposited and removed huge quantities of sand since glacial retreat. The occasional isolated projectile points found on New Jersey beaches are assumed to have been displaced far from their original areas of deposition, either by wave action or dredging activity.

Based on the above, the likelihood of a prehistoric archaeological site existing in the proposed expansion area is considered low. While the ocean and bay would have offered food resources, there is no source of potable water nearby. The unstable nature of the beach environment also contributes to this assessment. If a prehistoric site were to have existed here, it would be expected to be a temporary, specialized, resource procurement site. The small size and ephemeral nature of such sites makes them far less likely to survive in a setting such as the barrier beach.

In conclusion, the project is not anticipated to adversely affect historic or archaeological resources and is in compliance with the Historic and Archaeological Resources Rule at N.J.A.C. 7:7E-3.36.

## References

Beers, F. W.

1872 Topographic Map of Ocean County, New Jersey. Beers, Comstock & Cline, New York.

Burrow, Ian C. and Richard W. Hunter (Hunter Research, Inc.)

1999 Phase IA Cultural Resources Investigations, Manasquan Inlet to Barnegat Inlet, Ocean County, New Jersey. Prepared for Department of the Army, U.S. Army Corps of Engineers, Philadelphia District, Philadelphia, Pennsylvania.

CBS News

2014 Boy finds prehistoric bit of weaponry on LBI beach.

<http://philadelphia.cbslocal.com/2014/08/25/boy-finds-prehistoric-bit-of-weaponry-on-lbi-beach/>

Cox, J. Lee Jr.

2001 Phase I Submerged and Shoreline Cultural Resources Investigations, Manasquan Inlet to Barnegat Inlet, Ocean County, New Jersey. Prepared for U.S. Army Corps of Engineers, Philadelphia District, Philadelphia, Pennsylvania. Prepared by Dolan Research, Inc.

Dewberry Engineers, Inc.

2014 Superstorm Sandy Section 106 Response and Recovery Historic Preservation Report, New Jersey Department of Environmental Protection (NJDEP). Report submitted to FEMA, SHPO, and USACE.

Dolan Research, Inc.

2006 Phase 1 and 2, Underwater Archaeological Investigations, Manasquan Inlet to Barnegat Inlet, Ocean County, New Jersey (Final Report). Prepared for U.S. Army Corps of Engineers, Philadelphia District, Philadelphia, Pennsylvania.

Heritage Studies, Inc.

1980 Historic Sites Inventory of Ocean County. On file at the NJDEP-Historic Preservation Office, Trenton, New Jersey.

Hunter Research, Inc.

1997 Phase IA Cultural Resources Investigations, Manasquan Inlet to Barnegat Inlet, Ocean County, New Jersey. Prepared for U.S. Army Corps of Engineers, Philadelphia District, Philadelphia, Pennsylvania.

Lurie, Maxine N., and Marc Mappen

2004 Encyclopedia of New Jersey. Rutgers University Press, New Brunswick

SeasideHeights.org

2014 Seaside Heights History. <http://seasideheights.org/history/>.

Snyder, John P.

1969 The Story of New Jersey's Civil Boundaries. Bureau of Geology and Topography, Trenton.

**ATTACHMENT H**

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**Permit Approval Checklist and CAFRA Permit**

**Green Acres Program  
State House Commission Pre-Application  
Local Parkland—Major Disposal/diversion**

**ATTACHMENT IV: PERMIT/APPROVAL CHECKLIST**

This is a listing of any Federal, interstate, State and local approvals or permits required for the proposed project. Please include the application, permit, or docket number, the status of each permit or approval and the name and phone number of the contact at the Federal, interstate, State or local agency responsible for giving approval or permit issuance.

☐ Federal Approvals/Permits: \_\_\_\_\_  
\_\_\_\_\_

☐ Federal Consistency Determination: \_\_\_\_\_  
\_\_\_\_\_

☐ Interstate Approvals/Permits: \_\_\_\_\_  
\_\_\_\_\_

☐ County/Municipal Approvals: \_\_\_\_\_  
\_\_\_\_\_

**State Approvals/Permits**

☒ CAFRA  
Exemption Request: 1500-07-002.9  
Individual Permit: \_\_\_\_\_  
General Permit: \_\_\_\_\_  
Permit by Rule: \_\_\_\_\_

☐ D&R Canal Commission Certificate: \_\_\_\_\_  
\_\_\_\_\_

☐ Dam Safety Permit: \_\_\_\_\_  
\_\_\_\_\_

☐ Freshwater Wetlands  
Exemption: \_\_\_\_\_  
Individual Permit: \_\_\_\_\_  
Transition Area Waiver: \_\_\_\_\_  
Letter of Interpretation: \_\_\_\_\_  
General Permit (specify #): \_\_\_\_\_  
Open Water Fill Permit: \_\_\_\_\_

☐ Highlands  
Resource Area Determination: \_\_\_\_\_  
Preservation Area Approval: \_\_\_\_\_  
HPAA with Waiver: \_\_\_\_\_  
HPAA Emergency: \_\_\_\_\_  
Pre- Application: \_\_\_\_\_

**Green Acres Program  
State House Commission Pre-Application  
Local Parkland—Major Disposal/diversion**

<input type="checkbox"/> Pinelands Certificate of Filing:	_____ _____
<input type="checkbox"/> Stream Encroachment Waiver:	_____
Permit:	_____
<input type="checkbox"/> Tidal Wetlands (1970) Permit:	_____ _____
<input type="checkbox"/> Tidelands (Riparian) Conveyance:	_____ _____
<input type="checkbox"/> Upland Waterfront Development Residential:	_____
Commercial:	_____
<input type="checkbox"/> Water Quality Certificate:	_____ _____
<input type="checkbox"/> Waterfront Development Permit Individual:	_____
Commercial:	_____
<input type="checkbox"/> Jurisdictional Determination:	_____ _____
<input type="checkbox"/> Permit Modification (Specify # & type)	_____ _____
<input type="checkbox"/> Other:	_____ _____

I hereby certify that the information provided in this Permit/Approval Checklist is true and accurate.

Marilyn Lennon, PS&S  
\_\_\_\_\_  
Preparer of Application

7/9/15  
\_\_\_\_\_  
Date



**CAFRA Permit Pending**



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**ATTACHMENT I**  
**Deeds for Applicable Parcels**

COUNTY OF OCEAN		
CONSIDERATION	2,000,000	
REALTY TRANSFER FEE	2,175	
DATE	9-23-14	BY JCS

INSTR # 2014084104 OR BK 15900 PG 843 09/23/2014 10:30:14 AM  
 SCOTT M. COLABELLA COUNTY CLERK, OCEAN COUNTY NEW JERSEY  
 RTF TOTAL TAX \$21,675.00

Prepared by: (Print signer's name below signature)

JASON C. MANDIA, ESQ.

## DEED

This Deed is made on SEPTEMBER 16, 2014,

BETWEEN

**THIRTY FIVE LAND CORP.**, a corporation of the State of New Jersey, having its principal office at 901 Boardwalk, Seaside Heights, New Jersey 08751,  
 referred to as the Grantor,

AND

**AFMV, LLC**, a New Jersey Limited Liability Company, whose address is 800 Ocean Terrace, Seaside Heights, NJ 08751,  
 referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of TWO MILLION DOLLARS (\$2,000,000.00). The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of Seaside Heights Borough  
 Block No. 56 Lot No. 1,3,7 & 9 Account No.

No property tax identification number is available on the date of this deed. (Check box if applicable.)

**Property.** The property consists of the land and all the buildings and structures on the land in the Borough of Seaside Heights, County of Ocean, and State of New Jersey. The legal description is attached hereto as Schedule "A".

Being the same premises conveyed to Thirty Five Land Corp. by Deed from Paragon at Seaside Heights, LLC, dated March 26, 2012, recorded May 15, 2012 in the Ocean County Clerk/Register's Office in Official Record 15198 Page 1964..

Subject to covenants and restrictions contained in former deeds of record to local zoning ordinances and other governmental rules and regulations affecting the use of said premises.

**Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

60-90174

**TITLE INSURANCE COMMITMENT**  
*Issued by Trident Abstract Title Agency, LLC*  
**AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

---

Commitment Number: TA-127457

**SCHEDULE C  
LEGAL DESCRIPTION**

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Seaside Heights, in the County of Ocean, State of New Jersey:

BEGINNING at a point of intersection formed by the Easterly line of Ocean Terrace (20 foot Right of Way) and the Southerly line of Sampson Avenue (50 foot Right of Way) and running thence;

1. Along the Southerly line of Sampson Avenue South 83 degrees 04 minutes 37 seconds East, a distance of 165.38 feet to a point on the Westerly line of Lot 1, Block 99.02; thence
2. Along the Westerly line of Lot 1, South 07 degrees 52 minutes 23 seconds West, a distance of 200.03 feet to a point in the Northerly line of Carteret Avenue (50 foot Right of Way); thence
3. Along the Northerly line of Carteret Avenue (50 foot Right of Way), North 83 degrees 04 minutes 37 seconds West, a distance of 162.06 feet to a point on the Easterly line of Ocean Terrace; thence
4. Along the Easterly line of Ocean Terrace (20 foot Right of Way), North 06 degrees 55 minutes 23 seconds East, a distance of 200.00 feet to the point or place of BEGINNING.

**Note for Information Only:**

Also known as Lot(s) 1, 3, 7, 9, Block 56, on the official tax map of Borough of Seaside Heights, County of Ocean, in the State of New Jersey.



State of New Jersey  
**SELLER'S RESIDENCY CERTIFICATION/EXEMPTION**  
(C.55, P.L. 2004)

GIT/REP-3  
(5-12)

(Please Print or Type)

**SELLER(S) INFORMATION (See Instructions, Page 2)**

Names(s)

THIRTY FIVE LAND CORP.

Current Resident Address:

Street: 901 Boardwalk

City, Town, Post Office

Seaside Heights

State

NJ

Zip Code

08751

**PROPERTY INFORMATION (Brief Property Description)**

Block(s)

56

Lot(s)

1,3,7 and 9

Qualifier

Street Address:

1401-1419 Ocean Terrace (vacant land)

City, Town, Post Office

Seaside Heights

State

NJ

Zip Code

08751

Seller's Percentage of Ownership

100%

Consideration

2,000,000.00

Closing Date

9-16-14

**SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 10 apply to Residents and Non-residents)**

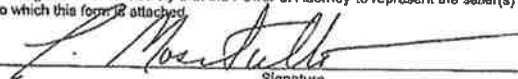
1. ☐ I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. ☐ I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. ☐ Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. ☒ Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
6. ☐ The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. ☐ The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale (see instructions).  
☐ No non-like kind property received.
8. ☐ Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.
9. ☐ The property being sold is subject to a short sale instituted by the mortgagee, whereby the seller has agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. ☐ The deed being recorded is a deed dated prior to the effective date of P.L. 2004, c. 55 (August 1, 2004), and was previously unrecorded.

**SELLER(S) DECLARATION**

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box ☐ I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

9-16-14

Date



Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

STATE OF NEW JERSEY  
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L.1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

COUNTY

MONMOUTH

1527

SS. County Municipal Code

FOR RECORDER'S USE ONLY

Consideration \$ 2,000,000  
RTF paid by seller \$ 24,107.50  
Date 9-23-14 By JMD

\*Use symbol "C" to indicate that fee is exclusively for county use.

MUNICIPALITY OF PROPERTY LOCATION SEASIDE HEIGHTS BORO

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, LOUIS MOSCATIELLO, being duly sworn according to law upon his/her oath,  
(Name)  
deposes and says that he/she is the CORPORATE OFFICER in a deed dated SEPTEMBER 16, 2014 transferring  
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)

real property identified as Block number 55 Lot number 1,3,7 and 9 located at  
1401-1419 Ocean Terrace, Seaside Heights, NJ (VACANT LAND) and annexed thereto.  
(Street Address, Town)

(2) CONSIDERATION \$ 2,000,000.00 (Instructions #1 and #5 on reverse side) ☒ no prior mortgage to which property is subject

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:  
(Instructions #5A and #7 on reverse side)

Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation

\$ \_\_\_\_\_ ÷ \_\_\_\_\_ % = \$ \_\_\_\_\_

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #6 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) ☐ 62 years of age or over. \* (Instruction #9 on reverse side for A or B)
- B. ☐ BLIND PERSON Grantor(s) ☐ legally blind or; \*
- ☐ DISABLED PERSON Grantor(s) ☐ permanently and totally disabled ☐ receiving disability payments ☐ not gainfully employed\*
- Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
- ☐ Owned and occupied by grantor(s) at time of sale. ☐ Resident of State of New Jersey.
- ☐ One or two-family residential premises. ☐ Owners as joint tenants must all qualify.

\*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- ☐ Affordable according to H.U.D. standards. ☐ Reserved for occupancy.
- ☐ Meets income requirements of region. ☐ Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10, #12 on reverse side)

- ☐ Entirely new improvement. ☐ Not previously occupied.
- ☐ Not previously used for any purpose. ☐ "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- ☐ No prior mortgage assumed or to which property is subject at time of sale.
- ☐ No contributions to capital by either grantor or grantee legal entity.
- ☐ No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me  
this 16 day of SEPTEMBER, 20 14

Linda O. Dellett  
LINDA O. DELLETT  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES: 11/28/2013

THIRTY FIVE LAND CORP.  
Signature of Deponent Grantor Name  
901 Boardwalk, Seaside Hts, NJ  
Deponent Address Grantor Address at Time of Sale  
XXX-XXX-XXXX  
Last three digits in Grantor's Social Security Number  
Frank J. Mandia, Jr., Esq.  
Name/Company of Settlement Officer

FOR OFFICIAL USE ONLY  
Instrument Number \_\_\_\_\_  
Deed Number \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
Deed Dated 9-23-14 Date Recorded 9-23-14

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to:

STATE OF NEW JERSEY  
PO BOX 251  
TRENTON, NJ 08695-0251  
ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at:  
[www.state.nj.us/treasury/taxation/lpt/localtax.shtml](http://www.state.nj.us/treasury/taxation/lpt/localtax.shtml)

MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY

## AFFIDAVIT OF CONSIDERATION FOR USE BY BUYER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 48:15-5 et seq.)

PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM BEFORE COMPLETING THIS AFFIDAVIT

STATE OF NEW JERSEY

COUNTY MONMOUTHSS. County Municipal Code  
1527MUNICIPALITY OF PROPERTY LOCATION SEASIDE HEIGHTS BORO

## FOR RECORDER'S USE ONLY

Consideration

RTF paid by buyer

Date

\$

\$

By

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse side)

Deponent, JASON C. MANDIA, ESQ.  
(Name)

being duly sworn

Last three digits in grantee's Social Security Number  
4 2 4deposes and says that he/she is the LEGAL REPRESENTATIVE in a deed dated SEPT. 16, 2014 transferring  
(Grantee, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)real property identified as Block number 56Lot number 1,3,7 and 9

located at

1401-1419 Ocean Terrace, Seaside Heights, NJ (VACANT LAND)  
(Street Address, Town)

and annexed thereto.

(2) CONSIDERATION \$ 2,000,000.00 (See Instructions #1, #5, and #11 on reverse side)

Entire consideration is in excess of \$1,000,000:

PROPERTY CLASSIFICATION CHECKED OR CIRCLED BELOW IS TAKEN FROM OFFICIAL ASSESSMENT LIST (A PUBLIC RECORD) OF MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR OF TRANSFER. REFER TO N.J.A.C. 18:12-2.2 ET SEQ.

(A) Grantee required to remit the 1% fee, complete (A) by checking off appropriate box or boxes below.

☐ Class 2 - Residential☐ Class 3A - Farm property (Regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property☐ Class 4A - Commercial properties

(if checked, calculation in (E) required below)

☐ Cooperative unit (four families or less) (See C. 48:8D-3.)

Cooperative units are Class 4C.

(B) Grantee is not required to remit 1% fee (one or more of following classes being conveyed), complete (B) by checking off appropriate box or boxes below.☒ Property class. Circle applicable class or classes: 1 3B 4B 4C 15

Property classes: 1-Vacant Land; 3B-Farm property (Qualifying); 4B-Industrial property; 4C-Apartment; 15-Public Property, etc. (N.J.A.C. 18:12-2.2 et seq.)

☐ Exempt organization determined by federal Internal Revenue Service/Internal Revenue Code of 1986, 26 U.S.C. s. 501.☐ Incidental to corporate merger or acquisition; equalized assessed valuation less than 20% of total value of all assets exchanged in merger or acquisition. If checked, calculation in (E) required and MUST ATTACH COMPLETED RTF-4.

(C) When grantee transfers properties involving block(s) and lot(s) of two or more classes in one deed, one or more subject to the 1% fee (A), with one or more than one not subject to the 1% fee (B), pursuant to N.J.S.A. 46:15-7.2, complete (C) by checking off appropriate box or boxes and (D).

☒ Property class. Circle applicable class or classes: 1 2 3B 4A 4B 4C 15

(D) EQUALIZED VALUE CALCULATION FOR ALL PROPERTIES CONVEYED, WHETHER THE 1% FEE APPLIES OR DOES NOT APPLY

Total Assessed Valuation + Director's Ratio = Equalized Valuation

Property Class \$ \_\_\_\_\_ + \_\_\_\_\_ % = \$ \_\_\_\_\_

Property Class \$ \_\_\_\_\_ + \_\_\_\_\_ % = \$ \_\_\_\_\_

Property Class \$ \_\_\_\_\_ + \_\_\_\_\_ % = \$ \_\_\_\_\_

Property Class \$ \_\_\_\_\_ + \_\_\_\_\_ % = \$ \_\_\_\_\_

(E) REQUIRED EQUALIZED VALUE CALCULATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (See Instructions #6 and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Value

\$ \_\_\_\_\_ + \_\_\_\_\_ % = \$ \_\_\_\_\_

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed valuation. If Director's Ratio is equal to or exceeds 100%, the assessed valuation will be equal to the equalized value.

(3) TOTAL EXEMPTION FROM FEE (See Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through Chapter 33, P.L. 2006, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

VACANT LAND

(4) Deponent makes Affidavit of Consideration for Use by Buyer to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith pursuant to the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me  
this 16 day of SEPT., 20 14

Signature of Deponent

AFMV, LLC

Grantee Name

685 Neptune Blvd., Neptune, NJ  
Deponent Address800 Ocean Ter., Seaside Hts, NJ  
Grantee Address at Time of SaleFrank J. Mandia, Jr., Esq.  
Name/Company of Settlement OfficerLinda O. Dellett  
LINDA O. DELLETT  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES: 11/28/2018

County recording officers: forward one copy of each RTF-1EE to:

STATE OF NJ - DIVISION OF TAXATION  
PO BOX 251  
TRENTON, NJ 08695-0251  
ATTENTION: REALTY TRANSFER FEE UNIT

## FOR OFFICIAL USE ONLY

Instrument Number

County

Deed Number

Book

Page

Deed Date

Date Recorded

The Director, Division of Taxation, Department of the Treasury has prescribed this form, as required by law. It may not be altered or amended without prior approval of the Director. For further information on the Realty Transfer Fee or to print a copy of this Affidavit or any other relevant forms, visit:  
[www.state.nj.us/treasury/taxation/ptf/localtax.shtml](http://www.state.nj.us/treasury/taxation/ptf/localtax.shtml)

**Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page.

Attest:

THIRTY FIVE LAND CORP.

  
Louis Moscatiello, Secretary

By:   
LOUIS MOSCATIELLO, President


STATE OF NEW JERSEY :  
: SS.  
COUNTY OF MONMOUTH:

I CERTIFY that on SEPTEMBER 16, 2014, Louis Moscatiello personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the \_\_\_\_\_ Secretary of THIRTY FIVE LAND CORP., the corporation named in this document;
- (b) this person is the attesting witness to the signing of this Deed by the proper corporate officer who is LOUIS MOSCATIELLO, the President of the corporation;
- (c) this Deed was signed and delivered by the corporation as its voluntary act, duly authorized by a proper corporate resolution of its Board of Directors;
- (d) this person knows the proper corporate seal of the corporation which was affixed to this Deed; and
- (e) this person signed this proof to attest to the truth of these facts.
- (f) the full and actual consideration paid or to be paid for the transfer of title is \$2,000,000.00 (Such consideration is defined in N.J.S.A. 46:15-5).

  
Secretary

Signed and sworn to before me  
this 16 day of SEPTEMBER, 2014

  
Linda O. Dellett  
Notary Public of New Jersey  
My Commission Expires: 11/28/2018

**RECORD & RETURN TO:**  
Stone Mandia, LLC  
685 Neptune Boulevard  
Neptune, NJ 07753



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**ATTACHMENT J**  
**Project Location Maps**

**Green Acres Program  
State House Commission Pre-Application  
Local Parkland—Major Disposal/diversion**

**ATTACHMENT V: MAP REQUIREMENTS**

**For all Pre-application submissions please submit the following (# of copies):**

**Location Maps (8½" x 11" in size):**

- ☒ County Road Maps: Showing the proposed disposal/diversion parcel or area and the proposed compensation area **(1)**

**Tax Maps (8½" x 11" or 11" x 17" in size):**

- ☒ A) Showing the proposed disposal/diversion parcel(s)/area and any adjacent parkland; depict the entire park boundary and separately depict the proposed disposal/diversion area **(1)**
- ☒ B) Showing the proposed compensation parcel(s)/area and any adjacent parkland **(1)**

**Aerial Site Maps\* (11" x 17" or larger in size):**

- ☒ A) A small scale site map showing the proposed disposal/diversion parcel(s) or area; depict the entire park boundary and separately depict the proposed disposal/diversion area **(1)**
- ☒ B) A small scale site map showing the proposed compensation (parcel(s)/area) and any adjacent parkland **(1)**

**\*\*If the Project is of such size/scale that the Aerial Site Map(s) also show the proposed disposal/diversion in relation to the proposed compensation, you do not need to include a large scale Reference Map requested below. If this is the case, please include 15 copies of the Aerial Site Map instead.\*\***

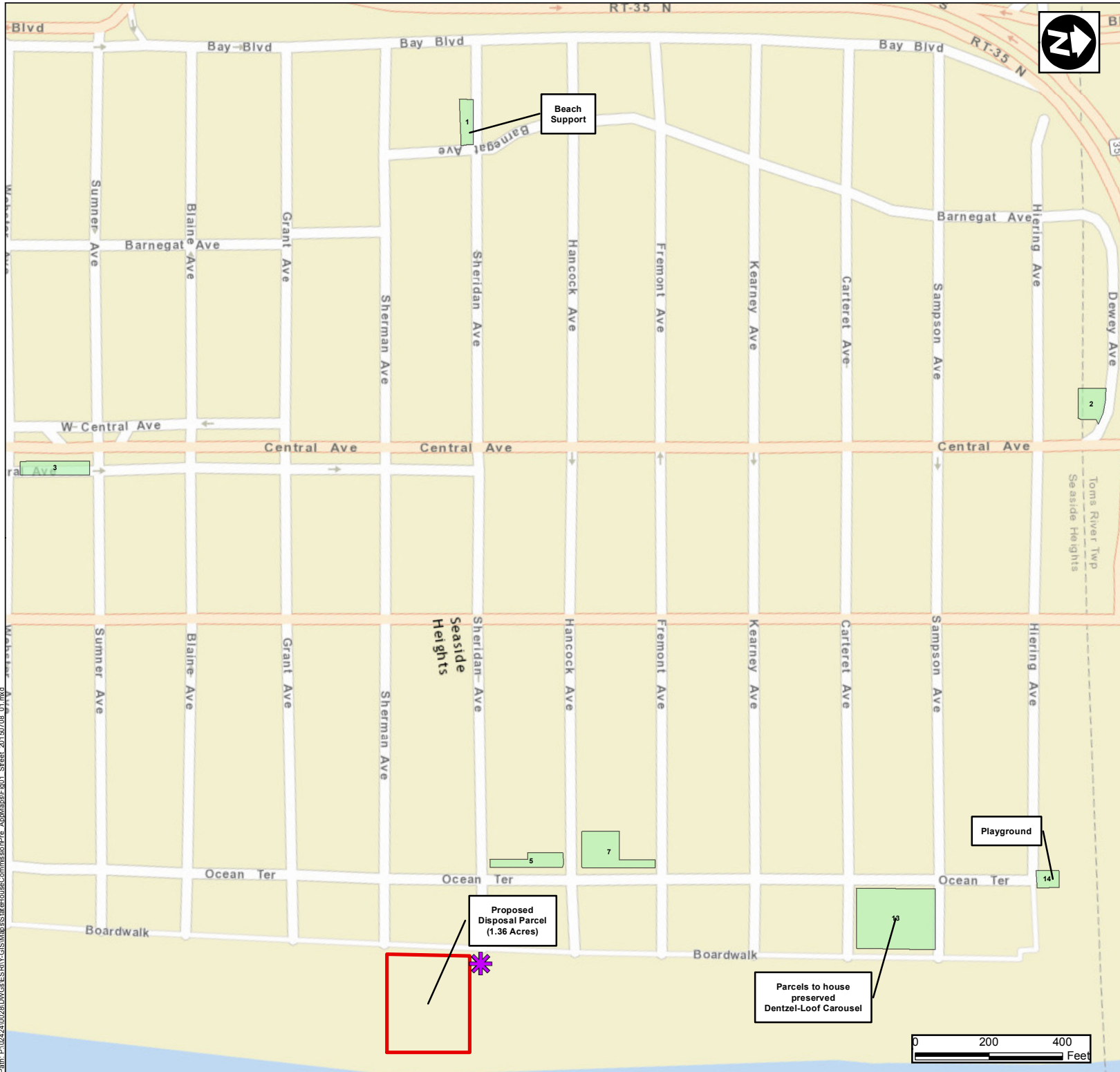
**Reference Map\* (Attachment VI) (11" x 17" or larger in size):**

- ☒ A large scale site map showing the proposed disposal/diversion in relation to the proposed compensation. Please include aerial imagery. **(1)**

**If the proposed disposal or diversion will result in the loss of any development, additionally submit:**

**Park Facilities Maps (11" x 17"):**

- n/a* ☐ A site plan showing all recreational facilities and identifying those facilities proposed to be removed **(1)**
- n/a* ☐ A site plan showing all proposed replacement recreational facilities **(1)**



# Legend

- Project Area
- Proposed Green
- ✱ Proposed Relocation of Skyride Station

Sources:  
Ocean County Parcel layer, State of New Jersey  
Composite of Parcels Data, 2/26/2014  
Recreational and Open Space Inventory (ROSI),  
NJDEP, 2014  
Esri StreetMap USA, 2012  
Esri World Imagery



67A MOUNTAIN BOULEVARD EXT.  
P.O. BOX 4030  
WARREN, NEW JERSEY 07059  
PHONE: (732) 560-9700

CERTIFICATE OF AUTHORIZATION NO. 24GA28032700

ALL DRAWINGS MUST BE VERIFIED BY THE CONTRACTOR, NOTER, PAULUS, GIOVANNI, AND SARTO, LLC, OF ANY ERRORS, OMISSIONS, OR DISCREPANCIES IN THE CONTRACT DRAWINGS OR SPECIFICATIONS BEFORE PROCEEDING WITH CONSTRUCTION. ALL DRAWINGS SHALL BE AS NOTED IN WORDS OR NUMBERS ON THE CONTRACT DRAWINGS. NO USE SHALL BE MADE OF THE DRAWINGS TO EXTEND THE PROJECT OR FOR OTHER PROJECTS.

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## PROJECT TITLE

CASINO PIER EXPANSION  
Seaside Heights Borough  
Seaside Heights, New Jersey

## SHEET TITLE

Proposed Green Acres  
Land Compensation

PROJ. NO. 02424.028

DATE 7/8/2015  
DRN. BY AG  
CHK. BY DM  
SCALE 1" = 400'

FIGURE NO. 1

Path: Usands.aec\ProjectData\Projects\02421022\DWG\ESRIV-OS\MapStateHouseCommissionPre\_AppMapFig02\_Tax\_20150708\_01.mxd



Legend

- Project Area
- Proposed Relocation of Skyride Station
- Proposed Green Acres
- Block
- Lot
- Municipality

Sources:  
Ocean County Parcel layer, State of New Jersey  
Composite of Parcels Data, 2/26/2014  
Recreational and Open Space Inventory (ROSI), NJDEP, 2014  
Municipalities of New Jersey, NJDEP, Office of Information Resources Management (OIRM), Bureau of Geographic Information Systems (BGIS)  
New Jersey Office of Information Technology (NJGIT)  
Office of Geographic Information Systems (OGIS), 2009  
Esri World Ocean Base, 2015  
Esri World Transportation, 2015



67A MOUNTAIN BOULEVARD EXT.  
P.O. BOX 4039  
WARREN, NEW JERSEY 07059  
PHONE: (732) 560-9700  
CERTIFICATE OF AUTHORIZATION NO. 24GA28032700

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PROJECT TITLE

CASINO PIER EXPANSION  
Seaside Heights Borough  
Seaside Heights, New Jersey

SHEET TITLE

TAX MAP

PROJ. NO. 02424.028

DATE 7/9/2015  
DRN. BY AG  
CHK. BY DM  
SCALE 1" = 275'

FIGURE NO. 2





Legend

- Project Area
- Proposed Green Acres
- Municipality

Notes:  
Sources:  
Recreational and Open Space Inventory (ROSI), NJDEP, 2014  
Municipalities of New Jersey, NJDEP, Office of Information  
Resources Management (OIRM), Bureau of Geographic  
Information Systems (BGIS) New Jersey Office of Information  
Technology (NJGIT) Office of Geographic Information Systems  
(OGIS), 2009  
Esri StreetMap USA, 2012  
New Jersey Aerial Imagery, 2012



67A MOUNTAIN BOULEVARD EXT.  
P.O. BOX 4039  
WARREN, NEW JERSEY 07059  
PHONE: (732) 560-9700

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HEREIN. CONTRACTORS SHALL NOTIFY THE DESIGN ENGINEER TO OBTAIN CONSTRUCTION  
DOCUMENTS.

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PROJECT TITLE

CASINO PIER EXPANSION  
Seaside Heights Borough  
Seaside Heights, New Jersey

SHEET TITLE

Aerial Map

PROJ. NO. 02424.028

DATE 7/9/2015  
DRN. BY AG  
CHK. BY DM  
SCALE 1" = 110'

FIGURE NO. 3



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**ATTACHMENT K**  
**Governing Body Resolution**

**RESOLUTION 15-187**

**RESOLUTION OF THE BOROUGH OF SEASIDE HEIGHTS,  
COUNTY OF OCEAN, STATE OF NEW JERSEY SUPPORTING  
THE STATE HOUSE COMMISSION PREAPPLICATION TO THE  
NJDEP GREEN ACRES PROGRAM FOR CASINO PIER DISPOSAL**

WHEREAS, Block 99.02 Lot 1 is part of the Borough of Seaside Heights Public Beach which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed reconstruction of Casino Pier, it is necessary to remove the Green Acres restrictions from a 1.36 acre portion of Borough of Seaside Heights Public Beach; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to *N.J.A.C. 7:36-26*; and

WHEREAS, the Borough of Seaside Heights wishes to apply for approval for Casino Pier Reconstruction as a major disposal or diversion of parkland under *N.J.A.C. 7:36-26*; and

WHEREAS, as required by *N.J.A.C. 7:36-26.8*, the Borough of Seaside Heights held a scoping hearing on May 6, 2015 to solicit public comment on the Casino Pier Reconstruction Disposal of parkland from a portion of the Borough of Seaside Heights Public Beach in connection with reconstructing Casino Pier adjacent to the existing pier structure to support large scale modern day amusements such as a roller coaster and ferris wheel; and

WHEREAS, the next step in the application process for approval of a major disposal or diversion of parkland is the filing of a pre-application under *N.J.A.C. 7:36-26.9*; and

WHEREAS, in accordance with *N.J.A.C. 7:36-26.9(d)11*, it is necessary for The Borough of Seaside Heights to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland;

NOW THEREFORE, BE IT RESOLVED by the Borough of Seaside Heights of the (in the County of Ocean, State of New Jersey as follows:

1. The Borough of Seaside Heights endorses the filing of a pre-application for the disposal of a portion of the Borough of Seaside Heights Public Beach for Reconstruction of Casino Pier pursuant to *N.J.A.C. 7:36-26*;
2. The Borough of Seaside Heights hereby finds that the disposal of a portion of the Borough of Seaside Heights Public Beach would meet the minimum substantive criteria at *N.J.A.C. 7:36-26.1(d)* by:

( ) Improving the quantity and quality of recreational amusements that attract visitors and thereby support a multitude of Borough businesses;

Transferring 0.76 acres of vacant privately owned boardwalk front property to Borough ownership;

Preserving the historic Floyd L. Moreland Dentzel-loof Carousel by transferring title from AMFC, LLC to the Borough of Seaside Heights; and

3. The Borough of Seaside Heights acknowledges that in order to obtain the approval of disposal of a portion of the Borough of Seaside Heights Public Beach, all substantive and procedural requirements of *N.J.A.C. 7:36-26* must be met, including compensation requirements at *N.J.A.C. 7:36-26.10*.

### **CERTIFICATION**

I, Diane B. Stabley, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Seaside Heights at a meeting held on the 17th day of June, 2015.

A handwritten signature in dark ink, appearing to read "Diane B. Stabley", is written over a horizontal line.

**DIANE B. STABLEY, RMC, CMR**  
Borough Clerk, Borough of Seaside Heights



**ORDINANCE NO. 15-12**

**AN ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXCHANGE OF CERTAIN LANDS WITHIN THE BOROUGH OF SEASIDE HEIGHTS, WHEREBY THE BOROUGH SHALL ACQUIRE BLOCK 56, LOTS 1,3,7&9, PLUS ADDITIONAL CONSIDERATION, AND CONVEY 1.36 ACRE PORTION OF BLOCK 99.02, LOTS 1 & 1.01 AS PART OF AN EXCHANGE OF LANDS PURSUANT TO N.J.S.A. 40A:12-16.**

**WHEREAS**, the Borough of Seaside Heights is the owner of Block 99.02, Lots 1 & 1.01, which includes a 1.36 acre portion (measuring from north to south) bordered on the southerly side by the Casino Pier property owned by AFMV, LLC and on the easterly side by the easterly edge of the Seaside Heights Boardwalk; and

**WHEREAS**, AFMV, LLC shall be the owner of record of Block 56, Lots 1,3,7&9, which is property located between Carteret and Sampson Avenues in the Borough of Seaside Heights prior to completion of the exchange of lands authorized herein; and

**WHEREAS**, Pursuant to the provisions of N.J.S.A. 40A:12-16, et seq., the governing body wishes to authorize the conveyance by the Borough of a 1.36 acre portion of Block 99.02, Lots 1 & 1.01, bordered on the southerly side by the Casino Pier property owned by AFMV, LLC and on the easterly side by the easterly edge of the Seaside Heights Boardwalk and to accept in exchange Block 56, Lots 1,3,7&9, which is property located between Carteret and Sampson Avenues in the Borough of Seaside Heights; and

**WHEREAS**, the exact value of each of the properties constituting the exchange shall be determined by appraisal of each property and it is the belief of the governing body that the acquisition of this property is more advantageous to the Borough of Seaside Heights for public use than are the lands to be conveyed by the Borough, and that it is in the public interest of the Borough that such exchange of lands be consummated and that, therefore, upon receipt and

consideration of appraisal of the parcels constituting the exchange, that AFMV, LLC shall provide to the Borough, prior to the exchange of deeds, additional consideration commensurate with the additional value of the parcel to be conveyed by the Borough as determined by appraisals, which compensation shall include the historic carousel owned by AFMV, LLC,; and

**WHEREAS**, there shall be no monies paid to AFMV, LLC by the Borough by reason of this exchange, and the Borough reserves the right to cancel the property exchange if appraisals demonstrate that the property to be conveyed by the Borough as part of the exchange does not exceed in value the property to be acquired by the Borough, or if the State of New Jersey does not approve the exchange as required. AFMV, LLC may cancel the property exchange if AFMV, LLC is unable to obtain required state and local permits for the use of the land to be conveyed by the Borough to AFMV, LLC as an expansion of the existing amusement pier.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** That pursuant to the provisions of N.J.S.A. 40A:12-16, et seq., the governing body wishes to authorize the conveyance by the Borough of a 1.36 acre portion of Block 99.02, Lots 1 & 1.01, bordered on the southerly side by the Casino Pier property owned by AFMV, LLC and on the easterly side by the easterly edge of the Seaside Heights Boardwalk to accept in exchange Block 56, Lots 1,3,7&9, which is property between Carteret and Sampson Avenues in the Borough of Seaside Heights.

**SECTION 2.** That the exact value of each of the properties constituting the exchange shall be determined by appraisal of each property and that AFMV, LLC shall provide to the Borough, prior to the exchange of deeds, additional consideration commensurate with the additional value of the parcel to be conveyed by the Borough as determined by appraisals, as

determined by appraisals, which compensation shall include the historic carousel owned by AFMV, LLC; and

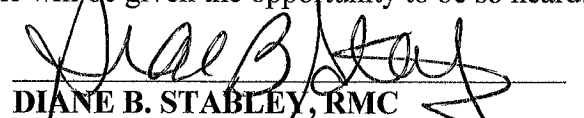
**SECTION 3.** That Borough reserves the right to cancel the property exchange if appraisals demonstrate that the property to be conveyed by the Borough as part of the exchange does not exceed in value the property to be acquired by the Borough, or if the State of New Jersey does not approve the exchange as required. AFMV, LLC may cancel the property exchange if AFMV, LLC is unable to obtain required state and local permits for the use of the land to be conveyed by the Borough to AFMV, LLC as an expansion of the existing amusement pier.

**SECTION 4.** That the Mayor and Borough Clerk are authorized to execute and attest to, respectively, any documents necessary to accomplish the above-described exchange of lands, including but not limited to a contract and lease setting for the the rights and obligations of the parties in a form acceptable to the Borough Attorney.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the **17th** day of **June, 2015**, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the day of **1<sup>st</sup> day of July, 2015**, at 5:00 p.m., at the Council Chambers in the Borough Hall Complex located on Sherman Avenue and the Boulevard in Seaside Heights, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

  
**DIANE B. STABLEY, RMC**  
Borough Clerk, Borough of Seaside Heights

**ATTACHMENT L**

---

**Natural Heritage Database Results for Disposal Parcels**



## State of New Jersey

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Forestry Services

Mail Code 501-04

ONLM -Natural Heritage Program

P.O. Box 420

Trenton, NJ 08625-0420

Tel. #609-984-1339

Fax. #609-984-1427

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

BOB MARTIN  
*Commissioner*

January 29, 2015

Darlene Silva  
PS&S  
1433 Rt. 34, Suite A4  
Wall, NJ 07727

Re: Casino Pier

Dear Ms. Silva:

Thank you for your data request regarding rare species information for the above referenced project site in Seaside Heights Borough, Ocean County.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.1) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Request for Data into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for occurrences of rare wildlife species or wildlife habitat in the immediate vicinity (within ¼ mile) of the referenced site. Additionally, the Natural Heritage Database was checked for occurrences of rare plant species or ecological communities within ¼ mile of the site. Please refer to Table 2 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented within the immediate vicinity of the site. Detailed reports are provided for all categories coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1 and 2 (attached) to determine if any priority sites are located on or in the vicinity of the site.

A list of rare plant species and ecological communities that have been documented from the project site, referenced above, can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html>. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from [http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes\\_2010.pdf](http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf).

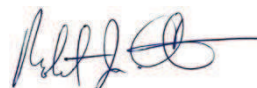
If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive NJ-GeoWeb website at the following URL, <http://www.state.nj.us/dep/gis/geoweb splash.htm> or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

NHP File No. 15-3907481-7003

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf>.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Robert J. Cartica', with a long horizontal flourish extending to the right.

Robert J. Cartica  
Administrator

c: NHP File No. 15-3907481-7003

***Table 1: On Site Data Request Search Results (7 Possible Reports)***

<b><u>Report Name</u></b>	<b><u>Included</u></b>	<b><u>Number of Pages</u></b>
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	Yes	1 page(s) included
2. On or In the Immediate Vicinity of the Project Site Based on Search of the Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
3. Natural Heritage Priority Sites On Site	No	0 pages included
4. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Species Based Patches	Yes	1 page(s) included
5. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.1	No	0 pages included
6. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Stream Habitat File	No	0 pages included
7. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

**Possibly on Project Site Based on Search of  
Natural Heritage Database: Rare Plant Species and  
Ecological Communities Currently Recorded in the New  
Jersey Natural Heritage Database**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Regional Status	Grank	Srank	Identified	Last Observed	Location
<b><i>Vascular Plants</i></b>									
Amaranthus pumilus	Seabeach Amaranth	LT	E	LP, HL	G2	S1	Y - Yes	2005-08-17	2011: North of Sherman Avenue, in Seaside Heights.

Total number of records: 1



<p align="center"><b>Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.1 Species Based Patches</b></p>
---

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<i>Aves</i>								
	Caspian Tern	Hydroprogne caspia	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Common Tern	Sterna hirundo	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Tern	Sternula antillarum	Foraging	4	NA	State Endangered	G4	S1B,S1N
<i>Mammalia</i>								
	Fin Whale	Balaenoptera physalus	Live Individual Sighting	5	Federally Listed Endangered	State Endangered	G3G4	S1
	Humpback Whale	Megaptera novaeangliae	Foraging Area	5	Federally Listed Endangered	State Endangered	G4	S1
	Humpback Whale	Megaptera novaeangliae	Live Individual Sighting	5	Federally Listed Endangered	State Endangered	G4	S1
	North Atlantic Right Whale	Eubalaena glacialis	Live Individual Sighting	5	Federally Listed Endangered	State Endangered	G1	S1
<i>Reptilia</i>								
	Atlantic Leatherback	Dermochelys coriacea	Occupied Habitat	5	Federally Listed Endangered	State Endangered	G2	S1
	Atlantic Loggerhead	Caretta caretta	Occupied Habitat	5	Federally Listed Threatened	State Endangered	G3	S1

***Table 2: Vicinity Data Request Search Results (6 possible reports)***

<b><u>Report Name</u></b>	<b><u>Included</u></b>	<b><u>Number of Pages</u></b>
1. Immediate Vicinity of the Project Site Based on Search of Natural Heritage Database Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	Yes	1 page(s) included
2. Natural Heritage Priority Sites within the Vicinity	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat In the Immediate Vicinity of Project Site Based on Search of Landscape Project 3.1	No	0 pages included
5. Rare Wildlife Species or Wildlife Habitat In the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.1 Stream Habitat File	No	0 pages included
6. Other Animal Species In the Immediate Vicinity of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

**Immediate Vicinity of the Project Site**  
**Based on Search of Natural Heritage Database**  
**Rare Plant Species and Ecological Communities Currently Recorded in**  
**the New Jersey Natural Heritage Database**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Regional Status	Grank	Srank	Identified	Last Observed	Location
<b><i>Vascular Plants</i></b>									
Amaranthus pumilus	Seabeach Amaranth	LT	E	LP, HL	G2	S1	Y - Yes	2005-08-17	2011: North of Sherman Avenue, in Seaside Heights.

Total number of records: 1

<p align="center"><b>Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.1 Species Based Patches</b></p>
---

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<b><i>Aves</i></b>								
	Caspian Tern	Hydroprogne caspia	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Common Tern	Sterna hirundo	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Least Tern	Sternula antillarum	Foraging	4	NA	State Endangered	G4	S1B,S1N
<b><i>Mammalia</i></b>								
	Fin Whale	Balaenoptera physalus	Live Individual Sighting	5	Federally Listed Endangered	State Endangered	G3G4	S1
	Humpback Whale	Megaptera novaeangliae	Foraging Area	5	Federally Listed Endangered	State Endangered	G4	S1
	Humpback Whale	Megaptera novaeangliae	Live Individual Sighting	5	Federally Listed Endangered	State Endangered	G4	S1
	North Atlantic Right Whale	Eubalaena glacialis	Live Individual Sighting	5	Federally Listed Endangered	State Endangered	G1	S1
<b><i>Reptilia</i></b>								
	Atlantic Leatherback	Dermochelys coriacea	Occupied Habitat	5	Federally Listed Endangered	State Endangered	G2	S1
	Atlantic Loggerhead	Caretta caretta	Occupied Habitat	5	Federally Listed Threatened	State Endangered	G3	S1

## **ATTACHMENT M**

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**Valuation of Historic Carousel**

S.S. UNITED STATES  
PRESIDENT JOHN F. KENNEDY  
MICKEY MANTLE • THE McGWIRE BASEBALL  
JAZZ • ARTWORK OF THE SOVIET UNION  
THE FRANKLIN ROOSEVELT ARCHIVE  
ELVIS PRESLEY • JERRY GARCIA  
THE ROSA PARKS ARCHIVE

65 EAST 93RD STREET  
NEW YORK, NY 10128

PH: 212.794.2280  
FAX: 212.744.3638

AUCTIONS@GUERNSEYS.COM  
WWW.GUERNSEYS.COM

# GUERNSEY'S

AUCTIONEERS & BROKERS SINCE 1975

## The Dr. Floyd L. Moreland Dentzel / Loeff Carousels

### Appraisal

#### BACKGROUND

The Dr. Floyd L. Moreland Historic Carousel located on the boardwalk of Seaside Heights, New Jersey is one of the largest and finest carousels ever created. During the "Golden Age" of carousel construction from the 1880's through the 1920's, roughly five thousand carousels were created and placed in amusement parks and municipal parks across the United States, as well as being included in the arsenal of traveling carnivals. Today, it is believed that only approximately one hundred and fifty such vintage machines have survived, many of which now are protected under various programs devoted to historic preservation. Many other carousels that may appear to be similar to historic, vintage machines are indeed modern replicas where the animals are often created from molds as compared to the hand-carved wood figures found on antique machines including the Moreland Carousel.

Most of the surviving vintage carousels are "three row" machines with from thirty to forty-four horses and menagerie figures divided into three concentric rows. (Any carousel animal other than a horse is referred to as a "menagerie figure.") An exception would be Coney Island's B & B Carousel which is a three row machine with fifty figures. The fifty-eight figure Dr. Floyd L. Moreland Carousel has four rows with an extra-large diameter platform able to contain the over-sized mechanism. By any standard, this is a grand machine.

Nine carousel carving studios have been identified as having worked during the Golden Age in the U.S. The studios of Charles Carmel, M.C. Illions, D. C. Muller, Stein and Goldstein, Herschell-Spillman, C. W. Parker, and the Philadelphia Toboggan Company comprise seven of those studios. The Dentzel Studio and the studio of Charles Loeff - carvers of the figures on the Moreland Carousel - comprise the other two. Indeed, the name "Dentzel" (William and Gustave) is clearly the most well-known name most associate with such carvings. Although it could be argued as to who the very best carvers were, there is no question that Dentzel was most prolific. Their work set the standard to which others were compared.

Years ago, under the guidance of Dr. Floyd Moreland, a Columbia University professor who resides in a neighboring New Jersey community, the carousel underwent an extensive restoration. The Moreland Carousel today remains in proper working order with its many components in fine condition. In other words, it does not appear to be in need of any substantial restorative work.

## THE MORELAND CAROUSEL

Created circa 1910 in Philadelphia by the Dentzel Studio, the Carousel was originally located in Burlington Island Park in Burlington, New Jersey. The entire machine was moved to Seaside Heights, NJ in 1932 where it remains to this day. The early history is documented in an article "The Carousels of Seaside Heights" written by Dr. Floyd L. Moreland and appearing in *The Carousel News and Trader*, April 1994.

The total number of animals on the machine is fifty-eight divided between Dentzel figures that were original to the machine and figures carved by the studio of Charles Looft from the same time period that were later added. Thirty-five of the horses are "jumpers" while eighteen are stationary. The balance of the animals are menagerie figures including a lion, a tiger, a donkey and two camels.

There are two chariots and a magnificent, fully-restored 1923 Wurlitzer Band Organ (Wurlitzer serial number 3673).

There are eighteen paintings surrounding the center enclosure of which fifteen date to 1910 with the balance appearing to have been painted in the 1940's.

## APPRAISAL

In August of 2005, Guernsey's sold the B & B Carousel, an antique machine created in 1906 by the studio of Charles Carmel, a noted carver from Brooklyn, New York. The sale price was \$1.8 million; the buyer was the Coney Island Development Corporation on behalf of the City of New York. The B & B Carousel consisted of 50 horses, two chariots and a Gebruder Bruder band organ. It was in unrestored condition and was barely working. At the time of the sale, it was evident that the machine needed a substantial amount of restorative work if it was to be put back into public use.

Shortly after the B & B Carousel was purchased, it was sent to Carousels & Carvings Inc. and Intermuseum Conservation Association, organizations that specialize in the restoration of carousel figures and other elements that comprise vintage carousels. These other components include the rounding boards (large carved and painted panels that adorn the central and overhead portions of a carousel), decorative mirrors, extensive lighting and, of course, the actual mechanics. What then followed was a six-year effort devoted to making the carousel ready for public use. Although we're not aware that the final figures for the cost of restoration have been released, the reported estimated amount was expected to be approximately \$2 million.\* (Find online the Press Release provided by the New York City Department of Parks & Recreation dated November 14, 2011 and entitled "Parks Issues Request For Proposals For Operation And Maintenance Of Carousel At Coney Island's Steeplechase Plaza" .) If the restoration of the B & B Carousel did not exceed the anticipated amount (\$2 million), then the true cost of that machine comes to \$3.8 million (\$1.8 million purchase + \$2 million restoration) which does not include any expenses for shipping, insuring, preliminary planning, etc.

The information regarding the B & B Carousel is provided because it establishes a clear precedent for assessing the worth of the 1910 Dr. Floyd L. Moreland Historic Carousel located in Seaside Heights, New Jersey.

The Moreland Carousel is larger than the B & B Carousel (four rows vs. three rows), has more figures (fifty-eight vs. fifty), and has many more original components including painted panels, mirrors and light fixtures than the Coney Island machine.

Today, the condition of both of the machines is excellent and roughly comparable. The B & B Carousel has been restored in the last several years while the Moreland Carousel, restored approximately two decades ago, has remained in fine condition due to its continuing proper maintenance.

As the numbers above indicate, the B & B Carousel sold for \$1.8 million with approximately \$2 million then spent on restoration. Inasmuch as it could be argued that the Moreland Carousel, larger in size and with more features, is worth at least the equal of the B & B Carousel *after its restoration* (\$3.8 million), there are no known carousel sales to support that amount. Accordingly, the appraised value of the Moreland Carousel must be tempered to be in line with the current market.

When considering the worth of any vintage carousel, it should be noted that many carousels have been "broken up" with the animals, panels and other components sold individually. Indeed, Guernsey's - universally acknowledged as the leading seller of carousel-related objects at auction - has conducted approximately twenty such auctions featuring carousel animals and related carousel trappings. In our events and in those of other auction houses, the sale prices of individual figures have ranged from the low thousands of dollars to figures that have sold for more than one hundred thousand dollars each. But inasmuch as this appraisal is being created for the Moreland Carousel in its entirety (as opposed to it being the worth of the sum of its parts), our approach has only focused on the worth of the machine as a complete unit.

It is with this in mind that we are appraising the Dr. Floyd L. Moreland Carousel at between \$2.3 and \$2.5 million (two million three hundred thousand dollars to two million five hundred thousand dollars.)

Respectfully Submitted,

GUERNSEY'S  
Arlan Ettinger, President  
May 12, 2015



# National Carousel Association

*Dedicated to the Preservation of the Classic Carousel*



[www.carousels.org](http://www.carousels.org)

*Barbara Fahs Charles, Founder*

*731 8th St. SE, Suite 302*

*Washington DC 20003-2802*

7 September 2014

Mayor William Akers and the Borough Council  
Borough of Seaside Heights  
901 Boulevard  
Seaside Heights, NJ 08751

Dear Mayor Akers and Members of the Borough Council,

I am writing on behalf of the National Carousel Association (NCA), of which I am one of the founders. The NCA was established in 1973, as stated in our by-laws, "to promote conservation, appreciation, knowledge, and enjoyment of the art of the classic wooden carousel and especially the preservation of complete wooden carousels." Prior to the founding of the NCA, I created the first photographic survey and census of America's carousels. At that time (1971), I saw eleven carousels as I drove up the Jersey coastline. Of those eleven, only the Dr. Floyd L. Moreland Carousel survives. When we published the initial NCA census (1974), fifteen carousels were listed in New Jersey. Today there are four.

The Dr. Floyd L. Moreland Carousel is special and unique for a number of reasons. It is a large 4-abreast carousel with fifty-eight figures—mostly horses, both jumping and stationary, plus a lion, a tiger, two camels, and a mule. While the early history is unclear, we believe that it started as a 3-abreast machine and by 1917 was operating at Island Park in the Delaware River near Burlington, NJ. After a fire in the park in 1928, it was re-configured as a larger 4-abreast machine. The majority of the figures were made by Dentzel or Looft, the founders of the American carousel industry. Gustav A. Dentzel opened his factory in the Germantown section of Philadelphia in 1867. Over the next decades, the craftsmen of Philadelphia would manufacture hundreds of elegant carousels that populated the mid-Atlantic and Southeast regions of the country. Charles I. D. Looft of Brooklyn carved the first carousel to be identified at Coney Island (1875). Coney Island became the second major manufacturing center with a number of carving shops that created flashy, jeweled figures. Coney Island carousels were celebrated at popular amusement destinations from New York to New Haven. As the resort and beach communities developed in New Jersey, the carousel makers from both Philadelphia and Brooklyn competed to place their machines in lucrative locations.

Email: [bcharles@staplesandcharles.com](mailto:bcharles@staplesandcharles.com)

Mobile: 202.460.9050

# National Carousel Association

*Dedicated to the Preservation of the Classic Carousel*



[www.carousels.org](http://www.carousels.org)

Barbara Fahs Charles, Founder

731 8th St. SE, Suite 302

Washington DC 20003-2802

---

We might think of this carousel as a virtual museum of the American carousel—but a museum that if cared for properly, one can ride and enjoy again and again for years to come.

The Dr. Floyd L. Moreland Carousel is also special because it retains its Wurlitzer 146A band organ. In an age when many carousels have converted to digital sound tracks, this carousel spins to the unmistakable and joyous sound of a real band organ.

And finally, the Dr. Floyd L. Moreland Carousel is unique because of how it has survived in Seaside Heights and can flourish with community support in the future. This carousel has been enjoyed by residents and visitors for eighty-two years—the longest of the surviving New Jersey carousels. Thirty years ago, it was in danger of being sold. At that point, Dr. Floyd L. Moreland, who had operated the carousel to pay for college and graduate school, asked Kenneth Wynne, then owner, for permission to manage the carousel and to repaint it, with the goal of increasing ridership. Moreland's gamble worked and for all the love and care he gave to this machine, it was named in his honor. I like to think of it as the only carousel in the world with a Ph.D.

The NCA salutes the Borough of Seaside Heights for its efforts to acquire and preserve the Dr. Floyd L. Moreland Carousel, and to give it a new home so that future generations will be able to ride it and cherish it, as generations before us have. I am personally committed to help in any way that is useful. And, the NCA looks forward to providing expertise, enthusiasm, even small grants, when needed at critical junctures, as this project progresses. This is exactly why the NCA exists.

Most sincerely yours,

Barbara Fahs Charles

---

Email: [bcharles@staplesandcharles.com](mailto:bcharles@staplesandcharles.com)

Mobile: 202.460.9050



**New York and Long Branch Railroad Historic District (ID#4354)**

SHPO Opinion: 8/20/2004

**See Main Entry / Filed Location:**

Middlesex County, Perth Amboy City

**NJ Route 35 Bridge (SI&A #1506152) (ID#5123)**

NJ Route 35 over Manasquan River

SHPO Opinion: 12/7/2004

**Also located in:**

Monmouth County, Brielle Borough

**Tower Cottage (ID#4598)**

203 Forman Avenue

COE: 4/18/2006

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***Point Pleasant Borough***

**Bay Head Historic District (ID#3402)**

Bound by Delaware Avenue (north), Atlantic Ocean (east), Borough boundary (south) and undefined extent west of Main Avenue

NR: 2/1/2006 (NR Reference #: 05001566)

SR: 11/18/2005

SHPO Opinion: 3/8/1996

(Additional Documentation aproved 12/10/2013)

**See Main Entry / Filed Location:**

Ocean County, Bay Head Borough

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***Seaside Heights Borough***

**Dentzel/Loof Carousel (ID#5352)**

811 Ocean Terrace

COE: 8/25/2014

(Dr. Floyd L. Moreland Carousel)

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***Seaside Park Borough***

**U.S. Life Saving Station No. 13 (ID#5207)**

COE: 9/17/2012

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***South Toms River Borough***

**Garden State Parkway Historic District (ID#3874)**

Entire Garden State Parkway right-of-way

SHPO Opinion: 10/12/2001

**See Main Entry / Filed Location:**

Cape May County, Lower Township

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***Stafford Township***

**Cavalry Cottage (ID#4271)**

100 Stafford Avenue

NR: 9/22/2006 (NR Reference #: 06000871)

SR: 8/6/2006

COE: 4/21/2004

**Garden State Parkway Historic District (ID#3874)**

Entire Garden State Parkway right-of-way

SHPO Opinion: 10/12/2001

**See Main Entry / Filed Location:**

Cape May County, Lower Township

**Manahawkin Baptist Church (ID#2323)**

North Main Street (US Route 9)

NR: 4/3/1973 (NR Reference #: 73001131)

SR: 5/1/1972

**Manahawkin Village Historic District (ID#3419)**

US Route 9, Bay Avenue, Parker Street

SHPO Opinion: 10/26/1990

**Nineteenth and Early 20th Century Domestic Refuse [Sites] (ID#2324)**

SHPO Opinion: 2/5/1992

**Tuckerton Railroad Manahawkin Station (ID#4842)**

Heritage Park-West Bay Avenue

COE: 8/29/2008

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***Toms River Township***

**Archaeological Site (28-Oc-90) (ID#3405)**

SHPO Opinion: 10/16/1989

**August John House and Solomon Guttman Farm (ID#156)**

1940 Lakewood Road

SHPO Opinion: 5/21/1999

**Captain Amos Birdsall House (ID#2285)**

234 Washington Street

NR: 5/13/1982 (NR Reference #: 82003298)

SR: 6/17/1981

(#9 - Old Village of Toms River MRA)

**A.A. Brant House (ID#2286)**

9 Allen Street

NR: 5/13/1982 (NR Reference #: 82003294)

SR: 6/17/1981

(#5 - Old Village of Toms River MRA)

**Camp Osborn Historic District (ID#3404)**

NJ Route 35 and Atlantic Ocean

SHPO Opinion: 11/14/1996

**See Main Entry / Filed Location:**

Ocean County, Brick Township

**Samuel Carpenter Site (28-Oc-82) (ID#3406)**

SHPO Opinion: 12/10/1991

**Cedars Motel (ID#155)**

1616-1628 Lakewood Road

SHPO Opinion: 5/21/1999

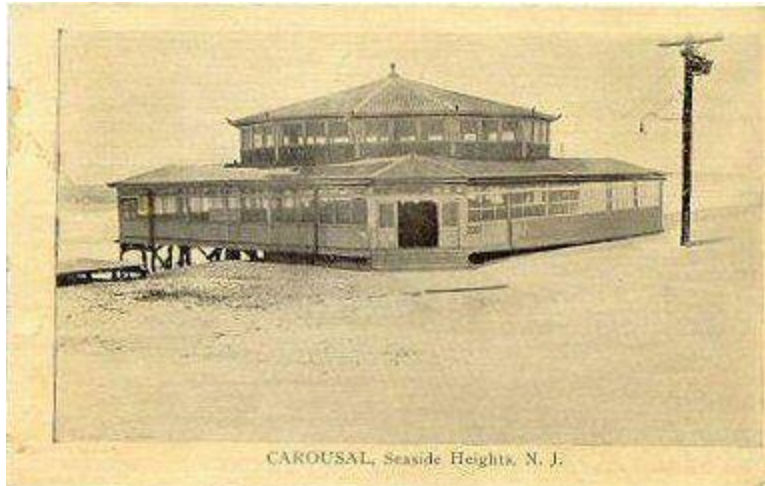
**Crawford House (ID#2288)**

46 East Water Street

NR: 5/13/1982 (NR Reference #: 82003295)

SR: 6/17/1981

(#2 - Old Village of Toms River MRA)



## Dr. Floyd L. Moreland Carousel at Casino Pier Seaside Heights' First Carousel

© Dr. Floyd L. Moreland

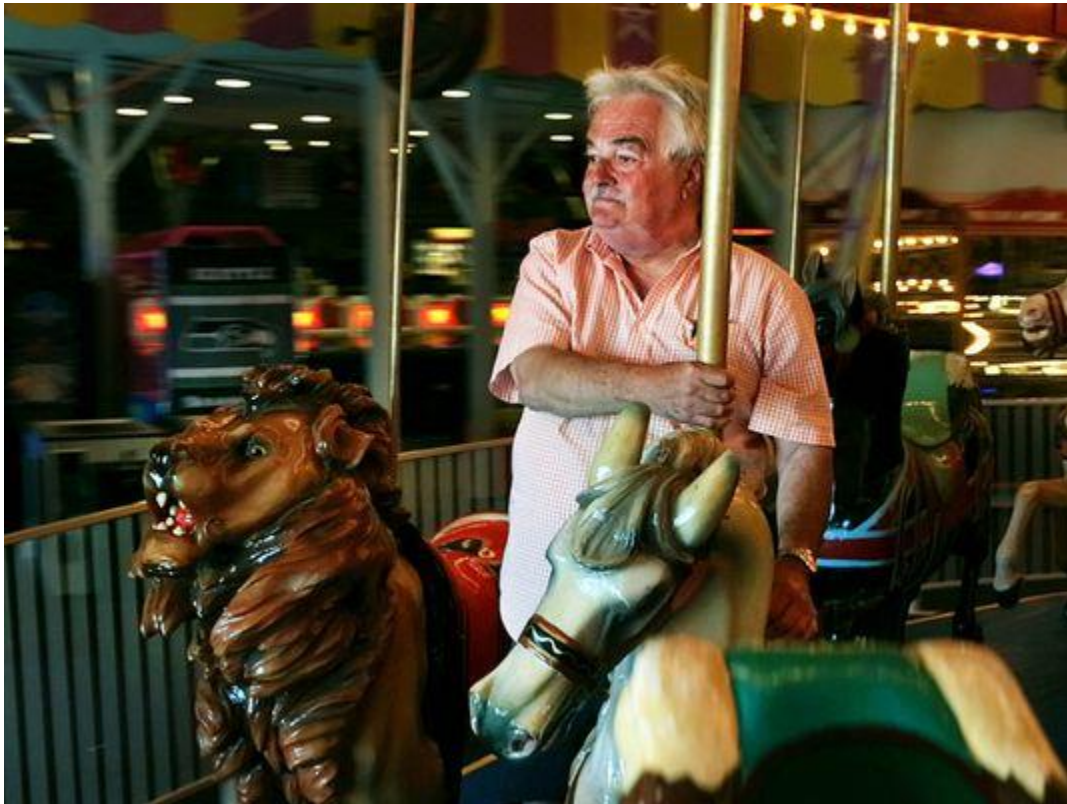
Date of picture: early 1900s

Although not of our carousel building, but of one seven blocks south of us, this VERY early photo (circa 1917) shows the courage of developers to build a carousel on the water's edge in the early part of the 20th century. The Freeman's Carousel (pictured), and the Casino carousel that was erected about 20 years later seven blocks north on the oceanfront, gave shape to the development of a thriving seaside resort on a barrier island one mile long, four blocks wide, on the New Jersey coast.



At a time in history when no one found oceanfront property attractive (it couldn't be farmed, it could produce nothing, it was quite useless), the foresight of visionary investors is remarkable and the focus on carousels as a magnet for future recreational development is part of the rich history of the American carousel.

*The 103-year-old carousel has returned to life, but his neighborhood is mostly empty.*



(Photo: Peter Ackerman, Asbury Park, N.J., Press)

#### STORY HIGHLIGHTS

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ORTLEY BEACH, N.J. — Floyd L. [Moreland was ready for what he always saw as the third stage](#) of his life: a quiet retirement.

But that was before superstorm Sandy roared ashore, sending 5½ feet of storm surge through Moreland's home. The water destroyed almost all the possessions he had accumulated during the first two phases of his life.

**STORY:** [Lack of Snooki hurting Seaside Heights](#)

**PHOTO GALLERY:** [Restored boardwalk reopens](#)

"We walked up the street, carrying our one suitcase," Moreland said of the cold November day when he returned to his home. "When I saw this house, with all the windows broken, with all the damage inside, it was more than I could really take in at that moment."

Gone was a library of more than 5,000 books he had amassed during the first stage of his life, his long career at the City University of New York where he was a classics professor, dean, vice president for student affairs and the founder of the school's Latin/Greek Institute.

Also washed away was most of the collection of carousel artifacts Moreland had assembled, markers of a lifelong passion that led him to work tirelessly to restore and save the Seaside Heights, N.J., boardwalk carousel that now bears his name.

Destroyed was most of the remaining merchandise from the Magical Carousel Shoppe, a boardwalk business that Moreland and his partner, Elaine Egues, had operated for nearly 30 years, in what he considers his life's second stage. Moreland had shut the business for good only about three weeks before the storm.

Moreland could not believe what had happened. Suddenly the storm was not just something he saw on TV, like the distant disasters which in the past had inspired him to give donations to help those affected. Instead, this storm hit right here. It had wrecked his own neighborhood.

Yet some of his treasures still remained.

On the walkway in front of his house, the image of a colorful carousel horse remained, embedded in the cement. And hanging from one hook inside the house, swinging in the wind that blew through the broken windows, was a glass image of another merry-go-round equine.





The Dr. Floyd L. Moreland Historic Dentzel/Loof Carousel, which was built in 1910 and since 1932 has been in Seaside Heights, N.J., was named for Floyd Moreland in honor of the work he did to restore the ride as well as all the years he helped to run it. *(Photo: Peter Ackerman, Asbury Park, N.J., Press)*

### **Carousel survives**

The Dr. Floyd L. Moreland Historic Dentzel/Loof Carousel, a 1910 merry-go-round at Seaside Heights' badly-damaged Casino Pier, also survived. Even before Moreland was able to return to his home, he managed to make it to Seaside Heights where he found his beloved carousel still standing.

"Every horse was standing proudly, including Dr. Floyd and Elaine," Moreland said, describing the two horses inscribed with his name and that of his partner of 35 years.

Seeing the carousel standing comforted him and gave him hope, he said.

The carousel has been a central part of 70-year-old Moreland's life for 67 years. He was a toddler when he first rode one of its sturdy steeds during a family vacation. As a 17-year-old, he began operating the ride.

"It paid my way through college. It paid my way through graduate school," he said.



While earning his doctorate at the University of California at Berkeley, Moreland would drive cross country in the spring to run the rotating ride, heading back to California at summer's end. He earned \$1.25 an hour and worked seven days a week. In 1971 he received his doctorate in classics.

More than a decade later, Moreland spearheaded restoration of the carousel after learning it was about to be dismantled and sold.

His friends and family members spent countless weekends inside the then-unheated carousel building in the off season, painstakingly repairing more than 50 horses and two chariots as well as the two camels, one lion and one tiger that made up the merry-go-round's menagerie. He and Egues later ran the carousel shop, selling miniature carousels, painted ponies and other memorabilia.

But early in 2012, Moreland made a decision. That would be the last summer for the boardwalk shop. He was getting older and the love of his life was suffering from Alzheimer's.

"Elaine got sicker and sicker, and I had to be a caregiver first," Moreland said. Egues, now 80, eventually had to be moved into a dementia care center.

Moreland, who visits her daily, initially intended to stay in his home during the storm. After all, he'd been at the Jersey Shore for dozens of storms.

"As we heard that the storm was approaching, I was, of course, concerned, but I always planned to stay," he said.

His house was on the first ocean block. Many times he had seen the ocean wash down the street, but it had never reached his house. Storms were kind of exciting, and Moreland had Coco, his 16-year-old dog, with him. He could not leave her behind.

### **Call to evacuate**

Still, Sandy seemed different.

"As I looked out the window from upstairs and saw the ferocity of the ocean, I began to get concerned," he said.

Then he received a call from the center where his partner was staying, telling him he must come there.

"They said, 'It's not an invitation. It's an order,' " Moreland recalled. He left on the morning of Oct. 29 and thought he would return within a couple of days. Instead, he slept for

several weeks on an air mattress in Egues' room, eventually renting a home about 10 miles away in Holiday City, N.J.

After viewing the damage to his house, Moreland was unsure whether he wanted to rebuild.

"My first instinct was to walk away and knock it down," he said.

But his home was structurally sound and the upstairs remained untouched. It was in much better shape than many of the nearby homes.



**Although much of Floyd Moreland's extensive collection of carousel items were on the first floor of his home when Hurricane Sandy hit, he still has several carousel mementoes on the second floor that survived. Gannett, Peter Ackerman, Asbury Park (N.J.) Press** *(Photo: Peter Ackerman, Asbury Park, N.J., Press)*

"I decided to give a stab at it," he said.

Only a short distance away, the carousel that has been on the pier since 1932 remained standing, but would it ever turn again? No one knew for sure. Casino Pier had no electricity and no way to determine the mechanical damage. The basement at Casino

Pier had flooded and the 103-year-old carousel sat in the damp and dark for many months.

But when electricity finally was restored to Casino Pier shortly before Memorial Day, the carousel began to spin again. The ride, which Moreland calls "the heart and soul" of Seaside Heights' boardwalk, was open in time for Memorial Day when people lined up to ride it.

"It's fine," Moreland said. "It's turning proudly. It now will be the central focus, the hub of the boardwalk." On a warm June day, he rode happily on the carousel while its Wurlitzer military band organ played a merry tune.

Moreland did not return to his house until the third week in June. As workers finished restoring cable and Internet service there, he sat on the front step and watched as a nearby house was demolished.

The hard drive of his computer was found rolled up inside a carpet after the storm. When it was cleaned and restored, Moreland found he had received thousands of emails inquiring about his well being. Many people knew him and Egues from their years on the boardwalk, and the concern touched him deeply, he said.

"We had a wonderful following," he said of the carousel shop. "It was like a family up there."

His neighborhood, like much of Ortley Beach, remains mostly deserted. Demolition of wrecked homes continues alongside slow, but steady efforts at rebuilding. Some of Moreland's neighbors have decided to walk away.

He is unsure if the third stage of his life will play out in here after all.

"Even in the long run, I'm not convinced this is where I want to be," Moreland said. "The most difficult thing is realizing the neighborhood will never be the same."



# Antique Carousel News

It could be tomorrow's carousel news, or a century-old finding. Or archives and/or other information. Check in now and again.

[HOME](#) / [ANTIQUE CAROUSEL NEWS](#) / [HISTORIC SEASIDE HEIGHTS CAROUSEL NEEDS FRIENDS FAST \[AND GOT THEM!\]](#)

## Historic Seaside Heights Carousel Needs Friends Fast [And Got Them!]

### **GREAT NEWS UPDATE!**

It looks like the carousel will be saved intact, and sounds like a brilliant but simple solution. The real estate developers get some more real estate, and Seaside Heights gets their carousel and a place to put it. And, in a new home, it will be like a new attraction for the community as folks will come from far off to visit what we all almost lost. Below is the first brief press release to announce the plan that will, in fact - **SAVE THE CAROUSEL.**

### **MAYOR & COUNCIL APPROVE PLAN TO ACQUIRE HISTORIC FLOYD MORELAND CAROUSEL IN LAND EXCHANGE DEAL**

*Sept. 3, 2014*

**SEASIDE HEIGHTS, NJ** – Mayor William Akers and the Seaside Heights Borough Council tonight introduced a plan to acquire the historic Dr. Floyd L. Moreland Dentzel-Looff Carousel from the owners of Casino Pier. Borough Council introduced Ordinance No.



2014-17 that would approve the exchange of municipally owned beach property north and south of Casino Pier for vacant property located on the oceanfront between Carteret and Sampson Avenues. Title to the historic carousel will transfer to the Borough of Seaside Heights so that its presence in the town will be ensured perpetually. Casino Pier plans a major expansion with the property being acquired from the town. More details will follow in the coming weeks.

**Story link from Seaside Heights...**



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## ***PRIOR STORY FROM JULY 17, 2014***



**Historic 1910 Casino Pier Carousel in Seaside Heights, NJ, Faces Extinction by Auction Very Soon Unless A Group can be Formed to “Save the Historic Seaside Heights Carousel”**

**By Roland “Rock” Hopkins**  
*AntiqueCarousels.com; Carousel News & Trader editor, 2006–2013*

**SEASIDE HEIGHTS, NJ** – The Circa 1900–1910 Dentzel-Looff-Mangels mix menagerie carousel has been quietly for sale for a few years now, and openly for sale for the last couple of years. But no one did anything. Floyd already did it once – you can’t expect him to do it again. It has also needed major repairs for a number of years now, from the pole out, but nothing has been done about it.

Like it or not, the folks who own the pier are in the real estate business, not the entertainment business, nor the historic preservation business. It has been no secret for a few years now that the precious historic carousel is only seen as a burden to them and a responsibility they would like to be free of. And they certainly have every right to feel that way. They are businessmen who choose not to be in the historic carousel business. Too bad. When done right, there is a nice little profit to be had. But, this is nothing new in the carousel world. Most recently the rare C.W. Parker Superior, the “Jantzen Beach” carousel went into a storage box. The real estate developers gave it a good run, but for years it was known to be in peril of a retail redevelopment which may NOT include it. But, no one did

anything.

It seems to me carousels are best saved before they get stashed in a box, and many cities and towns have accomplished that and saved their historic rides intact.

In a perfect world, a non-profit Friends Group would have been formed in Portland long before the retail redevelopment that everyone knew about for at least half a decade before it broke ground. In a perfect world, that Friends Group would have seen early on there was not “carousel” in the redevelopment, and they would have been poised to step in, with private and government funding, to relieve the developers of the carousel before they removed it from the failing mall and boxed it. But there was no group formed, poised and ready, and who knows what it will take to get that one out of its box now.



The Casino Pier, Seaside Heights carousel faces a worse peril than a dreaded box. A whole bunch of boxes... and the last boxes the carousel will ever see as the animals part ways forever –

something that has not struck down a carousel of this caliber since Whalom Park in 2000.

In order to save this carousel, it will take a lot more than photos and fond memories. It will take a well organized – and quickly organized – non-profit Friends Group – set up in record time. Before the Casino Pier Carousel can find serious benefactors and backers, there needs to be a place to donate and responsible people to gather and handle it. It all seems pretty obvious, but beyond the Facebook page and petition, I haven't heard anyone spearheading a non-profit Friends Group.



Hopefully there will be some local business people and/or politicians even, who will step up and get a proper “Save the Carousel” group very soon – like yesterday. Then quickly use their business clout to raise some money. Maybe not as much as wanted or needed even — but ask the folks in St. Paul, and Cleveland and Nantasket — if you form it, maybe they will come.

I believe each of those cities formed their groups (very quickly – facing auction) and raised some money, but not quite enough. But, because there was a group, there was a place for a benefactor to step up and put them over the top – that could happen. And in each case, it did. But without a serious group formed, at least part of the way to saving the carousel – there would be no where or way for anyone to step up and help – no where for a benefactor to put his or her money. And there might be a carousel as well as a building that needs a new name, as most likely in this case, like most, the carousel will need a new home as well.

Everyone hopes it will happen – but someone is going to have to start it and get it going very quickly if it is going happen. ***“The Group to Save Seaside’s Historic Carousel.”***

**Visit Save the Carousel on Facebook**

**Here are excerpts from the recent release from Guernsey’s announcing the forthcoming auction –**

*“For 82 years, a magnificent 1910 Dentzel [Looff] Carousel has delighted parents and children alike at the Casino Beach Pier in Seaside Heights, New Jersey. The carousel has survived the devastation of both Hurricane Sandy and subsequent fire one year later that ravaged much of New Jersey’s shoreline and the beloved boardwalk...*

*If the carousel cannot find a buyer interested in preserving it intact, then the*

*carousel will be auctioned figure by figure by Guernsey's this fall. It is the desire of the owners, as well as Guernsey's, for the carousel to be sold as a whole and remain intact, forever preserving this historic landmark for future generations."*

## Save The Carousel on Facebook

**A Save The Carousel Facebook Page** has been made, along with a petition to the developers, but I think it is going to take more than that. And it won't be A buyer — no single white knight or Superman will fly in — but a *Group of Friends* of the carousel maybe could save the day. It may take a superhero (super dedicated and determined more like it) or two to start it up, but once set up, the Friends Group might find there are a couple of other superheros out there to help give them a boost. But first, there has to be something to boost. Let's hope some local folks with some clout get organized quickly and get it done.

*If a walk down memory lane is needed for inspiration, the following article ran as the cover feature of The Carousel News & Trader in Sept. 2007*



Above: Floyd L. Moreland and Elaine Bradford, his partner at the carousel, enjoyed the gaiety of the 1999 New Year's Eve party. They pose here with his namesake Dentzel stunner. Right: The mixed Dentzel/Loot/Ilions/Stein & Goldstein carousel includes "Elizabeth," an inner row Ilions jumper.

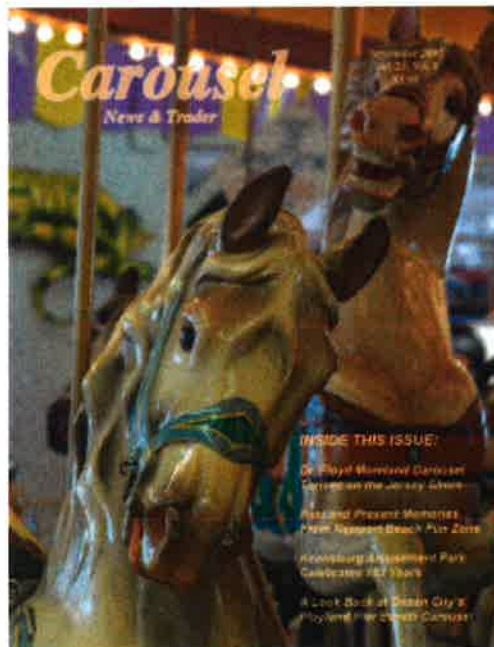
## SEASIDE HEIGHTS AND CAROUSEL HISTORY By Dr. Floyd L. Moreland

In the early part of the 20th century, on a section of a New Jersey

barrier peninsula four blocks wide between the Atlantic Ocean and Barnegat Bay, a steam-driven Gustav Dentzel carousel was installed in a building perched precariously on pilings just several hundred

feet from the waves of the ocean. (See the photo in my entry on Casino Pier in the Photo Show Project on the website of the National Carousel Association: [www.carousel.org](http://www.carousel.org)). This carousel was replaced several years later (1917) by an impressive Dentzel/Muller electric carousel (known as "Freeman's Carousel"), and other attractions were added: a dance hall, a bathing pavilion, a miniature golf course, a small fishing pier and a modest boardwalk. At a time when property on a sandy barrier island was virtually useless (it couldn't be farmed or mined or turned to profit in any obvious way), a few visionary business people looked to a future of recreation and leisure development. Soon a wooden bridge connected the barrier island with the mainland. A railroad bridge was built across Barnegat Bay and brought riders from Philadelphia. A real estate company eager to attract potential customers to the barrier island to buy and develop vacation property frequently subsidized fares on the trains.

In the late 1920s and early 1930s, another investor, who owned a fishery nearby, wanted to compete with the recreational mecca that had grown into Freeman's Amusement Center. He found a carousel that had been partially damaged in a fire at New Jersey's Burlington Island Park. After having its damaged animals replaced, he had the carousel refitted for its new



location in Seaside Heights. It opened in 1932 (in the original cupola enclosure that came with it from Burlington Island Park), just seven blocks north of the more established Freeman's carousel and not even connected to the larger amusement complex by a boardwalk.

The carousel struggled its first year or two. Five years later, it was decided that a large exhibition hall would be built around the carousel. The plan included an Olympic-size salt-water pool west of

it and a fishing pier with several other amusements on its oceanward side.

As the years and decades went by, this evolved into what is now known as Casino Pier and Breakwater Beach a large amusement pier to the east of the carousel, a climate-controlled arcade and eatery in the carousel building itself, and a major waterpark to its west. A wide boardwalk, populated with games of chance, arcades, food establishments, and an array of other amusements, runs the entire length of the one-mile long oceanfront.

There was a time in the early 20th century when carousels dotted the Jersey shoreline: Long Branch, Bradley Beach, Belmar, Asbury Park, Sea Isle City, Ocean City, Atlantic City, Wildwood, to name just a few. Most were part of efforts to encourage interest in destinations and properties that otherwise were of little use.

The role of the carousel in Seaside Heights was especially unique, and there was a time when even a third carousel (a PTC, called the “Strand Carousel”), graced its boardwalk. For more than half a century, a carousel horse was featured as one of four images on the borough’s official insignia on flags and police cars and the celebration of the borough’s 75th anniversary played on the carousel theme and produced limited edition replicas of its two (then) surviving antique carousels. Not only was “the carousel” a symbol of a major amusement industry that defined the town’s oceanfront boardwalk and piers, but also “the carouse” was recognized as the soul that gave shape to the development of a mile long stretch of barren sand long ago in New Jersey history.

Seaside’s Freeman’s Carousel burned to the ground in 1956 and was replaced by an Ilions carousel (previously the “Chafatino Carousel” in Coney Island, NY). It lasted for several decades, until it was broken up and sold at auction. A Chance fiberglass carousel now turns at the location of the original merry-go-round that had stood all by itself on pilings close to the ocean nearly a hundred years ago.



The carousel at Casino Pier continues to turn and will soon celebrate its 100th birthday. It is still the soul of the large amusement area that now surrounds it, in the very spot where it had had been installed after its arrival on this island as a single attraction struggling to attract riders.

Only two American crafted classic carousels remain in the State of New Jersey, the Dr. Floyd L. Moreland Carousel at Casino Pier in Seaside Heights and the PTC carousel at Gillian's Wonderland Pier in Ocean City. The Casino carousel still has its Wurlitzer 146-style band organ, lovingly restored and cared for by Chambersburg, PA, dentist Dr. William Black (with the assistance of Bob Ryesky, Durward Center, and the late Mike Kitner).

Although a professor of classics and a dean at the City University of New York, I personally oversaw the restoration (and operation) of the carousel itself for more than three decades. I was assisted by Dr. Norma Menghetti, a Pennsylvania veterinarian, and countless others who shared the feeling of affection for this carousel. Eighteen animals were restored thanks to resources made available by private sponsors. Much of our efforts at preservation, which were made all the more challenging when working on a privately-owned machine (as opposed to a carousel owned by a city or state or public entity), have been documented in a wealth of articles, television interviews and so on. Some of these references appear in the bibliography at the end of this article.

The carousel genre played a significant role in the evolution of waterfront development in this coastal town, and indeed, in the

United States, the scope of which, ironically, has also led over time to the demise of carousels and pleasure destinations at the water's edge. Condominiums and more contemporary high-scale shopping centers and eateries have pushed out the simple, old amusements, including the hand-carved artistry of the carousel makers of old, as our world moves in the direction of an ever-evolving definition of progress. (Oceanfront boardwalks, after all, might well be viewed as early versions of contemporary shopping malls.)

Those of us old enough to have experienced the magic of visiting and riding these awesome machines are blessed to carry with us memories of an early part of history. Some of us are still fortunate enough to have an old-fashioned waterfront carousel nearby, giving us access to a glimpse of history and a perspective on how our ancestors viewed a far simpler and different world.

If you visit Casino Pier, or other carousels in similar locations of place and time, use your imagination to think away all the modern 'noise' and try to envision the carousel as it was all by itself, a precursor to all that followed. Dream a little and try to see the world in your mind's eye as it was viewed by generations who came before you. While there is still time, be sure to cherish those carousels that survive — ride them, study them, respect them as part of our history, and preserve them as a tribute to our collective culture.

The Carousel at Casino Pier, approximately [114] years old, is here and turning. Thanks to Dr. Bill Black, the Wurlitzer 146 organ is playing loud and clear. The carousel is open weekends and holidays all year, even when the snow is falling! Casino Pier has loads of other thrill rides, as it also has a world-class water park (Breakwater Beach). As for the carousel, it doesn't have the long lines it used to when I was a child in the 1940s and 1950s. (Sometimes we had to wait for several rides to go by after purchasing our tickets before we could find an empty horse.) The other thrill rides get most of the attention these days, but, as with so many waterfront parks on both coasts and throughout the country, the carousel really did build this amusement

mecca and continues to be its heart and soul.

As I wrote at the beginning of this article, in the early 1900s it was a challenge to come up with a scheme to build on oceanfront property and attract people to come there. Now, in a far different world, property values have skyrocketed and the shorelines are dotted with condominiums and upscale developments. The old seaside amusement parks, with their carousels, are fast disappearing from the American landscape.

### **Some references you might wish to consult.**

*This selective bibliography contains more detailed accounts of the efforts at preserving and renovating and watching over the Floyd L. Moreland Carousel over the years. It also contains a wealth of historical information about the history of waterfront (as well as other) amusement locations and the “behind the scenes” activities that keep carousels and their band organs alive and well.*

Futrell, Jim, *Amusement Parks of New Jersey* (Stackpole Books, Mechanicsburg, PA, 2004), 96-111; 141-148. This book contains an important comprehensive history of Casino Pier (as well as Funtown Pier, which grew out of the ashes of the Freeman Carousel fire in 1955).

Menghetti, Norma B, *An Update on the Endeavor to Enhance the Dentzel-Looff Carousel at Casino Pier in Seaside Heights, NJ* (*Merry-Go-Roundup* 13.3, Fall 1986, 14-16). This article extends the more detailed account in an earlier issue of *Merry-Go-Roundup* (referred to below) of our involvement in saving this privately owned carousel from the auction block beginning in 1984. (See also *Merry-Go-Roundup* 13.4, Winter 1986, p. 6 for the renaming of the carousel)

Moreland, Floyd L., *Reflections on the Dentzel/Looff Carousel at Casino Pier in Seaside Heights, New Jersey: A Perspective in Continuity* (*Merry-Go-Roundup* 12.2, Summer 1985, 4-9). This piece lays the groundwork for



saving the Casino carousel and for the decades of fun that followed.

Moreland, Floyd L. and Black, William E, *The Restoration of the 146 Wurlitzer Organ at Casino Pier: A Story of Friendship, in the "Wurlitzer 146 Restoration"* link on [www.carousels.com](http://www.carousels.com) (2001). The photos are great, but click on the link to the original article before going through the photographic documentation.

Moreland, Floyd L., *The Carousels of Seaside Heights, NJ* (*Carousel News and Trader* 10.4 , April 1994, 43-47). Some of the old aerial photos in that article give a good impression of the physical characteristics of these early oceanfront carousels.

Papa, Carrie, *The Carousel Keepers: An Oral History of American Carousels* (McDonald & Woodward Publishing Co, Blacksburg, VA 1998), 44-47, 73-75, 127-131, and throughout. This oral history is a veritable window into the behind-the-scenes world of the American carousel. (A shortened version centered on Seaside's carousel appears in *Merry-Go-Roundup*, 17.1, 1990, 9-11)

Salvini, Emil R., *Boardwalk Memories: Tales of the Jersey Shore* (Globe Pequot Press, 2006), (87-98) and throughout. The bibliography contains access to a wealth of historical information.

Wortman, C. Byron, *The First Fifty: A Biographical History of Seaside Heights, NJ* (Seaside Heights, 1963). This hard-to find volume was written in celebration of the 50th anniversary of the incorporation of the Borough of Seaside Heights. It contains important insights into the development of the borough and its amusement industry. Based on documents as well as oral sources, it is an irreplaceable chronicle of the flow of history in the early years of the Borough of Seaside Heights.

– *Seaside Carousel History* article by Floyd L. Moreland, reprinted from *The Carousel News & Trader*, September, 2007.

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**ATTACHMENT N**  
**Scope Hearing Notices**

**Green Acres Program  
State House Commission Pre-Application  
Local Parkland—Major Disposal/diversion**

**ATTACHMENT VII: SAMPLE PUBLIC NOTICE**

Pursuant to *N.J.A.C. 7:36-26.8(c)*, all public notices for a scoping hearing are required to include the following information:

- ☒ The name of the applicant and the date, time and location of the scoping hearing;
- ☒ A description of the proposed major disposal or diversion and a statement of the purpose for which it is proposed;
- ☒ The street address (if available), municipality, County, tax map block and lot and size of the property that is the subject of the proposed major diversion or disposal; and
- ☒ A statement inviting participation in the public hearing and notifying the public that, in the alternative, written comments may be submitted to the applicant during a public comment period that will close on a date that is two weeks after the scoping hearing date. The statement shall provide an address for submittal of written comments to the local government unit or nonprofit and shall require that copies of any written comments also be sent to:

New Jersey Department of Environmental Protection  
Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, New Jersey 08625-0420

**Note:** Please review the Sign Guidance Document – available at [www.nj.gov/dep/greenacres/pdflaunch.html#legal\\_stewardship](http://www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship) for information regarding the Public Notice Sign.



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 Toms River, NJ 08754-2191

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Construction Official  
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 901 Boulevard  
 Seaside Heights, NJ 08751

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Sent To  
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NJ DEP - Green Acres Program  
 Bureau of Legal Services and Stewardship  
 Mail Code 501-01, P.O. Box 420  
 Trenton, NJ 08625-0420  
 Attention: Kevin Appelget

PS Form 3800, August 2009

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 129 Hooper Avenue  
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Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>6.48</b>



Sent To  
 Street, Apt. No.  
 or PO Box No.  
 City, State, ZIP

Borough Clerk  
 Borough of Seaside Heights  
 901 Boulevard  
 Seaside Heights, NJ 08751

PS Form 3800, August 2009

**Via Certified Mail**

April 2, 2015

NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: Kevin Appelget

**Re: Notice of Green Acres Scoping Hearing  
Expansion of Casino Pier  
Block 99.02, Lot 1  
Borough of Seaside Heights, Ocean County, NJ**

Dear Dr. Mr. Appelget:

This letter is to provide you with written notification that the Borough of Seaside Heights, located 901 Boulevard, Seaside Heights, NJ will hold a public hearing to obtain comments regarding its proposal to the NJDEP Green Acres Program, for the major disposal of Public Beach owned by the Borough of Seaside Heights. The scoping hearing will be held at 5:00 PM on May 6, 2015 at the Seaside Heights Borough Hall at 901 Boulevard, Seaside Heights. All interested parties are invited to attend and participate in the scoping hearing. In addition to oral comments presented during the hearing, written comments may be submitted to the agencies listed below. All written comments must be received within two weeks following the hearing by May 20, 2015.

The expansion of the existing Casino Pier will support multiple modern day amusements including a new Ferris wheel and roller coaster. In order to provide the significant space required for these modern amusements, it is necessary to expand the pier. Therefore, the applicant proposes disposal of a 1.36 acre portion of the Borough of Seaside Heights Public Beach to serve as area for Expansion of Casino Pier. The Borough is currently proposing to compensate the disposal of open space through providing 1:1 land replacement and through preservation and conservation of the historic Dentzel Loof Carousel.

All written comments should be submitted to the Borough of Seaside Heights with copy to the NJDEP Green Acres Program, at the following addresses:

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

**Re: Notice of Green Acres Scoping Hearing**  
**Expansion of Casino Pier**  
**Block 99.02, Lot 1**  
**Borough of Seaside Heights, Ocean County, NJ**  
Page 2

NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: Kevin Appelget

Should you have any questions, please contact me at [732-793-9100 ext. 130](tel:732-793-9100).

Very truly yours,

Christopher J. Vaz  
Acting Borough Administrator  
Borough of Seaside Heights  
901 Boulevard  
Seaside Heights, NJ 08751

**Via Certified Mail**

April 2, 2015

Borough Clerk  
Borough of Seaside Heights  
901 Boulevard  
Seaside Heights, NJ08751

**Re: Notice of Green Acres Scoping Hearing  
Expansion of Casino Pier  
Block 99.02, Lot 1  
Borough of Seaside Heights, Ocean County, NJ**

To Whom It May Concern:

This letter is to provide you with written notification that the Borough of Seaside Heights, located 901 Boulevard, Seaside Heights, NJ will hold a public hearing to obtain comments regarding its proposal to the NJDEP Green Acres Program, for the major disposal of Public Beach owned by the Borough of Seaside Heights. The scoping hearing will be held at 5:00 PM on May 6, 2015 at the Seaside Heights Borough Hall at 901 Boulevard, Seaside Heights. All interested parties are invited to attend and participate in the scoping hearing. In addition to oral comments presented during the hearing, written comments may be submitted to the agencies listed below. All written comments must be received within two weeks following the hearing by May 20, 2015.

The expansion of the existing Casino Pier will support multiple modern day amusements including a new Ferris wheel and roller coaster. In order to provide the significant space required for these modern amusements, it is necessary to expand the pier. Therefore, the applicant proposes disposal of a 1.36 acre portion of the Borough of Seaside Heights Public Beach to serve as area for Expansion of Casino Pier. The Borough is currently proposing to compensate the disposal of open space through providing 1:1 land replacement and through preservation and conservation of the historic Dentzel Loof Carousel.

All written comments should be submitted to the Borough of Seaside Heights with copy to the NJDEP Green Acres Program, at the following addresses:

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751



**Re: Notice of Green Acres Scoping Hearing**  
**Expansion of Casino Pier**  
**Block 99.02, Lot 1**  
**Borough of Seaside Heights, Ocean County, NJ**  
Page 2

NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: Kevin Appelget

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Very truly yours,

Christopher J. Vaz  
Acting Borough Administrator  
Borough of Seaside Heights  
901 Boulevard  
Seaside Heights, NJ 08751

## cover story

## Transit

Continued from Page 1A

wood, and 20 cents, or 6.7 percent, from Camden.

The Tri-State Transportation Campaign said the hike would mark the eighth time transit fares were increased since the state's gasoline tax last rose in 1988.

"The transportation funding structure in New Jersey is broken, and transit riders alone should not be responsible for fixing it," said Tri-State's executive director, Veronica Vanterpool.

Assembly Speaker Vincent Prieto said NJ Transit raised fares by a record amount in 2010, and he contended the fare hikes won't help solve New Jersey's lack of a long-term plan for funding road and rail projects. He advocates a gas-tax increase.

"I'm appalled at this terrible approach to transportation policy and astonished by the lack of regard for the working people of New Jersey," said Prieto, D-Hudson.

Concerns about the fare-hike plan appear to be bipartisan.

"If NJT wants yet another fare increase, at a minimum they should be required to demonstrate a long-term fiscal plan and forecasting model," said Assemblywoman Amy Headlin, R-Monmouth.

Commuters waiting for the train at NJ Transit's Long Branch station were unhappy with the proposal but seemed resigned to the increase.

"I don't like it, but what are you going to do? It's still cheaper than taking a car to the city. I pay \$425 a month to go to New York City. Plus I can sleep a little on the train," said Mark Northridge, a daily rail commuter from Long Branch.

"I don't like it, but what are you going to do? It's still cheaper than taking a car. It would cost me \$50 a day to take a car to the city. I pay \$425 a month to go to New York City. Plus I can sleep a little on the train."

MARK NORTHIDGE,  
DAILY RAIL COMMUTER FROM LONG BRANCH

"That's a lot for me, 9 percent. I pay \$186 for a monthly pass from Linden to Long Branch. If I had another choice I wouldn't do it, but I'm obligated to take the train," said Monmouth University student Clyde Mangrett.

The fare hikes are scheduled to be considered by NJ Transit's board on July 8.

NJ Transit will hold nine public hearings on the proposed changes between May 18 and 21, as well as an information session on Saturday, May 16, at the New Brunswick Public Library. The public hearings, which will be conducted from 5:30 p.m. to 8:30 p.m., include a session in Freehold on May 18.

Service would be discontinued on two seasonal bus lines to Great Adventure, the 307 bus from Freehold and the 318 bus from Philadelphia, which carried a combined 25,700 passengers between July 2013 and June 2014, the most recent data available. It would also be ended on the money-losing 655 bus route between Princeton and Plainsboro.

NJ Transit says the fare hikes and service cuts are needed to close a \$60 million budget shortfall.

Contributing: Dan Radel

Michael Symons: (609) 984-4336;  
msymons@gannett.com

## Immigration

Continued from Page 1A

cameras. In the 2008 campaign, it received near-unanimous support from Republicans seeking the presidential nomination.

Christie had a more nuanced view. He said cracking down on U.S. employers who ignore immigration laws is a better way to stop new arrivals. He said it is Obama's job to work with Congress to forge a workable immigration solution. He noted, too, that a winning effort would require more than a big fence, the utility for which he cast doubt.

"Walls can be gotten over. The reason people come here is to work. So if we clamp down on folks who are hiring people in this manner, once we set up a fair system that everybody is signed on to, then I think we'll really decrease" the amount of new illegal immigrants, he said.

How did Republican activists in the Granite State react to Christie's position? It was mixed. At the First in the Nation Summit for GOP presidential contenders on Friday in Nashville, audience members were pleased whenever Obama was dinged, but unenthusiastic when speakers opted for less drastic immigration measures.

For instance, during a question-and-answer portion of Christie's talk, a woman asked: "On immigration, what do you think we need to do about all - what would you do about all these illegal immigrants that we have in this country taking jobs away from Americans who need the jobs? And also what would you do about securing our borders?"

Christie's response started with, "One of the most important things you have to do is to protect the sovereignty and security of the country. If you're president of the United States, that's what you need to do."

The rest of his answer received a mostly tepid response from the crowd.

"For securing the border, I'm not somebody who's for building a wall from one end to the other. I don't think that's smart. I don't think it's efficient or effective," Christie said. "There are lots of different ways we can do it with manpower, with some fences, and with some surveillance electronic equipment. The other way to do it, by the way, is when you set up a fair system in this country that actually works."

Christie said a crackdown on employers who skirt immigration laws would cut the influx of illegal guest workers. "We don't have enough law enforcement people to round up 10 or 12 million people," he said.

The comments marked a return to when Christie aggressively courted Latino support in his 2013 gubernatorial reelection bid, when he won 51 percent of that segment's vote.

Last week, in his first comments on the amnesty lawsuit against Obama that New Jersey is now party, Christie downplayed his action by calling it a message, not a line in the sand.

"The signal I'm sending is that the president shouldn't do it by executive action and that he should work with the Congress to get something done," Christie said. "It's the only message that I'm sending on that."

Redlawsk from Rutgers said Christie could be making a shrewd play. A more moderate immigration position than his GOP rivals could help convince primary voters that Christie has a better chance in the general election, Redlawsk said.

"He knows that if he is pulled too far right, there is serious risk of being Romneyed in the general, if he gets there," Redlawsk said, making a reference to 2012 Republican nominee Mitt Romney. "Some of Romney's major problems in the general election came because he declared himself a severe conservative in order to pander to the right for the nomination."

Bob Jordan: 609-984-4343;  
bjordan@gannett.com

Public Notice  
Borough of Seaside Heights

Please take notice that the Borough of Seaside Heights, located 901 Boulevard, Seaside Heights, NJ will hold a public hearing to obtain comments regarding its proposal to the NJDEP Green Acres Program, for the major disposal of Public Beach owned by the Borough of Seaside Heights. The scoping hearing will be held at 6:00 PM on May 6, 2015 at the Seaside Heights Borough Hall at 901 Boulevard, Seaside Heights. All interested parties are invited to attend and participate in the scoping hearing. In addition to oral comments presented during the hearing, written comments may be submitted to the agencies listed below. All written comments must be received within two weeks following the hearing by May 20, 2015.

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Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: Kevin Applegate



Homeowner Thomas Widener arrives at the fire at the Blithewald, the 2015 Visiting Nurse Association Health Group Slaty Homes by-the-Sea Designer Show House.

## Mansion

Continued from Page 1A

signed to different rooms to redecorate.

A "Great Gatsby"-themed black-tie gala was set for Saturday evening. A reporter and photographer from the Asbury Park Press had visited the home to cover the fundraising event hours before the fire.

Designer Lori Hendrick, 49, said she redecorated a boy's bedroom in a nautical theme. She was working on the home when she noticed smoke around 12:30. She and other designers left the house. They went back inside to look for flames but didn't see any. Smoke alarms went off, and they left again.

Hendrick stood near the street, watching as firefighters battled the blaze. Flames flared through holes in the roof hours after the fire began. Smoke billowed out of the nearly 11,000-square-foot home.

Emergency vehicles were parked along the estate's driveway. Firefighters worked at the scene all afternoon. They climbed into windows, pulling more hoses behind them.

Property records show the home is owned by Thomas Widener, who was spotted at the scene in a navy suit, with an orange tie loosened at the collar. Nobody was injured, but the historic building was badly damaged. Large portions of the roof were hurled away.

The home sits on 4.3 acres. It has 7 bedrooms and 8 bathrooms, according to Zillow.com. It features two guest houses, a tennis court, an in-ground

pool, a lily pond, formal gardens and an orchard.

The home was completed in 1893, according to the website promoting the Slaty Homes by the Sea event. The architecture encompasses several styles: Tudor-influenced half-timbering and front cross-gable, irregular surfaces and multiple porches of the Queen Anne style.

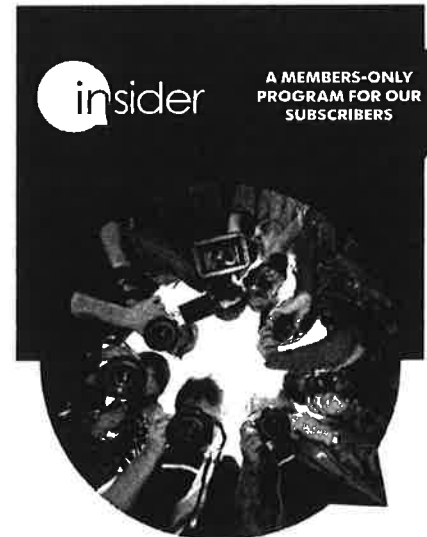
In 1889, the home was sold to Thomas McCarter, a one-time Senate majority leader and former state attorney general. The house was known locally as the "Gatsby House." McCarter's son was a friend of F. Scott Fitzgerald, who visited the home, according to the NYA website.

As part of the current redesigns, Natale Siclare designed landscaping near the entrance to the home and a kitchen terrace. He planted petunias, pansies and lantana in beds near a barbecue grill. He planted an herb garden with rosemary, parsley, sage, thyme, oregano, dill and fennel.

He found a fountain that had been buried under soil, ivy and weeds on one side of the property. He said the cararra marble piece featured two fauns — half-boy, half-goat mythological creatures — pulling on the mouth of a drunken Bacchus, the Roman god of wine and ecstasy.

Siclar moved the fountain to a spot near the front door and planted around it. "It's devastating," he said of the fire. "There are a lot of people who worked here for days, weeks. Painting and scraping. A lot of designers used their own personal items — one designer had her family's silver in her room."

Andrew Ford: 732-643-4281;  
aford3@gannett.com



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Affidavit of Publication

State of New Jersey} SS.

MONMOUTH/MIDDLESEX/OCEAN COUNTIES


Personally appeared

Pat McGinnis

of the **Home News Tribune**, a newspaper printed in Freehold, NJ and published in NEPTUNE, in said County and State, and of general circulation in said county, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue, as follows

April 4, 2015

ASBURY PARK PRESS

  
Notary Public of New Jersey

  
Sworn and subscribed before me this

14 day of

April

2015

MELANIE C. ALTZ  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 11/19/2019

## cover story



COURTESY BLUE DIAMOND CONTRACTING  
A new home in Keansburg may become the first in the state to qualify as a Fortified home, meaning the home is built to survive hurricanes and other high wind and heavy rain events.

## Hurricane

Continued from Page 1A

## Housing and Urban Development.

"These standards would not only make building occupants safer, but also may lower insurance rates," the report concluded.

The cost would be just a "few thousand" dollars above traditional construction in New Jersey because building codes here are more strict than in other states, according to Julie Rochman, president of the Insurance Institute for Business and Home Safety. The institute developed the Fortified designation telling insurance companies the home is built to survive natural disasters.

"If you can have your home built to withstand a hurricane (Category) 2 or 3 storm and not cost you anymore, why wouldn't you do it?" said Ray Miller.

## Special designation

Baird's Woodside Avenue home and a house under construction in Lake Como are jockeying to be the first post-Sandy new homes to earn recognition as a Fortified home.

After "a tropical storm or hurricane (Category) 1 or (Category) 2 you should see minimal damage," Rochman said. Protecting new and existing homes from Sandy's eventual sequel means more than just elevation, according to an affiliate of the insurance industry.

The Insurance Institute for Business and Home Safety wants to seize upon the attention being lavished upon building standards to persuade homeowners to protect not just against floodwaters but also against high winds.

"I think we're at the beginning of a very large conversation about how we build, how we repair, and how we finance catastrophes afterward," said Rochman.

Russ Zimmer: 732-557-5488,  
razimmer@app.com

## Solar

Continued from Page 1A

farm of its kind in New Jersey. Six Flags says it would provide enough electricity to meet 98 percent of the theme park's power needs.

But the "green energy" project would require the clearing of some 90 acres of forest, which the New Jersey Chapter of the Sierra Club and another group, Environment New Jersey, say would negate much of its environmental benefits.

"There's nothing 'green' about that," said Doug O'Malley, Environment New Jersey's director.

Six Flags has pledged to replant 25,000 trees over seven years, but Jeff Tittel, the Sierra Club chapter's director, says it will take 30 to 40 years before they grow into a mature forest.

Tittel says the solar farm site, off Reed Road, is home to nesting bald eagles and other endangered species. It also provides a critical buffer between the safari park and two important headwater streams for Barnegat Bay, he said.

Tittel said his club would like to help Six Flags come up with an alternative site. O'Malley said the facility could be built more responsibly over the theme park's vast parking lot, as several New Jersey universities have done.

"We actually like the idea of them going green, but you shouldn't make a tradeoff between green energy or an environmentally sensitive forest," Tittel said.

"Green energy should complement the environment, not be used to destroy

parts of the environment."

Six Flags says the 134-acre site is the only one on its property large enough to accommodate the facility. The company says it considered a parking lot-based system but determined it wasn't feasible.

A company spokeswoman, Kristin B. Siebenleicher, issued the following statement.

"We take very seriously our role as good stewards of the environment. The concerns raised by Mr. Tittel were the same concerns we had as we developed the project. All of those environmental concerns were addressed and mitigated in the final version of the plan as submitted to state and local authorities."

Jackson's planning board approved the plan on March 2. The New Jersey Board of Public Utilities also has approved the project.

The project also appears to have virtually all of the approvals it needs from the DEP.

The agency has issued a Letter of Interpretation, or impact statement, for the site of a new substation for the facility along Route 537, and is preparing a similar document for the solar farm site itself, Hajna said. The agency also has issued Flood Hazard Area and Riparian Zone verifications, and is still reviewing some ancillary permit applications for such things as road crossings and utility lines, he said.

In total, less than one-tenth of an acre of wetlands would be disturbed by the project, Hajna said. Six Flags expects the facility to be completed by the latter half of 2016.

Shannon Mullen: 732-643-4278;  
smullen@app.com

## Public Hearing Notice

Please take notice that the Borough of Seaside Heights, located at 901 Boulevard, Seaside Heights, NJ will hold a public hearing to obtain comments regarding its proposal to the NJDEP Green Acres Program, for the major disposal of Public Beach owned by the Borough of Seaside Heights. The scoping hearing will be held on at 5:00 PM on May 6, 2015 at the Seaside Heights Borough Hall at 901 Boulevard, Seaside Heights. All interested parties are invited to attend and participate in the scoping hearing, in addition to oral comments presented during the hearing, written comments may be submitted to the agencies listed below. All written comments must be received within two weeks following the hearing by May 20, 2015. The disposal is proposed to accommodate the expansion of the existing Casino Pier that will support multiple modern day amusements including a new Ferris wheel and roller coaster. In order to provide the significant space required for these modern amusements, it is necessary to expand the pier. Therefore, the applicant proposes disposal of a 1.34 acre portion of the Borough of Seaside Heights Public Beach to serve as area for Expansion of Casino Pier. The Borough is currently proposing to compensate the disposal of parkland through providing replacement open space at a 1:1 ratio as well as through preservation and conservation of the historic Dentzel Loaf Carousel as a museum that will be open to the public.

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Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: Kevin Appelgel

## Rates

Continued from Page 1A

and about 20 percent are supported by subsidies that keep rates lower.

Here are three facts about the flood insurance changes:

» **All property owners will be required to pay a surcharge.** It's \$25 for primary homeowners and \$250 for people who own vacation, or secondary homes, as well as commercial property. The money is to be used to help pay down the flood insurance program's debt. It is supposed to be eliminated when all subsidies on policies disappeared.

"The big increases are coming to the non-primary homeowners, who have vacation homes or rentals," said Michael Hill, president of the Joint Hill Agency in Berkeley. "If they are buying a vacation home for the first time, many people don't know about it."

There are 23,414 active flood insurance policies in Monmouth County, and \$2,986 in Ocean County.

» **Flood insurance rates are going to rise, especially for homeowners with subsidized policies.** The Federal Emergency Management Agency, which runs the NFIP, says annual premiums for primary homeowners should not rise more than 18 percent, and most will go up much less than that. But vacation and rental homes and commercial properties will face bigger increases — up to 25 percent, as will homes where

there has been more than one incident of flooding.

The Flood Insurance Affordability Act modifies 2012 insurance reforms requiring even steeper increases.

» **Maximum residential deductible limits are being raised from \$5,000 to \$10,000.** The higher deductible policies are expected to be up to 40 percent cheaper, but would likely have to be approved by your lender, according to insurance experts.

The flood insurance premium and rate increases are a bitter pill for many coastal homeowners, who blame the National Flood Insurance Program and the insurance companies that handle their policies for underpaying Sandy claims.

Kimberly Ely, of Brick, is one of those homeowners who is questioning why policyholders like herself are being asked to pay more in premiums for flood coverage that didn't adequately cover the flood damage to her home.

"The insurance (companies) used many tactics to not pay or lowball the payouts. Just look at the engineers' reports that were changed," Ely told the Press on Tuesday.

O'Brien, of the Insurance Council, said homeowners can lower insurance increases by elevating their homes if they can afford it.

"You won't see that big spike," O'Brien said. "But then you have to factor in the cost of mitigation. (But) it is still better to try to mitigate your risk as much as possible. You'll see savings in the end."

Jean Mikle: 732-643-4050, jmikle@app.com

## Have an opinion on the proposed flood zone maps?

The comment period for preliminary Flood Insurance Rate Maps (FIRMs) opens today or Friday, depending on the town, for Monmouth and Ocean counties. You can review the maps and file comments or appeals through FEMA's [www.Region2Coastal.com](http://www.Region2Coastal.com) website.

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## Notice of Public Hearing RE: Casino Pier Expansion Onto Part of Public Beach

April 3, 2015

Updated April 16, 2015: The hearing will commence at 6:00 PM rather than 5:00 PM.

Please take notice that the Borough of Seaside Heights, located at 901 Boulevard, Seaside Heights, NJ will hold a public hearing to obtain comments regarding its proposal to the NJDEP Green Acres Program, for the major disposal of Public Beach owned by the Borough of Seaside Heights. The scoping hearing will be held at 6:00 PM on May 6, 2015, at the Seaside Heights Borough Hall at 901 Boulevard, Seaside Heights. All interested parties are invited to attend and participate in the scoping hearing. In addition to oral comments presented during the hearing, written comments may be submitted to the agencies listed below. All written comments must be received within two weeks following the hearing by May 20, 2015.

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Seaside Heights, NJ 08751

NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attention: Kevin Appelgate

### Recent Posts

[Tax Anticipation Note Sale](#)  
April 13, 2015

[Annual Drinking Water Quality Report Now Available](#)  
April 12, 2015

[Notice of Public Hearing RE: Casino Pier Expansion Onto Part of Public Beach](#)  
April 3, 2015

[Parking Meter Information](#)  
March 30, 2015

[Gas Disconnection Advice](#)  
March 26, 2015

[Mayor Akers' Statement in Response to Police Officer's Facebook Post](#)  
March 4, 2015

### Archive

[April 2015 \(3\)](#)

[March 2015 \(3\)](#)

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Affidavit of Publication

State of New Jersey} SS.  
MONMOUTH/MIDDLESEX/OCEAN COUNTIES

Personally appeared

Pat McGinnis

of the **Asbury Park Press**, a newspaper printed in Freehold, NJ and published in NEPTUNE, in said County and State, and of general circulation in said county, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper

1

times, once in each issue, as follows

April 21, 2015

ASBURY PARK PRESS

A.D. 2015

Sworn and subscribed before me this

22 day of

April

A.D., 2015

Notary Public of New Jersey

MELANIE C. ALTZ  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 11/19/2019

# PUBLIC SCOPING HEARING NOTICE

TAKE NOTICE that the **Borough of Seaside Heights** has contacted the New Jersey Department of Environmental Protection, Green Acres Program, proposing to **dispose 1.36 acres** of Seaside Heights Public Beach at **Block 99.02, Lot 1** in connection with the expansion and reconstruction of Casino Pier.

## AND CHANGE OF USE HEARING

Pursuant to N.J.A.C. 7:36-26.8(a) a scoping hearing to obtain public comment on this request will be held  
**Borough Hall on May 6, 2015 at 6 PM**

All interested parties are invited to attend and participate in the scoping hearing.

Written comments on the Casino Pier Diversion request may be directed to Borough of Seaside Heights Administrator at 901 Boulevard Seaside Heights, NJ 08751 or by phone at (732) 793-9100

Please send a copy of any comments submitted on this request to the New Jersey Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship, Mail Code 501-01, 501 East State St., P.O. Box 420, Trenton, NJ 08625-0420.

Casino Pier Disposal request will be accepted during the scoping hearing on May 20, 2015.

---

**ATTACHMENT O**  
**Scope Hearing Comment Letters**



## CASINO PIER SCOPING HEARING SUMMARY OF PUBLIC COMMENTS

CATEGORY	COMMENT LETTER RECEIVED		RESPONSE
<b>Support Project as Presented</b>	Nicholas Mariano Michael S. Paige Barbara Fahs Charles The Salmon Family Jeffrey Lotz Jeff Bowden John Fankowski Ramesh Kania Paul Merk Cynthia Shanker Art Gillan Michael Loundy Tom Partyka Ramone and Monica Zarate Gerald Rotanda John Anzano Paul Jeffrey, Orderly Beach-	Judy Appleby Steve Kalamita Joseph Gorga John N. Hale Seaside Realty Vince Ludwig Michael Mergott Bea Meseroll Raymond and Patricia Nebus Judy Stefanik Greg and Sue Velott Raj Jariwala Guarang Jariwala Hemlata Jariwala Sam Jariwala Vishal and Neha Jariwala Homeowners Association	Noted.
<b>Impacts to Army Corp Dune Project</b>	Janice Tully		See Section V of Attachment C, Alternative Analysis and SDRP Compliance.
<b>Prefer that Pier be Located South of Existing Pier</b>	E. Scott Ruerup Terri Bissell	Edward and Joann Hanlon	See Section II of Attachment C, Alternative Analysis and SDRP Compliance.
<b>Against Land Swap</b>	Billy Wafford Arthur Fiero	Richard A. Rose	See Attachment M, Valuation of Historic Carousel and Attachment T, Disposal Parcel Appraisal. Taxes will be paid on the exchange parcel and its improvements.
<b>Oppose Use of Beach</b>	Susan and Paul Robertson Eugene Oufiero Frank Miletto Charlene and Peter Polomski The Hillway Family John and Eileen Alexander Dolores and John Alexander Paul and Christin Jackson Ann and Frank Leone/Carlotta Manzi/Victori Bartolucci Stephen Melvin via OPRA Request from James Curry	Donna Barone Ron Funari Gloria and Robert Spellman Stephen and Nancy Decarlo Bruno Stillo Wayne Duzszak Karen Kenelly Ann Morgante	See Attachment C, Alternative Analysis and SDRP Compliance.

# National Carousel Association



*Dedicated to the Preservation of the Classic Carousel*

*www.carousels.org*

*Barbara Jahs Charles, Founder*

*731 8th St. SE, Suite 302*

*Washington DC 20003-2802*

---

6 May 2015

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0420  
Attn: Kevin Appelget

RE: Casino Pier Expansion onto Part of Public Beach

I am writing on behalf of the National Carousel Association (NCA), of which I am one of the founders. The NCA was established in 1973, as stated in our by-laws, "to promote conservation, appreciation, knowledge, and enjoyment of the art of the classic wooden carousel and especially the preservation of complete wooden carousels." I am writing in support of the proposed land exchange and the acquisition of the Dr. Floyd Moreland Carousel by the Borough of Seaside Heights. I can't knowledgeably write about land values in Seaside Heights, but I do have the expertise to write about the values—community, historic, cultural—that this carousel has given to residents and visitors to Seaside Heights for the past 80 plus years and will continue to give for generations to come.

Forty-two years ago, I created the first photographic survey and census of America's carousels. At that time (1971), most of the carousels were commercially owned and operated. I saw eleven carousels in one day as I drove up the Jersey coastline. Of those eleven, only the Dr. Floyd L. Moreland Carousel survives. New Jersey and the country lost many carousels in the 1970s and early 1980s as parks closed or amusement zones wanted to put in more profitable rides. But there were also communities that rallied and saved their carousels and

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Email: [bcharles@staplesandcharles.com](mailto:bcharles@staplesandcharles.com)

Mobile: 202.460.9050

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for these communities, the carousel has become a cherished feature of the townscape—a place to gather, to hold special events, to share with each other. Because of such values, other communities have purchased a historic carousel and built a home for it in a park or near a library. And more recently, communities have commissioned a new carousel or carved their own. There is something about a carousel that gives universal joy. It is pure fun that can be shared and enjoyed by all generations. It's quite magical. For adults, it can take one back to childhood memories; for children, it can let the imagination soar as one gallops along on a beautiful steed.

For the Jersey shore historically, riding a carousel was as much a part of the pleasure of going to the beach as sunbathing or splashing in the waves. That tradition has been continuous in Seaside Heights for 100 years, ever since the first carousel was installed on the boardwalk in 1915. The Dr. Floyd L. Moreland Carousel is an important part of the history of this community. This proposed exchange is an opportunity for Seaside Heights to assure that this wonderful wooden ride and its lyric band organ continue to delight and provide a unique form of recreation well into the future.

Most sincerely yours,

A cursive handwritten signature that reads "Barbara Fahs Charles".

Barbara Fahs Charles

Note: For reference, the attached letter, sent to the Mayor and Council of Seaside Heights eight months ago, provides detailed information about the carousel and band organ. Shortly after the Council voted to move forward with this potential exchange, the Board of the National Carousel Association approved a grant to the Borough of Seaside Heights to provide mechanical assessment and drawings so that once the exchange is approved, the planning can properly proceed for moving the carousels and designing its new home.

Email: [bcharles@staplesandcharles.com](mailto:bcharles@staplesandcharles.com)

Mobile: 202.460.9050

To: Boss of Seaside Heights

From: Betty Saloom  
114-23<sup>RD</sup> Ave  
Seaside Park, N.J. 08752

DATE: May 10, 2015

RE: LAND SWAP / CAROUSEL

I attended the meeting on May 6<sup>th</sup> at the Council chambers on the proposed land swap with the Storino family. I am a 77 year old who has come to Seaside Heights since the age of 3. As a child I was on the boardwalk when the 2<sup>nd</sup> WW was at its height. I remember the service men who flocked there for lack of a better place to go. I remember the two movie theaters and the vibrant Main Street - but most of all I remember the Carousel. So much for history!!!

I and many others feel Seaside Heights needs a "shot in the arm" to survive. The pier expansion proposal will do that - the Museum will also give visitors another new attraction.



Seaside Heights is located in the center of the state - easy access from North, south and west. That's why we have to save the "ICON" the boardwalk and the beach.

The gentlemen who proposed "Townhouses" as Condos - I guess hasn't seen the balconies here as well as elsewhere. Condos & Townhouses have been overbuilt. There have been auctions after auction on existing housing here as well as along the entire shore. People are not going to pay 400,000 to 500,000 for Condos. This may have been true 10 years ago - but not with today's economy and that of the foreseeable future.

The Storino family has always done "right" for the people coming to Seaside Heights. It has always been kept clean and pretty much "trouble free".

I hope the N.J. Dept of Env. Protection will approve the pier's expansion and help Seaside Heights regain the fame and glory it has had for

decades.

The critics at the meeting who feel there will be too much beach loss do not realize how much beach will still be available to the public. If the boardwalk is allowed to "die" so will ~~the~~ the beach in Seaside Heights. The two, (beach + boardwalk) work in harmony. Visitors will find other areas to swim if the boardwalk goes "South"

Well - these are my comments. I had to leave the meeting before it was over due to another commitment that's why I did not speak. I now have put in writing what I would have said at the May 6<sup>th</sup> meeting.

Thank You  
Betty Saloom  
for the Saloom Family

CC: Dept of Env. Protection

## LAND SWAP

My feeling on giving up beach frontage is a fear of over crowding on the beaches. These beaches need to be protected from further development. The beaches are for everyone to enjoy from New Jersey and the rest of the country. We only have very limited beach frontage and we can never get it back.

We already have a problem with private ownership on our beaches. The logical choice would be for Casino Pier to expand to the south. The owners of the lot next door are not willing to talk Casino Pier or the borough. Look to the south end of the boardwalk and private ownership is not working together their either. Every time we give up a piece of our beach we lose more control of our future. The beach is our best asset we should not give it away. Since Sandy we have a chance to redevelop our town but to my knowledge no comprehensive plan exists. I hear things like the lot to the south of Casino Pier might build a stand or somebody might want to do senior housing or somebody might want to do this or that. What I do not hear is a vision of what we want our town to look like. We need to hire a professional urban planner and here is how we pay for it. If it turns out the plans for Casino Pier are approved this is my idea which involves no land swap. We lease the beach to Casino Pier and they keep the open lot. In exchange they must build a two story building housing an aquarium and the carousel. This way they do what they are good at and we do what we are good at. In addition anyone submitting plans for a major development must pay a minimum fee of at least \$25,000 and going higher depending on the size of the development. This money goes into an account to pay for a professional planner to develop a vision for SSH. We need a comprehensive plan if we are going to make SSH a better place. If we just allow a hodgepodge of projects then our town stays the same and does not improve. We must resist the temptation of a quick fix and think long term. Look at Long Branch to see how a well thought plan can work. Long Branch completely reinvented their town. With proper planning we can have similar results here. First and foremost we need to come up with a vision of what we want SSH to be.

Ron Funari  
51 Kearney Ave

Seaside Heights NJ

215-208-3130

Jeffrey J. Jotz  
1218 Farrell Ter.  
Rahway, NJ 07065  
[jjotz@yahoo.com](mailto:jjotz@yahoo.com)  
(201) 232-0851 (cell)

May 11, 2015

Borough of Seaside Heights  
Attn: Christopher J. Vaz, Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751  
Via e-mail

NJ Department of Environmental Protection  
Green Acres Program, Bureau of Legal Services and  
Stewardship  
Attention: Kevin Appelgate  
501 East State Street, 1st Floor  
Mail Code 501-01  
P.O. Box 420  
Trenton, NJ 08625-0420

**Re: NJDEP public comment on planned widening of Casino Pier**

Gentlemen:

I read an article in the May 7, 2015 edition of the *Asbury Park Press* detailing the possible expansion of Casino Pier in Seaside Heights.

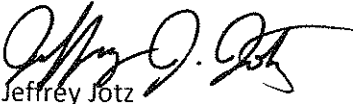
My family has resided in nearby Seaside Park since the 1930s, either as full or part-time residents. My 12 year-old son is the fourth generation of my family to spend his summer vacation in Seaside Park and Seaside Heights. I have been participating in the SHBP's Boyd Memorial swim around the Casino Pier since 1995.

The 2012 Hurricane Sandy and subsequent boardwalk fire in 2013 have substantially reduced the opportunities for my family and friends to enjoy the boardwalk and nearby businesses in Seaside Heights. The reduced size of Casino Pier has been extremely disappointing to my son and his three cousins, who feel that there are not enough rides to justify their time and (their parents') expense, especially when shore communities like Pt. Pleasant Beach and Wildwood offer a greater variety of amusements.

In addition, since the planned expansion of Casino Pier would utilize existing beachfront property north of the pier that does not see as much use as the crowded beach to the pier's south, it does not appear to negatively impact the Borough's use of the beach, nor would it seriously impair the intertidal ecosystem and resiliency to storms; in fact, a wider pier that does not jut out into the ocean may be able to resist a Sandy-type storm in the future better than in the past.

I hope that the Borough and DEP can reach a plan that promotes Seaside Heights's growth as a premier oceanfront resort and our natural environment as sea levels rise and new challenges threaten our shorelines.

Sincerely,

  
Jeffrey Jotz



May 11, 2015

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

My husband and I have owned a condo in Seaside Heights for 35 years. Presently, we own in the Oceanview Condos where we spend all summer and then many weekends throughout the year. On May 6, 2015 we attended the town meeting and heard all these motel owners (who don't even live in Seaside Heights) want the carousel beach swap to go through.

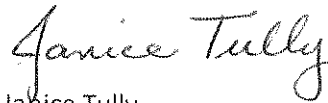
I think there are enough rides on the boardwalk for the older crowd. My friends who have grandchildren ages 5 to 12 complain that there are not enough rides for that age group.

Perhaps if south of the ride pier there were rides for that elementary age group, newspapers like the Star Ledger would maybe print nice things about Seaside Heights stressing that it is really becoming a family oriented town.

This "Tower of Fear," or whatever it is called, is very noisy and ridiculously located. I don't think we need any more noise brought onto our boardwalk – including a big roller coaster. Taking away my beach for a ride pier is not a win-win situation like the motel owners kept chanting.

As far as the carousel goes, I would rather have the town sell it. Although nowhere as nearly nice to our magnificent carousel, there are many Merry-Go-Rounds all over. None of my friends and relatives cares about it either, and they are not interested in seeing it in a museum. That would be a very expensive proposition for Seaside Heights. Keep that ocean-front parking lot alone until something more profitable than a vintage carousel museum comes along.

So please save our beach and keep the parking lot. Again, I say **NO** to the carousel-beach swap.



Janice Tully  
18 Sheridan Ave., Unit 2  
Seaside Heights, NJ 08889

Cc: NJ Dept of Environmental Protection Green Acres Program, Bureau of legal Services and Stewardship  
– Attention Kevin Appelgate

May 15, 2015

To whom it may concern,

As property owners of a summer home at 40 Hancock Ave, we feel that maintaining our current beaches would be more beneficial than expanding the pier. During the peak season, the beaches are frequently over crowded, so rather than increasing tourism we would be losing valuable space to accommodate our beach patrons. Our focus on getting the property on the south side of the pier resolved would be a better use of the township's resources. It is an eyesore and detracts from the natural beauty of Seaside Heights. It should be addressed before adding anything else to the town.

Regards,

Moria J. Spellman  
Robert A. Spellman  
Patricia Sanchez

Stephen and Nancy DiCarlo  
93 Walbrooke Ave.  
Staten Island, NY  
10301

N.J. Dept of Env. Protection / Green Acres  
Bur. of Legal Service  
501 East State St  
PO Box 420  
Trenton, NJ 08625-0420

5/16/15

Dear Mr. Kevin Applegate,

We purchased our vacation home at 202 Webster Ave, Seaside Heights, NJ, in 2008. We have been shocked and dismayed how the Town Administration and the Business Owners show little to no regard for the quality of life for we home owners.

We are totally opposed to the land swap deal with Casino Pier. Our Beaches are all we have left.... We must not give it away. --

Thank you,  
Stephen DiCarlo  
Nancy DiCarlo

# National Carousel Association



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*Barbara Fahs Charles, Founder*

*731 8th St. SE, Suite 302*

*Washington DC 20003-2802*

---

7 September 2014

Mayor William Akers and the Borough Council  
Borough of Seaside Heights  
901 Boulevard  
Seaside Heights, NJ 08751

Dear Mayor Akers and Members of the Borough Council,

I am writing on behalf of the National Carousel Association (NCA), of which I am one of the founders. The NCA was established in 1973, as stated in our by-laws, "to promote conservation, appreciation, knowledge, and enjoyment of the art of the classic wooden carousel and especially the preservation of complete wooden carousels." Prior to the founding of the NCA, I created the first photographic survey and census of America's carousels. At that time (1971), I saw eleven carousels as I drove up the Jersey coastline. Of those eleven, only the Dr. Floyd L. Moreland Carousel survives. When we published the initial NCA census (1974), fifteen carousels were listed in New Jersey. Today there are four.

The Dr. Floyd L. Moreland Carousel is special and unique for a number of reasons. It is a large 4-abreast carousel with fifty-eight figures—mostly horses, both jumping and stationary, plus a lion, a tiger, two camels, and a mule. While the early history is unclear, we believe that it started as a 3-abreast machine and by 1917 was operating at Island Park in the Delaware River near Burlington, NJ. After a fire in the park in 1928, it was re-configured as a larger 4-abreast machine. The majority of the figures were made by Dentzel or Loeff, the founders of the American carousel industry. Gustav A. Dentzel opened his factory in the Germantown section of Philadelphia in 1867. Over the next decades, the craftsmen of Philadelphia would manufacture hundreds of elegant carousels that populated the mid-Atlantic and Southeast regions of the country. Charles I. D. Loeff of Brooklyn carved the first carousel to be identified at Coney Island (1875). Coney Island became the second major manufacturing center with a number of carving shops that created flashy, jeweled figures. Coney Island carousels were celebrated at popular amusement destinations from New York to New Haven. As the resort and beach communities developed in New Jersey, the carousel makers from both Philadelphia and Brooklyn competed to place their machines in lucrative locations.

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Mobile: 202.460.9050



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*Washington DC 20003-2802*

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We might think of this carousel as a virtual museum of the American carousel—but a museum that if cared for properly, one can ride and enjoy again and again for years to come.

The Dr. Floyd L. Moreland Carousel is also special because it retains its Wurlitzer 146A band organ. In an age when many carousels have converted to digital sound tracks, this carousel spins to the unmistakable and joyous sound of a real band organ.

And finally, the Dr. Floyd L. Moreland Carousel is unique because of how it has survived in Seaside Heights and can flourish with community support in the future. This carousel has been enjoyed by residents and visitors for eighty-two years—the longest of the surviving New Jersey carousels. Thirty years ago, it was in danger of being sold. At that point, Dr. Floyd L. Moreland, who had operated the carousel to pay for college and graduate school, asked Kenneth Wynne, then owner, for permission to manage the carousel and to repaint it, with the goal of increasing ridership. Moreland's gamble worked and for all the love and care he gave to this machine, it was named in his honor. I like to think of it as the only carousel in the world with a Ph.D.

The NCA salutes the Borough of Seaside Heights for its efforts to acquire and preserve the Dr. Floyd L. Moreland Carousel, and to give it a new home so that future generations will be able to ride it and cherish it, as generations before us have. I am personally committed to help in any way that is useful. And, the NCA looks forward to providing expertise, enthusiasm, even small grants, when needed at critical junctures, as this project progresses. This is exactly why the NCA exists.

Most sincerely yours,

Barbara Fahs Charles

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Email: [bcharles@staplesandcharles.com](mailto:bcharles@staplesandcharles.com)

Mobile: 202.460.9050

**JAMES J. CURRY, JR., LL.M.**

**Attorney At Law**

505 MAIN STREET

P.O. BOX 1225

TOMS RIVER, NJ 08754

(732) 240-4200

FAX (732) 349-2674

E-MAIL: [JJCLEX@COMCAST.NET](mailto:JJCLEX@COMCAST.NET)

[WWW.CURRYLAWFIRM.NET](http://WWW.CURRYLAWFIRM.NET)

JAMES J. CURRY, JR., LL.M.

MEMBER NJ & NY BARS

CERTIFIED BY THE SUPREME COURT

OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY

TIMOTHY J. PETRIN

MEMBER NJ BAR

Of Counsel:

Martin Weiser, Esq.

Weiser & Assoc.

150 E. 58<sup>th</sup> Street, 27<sup>th</sup> Floor

212-213-3111

New York, NY 10155

REPLY TO: TOMS RIVER

Our File

May 15, 2015

**FEDERAL EXPRESS**

New Jersey Department of Environmental Protection

Green Acres Program

Bureau of Legal Services & Stewardship

501 E. State Street, 1<sup>st</sup> Floor

Mail Code 501-01, P.O. Box 420

Trenton, NJ 08625-0426

Attn: Kevin Applegate

RE: FOIA Request

Dear Mr. Applegate:

Kindly be advised that the undersigned does hereby request that, under the New Jersey Open Public Meetings Records Act, N.J.S.A. 47:1A-1 et seq., I am requesting a copy of any and all public records with regard to the Casino Pier expansion onto part of public beach as set forth on the website of the Borough of Seaside Heights dated April 3, 2015.

This request is for any and all documentation, including:

1. All electronically stored information to and from all interested parties.
2. All correspondence unless otherwise provided.
3. All appraisals that will justify an exchange under N.J.S.A. 40A:12-16 including appraisals both for the municipal property and the property owned by Casino Pier. You are to include any appraisals of the carousel that is the basis for any contention that this is a like exchange as far as value for the public lands being exchanged.
4. All opinion letters from legal counsel with regard to the validity of the exchange under

5. A description of the scoping and change of use hearing request and documentation generated either by the Borough of Seaside Heights, third parties, or the New Jersey Department of Environmental Protection, Green Acres Program, or any other New Jersey entities.

6. Any and all communications with the County of Ocean with regard to this exchange.

7. Any and all communications with any other New Jersey or any New Jersey governmental unit with regard to the exchange.

8. Any and all communications with any federal entity with regard to the exchange.

9. All title searches with regard to the subject properties.

10. All surveys.

11. Any and all grants previously awarded by the State of New Jersey for beach improvement or replenishment.

12. In the event that there are title maps, please produce copies or have them available for inspection.

13. In the event that the State has accepted funds for beach replenishment projects, beach improvement projects, either from the United States Army Corps of Engineers, FEMA or any other federal agency in which there were conditions or restrictions with regard to the use of the property that benefited from any federal funding, please produce copies of all agreements between the Borough of Seaside Heights, County of Ocean, or the State of New Jersey and the federal government with regard to restrictions on the use of any such public property as a result of accepting federal funds.

14. Any and all documentation from any governmental agency, be it federal, state or county, having jurisdiction with regard to the exchange.

If there are any fees for searching or copying these records, please inform me if they would exceed \$300.00.

In the event that the documents that I am requesting to review are oversized, I would request the opportunity to review them at Borough Hall.

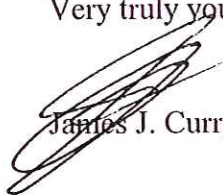
Please be advised that your response shall be within seven business days of your receipt of this request. In the event that access to the records I am requesting will take longer than seven days, please contact me as to when I might expect copies or the ability to inspect or review the records.

In the event that you deny any or all portions of this request, and are claiming privilege, please set forth a privilege log, indicating:

- A. The identity of the document.
- B. By whom generated.
- C. In general terms, what the document describes.
- D. Its current location.
- E. The basis of any such privilege.

In the event that you have any questions with regard to the scope of this inquiry, which is to be interpreted in the broadest possible fashion, please contact the undersigned.

Very truly yours,



James J. Curry, Jr.

JJC/tv

CC: Mr. Stephen Melvin  
Borough of Seaside Heights, Office of Borough Administrator  
George Gilmore, Esquire, Borough Attorney



### ACKNOWLEDGEMENT

The undersigned does hereby acknowledge receipt, via Federal Express, requested, of a letter dated May 14, 2015, under a Freedom of Information request (FOIA) of James J. Curry, Jr., Esquire with regard to the Casino Pier expansion.

Dated: May \_\_, 2015

\_\_\_\_\_  
Signature  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**JAMES J. CURRY, JR., LL.M.**

**Attorney At Law**

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Of Counsel:  
Martin Weiser, Esq.  
Weiser & Assoc.  
150 E. 58<sup>th</sup> Street, 27<sup>th</sup> Floor  
212-213-3111  
New York, NY 10155

REPLY TO: TOMS RIVER

Our File

May 15, 2015

**FEDERAL EXPRESS**

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

RE: FOIA Request – Casino Pier Expansion Ordinance

Dear Sir or Madam:

Kindly be advised that the undersigned does hereby request that, under the New Jersey Open Public Meetings Records Act, N.J.S.A. 47:1A-1 et seq., I am requesting a copy of any and all public records with regard to the Casino Pier expansion onto part of public beach as set forth on the website of the Borough of Seaside Heights dated April 3, 2015.

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1. All electronically stored information from all interested parties.
2. All correspondence unless otherwise provided.
3. All appraisals that will justify an exchange under N.J.S.A. 40A:12-16 including appraisals both for the municipal property and the property owned by Casino Pier. You are to include any appraisals of the carousel that is the basis for any contention that this is a like exchange as far as value for the public lands being exchanged.
4. All opinion letters from legal counsel with regard to the validity of the exchange under N.J.S.A. 40A:12-16.
5. A description of the scoping and change of use hearing request and documentation generated either by the Borough of Seaside Heights, third parties, or the New Jersey Department of Environmental

Protection, Green Acres Program, or any other New Jersey entities.

6. Any and all communications with the County of Ocean with regard to this exchange.
7. Any and all communications with any state entity with regard to the exchange.
8. Any and all communications with any federal entity with regard to the exchange.
9. Any photographs of the property subject to the exchange.
10. All traffic studies, traffic analysis or impact statements generated for or on behalf of the Borough of Seaside Heights or the owners of Casino Pier.
11. Copies of any and all deeds transferring title and ownership to the Borough of Seaside Heights to the public beach which is the subject of the proposed exchange. You are to specifically set forth any deed restrictions or limitations on any transfer or reversionary clauses.
12. All title searches with regard to the subject properties.
13. All surveys.
14. All grants.
15. In the event that there are title maps, please produce copies or have them available for inspection.
16. In the event that the State has accepted funds for beach replenishment projects, beach improvement projects, either from the United States Army Corps of Engineers, FEMA or any other federal agency in which there were conditions or restrictions with regard to the use of the property that benefited from any federal funding, please produce copies of all agreements between the municipality and the federal government with regard to restrictions on the use of any such public property as a result of accepting federal funds.
17. Any and all documentation from any governmental agency, be it federal, state or county, having jurisdiction with regard to the exchange.

#### **Monte Tilas Negotiations**

In the event that the Borough has received has received any documentation with regard to negotiations between representatives of Casino Pier and Monte Tilas, who is the owner of property immediately south of the Casino Pier, you are to please produce:

18. Copies of all correspondence, memorandums or writings in the possession of the Borough with regard to this negotiations.
19. Any and all offers or demands with regard to the purchase of all or a portion of the riparian



rights or beach property rights owned by Monte Tilas directly south of the Casino Pier.

If there are any fees for searching or copying these records, please inform me if they would exceed \$300.00.

In the event that the documents that I am requesting to review are oversized, I would request the opportunity to review them at Borough Hall.

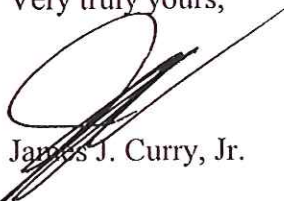
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- A. The identity of the document.
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- C. In general terms, what the document describes.
- D. Its current location.
- E. The basis of any such privilege.

In the event that you have any questions with regard to the scope of this inquiry, which is to be interpreted in the broadest possible fashion, please contact the undersigned.

Very truly yours,



James J. Curry, Jr.

JJC/tv

CC: Stephen Melvin  
George Gilmore, Esq., Borough Attorney  
Kevin Applegate, NJ D.E.P. Green Acres Program



### ACKNOWLEDGEMENT

The undersigned does hereby acknowledge receipt, via Federal Express, requested, of a letter dated May 15, 2015, under a Freedom of Information request (FOIA) of James J. Curry, Jr., Esquire with regard to the Casino Pier expansion.

Dated: May \_\_, 2015

\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Paul & Christine Jackson  
36 Henry Street – Little Ferry, NJ 07643  
18 Sheridan Avenue, Unit 1 – Seaside Heights, NJ 08751

May 17, 2015

NEW JERSEY DEPT. OF ENVIRONMENTAL PROTECTION  
Green Acres Program  
Bureau of Legal Services and Stewardship  
Attn: Kevin Appelgate  
501 East State Street, 1<sup>st</sup> Floor  
Mail Code 501-01  
P.O. Box 420  
Trenton, NJ 08625-0420

RE: Proposed Borough Land Swap Deal of Public Beach with the Casino Pier  
Our Second Home at 18 Sheridan Avenue, Unit 1, Seaside Heights, NJ

Dear Mr. Appelgate:

My husband Paul and I purchased our summer residence in Seaside Heights (at 18 Sheridan Avenue) in June 2007 because of the beautiful beaches in town and its proximity to the Sheridan Avenue beach that is directly across the street from our beach home.

We do not agree with the proposed public beach/ land swap deal in Seaside Heights, and we never will.

As Seaside Heights property owners and taxpayers in town, we are two of the many guardians of the Seaside Heights beaches. They are the crown jewels of the town, and to give them away for commercial development is criminal and should never be approved.

We do understand the need to regain tourism to the town, but the town of Seaside Heights will not accomplish that goal by giving away prime beach property for development.

Please hear our voices on this, the beaches are the reason we bought property in Seaside Heights.

Sincerely,

The block contains two handwritten signatures in black ink. The signature on the left is 'Paul E. Jackson' and the signature on the right is 'Christine Jackson'. Both are written in a cursive, flowing style.

Paul & Christine Jackson  
18 Sheridan Avenue, Unit 1  
Seaside Heights, NJ 08751

# Bruno M. Stillo

126 Porter Ave, Seaside Heights, NJ 08751

917-698-5998

May 17, 2015

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

Copy to:  
NJ DEP Green Acres Program  
Bureau of Legal Services & Stewardship  
Attn: Kevin Applegate  
501 East State St-1st Floor  
Mail Code 501-01  
PO Box 420  
Trenton, NJ 08625-0420

## Re: Proposed Land Swap Deal

I am writing to express opposition to the Land Swap deal which would exchange 200 feet of frontage for oceanfront parking lot.

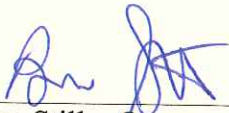
I am a homeowner, and year-round round resident of Seaside Heights, and in the past 10 years I have seen the town deteriorate. Each summer, there are broken beer bottles in front of my property, and at least one person urinating in my driveway. We do not need any more amusement parks on the boardwalk which seem to invite primarily the adolescent crowd. If the Casino Pier wants to expand, they are welcome to do so, but not by "trading up" for 200 feet of public beachfront property.

This beachfront belongs to the public, and future generations of New Jersey children. If the land swap causes tourism to increase (it is not a sure thing), it will inure to the direct benefit of an individual enterprise, and very indirectly some benefit MAY trickle down to the town. The land swap deal is a great deal for the Casino Pier owner, at the expense of the Seaside Heights residents.

I STRONGLY OPPOSE the land swap deal.

Thank you.

Sincerely yours,



Bruno Stillo, Owner



Margaret Smith, Resident

May 18, 2015

Good morning. I have been a business owner in Seaside Heights since 1999. I have enjoyed the amusements in Seaside Heights at the Jersey Shore since I was a child in the 1960s. History has shown that fierce storms can often strike the Jersey shore. A few notable ones were the March 62 storm, Blizzard of 1979, Halloween storm of 1991, December Superstorm of 1992, Blizzard of 1996, Hurricane Sandy of 2012. We saw in Sandy how 1 night of horror leads to 5 years of rebuilding and frankly reorganization. The Casino Pier property exchange is one such endeavor. Building the pier north instead of east will not only provide cost savings but add additional protection to neighboring homes west of the construction. It will also provide an historical museum location to house the Carousel which had previously been promoted to be dismantled and sold at auction to the highest bidder. The benefits of this property exchange for Seaside Heights, include but are not limited to:

1. Expanding the tax base with new amusement construction to help property owners maintain current tax burdens and increase valuation on existing properties.
2. Revitalization a community hard hit by Hurricane Sandy and the Fire of 2013 to bring return visitors back to Seaside Heights.
3. Preserving the carousel which represents a piece of the History of NJ and allowing it to stay where it belongs.
4. The Army Corps of Engineers to expand the beaches with sand replenishment further protection the vital resources of the community.
5. Expanding the infrastructure of Seaside Heights to once again return it to a main tourism destination for the Jersey Shore.

My family owns the following property in Seaside Heights:

1201 Ocean Terrace, Seaside Heights, NJ 08751  
14 Fremont Avenue, Seaside Heights, NJ 08751  
16-20 Hancock Avenue, Seaside heights, NJ 08751  
50 Sheridan Avenue, Seaside Heights, NJ 08751  
38 Sumner Avenue, Seaside Heights, NJ 08751

We are concerned that if the pier expansion does not occur, Seaside Heights may never fully recover from the hardship it has endured over the last 3 years. Let us not make the mistake of a lifetime in not allowing this project to happen.

Sincerely,

Jeff Bowden  
732-691-2797



Subj: **PROJECT**  
Date: 5/18/2015 11:51:00 A.M. Eastern Daylight Time  
From: [jfrankowski@brickschools.org](mailto:jfrankowski@brickschools.org)  
To: [SaveSHNJ@aol.com](mailto:SaveSHNJ@aol.com)

I John Frankowski owner of 140 Hancock avenue and 28 Fremont Avenue agree with the project and look forward to the improvement of the broad walk.

Thank You,

John Frankowski

Subj: **Pier one casino project**  
Date: 5/18/2015 9:48:38 A.M. Eastern Daylight Time  
From: [rameshkania@yahoo.com](mailto:rameshkania@yahoo.com)  
To: [SaveSHNJ@aol.com](mailto:SaveSHNJ@aol.com)

Dear Sir

I have property at 17-27 Kearny ave  
In Seaside Heights NJ

I must say that township and owners  
Of Casino pier have very bold and  
Prudent deal for benefit of not only  
Local community but for people of  
Tri state area will benefit from this  
Development You are taking a step  
In right direction for that an efficient  
Borough and visionary developers  
Earns our respect

We have all natural resources to be  
A tourism destination which has not  
Been fully utilized

Hope this action will trigger more  
Positive development so that people  
From tri state will come to us on  
Driving distance rather than flying  
Some other places

With regards  
Ramesh Kania MD

Sent from my iPhone=

5/18/2015

Paul Merk, Resident  
and President of D&P  
Rentals, PDM Rentals,  
The Merk DBA The  
Shore Store and Corner  
Seaside Heights

1209 Ocean Terrace

Seaside Heights, NJ

08751

Seaside Heights Voters and Tax Payers Association  
New Jersey Department of Environmental Protection  
Green Acres Program  
Borough of Seaside


To whom it may concern,

Upon review of the information that I have received Please include me in the support for the  
Land swap and expanding of the Casino pier.

As with many businesses, our rental and retail business has dropped off drastically since Sandy  
and I know that the tourist trade is in desperate need of revitalization.

Having major investments in the community aside from rental property at 42 Sampson Ave., 41  
Sumner Ave. and 227 Fremont Ave, we also have retail locations at 1209 Boardwalk and a shop  
at 709 Boardwalk. We desperately need more tourism to increase retail business as well as  
short term rentals which in turn will shore up languishing property values.

The willingness to privately invest \$40 million will no doubt increase the desirability of Seaside  
as a premiere tourist destination. I can only see it as an increase in the taxable base, more profit  
for business owners, property owners and the Town as well.



Sincerely,

Paul A. Merk



5/18/15

To Whom It May Concern:

I support the preservation of the historical carousel by the swapping of the land at the northern end of the boardwalk to add to the amusement pier and the creation of a museum at the present location of the carousel. I believe that this will new bring life and vacationers back to our summer resort and help restore it to the glory and sparkle of years past.

Cynthia A. Shanker  
320 Sunset Drive South  
Pelican Island, NJ 08751  
[Cynthiashanker@icloud.com](mailto:Cynthiashanker@icloud.com)

Sent from my iPad=

Subj: **For the expansion**  
Date: 5/18/2015 10:50:34 A.M. Eastern Daylight Time  
From: [stoligirl2@verizon.net](mailto:stoligirl2@verizon.net)  
To: [SaveSHNJ@aol.com](mailto:SaveSHNJ@aol.com)

Jolynn Wojcik  
1301 Blvd  
Unit 15

Sent from my iPhone

**JAMES J. CURRY, JR., LL.M.**

**Attorney At Law**

505 MAIN STREET  
P.O. BOX 1225  
TOMS RIVER, NJ 08754  
(732) 240-4200  
FAX (732) 349-2674

E-MAIL: [JJCLEX@COMCAST.NET](mailto:JJCLEX@COMCAST.NET)

[WWW.CURRYLAWFIRM.NET](http://WWW.CURRYLAWFIRM.NET)

JAMES J. CURRY, JR., LL.M.  
MEMBER NJ & NY BARS  
CERTIFIED BY THE SUPREME COURT  
OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY

TIMOTHY J. PETRIN  
MEMBER NJ BAR

Of Counsel:  
Martin Weiser, Esq.  
Weiser & Assoc.  
150 E. 58<sup>th</sup> Street, 27<sup>th</sup> Floor  
212-213-3111  
New York, NY 10155

REPLY TO: TOMS RIVER

Our File

May 19, 2015

**Via Overnight Mail**

New Jersey Department of Environmental Protection  
Green Acres Program  
Bureau of Legal Services & Stewardship  
501 E. State Street, 1<sup>st</sup> Floor  
Mail Code 501-01, P.O. Box 420  
Trenton, NJ 08625-0426

Attn: Kevin Applegate

RE: Casino Pier Expansion onto Public Beach  
Borough of Seaside Heights

Dear Mr. Applegate:

Please see enclosed self-explanatory letter to the Borough of Seaside Heights objecting to the proposed transfer.

The Green Acres program was established to ensure that there is access to an adequate supply of lands for either public outdoor recreation or conservation of natural resources, or both. It was set up to assist local governments in their efforts to increase and preserve permanent outdoor recreation areas for public use and enjoyment, and conservation areas for the protection of natural resources such as waterways, wildlife habitat, wetlands, forests, and watersheds. The Seaside Heights beach at the center of this proposal is unique in that the preservation of the natural resource provides a recreational area to the public. By keeping the beach the beach, both purposes of the Green Acres program are served. Under the rules of the Green Acres program, there are very limited circumstances where a municipality can obtain the prior approval of the Commissioner and the State House Commission to use, for other than outdoor recreation and conservation purposes, those lands it holds that are subject to Green Acres restrictions. Simply, those circumstances are not present here. Once the beach is gone, it is gone!

Moreover, any approval of this transfer by your agency would be directly contrary to the Public Trust Doctrine which has been embraced by the Department of Environmental Protection through the Coastal Management office of New Jersey (See *Public Access in New Jersey: The Public Trust Doctrine and Practical Status of Enhanced Public Asset*).

In the event that the exchange were to take place, the end result would be that construction on the addition of the boardwalk and the moving of the carousel to oceanfront property would put both at risk for future storm damage.

It is, therefore, respectfully requested that your agency disapprove of this proposed exchange.

Very truly yours,



James J. Curry, Jr.

JJC/TJP/tv

CC: Mr. Stephen Melvin – **Via E-Mail**  
Borough of Seaside Heights, Office of Borough Administrator  
George Gilmore, Esquire, Borough Attorney



**JAMES J. CURRY, JR., LL.M.**

**Attorney At Law**

505 MAIN STREET  
P.O. BOX 1225  
TOMS RIVER, NJ 08754  
(732) 240-4200  
FAX (732) 349-2674

E-MAIL: [JJCLEX@COMCAST.NET](mailto:JJCLEX@COMCAST.NET)

[WWW.CURRYLAWFIRM.NET](http://WWW.CURRYLAWFIRM.NET)

JAMES J. CURRY, JR., LL.M.  
MEMBER NJ & NY BARS  
CERTIFIED BY THE SUPREME COURT  
OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY

TIMOTHY J. PETRIN  
MEMBER NJ BAR

Of Counsel:  
Martin Weiser, Esq.  
Weiser & Assoc.  
150 E. 58<sup>th</sup> Street, 27<sup>th</sup> Floor  
212-213-3111  
New York, NY 10155

REPLY TO: TOMS RIVER

Our File 4559

May 19, 2015

**VIA OVERNIGHT MAIL**

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard  
Seaside Heights, NJ 08751

RE: Casino Pier Expansion onto Public Beach  
Borough of Seaside Heights

Dear Mayor and Counsel:

Please be advised that I represent Stephen Melvin—a resident of Seaside Heights, New Jersey. Objection is made to the proposed land exchange of 1.36 acres of public beach for the expansion of Casino Pier. The reasons for our objection are as follows:

1. Under N.J.S.A. 40A:12-16 "Exchanges of Certain Lands: Exceptions," public lands may not be exchanged if they are "public places." Common sense tells us that a beach is a public place. Notwithstanding, the statute enabling municipalities to make, amend, repeal and enforce ordinances contains a definition for "public place," one that is standard amongst New Jersey jurisprudence. N.J.S.A. 40:48-2.53 defines "public place" as "any place to which the public has access...." Moreover, Seaside Heights Borough Ordinances §72-2 and §17-15.1 specifically define "public place" to include the beach. Therefore, the Borough does not have authority, under the Statute, to make this exchange.

2. By its very nature, the beach takes on the aspects of a public park. N.J.S.A. 40A:12-16 provides that, if the Borough were to exchange property currently being utilized as a public park, then the exchange shall be for property that is also being used for the same purposes. Unless the Borough is exchanging one beach for another, an exchange of beach "park" property is not authorized by the enabling statute. As the Borough proposes exchanging a public beach for a parking lot and a carousel, it is impossible that the exchanged property could be used as a beach (i.e. the "same purpose"). Therefore, the Borough's proposal violates the provisions of the enabling Statute.



3. Public beaches are invaluable and a like exchange for upland property would not be an equal exchange in consideration. The New Jersey Supreme Court has declared that "Beaches are a unique resource and are irreplaceable." (Matthews v. Bay Head Improv. Assoc., 95 N.J. 306 (1984)). Once the municipality exchanges the property and it is developed, the beach is gone forever. Amusement parks can be built anywhere, beaches cannot!

4. The proposed transfer would violate New Jersey's Public Trust Doctrine as it applies to the municipalities and the State of New Jersey as recognized by a series of New Jersey Supreme Court decisions: Borough of Neptune City v. Borough of Avon-By-The-Sea, 61 N.J. 296 (1972); Van Ness v. Borough of Deal, 78 N.J. 174 (1978); Lusardi v. Curtis Point Property Owners Ass'n, 86 N.J. 217 (1981); Matthews v. Bay Head Improvement Ass'n, 95 N.J. 306 (1984); Raleigh Ave. Beach Association v. Atlantis Beach Club, Inc., 185 N.J. 40 (2005). The Public Trust Doctrine says, in essence, that the beach is common to all mankind, and that the state owns the tidal waters for the benefit or all. Because of this Doctrine, there is a strong public and judicial policy in favor of protecting New Jersey's beaches against development towards non-beach purposes and uses.

5. Constructing an even exchange of property for beach property is impractical and nearly impossible given the very nature of the beach: there are no comparable sales. Also, the beach on the south side of Casino Pier is privately owned. Upon information and belief, the owners of Casino Pier have sought to purchase that parcel but either cannot, or refuse to, pay the suggested price. If the land is that expensive in a private sale, how can it possibly be exchanged for a parking lot and a carousel? Furthermore, any appraisal of the property exchanged for the public beach would have to account for the preservation and replenishment of the public beach which was funded, in part, by grants from the Federal Government through the U.S. Army Corps of Engineers or through contributions by the State of New Jersey or the County of Ocean.

6. Seaside Heights already has inadequate parking for the peak summer season to accommodate residents and tourists. If the proposed scheme is successful in driving business to the Borough—which seems to be the underpinnings of the proposal—this insufficiency of parking would be exacerbated. Is there a plan to accommodate this? Has the Borough even conducted research and constructed a business plan showing the financial feasibility of such development? There is currently no evidence to support the notion that an expansion of Casino Pier will result in more revenue for the businesses and the town. What is evident is that further development of the beach will place a burden on the residents of Seaside.

7. Additional beach construction would place any structures in an extremely vulnerable location in light of the inevitability of future storms. It is not prudent to create more structures to be damaged and replaced in the next storm(s). The additional construction also creates the potential for future public safety issues when future storms strike.

8. The acquisition of an antique carousel that will be located on a beach block would place it in harm's way for future storms, and also would be a tax burden to the taxpayers of Seaside Heights. Has the Borough determined the economic feasibility of establishing a carousel museum? While preservation makes for nice sentiment, the tax payers of Seaside Heights have no need or desire to spend money preserving an antique carousel.

It is for these reasons that it is requested that the Borough not exchange public beach for a vacant lot and a carousel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James J. Curry, Jr.', written over a horizontal line.

James J. Curry, Jr.  
Attorney for Stephen Melvin

JJC/tv

CC: Stephen Melvin – **Via E-Mail**  
George Gilmore, Esq., Borough Attorney  
Kevin Applegate, NJ D.E.P. Green Acres Program

### ACKNOWLEDGEMENT

The undersigned does hereby acknowledge receipt, via Federal Express, of a letter dated May 19, 2015, under a Freedom of Information request (FOIA) of James J. Curry, Jr., Esquire with regard to the Casino Pier expansion.

Dated: May \_\_, 2015

\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Subj: **Seaside Heights Casino Pier Restoration**  
Date: 5/19/2015 7:28:56 A.M. Eastern Daylight Time  
From: [Arthur.Gillan@pb.com](mailto:Arthur.Gillan@pb.com)  
To: [SaveSHNJ@aol.com](mailto:SaveSHNJ@aol.com)

To Whom it May Concern,

I am in favor of the expansion of the Casino Pier to the north of it's current location. The land swap deal proposed makes sense for both parties and will benefit the community and it's tourists. My son and I were heartbroken after Sandy hit sending our "Blue" rollercoaster into the ocean. We enjoyed many of rides on that rollercoaster and are dissapointed on how the current pier is half the size of what it was.

Please support the expansion as we do.

Regards,

Art Gillan  
24 Trinidad Ave  
Seaside Heights, NJ 08751

---



NJ Department of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship  
501 East State Street, 1st Floor,  
Mail Code 501-01  
P.O. Box 420, Trenton, NJ 08625-0420  
Attention: Kevin Appelgate

May 19, 2015

Dear Mr. Appelgate,

This letter is to voice concern about the proposed land swap of 1.3 acres of Seaside Heights' beach property in exchange for a parking lot, possibly other property and the vintage carousel.

I am President of Ortley Beach Voters and Taxpayers Assn. I represent over 500 families and businesses who are paid members of our community association and reside or own in Ortley Beach, New Jersey.

First, we are opposed to exchange of Green Acres property for commercial property for the benefit of a commercial interest. Green Acres property was purchased with funds intended for open space – in perpetuity. Open space land should not be traded for a parking lot.

More importantly, we are highly concerned that the proposed land swap may be detrimental to the US Army Corp of Engineers plan to build a dune and beach system to provide protection from future storms. If this land swap results in the need for an additional easement from the Storino family, then it is a huge mistake.

Perhaps if the land swap must be allowed, then a condition would be that the Borough of Seaside Heights and the Storino family would be required to immediately sign all requested easements from the US Army Corp of Engineers, with no supplemental conditions.

All of us who live and work or own businesses here in Ortley Beach, as well as the Township of Toms River, have made huge investments to recover from superstorm Sandy. This proposed land swap cannot, in any way, hamper the efforts of the US Army Corp of Engineers to protect that investment.



Paul Jeffrey

President, Ortley Beach Voters and Taxpayers Assn (OBVTA).

PO Box 223

Lavallette, NJ 08735

Website: [OrtleyBeach.org](http://OrtleyBeach.org)

May 19, 2015

New Jersey Department Of Environmental Protection Green Acres Program  
Bureau of Legal Services and Stewardship Attn: Kevin Applegate  
501 East State Street, 1st Floor, Mail code 501-01 P.O. Box 420  
Trenton, New Jersey 08625-0420

Dear Mr. Applegate:

Please be advised I am writing this letter to support the proposed Casino Pier expansion and land swap. My family came to the resort known as Seaside Heights in 1932. For four generations we have lived and worked in Seaside Heights. I have been and also am presently a member in good standing of the Seaside Heights Property Owners Association. It should be noted that a vast majority of our property owners membership is for this expansion. Unfortunately, there are a few vocal members of our group that have voiced their concerns about it. One opposing member is against the expansion of the pier if it is on the north side of the pier and is for an expansion if it were on the south side of the pier closer to his business.

The revenue that should be created by this pier expansion should positively affect everyone in our resort. This pier expansion will add be a new tax ratable that will go directly into the municipal, county and state coffers. This expansion will also help to preserve our current customers and draw new customers to our resort that will also add the municipal beach and parking revenue. Surplus Municipal revenue has been used in the past to offset municipal services costs and taxes assessed to property owners within the Borough. Those same new customers will also help our struggling post Hurricane Sandy business community and help to create new jobs while helping bring back the Real Estate Values in our area.

It should also be noted, the Army Corps of Engineers plans to add 640,000 (over 14 acres) square feet of new sand to our Seaside Heights beaches by extending out into the ocean 200 additional feet for the entire with of our 16 block community making this proposed land swap deal seem miniscule by comparison.

Very Truly Yours,

Michael Loundy  
1220 Boulevard  
Seaside Heights, NJ 08751





MAY 19, 2015

TO WHOM IT MAY CONCERN,

MY NAME IS TOM PARTYKA AND I OWN  
320, 320-B AND 322 WEBSTER AVE. IN  
SEASIDE HEIGHTS N.J.

I FULLY SUPPORT THE LAND SWAP AND  
THE EXPANSION PROJECT WITH THE CASINO  
PIER IN SEASIDE HEIGHTS.

THIS CASINO PIER PROJECT IS A MUCH  
NEEDED BOOST FOR THE TOWN OF  
SEASIDE SINCE HURRICANE SANDY  
TOOK SO MUCH AWAY FROM US.

PLEASE SUPPORT US AND HELP US  
MAKE OUR BOARDWALK AND AMUSEMENTS  
THE WAY THEY USE TO BE.

SINCERELY,

Tom Partyka - (609) 752-1789  
320, 320-B AND 322 WEBSTER AVE.

Subj: **land swap**  
Date: 5/19/2015 9:18:26 A.M. Eastern Daylight Time  
From: [monica.zarate@zoetis.com](mailto:monica.zarate@zoetis.com)  
To: [saveshnj@aol.com](mailto:saveshnj@aol.com)  
CC: [rmnzte@gmail.com](mailto:rmnzte@gmail.com)

To whom it may concern;

Ramon Zarate and Monica Zarate are in support for the land swap deal.

We own property in seaside heights for the past 35 years.

Thank you,

*Monica E Zarate* | Sr. Administrative Ass't

US Livestock | 100 Campus Dr., 4th Fl. West, Florham Park, NJ 07932

Office: 973.443.2851 | mobile: 973.796.4571 | Fax: 862.703.3890 | [Monica.zarate@zoetis.com](mailto:Monica.zarate@zoetis.com)





2207 Central Avenue at Island Beach State Park  
South Seaside Park, HJ 08152  
**732.830.2770**  
bumrogerstavenu.com

#### TO WHOM IT MAY CONCERN:

I am a local resident and business owner from Seaside Park and I am enthusiastically in favor of the proposed and well publicized Land Swap deal whereby the Borough of Seaside Heights will swap 200 feet of beach on the north side of Casino Pier for an entire vacant ocean front block between Sampson and Carteret Avenues that will include the Casino Pier Carousel. The Carousel if dissembled and sold in pieces could be worth millions of dollars. Instead, the deal will include the Casino Pier Carousel to be preserved and donated by the Casino Pier Ownership to the Borough of Seaside Heights for a museum.

This swap will enable Casino Pier to enlarge the existing pier by approximately double its existing size at the cost of about 40 Million dollars. The creation of the new mega pier will have a new Ferris Wheel that will be seen for miles around along with dozens of new state of the art rides and attractions.

The revenue that should be created by this pier expansion should positively affect everyone in our resort. The +/- 40 million dollar pier expansion will add be a new tax ratable that will go directly into the municipal coffers. This expansion will also help to preserve our current customers and draw new customers to our resort.

Those same new customers will also help our struggling post Hurricane Sandy business community and help to create new jobs while helping bring back the Real Estate Values in our area. We have been devastated

by Sandy, then the fire, and finally two years of business-interrupting road construction. We need this project for our economic survival.

Gerald Rotonda  
Operating Partner

Dear Sir(s),

My partner, John Hale, and I have made a major investment in Seaside Heights approximating \$7,000,000, the result of which is the new 15 unit, luxury condominium building at One Ocean Boulevard. We have put our money at risk on the belief that the future of Seaside Heights is not only bright but that the town can again be "THE" prime destination for families at the New Jersey shore at is was for me as a child.

We would like to be on record as being "FOR" the Land Swap deal which will greatly expand the size and scope of the Casino Pier. This huge investment by the owners/developers will be a focal landmark in the grand future of Seaside Heights, NJ.

Regards,  
James Anzano

James P. Anzano, CPA (Inactive)  
President  
NMLS ID: 209792  
Glendenning Mortgage Corporation (NMLS#209086)  
81 E. Water Street, Toms River, NJ 08753  
Office: 732-240-7227  
Fax: 732-240-7230  
Cell: 908-330-1446

***Ethical Business Practices...Customer Service Excellence...Technical Expertise...Competitive Pricing***  
All Processing, Underwriting and Closing is performed by our employees in our corporate office in Toms River, NJ

To whom it may concern:

I fully endorse Casino Pier expansion plans. This area has been so devastated by Super Storm Sandy, that we need all we can to bring the tourists back to the Jersey Shore. The Seaside Park boardwalk is still not under construction, and it appears as though it may take another year or two for anything to happen.

We need the expansion of Casino Pier. Please give it your full consideration.  
thanks.

Judy Appleby  
Appleby Realty  
Seaside Park, NJ  
732-793-6074



I am a property owner and resident of Seaside Heights, our family has come here for over 70 years when we were a community not a resort. Everyone keeps saying we are a resort - wrong. We are a mix of community and resort.

The problem of mixing a community and resort has become problematic due to the fact some businesses seem to think this town is only their domain and the residents just have to go along with whatever they wish to do. What happened to Cooperation, Consideration and Caring.

As a resident I do believe the land swap is a good one only due to the fact the Storinos cater to families and I would love to see families return to our town.

I also feel most adamantly that the carousel should be auctioned off ASAP and the monies put into an investment account for 5-10-20 years and these monies should be used for the residents not the businesses. I have spoken to a former carousel owner and he feels the upkeep of a wooden carousel would be extremely expensive. The parts have to be custom made as there are no parts for this carousel. The horses must be repainted every year. All this for a carousel that does not make money. Keep one or two horses for the museum if the town wants a museum.

It seems the businesses make the money and the residents get the grief and it has been that way for many years. Time for a change. I think the town has forgotten the residents pay taxes too but have been forgotten in the money making aspect. Think of us - this was a community long before becoming a resort.

Thank you  
Terri Bissell

PS I love Seaside and always will

Good morning

My name is Steve Calamita, I live at 136 Lincoln Ave.

I am all for the Casino pier swap deal, I believe this will only help our town. Should you wish to contact me feel free at 201-887-6222(cell)

I'll be happy to attend a meeting also

Sincerely

Steve Calamita

Wayne Duszcak  
36 Kearney Ave.  
Seaside Heights, N.J.08751

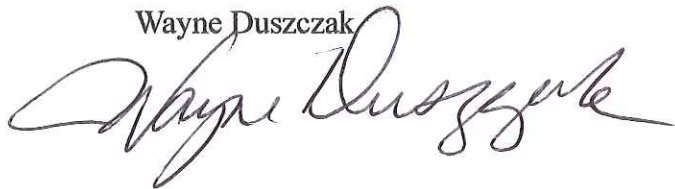
To whom It May Concern:

I wish to convey my opinion in opposition to the proposed land swap deal with Casino Pier. I believe once lost the damage done in eliminating open space at the oceanfront will be irreversible. Nowhere in this Gods Green Earth is anything created by man equal to the beauty of nature, in this case the beach and waterfront. If it is not possible to replace the pier that was once there extending out over the water then it would be advisable to place high quality amusements where there now stand other less popular attractions.

I would also note that the Carousel is not a major attraction and has never been in my lifetime. It might be better to place it inland if it is of historic value where it will not be subject to violent storms? One takes a walk north or south of Seaside Heights where real estate holds higher value there are no large structures on the beach hogging up space? Maybe we could take a cue from these towns and preserve some value for the present and future property owners of Seaside Heights by not bowing to the pressure of short term quick fix projects?

Thank You

Wayne Duszcak

A handwritten signature in black ink, appearing to read 'Wayne Duszcak', written in a cursive style.

To Whom it May Concern:

As a life long resident of the Jersey Shore, I write for support of the proposed expansion of the Casino Pier in Seaside Heights. The donation of the carousel together with the Pier expansion will be a great benefit to both the residents of Seaside Heights as well as all those who visit this great seaside resort.

Please approve this expansion.

Very truly yours,  
Joseph Gorga  
[gorga121@gmail.com](mailto:gorga121@gmail.com)  
732-865-2490



**I fully concur with my partner, James Anzano, that the proposed expansion of Casino Pier would significantly enhance tourism in Seaside Heights and attract more capital investment to strengthen the overall viability of our community.** The eastward extension of the pier could also have the residual benefit of re-establishing the fabled Casino Pier as one of the pre-eminent surfing breaks on the East Coast. The pier extension should cause the sand to shoal along the pilings again and this will cause the breaking waves to refract and peel, creating perfectly formed "shoulders" that are highly prized by surfers. In the summer of 1967 the East Coast Surfing Championships were held on the south side of Casino Pier in perfect ground swell conditions for this reason. Surfing has grown exponentially around the world and extending the pier further into the ocean will put Seaside Heights solidly back on the map as a prime surfing destination.

Kind Regards,

John N. Hale

Founder & CEO

NMLS ID: 209796

Glendenning Mortgage Corporation (NMLS ID: 209086)

Glendenning Commercial Finance

Glendenning Capital Partners

81 East Water Street, Suite 3A

Toms River, NJ 08753

732-914-3908

[jhale@glendenning.com](mailto:jhale@glendenning.com)

Edward & Joanne Hanlon  
190 MacDonald Drive  
Wayne, New Jersey 07470  
May 17, 2015

Borough of Seaside Heights  
Office of Borough Administrator  
901 Boulevard]  
Seaside Heights, New Jersey 08751

Re: Land Swap with Storino Family

Dear Mayor and Councilmembers:

My husband and I are homeowners at 310 Blaine Avenue, Seaside Heights and are opposed to the land swap deal with the Storino family that would give them prime beachfront property to expand their pier, while giving the town the restored carousel.

Even though we have our home on Blaine Avenue, we visit the beach at Hancock Avenue, because it is much quieter there. This land swap would decrease that beautiful area, closing it in at both ends. Currently, half of the summer that area is unusable as it is because of the many events the town rents that beach out for.

The biggest reason for our opposition however is the fact that the Storino family is holding Seaside hostage over the carousel that is loved by so many. It is going to cost the town a fortune to build the building to house it and the museum, right on prime beach area.

Since Sandy, what has Seaside done to protect our beachfront from another disaster? Nothing! No seawall, no dunes, nothing. So now we are spending money to put a beloved antique right in path of nature, and more pier on the beach as well.

Please reconsider how this move is going affect the taxpayers pockets and our beautiful beaches.

Thank you,

  
Edward and Joanne Hanlon

Vishal and Neha Jariwala, we have multiple properties in Seaside Heights such as :

41 Lincoln Ave

43 Lincoln Ave

40-50 Lincoln Ave

We are absolutely in FAVOR of this project.

There are too many "pros" for all and win -win scenario such as :

1) Seaside Heights can generate more tax revenues

2) NJ State can collect more taxes from revenues generated at the shore.

3) All businesses from motels, rentals, stores, rides, etc are able to "market" the "landmark" Casino Pier Carousel as well as other attractions to convince the people from NY, NJ, CT, PA and more that Seaside Heights (Jersey Shore) is "back" and is truly Stronger then ever before.

4) Property values will ultimately increase for all.

Seaside Heights is "melting pot" of multiple businesses as well as attractions. Carousel is definitely the "iconic landmark". Time to lay the "red carpet" for this project, built it fast and truly gain stronger shore community.

Thank you

Vishal & Neha Jariwala

Good evening,

Name: Gaurang Jariwala

Address: 1402 Boulevard (Econo Lodge)

I am a multiple property business owner and resident of Seaside Heights, NJ for the majority of my life; I must state, our town has continued to grow and develop. We must stand strong as a community, which will allow us to capitalize on opportunities right in front of our eyes. The proposed Casino Pier expansion is exactly what our resort town needs to propel into our future of growth and economic stability. We must stay ahead of the game in order to continue stability / on going success of our resident community and business community. We all strive to serve as many happy guests we can during our tremendous summer season. We must applaud and support this expansion without hesitation. After a tough battle with mother nature hurting the local economy, we have all been stronger than the storm together. Working together, supporting one another paves the way to create a landmark and achieve monumental success. This expansion is supported without hesitation by myself and is the turning point for our community.

We are very excited for this new development, and let it be know this expansion has my full support.

I am looking forward to the extremely bright future of Seaside Heights, NJ.

Thank you!

Gaurang R. Jariwala  
Director of Finance  
J & Co. Hotels Group  
[www.jariwala.co](http://www.jariwala.co)

P: (201) 742-2299

E: [gaurang@jariwala.co](mailto:gaurang@jariwala.co)

F: (831) 304-6191



Dear Sirs,

I will like to express our pride for our town, our business community and the residence people of this small Seaside Heights, specially the efforts and the hard work we all have put specially after Sandy Storm.

We all have lost huge huge business after this unfortunate disaster . We all are suffering a lot close to two years now. Still we have to give our time and have to give best efforts and to work hard to bring back tourist family to our town. They are the one who can help us to build this town again as their vacation destination.

We have lost so many things during Sandy Disaster. The beauty of boardwalk rides are the highlights as a big thing for all visitor family's we had.

We support the hard working of our town and the Casino Pier for their decision about the land swap project with 40 million investment project.

This is what our customer needs, this what all the businesses in Seaside Heights needs and the local community we have they needs.

Our strong support and the good wishes are always there and we are excited to see it to be happened very soon. It will again surely make a land mark beach town for millions and millions of visitor family for ever, with a great name " Seaside Heights" which is now on a global map.

Thanks.....

Hemlata Jariwala  
Boardwalk Seaport Inn  
1119 Ocean Terrace  
Seaside Heights, NJ-08751  
732-793-1735  
201-618-8486  
Jariwalahr@gmail.com

Dear All,

We have couple of properties in Seaside Heights for many many years and one of them is 201 Hierung Ave, Seaside Heights.

Me and my family are in this town little over 30 years now. We all have been effected very badly with Sandy Storm in year 2012 as well as with the Fire Disaster we had in 2013. We all know that we all have lost significant amount of our tourism business after this.

Our town ,the state , the local community including all the businesses and the local community living in this town are still working very hard to bring back this town and those visitor family's again as their vacation place ,where they can have great sweet memories rest of their life with our town.

Still it is not there with so many reasons we all have like missing rides on the boardwalk, which is the most attractions for family people to visit this small island we all have.

We all will like to say that the township as well as the owners of Casino Pier have a bold development plan (with 40 million) and a very wise decision with this Land swap plan, which will make this town again a tourism destination for many many family's .

We all support very strongly this plan and wishing heartily to have great success with this .

Thanks.....

Raj Jariwala.  
201-310-8000  
866-859-1830. EFax.  
[Jariwalar@gmail.com](mailto:Jariwalar@gmail.com)

Hampton Inn Somerset/New Brunswick  
President  
cell: (732) 267-7473  
Fax: (732) 270-2269

Dear Sir

I strongly support for huge investment from casino pier and township meeting on this subject. This is obvious that our small kids need rides and all other entertainment when they come to our beach.

I own Skyview Manor Motel and noticed last two years that kids get bored as no activity remained for them to offer after Sandy. Now, it is our duty to see happy and cheerful face of small children coming with their parents.

Thanks

Sam Jariwala  
732-267-7473

To whom it may concern.

My name is Karen Kenelly and I own a house on 53 Kearney Av. Seaside Heights,NJ. For the record I would like it known that I am opposed to giving away beaches to expand Casino Pier. These are public beaches intended for use by the public and not for private enterprise.

Thank you

Karen Kenelly



To Whom It May Concern:

As a local Realtor, I am in support of the proposed land swap. We are all painfully aware of the devastating impact of a crippling recession, a devastating storm and a historic fire have had on our local economy. We have lost millions in tourism and tax revenue. The Casino Pier expansion will be a huge draw for vacationers young and old and substantially improve the current tax deficit. Additionally, it will help to save a piece of history by preserving the only carousel to survive both Sandy and the fire.

The boardwalk defines our town. The amusement piers, the arcades and the beaches have been attracting visitors for 100 years. Superstorn Sandy took a piece of that with her and it's time we got it back.

Thank You,  
Kim  
Office Manager  
Seaside Realty  
(732)793-5200  
[www.SeasideRealtyNJ.com](http://www.SeasideRealtyNJ.com)

I am a business owner in Seaside Heights with 2 Dunkin Donuts franchise stores on the Boardwalk. I am in full support of this proposal as I believe it will help to restore the Boardwalk area and the entire town to where we were before the destruction of Hurricane Sandy.

Vince Ludwig  
[Spendabuckjoe@aol.com](mailto:Spendabuckjoe@aol.com)  
908-377-2932

Sent from my iPhone

Michael Mergott of 1219 ocean terrace is for the proposed land swap and casino pier expansion. I also hold mercantile licenses for 200, 1105 and 1303 boardwalk. This proposed plan will drastically help the tourism and business Community as a whole. One of the biggest complaints from our customers since sandy is what is there to do with our family, there's are not enough attractions worth more than just a days visit.

Respectfully,  
Michael Mergott  
7327130446

Sent from my iPhone

To Whom It May Concern:

As a local business person and resident of Pelican Island, I am in support of the proposed land exchange and boardwalk expansion. I feel that it will be a much needed boost to local economy. It is no secret that vacationers travel to our area for all that Seaside Heights has to offer. While many people may enjoy visiting neighboring towns, almost every vacation includes at least one trip to the boardwalk in Seaside Heights.

Unfortunately, much of that was lost to Sandy and the subsequent boardwalk fire. While Seaside Heights and the surrounding towns have made great strides towards a full recovery, we are not there yet. The expansion will bring us all one giant step closer. I think that it will be beneficial not only to Seaside Heights, but the entire local area.

Sincerely,

Bea Meseroll

119 Roanoke Ave. Seaside Heights

Pelican Island section, NJ 08751

New Jersey DEP...Green Acres Program

Dear Mr. Kevin Applegate,

My name is Ann Morgante and I am a full time resident of Seaside Heights. I live at 15-17 Sampson Ave. I own the property directly across the street from the proposed carousal's new location. Right now it is an empty lot that is used for parking. It became a lot because a few years back builders wanted to build a 12 story condo complex and I fought to preserve the integrity of our beachfront properties along the boardwalk. I won with the help of residents and environmental groups who also wanted to preserve this valuable beachfront.

It became a parking lot because the builders spent lots of time and money trying to decide what now to do with this land. They were told that they had to bring down the height of the condo complex and build fewer units. This wasn't and still isn't a great idea because the town cannot accommodate the density that would impact that small area. The builders lost a lot of money during this delay and sold the land. Mr. Sterino purchased the land and continues to use it as a parking lot.

As far as this "swap" is being decided I'd like to just state a few points. I believe that building an adjacent pier north of Casino Pier will not bring more money into the economy of the town. It may help the owners of this new pier financially. I believe it will not revitalize the financial condition of Seaside Heights. Seaside needs much more than a new pier to spring back. I feel it needs to become a town that houses year round property owners, not renters. It needs more registered voters. It needs a downtown area that draws patrons from all socio- economic backgrounds. It needs, etc.....

I know that beach property is very valuable....but more than that...it is precious. Super Storm Sandy almost took all of us down the drain with it.....we need our beaches. I have a suggestion because I really think that the land swap is going to happen so..... why not have Mr. Sterino build the housing for the carousal and maintain the carousal and the building for 10 years???? He gets his pier....makes lots of money....Seaside residents are not burdened with another expense.....people come to see the carousal and ride the new pier attractions.

Let's not fool ourselves into believing that a new pier is really going to financially boost the economy of Seaside....let's be realistic....call a spade a spade....as the saying goes....if the swap happens, at least have Mr. Sterino pay his fair share by paying for the housing and maintenance of the carousal.

Many of us have done our part to restore the shore....how about we take back our town!!!

Thank you.

Annie Morgante

732-330-7220



To the New Jersey Department of Environmental Protection, Green Acres Program and the Borough of Seaside Heights-

The proposed land swap deal where Seaside Heights will swap 200 feet of beach for a vacant ocean front block is an excellent plan to create the much needed boost the town of Seaside Heights needs to continue to compete as the premier vacation destination it had been previously know as. We know the history of Seaside, once well known and well attended for both day trips and weekly vacations. But it was starting to lose its luster even before the storm. The storm kicked the town's butt. At the same time it gave Seaside the opportunity to regenerate. The town has done a great job making sure properties are improved as they are rebuilt and rebuilt correctly. It's exciting to see the improvements.

But this swap takes improvement one step further. It brings an excitement and improvement to the New Jersey shore that our neighboring towns will benefit from and our "rival" boardwalks will not be able to offer. New Boardwalk, new rides, a home for an antique carousel. Our beautiful, clean beach won't be lost after the Army Corps of Engineers adds more beach sand. Couple that with the improvements made to our restaurants, hotels and rental properties and we are more than back in business. Seaside once again becomes a viable, exciting vacation spot.

Our thoughts to those who find this expansion might result in noise, or more traffic, need to be reminded they chose to move to a resort community. For those who would prefer Seaside to be more like Point Pleasant they need to be reminded it is the same company who proposes to fund these improvements. And with that we applaud the faith they have in us. And say thank you.

Sincerely,  
Raymond and Patricia Nebus  
305 Sampson Avenue  
Seaside Heights, NJ 08751

Sent from my iPad

As a resident & business owner in the borough of Seaside Park I am writing in support of the Casino Pier expansion. I am hopeful this project will increase options for rides and attractions for not only Ocean County residents but for vacationers.

Judy M Stefanik  
732-793-0812

To whom it may concern,

Sue and I are in support of the casino pier expansion.

Thanks

Greg and Sue Velott

30 Stockton Ave

Seaside Park, NJ 08752

*Notice of Confidentiality*

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**ATTACHMENT P**  
**Scope Hearing Transcripts**

-----x  
In the Matter of:

SEASIDE HEIGHTS GREEN ACRES MEETING  
-----x

May 6, 2015  
6:00 p.m.

ORIGINAL

B E F O R E:

GILMORE & MONAHAN, ESQS.

Ten Allen Street

Toms River, New Jersey 08754

BY: GEORGE GILMORE, ESQ.

RECEIVED  
MAY 28 2015

WILLIAM AKERS, Mayor

GILMORE & MONAHAN

CHRIS VAZ, Borough Administrator

DONNA McCORMACK, Permitting Project Manager

JEAN CIPRIANI

MARILYN LENNON, Paulus, Sokolowski & Sartor

DONNA McCORMACK, Paulus, Sokolowski & Sartor

Reported by: LORI N. LEWKOWITZ,  
Certified Court Reporter



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1           MR. GILMORE: I want to thank everybody  
2     for coming out tonight. This is a public hearing  
3     the Borough is holding. There was a public notice  
4     of the Borough of Seaside Heights published stating  
5     901 Boulevard Seaside Heights is the location and  
6     the public hearing was being held to obtain  
7     comments for the proposal of Green Acres for a  
8     major disposal change use of the public beach owned  
9     by the Borough of Seaside Heights.

10           The scoping hearing will be held  
11    tonight at six o'clock. It's now 6:02 at the  
12    Borough Hall and all interested parties are  
13    invited to participate. In addition to oral  
14    comments presented tonight, written comments  
15    maybe submitted to the agencies listed in the  
16    notice to the Borough of Seaside Heights, 901  
17    Boulevard, Seaside Heights and New Jersey of  
18    Department Environmental Protection Green Acres  
19    program, Borough of Legal Services and  
20    Stewardship, 501 East State Street, 1st Floor,  
21    501-1, P.O. B 420, Trenton, New Jersey  
22    08625-0420. Attention Kevin Applegate.

23           I don't expect any of you to have  
24    memorized that or written it down. If you need  
25    the address of the Department of the Green Acres

1 program or if you need the address for the  
2 Borough Hall, we'll be able to give it to you  
3 after the meeting.

4 The disposal of the Borough's  
5 property is proposed to extend the Casino Pier  
6 to support more than amusements as well as a new  
7 Ferris wheel and roller coaster. It's necessary  
8 for them to expand the pier. The applicant, the  
9 Borough proposes to dispose of 1.36 acres of the  
10 beach owned by the Borough of Seaside Heights  
11 and service the area for expansion of the Casino  
12 Pier. The Borough is proposed to compensate the  
13 disposal of the ratio of 101 --

14 VOICE: Could you speak into the mic?

15 MR. GILMORE: All right. Much better.

16 Did anybody miss anything I said.

17 VOICE: Address.

18 MR. GILMORE: The address for the  
19 New Jersey Department of Environmental Protection  
20 Green Acres Program, Borough of Legal Services and  
21 Stewardship, 501 East State Street, 1st Floor, mail  
22 code 501-01, P.O. Box 420, Trenton, New Jersey  
23 08625-0420. Attention Kevin Applegate.

24 VOICE: Thank you.

25 MR. GILMORE: As I was saying, the

1 Borough currently proposed the disposal of our  
2 currently of a 101 ratio as well as preservation  
3 and conservation of Dentzel/Looff carousel that  
4 will be placed in a museum or proposed museum to be  
5 open to the public. All written comments to be  
6 submitted to the Borough of Seaside Heights Green  
7 Acres Program and I gave you the address but again,  
8 we have them up here if anybody needs them. After  
9 this hearing is over we'll gladly provide it to  
10 you.

11 The long and short and I'll turn it  
12 to Marilyn Lennon, is that because of Hurricane  
13 Sandy, you all know what that did, but the  
14 entire Seaside area, all of the towns along the  
15 shore impacted by Sandy are trying to recover  
16 from a loss in tourism. Seaside Heights being a  
17 tourist designation and this town relies upon  
18 the tourists coming here and spending their  
19 money has had a significant impact and not only  
20 because of the devastation in Seaside Heights  
21 but surrounding areas where people share their  
22 summers and other areas of the town so we are  
23 trying to find a way to try to have the tourists  
24 roll back into Seaside.

25 Any business people here? No. And

1 residents as well. There has not been a  
2 significant increase since Sandy. We kind have  
3 been in the doldrums of the economy and Sandy  
4 impact. So there was an interest by the  
5 Casino Pier who lost a portion of the pier in  
6 the water with Sandy and you saw the roller  
7 coaster, but something else left not standing in  
8 the ocean. They've come up with an idea they  
9 want to invest major dollars. When I say major,  
10 millions, millions of dollars in new rides.  
11 Why? Because they are impacted by the loss of  
12 visitors to Seaside Heights as well as everybody  
13 else.

14 To do that they need to expand the  
15 pier area. They can't go out. It's cost  
16 prohibited and the corporation proposed a  
17 project and thinking only go either north or  
18 south on the beach. South, the Borough only  
19 owns a small sliver of property, not enough to  
20 do a fraction of what they want to do with the  
21 rides. It's going to the north and it was  
22 proposed that they receive what is 1.36 acres of  
23 Borough-owned property, essentially one block  
24 along the boardwalk to the ocean. In exchange  
25 they own a block between Sampson and Carteret on



1 the boardwalk that they would then donate to the  
2 Borough. It is anticipated we have to go  
3 through a whole legal process to accomplish  
4 this, appraisals. Under state law the Borough  
5 cannot receive less than it is giving up, so the  
6 appraisals would indicate that the value of the  
7 beach front property is more valuable than the  
8 land that's being offered between Carteret and  
9 Sampson. We have to have appraisals done by  
10 both sides.

11 In addition, the compensation the  
12 Borough would be receiving as part of the  
13 consideration is the carousel. We all know the  
14 carousel. If you have any affinity with Seaside  
15 Heights it's been there since I was a little  
16 kiddie, was born and raised in that town. I  
17 remember riding the horses trying to grab the  
18 ring hoping it was a brass ring and it was a  
19 steel ring when people fell off the horses and  
20 got their legs crushed. You can't do that  
21 anymore. There are very few left in this  
22 country. The National Merry-Go-Round  
23 Association contacted our administrator, Chris  
24 Vas, and let him know they were very concerned  
25 we were going to lose this because the owners of

1 the pier, they needed additional space to put up  
2 the merry go ground for sale either intact or in  
3 parts because of those that are familiar with  
4 merry go grounds you get a lot more money  
5 selling it in pieces, the horses, lions, other  
6 animals in a merry go ground than keeping it  
7 intact.

8                   So, the Borough looked at this  
9 Casino Pier, indicated they were interested in  
10 acquiring the property next to their pier so  
11 they can put in the two major rides. The  
12 Borough wanting to, A, increase visitors to the  
13 shore came up with the idea of doing a property  
14 exchange, giving a block on between Sampson and  
15 Carteret and the merry go ground and giving up  
16 the portion of the beach area next to the  
17 Casino Pier. That process has to be approved by  
18 the State of New Jersey Department of  
19 Environmental Protection. We have to do the  
20 diversion which is really the disposition of the  
21 land, has to be approved by DEP. Part of their  
22 process is that we provide a public notice and  
23 have a public hearing to get comments from not  
24 only the residents of Seaside Heights but any  
25 other interested party. That's the purpose of

1 the hearing tonight.

2 I ask that you keep your comments  
3 to the issues, disposal of the property and  
4 change of use because part of our application is  
5 for the Borough itself to put in that pier under  
6 a change of use. In the event that the  
7 disposition of the property wouldn't be approved  
8 by the DEP, so far I think we've met all the  
9 legal requirements we have to follow in regard.  
10 I know we've meet met all of the legal  
11 requirements to follow and this is another  
12 requirement that we have this public hearing.

13 So I would ask you to come up to  
14 the mic as I call your name from the list we  
15 have. Identify yourself, name, address. Speak  
16 slowly because our stenographer can only use her  
17 fingers so fast. She'll speak up if you are  
18 going too fast. She'll tell you to slow down.  
19 The other thing very important is again,  
20 everybody else be quiet. If you have to talk,  
21 please go out in the hallway to do it. It's  
22 important we get an accurate transcript of what  
23 is said tonight.

24 So, the first -- Marilyn will go  
25 into more depth to the proposed activity on the

1 beach and call up the people.

2 MS. LENNON: George, you did a  
3 fantastic job and I'm not going to repeat what you  
4 said. My name is Marilyn Lennon. I'm a senior  
5 vice president with the firm of Paulus, Sokolowski  
6 & Sartor. We are representing the Borough in this  
7 matter. Donna McCormack is sitting here. She is  
8 the project manager and George really did cover a  
9 lot of this aspect.

10 This is the Borough's hearing.  
11 Everybody was asking why is DEP not conducting  
12 this hearing? This is a Green Acres hearing  
13 that is prescribed under two processes. One is  
14 under the, as George alluded to, the change of  
15 use of the proposal to change part of the beach  
16 area right now by the Borough. No transaction  
17 of land from beach area to pier area. So it's  
18 not a division, not a disposal, not inconsistent  
19 with what Green Acres would allow on a  
20 particular piece of land.

21 The second part is a scoping  
22 tonight for a proposed disposal that if the  
23 project were implemented and the amusement park  
24 pier was built and amusement rides put on it,  
25 there would have to be a legal instrument that

1 would happen with the property that would allow  
2 for the development of the these major, major,  
3 major rides in exchange of the parcel for  
4 something else.

5               So, just broadly, the purpose of  
6 the Green Acres program is to provide and  
7 enhance New Jersey's natural resources. Green  
8 Acres is not open space. It allows for a whole  
9 variety of uses and within it promotes  
10 recreation, promotes historic preservation. It  
11 does promote open space.

12              The reason that this hearing is  
13 necessary, this whole Green Acres action is  
14 necessary, the Borough has accepted Green Acre  
15 funding in the past, not for the beach area, not  
16 for any of the areas we are talking about  
17 tonight, but when you talk Green Acres funding  
18 what you need to do is designate all the open  
19 space in your inventory as open space. So that  
20 the Green Acre does not want to give  
21 municipality money and find they divert open  
22 space without public input or a process. This  
23 is what is triggering this hearing tonight. It  
24 was not bought with Green Acres funds, but the  
25 beach area is listed on the open space inventory



1 of the town.

2                   So, we had talked a little bit  
3 about the reason behind the hearing that the  
4 Borough, an operation of the Casino Pier,  
5 construction of Casino Pier on the beach to the  
6 north of the existing pier. The reason behind  
7 this proposal is the reconstruction of the pier  
8 in the water. Okay? Where it was before is  
9 over four to five times more expensive than it  
10 would be on the open land portion.

11                   Since Hurricane Sandy we've had now  
12 building codes and V zones. It's impossible to  
13 reasonably build anything mean high water line  
14 in a economical fashion, certainly nothing that  
15 would have the types of foundations that would  
16 be required for the types of rides that they are  
17 bringing in. So, I think if it was economical  
18 you would have seen the owners of the  
19 Casino Pier already begin reconstruction of the  
20 pier, but when they looked at it there is no way  
21 you are going to have family entertainment  
22 affordable rides built over the water. They  
23 have to be in an upland proportion.

24                   So that, again, triggers the change  
25 of use and also solicits back to everybody here

1 that we are trying to develop a scope right now  
2 of looking at anything that you would consider  
3 important in this, you know, whether it's pro  
4 alternatives, whether it's something that you  
5 would support, something you want to know more  
6 about. You should know on this beach area right  
7 now you do have an amusement ride. The Sky Ride  
8 is there already. As you approach the area this  
9 is an amusement ride the Sky Ride. As long as  
10 the Sky Ride would be relocated to the -- as  
11 part of the proposal to the northern end and the  
12 existing Casino Pier would be sort of what we  
13 call a reconstructive expansion. Taking that  
14 footprint that would have been out in the water  
15 and moving it on the upland portion adjacent to  
16 the pier.

17           The other aspect and there is an  
18 illustration up here is that in addition to the  
19 exchange of land in order as George mentioned,  
20 the carousel would be part of the compensation  
21 package. The compensation for the exchange  
22 would be land plus the value of this carousel.  
23 So, again, this hearing is strictly for the  
24 purpose of receiving public comment for the  
25 scoping of an application document that we are

1 putting in. This is extremely preliminary  
2 there. This is not pre decisional. There is no  
3 decision being made here tonight but we are  
4 looking for your comments and considerations and  
5 there is going to be many, many public forums.  
6 This is not a done deal. This is something  
7 right now we are starting and part of this  
8 process. That more or less summarizes it. I'll  
9 push it back to George.

10 MR. GILMORE: First person signed in is  
11 Steven Melvin. I apologize if I mispronounce  
12 names.

13 MR. MELVIN: My name is Steven Melvin.  
14 I'm a resident of Seaside Heights and one of the  
15 owners of Three Brothers Pizza.

16 I'll talk, but this concerns us  
17 all. I'm a father of three kids who are  
18 residents of Seaside Heights, a husband to a  
19 beautiful wife. Our beach belongs to all of us  
20 here in Seaside Heights. We have been so proud  
21 to share with our many visitors, United States  
22 and from around the world. Seaside Heights only  
23 owns the beach in question to the water line.  
24 By law we cannot charge or prohibit access to  
25 the water from the water line. This belongs to

1 the State of New Jersey, meaning anybody wants  
2 access to the water line even in the summer  
3 cannot be charged or denied. If the Borough  
4 property becomes viable for sale, does not have  
5 to go through a bidding process. All interested  
6 have a fair and equal chance of a wiring it with  
7 the highest bid get in the land.

8 We are only the guardians of  
9 Seaside Heights beach. We hold it for our  
10 child. We hold it for children's children. How  
11 dare anybody think they can give it away?  
12 Nobody in their right mind thinks an old  
13 carousel and empty parking lot all the way up to  
14 THE north end is worth an acre of our beach. If  
15 Casino Pier wants to expand their business they  
16 need to go to Monte Taylor who owns the beach  
17 south of Casino Pier and has every legal right  
18 to sell or lease at will.

19 Yes, there is AN alternative to  
20 this. Just sell Casino Pier, is available but  
21 I'm sure Mr. Tillis is not -- to go give up his  
22 land for a carousel and some land far north on  
23 the boardwalk. The deal stinks. The deal  
24 stinks. My hand -- my hand here, right here  
25 folks. Everybody can see this. This is a 1997

1 State of New Jersey Commission of Investigation  
2 report. A lot of us residents of New Jersey --  
3 a lot of us -- this is a report of what happened  
4 here in 1997. A lot of us think the (inaudible)  
5 deal in my hand is a 1997 State of New Jersey  
6 Commission of Investigation report. A lot of us  
7 residents of Seaside Heights fear the cat is at  
8 the cream again. This deal stinks nearly as bad  
9 as the four plus million bid given out to clean  
10 up the boardwalk after the fire when the lowest  
11 bid was \$1 million. I want the Seaside Heights  
12 counsel and everybody to know we are not going  
13 to stand ideally by -- this up to the highest  
14 guy with the bigger pockets. This is our land.  
15 Bid it out and let me, as a businessman, put  
16 something there. I have a right, not because  
17 I'm friends with somebody here and somebody  
18 there, it's my land, my kids' land. If I want  
19 to bid it out I can put rides. I'll let you  
20 pick the rides. The people have the right to  
21 the land. This is an alternative.

22 South of that Casino Pier is Monte  
23 Tillis's land available. Why pay top dollar?  
24 That carousel might mean something to you people  
25 but not to everybody. We live in Seaside



1 Heights. There is a lot of people coming in at  
2 the hands of -- don't live here. This is our  
3 beach. Let's fight for it. They are not making  
4 anymore of these beaches. People don't come  
5 here for Three Brothers Pizza or Casino Pier,  
6 they come to the beach. Everybody has a hotel  
7 for \$300 a night. They want to take the family  
8 to the beach, their beach and their father that  
9 the father's brought them.

10 I have a lot of customers. This  
11 has not started. A lot of our customers don't  
12 know this. They've been coming here for years.  
13 They have the right. They can rides anywhere,  
14 but this is our beach and very important people  
15 swim there. I've caught a nice tuna there many  
16 times and I won't be doing it if you build or  
17 give it away for a carousel and empty parking  
18 lot up the north end. I'll leave this here.

19 Let's not go back to these ways.  
20 Nobody wanted these. What is this is on the  
21 Internet? If anybody wants to look at it.  
22 Thank you.

23 MAYOR AKERS: Thank you very much.

24 MR. GILMORE: I'm not going to get into  
25 an argument with anybody here with people making

1 statements. If you have questions we'll gladly  
2 answer any questions, but I would call the next  
3 person. Billy --

4 MAYOR AKERS: We are going to have the  
5 beach.

6 MR. GILMORE: Before you speak, the  
7 mayor said I should point out that with the Army  
8 Corps's proposed beach replenishment project and  
9 building the dune and firm they are projecting the  
10 beach will be extend 200 feet.

11 MAYOR AKERS: From the meeting  
12 yesterday that we had, the Army Corps of Engineers,  
13 they proposed to have a 100 foot dune which is to  
14 the back of the boardwalk you cannot use for  
15 anything other than the walking across to get on to  
16 what they wall a berm. The berm that's going to be  
17 pumped in between 300 feet and 400 feet which means  
18 that if in fact even after the pier was built you  
19 would have the same or more blanket space as you  
20 have now. Its going to go to 400 feet out with the  
21 anticipation of losing 25 percent of it. This came  
22 from a meeting yesterday. The proposed project is  
23 supposed to start, according to them, somewhere  
24 around six months from now.

25 So, I just want everybody one to

1 understand that right up front and we agree to  
2 the beach is the reason people come to Seaside  
3 Heights. But your beach is going to be there  
4 and its going to be just as large, if not  
5 bigger, than what you have now and that's after  
6 you would do the pier.

7 MS. LENNON: I would like to expand on  
8 that. The area with the projects coming in, the  
9 Army Corps' projects are going to be setback from  
10 the boardwalk and the height of the dune will  
11 extend out most of the way adjacent to -- this will  
12 not be built into the mean high water line. It  
13 will be upland. The area adjacent to the pier for  
14 the most part won't be usable beach, it will be new  
15 beach. In front of it it will extend out for  
16 several hundred feet.

17 MAYOR AKERS: Once the dunes are up you  
18 can't go onto the dune. The only thing on the dune  
19 is walkovers and the vegetation that strengthens  
20 your dune for your protection, the beach  
21 protection. So it's's 100 feet of just a dune or  
22 you could have, once the piers are there, they can  
23 pump up to -- how they describe it, they go up to  
24 the pier and pump. So it's either used for this or  
25 used for nothing.

1 MR. GILMORE: Yes, sir.

2 MR. WAFFORD: I'm Billy Wafford, 123

3 Sampson Avenue for the last 28 years.

4 Over these years I've not only  
5 enjoyed the benefits of Seaside Heights, but  
6 also become well aware of the issues in town. I  
7 appreciate the opportunity to speak with you.  
8 First of all, I am not pleased there is no  
9 representative from the DEP at this hearing as a  
10 DEP requirement and speaks poorly no one from  
11 the DEP is here knowing their vast power.

12 I became involved with a property  
13 owner's association and now its president. Has  
14 been my experience as a second homeowner without  
15 voting rights, the views and concerns of second  
16 homeowners were not being given due  
17 consideration. I discovered many others felt  
18 the same way. As an association we continue in  
19 our efforts to bridge that gap, but I'm speaking  
20 from myself tonight, not from the -- for the  
21 association. Understand that.

22 MS. LENNON: Yes.

23 MR. GILMORE: Yes.

24 MR. WAFFORD: Among many other issues,  
25 Chris Vas at our April POA meeting discussed the

1 land swap issue in general terms and Mayor Akers  
2 devoted his entire appearance discussing this  
3 matter. We appreciate the efforts and information.  
4 Mayor Akers answered a lot of questions, but  
5 comments reinforced my concerns about the deal. Is  
6 it a fair and balanced deal? Is it a good deal for  
7 Seaside Heights? There are still a lot of  
8 unanswered questions. A lot of ifs.

9 We have to negotiate this with DEP,  
10 again, DEP and no financial figures available  
11 regarding the transition and income projects.  
12 How can you have that hearing without the  
13 community knowing fully about land? All the  
14 aspects of this? This deal should be fully  
15 transparent in order for anyone to be able to  
16 honestly comment one way or the other. What if  
17 the DEP does not allow to us to build on the  
18 Tompkins property?

19 Finally, without question, most  
20 important, the draw to Seaside Heights is our  
21 beaches. We are famous for our clean, safe and  
22 beautiful beaches. We have the best lifeguards.  
23 We must not commercialize our beaches for  
24 purposes other than what nature intended our  
25 beaches to be used for, beach recreation.



1 I happen to be a personal friend of  
2 Dr. Floyd Moreland after which the Casino's  
3 carousel has been named. I wish to see the  
4 carousel safe and most importantly used as a  
5 carousel. Let us find another way. Please do  
6 not allow this permit. Some other solution must  
7 be found.

8 MR. GILMORE: Andrew Tully?

9 MR. TULLY: Thank you. My wife and I  
10 have --

11 MR. GILMORE: State your name.

12 MR. TULLY: 18 Sheridan Avenue,  
13 Seaside Heights. Andrew Tully. My wife and I have  
14 owned a condominium in Seaside Heights for 35  
15 years. We have vacationed here many years.

16 We know the borough is in trouble  
17 because of Sandy. Not only that, we see  
18 abandoned properties, unfinished structures in  
19 town, uninhabited town section of the boardwalk  
20 both eyesores and landlords are bringing in  
21 undesirables and so on. Our property values  
22 have taxed the situation that we are discussing  
23 tonight, will do nothing to resolve the  
24 Borough's problems.

25 Casino Pier has been abusing the

1 parking lot regulations for over three years.  
2 My condo is directly across from the Casino Pier  
3 parking lot. The use, that storage yard  
4 construction site without regard, now they want  
5 to expand again and take away our beach? For  
6 what? To give us a museum and expense we'll  
7 have to maintain? Very few people use the  
8 carousel now. Even less will go into it when  
9 it's in a museum. I think it's a bad idea.  
10 Best part of our Seaside Heights is our beach.  
11 Giving away a portion of it is a crime. It will  
12 bring a lot of noise to the beachgoers and block  
13 our beautiful views from our decks. Again, for  
14 what? Money in the pockets of Casino Pier and  
15 give us an expensive low interest museum? I  
16 think it's a bad idea. The State of New Jersey  
17 should help us fix the real problems of our  
18 community.

19 MAYOR AKERS: Thank you, sir.

20 MR. GILMORE: Tom and Mary Partyka?

21 But only one of you. Tom? Mary? Anybody here?

22 MR. PARTYKA: I'm Tom Partyka. I have  
23 properties on 320 and 322 Webster Avenue. I've  
24 been an owner since 2008.

25 I'm in full favor of the expansion

1 of the Casino Pier. Since Sandy came my  
2 business has dropped tremendously. When my  
3 vacationers call to reserve they are constantly  
4 asking me, Tom, you know what's going on? Is  
5 there not enough rides there? I've got little  
6 kids, teenagers, we need something for  
7 everybody. I think this is a great idea.  
8 Fantastic. I can't tell you what's fair market  
9 job, that's your job. I have full confidence  
10 you guys will take care of that.

11 But speaking as a business owner  
12 and for my vacationers, I can tell them  
13 Breakwater Beach they are building on, it's  
14 increased. That increases my business. My  
15 customers come. If there is no rides and  
16 nothing for them to do here they'll come for the  
17 beach but they want to see the amusements, go on  
18 the piers, go to the guy's pizza place, snow  
19 cones. All that stuff. They want everything  
20 so. I'm in full favor of it and I hope it goes  
21 through. I'll leave that up to you guys. Thank  
22 you very much.

23 MR. GILMORE: So it's clear in regard  
24 to the value of the properties, we are required,  
25 the Borough is required to do an appraisal of our

property and appraisal.

MR. PARTYKA: I understand.

MR. GILMORE: Those get submitted to  
DEP.

MR. PARTYKA: I understand all that.  
Yes.

MR. GILMORE: I want the public to  
understand.

MR. PARTYKA: Yes.

MR. GILMORE: Is Mary going to speak or  
not?

MR. PARTYKA: No.

MR. GILMORE: Mike Landry? You are in  
with the address of Mr. Partyka.

MR. FIERRO: Arthur Fierro. My name is  
Arthur Fierro, I live at 211 Blaine Avenue in  
Totowa, New Jersey.

I'm proud to say that my family is  
one the old is vacation families in Seaside  
Heights. Something like 95 or 96 years ago my  
father first came here and continued to come  
here for generations. There is a lot of sand in  
my blood.

When I first learned of the land  
swap deal I thought it was very interesting and

1 an exciting idea and I could support it, but I  
2 thought the devil is in the details and as they  
3 say that for me remains the issue at that late  
4 date, the details. I think the Borough wishes  
5 to accommodate the owners because they view the  
6 new attractions proposing and the financial  
7 commitment they are willing to make will not  
8 only draw people into the town but will be a  
9 benefit to the overall quality of business life  
10 in Seaside Heights and particularly on the  
11 boardwalk. I cannot disagree or argue with that  
12 concept but there are the concerns.

13           The recent appearance of the mayor  
14 and Borough administrator at POA meetings in  
15 April and May, while informative, did not  
16 resolve my concerns. Primary among them is the  
17 fact that by expanding the Casino Pier on the  
18 north side by more than 200 feet, it will  
19 unquestionably, based on past history, alter  
20 further the residential quality of the north  
21 end. That together with growing use of the  
22 beach for events will cause conflicts to arise  
23 because of competing interests in the use of the  
24 beach and the quality of life one expects when  
25 visiting the beach by residents and visitors.



1 Our beach is our most important asset. Period.

2 If at all this is expansion should  
3 have occurred on the south side of the  
4 Casino Pier with a section of Seaside Heights  
5 beach parallel to the Casino Pier is privately  
6 owned by the Tillis Family, but it is my  
7 understanding negotiations between the parties  
8 failed. That is indeed regrettable because if  
9 that deal had occurred, the issue of the details  
10 in the land swap and negotiation would be  
11 substantially different. Details that concern  
12 me include the financial figures, appraisals  
13 involved in the exchange, the assessment on the  
14 new expansion on less the truncated Casino Pier  
15 and how that works out financially and whether  
16 the Casino will ever restore the original length  
17 of the existing pier. Whether the ownership of  
18 the riparian grant on the expansion will always  
19 remain as Borough property, the projected use of  
20 the parking lot for a museum and what loss of  
21 tax revenue, costs and income would be  
22 anticipated once the Borough acquires the  
23 property and the carousel. We are told that the  
24 Borough anticipates that the DEP will provide  
25 grant monies to help build a museum. All issues

1 should have been resolved before this hearing.

2 It also involves my concerns about zoning.

3           This hearing is also about change  
4 in use. I assume that refers to the public  
5 beach which must reflect a change in use from  
6 protected beach land to commercial use. I  
7 believe it will also effect the change of use in  
8 our zoning of the ocean front parking lot  
9 between Carteret and Sampson Avenue from resort  
10 recreation to public land. Once the Borough  
11 takes control of the parking lot as public land,  
12 restricted by the DEP, the Borough will lose the  
13 income from the tax assessment. As best as I  
14 could determine, the 2014 assessment and taxes  
15 on the parking lot were as follows: 39,944 on a  
16 \$1,974,400 assessment. This tract of land is  
17 200 feet ocean front by approximately 263 feet  
18 or approximately three-quarters of an acre.  
19 Based on the mayor's comments that the proposed  
20 building can cover the entire land area. It  
21 also concerns me that in addition to losing the  
22 tax revenue we will also lose or diminish  
23 parking revenue possibilities of the deal.

24           I'm not able to determine the  
25 assessment and taxes on the expansion of the

1 pier south, less the less the loss of the  
2 revenue for the shortened Casino Pier. I hope  
3 that can be resolved.

4 Many years ago under different  
5 owners the parking lot was approved for a  
6 30-unit condo complex. While the plans for that  
7 vision, in my opinion lacks imagination and  
8 should be completely revised and improved to  
9 increase sale value, one can at least estimate  
10 the tax income from 30 units by examining values  
11 on the Sampson Avenue ocean front property just  
12 north of the parking lot, the closest  
13 comparable. That condo complex has eight -- has  
14 only eight units on less than a quarter acre  
15 with only a 60-foot frontage on the ocean.  
16 Seventy-eight thousand dollars taxes on  
17 \$3,649,000 assessment with an average unit price  
18 of \$456,175 and an average tax of \$9,750. One  
19 unit is assessed for \$500,000, taxes \$11,317 one  
20 for \$580,000 taxes \$13,282 and another for  
21 \$800,000, taxes 18,809. These three units have  
22 direct oceanfront views.

23 I think the parking lot and land  
24 swap deal is the largest and most densely  
25 developable ocean front tract of private land

1 available on the island for condo development.  
2 It's a property with unobstructive and expansive  
3 views of the beach and ocean from Carteret  
4 Avenue to Sampson Avenue. If properly designed  
5 and developed it would no be unreasonable to  
6 determine that 30 units would fetch somewhere  
7 between \$15 million at an average of \$500,000  
8 per unit and \$18 million in assessments and tax  
9 revenues between 270 and \$280,000 if my  
10 calculations are correct.

11 One other reference here for  
12 assessment comparison. The entire Casino  
13 complex from the Boulevard to the tip of the  
14 pier, tax block 33, estimated approximately 8.5  
15 acres, less the riparian grant land, is assessed  
16 for \$20,955 with taxes of \$400,400. That is a  
17 lot of money but it is also a lot of commercial  
18 property. This does not include other  
19 properties owned by the Storinos. Depending on  
20 the design the parking lot property, can  
21 generate as a condominium site an assessment of  
22 15 to \$18 million or even more on less than an  
23 acre of land. That is very close to the total  
24 assessment the casino property of \$21 million  
25 for approximately 8.5 acres.

1           That alone makes me feel the loss  
2 of the parking lot as a condo site is not such a  
3 good deal for the taxpayers of Seaside Heights.  
4 The highest and best use is clearly for condo  
5 development. Losing the property to tax exempt  
6 status is not a good idea on the short or long  
7 term. I doubt the expansion of the pier south  
8 will generate that additional tax revenue equal  
9 to developing the parking lot as a condo let  
10 along justify the cost to the taxpayers of  
11 promoting and maintaining a museum. I think  
12 this deal which will clearly impact tax revenues  
13 will lead to higher taxes as well.

14           One of my primary concerns and  
15 objections still remains that this expansion  
16 should not be on the north side. If it is to  
17 occur, I submit the following alternative for  
18 consideration. If the Tillis situation is a  
19 dead issue, then consider the following: I am  
20 distributing a map of Seaside Heights as Exhibit  
21 A. Please note on the map that the green line  
22 represents areas where I think the Casino can  
23 expand on to the beach and the red line  
24 represents expansion on to the beach by the  
25 Borough of Seaside Heights. For reference the



1 color orange depicts the parking lot property in  
2 the north end between Carteret and Sampson  
3 Avenues.

4           This is my proposal: Allow the  
5 Casino to expand further on the north side, east  
6 of the boardwalk from the mid point of Sherman  
7 Avenue right-of-way to the northern boundary of  
8 the Sherman Avenue roadway for approximately 20  
9 feet. Then I would ask the Borough and the  
10 owners of the Casino to also consider swapping  
11 100 foot frontage by 400 feet from beach lands  
12 east of the boardwalk in the south end on Dupont  
13 Avenue parallel to the Peterson property. This  
14 area is very active and while we would still  
15 lose beach, the residential areas to the west  
16 will not feel so much of the impact of the pier  
17 if at all. I would also recommend moving the  
18 north end Casino Sky Ride to the southern side  
19 between Blaine and Dupont. This way the Casino  
20 owners would achieve their objective and at the  
21 same time establish a presence in the southern  
22 sector of the beach and connect it with the Sky  
23 Ride.

24           There is no doubt we are facing a  
25 losing proposition with rezoning the parking lot

1 as public land and that the expanded pier will  
2 not compensate for those losses. Again, I do  
3 not have all of the figures. The red line on  
4 the map indicated that the Borough itself should  
5 build a narrow pier on the beach on the south  
6 side in the Grant avenue right-of-way between  
7 the Casino and Tillis property and to lease  
8 concession space on the pier to interested  
9 parties in an open bid. That will help our tax  
10 revenue and we need tax revenue on a short and  
11 long term because our taxes are constantly going  
12 up. The Borough has a right to generate  
13 revenues for everyone's benefit. Keeping our  
14 taxes low is a benefit for everyone. By doing  
15 this we may also be able to help defray the  
16 expenses of running a museum.

17                   The NJIT Vision Plan dated October  
18 2009 also addressed the north end of the  
19 boardwalk and concluded that the north end  
20 should be redeveloped residentially. Under  
21 Strategy 2, Exhibit B, Sunrise District, NJIT  
22 graduate architectural students together with  
23 the architects Smith Maran, LLC of Montclair,  
24 New Jersey spent a great deal of time on many  
25 issues and options. This was done under a grant

1 fro the State of New Jersey supplemented by the  
2 Borough of seaside Heights. A great deal of  
3 money was spent. Please review pages 84, 88,  
4 89, 91 and 92 herein submitted as Exhibit B and  
5 take these recommendations seriously. Let's not  
6 make another zoning and quality of life mistake.  
7 Listen to what they had to say which was clearly  
8 in the best interests for the future of the town  
9 in every respect.

10 Finally, we hear a lot about how  
11 the State of New Jersey is helping Atlantic City  
12 Casino operators and we are talking about big  
13 bucks here. But we need help as well. It would  
14 be nice if the DEP would revisit the recent  
15 protections on the Hiering Avenue ocean block  
16 property with an eye towards giving us greater  
17 preservation credits towards protected lands  
18 which would then entitle the Borough to keep the  
19 parking lot zoning intact so that the condos can  
20 be built which would clearly help the tax base.  
21 We don't need more public land.

22 Another alternative: When I think  
23 of our bay front and what the State of New  
24 Jersey Department of Transportation did back in  
25 the late fifties by taking our entire and

1 beautiful bay front beaches converting it into a  
2 wasteland and then building a highway, or I  
3 should say a raceway around Seaside it still  
4 annoys me. They created an environmental  
5 disaster. You still can't get to the bayside  
6 without driving through Ortley Beach. Even the  
7 2009 NJIT study spent tons of time trying to  
8 make recommendations on how to fix it for more  
9 recreational use. The state does nothing except  
10 to promise a push button light at the school to  
11 allow safer pedestrian crossover. If there is  
12 no statute of limitation on stupidity and  
13 insensitivity towards a community and its  
14 natural environment especially a beach/bay front  
15 barrier island community, then we should demand  
16 that as part of some reasonable restitution for  
17 damages they inflicted and still inflict on this  
18 community's quality of life and environment for  
19 more than 55 years the state must waive  
20 protection on the parking lot and allow us to  
21 build the condos.

22 In short, the DEP should also  
23 consider acreage of DOT lands along our bay  
24 front as the exchange requirement instead of the  
25 parking lot. This is a lot of unusable land on

1 the bayside. It's payback time.

2 I've given you an option, please  
3 take these recommendations under consideration.  
4 As it stands I cannot support this proposal. It  
5 is a good deal for the Casino but it is not, in  
6 my opinion, a good deal for the community. I  
7 hope some way can be found to preserve the  
8 Moreland Casino Carousel. I have made privately  
9 to the Borough administrator other suggestions  
10 in this regard which would involve redevelopment  
11 efforts in the Hamilton Avenue area between Ocean  
12 Terrace and Boulevard.

13 MR. GILMORE: So I'm clear, I take it  
14 from your comments you are not necessarily opposed  
15 to diversion, just the location?

16 MR. FIERRO: Yes. I would rather see  
17 it on the south side of the pier rather than the  
18 north side a little bit to the north. The Tillis  
19 was the ideal situation. He had a right to build a  
20 pier. A pier can be built on that property so if  
21 he sold it to the Casino we wouldn't be discussing  
22 this issue.

23 MR. GILMORE: I'm looking at your map.  
24 Your map you have a portion of borough-owned  
25 property to the north of the Casino Pier, small



1 portion.

2 MR. FIERRO: Yes.

3 MR. GILMORE: You have a larger, down  
4 by the -- where the old Freeman estate is.

5 MR. FIERRO: Correct.

6 MR. GILMORE: Your concerns, you would  
7 rather, those areas diverted from Borough  
8 ownership. Your main concern you don't want to  
9 lose the property between Sampson and Carteret have  
10 it designated as per you would rather see  
11 condominiums.

12 MR. FIERRO: Absolutely. Absolutely.

13 MAYOR AKERS: Thank you.

14 MR. GILMORE: Now Mike Landry.

15 MR. LANDRY: Well, that's a tough act  
16 to follow. Mike Landry, broker with Seaside  
17 Heights Property Owners Association, Seaside  
18 Heights voter and taxpayer, past director  
19 (inaudible) communities. We represent about 500  
20 clients here in Seaside Heights that own  
21 properties, apartments, condos, houses that we  
22 rent. With that exception everyone is for this  
23 proposal. The Borough revenue we feel created by  
24 this would far weigh to pay for any of the expenses  
25 that Arthur is referring to, parking revenue for

1 the Borough parking lots, beach revenue for the  
2 people that come to the rides.

3 In July 2013 when we had no rides,  
4 all of the businesses here saw that we had no  
5 one in town. Nobody was here. When the pier  
6 opened things picked up immediately. We are  
7 resort, we've always been a resort. My family  
8 came in 1932. We have a been a resort. We've  
9 been here since then and want to be a better  
10 resort, more rides and better product to provide  
11 for the people to come here ultimately help us  
12 all.

13 MAYOR AKERS: Thank you.

14 MR. GILMORE: To the extent that the  
15 diversion of the land is approved and transferred  
16 to the Casino Pier, one of the representations made  
17 has been that that will be open to the public. In  
18 other words, not a situation where it's being  
19 transferred for a private club that people don't  
20 have access to. This will be open to the public  
21 just like the Casino Pier was.

22 Another item, Arthur, you made a  
23 statement. You've been told DEP has agreed to  
24 fund the building in which the carousel would  
25 be --

1 VOICE: Give a grant. Arthur give a  
2 grant. That's what I was told.

3 MR. GILMORE: What I'm telling you they  
4 indicated this was a proper subject but no  
5 application can be made. Green Acres, DEP has  
6 indicated an application can be made. This would  
7 be something they would consider for funding but no  
8 application has been made at this time. We can't  
9 submit. We don't have the -- Mr. Simerelli, I'm  
10 sorry.

11 MR. SIMERELLI: Simerelli, Wayne  
12 Simerelli, 500 Boardwalk Seaside Heights.

13 Arthur started off with 90 years of  
14 vacations. I should mention my grandmother  
15 began vacations in the 1970s. I began working  
16 on the boardwalk in 1967 and I'm getting old.  
17 But in any event, the whole idea was it's  
18 interesting to listen to the pros and cons but  
19 for years what I always heard was why can't  
20 Seaside Heights be more like Point Pleasant  
21 Beach? I've heard that from property owners,  
22 I've heard that from customers, I've heard that  
23 from people who live in Toms River, I've heard  
24 that from our elected officials. That's always  
25 been something that always bothered me. I've

1 always been proud of what we've done in  
2 Seaside Heights.

3 I started here in 1967 so I  
4 experienced the seventies. You know, those were  
5 the years when Point Pleasant, no offense, was a  
6 joke. We were the cream and we were much better  
7 than Wildwood, New Jersey, which Asbury Park  
8 Press voted yesterday to be the greatest  
9 boardwalk in the State of New Jersey and the way  
10 that the reporter structured the article he said  
11 let's not even discuss the possibility that any  
12 boardwalk could be better than Wildwood. Hands  
13 down the best boardwalk in New Jersey.

14 You know, for someone who  
15 experienced the seventies and the eighties it's  
16 a tough pill to swallow, but it's the truth. We  
17 are no longer the best boardwalk in New Jersey.  
18 But he did mention, to my surprise, that Seaside  
19 is still a lot of fun. And that it's still a  
20 wooden boardwalk unlike other boardwalks. We  
21 have not used plastic wood and there is still a  
22 charm and something. He didn't say mystical,  
23 but some people have told me over the years  
24 there is something they don't quite understand,  
25 you know, why they love Seaside's boardwalk as

1 much as they do.

2                   With all this said, the  
3 Casino Pier, people who own the entire boardwalk  
4 in Point Pleasant, I think they've proven that  
5 they are family oriented and they build things  
6 right and that they are more than able to  
7 compete with the incredible amount of amusement  
8 rides that exist not only in Wildwood but Ocean  
9 City, New Jersey, as well. These places have  
10 beautiful, clean, well-run rides.

11                   The Storino Family are able and  
12 capable doing the very same thing and have a  
13 track record a mile longer than Point Pleasant.  
14 The fact they want to make this capital  
15 improvement to our town I think is something we  
16 should not take for granted. I also heard  
17 people wondered if Disney was going to take over  
18 where the fire wiped out all of that area in  
19 Seaside Park and Seaside Heights. There was a  
20 rumor that was floated that Disney is coming.  
21 Well Disney is not coming. The Storino Family,  
22 they are our Disney. This is something we  
23 really need to, you know, there has been --  
24 look, there is a lot of people in  
25 Seaside Heights that don't like what they see



1 when they come in to town. And there is this  
2 cloud of depression over many of the people in  
3 Seaside. I understand that. See, it's easy to  
4 be an obstructionist. There is a tendency on  
5 all our part to say now, not no. And I think  
6 that this is one time when we have to maybe  
7 subscribe to the philosophy rising tide raises  
8 all boats.

9           This project itself is not going to  
10 solve all of the problems in Seaside Heights but  
11 let's not dismiss what this project is. I mean  
12 the project that's -- the Storinos are funny  
13 people. They don't like to talk about how much  
14 money they are spending on projects, but let's  
15 talk about one project I think we are driving by  
16 all the time and starting to take for granted  
17 but not done yet and when it's done it will be  
18 spectacular. That's the miniature golf course  
19 and renovation being done to the water park for  
20 this coming summer. That is at least a  
21 \$5 million capital improvement to our town.

22           Now, in all the years I've been  
23 here we have not seen many \$5 million capital  
24 improvements and here is one that's being done  
25 in spite of the fact they don't have -- they

1 don't know if they are going to widen their pier  
2 or not, but it is still moving forward and still  
3 investing money in Seaside Heights. We  
4 shouldn't take that for granted. I don't want  
5 to be long winded, but I do run the year round  
6 operation. I am very, very family oriented with  
7 the Coin Castle. I have a Mexican restaurant  
8 and rated very highly at the Jersey Shore. We  
9 are raising the bar and consistent with what we  
10 always were when I first started in 1978.

11 That's family-oriented, good, clean, family fun.

12 Lucky Leo's, they are here. They  
13 are an anchor. They are important. They do the  
14 right thing. What the parking lot people tell  
15 me is that the only reason people are coming to  
16 Seaside right now is to either see Lucky Leo,  
17 Coin Castle or Casino Pier. These are the three  
18 anchors, all three people totally committed to  
19 clean family fun.

20 I just think that the fear I have  
21 is that many people have told me last summer  
22 they don't know they are going to spend a lot of  
23 time here. There is not a enough for the  
24 families to do. The Casino Pier is not enough  
25 of an attraction to hold people and make people

1    come again and again. I have adult children and  
2    many of you -- I have two small children eight  
3    years old and six years old. Okay? They don't  
4    pay to go on the rides. That's the truth 'cause  
5    I'm friendly with the Casino Pier, but this is  
6    the scary part. This is the scary part, they  
7    are on and off that pier in 20 minutes. They  
8    don't have to pay for the rides. They can go on  
9    all the rides they want. There is nothing for  
10   us to do. That is frightening as a father. If  
11   we last 20 minutes in the Casino Pier right now  
12   it's a long time. I think that that's a real  
13   problem as far as if you are -- looking to rent  
14   your homes and apartments and you know, motels.  
15   Now we -- we have a problem. The Casino Pier by  
16   trying to, you know, they talk about the roller  
17   coaster, they don't plug in. If that roller  
18   coaster is at least \$3 million, they talk about  
19   a Ferris wheel and don't tell you that Ferris  
20   wheel is \$2 million. It's a discomfort in  
21   talking about it.

22                    Personally, from where I stand I  
23   have no idea why the Casino Pier would want to  
24   invest this much money in our town. I think  
25   it's unbelievable that they want to do it. So

1 when someone says this deal stinks or there is  
2 something wrong here, you know, I wouldn't do it  
3 I would never -- I love Seaside Heights. People  
4 that know me know that's a fact. I've spent  
5 more of my life in this town than almost every  
6 other living human being except Pop Bennett.  
7 He's got 20 years on me. He's 82, I'm 62.  
8 There is not many people that can say they spent  
9 more time in this town than I have. I don't  
10 live here, but I -- I think this is a critical  
11 time. I respect what Arthur has to say. I was  
12 involved at that time with those college  
13 students that came her here but when you talk  
14 about that report and only talk about the north  
15 end as a residential area, you are leaving out  
16 so many other things. Main Street U.S.A.

17                   They talk about the fact they  
18 identify the type of architecture we have in our  
19 town and we can supplement all of these houses  
20 and use different color -- different paints and  
21 different colors. There is so much in the  
22 record that is good. The idea the north end is  
23 going to be residential, the Storinos don't own  
24 the north end. Maybe if they owned the north  
25 end they would be residential. That's what

1 makes Seaside Heights different and difficult,  
2 but all of the different properties on the north  
3 end are owned by different people and they have  
4 the right to do with their property what they so  
5 choose.

6           The idea the north end is going to  
7 be all residential, I don't know if I'm going to  
8 live long enough to see that. My feeling is if  
9 we-- if we see this through and the Casino Pier  
10 does build this incredible amusement facility we  
11 will all get to that see in our life.

12           MR. GILMORE: Sir, please come up and  
13 speak.

14           MR. SIMERELLI: That's their business  
15 partner speaking. Let's keep it honest.

16           MR. GILMORE: Please sit down.

17           MR. MOSS: Robert Moss. I live in  
18 Bloomfield. I'm representing the New Jersey  
19 Chapter of the Sierra Club and no prepared remarks.  
20 I have a list of things that came up.

21           The Sierra Club is opposed to this  
22 project which may not surprise people, the  
23 Chapter has issued, with a new pier or  
24 construction on the beach like this. I'm not  
25 familiar with the details, but they have



1 published a press release on their website.  
2 Some things came up I wonder about. We got  
3 1.36 acres presently on the beach and as I  
4 understand it presently available for people  
5 using the beach. But the Army Corps of  
6 Engineers will be building a dune between the  
7 boardwalk and the part where you can swim. The  
8 dune will be closed to the public except for the  
9 walkways because it can't withstand people  
10 walking on it.

11 A remark was made that nothing will  
12 be lost and the Sierra Club takes exception.  
13 Dunes are natural features. It also is good.  
14 The Army Corps of Engineers is building them and  
15 they provide not only a natural vista, they  
16 provide habitat for a variety of species adapted  
17 to live at the shore. They are not wasteland.

18 The other concern I have about the  
19 dunes is I understand if this pier is going to  
20 be there, I don't remember if you call it a pier  
21 or something else, a structure not going out  
22 over the water but the sand for the dune will be  
23 pumped underneath it. The dune will go  
24 underneath it. My problem, dunes work. They  
25 are vegetated. I'm not seeing how this dune

1 will work if it's underneath a structure and no  
2 vegetation. I don't know if that's been  
3 considered or not. Perhaps there will be an  
4 answer when I'm done. I won't be long here.

5           The other thing is -- well, let me  
6 leave that at that. The replacement land is in  
7 no way reasonably equivalent to the land being  
8 diverted if it's diverted. And the regulations  
9 do provide the replacement land be reasonably  
10 equivalent. That is not a prediction of what  
11 the DEP will do but a statement of common sense.  
12 I've been following diversions around the state  
13 and don't always predict what the DEP will  
14 approve based on the regulations. I can't  
15 approve that. But that's what we have, cannot  
16 be at the greatest stretch of the imagination.  
17 They are not the beach, one of the obvious  
18 things.

19           The other thing is build out.  
20 New Jersey builds out all around the state more  
21 so in Union City than even the Stafford Township  
22 or Plumstead Township. However around the state  
23 is getting more build out.

24           The question I'll leave with you,  
25 if this project goes through what is the next

1 application? How are you going to deny the next  
2 application to build something on the beach?

3 MAYOR AKERS: Thank you.

4 MR. GILMORE: Thank you. Sue Poem?

5 MS. POEM: I pass. My question is so  
6 inadequate with what's going on. Mike, maybe you  
7 want to say anything to take my spot?

8 VOICE: All for it.

9 MR. GILMORE: Christopher Sabey?

10 MR. SABEY: Christopher Sabey 13  
11 Boulevard.

12 I have started working in Seaside  
13 in 1997. Wayne Simerelli was my first boss.  
14 I've continued to have roots in this town ever  
15 since. I've done construction on many of the  
16 buildings around here and I currently own my own  
17 business in town. I will say after Sandy and  
18 the fire business is rough. Things are not the  
19 way things used to be. I couldn't say how  
20 excited I am for this possible project. I do  
21 listen to the customers. I live over the  
22 bridge. I hear why my friends don't come over  
23 and visit. I have little kids, my friends have  
24 kids. They would rather go to Point. To see a  
25 project to happen like this in Seaside is great.

1 I hope it does happen. There are pros and cons  
2 to everything but I think the pros outweigh the  
3 negative aspect of it. Again, I am pro this  
4 project and hope to see it grow forward.

5 MAYOR AKERS: Thank you.

6 MR. GILMORE: Kimberrolle?

7 MS. SAMARBELLI: Kimberrolle

8 Samarbelli. I live at 207 Ceylon Avenue, Pelican  
9 Island.

10 Since we are doing a history  
11 lesson, I'm the executive director of what is  
12 the New Jersey Amusement Association. We  
13 represent all of the amusement parks in the  
14 State of New Jersey. As being fourth generation  
15 of the amusement industry, we totally think this  
16 is a win-win for both the Borough and the  
17 Casino Pier and Storino Family. With that being  
18 said, starts with industry. Our kids' care. We  
19 all rode the carousels. To be able to maintain  
20 that is so, so important. It's something we are  
21 giving to the generations.

22 There is blocks in Seaside, if I'm  
23 not mistaken, maybe a mile. I know we are hard  
24 core from what I understand giving away beach  
25 but we have 11 other blocks of beach. Customers

1    come here or people come here to reside, to  
2    live, to vacation, to work, to play. They  
3    really do whether we realize it or not. That  
4    carousel is nostalgic Seaside Heights would be  
5    here with a museum in the State of New Jersey.  
6    We don't have one anywhere else. It will put  
7    you on the map to be the one and only,  
8    especially with a nostalgic carousel horses to  
9    be able to be in one place.

10                    So, I think that it's very positive  
11    we are giving up a little bit but getting a  
12    whole lot. What we are getting is memories and  
13    generations that will be able to see forward  
14    from when we are long gone. You are still  
15    giving back to the community at a point. We  
16    can't give back history anymore. I think that  
17    really should be the focus.

18                    I'm all for it obviously anytime we  
19    can expand any type of amusements. Every  
20    amusement park in the State of New Jersey  
21    expands every year and changes things. This is  
22    a big commitment. We are waiting to see what  
23    Seaside Heights is going to do. You are talking  
24    about \$40 million to get what needs to be done  
25    there. Those numbers you don't hear and being



1 in the amusement industry those are real  
2 numbers. That's a big commitment. We hear  
3 Disney is coming. This is your Disney. I have  
4 to agree.

5 I've worked for the Storinos. My  
6 father was partners with the Storinos. I'm in  
7 the amusement business. I've been there all my  
8 life being honest. We ran first class  
9 operations. We all do. Every amusement park in  
10 the State of New Jersey is family owned and  
11 operated with the exception of one. That's  
12 Six Flags. So there is a lot of capital and a  
13 lot of family. When you put family, we take  
14 care of the families and the families create  
15 memories. I'm definitely all for it. The  
16 association is all for it. We hope it goes  
17 through and moves forward.

18 MR. GILMORE: Thank you. Vincent  
19 Craporotta, Junior?

20 MR. CRAPOROTTA: Vincent Craporotta  
21 Junior, 628 Boulevard, Seaside Heights.

22 I would like to put it on the  
23 record the Storino family are my first cousins  
24 so would I like to get that out there real  
25 quick. I think about another structure on the

1 beach I feel that our (inaudible) taken was  
2 saved by our piers that we had out there. If a  
3 person is going to make a private investment and  
4 making the pier stronger and better, I feel it  
5 protects the town to a certain point. I know  
6 the berms will do that, but the berms will wash  
7 away. The pier won't be at the expense of the  
8 town if it goes through and it is built, that  
9 the Storinos will protect their investment and  
10 in turn, protect the rest of the town. I do  
11 believe it does have some bearing on making it  
12 wider and stronger from wave action and  
13 everything else.

14 If a person is going to make that  
15 investment in our community I believe it should  
16 look favorably on something like that. If this  
17 is the start of this procedure and everything  
18 else has to take place, I believe the general  
19 public will get another chance to have all of  
20 their questions answered. But at this first  
21 stage I hope it goes through and that's it.

22 MR. GILMORE: Thank you. Vincent  
23 Craporotta, III?

24 MR. CRAPOROTTA: Third. Vincent  
25 Craporotta, III. I live at 121 Webster Avenue in

1 Seaside Heights. I'm both a resident and a  
2 business owner in town and I was brought up here.

3 You know a lot of people ask  
4 sometimes why I choose to live in a resort town.  
5 As you can attest, some of you have been here a  
6 really long time. As far as back as I can  
7 remember it was a resort town. You obviously  
8 decided to invest and live in a resort town for  
9 a reason. I think about, to me, what makes it a  
10 resort town. The beach is obviously fantastic,  
11 but soon-to-be father of two I know when I make  
12 decisions to stay at a place for a week or a  
13 couple nights it's how you are going to fill  
14 those days and nights with entertainment and  
15 experiences and memories. And while a beach is  
16 great and certainly we heard the beach should be  
17 bigger than it ever was before, the rides and  
18 amusements play an integral part in a child's  
19 life. There is only so many places around that  
20 really have the luxury of having those rights.

21 You know, as a resident and a  
22 business owner, you know, my saddest days when I  
23 look out the window of my house and don't see  
24 anybody. I want people to come and enjoy our  
25 town and I want them to enjoy everything about

1 our town. I think our town, right now, is at a  
2 major crossroad where it's hemorrhaging a little  
3 bit. I don't know if people pay attention to  
4 the real estate markets around us, but a vacant,  
5 smaller lot in Ortley Beach with no house on it  
6 is selling more than a two-family house in  
7 Seaside Heights.

8                   We talk about the condos proposed  
9 for that site. They were beautiful. They would  
10 have brought a ton of money in tax revenue for  
11 the town. Those people went bankrupt before the  
12 storm when it was a better time and they very  
13 much wanted to do the project. But I could tell  
14 you from a lot of peoples' perspective, from a  
15 bank's perspective right now they don't really  
16 see it as a town worth investing in because of  
17 property value. If you look at what's for sale  
18 on the market, Seaside Heights and the where the  
19 market is, they are tanking and to bicker about  
20 a portion of beach that is going to be replaced  
21 with an investment, that I couldn't fathom in my  
22 whole lifetime. Someone would make and probably  
23 take a lifetime to recuperate. We are selling  
24 ourselves short unless this is a road we want to  
25 further go down.

1           There is some motel owners in town,  
2 you know, there is a lot of disagreement about  
3 who they rent to, but at the end of the day if  
4 they can't rent to a family, they are going to  
5 fill that room with someone else, someone much  
6 less desirable to them. They are not going to  
7 go on the beach, not going to pay to go on  
8 rides, not pay for a famous boardwalk slice or  
9 cheese steak. They want to have a better  
10 quality of entertainment in order to get the  
11 people we want. Everyone is going to settle for  
12 less.

13           It's a real slippery slope. I  
14 don't see anyone else making any kind of  
15 investment in town right now. There are no  
16 houses going up now, no new buildings going up.  
17 Drive in Ortley, drive in Lavallette. I see  
18 houses being constructed. The only project what  
19 I mentioned, millions of dollars being poured  
20 into a water park. For all intents and purposes  
21 it's really nice. When it's done it will be  
22 magnificent and those are the time and efforts  
23 spent to recover these costs. It's un -- it's  
24 unbelievable and you know there are some people  
25 that, you know, I just wish would be a little



1 bit open minded about the project because at the  
2 end of the day I mean it is a resort town and I  
3 want other people to enjoy our town as much as I  
4 do. I chose to live here for a reason I imagine  
5 that at some point you guys did too.

6 So you know, thank you. Looks  
7 fantastic. I hope it works out. Thank you.

8 MAYOR AKERS: Thank you, sir.

9 MR. GILMORE: Angie Lombardi?

10 VOICE: She left.

11 MR. GILMORE: She left?

12 VOICE: She stepped out.

13 MR. GILMORE: Okay. I apologize. I  
14 don't know. Sam Jariwala?

15 MR. JARIWALA: Hi. I'm Sam Jariwala,  
16 J-a-r-i-w-a-l-a. I have a couple of hotels in  
17 Seaside Heights. One is Sky Motel, 45 DuPont  
18 Avenue, Seaside Heights, New Jersey.

19 One thing I want to clarify. I  
20 never met the owner of Casino Pier. Who is the  
21 owner? I never met. I don't know what he looks  
22 like. I personally never met in my life, but as  
23 soon as he came to know these family or these  
24 (inaudible) want to invest millions of dollar  
25 for this Casino Pier, this new project, I was

1 excited. I don't understand somebody's putting  
2 so much money here. We should put a red carpet  
3 for that and why all of this going on?

4           You know, we know we are in a very,  
5 very bad situation in my hotels. Many people  
6 come and with small kids. They say, Sam, what  
7 is the there to do? My kids are here. Where  
8 are they going to go? I say listen, hope for  
9 the future. There will be some rides coming on  
10 and again, the Seaside Heights will be the back  
11 the way it was before.

12           I give you one example: Last year  
13 one couple came and they wanted to see me, a  
14 gentleman, he was from New York, it was attorney  
15 and he said where is Sam? I came out and I said  
16 Hi. Sam, how are you? I never met you. No,  
17 no. I used to come your motel when I was a  
18 kiddie, was 18, 19 years old and now this is my  
19 small children. He came with his wife and you  
20 know, the funny thing, this my wife I met at  
21 your motel. She was my girl friend. First  
22 time. First time I met her here in my life.  
23 Now I'm married person and these are my small  
24 kids. I want to take them on rides. I said  
25 unfortunately the beautiful rides are all no

1 more over there. Hopefully I am very positive  
2 somebody will build again the Seaside Heights  
3 look back as it was before.

4 Now, see the thing is the person  
5 who is investing millions of dollar, it is I  
6 hope they will make out with the money but it is  
7 a huge, huge investment. It is our duty. We  
8 stood, put the red carpet to the guy, come on  
9 and help the project. Other people come in this  
10 town and invest the money. If you don't do  
11 anything, believe me, this town will go down.  
12 It is our duty to bring the town back and any  
13 credit people who want to invest in it, the  
14 money. Thank you very much for listening to me.

15 MAYOR AKERS: Thank you, Sam.

16 MR. GILMORE: Thank you.

17 (Applause.)

18 MR. R. JARIDA: My name is Raj, R-a-j,  
19 Jariwala. Same as my brother said, J-a-r-i-d-a.

20 Me and my family, we are in this  
21 town little over 30 years now. Having been in  
22 this towns for many years I also own many  
23 properties in this town and one is Days Inn  
24 which is on 201 Hiering Avenue, Seaside Heights.  
25 Well, about this project, me and my family have

1 to say plain and simple, why is whatnot? We  
2 should make it happen. With a reason that we  
3 have house in this town many, many years. It  
4 had gone slowly, slowly up and up everybody is  
5 supposed to, but the thing is when Sandy happen  
6 we all were dragged very badly. People were --  
7 people living in the town, they were also  
8 suffering and it was our time. We all have to  
9 show our power one way or the other way that no  
10 matter what happen with the Sandy, we all are  
11 stronger than the storm.

12 This is business, people working  
13 every single day and I have see house here  
14 progress. Just for one example, if I have to  
15 tell you when Sandy happen couple of our guests,  
16 those were coming and staying with us every year  
17 and they were from Canada. They call us because  
18 they were -- wanted to know Seaside Heights has  
19 been hit very badly. Anything is left in  
20 Seaside Heights? It was there but they talk  
21 with us on the phone. We want to tell you guys,  
22 if you need someone I -- we will be happy to  
23 send you money also. These are the people,  
24 those were helping always with the money with  
25 Seaside Heights.

1           Well, it was our time to tell our  
2 guest thank you very much. If you really want  
3 to help us, give your best blessings that we all  
4 will come up very fast. This is what we want.  
5 When you have a chance, please come and visit  
6 our -- this town many times in the future.

7           Well, she came, she went after  
8 Sandy also. Some another guest we send pictures  
9 of the borough, also the boardwalk. This is the  
10 old boardwalk. Now there is a new boardwalk.  
11 They say what a beautiful boardwalk. The next  
12 question, they come all well. We had no choice  
13 but to tell them some of the rides are up.  
14 Others they will come very soon and everybody is  
15 working very hard. Yes, this is our situation,  
16 our town situation where we all want those  
17 family people to come back again in our town  
18 with a reason because all they are getting sweet  
19 memory this with this town for many, many years  
20 and they don't want to miss that. Now it is in  
21 our hand.

22           The people, as Mike said, the  
23 business went down. Yes, somebody is putting  
24 huge investment in this town. We have to enter  
25 into. This is it, is our job it is the one

1 putting money, not for just for himself, he is  
2 investing for the town, for the community. We  
3 have with down the roads slowly, slowly. We can  
4 all see the fruit in the way -- (inaudible) that  
5 flood will bring this town gradually unaware.  
6 We can we can all be proud. This is a  
7 Seaside Heights one of the good landmark island  
8 we have. People, those come to our town rest of  
9 their life, they settle. We have wonderful time  
10 in Seaside Heights. It is our time not just to  
11 make money in this town, but something we need  
12 to give them back and it is our time at this  
13 moment by giving to the beautiful rides,  
14 beautiful environment where our guest, the  
15 family people. If they come they spend couple  
16 of nights, couple of weeks or why we are here  
17 that sweet memory they are going to carry the  
18 rest of our life. We are giving them back.

19 My family strongly support this  
20 project and we are always looking and excited to  
21 see to make it happen. It is win-win situation  
22 for each and everybody, the people, those that  
23 are putting project. The town, those were  
24 working very hard to just bring this town back  
25 again and the community and the business owners.



1 It's a proud, proud situation for each and  
2 everybody.

3 Thank you very much for giving me  
4 this time and opportunity to do something about  
5 this project and we are excited.

6 MR. GILMORE: Kathleen Gaul.

7 MS. GAUL: Kathleen Gaul, G-a-u-l, 21  
8 Blaine Avenue, Unit 4. I thought I was signing in  
9 the sign-in sheet. I didn't know I signed in the  
10 talk sheet. You didn't tell me back there. I want  
11 to say a few words.

12 I've been coming down here for over  
13 50 years. My grandmother rented a house on  
14 DuPont Avenue that is still standing and my  
15 husband and I bought a condo post Sandy August  
16 of 2013 so we really went out on a limb. We  
17 wanted to come here. We had put money down on a  
18 house preSandy in the Park and that flew away or  
19 washed away. That was a blessing. We ended up  
20 in Seaside Heights where we really always wanted  
21 to be. It's been kind of a rough ride, but we  
22 have hope in the town.

23 I remember back in the day other  
24 people mentioned it's important we go through  
25 with this project. My sister has a house in

1 Wildwood I'm sorry to say that. So when we go  
2 down there I mean the boardwalk is unbelievable  
3 and everyone knows that you have to have the  
4 rides. There is great things on the boardwalks  
5 here, bars and restaurants from our window. We  
6 can see the water park and what they are doing  
7 and it's great and in the summer the kids come.  
8 That's what you want to get, the kids and  
9 family.

10 So, I just wanted to say I think  
11 it's important that we go through with this and  
12 have to do something to get the town back on  
13 track. Thank you.

14 MAYOR AKERS: Thank you.

15 MR. GILMORE: Thanks you. Ray Nebus?

16 MR. NEBUS: Ray, N-e-b-u-s, 305 Samson  
17 Avenue. My wife and I have been in town 12, 13  
18 years now. Before that we had a bungalow behind  
19 Flo's Batting Cages where you remember where that  
20 is.

21 We are no stranger to bringing our  
22 family down to Seaside to have some fun. We are  
23 here full time now. We raised our family in  
24 Sayreville. The industry was DuPont and  
25 National Lead. We are in a much cleaner

1 environment and our industry is Willy Major and  
2 Storino. If we don't help these guys come back  
3 we are tanking the regional economy, we are  
4 tanking Seaside's economy. We've got 4,000  
5 homes in Ortley Beach that are not occupied now.  
6 When they do occupy they are going to be coming  
7 here, unless we don't have anything to give them  
8 to come to.

9 I think this project in itself is a  
10 really good idea. I would like to say the swap  
11 a little different. I don't want to own a  
12 carousel, I would rather see condos or something  
13 else on the north end there. You know, I'm sure  
14 some other kind of exchange would work, but we  
15 really support the Storino thing. I'm urging  
16 you to support Willy Majors in Seaside Park.  
17 Without that is only half of it. Thank you.

18 MR. GILMORE: Thank you.

19 MAYOR AKERS: Thank you.

20 MR. GILMORE: Angela Lombardi come  
21 back? Anybody else wish to speak?

22 MS. BASZKOWSKI: Helen Basckowski,  
23 B-a-s-z-k-o-w-s-k-i, 51 Hiering Avenue.

24 I just have to say that if this  
25 goes through, which probably it will because

1 through my experience with the town and going to  
2 counsel meetings and one time having a person  
3 from Toms River come over to a counsel meeting  
4 and hearing him say we have to let many people  
5 speak, but we don't have to listen, I have to  
6 come up here and say I'm always -- I've always  
7 been against the noise from the pier. Since the  
8 Storinos owned it, it has not been the way it  
9 used to be. It was totally unbridled before.  
10 The idea coming one block closer to Hiering  
11 Avenue is horrifying as far as the noise.

12 That's's all I have to say. It's  
13 been -- it's prettier than it was. Much, much  
14 better, but before even with windows closed,  
15 whatever I was always told just close your  
16 windows, even though it's a beautiful night and  
17 at that time we were a bustling town and the  
18 pier noises would stop at 3:00 a.m. on Friday  
19 Saturday and Sunday nights and the person I just  
20 jarred from my bed almost thinking if they can  
21 stop that at 3:00 a.m. why can't they prevent  
22 the noise from being 1,500 decibels. Thank you  
23 very much.

24 MR. GILMORE: Thank you.

25 MAYOR AKERS: Thank you, Helen.

1 (Applause.)

2 MR. GILMORE: Anybody else wish to  
3 speak?

4 MR. FUGARI: I'm Ron Fugari, 551  
5 Kearny.

6 So I think this is being framed as  
7 an all or nothing. Go with the Storinos or go  
8 against the Storinos. I don't -- I don't see it  
9 that way. I see it more like Arthur put it. We  
10 know Storino's first class, no one is denying  
11 that. But the expansion should be moving  
12 towards the south. There is people that live in  
13 town. There is residents here. We've had a  
14 stream of businessmen all show up. Vast  
15 majority that don't live there. There is a  
16 group of people that do live here. There is  
17 somebody that has to look out for their rights  
18 and the good for them and I think if the  
19 expansion, could we have an entertainment area  
20 in the center and not keeping expanding outward?

21 If you live on Sheridan you are  
22 losing your beach. Like you don't have anywhere  
23 to swim. You come up Sheridan, Casino Pier is  
24 there. You go to the next street to go  
25 swimming. There is a concern for people that do

1 live there. Even though it's a resort town  
2 there is people that live here. We should keep  
3 that in mind.

4 My other concern, I don't see a  
5 Master Plan. I don't see everyone talking about  
6 the expansion of Casino Pier. That's all well  
7 and good, but what about a Master Plan for the  
8 town? What is the Master Plan? What are we  
9 going to look like? That's my concern. Do we  
10 have a vision like what is this town and what do  
11 we want to look like five or ten years from now?  
12 It seems like everything is about Casino Pier.  
13 We know that's an integral part of town, no one  
14 is denying it. There is other parts of the  
15 town. We need a Master Plan. Is there going to  
16 be a downtown? How do we plan for a downtown?  
17 There are other issues we need to look at other  
18 than the Casino Pier.

19 Even though I'm not for the  
20 expansion north, I'm for them growing their  
21 business and obviously first class people and  
22 their work is beautiful, certainly not saying  
23 don't expand, just try to move it in the other  
24 direction and we need to our town to look like  
25 our town. We need a residential area,



1 entertainment area, but I don't hear anybody  
2 talking in those terms. I hear about one thing.

3 MR. GILMORE: The hearing tonight --

4 MR. FUGARI: I know.

5 MR. GILMORE: -- was for that. I take  
6 it from your comments you would like --

7 MR. FUGARI: Yes.

8 MR. GILMORE: You are not opposed to  
9 diversion, only location?

10 MR. FUGARI: Totally on board with the  
11 Storino family and what they do.

12 MR. GILMORE: I would also add that  
13 this meeting, as I said, was for scoping hearing  
14 and the diversion. The governing body had talked  
15 about this town, the future, trying to build up the  
16 future business district along the Boulevard and  
17 trying to have residential areas concentrated. So  
18 there is an interruption by businesses so everybody  
19 knows it takes everybody working together to go in  
20 the same direction. I want to thank you for your  
21 comments.

22 MR. FUGARI: Thank you for your time.

23 MAYOR AKERS: So you know, the Monday  
24 night meeting with the Planning Board is where the  
25 Master Plan will come and submitted to the Borough

1 counsel. We started redoing it after 2012 then of  
2 course Sandy hit so the Master Plan is front and  
3 center and the committee had their first meeting.  
4 We'll have a Master Plan hopefully by the end the  
5 year we can have in place and you are exactly spot  
6 on. We need to identify what we want to do in each  
7 area. Thank you for that.

8 MR. FUGARI: Thank you.

9 MR. GILMORE: Last call? Anybody else  
10 want to speak?

11 MR. MALA: My name is Victor Mala. I  
12 live at 513 Reynolds Avenue, Toms River.

13 Sam is my (inaudible) Roger is  
14 my -- Raj is my -- and another uncle -- we have  
15 families and we have \$30 million in town and  
16 all -- I'm going to make it short and sweet and  
17 not go on too long a lot. All I have to say is  
18 Seaside is, after my prognosis, pot of multiple  
19 businesses from boardwalks to stores to clubs  
20 nightclubs, hotels, multiple stores, rides, of  
21 course piers. Everything.

22 After Sandy for year 2013 and '14 I  
23 was worried very more in running our businesses  
24 and taking (inaudible) and everything. I did  
25 not believe that just because the pier of the

1 rides are not there that means the people won't  
2 come. I tried and tried and tried but I kept  
3 hearing over and over, over again that kids and  
4 families and people need attraction. They need  
5 those rides. If someone is spending so much  
6 money you have to roll the red carpet and let  
7 them do the work and take it and run with it.

8 MAYOR AKERS: Thank you.

9 MR. GILMORE: Thank you.

10 (Applause.)

11 MR. GILMORE: Anyone else? No one  
12 else? Mayor, unless you want to make a statement  
13 we can close the meeting?

14 MAYOR AKERS: I just want to thank  
15 everybody for your strong principals, opinions pro  
16 and against. I think the only way we can get to  
17 the point we want to get to is these kinds of  
18 meetings and thank you for taking the time out of  
19 your personal lives to come here and express your  
20 views. We know that we need something. Let's all  
21 work together to get it to where everybody benefits  
22 and the town. At the end of the day the town  
23 benefits. That's what it's about at the end of the  
24 day. Okay? If we work together, no need to be  
25 upset, no need to hold grudges. Let's go get all

1 of the good ideas out. I want to thank you all.

2 Thank you.

3 MR. MELVIN: Any way the residents,  
4 every single person in this town can get a letter  
5 of what is happening here? The billboard on the  
6 boardwalk and a lot of people here are not walking  
7 up and down yet, might of missed it.

8 MAYOR AKERS: I will check.

9 MR. MELVIN: The older people don't go  
10 through the web to look for it. It is something  
11 important. They need something mailed to them. If  
12 it's a matter of cost --

13 MR. GILMORE: So you know, sir --

14 MR. MELVIN: I'm talking about the -- I  
15 suggest the mayor request, sir --

16 MR. GILMORE: Can I give you facts?

17 MR. MELVIN: This is not Chris Christie  
18 here. I'm asking the mayor a question.

19 MR. GILMORE: It was in the newspaper.

20 MR. MELVIN: My question was directed  
21 at the mayor. This is not Chris Christie. That  
22 stuff is gone. I asked the mayor a question, is it  
23 possible that every resident gets a mailer what's  
24 happening here today?

25 MAYOR AKERS: I'll ask the Borough

1 administrator if it's possible to do it. If you  
2 want to check with me, Steve, you know where I'm  
3 at.

4 MR. MELVIN: I appreciate your answer  
5 to my question. Important thing, all of New Jersey  
6 is let's keep it above board. We are all dealing  
7 with what's in the price at the moment. Let's keep  
8 it clean for their families, my kids.

9 MAYOR AKERS: I've been here. I've got  
10 a family. I'm here 39 years. You can stop in any  
11 time.

12 MR. MELVIN: There is going to be a  
13 legal challenge everybody knows.

14 MAYOR AKERS: That's the process.  
15 Whatever the process --

16 MR. MELVIN: Somebody walks in there.  
17 Those days are gone. We see what's happening in  
18 state government. We have a voice and everybody  
19 answered. I want everybody to know what is going  
20 on.

21 MAYOR AKERS: You don't have to wait  
22 for a meeting. You know where I work and live.

23 MR. MELVIN: I work 18 hours myself.

24 MAYOR AKERS: Anytime. Pick up the  
25 phone. I'll answer the question. I'm not shy.

1 MR. MELVIN: Thank you.

2 MR. GILMORE: Meeting is adjourned.

3 (Whereupon, the proceeding was  
4 concluded at 7:45 P.M.)  
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C E R T I F I C A T E

I, LORI N. LEWKOWITZ, a Certified Court  
Reporter and Notary Public of the State of New  
Jersey, do hereby certify that the foregoing is a  
true and accurate transcript of the stenographic  
notes as taken by and before me, on the date and  
place hereinbefore set forth.

  
LORI N. LEWKOWITZ, C.C.R.

LICENSE NO. X102229

**ATTACHMENT Q**  
**Site Photos and Ride Sketches**

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**DECEMBER 2014 SITE PHOTOGRAPHS**  
**CASINO PIER RECONSTRUCTIVE EXPANSION**



Photo 1: View looking southeast at beach area proposed for reconstructive expansion of part of Casino Pier

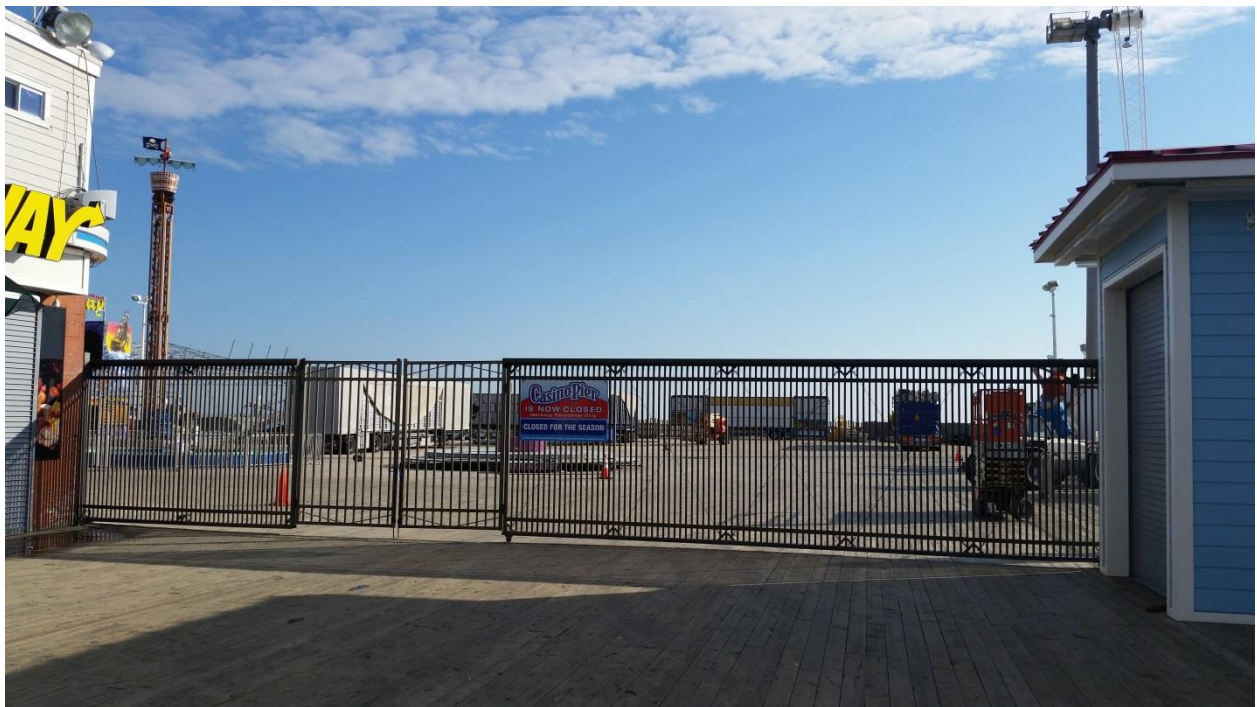


Photo 2: View east towards Casino Pier during the “off season” from the boardwalk

**DECEMBER 2014 SITE PHOTOGRAPHS**  
**CASINO PIER RECONSTRUCTIVE EXPANSION**



Photo 3: View looking north at boardwalk west of Casino Pier

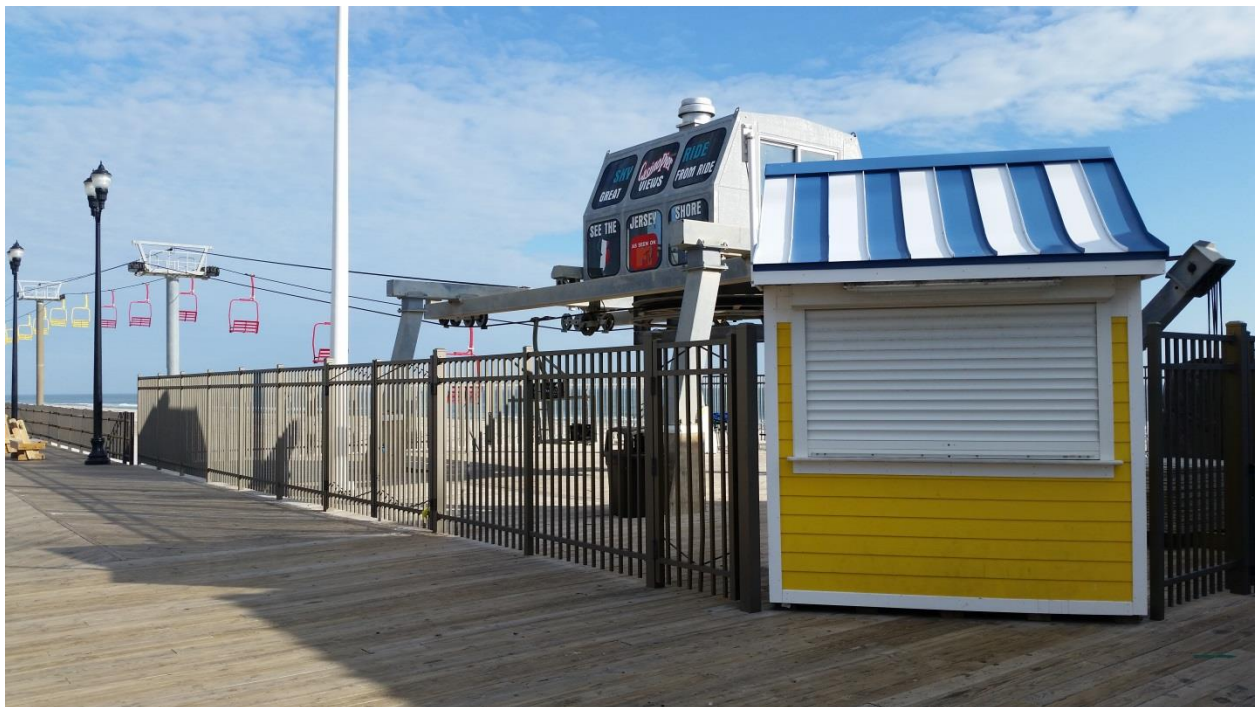


Photo 4: View looking northeast at Skyride base to be relocated to the north



**DECEMBER 2014 SITE PHOTOGRAPHS**  
**CASINO PIER RECONSTRUCTIVE EXPANSION**



Photo 5: View looking northnortheast at boardwalk, Skyride and beach north of Casino Pier



Photo 6: View looking north at beach and Skyride north of Casino Pier

**DECEMBER 2014 SITE PHOTOGRAPHS**  
**CASINO PIER RECONSTRUCTIVE EXPANSION**



Photo 7: Jet Star Roller Coaster



Photo 8: Existing Sky Ride at Casino Pier Expansion Area



**CASINO PIER EXISTING RIDE PHOTOGRAPHS**  
**800 OCEAN TERRACE, SEASIDE HEIGHTS, NJ**



**CASINO PIER EXISTING RIDE PHOTOGRAPHS**  
**800 OCEAN TERRACE, SEASIDE HEIGHTS, NJ**



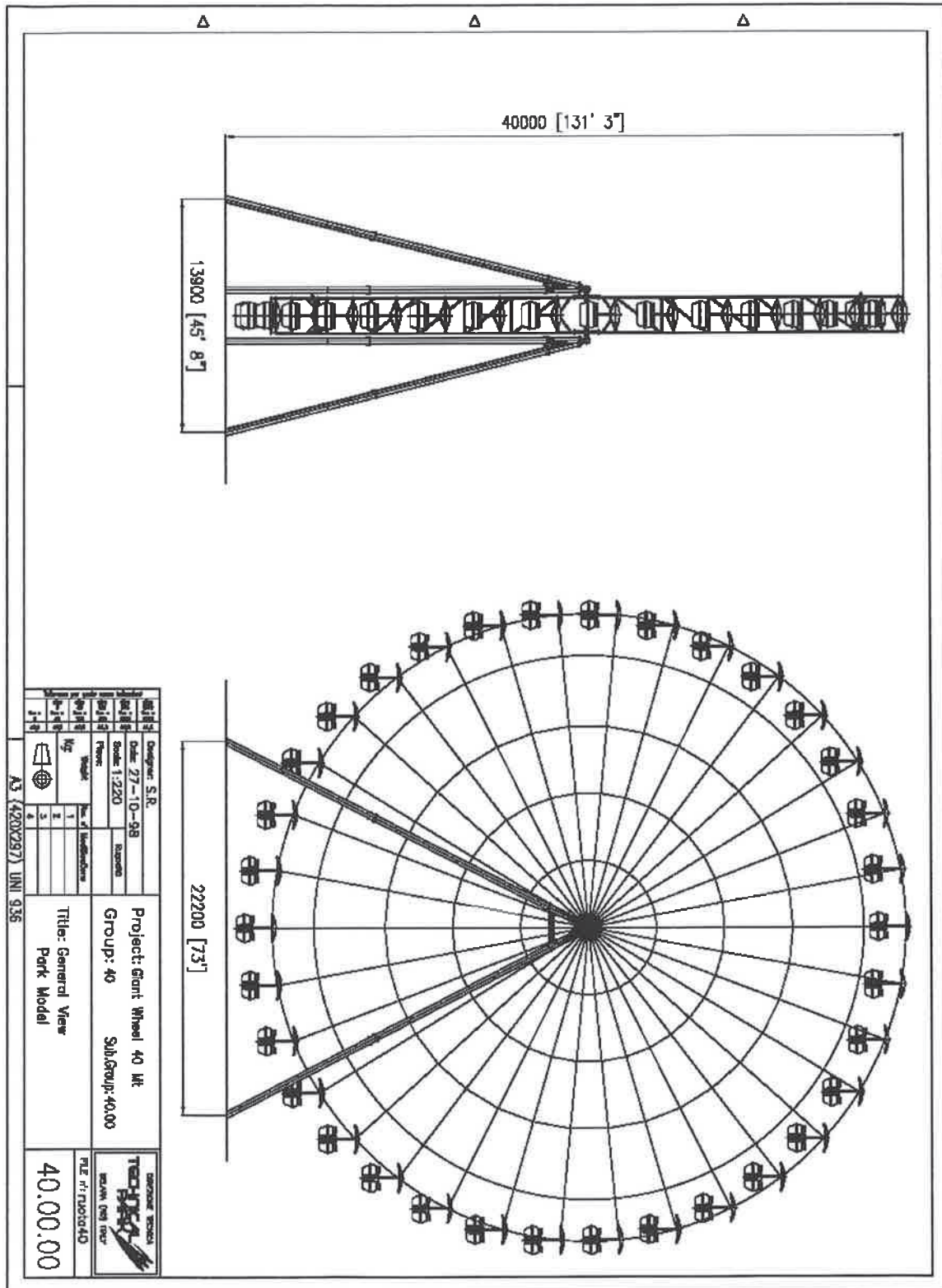


**CASINO PIER EXISTING RIDE PHOTOGRAPHS**  
**800 OCEAN TERRACE, SEASIDE HEIGHTS, NJ**



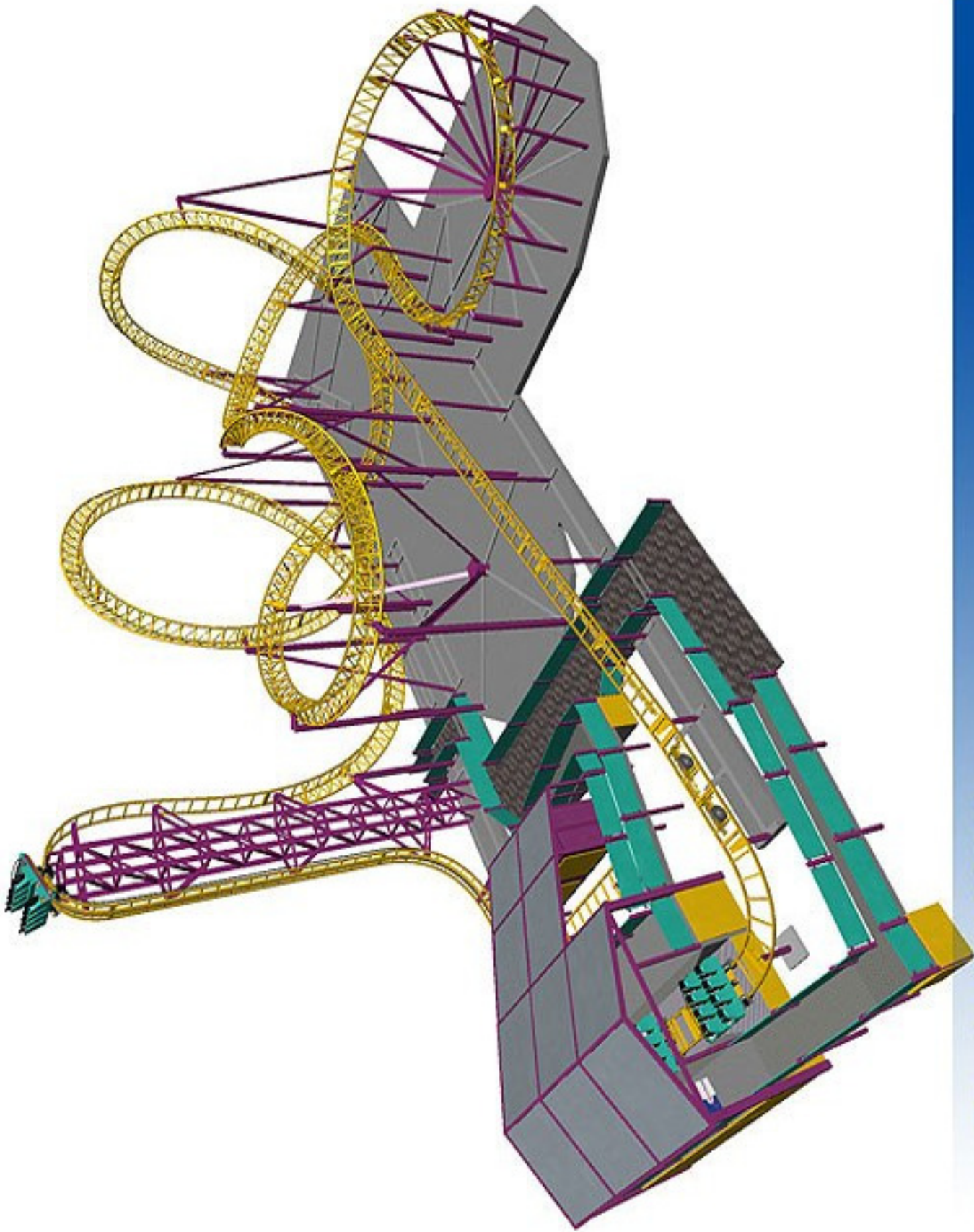
# FERRIS WHEEL RENDERING

3 | Page Italian Rides llc- amusement rides brokers





## ROLLER COASTER RENDERING



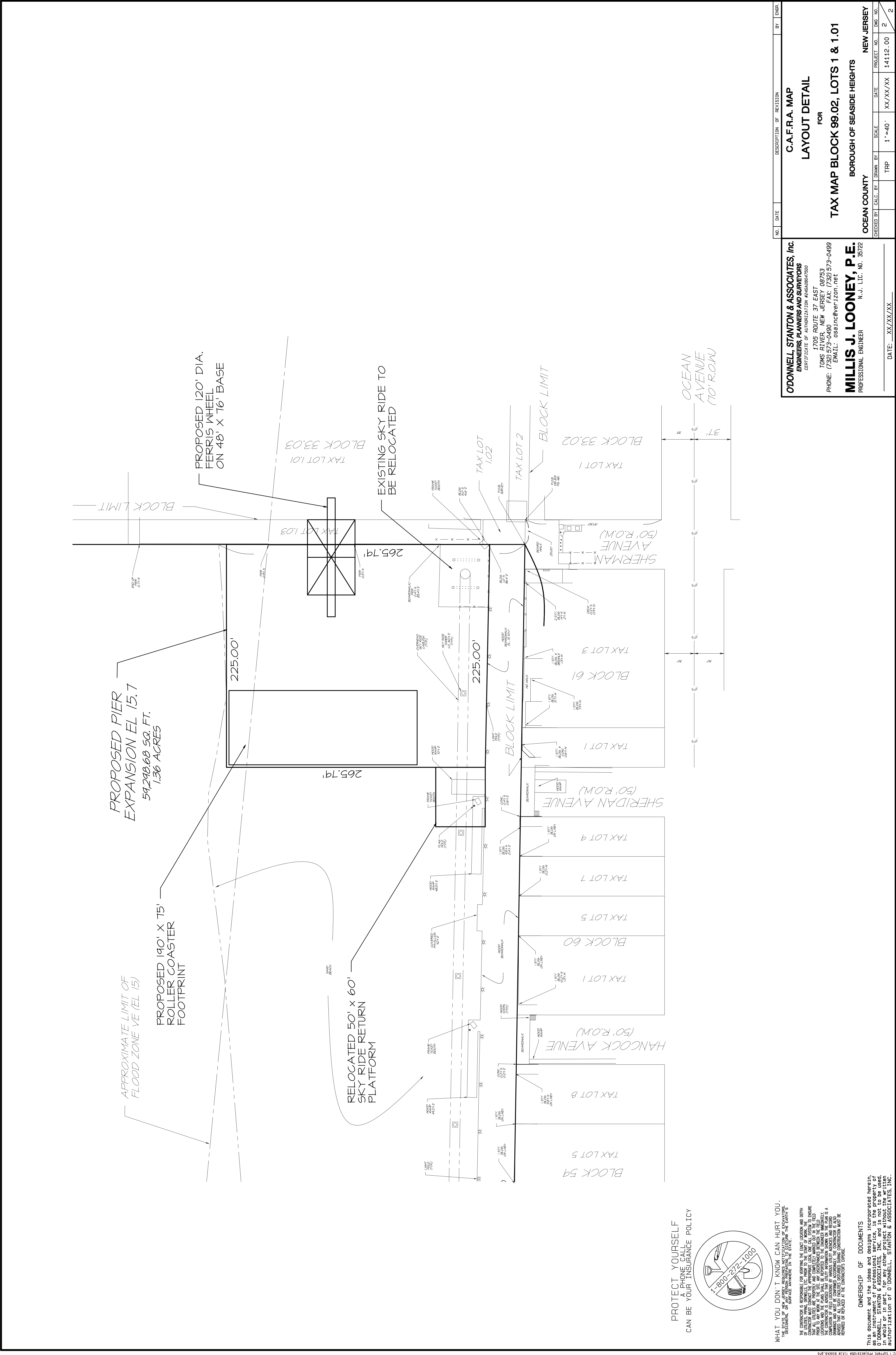
Euro-Fighter 320+  
Adventure Island, Great Britain

**ATTACHMENT R**

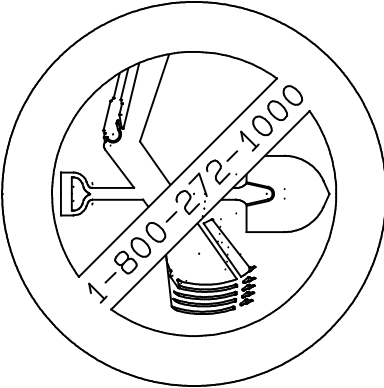
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**Disposal Parcel Land Survey and Site Plan**





PROTECT YOURSELF  
CAN BE YOUR INSURANCE POLICY



WHAT YOU DON'T KNOW CAN HURT YOU.  
THE INSURANCE POLICY YOU HAVE MAY NOT COVER THE COSTS OF REMEDIATION OF ANY HAZARDOUS MATERIALS OR POLLUTION THAT MAY OCCUR ON THE PROPERTY.  
THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE EXACT LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY AND COUNTY OF NEW JERSEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY AND COUNTY OF NEW JERSEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY AND COUNTY OF NEW JERSEY.

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**MILLIS J. LOONEY, P.E.**  
PROFESSIONAL ENGINEER  
N.J. LIC. NO. 35722

NO. DATE DESCRIPTION OF REVISION

BY ENGR

C.A.F.R.A. MAP  
LAYOUT DETAIL  
FOR  
TAX MAP BLOCK 99.02, LOTS 1 & 1.01  
BOROUGH OF SEASIDE HEIGHTS  
OCEAN COUNTY  
NEW JERSEY

CHECKED BY CALC. BY DRAWN BY SCALE DATE PROJECT NO. DWG NO.  
1"=40' XX/XX/XX 14112.00 2







**ATTACHMENT S**

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**Compensation Parcel Survey / Metes and Bounds**

**TITLE INSURANCE COMMITMENT**  
*Issued by Trident Abstract Title Agency, LLC*  
**AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

---

Commitment Number: TA-127457

**SCHEDULE C  
LEGAL DESCRIPTION**

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Seaside Heights, in the County of Ocean, State of New Jersey:

BEGINNING at a point of intersection formed by the Easterly line of Ocean Terrace (20 foot Right of Way) and the Southerly line of Sampson Avenue (50 foot Right of Way) and running thence;

1. Along the Southerly line of Sampson Avenue South 83 degrees 04 minutes 37 seconds East, a distance of 165.38 feet to a point on the Westerly line of Lot 1, Block 99.02; thence
2. Along the Westerly line of Lot 1, South 07 degrees 52 minutes 23 seconds West, a distance of 200.03 feet to a point in the Northerly line of Carteret Avenue (50 foot Right of Way); thence
3. Along the Northerly line of Carteret Avenue (50 foot Right of Way), North 83 degrees 04 minutes 37 seconds West, a distance of 162.06 feet to a point on the Easterly line of Ocean Terrace; thence
4. Along the Easterly line of Ocean Terrace (20 foot Right of Way), North 06 degrees 55 minutes 23 seconds East, a distance of 200.00 feet to the point or place of BEGINNING.

**Note for Information Only:**

Also known as Lot(s) 1, 3, 7, 9, Block 56, on the official tax map of Borough of Seaside Heights, County of Ocean, in the State of New Jersey.