

ORDER ON EMERGENT MOTION

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CITY OF NORTH WILDWOOD  
V.  
NEW JERSEY DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO.: A-001677-23T04  
MOTION NO.: M-003068-23  
BEFORE: PART C  
JUDGE(S): ALLISON E. ACCURSO  
KATIE A. GUMMER

MOTION FILED: 02/09/2024  
ANSWER(S) 02/15/2024  
FILED:

BY: CITY OF NORTH WILDWOOD  
BY: ENVIRONMENTAL PROTECTION

SUBMITTED TO COURT: February 15, 2024

ORDER

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THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS, ON THIS 21st day of February, 2024, HEREBY ORDERED AS FOLLOWS:

MOTION BY APPELLANT

MOTION FOR EMERGENT RELIEF **DENIED AND OTHER**

SUPPLEMENTAL: We deny North Wildwood's request that we grant it "temporary relief" in the form of permission to install an emergency oceanfront bulkhead through its beach and dune system approximately three blocks long adjacent to 12th Avenue through 15th Avenue in the City while it appeals the Department of Environmental Protection's January 31, 2024 denial of the same relief. This dispute between the City and the Department over the most appropriate way to combat the erosion of North Wildwood's beaches has been ongoing for several years. The proofs are very technical and the regulations complex. We lack the factual record to confidently impose any relief at this juncture. The City must exhaust its administrative remedies. Accelerated proceedings and

emergency relief are available if necessary in the Office of Administrative Law. See N.J.A.C. 1:1-9.4; N.J.A.C. 1:1-12.6.

FOR THE COURT:

*Allison E. Accurso*

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ALLISON E. ACCURSO, P.J.A.D.

0507-03-0009.8 (CAF 240001) STATEWIDE