



State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Division of Land Resource Protection
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April 22, 2024

New York SMSA Limited Partnership dba Verizon Wireless
180 Washington Valley Rd
Bedminster, NJ 07921

Re: COASTAL JURISDICTIONAL DETERMINATION
DLRP File No. 1306-24-0002.1
Activity Number: APD240001
Applicant: New York SMSA @ Ocean Avenue
Block(s) and Lot(s): [N/A, N/A]
Belmar Borough, Monmouth County

To Whom It May Concern:

This letter is in response to your request for a jurisdictional determination for the proposed installation of nine (9) ODAS nodes on 34-foot tall poles along Ocean Avenue in the Borough of Belmar within the CAFRA regulatory area in a non-qualifying municipality. Potentially applicable statutes include the Waterfront Development Law (N.J.S.A. 12:5-3 et seq.), Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et seq.) and the Coastal Area Facility Review Act, CAFRA, (N.J.S.A. 13:19-1 et seq.).

Based on a review of the information submitted including aerial photography maps identifying the pole locations, and the plans consisting of two (2) sheets entitled, "Construction Document Site Name: JS Belmar Boardwalk 01 SC [Nearest To] 100 Ocean Ave Belmar, NJ Monmouth County", unless otherwise noted, dated December 17, 2020, last revised May 11, 2023,

Sheet 3 entitled "Location Plan"
Sheet 4 entitled "Site Plan And Elevation",

both sheets prepared by the Scherer Design Group, Inc., and a review of information as maintained on the Department's Geographic Information System the following determination is made:

Based on a review of the Coastal Zone Management rules (N.J.A.C. 7:7-1.1 et seq.), the following determination is made:

- A Waterfront Development Permit is NOT required.
- A Waterfront Development Permit will be required because:

- Work will be performed at or below (outshore) the Mean High Water Line.
- Work will be performed within 100/500 feet of the MHWL outside the coastal area.

Based on a review of the Coastal Zone Management rules (N.J.A.C. 7:7-1.1 et seq.), the following determination is made:

- A CAFRA permit is required.
- A CAFRA permit is NOT required.

Based on a review of the Coastal Wetlands Maps, the following determination is made:

- Coastal Wetlands permit is required. Coastal Wetlands are mapped on this site. Activity is proposed at or below the Upper Wetlands Boundary.
- Coastal Wetlands permit is NOT required. Based on a review of the Coastal Wetlands Maps it is determined that there are not mapped wetlands on the site.
- Coastal Wetlands permit is NOT required. Coastal Wetlands are mapped on this site. However, no activity is proposed at or below the Upper Wetlands Boundary.

This letter does not constitute a jurisdictional determination for the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A-1.1 et seq. and/or the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-1.1 et seq. For assistance with the applicability of these statutes you are advised to contact the Division's Technical Support Center at (609)777-0454.

This letter does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law and is based on the information submitted in accordance with existing regulation. You are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless the regulations on which this determination is based are amended, or it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original Jurisdictional Determination and issue a revised determination.

Please contact Christopher Jones of our staff by e-mail at Christopher.Jones@dep.nj.gov should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,

Mark C. Davis, Section Chief
Division of Land Resource Protection
Bureau of Coastal Regulation

c: Bureau of Coastal and Land Use Compliance and Enforcement
Belmar Boro Construction Official
Agent