



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF COASTAL AND LAND USE COMPLIANCE AND ENFORCEMENT

Toms River Office

1510 Hooper Ave. Suite 140

Toms River, New Jersey 08753

Telephone: (732) 255-0787

www.nj.gov/dep

January 17, 2024

PHILIP D. MURPHY

Governor

TAHESHA L. WAY

Lt. Governor

SHAWN M. LATOURETTE

Commissioner

VIA ELECTRONIC MAIL

Vahan & Danielle Gureghian
841 Merion Square Road
Gladwyne, PA 19035-1507

RE: Notice of Violation

NJDEP File #: PEA230001-0501-14-0011.1

5609 Dune Drive

Block 56.03

Lot(s) 11.02, 13, 15, 17, 19, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 65.02, 67.02, 69.02, 71.02,
73.02, 75.02, 77.02, 79.02, & 81.02

Avalon Borough, Cape May County, New Jersey

Dear Mr. & Mrs. Gureghian:

Enclosed for service upon you is a Notice of Violation issued by the NJ Department of Environmental Protection. A written response is required within 10 days of receipt.

To respond to this Notice of Violation or if you have any questions you may contact Mr. Michael Lutz Environmental Specialist, at michael.lutz@dep.nj.gov, or at the address indicated at the top of this Notice.

Sincerely,

Robert H. Clark Region Supervisor
Bureau of Coastal and Land Use
Compliance and Enforcement

Enclosure

c: Jason Dilworth, Avalon Borough Construction Official
Mike Lucey, Water's Edge Environmental



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NOTICE OF VIOLATION

Responsible Entity: Vahan & Danielle Gureghian

Site Location: 5609 Dune Drive

Avalon Borough, NJ 08202

Block 56.03

Lot(s) 11.02, 13, 15, 17, 19, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 65.02, 67.02, 69.02, 71.02, 73.02, 75.02, 77.02, 79.02, & 81.02

NJDEP File #: PEA230001-0501-14-0011.1

You are hereby notified that during a compliance evaluation conducted at the above location on October 20, 2023, the following violation(s) of the Coastal Area Facilities Review Act (N.J.S.A. 13:19-1 et seq.) and the regulations (N.J.A.C. 7:7-1 et seq.) were observed.

CAFRA AREA

1.Requirement: Pursuant to N.J.A.C. 7:7-2.2, no person shall engage in a regulated activity within a CAFRA area without a coastal permit.

Description of Noncompliance: The performance of unauthorized regulated activities within a CAFRA area. More specifically, the activities involve the alteration of pre-existing topography, placement of wood chips, installation of an irrigation system, and the maintaining of a lawn area within approximately 8,240 square feet of previously undeveloped conservation restricted CAFRA regulated dune area.

ALL UNAUTHORIZED ACTIVITIES SHOULD CEASE IMMEDIATELY

CORRECTIVE ACTION(S) REQUIRED:


Within 90 days of receipt of this Notice of Violation:

- A. Submit to the Bureau and implement a Restoration Proposal for full restoration of the site to pre-disturbance conditions through the removal of the unauthorized irrigation system and woodchips from the site's conservation restricted dune area, restoration of the conservation regulated dune area to pre-disturbance topography, replanting of the disturbed area with indigenous vegetation, and through the cessation of the further cutting and mowing of vegetation within the site's conservation restricted dune area.

REQUIRED WRITTEN RESPONSE TO THIS NOTICE:

Within **10 calendar days** of receipt of this Notice of Violation submit **in writing** to Mr. Michael Lutz, an explanation of the corrective actions you have taken or will take to achieve compliance in this matter. The response to this Notice of Violation may be submitted via email at michael.lutz@dep.nj.gov .

This **Notice of Violation** serves as notice that the NJDEP's Bureau of Coastal and Land Use Compliance and Enforcement has determined that a violation has occurred. It does not constitute a final agency action and may not be appealed or contested. The issuance of this Notice or compliance therewith does not preclude the State of New Jersey or any of its agencies from initiating formal administrative and/or judicial enforcement action (including assessment of penalties), with respect to the violations listed above or for any other violations. You may appeal or contest such formal actions. Penalties may be assessed on a daily basis for each violation.

Issued by: 
Robert H. Clark, Region Supervisor
Bureau of Coastal and Land Use
Compliance and Enforcement

Date: 01/17/24