



## Media Release

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# Society files Suit to Protect Beach Access from Sale to Developer

**(January 25, 2019) Highlands, NJ** - The American Littoral Society has filed a lawsuit against the Borough of Deal, NJ to protect public access to the beach. The Borough recently took action to sell a street end, Neptune Avenue, to a waterfront developer for \$1 million. Neptune Avenue is used by the general public, fishermen and surfers to access the beach for recreational uses.

“Public access to the beaches and tidal waterfronts of our state is constantly under attack” said Tim Dillingham, Executive Director of the American Littoral Society. “We are taking this action to prevent the loss of this important public accessway to the beach, and to ensure that other towns aren’t tempted to sell off the public’s rights to the highest bidder.”

For many years, Neptune Avenue has been used by beachgoers to access the adjacent beach. Fishermen, surfers and other members of the public have regularly parked on the easterly end of the street. The street end is included as a beach access point on the New Jersey Department of Environmental Protection’s New Jersey Public Access locations website.

“In the 1850s, our courts recognized the value of street ends in providing the public access to the shore. It is important to fight this new notion that street ends—which are not typically owned by municipalities—can be vacated for the right price,” said Andrew Provence of Litwin & Provence law firm, legal counsel to the American Littoral Society.

Andrew Chambarry, the immediate past Chair of the New Jersey Chapter of the Surfrider Foundation, and a Littoral Society member, stated his support for the action: “Municipalities frequently attempt to limit access by vacating street ends with access to the beach. I’m proud to stand with American Littoral Society, and the locals who have put in the time and effort to fight discriminatory beach practices.”

The Littoral Society is challenging Deal's actions to sell the street end to a waterfront developer, ICC Neptune Avenue, LLC for \$1 million dollars. The company intends to develop the property.

"We are filing this lawsuit because Deal's action creates a dangerous precedent that will encourage municipalities to vacate street ends needed by the public for public access to the beach for monetary consideration" Dillingham stated.

The Littoral Society's lawsuit seeks to overturn the vacation of the street end and invalidate its sale to the private developer.

For over 55 years, the American Littoral Society has served as a leading environmental organization in developing public support for public access (both physical and visual) to the waterfront, including for fishermen and surfers.

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*Leaders in coastal conservation since 1961, the American Littoral Society, a 501 (c)3 non-profit organization, promotes the study and conservation of marine life and habitat, protects the coast from harm, and empowers others to do the same.*

*Federal Tax ID: 22 173 1073*