

BOROUGH OF BAY HEAD
83 Bridge Avenue
Bay Head, NJ 08742
Phone – (732) 892-0638 Fax – (732) 899-6494

Dune Pathway, Walkway, Elevated Walkway or Dune Platform Permit Application

1. Property Location:

Street Location

Block: _____ Lot(s): _____

2. Owner(s): _____

Name

Address (if different from above)

Phone: _____

3. Contractor: _____

Name

Address

Phone: _____

4. Type of Work (check one or both):

____ elevated walkway ____ dune platform

5. Schedule of Work Start Date: _____ Completion Date: _____

6. Plot Plan provided (check one): ____ Yes ____ No
plot plan and sketch of proposed work required

7. Fee Included (amount): \$ _____
elevated walkway - \$350 dune platform - \$200

Statement of Self Certification

I hereby certify that the foregoing statements and plot plan and sketches made by the owner or representative of the above-referenced property are true and accurate representation of the work being proposed.

Signature of Oceanfront Owner

Do not write below this line. For Office Use Only.

Permit Approved

Permit Denied

Permit Conditions: _____

Signature of Dune Consultant

Dune Pathways, Walkway, or Dune Platforms Requirements

Per Borough Code

A. Dune Pathways or Walkways.

(1) One pathway or walkway across the dune area is permitted for each residence in accordance with N.J.A.C. 7:7-10.4(e). It shall run, generally, the shortest practical course between the residence and the seaward edge of the dune and shall not exceed four (4) feet in width. Dune pathways or walkway shall be at least ten (10) feet from each sideline of the property. Fencing is optional for pathways and walkways. Any fencing installed shall be consistent with NJDEP Coastal Zone Management Rules as set forth at N.J.A.C. 7:1-1 et seq.

(a) Pathways

A singular natural path for each residence may be used to access the ocean, beach or any dune platform. The pathway may be protected by placing suitable wear resistant material on the sand surface with a maximum width of four (4) feet in accordance with NJDEP CZM Regulations. This surface shall be constructed on-grade and be composed of natural, aggregate or temporary removable walkways, geotextile access surface mats, or other modular components. Pathways may be placed directly on the dune surface and may remain in place as long as they are not found to be a detriment to maintaining the minimum dune crest elevation consistent with the USACE Beach and Dune project elevation by the Dune Consultant, in the exercise of reasonable professional judgment.

(b) Walkway

(1) At-grade walkways are permitted for each residence in accordance with N.J.A.C. 7:7-10.4(e).

- a. At-grade walkways shall be constructed with the use of stringers of no greater than six (6) inches in vertical section placed directly on grade, handrails may be installed on a walkway or steps to facilitate stability when negotiating the walkway. Handrails shall be no more than two (2) inches in vertical cross section, all to limit debris if swept away in any storm surge and also to limit visual interference of the dune and ocean to the views of adjoining properties. Planking no more than 6 inches in width and with a maximum gap area between planks of $\frac{1}{2}$ inch may be secured to the top of the stringers. Walkway components shall be constructed to facilitate optional removal for periods of non-use, anticipated storm impacts or future dune development or maintenance.
- b. Posts shall not be utilized to vertically support walkways, but only for lateral stabilization. Walkways may be secured with earth anchors strapped to the frame to resist wind uplift at the owner's discretion.

- c. Walkways lawfully in existence prior to the enactment of this ordinance may be left in place and shall not be deemed to violate this ordinance.
- (2) Elevated walkways may be required to transverse the low-lying area of the dune shall meet the following conditions.
 - [a] The elevated walkway shall, in all events, be maintained in the same fashion and subject to the same regulations as may govern use of pathways and walkways. Elevated walkways may not be constructed without an elevated walkway permit issued by the Dune Consultant.
 - [b] For elevated walkways, the owner shall submit a plot plan showing the exact location of the walkway with respect to the property boundary lines and the crest of the dune and a detailed drawing or sketch of the proposed elevated walkway. The Dune Consultant shall have the authority to require any additional information or approvals to show compliance with any zoning or applicable construction code requirements.
 - [c] The elevated walkway shall be constructed with the use of stringers and bridging of no greater than six (6) inches in vertical section, stringers may be sistered together horizontally for added strength. Handrails may be constructed as required by building code but shall be no more than two (2) inches in vertical cross section. Planking shall be no more than 6 inches in width with a maximum gap area between planks of ½ inch. The top of the planking shall be no higher than as is reasonably necessary to bridge any gap between the revetment and the dune constructed as part of the USACE Beach fill and Dune Project, but may exceed this height when crossing naturally higher dune elevations or connecting to decks, stairways or stairway landing attached to existing or approved primary residential structures. Elevated walkway structures shall be designed to facilitate removal for extended periods of non-use and accommodate future dune development and maintenance where possible. The vertical maximum 6” vertical section and maximum walkway height shall be maintained to minimize visual adverse impact to the views of the dune and ocean from adjoining properties. All necessary Borough and Regulatory permits shall be obtained prior to any construction of elevated walkways.
 - [d] Walkways may only be elevated upon approval under a Borough elevated walkway permit and in accordance with the Borough’s Chapter 126 Flood Damage Prevention Ordinance, Section 126-16, associated permitting procedures. Supports for elevated walkways shall be designed to address the impacts of, and to, the revetment installed within the dune system, where applicable.
- (3) When, in the reasonable professional judgment of the Dune Consultant, the walkway or walkway supports are deemed to be jeopardizing the integrity of the dune system, by allowing the desired dune crest grade or dune slope surfaces to be lowered by more

than one (1) foot below the improved USACE dune template surface, the area shall be restored with material of such grain size, shape, color and other characteristics as will, in the reasonable judgment of the Dune Consultant, be compatible with the existing on-site sand to its prescribed elevation by the owner at their own expense.

(a) A pathway or walkway is exempt from any provisions requiring a dune pathway or walkway permit, provided that it:

- i. Does not extend eastward of the seaward edge of the dune;
- ii. Is not wider than four feet;
- iii. Complies with all provisions contained in Section A above with the exception of Section A(2).

(4) The fee for a dune walkway permit, if required shall be two hundred (\$200.00) dollars. The fee for an elevated walkway permit shall be three hundred fifty (\$350.00) dollars for the first submission. There shall be a fee of one hundred (\$100.00) dollars for any additional submission. These fees are intended to cover the actual cost of permit review by the Borough and any fee monies exceeding actual costs shall be returned to the applicant upon issuance of the permit.

B. Dune platforms; permit.

(1) Each oceanfront lot shall be allowed a dune platform not to exceed two hundred (200) square feet, with a maximum length of twenty (20) feet, situated within the dune area, with the following exception:

- (a) In the event that a legally existing dune platform exists in a location landward of the USACE Beach fill and Dune Project at the time of the adoption of this ordinance, a second dune platform not to exceed 200 square feet shall be allowed upon the crest of the dune created as part of the USACE Beach fill and Dune Project.
- (b) Legal, preexisting dune platforms may exceed a length or width of 20 feet; however, in the event that such a platform is more than partially destroyed, any replacement platform shall not exceed a length or width of 20 feet.
- (c) Flagpoles are permitted structures that are not subject to these provisions. No flagpoles are permitted within the limits of the USACE Beach fill and Dune Project.

(2) The dune platform shall, in all events, be maintained in the same fashion and subject to the same regulations as may govern use of pathways and walkways. Dune platforms may not be constructed without a dune platform permit, to be issued by the Dune Consultant, with additional approvals by the Zoning Officer and Construction Official and upon payment of all applicable permit fees. Prior to the issuance of a dune platform permit, the owner shall submit a plot plan showing the

- exact location of the platform with respect to the property boundary lines and the dune crest and a detailed drawing or sketch of the proposed platform. The Dune Consultant shall have the authority to require any additional information or approvals to show compliance with any zoning or applicable construction code requirements. A walkway or pathway, not to exceed four feet in width, shall be provided for access east and west of the platform to minimize damage to vegetation by pedestrian traffic, but must have a clear separation of a minimum of one-half inch (1/2 inch) for the walkway not to be included in the platform area calculations. Platforms shall be located such that the eastern edge is a minimum of five (5) feet westerly of the seaward dune crest and the northerly or southerly edge is a minimum of ten (10) feet from the property line.
- (3) All platforms and platform components shall be constructed of wood. Platforms may not have walls, roofs, lattice, railings or built-in seating. Platforms may not be connected to utilities, including but not limited to electric, water or sewer. Notwithstanding this provision, platforms together with lawful appurtenances and connected utilities that had been lawfully erected pursuant to a permit granted by the Borough prior to the enactment of this ordinance may be left in place and shall not be deemed to violate this ordinance.
 - (4) The dune platform shall be constructed at-grade with neither length nor width greater than twenty (20) feet, stringers or ledger boards shall be no greater than six (6) inches in vertical section placed directly on grade. Planking shall be no more than 6 inches in width and the maximum gap area between planks shall not exceed ½ inch. Top of planking shall not exceed elevation 22.7 NAVD88 in USACE Beach fill and Dune Project constructed crest areas, however, may be a maximum of 8 inches above existing grade in natural dune areas of a higher grade or lower grade. Structure shall be constructed to facilitate removal for periods of extended non-use, dune development and dune maintenance.
 - (5) Notwithstanding any other provision of this Code, platforms shall be secured with earth anchors strapped to the frame.
 - (6) The fee for a dune platform permit shall be two hundred (\$200.00) dollars.