



# **OPEN SPACES**

## CAPE MAY COUNTY

### **PROGRAM GUIDE - 2021**

Updated 11/4/21 (Coastal Enhancement Policy)

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# **Cape May County Open Spaces PROGRAM GUIDE - 2021**

PROGRAM INTRODUCTION:	PAGE 3
SECTION 1: GENERAL PROVISIONS	PAGE 4
SECTION 2: ELIGIBILITY	PAGE 6
SECTION 3: APPLICATION PROCESS & REQUIREMENTS	PAGE 7
SECTION 4: APPLICATION REVIEW & EVALUATION	PAGE 8
SECTION 5: LAND ACQUISITION PROGRAM	PAGE 9
SECTION 6: OPEN SPACES PROGRAM PRIORITY GRANTS	PAGE 11
SECTION 7: PARK & RECREATION DEVELOPMENT GRANTS	PAGE 18
SECTION 8: HISTORIC PRESERVATION GRANTS	PAGE 25
SECTION 9: JOINT VENTURE PROGRAM GRANTS	PAGE 29

# **Cape May County Open Spaces PROGRAM GUIDE – 2021**

## **Program Introduction:**

On November 9<sup>th</sup>, 1989, the voters of Cape May County approved, by a two to one margin, a ballot question endorsing the establishment of a trust fund to preserve open space and agricultural land. The trust is funded by a County property tax of one cent per \$100 assessed valuation (known as the Open Space Preservation Tax) and currently generates approximately \$5.5 million annually. Once the funds were in place, the County established the Division of Open Space and Farmland Preservation to administer the program, which focused on the outright purchase of open space parcels, and the purchase of development rights on active agricultural lands from willing sellers. From 1989 to 2020, the County was successful in purchasing 1,341 acres of open space (\$32.7 million spent) and deed restricting 3,324 acres of farmland (\$35.6 million spent). This has resulted in the permanent preservation of 4,665 acres through the utilization of more than \$68 million of Trust Fund dollars.

In 1997, the State of New Jersey passed a number of laws which expanded the potential function of the Open Space and Farmland Preservation Trust Fund programs to include recreation and historic preservation. In 2012, the County met with municipal representatives and collectively came to the conclusion that it was in the best interest of the municipalities, their residents, and visitors to consider the expansion of the program. Therefore, a thorough review of the Open Space and Farmland Preservation Program was conducted, and new program documents were developed. Each year, the Open Space Review Board revisits its policies and procedures based on information provided by stakeholders, and updates this Program Guide and all application materials. This ensures that the Program is meeting the needs of those it is intended to serve in an efficient and effective manner.

This Program Guide reflects the goals, policies, and objectives of the Cape May County Open Spaces Board. The Farmland Preservation Program is operated under the guidelines provided by the State of New Jersey and the State Agriculture Development Committee. However, this level of guidance for the Open Spaces Program was not provided through the State or required by legislation; therefore each County's Open Spaces Program is different. The purpose of this document is to provide a well-defined framework for the Open Spaces portion of Cape May County's overall program.

The decision to expand the Open Spaces Program into the realms of recreation and historic preservation beginning in 2013 has helped to enhance and protect our collective community assets, providing quality of life and economic stabilization benefits. Since that time, a diverse array of projects and preserved lands have come into fruition and have been added to our County's collection of resources for enjoyment by our many residents and visitors. By the end of 2020, \$17.7 million was committed to over 27 individual recreation projects, and \$1.5 was committed to 21 historic preservation projects.

In 2018, the Open Spaces Board recognized a need to develop a brand identity and design guidelines for the Program in order to cultivate and nurture a new appreciation for Cape May County's Open Spaces, and for the investment of our taxpayers' dollars in high quality, accessible, and sustainable public places. The services of a Creative Placemaking firm were obtained, and over the course of 10 months, we embarked on a stakeholder-based visioning project that resulted in the creation of the rebranding of the Cape May County Open Space & Farmland Preservation Program into "Open Spaces". The Plan provides robust guidelines for the use of custom designed materials, patterns, colors, and other aesthetic elements in projects funded through the Open Spaces Program. Over time, as projects are built using our placemaking elements, we anticipate a growing appreciation for the quality and variety of our County's natural and built environments and the partnerships that have resulted in our system of Open Spaces.

In 2020, the Open Spaces Board undertook a thorough program review and updated policies, procedures, funding categories, eligibility, and funding scenarios. This 2021 Program Guide reflects these adjustments.

## **SECTION 1: GENERAL PROVISIONS**

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### **Purpose and Objectives:**

The purpose of the Cape May County Open Spaces and Farmland Preservation Program is to permanently preserve public land of county significance and to support current and future regional conservation, recreation, community enhancement, and historic preservation needs throughout the County. The Program will interact with municipal officials and other stakeholders to identify community and regional needs and will utilize program funds to establish a diverse yet interconnected network of public spaces.

Program objectives are as follows:

- Permanently preserve regionally significant public open spaces and natural resources for recreation and/or conservation purposes
- Preserve active farmland throughout the County to maintain the viability of the County's agriculture industry
- Provide amenities at regional parks and recreation areas and to require maintenance thereof by project applicants, to meet local service needs
- Preserve and enhance historic resources
- Provide needed spaces and amenities for community enhancement
- Partner with local municipalities to provide funding for local open space, farmland preservation, recreation, or historic preservation initiatives, including the repayment of local debt service for these purposes

### **2021 Funding Category Revisions:**

In 2020, the Open Spaces Board worked diligently to revise program categories and their

associated funding formulas. These categories are briefly described below. Please refer to individual sections for full details:

**Program Priority Grants:** Program Priority Grants have replaced the category formerly known as Special Funding Rounds. Rather than having targeted funding rounds for Recreational Trails, Coastal Recreational Enhancements, and Creative Placemaking Plan Implementation, these types of projects have become consistent priorities of our Program and thus are available in all 3 annual funding rounds until further notice. The Open Spaces Program will pay 50% of soft costs and 90% of eligible project elements for approved projects, up to a maximum grant award of \$2.5 million.

**Park & Recreation Development Grants:** This category provides funding opportunities for projects that create new recreational amenities or experiences that will enhance local municipalities' public spaces and will potentially draw visitors from outside of the local area. There is now a two-tiered system for applications. Tier 1 is for total project costs up to \$999,000, where the Open Spaces Program will contribute 75% of eligible capital expenses for approved projects (maximum grant award is \$750,000). Tier 2 is for project costs of \$1 million to \$2 million. For approved projects of this scale, the Open Spaces Program will contribute 75% of eligible costs for the first \$999,000; then 50% of eligible costs up to a maximum grant award of \$1.75 million (\$750,000 for Tier 1 + \$1 million for Tier 2 for total project cost of \$ 2 million). Soft costs are not eligible for funding in this category, but do count towards the required municipal match.

**Historic Preservation Grants:** Historic Preservation Easements for a term of 15 years are now required as part of the conditions for receipt of grant funds. Additionally, applicants whose facilities have entry fees must agree to having a minimum of one day per year as "free admission" to encourage County residents and property owners to visit.

**Joint Venture Projects:** This is a new category developed by the Board, whereby the County will work with a municipality to develop planning and programming for the development or redevelopment of a public recreation area. The municipality is responsible for all phases of plan implementation, as well as the long-term maintenance and operation of the site. The municipality will deed the land over to the County. The amount of the grant is equal to the tax assessed value of the land, and it must be fully invested in the site; it can pay for soft costs such as engineering, design, permitting, etc. Applicants are also eligible to apply for Program Priority and Park & Recreation Development grants if the amount of the planned project exceeds the amount of the Joint Venture grant.

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## **SECTION 2: ELIGIBILITY**

	Land Acquisition	Open Spaces Program Priority	Park & Recreation Development	Joint Venture	Historic Preservation	Farmland Preservation
Private Landowners	YES	NO	NO	NO	NO	YES
Municipalities	*	YES	YES	YES	YES	NO
Departments of County Government	*	YES	YES	NO	YES	NO
Historic Preservation-oriented Non-Profits	NO	NO	NO	NO	YES	NO

\*Under certain circumstances, the Open Spaces Board will partner with Municipalities or Departments of County Government for land acquisition projects. See the Land Acquisition Section of this document for more details.

**Eligible Projects:**

Eligible purposes, as defined by public law (N.J.S.A. 40:12-15.2 et seq), and approved by the Board of Chosen Freeholders may include the following:

1. Acquisition of land for conservation and recreation purposes
2. Development of lands acquired for recreation and conservation purposes
3. Acquisition of farmland or acquisition of development easements for farmland preservation purposes
4. Historic preservation of historic properties, buildings, facilities, sites, or areas; “structures”, as defined by the Department of the Interior, National Park Service are eligible on a limited basis (see Section 8 below)
5. Payment of debt service on indebtedness issued or incurred by the County or municipality for any of the purposes set forth above

Any funded projects must be open and accessible to the general public. A long-term management / maintenance agreement with the County of Cape May, dictating the terms of accessibility, usage of the site, and responsible party for ongoing and long-term maintenance will be required.

**Ineligible Projects:**

The following purposes are ineligible to receive funding from the Open Spaces and Farmland Preservation Trust Fund:

1. Any maintenance, care, custodial, equipment (trucks, tractors, boats, etc.) or policing

- expenditures associated with active and passive recreation and historic sites
2. Lands that are and will remain predominantly covered by buildings or structures not appropriate for environmental education, recreational use, or historic preservation
  3. Projects that will have a significant adverse impact on environmental resources or open space values
  4. Any costs incurred prior to the decision of the Open Spaces Board to recommend a project to the Board of County Commissioners; please note that the issuance of a purchase order and/or the award of a contract shall constitute the incurrence of costs
  5. Artificial Turf Athletic Fields
  6. Projects located on property owned by, or predominantly for use by school districts
  7. Project elements that involve replacement of existing improvements that have not exceeded their useful life or where deferred maintenance has caused the need for replacement
  8. The square footage of any new building or structure that will be used for the purpose of generating revenue (i.e. concessions or sales area)

***Conditionally Eligible Project Components:***

The following items will be considered as components of an overall plan for site improvements on a case-by-case basis based on site conditions, projected usership, and overall project need:

1. Security Systems (applicant must provide matching funds and assurances for proper use, monitoring, and system upkeep)
2. Sports Lighting
3. Irrigation Wells

**SECTION 3: APPLICATION PROCESS AND REQUIREMENTS**

**Application Deadlines:**

Applications for all Open Spaces Grant Programs will be accepted three times per calendar year. Decisions on the applications will be made prior to the beginning of the next funding cycle. In 2021, the application due dates are as follows:

- Thursday, April 15<sup>th</sup>
- Monday, August 16<sup>th</sup>
- Wednesday, December 15<sup>th</sup>

**Applications must be received by the Cape May County Planning Department by 4:00 pm on**

those dates; failure to do so will automatically defer the project until the next funding round. Two (2) paper copies and one (1) digital copy of the application must be provided.

All funding programs require a completed application form, project narrative, and associated attachments. Details are provided in each program's section of this document.

## **SECTION 4: APPLICATION REVIEW AND EVALUATION**

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### **Factors for Consideration:**

The Open Spaces Review Board has developed the following set of guidelines for its use when considering each application. No numerical value or ranking system is attributed to each of these individual factors.

#### Factor Set #1: Land Features

- Existing Land Use / Details of Site, including development restrictions, utility easements, conservation easements, etc.
- Surrounding Land Uses: Adjacency to Preserved Lands, Parks, or Natural Lands
- Site Setting: Aesthetic, Environmental and Historic/Cultural features
- Accessibility to projected users, community and regional perspectives to maximize broad spectrum of potential users
- Risk of Loss or Underutilization as a community asset

#### Factor Set #2: Community Needs & Planning

- Level of public support for the project
- Level of municipal, community, and/or community organizations' support/commitment
- Quality and quantity of existing municipal open space, recreation, and historic resources
- Project provides diversification of open space, recreation, and/or historic resources for the region
- Use of the design elements contained in the Cape May County Creative Placemaking Plan (for Program Priority, Park & Recreation Development, and Joint Venture Projects)
- Consistency with local planning documents and initiatives

#### Factor Set #3: Leveraging of Investment / Long Term Viability

- Demonstration of how project leverages existing and planned investment in community and region
- Project matching investment by applicant and/ or municipality, including other grants or funding sources and partners
- Use of project funds to maximize community benefit
- Project readiness and timeline for completion
- Past success of applicant with similar projects (if applicable), with an emphasis on applicant's performance in delivering past Open Spaces-funded projects on time and in-budget; applicant's performance in maintaining other assets under their jurisdiction will also be strongly considered

## **SECTION 5: LAND ACQUISITION PROGRAM**

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### **Eligible Applicants:**

The Land Acquisition Program is open to private property owners in the County of Cape May. As the main focus is to purchase land for preservation and/or recreation purposes, properties with structures located on them are only considered on a very limited basis.

Also, under certain circumstances, the Open Spaces Board will partner with Municipalities or Departments of County Government for land acquisition projects. On occasion, partnerships with municipalities have been developed whereby a municipality will pre-acquire a property and be repaid by the Open Spaces Program. The Open Spaces Program must be an active party in the initial acquisition; no “retroactive” funding will be provided to municipalities for lands previously purchased. In the case of a municipal “pre-acquisition” where the property will cost in excess of \$1 million, the Open Spaces Board reserves the option to recommend multi-year payout. This will be done in limited circumstances, as warranted by factors such as the balance of the trust fund, cost of the property, and volume of incoming applications. Please note that if a multi-year payout is recommended, Statute requires that a public hearing by the Board of County Commissioners is required. Therefore, a slightly extended timeframe is required for acquisition and/or reimbursement for municipal acquisition in this scenario.

### **Applications:**

The Land Acquisition application consists of two components: 1) the Application Form; and 2) the Project Narrative. Applicants are encouraged to provide any documentation and/or associated material as specified in the application form, including but not limited to photos, surveys, site plans/subdivisions, wetlands delineations, copies of permits, letters of support and any other relevant materials, if available.

- 1) Application Form: Applicants are required to complete the Open Spaces Program Land Acquisition Application Form in its entirety, including signatures on designated lines. Assistance for completion of the form is available from the County Planning Department, if needed. Please note the section under “Asking Price” that explains the appraisal process and how Fair Market Value is obtained.

If a property has any structure, feature, or impediment to public use, the cost of the demolition and readying the project for public access must be estimated as part of the application process and included in the acquisition cost. A written cost estimate by an appropriate professional must be provided as part of the application. This ensures that land is available for use by the public when title has been transferred to the County.

- 2) Project Narrative In addition to the Open Spaces Program Application Form, applicants are also required to provide a Project Narrative that provides details on the land being offered for sale. The document does not necessarily have to be typed, but it must be legible, and all questions must be answered. Additional details may be required upon review by Planning Department Staff or the Open Spaces Board. The applicant will be asked to provide any necessary revisions in advance of a recommendation by the Board.

### **Application Review:**

When applications are received, they will be subject to an initial review for completeness by Planning Department staff. Applicants will be contacted if there are any deficiencies in the application and will be asked to provide the necessary documentation. Once the application is deemed complete, the project will be scheduled for a presentation to the Open Spaces Board. Applicants will be asked to attend to provide a brief (5-7 minute) overview of the property and its features, and to answer any questions by the Open Spaces Board or members of the public. Public comment on applications will also be heard.

The Open Spaces Board will deliberate on applications during closed session and will make decisions on applications in Open Session. The Open Spaces Board can take the following actions:

- Defer the application based on the Board's need for additional information and/or project revisions; application will remain active and will be scheduled for the meeting after items are received
- Defer decision on the application, and place it in the pool for the next funding cycle
- Decline the application
- Recommend the acquisition to the Board of County Commissioners

Applicants will be notified in writing after determination of the course of action selected by the Open Spaces Board.

### **Recommended Projects:**

If a property is recommended for acquisition by the Open Spaces Board, the Board forwards a request to the Board of County Commissioners to obtain two appraisals. Firms are hired via Commissioner Resolutions, and appraisers begin the valuation process to establish their opinion of Fair Market Value. Once the appraisal documents have been received by the Planning Department, they are reviewed for completeness. Applicants are invited to review the documents in the Planning Department Offices. If they agree to the range of values of the two appraisal reports, a review appraisal is ordered. The finding of the review appraiser is the Certified Value of the property. The property owner is expected to accept the price and enter into the contract with the County. Closing will occur after the environmental assessment, title search, surveying, and associated processes have been completed.

## **SECTION 6: OPEN SPACES PROGRAM PRIORITY GRANTS**

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### **Eligible Applicants:**

Eligible applicants for the Open Spaces Program Priority Grants are municipalities of Cape May County and Departments of County Government.

### **Eligible Projects:**

Program Priority Grants have replaced the grants formerly known as “Special Funding Rounds”. They represent an opportunity to build a system of related amenities and public spaces throughout the County. A higher degree of participation by the Open Spaces Program is offered, as projects of these types are strongly encouraged. These grants focus on three types of projects:

- 1) **Recreational Trails** – The purpose of this program is to build and expand a network of trails and associated amenities throughout the County. This will encourage residents and visitors to engage in healthy lifestyle bicycle/pedestrian activities and to connect communities and their assets. Examples of eligible projects are: the expansion of Regional Bicycle Path System (including trail spurs to connect community assets); creation of new trails or paths on public lands; establishing trail heads; and implementing wayfinding signage programs (consistent with the Open Spaces Creative Placemaking Plan) for new or existing trails.

Please note that projects under this program can be submitted in multiple phases during different funding rounds if each phase can demonstrate independent utility.

- 2) **Coastal Recreation Enhancements** – This grant program seeks to enhance public access opportunities to Cape May County’s waterfronts (Atlantic Ocean, Delaware Bay, Intracoastal Waterway, Lakes/Ponds). Further, it will provide funding in support of amenities to enhance visitors’ experiences and to increase opportunities for a wide variety of site-appropriate active and passive recreation activities. Examples of eligible projects are: new public waterfront parks, docks, and walkways; new boat/kayak launches; birdwatching platforms; “blue trails” and associated amenities (wayfinding signage, kayak storage, parking). Applications for projects to create ADA accessible amenities will be accepted if it can be demonstrated that ADA funding was sought from other sources such as the Small Cities Program.

Clarification on Eligibility for Coastal Recreation Enhancements:

- a. For project sites where public access to waterfronts currently exist, and where these sites have provided meaningful accommodations for individuals with accessibility challenges to have relatively equitable access (physical, visual, etc.) to the waterfront assets as those individuals who do not have accessibility challenges, the Open Spaces Program will consider funding amenities that enhance the general recreational elements of the site, but will not participate in the funding of infrastructure. The definition of

- infrastructure for this purpose includes: drainage facilities, roadways, bulkheads, waterfront decking or sidewalks, and other similar non-recreational improvements.
- b. For project sites where public access to the waterfronts do NOT currently exist, or where sites do not have meaningful accommodations for individuals with accessibility challenges that are relatively equitable to those individuals that do not, the Open Spaces Program will consider funding both recreational and infrastructure-related improvements, so long as the infrastructure improvements are directly related to the new accommodations for individuals with accessibility challenges. Applications for projects or elements of projects designed to create or enhance ADA access or accessible amenities will be considered for Program funding only if it can be demonstrated that ADA grant funding was also sought from other sources such as the Small Cities Program. Please be advised that decisions on Open Spaces applications will require proof of decisions on other pending grant applications before a decision on the Open Spaces grant will be made.
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- 3) Creative Placemaking Plan Implementation – For project sites that have previously received funding under the Open Spaces grant programs, funds are available in support of retrofitting sites to implement the Open Spaces Creative Placemaking Plan. The purpose of this program is to build brand recognition and to develop consistent aesthetics and quality to a regional system of public spaces.

#### **Pre-Application Conference:**

Applicants are highly encouraged to attend a pre-application conference with a subcommittee of the Open Spaces Board as part of their project development process. A conference can be scheduled once the project concept has been developed to the point that preliminary project scope has been developed and renderings/visuals site plans, cost estimates, and timelines are available. During the conferences, general feedback on proposals will be given. Specific information on project consistency with Open Spaces Program goals and objectives, including project eligibility will be provided. When applicable, representation from our Creative Placemaking professionals can be arranged to enhance implementation of the Open Spaces Creative Placemaking Plan.

#### **Grant Parameters and Matching Requirements:**

Grants are funded on a single reimbursement basis, upon successful completion of the projects as documented via the close-out process described on the County Open Spaces webpage. Therefore, applicants must be capable of fully funding the proposed project.

Program Priority Grants are provided in support of eligible activities under the following funding scenario:

Eligible Applicants	Soft Costs paid by Grant	Eligible Capital Costs* paid by Grant	Maximum Grant Award
Municipalities & Departments of County Govt.	50%	90% of eligible elements	\$2.5 million

*\*Eligible project components consist of those amenities and facilities that provide NEW opportunities for public recreation. Redevelopment of existing amenities that have fallen unusable due to “deferred maintenance” are not eligible for Open Spaces funding. Some consideration will be given to amenities that have documented records of maintenance but that have passed their useful life on a case-by-case basis, but only if the replacement facilities offer additional recreational opportunities or accessibility.*

**User Fees:**

Any user fees charged by municipalities or County Departments for Open Spaces-funded projects must be modest, customary, and reasonable in relation to the type of facility developed and the programs offered at that facility. The Open Spaces Board must deem the proposed user fees to be necessary for the operation of the funded site. The municipality or County Department must demonstrate that the fees collected are recaptured for the purpose of maintaining and operating that particular facility through the establishment of a dedicated line item in the municipal/departmental budget. Obligations in this regard, including annual reporting requirements, will be made part of the Shared Services Agreement executed between the County and the applicant.

**Mortgages and Guarantees:**

For grant projects in excess of \$500,000, the County may require the execution of a forgivable mortgage or other suitable guarantee to secure the County’s investment. Guarantee will be for the value of the improvement and shall continue for the life expectancy of the improvements made with grant funds.

**Maintenance Standards, Programs, and Budget Acknowledgement:**

The County is desirous of ensuring for the long-term viability of investment of Open Spaces Trust Fund dollars. As such, a detailed maintenance schedule and budget is required to be submitted as part of the application. This schedule should be developed largely informed by maintenance standards that are best management practices, as well as any standards specified for individual project elements or warranties. Applicants will be expected to adhere to the schedule set forth, both on a short-term and long-term basis, to ensure that the improved sites are properly maintained and kept in a perpetual state of “neat, clean, and orderly.” County staff may, from time to time, conduct site inspections to ensure adherence to this policy. Those inspections are not meant to take the place of or to supplement municipal inspections, but rather are for the purpose of informing the County Open Spaces Program of the level of commitment by the municipality to protect the project which has emerged as a partnership between the two entities.

**Grant Applications:**

The Program Priority Grant Application consist of three parts:

- 1) **Application Form:** Applicants are required to complete the Open Spaces Program Priority Grant Application Form in its entirety, including signatures on designated lines. Assistance for completion of the form is available from the County Planning Department, if needed.
- 2) **Project Narrative:** In addition to the Open Spaces Program Application Form, applicants are also required to provide a detailed Project Narrative. Responses are required for all items listed.
- 3) **Required Attachments:** A list of Required Attachments is provided within each of the grant programs' respective application form. Please contact the Planning Department staff if you have questions regarding any of these items. Please note that the application will be deemed incomplete if all items are not addressed.

A) Project Area Map and Photos: Provide a project map that shows project limits, street names, and relevant community features (i.e. recreation facilities, schools, libraries, and other sites that would potentially contribute to the use of the proposed facility). Include photos of the current condition of the site.

B) Conceptual Plan: Provide a site plan or visual project rendering that gives detailed information on the proposed project, including the following:

- Project Location / Boundaries
- Location of existing and proposed amenities, and accompanying table identifying amenity type/number. Please refer to Open Spaces website for an example/template.
- A complete signage package must be included that identifies the location, type, and language for all signs to be included on the site, including the site dedication plaque. All signage must be consistent with the Cape May County Creative Placemaking Plan in style, design, materials, color, font, etc. (see Chapter 4). Renderings must be included as part of this application.

C) Project Permitting or other Approvals: Provide a list any permits or approvals required, and their status. Please note that pre-application conferences with permitting agencies are required for any projects requiring environmental permits *prior to* the submission of this application to the Open Spaces Program. If the project is listed on the Green Acres Recreation and Open Space Inventory, the Green Acres Program must also be consulted and must consent to the project concept (in writing) prior to the submission of this application. Provide copies of any correspondence or documentation related to these issues as part of your application package.

D) Cost Estimate: Include a detailed Engineer's cost estimate for the proposed project. Estimate must be current (within 6 months) and must include line-item costs for all elements of the proposed project. Separate line items must be included for all capital,

Engineering & Design costs, permitting costs. A line for contingencies must also be included to provide flexibility should unforeseen costs arise during project implementation. The applicant must also provide a spreadsheet containing each of the capital line items from the Engineer's cost estimate and their proposed funding source. Please refer to Open Spaces website for an example/template.

E) Project Schedule: Provide a proposed anticipated project timeline beginning at grant award and ending with grant close-out. Include elements such as design, permitting, RFP/Bid process, construction, and project completion, as well as any other important and/or relevant project milestones. If construction will be phased based on seasonal use of the site, describe the sequencing process and when project elements will be open for public use.

F) Maintenance Schedule and Maintenance Budget: Include a detailed maintenance schedule for the site and the amenities identified in the application. Include a projected useful life for each of the project components. Indicate if any of the amenities have warranties which require specific maintenance activities. Indicate the anticipated life cycle of each of the project elements. Quantify the expense to the applicant of these ongoing long-term maintenance activities and provide written documentation of acceptance of the responsibility and costs for the same. Please note that the terms of this commitment will be further detailed within the Shared Services agreement between the County of Cape May and the applicant, should the project be selected for funding.

G) Proof of Maintenance Activities for Projects Previously Funded by the Open Spaces Program: For each of your projects that have received Open Spaces funding in the past, provide documentation that a thorough maintenance program (consistent with the maintenance schedule submitted with the application, if applicable) has been undertaken. Provide proof of maintenance activities that include service logs, work orders, vendor inspections, photos, contracts, or documentation of expenditures for maintenance activities. Include any inspection reports or supplementary information.

H) Documentation of Matching Funds: Indicate the amount and source of matching funds to be provided by the applicant. If grant funds from a third party are intended to be a match, indicate the status of that grant application and include an award or commitment letter, if applicable.

### **Application Review:**

When applications are received, they will be subject to an initial review for completeness and eligibility by Planning Department staff. Applicants will be contacted if there are any deficiencies in the application and will be asked to provide the necessary documentation. Once the application is deemed complete, the applications will be reviewed by our Creative Placemaking Professionals (Designing Local) to ensure adequate use and application of the Cape May County Open Spaces Creative Placemaking Plan. A review letter from Designing Local will be provided to the applicant, who will be

asked to update their applications and associated materials accordingly. Once revised applications are received by the Planning Department, the project will be scheduled for a presentation to the Open Spaces Board. Applicants will be asked to attend to provide a brief (5-7 minute) presentation, and to answer any questions by the Open Spaces Board or members of the public. Public comment on applications will also be heard. During the presentation, visual aids, such as site schematics are encouraged, but are not required.

The Open Spaces Board will deliberate on applications during closed session and will make decisions on applications in Open Session. The Open Spaces Board can take the following actions:

- Defer the application based on the Board's need for additional information and/or project revisions; application will remain active and will be scheduled for the meeting after items are received
- Defer decision on the application, and place it in the pool for the next funding cycle
- Decline the application
- Recommend the approval of the project by the Board of County Commissioners; application will advance to a public hearing process and subsequent decision by the Board of County Commissioners

Applicants will be notified in writing after determination of the course of action selected by the Open Spaces Board. A positive recommendation by the Open Spaces Board is not a commitment of funds. Funds can only be committed by the Board of County Commissioners after a public hearing process. However, given that the Program operates on a single reimbursement basis, the applicant is free to proceed "at its own risk" after the decision by the Open Spaces Board has been made to recommend the project for Commissioner consideration.

There will be multiple opportunities for public comment throughout the application process. The public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. If a project is recommended for positive action, the matter will also be heard before the Board of County Commissioners. Presentations to the Commissioners are made at a regularly scheduled Caucus meeting; this begins the 45-day public comment period. Votes on Resolutions authorizing projects occur at open public Commissioner Meetings after the public comment has ended and any comments/issues raised are resolved. Meeting schedules for both Boards can be found on the Cape May County website at: [www.capemaycountynj.gov](http://www.capemaycountynj.gov). Additionally, if the applicant is a municipality, a municipal resolution, which is adopted at a public meeting of the governing body, will be required as part of the application.

### **Shared Services Agreements:**

Prior to the formal commitment of County Open Spaces Funds by the Board of County Commissioners, the County and the applicant will determine the parameters for funding and memorialize the same in the form of a lease/management agreement, shared services agreement, or other legal document deemed appropriate by County Counsel. This document (or documents) shall

dictate the terms of use for the land, buildings, and/or facilities situated thereon, including but not limited to the following:

- Intent and purpose of the project
- Public accessibility
- Short- and long-term plan for land use and land management
- Specific timeframes with milestones
- Guarantees for completion of project within the stated timeframe
- Parameters for public use and public access, including the proposed user fee schedule (if applicable)
- Parameters for sponsorships, subleases or other third-party agreements for use of the property
- Guarantee, budget, and schedule for short and long-term maintenance by the municipality
- Terms of County monitoring, and inspections (if applicable)
- Identification of minimum maintenance standards for site amenities
- Necessity and terms of historic preservation easement, deed restriction, or other assurances
- Other issues deemed necessary by the nature of the project, or as required by County Counsel

#### **Post Award Project Modifications:**

Applicants are strongly encouraged to be as vigilant as possible when developing their proposals and applications to the Open Spaces Program. Significant time and effort is spent adhering to the statutory and administrative requirements of operating the Program, and changes timeframes and/or grant dollar amounts are burdensome to the limited Program staff. Additionally, the projects have undergone the public hearing process, and expectations for delivery of a defined project have been set. Any variation from the application, caused by unforeseen circumstances, must be undertaken in the following manner:

A request for an extension of time due to extenuating circumstances will be considered on a very limited basis. Requests must be in the form of a resolution of the governing body indicating the duration of the extension request and detailed reasons for the project delay. A revised project schedule with milestones and a new project completion date must be attached. Please note that the ability of the applicant to deliver Open Spaces-grant funded projects on time (and in budget) will be a factor when considering future grant requests.

A request for additional funding due to extenuating circumstances will be considered on a very limited basis. Requests must be in the form of a resolution of the governing body indicating the amount of the additional funding request and detailed reasons for why the project went over budget. An updated estimate by a licensed professional must be included, as well as an updated project timeline. Requests for additional funds, if recommended by the Open Spaces Board, must be approved through a public hearing process and decision by the Board of County Commissioners. It is possible

that this approval process could take approximately 6 months. However, after receiving the positive recommendation by the Open Spaces Board, the applicant is free to proceed with the project “at its own risk”, with the understanding that funds are not committed to the project until after the public hearing and Board of County Commissioners Resolution.

Post-award modifications of the site plan or significant changes to the amenities included in the application package are strongly discouraged and are not permitted without first obtaining permission of the Open Spaces Board. Applicants must send a resolution from their governing body outlining the change in scope and the reasons therefore. Revised cost estimates and timeframes must accompany the resolution. Approval by the Open Spaces Board must be obtained before any change orders or contract modifications with contractors are executed. The Open Spaces Board reserves the right to require a new application if the scope of changes warrants such action.

### **Public Outreach and Events:**

Applicants must coordinate with the Planning Department in the scheduling and planning of any public or ceremonial events related to groundbreaking, dedication, or ribbon-cuttings. This is to ensure that the taxpayers’ investment in the Open Spaces Program is recognized and given proper credit.

## **SECTION 7: PARK & RECREATION DEVELOPMENT GRANTS**

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### **Eligible Applicants:**

Eligible applicants for the Park & Recreation Development Grants are municipalities of Cape May County and Departments of County Government.

### **Eligible Projects:**

The Park & Recreation Development Grants can be used for a wide variety of public recreation amenities. Projects are expected to offer amenities or experiences that will potentially create a draw from those outside of the immediate area. They will contribute to a larger system of public spaces and will create new opportunities that are not replicated within close vicinity to the proposed project site.

Project Examples include:

- The development of a new public park or recreation area to expand public access and variety of recreation opportunities
- Addition of new amenities such as sports courts, playgrounds, educational/interpretive signage, multi-use fields, shade structures, or other similar items at an existing public park
- Municipal development of a new recreation facility on County-owned Open Spaces Land

Applications for projects to create ADA accessible amenities will be accepted if it can be demonstrated that ADA funding was sought from other sources such as the Small Cities Program.

**Pre-Application Conference:**

Applicants are highly encouraged to attend a pre-application conference with a subcommittee of the Open Spaces Board as part of their project development process. A conference can be scheduled once the project concept has been developed to the point that preliminary project scope has been developed and renderings/visuals site plans, cost estimates, and timelines are available. During the conferences, general feedback on proposals will be given. Specific information on project consistency with Open Spaces Program goals and objectives, including project eligibility will be provided. When applicable, representation from our Creative Placemaking professionals can be arranged to enhance implementation of the Open Spaces Creative Placemaking Plan.

**Grant Parameters and Matching Requirements:**

Grants are funded on a single reimbursement basis, upon successful completion of the projects as documented via the close-out process described on the County Open Spaces webpage. Therefore, applicants must be capable of fully funding the proposed project.

Park & Recreation Grants are provided in support of eligible activities under the following funding scenario:

	<b>Eligible Applicants</b>	<b>Soft Costs paid by Grant</b>	<b>Eligible Capital Costs paid by Grant</b>	<b>Required Match</b>	<b>Maximum Grant Award</b>
Tier 1: Total Project costs of \$999,000	Municipalities & Departments of County Govt.	0%	75% of eligible project components*	25%	\$750,000
Tier 2: Total Project costs \$1m – 2m	Municipalities & Departments of County Govt.	0%	75% of eligible project components* for the first \$999k; then 50% of eligible project components*	25% for the first \$999k; then 50%	\$1,250,000

*\*Eligible project components consist of those amenities and facilities that provide NEW opportunities for public recreation. Redevelopment of existing amenities that have fallen unusable due to “deferred maintenance” are not eligible for Open Spaces funding. Some consideration will be given to amenities that have documented records of maintenance but that have passed their useful life on a case-by-case basis, but only if the replacement facilities offer additional recreational opportunities or accessibility.*

As shown on the table above, there is now a two-tiered system for applications. Tier 1 is for total project costs up to \$999,000, where the Open Spaces Program will contribute 75% of eligible capital expenses for approved projects (maximum grant award is \$750,000). Tier 2 is for project costs of \$1 million to \$2 million. For approved projects of this scale, the Open Spaces Program will

contribute 75% of eligible costs for the first \$999,000; then 50% of eligible costs up to a maximum grant award of \$1.75 million (\$750,000 for Tier 1 + \$1 million for Tier 2 for total project cost of \$ 2 million). Soft costs are not eligible for funding in this category but do count towards the required municipal match.

Please note that multiple applications (in multiple funding rounds) for Tier 1 projects at the same site or location will not be considered unless the applications are for funding of a phase of a documented long-range facility master plan where each phase offers specific new amenities or uses and have independent utility. It is up to the discretion of the Open Spaces Board to determine if this scenario applies to any given site.

#### **User Fees:**

Any user fees charged by municipalities or County Departments for Open Spaces-funded projects must be modest, customary, and reasonable in relation to the type of facility developed and the programs offered at that facility. The Open Spaces Board must deem the proposed user fees to be necessary for the operation of the funded site. The municipality or County Department must demonstrate that the fees collected are recaptured for the purpose of maintaining and operating that particular facility through the establishment of a dedicated line item in the municipal/departmental budget. Obligations in this regard, including annual reporting requirements, will be made part of the Shared Services Agreement executed between the County and the applicant.

#### **Mortgages and Guarantees:**

For grant projects in excess of \$500,000, the County may require the execution of a forgivable mortgage or other suitable guarantee to secure the County's investment. Guarantee will be for the value of the improvement and shall continue for the life expectancy of the improvements made with grant funds.

#### **Maintenance Standards, Programs, and Budget Acknowledgement:**

The County is desirous of ensuring for the long-term viability of investment of Open Spaces Trust Fund dollars. As such, a detailed maintenance schedule and budget is required to be submitted as part of the application. This schedule should be developed largely informed by maintenance standards that are best management practices, as well as any standards specified for individual project elements or warranties. Applicants will be expected to adhere to the schedule set forth, both on a short-term and long-term basis, to ensure that the improved sites are properly maintained and kept in a perpetual state of "neat, clean, and orderly." County staff may, from time to time, conduct site inspections to ensure adherence to this policy. Those inspections are not meant to take the place of or to supplement municipal inspections, but rather are for the purpose of informing the County Open Spaces Program of the level of commitment by the municipality to protect the project which has emerged as a partnership between the two entities.

## Grant Applications:

The Park & Recreation Development Grant Applications consist of three parts:

- 1) **Application Form:** Applicants are required to complete the Open Spaces Program Park & Recreation Development Grant Form in its entirety, including signatures on designated lines. Assistance for completion of the form is available from the County Planning Department, if needed.
- 2) **Project Narrative:** In addition to the Open Spaces Program Application Form, applicants are also required to provide a detailed Project Narrative. Responses are required for all items listed.
- 3) **Required Attachments:** A list of Required Attachments is provided within each of the grant programs' respective application form. Please contact the Planning Department staff if you have questions regarding any of these items. Please note that the application will be deemed incomplete if all items are not addressed.

**A) Project Area Map and Photos:** Provide a project map that shows project limits, street names, and relevant community features (i.e. recreation facilities, schools, libraries, and other sites that would potentially contribute to the use of the proposed facility). Include photos of the current condition of the site.

**B) Conceptual Plan:** Provide a site plan or visual project rendering that gives detailed information on the proposed project, including the following:

- Project Location / Boundaries
- Location of existing and proposed amenities, and accompanying table identifying amenity type/number. Please refer to Open Spaces website for an example/template.
- A complete signage package must be included that identifies the location, type, and language for all signs to be included on the site, including the site dedication plaque. All signage must be consistent with the Cape May County Creative Placemaking Plan in style, design, materials, color, font, etc. (see Chapter 4). Renderings must be included as part of this application.

**C) Project Permitting or other Approvals:** Provide a list any permits or approvals required, and their status. Please note that pre-application conferences with permitting agencies are required for any projects requiring environmental permits *prior to* the submission of this application to the Open Spaces Program. If the project is listed on the Green Acres Recreation and Open Space Inventory, the Green Acres Program must also be consulted and must consent to the project concept (in writing) prior to the submission of this application. Provide copies of any correspondence or documentation related to these issues as part of your application package.

D) Cost Estimate: Include a detailed Engineer's cost estimate for the proposed project. Estimate must be current (within 6 months) and must include line-item costs for all elements of the proposed project. Separate line items must be included for all capital, Engineering & Design costs, permitting costs. A line for contingencies must also be included to provide flexibility should unforeseen costs arise during project implementation. The applicant must also provide a spreadsheet containing each of the capital line items from the Engineer's cost estimate and their proposed funding source. Please refer to Open Spaces website for an example/template.

E) Project Schedule: Provide a proposed anticipated project timeline beginning at grant award and ending with grant close-out. Include elements such as design, permitting, RFP/Bid process, construction, and project completion, as well as any other important and/or relevant project milestones. If construction will be phased based on seasonal use of the site, describe the sequencing process and when project elements will be open for public use.

F) Maintenance Schedule and Maintenance Budget: Include a detailed maintenance schedule for the site and the amenities identified in the application. Include a projected useful life for each of the project components. Indicate if any of the amenities have warranties which require specific maintenance activities. Indicate the anticipated life cycle of each of the project elements. Quantify the expense to the applicant of these ongoing long-term maintenance activities and provide written documentation of acceptance of the responsibility and costs for the same. Please note that the terms of this commitment will be further detailed within the Shared Services agreement between the County of Cape May and the applicant, should the project be selected for funding.

G) Proof of Maintenance Activities for Projects Previously Funded by the Open Spaces Program: For each of your projects that have received Open Spaces funding in the past, provide documentation that a thorough maintenance program (consistent with the maintenance schedule submitted with the application, if applicable) has been undertaken. Provide proof of maintenance activities that include service logs, work orders, vendor inspections, photos, contracts, or documentation of expenditures for maintenance activities. Include any inspection reports or supplementary information.

H) Documentation of Matching Funds: Indicate the amount and source of matching funds to be provided by the applicant. If grant funds from a third party are intended to be a match, indicate the status of that grant application and include an award or commitment letter, if applicable.

### **Application Review:**

When applications are received, they will be subject to an initial review for completeness and eligibility by Planning Department staff. Applicants will be contacted if there are any deficiencies in the

application and will be asked to provide the necessary documentation. Once the application is deemed complete, the applications will be reviewed by our Creative Placemaking Professionals (Designing Local) to ensure adequate use and application of the Cape May County Creative Placemaking Plan. A review letter from Designing Local will be provided to the applicant, who will be asked to update the plans accordingly. Once revised plans are received by the Planning Department, the project will be scheduled for a presentation to the Open Spaces Board. Applicants will be asked to attend to provide a brief (5-7 minute) presentation, and to answer any questions by the Open Spaces Board or members of the public. Public comment on applications will also be heard. During the presentation, visual aids, such as site schematics are encouraged, but are not required.

The Open Spaces Board will deliberate on applications during closed session and will make decisions on applications in Open Session. The Open Spaces Board can take the following actions:

- Defer the application based on the Board’s need for additional information and/or project revisions; application will remain active and will be scheduled for the meeting after items are received
- Defer decision on the application, and place it in the pool for the next funding cycle
- Decline the application
- Recommend the approval of the project by the Board of County Commissioners; application will advance to a public hearing process and subsequent decision by the Board of County Commissioners

Applicants will be notified in writing after determination of the course of action selected by the Open Spaces Board. A positive recommendation by the Open Spaces Board is not a commitment of funds. Funds can only be committed by the Board of County Commissioners after a public hearing process. However, given that the Program operates on a single reimbursement basis, the applicant is free to proceed “at its own risk” after the decision by the Open Spaces Board has been made to recommend the project for Commissioner consideration.

There will be multiple opportunities for public comment throughout the application process. The public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. If a project is recommended for positive action, the matter will also be heard before the Board of County Commissioners. Presentations to the Commissioners are made at a regularly scheduled Caucus meeting; this begins the 45-day public comment period. Votes on Resolutions authorizing projects occur at open public Commissioner Meetings after the public comment has ended and any comments/issues raised are resolved. For Land Acquisition projects, public comment is invited at the Commissioner meetings where resolutions authorizing appraisals are considered. Meeting schedules for both Boards can be found on the Cape May County website at: [www.capemaycountynj.gov](http://www.capemaycountynj.gov). Additionally, if the applicant is a municipality, a municipal resolution, which is adopted at a public meeting of the governing body, will be required as part of the application.

### **Shared Services Agreements:**

Prior to the formal commitment of County Open Spaces Funds by the Board of County Commissioners, the County and the applicant will determine the parameters for funding and memorialize the same in the form of a lease/management agreement, shared services agreement, or other legal document deemed appropriate by County Counsel. This document (or documents) shall dictate the terms of use for the land, buildings, and/or facilities situated thereon, including but not limited to the following:

- Intent and purpose of the project
- Public accessibility
- Short- and long-term plan for land use and land management
- Specific timeframes with milestones
- Guarantees for completion of project within the stated timeframe
- Parameters for public use and public access, including the proposed user fee schedule (if applicable)
- Parameters for sponsorships, subleases or other third-party agreements for use of the property
- Guarantee, budget, and schedule for short and long-term maintenance by the municipality
- Terms of County monitoring, and inspections (if applicable)
- Identification of minimum maintenance standards for site amenities
- Necessity and terms of historic preservation easement, deed restriction, or other assurances
- Other issues deemed necessary by the nature of the project, or as required by County Counsel

#### **Post Award Project Modifications:**

Applicants are strongly encouraged to be as vigilant as possible when developing their proposals and applications to the Open Spaces Program. Significant time and effort is spent adhering to the statutory and administrative requirements of operating the Program, and changes timeframes and/or grant dollar amounts are burdensome to the limited Program staff. Additionally, the projects have undergone the public hearing process, and expectations for delivery of a defined project have been set. Any variation from the application, caused by unforeseen circumstances, must be undertaken in the following manner:

A request for an extension of time due to extenuating circumstances will be considered on a very limited basis. Requests must be in the form of a resolution of the governing body indicating the duration of the extension request and detailed reasons for the project delay. A revised project schedule with milestones and a new project completion date must be attached. Please note that the ability of the applicant to deliver Open Spaces-grant funded projects on time (and in budget) will be a factor when considering future grant requests.

A request for additional funding due to extenuating circumstances will be considered on a very limited basis. Requests must be in the form of a resolution of the governing body indicating the

amount of the additional funding request and detailed reasons for why the project went over budget. An updated estimate by a licensed professional must be included, as well as an updated project timeline. Requests for additional funds, if recommended by the Open Spaces Board, must be approved through a public hearing process and decision by the Board of County Commissioners. It is possible that this approval process could take approximately 6 months. However, after receiving the positive recommendation by the Open Spaces Board, the applicant is free to proceed with the project “at its own risk”, with the understanding that funds are not committed to the project until after the public hearing and Board of County Commissioners Resolution.

Post-award modifications of the site plan or significant changes to the amenities included in the application package are strongly discouraged and are not permitted without first obtaining permission of the Open Spaces Board. Applicants must send a resolution from their governing body outlining the change in scope and the reasons therefore. Revised cost estimates and timeframes must accompany the resolution. Approval by the Open Spaces Board must be obtained before any change orders or contract modifications with contractors are executed. The Open Spaces Board reserves the right to require a new application if the scope of changes warrants such action.

#### **Public Outreach and Events:**

Applicants must coordinate with the Planning Department in the scheduling and planning of any public or ceremonial events related to groundbreaking, dedication, or ribbon-cuttings. This is to ensure that the taxpayers’ investment in the Open Spaces Program is recognized and given proper credit.

## **SECTION 8: HISTORIC PRESERVATION GRANTS**

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#### **Eligible Applicants:**

Eligible applicants for the Historic Preservation Grant Program are Municipalities, Departments of County Government, and Historic Preservation-Oriented Non-Profit Organizations.

#### **Grant Applications:**

The Historic Preservation Program applications consists of two components: 1) the Application Form; and 2) the Project Narrative. Applicants are encouraged to provide any documentation and/or associated material as specified in the application form, including but not limited to photos, copies of preservation plans, historic register applications, letters of support and any other relevant materials, if available.

- 1) Application Form: Applicants are required to complete the Historic Preservation Grant Program Application Form in its entirety, including signatures on designated lines. Assistance for completion of the form is available from the County Planning Department, if needed.

- 2) Project Narrative: In addition to the Open Spaces Program Application Form, applicants are also required to provide a Project Narrative that provides details on the project. Additional details may be required upon review by Planning Department Staff or the Open Spaces Board. The applicant will be asked to provide any necessary revisions in advance of a recommendation by the Board.

### **Matching Requirements:**

The Open Spaces Program will allow soft costs incurred by the applicant for the purpose of developing/designing a project for consideration in a specific application to the Open Spaces Board to “count” toward the required match. The soft costs cannot be for a general Preservation Plan, but must be specifically related to the project at hand, and must have been incurred within the timeframe of the development of the application to the Open Spaces Program. Proof of expenditure must be provided as part of the application packet.

As an example, if in order to develop an application in support of restoration of a building exterior, the applicant hired an architect to complete an architectural assessment and cost estimate, then the applicant may quantify the amount spent on the consultant and include it as a demonstration of their Open Spaces grant match for the specific project at hand. *Please note that these costs must be borne by the applicant with the understanding that there is no guarantee of approval of the project for which they were incurred.*

If, however, the applicant hired an architect to do an overall site assessment several years ago, and the project at hand is to implement a portion thereof, the fees would not be considered as eligible for Open Spaces grant match.

Please contact Leslie Gimeno at the Planning Department (609) 465-6875 if you have any questions on this matter.

### **User Fees:**

Any user fees charged by Non-Profit Organizations for Open Spaces-funded projects must be modest, customary, and reasonable in relation to the type of facility developed and the programs offered at that facility. The Open Spaces Board must deem the proposed user fees to be necessary for the operation of the funded site. The Non-Profit Organization must demonstrate that the fees collected are recaptured for the purpose of maintaining and operating that particular facility through the establishment of a dedicated line item in the organization’s budget. Obligations in this regard, including annual reporting requirements, will be made part of the Shared Services Agreement executed between the County and the Non-Profit Organization. The Open Spaces Board may require the Non-Profit Organization to waive admission fees to Cape May County residents one day per year. This requirement will be made part of the Shared Services Agreement.

### **Project Eligibility – “Structures”:**

The Cape May County Open Spaces Program's Historic Preservation Program has been modeled after the NJ State Historic Preservation Program and uses the U.S. Department of the Interior, National Park Service's criteria for eligibility and definitions.

The National Park Service distinguishes "Structures" from "Buildings" as "those functional constructions made usually for purposes other than creating human shelter". Examples and explanation of criteria can be found at: ([www.nps.gov/nr/publications/bulletins/nrb15/nrb15\\_4.htm](http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_4.htm))

The concept of funding "structures" was discussed at the Open Spaces Board's meeting held on June 28<sup>th</sup>, 2016. Conclusions were as follows:

- The National Park Service's definition of the word "structure" must be met in order for a structure to be eligible; eligibility would be determined through the process of obtaining a Certificate of Eligibility and/or listing on the State or National Register of Historic Places.
- Structure must have significant roots in Cape May County's history
- Structure must have documented permanent "residency" in Cape May County of Cape May
- Structure must be accessible to the general public free of charge, or for a nominal charge
- Educational programming documenting structure's significance to/in Cape May County must be provided on an ongoing basis
- A cap of \$150,000 in Open Spaces grant funds will be established annually for "moveable" structures
- Applications for Historic Preservation projects for Structures would be accepted only once per year, during the August funding round. Applications for Buildings will continue to be accepted during all three funding rounds.

### **Application Review:**

When applications are received, they will be subject to an initial review for completeness and eligibility by Planning Department staff. Applicants will be contacted if there are any deficiencies in the application and will be asked to provide the necessary documentation. Once the application is deemed complete, the project will be scheduled for a presentation to the Open Spaces Board. Applicants will be asked to attend to provide a brief (5-7 minute) presentation, and to answer any questions by the Open Spaces Board or members of the public. Public comment on applications will also be heard. During the presentation, visual aids, such as site schematics are encouraged, but are not required.

The Open Spaces Board will deliberate on applications during closed session, and will make decisions on applications in Open Session. The Open Spaces Board can take the following actions:

- Defer the application based on the Board’s need for additional information and/or project revisions; application will remain active and will be scheduled for the meeting after items are received
- Defer decision on the application, and place it in the pool for the next funding cycle
- Decline the application
- Recommend the approval of the project by the Board of County Commissioners; application will advance to a public hearing process and subsequent decision by the Board of County Commissioners

Applicants will be notified in writing after determination of the course of action selected by the Open Spaces Board. A positive recommendation by the Open Spaces Board is not a commitment of funds. Funds can only be committed by the Board of County Commissioners after a public hearing process. However, given that the Program operates on a single reimbursement basis, the applicant is free to proceed “at its own risk” after the decision by the Open Spaces Board has been made to recommend the project for Commissioner consideration.

There will be multiple opportunities for public comment throughout the application process. The public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. If a project is recommended for positive action, the matter will also be heard before the Board of County Commissioners. Presentations to the Commissioners are made at a regularly scheduled Caucus meeting; this begins the 45-day public comment period. Votes on Resolutions authorizing projects occur at open public Commissioner Meetings after the public comment has ended and any comments/issues raised are resolved. Meeting schedules for both Boards can be found on the Cape May County website at: [www.capemaycountynj.gov](http://www.capemaycountynj.gov) . Additionally, if the applicant is a municipality, a municipal resolution, which is adopted at a public meeting of the governing body, will be required as part of the application.

### **Shared Services Agreements:**

Prior to the formal commitment of County Open Spaces Funds by the Board of County Commissioners, the County and the applicant will determine the parameters for funding and memorialize the same in the form of a lease/management agreement, shared services agreement, or other legal document deemed appropriate by County Counsel. This document (or documents) shall dictate the terms of use for the land, buildings, and/or facilities situated thereon, including but not limited to the following:

- Intent and purpose of the project
- Public accessibility
- Short- and long-term plan for land use and land management
- Specific timeframes with milestones
- Guarantees for completion of project within the stated timeframe
- Parameters for public use and public access, including the proposed user fee schedule (if applicable)

- Parameters for sponsorships, subleases or other third-party agreements for use of the property
- Guarantee, budget, and schedule for short and long-term maintenance by the municipality
- Terms of County monitoring, and inspections (if applicable)
- Identification of minimum maintenance standards for site amenities
- Necessity and terms of historic preservation easement, deed restriction, or other assurances
- Other issues deemed necessary by the nature of the project, or as required by County Counsel

Per this Agreement, the applicant will be required to execute a 15-year Historic Preservation Easement on the site. This requirement can be waived if the applicant is a municipality, or if the property and structures funded through this Program are municipally-owned.

### **Post Award Project Modifications:**

Applicants are strongly encouraged to be as vigilant as possible when developing their proposals and applications to the Open Spaces Program. Significant time and effort is spent adhering to the statutory and administrative requirements of operating the Program, and changes timeframes and/or grant dollar amounts are burdensome to the limited Program staff. Additionally, the projects have undergone the public hearing process, and expectations for delivery of a defined project have been set. Any variation from the application, caused by unforeseen circumstances, must be undertaken in the following manner:

A request for an extension of time due to extenuating circumstances will be considered on a very limited basis. Requests must be in the form of an official correspondence of the non-profit's board of directors or a resolution of the governing body (whichever is applicable to the applicant) indicating the duration of the extension request and detailed reasons for the project delay. A revised project schedule with milestones and a new project completion date must be attached. Please note that the ability of the applicant to deliver Open Spaces-grant funded projects on time (and in budget) will be a factor when considering future grant requests.

Post-award modifications of the scope of work for the restoration or preservation project are strongly discouraged and are not permitted without first obtaining permission of the Open Spaces Board. Applicants must send an official correspondence of the non-profit's board of directors or a resolution from their governing body (whichever is applicable to the applicant) outlining the change in scope and the reasons therefore. Revised cost estimates and timeframes must accompany the resolution. Approval by the Open Spaces Board must be obtained before any change orders or contract modifications with contractors are executed. The Open Spaces Board reserves the right to require a new application if the scope of changes warrants such action.

### **Public Outreach and Events:**

Applicants must coordinate with the Planning Department in the scheduling and planning of any public or ceremonial events related to groundbreaking, dedication, or ribbon-cuttings. This is to ensure that the taxpayers' investment in the Open Spaces Program is recognized and given proper credit.

## **SECTION 9: JOINT VENTURE GRANTS**

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This is a new category developed by the Board in 2021, whereby the County will work with a municipality to develop planning and programming for the development or redevelopment of a public recreation area. The municipality is responsible for all phases of plan implementation, as well as the long-term maintenance and operation of the site. The municipality will deed the land over to the County in exchange for grant funding. The amount of the grant is equal to the tax assessed value of the land, and it must be fully invested in the site; it can pay for soft costs such as engineering, design, permitting, etc. Applicants are also eligible to apply for Program Priority and Park & Recreation Development grants if the amount of the planned project exceeds the amount of the Joint Venture grant.

### **Eligible Applicants:**

Eligible applicants for the Joint Venture Grant Program are municipalities of Cape May County.

### **Eligible Projects:**

The Joint Venture Grants can be used to develop a wide variety of public recreation amenities, as agreed to by the County and the municipality. Projects are expected to offer amenities or experiences that will potentially create a draw from those outside of the immediate area. They will contribute to a larger system of public spaces and will create new opportunities that are not replicated within close vicinity to the proposed project site.

#### Project Examples include:

- The development of a new public park or recreation area to expand public access and variety of recreation opportunities
- Addition of new amenities such as sports courts, playgrounds, educational/interpretive signage, multi-use fields, shade structures, or other similar items at an existing public park

Applications for projects to create ADA accessible amenities will be accepted if it can be demonstrated that ADA funding was sought from other sources such as the Small Cities Program.

**Pre-Application Consultation and Coordination:**

Applicants are required to attend a pre-application consultation with a subcommittee of the Open Spaces Board and other County officials, as deemed necessary or beneficial. The purpose of the meeting is to initiate a dialogue regarding the property in question, as well as site programming and planning.

Once general consensus to move forward with a joint venture has been reached, the municipality will take the lead to engage the services of professionals to aid in the site planning and permitting process. Once preliminary plans have been developed and vetted by regulatory agencies, the municipality can develop the application to the Open Spaces Program.

**User Fees:**

Any user fees charged by municipalities or County Departments for Open Spaces-funded projects must be modest, customary, and reasonable in relation to the type of facility developed and the programs offered at that facility. The Open Spaces Board must deem the proposed user fees to be necessary for the operation of the funded site. The municipality or County Department must demonstrate that the fees collected are recaptured for the purpose of maintaining and operating that particular facility through the establishment of a dedicated line item in the municipal/departmental budget. Obligations in this regard, including annual reporting requirements, will be made part of the Shared Services Agreement executed between the County and the applicant.

**Maintenance Standards, Programs, and Budget Acknowledgement:**

The County is desirous of ensuring for the long-term viability of investment of Open Spaces Trust Fund dollars. As such, a detailed maintenance schedule and budget is required to be submitted as part of the application. This schedule should be developed largely informed by maintenance standards that are best management practices, as well as any standards specified for individual project elements or warranties. Applicants will be expected to adhere to the schedule set forth, both on a short-term and long-term basis, to ensure that the improved sites are properly maintained and kept in a perpetual state of "neat, clean, and orderly." County staff may, from time to time, conduct site inspections to ensure adherence to this policy. Those inspections are not meant to take the place of or to supplement municipal inspections, but rather are for the purpose of informing the County Open Spaces Program of the level of commitment by the municipality to protect the project which has emerged as a partnership between the two entities.

**Grant Parameters and Matching Requirements:**

Grants are funded on a single reimbursement basis, upon successful completion of the projects as documented via the close-out process described on the County Open Spaces webpage. Therefore, applicants must be capable of fully funding the proposed project. Transfer of title of the land by the

municipality to the County will occur when the development project is complete. Grant funds will be provided at time of property transfer.

Eligible Applicant	Soft Costs paid by Grant	Eligible Capital Costs paid by Grant	Maximum Grant Award
Municipality	100%	100% of eligible project components *	Value of Land to be deeded to County up to \$2.5 m

*Eligible project components consist of those amenities and facilities that provide NEW opportunities for public recreation. Redevelopment of existing amenities that have fallen unusable due to “deferred maintenance” are not eligible for Open Spaces funding. Some consideration will be given to amenities that have documented records of maintenance but that have passed their useful life on a case-by-case basis, but only if the replacement facilities offer additional recreational opportunities or accessibility.*

**Grant Applications:**

The Joint Venture Grant Applications consist of three parts:

- 1) Application Form: Applicants are required to complete the Open Spaces Joint Venture Program Form in its entirety, including signatures on designated lines. Assistance for completion of the form is available from the County Planning Department, if needed.
- 2) Project Narrative: In addition to the Open Spaces Program Application Form, applicants are also required to provide a detailed Project Narrative. Responses are required for all items listed.
- 3) Required Attachments: A list of Required Attachments is provided within each of the grant programs’ respective application form. Please contact the Planning Department staff if you have questions regarding any of these items. Please note that the application will be deemed incomplete if all items are not addressed.

A) Project Area Map and Photos: Provide a project map that shows project limits, street names, and relevant community features (i.e. recreation facilities, schools, libraries, and other sites that would potentially contribute to the use of the proposed facility). Include photos of the current condition of the site.

B) Conceptual Plan: Provide a site plan or visual project rendering that gives detailed information on the proposed project, including the following:

- Project Location / Boundaries
- Location of existing and proposed amenities, and accompanying table identifying amenity type/number. Please refer to Open Spaces website for an example/template.
- A complete signage package must be included that identifies the location, type, and language for all signs to be included on the site,

including the site dedication plaque. All signage must be consistent with the Cape May County Creative Placemaking Plan in style, design, materials, color, font, etc. (see Chapter 4). Renderings must be included as part of this application.

**C) Project Permitting or other Approvals:** Provide a list any permits or approvals required, and their status. Please note that pre-application conferences with permitting agencies are required for any projects requiring environmental permits *prior to* the submission of this application to the Open Spaces Program. If the project is listed on the Green Acres Recreation and Open Space Inventory, the Green Acres Program must also be consulted and must consent to the project concept (in writing) prior to the submission of this application. Provide copies of any correspondence or documentation related to these issues as part of your application package.

**D) Cost Estimate:** Include a detailed Engineer's cost estimate for the proposed project. Estimate must be current (within 6 months) and must include line-item costs for all elements of the proposed project. Separate line items must be included for all capital, Engineering & Design costs, permitting costs. A line for contingencies must also be included to provide flexibility should unforeseen costs arise during project implementation. The applicant must also provide a spreadsheet containing each of the capital line items from the Engineer's cost estimate and their proposed funding source. Please refer to Open Spaces website for an example/template.

**E) Project Schedule:** Provide a proposed anticipated project timeline beginning at grant award and ending with grant close-out. Include elements such as design, permitting, RFP/Bid process, construction, and project completion, as well as any other important and/or relevant project milestones. If construction will be phased based on seasonal use of the site, describe the sequencing process and when project elements will be open for public use.

**F) Maintenance Schedule and Maintenance Budget:** Include a detailed maintenance schedule for the site and the amenities identified in the application. Include a projected useful life for each of the project components. Indicate if any of the amenities have warranties which require specific maintenance activities. Indicate the anticipated life cycle of each of the project elements. Quantify the expense to the applicant of these ongoing long-term maintenance activities and provide written documentation of acceptance of the responsibility and costs for the same. Please note that the terms of this commitment will be further detailed within the Shared Services agreement between the County of Cape May and the applicant, should the project be selected for funding.

**G) Proof of Maintenance Activities for Projects Previously Funded by the Open Spaces Program:** For each of your projects that have received Open Spaces funding in the past, provide documentation that a thorough maintenance program (consistent with the maintenance schedule submitted with the application, if applicable) has been

undertaken. Provide proof of maintenance activities that include service logs, work orders, vendor inspections, photos, contracts, or documentation of expenditures for maintenance activities. Include any inspection reports or supplementary information.

H) Documentation of Matching Funds: Indicate the amount and source of matching funds to be provided by the applicant. If grant funds from a third party are intended to be a match, indicate the status of that grant application and include an award or commitment letter, if applicable.

### **Application Review:**

When applications are received, they will be subject to an initial review for completeness and eligibility by Planning Department staff. Applicants will be contacted if there are any deficiencies in the application and will be asked to provide the necessary documentation. Once the application is deemed complete, the applications will be reviewed by our Creative Placemaking Professionals (Designing Local) to ensure adequate use and application of the Cape May County Creative Placemaking Plan. A review letter from Designing Local will be provided to the applicant, who will be asked to update the plans accordingly. Once revised plans are received by the Planning Department, the project will be scheduled for a presentation to the Open Spaces Board. Applicants will be asked to attend to provide a brief (5-7 minute) presentation, and to answer any questions by the Open Spaces Board or members of the public. Public comment on applications will also be heard. During the presentation, visual aids, such as site schematics are encouraged, but are not required.

The Open Spaces Board will deliberate on applications during closed session and will make decisions on applications in Open Session. The Open Spaces Board can take the following actions:

- Defer the application based on the Board's need for additional information and/or project revisions; application will remain active and will be scheduled for the meeting after items are received
- Defer decision on the application, and place it in the pool for the next funding cycle
- Decline the application
- Recommend the approval of the project by the Board of County Commissioners; application will advance to a public hearing process and subsequent decision by the Board of County Commissioners

Applicants will be notified in writing after determination of the course of action selected by the Open Spaces Board. A positive recommendation by the Open Spaces Board is not a commitment of funds. Funds can only be committed by the Board of County Commissioners after a public hearing process. However, given that the Program operates on a single reimbursement basis, the applicant is free to proceed "at its own risk" after the decision by the Open Spaces Board has been made to recommend the project for Commissioner consideration.

There will be multiple opportunities for public comment throughout the application process.

The public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. If a project is recommended for positive action, the matter will also be heard before the Board of County Commissioners. Presentations to the Commissioners are made at a regularly scheduled Caucus meeting; this begins the 45-day public comment period. Votes on Resolutions authorizing projects occur at open public Commissioner Meetings after the public comment has ended and any comments/issues raised are resolved. For Land Acquisition projects, public comment is invited at the Commissioner meetings where resolutions authorizing appraisals are considered. Meeting schedules for both Boards can be found on the Cape May County website at: [www.capemaycountynj.gov](http://www.capemaycountynj.gov). Additionally, if the applicant is a municipality, a municipal resolution, which is adopted at a public meeting of the governing body, will be required as part of the application.

### **Shared Services Agreements:**

Unless otherwise specified, the municipality will be responsible for the long-term maintenance and operation of the public recreation facility, even though the land will be owned by the County. Prior to the formal commitment of County Open Spaces Funds by the Board of County Commissioners, the County and the applicant will determine the parameters for funding and memorialize the same in the form of a lease/management agreement, shared services agreement, or other legal document deemed appropriate by County Counsel. This document (or documents) shall dictate the terms of use for the land, buildings, and/or facilities situated thereon, including but not limited to the following:

- Intent and purpose of the project
- Public accessibility
- Short- and long-term plan for land use and land management
- Specific timeframes with milestones
- Guarantees for completion of project within the stated timeframe
- Parameters for public use and public access, including the proposed user fee schedule (if applicable)
- Parameters for sponsorships, subleases or other third-party agreements for use of the property
- Guarantee, budget, and schedule for short and long-term maintenance by the municipality
- Terms of County monitoring, and inspections (if applicable)
- Identification of minimum maintenance standards for site amenities
- Necessity and terms of historic preservation easement, deed restriction, or other assurances
- Other issues deemed necessary by the nature of the project, or as required by County Counsel

### **Post Award Project Modifications:**

Applicants are strongly encouraged to be as vigilant as possible when developing their proposals and applications to the Open Spaces Program. Significant time and effort is spent adhering

to the statutory and administrative requirements of operating the Program, and changes timeframes and/or grant dollar amounts are burdensome to the limited Program staff. Additionally, the projects have undergone the public hearing process, and expectations for delivery of a defined project have been set. Any variation from the application, caused by unforeseen circumstances, must be undertaken in the following manner:

A request for an extension of time due to extenuating circumstances will be considered on a very limited basis. Requests must be in the form of a resolution of the governing body indicating the duration of the extension request and detailed reasons for the project delay. A revised project schedule with milestones and a new project completion date must be attached. Please note that the ability of the applicant to deliver Open Spaces-grant funded projects on time (and in budget) will be a factor when considering future grant requests.

A request for additional funding due to extenuating circumstances will be considered on a very limited basis. As Joint Venture grants are specifically tied to the tax assessed value of the land, requests that exceed the assessed value will not be considered. Rather, the municipality will be directed to Program Priority or Park & Recreation Development Programs. Requests must be in the form of a resolution of the governing body indicating the amount of the additional funding request and detailed reasons for why the project went over budget. An updated estimate by a licensed professional must be included, as well as an updated project timeline. Requests for additional funds, if recommended by the Open Spaces Board, must be approved through a public hearing process and decision by the Board of County Commissioners. It is possible that this approval process could take approximately 6 months. However, after receiving the positive recommendation by the Open Spaces Board, the applicant is free to proceed with the project “at its own risk”, with the understanding that funds are not committed to the project until after the public hearing and Board of County Commissioners Resolution.

Post-award modifications of the site plan or significant changes to the amenities included in the application package are strongly discouraged and are not permitted without first obtaining permission of the Open Spaces Board. Applicants must send a resolution from their governing body outlining the change in scope and the reasons therefore. Revised cost estimates and timeframes must accompany the resolution. Approval by the Open Spaces Board must be obtained before any change orders or contract modifications with contractors are executed. The Open Spaces Board reserves the right to require a new application if the scope of changes warrants such action.

#### **Public Outreach and Events:**

Applicants must coordinate with the Planning Department in the scheduling and planning of any public or ceremonial events related to groundbreaking, dedication, or ribbon-cuttings. This is to ensure that the taxpayers’ investment in the Open Spaces Program is recognized and given proper credit.