

A coastal scene featuring a wooden boardwalk on the right side, leading towards a sandy beach. The beach is scattered with large, dark rocks and some driftwood. The ocean is visible in the background with gentle waves. The sky is overcast.

Public Access Rules

Stakeholder Meeting
September 23, 2019

Rule Development

**Stakeholder
meetings –
Summer 2019**

**Proposal –
Winter 2020**

**Adoption –
Winter 2021**

Major Goals of the Rule

Incorporate P.L. 2019, Chapter 81 into Coastal and Flood Hazard Rules

- **Redefine what public access means**
- **Add public access restrictions into the rules**
- **Provide standards when public access is required**
- **Examine all permits-by-rule, general permits-by-certification, and general permits**
- **Add criteria for public access for marinas**

Public Access Includes:

Visual and physical access to, and use of, tidal waters and their shores

Sufficient perpendicular access from upland areas

Necessary support amenities, including public parking and restrooms

An Examination of Public Access is Required for:

A change in the existing footprint of a structure

A change in the use of the property

Beach replenishment or beach and dune maintenance

Topics for Discussion:

- **Absolutes**

- **What must be added to the rule?**
- **What must be removed from the rule?**

Topics for Discussion:

Public Access in Specific Areas?

- Hudson River waterfront area?
- Beaches and dunes?
- Certain waterways?

Topics for Discussion:

What types of projects require a review of public access?

What types of projects do not require a review of public access?

Topics for Discussion:

- **What is the threshold for requiring public access?**

Scale of the changes to the footprint or use

- Bigger than 20 ft x 20 ft?
- Added an office to a residential lot?

The demand for public access in the area

- No restrooms in walking distance from the access point?
- No parking on the first beach block?
- Ample access to the shoreline (<1/2 mile)?

Topics for Discussion:

Other limits to public access?

Onsite vs. offsite?

**Timing restrictions
(i.e., access to be
provided at all times)?**

Topics for Discussion:

- How do you know if the proposed access is appropriate and sufficient?
 - When must perpendicular access be provided?
 - When must restrooms be provided?
 - When must parking be provided?

Municipal Public Access Plans

- Should the MPAPs be linked to:

General permits

Charging of beach badge fees

Green acres funding



Suggestions/Questions?