



# **OPEN SPACES**

## CAPE MAY COUNTY

### **PROGRAM GUIDE**

**Adopted by the Board of County Commissioners March 14<sup>th</sup>, 2023**

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## PROGRAM UPDATES “AT A GLANCE”

The Cape May County Open Spaces Board reviews policies and procedures at the end of each calendar year and makes recommendations for changes to the Board of County Commissioners. The purpose of the revisions is to make certain that the Program is responsive to the needs of its constituents, and to ensure that it operates in an efficient and effective manner. A brief overview of important policy changes is listed below, with detailed information being found in each of the individual sections of this Policy Guide. The following changes to the 2022 Program Guide were adopted by the Board of County Commissioners on March 14<sup>th</sup>, 2023 and shall remain in effect until future Program revisions are warranted.

### **Farmland Preservation Program:**

- No changes

### **Land Acquisition Program:**

- No changes

### **Historic Preservation Program:**

- No changes

### **Program Priority, Park & Recreation Development, and Joint Venture Grants:**

- Program Priority Grants
  - Pre-Project Consultations are strongly encouraged
  - Added new area of concentration: Passive Recreation Facilities
  - Refined eligibility criteria for Priority Grants
  - Clarified that an additional separate application to the Park & Recreation Development Program may be required for elements of a proposed project that do not meet Program Priority criteria
- Park & Recreation Development Grants
  - Pre-Project Consultations are strongly encouraged
  - Refined eligibility criteria to focus on new amenities and experiences
  - New funding formulas
    - Project tiers eliminated
    - Grants up to 60% of total capital costs (previously 75%); this included Creative Placemaking Elements and Amenities
    - Maximum grant: \$1.5 million (previously \$1.75 million)
- Joint Venture Program Grants
  - Pre-project Consultations are required
  - Refined eligibility criteria

# **Cape May County Open Spaces**

## **PROGRAM GUIDE**

### **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). 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 2022, the County was successful in purchasing 1,342 acres of open space (\$33.3 million spent) and deed restricting 3,664 acres of farmland (\$36.4 million spent). This has resulted in the permanent preservation of 5,006 acres through the utilization of more than \$69 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 2022, approximately \$31 million was committed to over 42 individual recreation projects, and \$3.6 million was committed to 46 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 Professional Planning and Creative Placemaking firm were obtained, and over the course of 10 months, the Board embarked on a stakeholder-based visioning project that resulted in the creation of the "Cape May County Creative Placemaking Plan" and the rebranding of the Cape May County Open Space & Farmland Preservation Program into "Open Spaces". The award-winning Cape May County Creative Placemaking 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 the identified placemaking elements, the Board has seen 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 2022, the Open Spaces Board undertook a thorough program review and updated policies, procedures, funding categories, eligibility, and funding scenarios. This Program Guide reflects these adjustments and will be the foundation for operation of the Program until future changes are recommended by the Open Spaces Board and adopted by the Board of County Commissioners. Please note that this document serves as guidance for the Open Spaces portion of the program. For information on Farmland Preservation, please contact the Planning Department at (609) 465-1086.

## **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 new and enhanced amenities and experiences 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 and quality of life 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

## SECTION 2: ELIGIBILITY

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	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 County Commissioners 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 Program:

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 used 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 revenue generating activities (i.e. concessions.) Square footage of buildings for the purpose of collection of user fees for the site are eligible for consideration
9. Electric Vehicle (EV) Charging stations and/or infrastructure improvements directly associated therewith

***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 maintenance)

2. Sports lighting
3. Irrigation wells and irrigation systems

**SECTION 3: APPLICATION DEADLINES:**

Program Type	# Funding Rounds/Year	Application Due Date
Land Acquisition	Accepted continuously	Applications accepted on a continual basis; no due dates; applications are given priority over other types of applications
Farmland Preservation	Accepted continuously	Applications accepted on a continual basis; contact the Planning Department for more information
Program Priority Projects	2	Letters of Interest and Preliminary Application Forms due on February 1 <sup>st</sup> and August 1 <sup>st</sup> each year
Park/Recreation Development Projects	2	Letters of Interest and Preliminary Application Forms due on February 1 <sup>st</sup> and August 1 <sup>st</sup> each year
Joint Venture Projects	2	Letters of Interest and Preliminary Application forms due on February 1 <sup>st</sup> and August 1 <sup>st</sup> each year
Historic Preservation Projects	2	Applications due on April 1 <sup>st</sup> and September 1 <sup>st</sup> of each year

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

**SECTION 4: GRANT APPLICATION PROCESS:**

A brief bulleted description of the application process for Open Spaces Grants is provided below. This information is being provided to serve as a general guide to the grant processes. The process and amount of time for project advancement will vary due to discussions/deliberations, maturation of design, public input, and other factors. There is a need for an open and engaged dialogue between the applicant, Planning Department staff, and the Open Spaces Board throughout project development and implementation. Details of the process and application requirements are found in each individual grant program’s section of this document:



**Program Priority & Park/Recreation Development Grants:**

- Pre-Project Consultation Meeting (*strongly suggested*)
- Submission of Letter of Intent and Preliminary Application Form (*by deadline*)
- Staff review to determine completeness of application
- Workshop Meeting with Open Spaces Board
- Project revisions and ongoing dialogue until project is fully matured
- Open Spaces Board consensus regarding project advancement through the process and approximate degree of participation
- Invitation to Submit Full Application (*for recommended projects only*)
- Creative Placemaking Consultant Review and feedback
- Final design modifications and cost estimates submitted to Open Spaces Board
- Presentation of Full Application; review, deliberation, and consensus by Open Spaces Board
- Recommendation conveyed to Board of County Commissioners via Public Meeting / Presentation
- 45-Day Public Comment Period
- Project revisions and ongoing dialogue regarding public comments received (*as necessary*)
- Board of County Commissioners action (agreements executed and funds committed)
- Applicant constructs project in accordance with approved design and specifications
- Submission of project Close-out Documents to the Planning Department upon completion of project
- Payment of encumbered grant funds upon approval of Close-out Documents

**Joint Venture Grants:**

- Pre-Project Consultation Meeting (*required*)
- Submission of Letter of Intent and Preliminary Application Form (*by deadline*)
- Staff review to determine completeness of application
- Workshop Meeting with Open Spaces Board
- Project revisions and ongoing dialogue until project is fully matured
- Open Spaces Board consensus regarding project advancement through the process and approximate degree of participation
- Invitation to Submit Full Application (*for recommended projects only*)
- Creative Placemaking Consultant Review and feedback
- Final design modifications and cost estimates submitted to Open Spaces Board
- Presentation of Full Application; review, deliberation, and consensus by Open Spaces Board
- Recommendation conveyed to Board of County Commissioners via Public Meeting / Presentation
- 45-Day Public Comment Period
- Project revisions and ongoing dialogue regarding public comments received (*as necessary*)
- Board of County Commissioners action (agreements executed and funds committed)
- Applicant constructs project in accordance with approved design and specifications
- Submission of Project Close-out Documents to the Planning Department upon completion

of project

- Property Conveyed to County upon approval of Close-out Documents; Payment of encumbered funds to municipality

**Historic Preservation Grants:**

- Pre-Project Consultation Meeting (*available upon request*)
- Submission Historic Preservation Application Form (*by deadline*)
- Staff review to determine completeness of application
- Presentation and dialogue with Open Spaces Board
- Open Spaces Board consensus regarding project
- Recommendation conveyed to Board of County Commissioners via Public Meeting / Presentation
- 45-Day Public Comment Period
- Project revisions and ongoing dialogue regarding public comments received (*as necessary*)
- Board of County Commissioners action (agreements executed and funds committed)
- Applicant completes preservation / restoration activities consistent with application
- Submission of Project Close-out Documents to the Planning Department upon completion of project
- Payment of encumbered grant funds upon approval of Close-out Documents

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

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Program Type	# Funding Rounds/Year	Application Due Date
Land Acquisition	Accepted continuously	Applications accepted on a continual basis; no due dates

**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:**

Applications for Land Acquisitions are accepted on a rolling basis with no application deadlines. Interested land owners must complete and submit the application form and required materials (described below) to the County Planning Department. Department staff will work with the applicant to ensure that the application is complete, then will schedule the application for the next available meeting of the Open Spaces Review Board. Land acquisition applications are prioritized over all other types of 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 so that the Open Spaces Board and the County have a full understanding of the costs of acquiring the property and having it available for public use. A written cost estimate by an appropriate professional must be provided as part of the application.

- 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 at its' next available meeting. 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 next meeting after items are received
- Recommend the acquisition to the Board of County Commissioners
- Decline the application

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

### **Recommended Projects:**

If a property is recommended for acquisition, a request is sent to the Board of County Commissioners to obtain two appraisals. Appraisal 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 the applicants 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.

As an alternative to the appraisal process, a property owner can elect to accept the tax assessed value of the property. This (in most cases) alleviates the need for the appraisal process described above, as well as the time associated therewith. Planning Department staff is available to

discuss this option at any time.

## **SECTION 7: OPEN SPACES PROGRAM PRIORITY GRANTS**

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Program Type	# Funding Rounds/Year	Application Due Date
Program Priority Projects	2	Letters of Interest and Preliminary Application Forms due on February 1 <sup>st</sup> and August 1 <sup>st</sup> each year

### **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 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. It is up to the discretion of the Open Spaces Board to determine if a proposed project, or specific elements thereof, meet the criteria for consideration under the Program Priority categories. Please note that the Board will require a separate Park & Recreation Grant application for non-Program Priority elements. Categories are as follows:

- 1) **Regional Trail Network Expansion** – 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. Projects under this program can be submitted in multiple phases during different funding rounds if each phase can demonstrate independent utility.

Types of eligible projects are:

- Expansion of Regional Bicycle Path System including trail spurs to connect community assets
- Creation of new trails (land and/or water based “blue” trails) and supporting elements (e.g. trailheads, parking, launch facilities) or paths on public lands or waterways

- Implementation of a wayfinding signage program consistent with the Open Spaces Creative Placemaking Plan for new or existing trails.

Please note that adjacency to a part of the regional trail system does not automatically qualify a project for Program Priority status. Status is determined by the intent, purpose, and functionality of the proposed improvements. Projects not fitting the Open Spaces Board’s definition of Program Priority will be directed to the Park & Recreation Development category.

- 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 new ADA accessible amenities will be accepted if it can be demonstrated that ADA funding was also sought from other sources such as the Small Cities Program.

Clarification on Eligibility for Coastal Recreation Enhancements:

- For project sites where public access to waterfronts currently exist, and where these sites provide 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.
- 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 – or are required for the specifically proposed recreational activities.
- 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.

- 3) **Creative Placemaking Plan Implementation** – The purpose of this program is to provide funding for implementation of the Open Spaces Creative Placemaking Plan on sites that received Open Spaces Park & Recreation grants prior to the adoption of the Plan in 2019. Implementation can include the installation of amenities as presented in the Creative Placemaking Plan which include site furnishings, shade structures, signage, branded lighting, etc. The overall goals are to instill awareness of county taxpayers’ investments, to build brand recognition for the Program and to develop consistent aesthetics and quality to a regional system of public spaces.
- 4) **Passive Recreation Facilities** – This program provides funding for the development of passive recreation opportunities to enhance public access to and enjoyment of public lands. Examples of projects include non-paved hiking or walking trails, installation of site furnishings at scenic vistas, creation of low-impact parking areas to serve these areas, installation of wayfinding and/or educational/interpretive signage, and other similar activities. Projects including any type of active or organized sports facilities will not be considered under this program.

**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 up front.

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 Government	Up to 50%	Up to 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 projects where a grant in excess of \$500,000 is provided, 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 desires to ensure the long-term viability of investment of Open Spaces Trust Fund dollars. As such, a detailed line item budget in support of an approved maintenance schedule is required to be submitted as part of the Full Application, and is required to be adhered to for the duration of the useful life of the funded improvements. The maintenance schedule should be developed largely informed by industry standards and best management practices, as well as any standards specified for individual project elements and/or warranties. Applicants will be required 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" for the useful life of the funded improvements. 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 or County Department to protect the project which has emerged as a partnership between the two entities.

**Grant Application Process:****Pre-Project Consultation:**

Prospective applicants are strongly encouraged to schedule a Pre-Project Consultation with the

Planning Department prior to the submission of a Letter of Interest and Preliminary Application Form to the Program. Project representatives should come prepared to discuss general information about the proposed project including location, existing/proposed amenities, purpose/goals, and other information needed to convey the intent and need for the project, as well as an indication of public support. Staff will provide guidance regarding overall Open Space Program goals, objectives, eligibility criteria, and the application process. By the end of the meeting, it should be clear if the project would be consistent with Open Spaces Program Guidelines and if it should be further pursued via a partnership with the Program by the prospective applicant.

### **Letter of Interest and Preliminary Application Form Submission:**

The Open Spaces Program requires that applicants complete and submit a Letter of Interest and a Preliminary Application Form before each of the 2 annual program deadlines (February 1<sup>st</sup> and August 1<sup>st</sup>). Materials needed to start the process for being considered by the Open Spaces Program include the following:

- 1) Letter of Interest: The letter of interest should provide a general overview of the project, including a brief description of the process the applicant undertook to develop the concept and preliminary site plan.
- 2) Preliminary Application Form and Required Materials: The form must be completed in its entirety and accompanied by:
  - Conceptual Plan for the overall site showing the proposed layout at an appropriate scale and use of creative placemaking elements; refer to the Open Spaces webpage for an example of an acceptable conceptual plan
  - Signed Engineer’s Preliminary Cost Estimate, including “soft” and “hard” costs and project contingency
  - Resolution of the municipal governing body or Board of County Commissioners authorizing the Preliminary Application

### **Preliminary Application Review:**

Once the Preliminary Application has been deemed complete, the applicant will be scheduled for a workshop with the Open Spaces Board. The purpose of the workshop setting is to engage in an open dialogue to discuss the proposed project and its consistency with Open Spaces policies, guidelines, and priorities. The applicant will be provided with written feedback and details after the workshop in order to continue to mature the project.

### **Full Application Submission (by invitation only):**

An applicant will be invited to make a Full Application and presentation to the Open Spaces Board once the Preliminary Application process and workshop has been completed and designs

matured to a suitable level. This could be several months after the submission of the Preliminary Application, depending on the complexity of the project and amount of feedback provided by the Board. The Program Priority Grant Full Application consist of three parts:

- 1) Full Application Form: Applicants are required to complete the Open Spaces Program Priority Grant Full Application Form in its entirety, including signatures on designated lines. This form serves to update the Preliminary Application form with the final information needed to make a recommendation on the project.
- 2) Project Narrative: Applicants are required to provide a detailed Project Narrative to accompany the Full Application Form. Responses are required for all items listed.
- 3) Required Attachments: A list of required attachments is provided within each of the grant programs' respective Full 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, bus stops, and other sites that would potentially contribute to the use of the proposed facility). Include photos of the current condition of the site.

B) Detailed Site Plan and Project Renderings: Provide a site plan and project renderings that give 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, size, mounting hardware specifications, etc. Detailed renderings and specifications for all signage must be included as part of this application.

C) Project Permitting or other Approvals: Provide a list of 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 Full 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 Full 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 final 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 "hard" and "soft" costs, as well as an allowance for contingencies (intended 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 final 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 funding be provided for the project.

G) Proof of Maintenance Activities for Projects Previously Funded by the Open Spaces Program: For each project that has received Open Spaces Program 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.

#### Full Application Review:

When the Full Application is invited and received, it will be subject to a review for completeness by Planning Department staff. The applicant will be contacted if there are any deficiencies and will be asked to provide the necessary documentation. Once the application is deemed complete, it will be reviewed by our Creative Placemaking Professionals to ensure adequate use and application of the Cape May County Open Spaces Creative Placemaking Plan. A review letter from the Creative Placemaking consultants will be provided to the applicant, who will be asked to update their application and associated materials accordingly. Once the revised application is received by the Planning Department, the project will be scheduled for a presentation to the Open Spaces Board. The applicant will be asked to attend to provide a brief (10-15 minute) presentation and to answer any questions by the Open Spaces Board or members of the public. Public comment on the application will also be heard. During the presentation, visual aids, such as site schematics, plans, and renderings are required.

The Open Spaces Board deliberates on applications during Closed Session and will make decisions 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 a regular meeting after items are received
- Defer decision on the application, and place it in the pool for the next funding cycle
- Decline the application (to be employed only in unusual circumstances where plans are not consistent with the Preliminary Application, resultant dialogue, or where other factors are identified which deem the project to be inconsistent with the Program)
- Recommend the approval of the project or a portion thereof by the Board of County Commissioners; application will advance to a public hearing process and subsequent decision by the Board of County Commissioners

The applicant 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 via Resolution 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.

### **Opportunity for Public Comment on Projects:**

There will be multiple opportunities for public comment throughout the application process. As a resolution is required as part of the Pre-Application package, the project will be initially vetted at the municipal or county level. Once the Letter of Intent and Preliminary Application Form have been submitted, the public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. Public input is encouraged throughout both the Preliminary Application and Full Application stages. Further, if the Open Spaces Board recommends a project for funding, 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 and the execution of the Shared Services Agreement.

### **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 to 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 within a defined budget 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 documentation demonstrating both the cause of the delay and that the requested time extension will be adequate for successful completion of the project. 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 specifications of items proposed to be changed, along with a detailed explanation of the reason for the change to the Planning Department for review. Applicants must not proceed with authorizing their contractor to make any such changes without first receiving Open Spaces Board approval. Revised cost estimates and timeframes (if applicable) must accompany the modification request. If proposed changes constitute what the Open Spaces Board constitutes as a major revision to the plan, the Board reserves the right to require a new application.

**Public Outreach and Events:**

Applicants must coordinate with the Planning Department in the scheduling and planning, including press/media relations, of any public or ceremonial events related to groundbreaking, dedication, or ribbon-cuttings. This is to ensure that the county taxpayers’ investment in the project via the Open Spaces Program is recognized and given proper credit, and to recognize the partnership of the County, the applicant, and other engaged project partners in bringing the project to fruition.

**SECTION 8: PARK & RECREATION DEVELOPMENT GRANTS**

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<b>Program Type</b>	<b># Funding Rounds/Year</b>	<b>Application Due Date</b>
Park & Recreation Development	2	Letters of Interest and Preliminary Application forms due on February 1 <sup>st</sup> and August 1 <sup>st</sup> each year

**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 new 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. If the project involves redevelopment of an existing park facility, grant funds are only available for new amenities and/or experiences. Outright replacement of existing amenities with new facilities with the same functionality is not an eligible grant expense.

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 also sought from other sources such as the Small Cities Program.

**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:

Eligible Applicants	Soft Costs paid by Grant	Eligible Capital Costs paid by Grant	Required Match	Maximum Grant Award
Municipalities & Departments of County Govt.	0%	Up to 60% of capital costs	Minimum of 40% (balance of funding required to fully fund project)	\$1.5 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.*

A new structure for this program has been established beginning in 2023. The grant/match ratio has been adjusted to reflect a maximum of 60% grant, with a required minimum 40% match for capital costs (this is inclusive of “Creative Placemaking Elements”). The maximum grant award is \$1.5 million. There are no grant funds available in support of “soft costs.”

Please note that multiple applications (in multiple funding rounds) for 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. An exception to this rule is when a Park & Recreation Development Grant is paired with a Program Priority Grant by the direction of the Open Spaces Board.

**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 projects where the grant award is 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 desires to ensure the long-term viability of investment of Open Spaces Trust Fund dollars. As such, a detailed line item budget in support of an approved maintenance schedule is required to be submitted as part of the Full Application, and is required to be adhered to for the useful life of the funded improvements. The maintenance schedule should be developed largely informed by industry standards and best management practices, as well as any standards specified for individual project elements and/or warranties. Applicants will be required 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 or County Department to protect the project which has emerged as a partnership between the two entities.

**Grant Application Process:****Pre-Project Consultation:**

Prospective applicants are strongly encouraged to schedule a Pre-Project Consultation with the Planning Department prior to the submission of a Letter of Interest and Preliminary Application Form

to the Program. Project representatives should come prepared to discuss general information about the proposed project including location, existing/proposed amenities, purpose/goals, and other information needed to convey the intent and need for the project, as well as an indication of public support. Staff will provide guidance regarding overall Open Space Program goals, objectives, eligibility criteria, and the application process. By the end of the meeting, it should be clear if the project would be consistent with Open Spaces Program Guidelines and if it should be further pursued via a partnership with the Program by the prospective applicant.

### **Letter of Interest and Preliminary Application Form Submission:**

The Open Spaces Program requires that applicants complete and submit a Letter of Interest and a Preliminary Application Form before each of the 2 annual program deadlines. Materials needed to start the process for being considered by the Open Spaces Program include the following:

- 1) Letter of Interest: The letter of interest should provide a general overview of the project, including a brief description of the process the applicant undertook to develop the concept and preliminary site plan.
- 2) Preliminary Application Form and Required Materials: The form must be completed in its entirety and accompanied by:
  - Conceptual Plan for the overall site showing the proposed layout at an appropriate scale and use of creative placemaking elements; refer to the Open Spaces webpage for an example of an acceptable conceptual plan
  - Signed Engineer’s Preliminary Cost Estimate, including “soft” and “hard” costs and project contingency
  - Resolution of the municipal governing body or Board of County Commissioners authorizing the pre-application

### **Preliminary Application Review:**

Once the Preliminary Application has been deemed complete, the applicant will be scheduled for a workshop with the Open Spaces Board. The purpose of the workshop setting is to engage in an open dialogue to discuss the proposed project and its consistency with Open Spaces policies, guidelines, and priorities. The applicant will be provided with written feedback and details after the workshop in order to continue to mature the project.

### **Full Application (by invitation only):**

An applicant will be invited to make a Full Application and presentation to the Open Spaces Board once the Preliminary Application process and workshop has been completed and designs matured. The Park & Recreation Grant Full Application consist of three parts:

- 1) Full Application Form: Applicants are required to complete the Open Spaces Program Priority Grant Full Application Form in its entirety, including signatures on designated lines. This form serves to update the preliminary application form with the final information needed to make a recommendation on the project to the Board of County Commissioners.
- 2) Project Narrative: Applicants are required to provide a detailed Project Narrative to accompany the full Application Form. Responses are required for all items listed.
- 3) Required Attachments: A list of required attachments is provided on the Full 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, bus stops, and other sites that would potentially contribute to the use of the proposed facility). Include photos of the current condition of the site.

B) Detailed Site Plan and Project Renderings: Provide a site plan and project renderings that give 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. Detailed renderings and specifications for all signage 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 full 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 full 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 final 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 “hard” and “soft” costs, as well as an allowance for contingencies (intended 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 final 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.

## **Full Application Review:**

When the Full Application is received, it will be subject to a 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, it will be reviewed by our Creative Placemaking Professionals to ensure adequate use and appropriate application of the Cape May County Open Spaces Creative Placemaking Plan. A review letter from the Creative Placemaking consultant will be provided to the applicant, who will be asked to update the application and associated materials accordingly. Once a revised application is 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 (10-15 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, plans, and renderings are 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 (to be employed only in unusual circumstances where plans are not consistent with the Preliminary Application, resultant dialogue, or where other factors are identified which deem the project to be inconsistent with the Program.)
- 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.

## **Opportunity for Public Comment on Projects:**

There will be multiple opportunities for public comment throughout the application process. As a resolution is required as part of the Preliminary Application, the project will be initially vetted at the

municipal or County level. Once the Letter of Intent and Preliminary Application Form have been submitted, the public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. Public input is encouraged at both the Preliminary Application and Full Application stages. Further, 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 to 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 documentation demonstrating both the cause of the delay and that the requested time extension will be adequate for successful completion of the project. 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 county taxpayers’ investment in the project via the Open Spaces Program is recognized and given proper credit, and to recognize the partnership of the County, the applicant, and other engaged project partners in bringing the project to fruition.

**SECTION 9: JOINT VENTURE GRANTS**

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Program Type	# Funding Rounds/Year	Application Due Date
Joint Venture Projects	2	Letters of Interest and Preliminary Application Forms due on February 1 <sup>st</sup> and August 1 <sup>st</sup> each year

In the Joint Venture Program, the County will work with a municipality to develop planning and programming for the development or redevelopment of a public active or passive recreation area. The municipality is responsible for all phases of plan implementation, as well as the long-term maintenance and operation of the site, unless other arrangements are agreed to by the municipality and the County. 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, passive recreation opportunities, trails, 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 also sought from other sources such as the Small Cities Program.

**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	Up to 100%	Up to 100% of eligible project components *	Value of Land to be deeded to County up to \$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.

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

The County desires to ensure the long-term viability of investment of Open Spaces Trust Fund

dollars. As such, a detailed line item budget in support of an approved maintenance schedule is required to be submitted as part of the Full Application, and is required to be adhered to for the useful life of the funded improvements. The maintenance schedule should be developed largely informed by industry standards and best management practices, as well as any standards specified for individual project elements and/or warranties. Applicants will be required 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 or County Department to protect the project which has emerged as a partnership between the two entities.

### **Application Procedures and Process:**

#### **Pre-Project Consultation:**

As the Joint Venture project is highly collaborative by design, any municipality interested in exploring opportunities for projects must contact the Planning Department and request to have Pre-Project consultation with staff and representatives of the Open Spaces Board. Municipal representatives should be prepared to discuss the overall parameters of the proposal including project location, existing amenities, conceptual plans for new amenities, property value, etc. The exchange of ideas and information at this meeting will assist both the municipality and the Open Spaces Program with an idea of a potential path forward for continued discussions if both parties are amenable.

#### **Letter of Interest and Preliminary Application Form:**

The Open Spaces Program requires that applicants complete a Letter of Interest and Preliminary Application Form on or before each of the 2 annual program deadlines. Materials needed to start the process for being considered by the Open Spaces Program include the following:

- Letter of Interest: The Letter of Interest should provide a general overview of the project, including a brief description of the process the applicant undertook to develop the concept and preliminary site plan.
- Preliminary Application Form and Required Materials: The form must be completed in its entirety and accompanied by:
  - Conceptual Plan for the overall site showing the proposed layout at an appropriate scale and use of creative placemaking elements; refer to the Open Spaces webpage for an example of an acceptable conceptual plan
  - Signed Engineer’s Preliminary Cost Estimate, including “soft” and “hard” costs and

- project contingency
- Resolution of the municipal governing body authorizing the Preliminary Application

### **Preliminary Application Review:**

Once the Preliminary Application has been deemed complete, the applicant will be scheduled for a workshop with the Open Spaces Board. The purpose of the workshop setting is to engage in an open dialogue to discuss the proposed project and its consistency with Open Spaces policies, guidelines, and priorities. The applicant will be provided with written feedback and details after the workshop in order to continue to mature the project.

### **Full Application Submission (by invitation only):**

An applicant will be invited to make a Full Application and presentation to the Open Spaces Board once the Preliminary Application process and workshop has been completed and designs matured. The Joint Venture Full Application consist of three parts:

- 1) Full Application Form: Applicants are required to complete the Open Spaces Program Priority Grant Full Application Form in its entirety, including signatures on designated lines. This form serves to update the preliminary application form with the final information needed to make a decision on the project.
- 2) Project Narrative: Applicants are required to provide a detailed Project Narrative to accompany the Full Application Form. Responses are required for all items listed.
- 3) Required Attachments: A list of required attachments is provided on the Full 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, bus stops, and other sites that would potentially contribute to the use of the proposed facility). Include photos of the current condition of the site.

B) Detailed Site Plan and Project Renderings: Provide a site plan and project renderings that give 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. Detailed renderings and specifications for all signage 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 Full 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 Full 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 final 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 "hard" and "soft" costs, as well as an allowance for contingencies (intended 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 final 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.

### **Full Application Review:**

When the Full Application is received, it will be subject to a review for completeness by Planning Department staff. The applicant 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, it will be reviewed by our Creative Placemaking Professionals to ensure adequate use and application of the Cape May County Open Spaces Creative Placemaking Plan. A review letter from the consultant 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 (10-15 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, plans, and renderings are 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 (to be employed only in unusual circumstances where plans are not consistent with the Preliminary Application, resultant dialogue, or where other factors are identified which deem the project to be inconsistent

with the Program).

- 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

The Applicant 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.

### **Opportunity for Public Comment on Projects:**

There will be multiple opportunities for public comment throughout the application process. As a resolution is required as part of the Preliminary Application, the project will be initially vetted at the municipal level. Once the Letter of Intent and Preliminary Application Form have been submitted, the public is welcome and encouraged to attend the regularly scheduled meetings of the Open Spaces Board. Public input is encouraged at both the Preliminary Application and Full Application stages. Further, 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

The Shared Services Agreement will also outline the process for the transfer of land to the County of Cape May. Please note that the grant award will be in the form of a reimbursement for the project completion and that the payment will not be made until the development project has been completed AND transfer of title to the County has occurred.

#### **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 are spent adhering to the statutory and administrative requirements of operating the Program, and changes to 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 documentation demonstrating both the cause of the delay and that the requested time extension will be adequate for successful completion of the project. 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 county taxpayers’ investment in the project via the Open Spaces Program is recognized and given proper credit, a to recognize the partnership of the County, the applicant, and other engaged project partners in bringing the project to fruition.

**SECTION 10: HISTORIC PRESERVATION GRANTS**

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Program Type	# Funding Rounds/Year	Application Due Date
Historic Preservation	2	April 1 <sup>st</sup> and September 1 <sup>st</sup>

**Eligible Applicants:**

Eligible applicants for the Historic Preservation Grant Program are Municipalities, Departments of County Government, and Non-Profit Organizations whose primary mission is historic preservation.

**Project Eligibility:**

The Cape May County Open Spaces Program is focused on public access to historic preservation

assets and, as such, it focuses on the preservation and restoration on the exterior and structural assets of eligible buildings. Projects related to the adaptive reuse and/or preservation and restoration of interior spaces or collections are not eligible for funding under this program. Projects involving HVAC systems, electric, plumbing, and mechanical systems are also not eligible. However, the Board will consider participating in the installation of fire suppression systems for eligible structures\* for up to 25% of the capital costs (\*buildings listed on the State/National Register). In order to enhance visitor experiences and to encourage awareness of the County's historic resources, interpretive signage consistent with the template in the Open Spaces Creative Placemaking Plan is highly encouraged and may be required for some sites.

Work being proposed under this grant program must be consistent with a Preservation Plan developed by a historic preservation architect and in keeping with the "Secretary of the Interior's Guidelines for the Treatment of Historic Structures" (if property is on the State/National Register of Historic Places). If a preservation plan is not available, the applicant must provide – at a minimum – a needs assessment and structure management plan written by a qualified professional and demonstrate how the proposed project is consistent with the document.

Applicants are encouraged to seek multiple partnerships and funding sources for historic preservation projects. Please refer to the matching requirements section on the following pages regarding how to factor applications to other grant programs into the Open Spaces grant application process.

Eligible activities are as follows:

**Acquisition:** The purchase in fee of an eligible property, building, structure (\*), facility, or site by the County, a municipality or charitable conservancy. Potential applicants are strongly encouraged to set up a Pre-Project Consultation meeting with the Open Space Board to determine eligibility prior to the development of an application / project.

**Stabilization:** The essential maintenance of a deteriorated building, facility as it exists at present, establishing structural stability and a weather resistant enclosure

**Rehabilitation:** The act or process of making possible compatible use of a building through repair, alteration, and addition while preserving those portions or features that convey its historical, cultural, or architectural value. Rehabilitation emphasizes the retention and repair of historic materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work. Both Preservation and Rehabilitation standards focus attention on the preservation of those materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work. Both Preservation and Rehabilitation standards focus attention on the preservation of those materials, features, finishes, spaces, and spatial relationships that, together, give a property its historic character.

**Restoration:** The act or process of accurately depicting the form, features, and character of a property as it appeared at the most significant time in the property's history by the retention of materials from the most significant time and reconstruction of missing features from the most significant time, while permitting the removal of materials from other periods.

**Preservation:** The act or process of accurately depicting the form, features, and character of a property as it appeared at the most significant time in the property's history by the retention of materials from the most significant time and reconstruction of missing features from the most significant time, while permitting the removal of materials from other periods.

**Emergency Activity:** The acquisition, stabilization or repair of a property may be permitted provided the property is in imminent danger of destruction, demolition, or collapse and the Trust Fund has available funds.

**“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”.

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 September funding round. Applications for Buildings will continue to be accepted during both of the annual funding rounds.

**Grant Parameters and Matching Requirements:**

Grants are funded on a single reimbursement basis, upon successful completion of the project 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.

**PROPERTIES HAVING A “CERTIFICATE OF ELIGIBILITY” from the  
NJ State Historic Preservation Office  
(Only Eligible for Tier 1 Project Category)**

<b>Tier 1</b>
Total Project Cost: <b>\$30,000 - \$150,000</b>
50% Grant / 50% Match
Municipal Support Encouraged
Community Support Encouraged
Business Plan or equivalent document to demonstrate long-term viability of project and ability of applicant to maintain property

**PROPERTIES LISTED ON THE STATE AND/OR NATIONAL HISTORIC REGISTER  
(Eligible for Tier 1 or Tier 2 Project Categories)**

<b>Tier 1</b>	<b>Tier 2*</b>
Total Project Cost: <b>\$30,000 - \$150,000</b>	Total Project Cost: <b>\$150,001 – \$400,000</b>
60% Grant / 40% Match	60% Grant / 40% Match
Municipal Support Encouraged	Municipal Support (Resolution) Required
Community Support Encouraged	Robust Community Support Required
Business Plan or equivalent document to demonstrate long-term viability of project and ability of applicant to maintain property	Demonstration of long-term revenue stream to support maintenance of project Required
	Preservation and Maintenance Plan Required

<b>Fire Suppression System Grant</b>
Must Meet Total Project Costs in Tier 1 or Tier 2 Above
25% Grant* / 75% Match *Capital Costs Only
Statement of Need required

## **Matching Requirements:**

The applicant must have the required cash match “in hand” at the time of the execution of the Shared Services Agreement. Promise of matching funds from a future donation or event does not constitute having funds “in hand”. If the source of the applicant’s match is from a grant application to another agency where an award is pending, the applicant can use a “temporary” funding source such as a trust, endowment, or emergency fund to serve as a temporary match. If the other agency grant is awarded, those funds can be “swapped in” for the commitment of the temporary funds.

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.

## **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.

### **Maintenance Plan and Required Activities:**

The County desires to ensure the long-term viability of investment of Open Spaces Trust Fund dollars. As such, a detailed line item budget in support of an approved maintenance schedule is required to be submitted as part of the Historic Preservation Application, and is required to be adhered to for the useful life of the funded restoration and preservation activities. The maintenance schedule should be developed largely informed by industry standards and best management practices, as well as any standards specified for individual project elements and/or warranties. Applicants will be required 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 for the purpose of informing the County Open Spaces Program of the level of commitment by the applicant to protect the integrity of the project which has emerged as a partnership between the two entities. Details of this requirement will be outlined in the Shared Services Agreement between the applicant and the County.

### **Historic Preservation Easement Required:**

Historic Preservation Easements for a term of 15 years are required as part of the conditions for receipt of grant funds for properties not owned by the County or a local municipality.

### **Grant Applications:**

Grant applications for Historic Preservation projects are accepted two times per year, with applications being due at the County Planning Department by 4:00 pm on April 1<sup>st</sup> and September 1<sup>st</sup>. Once applications are deemed complete by Planning Department Staff, they will be scheduled for presentation to the Open Spaces Board. Pre-Project Consultations between the applicant and the Planning Department Staff are not required, but are always available should the applicant have any questions about project eligibility or Open Spaces Program processes.

The Historic Preservation Program Applications consists of three components: 1) the Application Form; 2) the Project Narrative and 3) Resolution of the governing body authorizing the application (if applicant is government agency or if the property in question is owned by a government agency). 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.
- 3) **Resolution of the Governing Body:** If the applicant is an entity of municipal or county government, or if the property in question is owned by such an entity, a resolution of the governing body authorizing the application is required.

### **Application Review:**

When an application is received, it will be subject to an initial review for completeness and eligibility by Planning Department staff. The Applicant 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 (7-10 minute) presentation, and to answer any questions by the Open Spaces Board or members of the public. Public comment on the application 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 or a portion thereof
- 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 structure and/or site. This requirement can be waived if the applicant is a municipality, or if the structure or property 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, detailed reasons for the project delay, and assurances that the project can be completed within the revised timeframe. 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 project via the Open Spaces Program is recognized and given proper credit, and to recognize the partnership of the County, the applicant, and other engaged project partners in bringing the project to fruition.



**OPEN SPACES**  
CAPE MAY COUNTY

Please reach out to the Cape May County Planning Department with any questions or concerns regarding this document or the Open Spaces Program.