

TO: Borough of Highlands Land Use Board

FROM: Susan Gruel, PP, Board Planner
Megan Adam, AICP Candidate

RE: 326 and 348 Shore Drive
Block 100, Lot 27 and Block 101, Lot 12.01
Use Variance, Bulk Variances

DATE: June 23, 2026

As requested, we have reviewed the following materials:

- Borough of Highlands Land Use Board Application and Checklist, dated April 24, 2025;
- 13-sheet Site Plan Set entitled, "Seastreak Ferry Terminal Repaving Project for Highlands Landing Corporation," prepared by Najarian Associates dated April 22, 2025, and revised through June 5, 2026;
- Completeness Review #2 for Application LUB 2025-06, prepared by the Board Engineer, dated June 22, 2026;
- Four (4) cover letters outlining application submissions and amended drawings, prepared by Najarian Associates, dated:
 - April 25, 2025;
 - May 29, 2026;
 - June 5, 2026;
 - June 18, 2026
- Certification of 200-Foot List, prepared by the Borough of Highlands Clerk, dated August 28, 2025;
- Application for Soil Erosion and Sediment Control Plan Certification for the Seastreak Ferry Terminal Repaving Project, dated April 24, 2025;
- Property Survey of Block 100, Lot 27 in the Borough of Highlands, prepared by Najarian Associates dated June 25, 2024;
- Site Plan for Auxiliary Lot Block 101, Lot 12.01 in the Borough of Highlands, prepared by Najarian Associates, dated June 17, 2026;
- Statement of Operations for Seastreak LLC., d/b/a The Sandbox, undated;
- Traffic Study for the Seastreak Ferry Terminal, prepared by McDonough & Rea Associates, Inc., dated September 3, 2025;
- 2-sheet Highlands Seastreak Ferry Ridership Data between June 2025 and May 2026, undated;

- Stormwater Management Report prepared by Najarian Associates dated April 22, 2024, and revised through July 2025;
- Borough of Highlands Resolution Approving the Site Plan Application of Highlands Landing Corporation, Block 100, Lot 27, dated January 11, 2001

We offer the following comments for the Board's consideration:

This memorandum is an addendum to our previous planner review letter #1 (the "previous planner letter") dated July 8, 2025 (see attached). This letter has been prepared in addition to the previous planner letter.

The Applicant has since submitted a revised site plan, a revised stormwater management plan, a traffic/parking study, and ridership data for the Seastreak ferry to/from the Borough between June of 2025 and May of 2026.

A substantial change is presented in the removal of the mechanical car lifts in the western section of Block 100, Lot 27 (i.e., the "Primary Lot"). Where 140 cars were previously proposed in this area, 70 tandem spaces are now proposed. Therefore, where 804 total parking spaces were previously proposed on the Primary Lot, 734 spaces are now proposed. There is no substantial change regarding the proposed circulation throughout the Primary Lot. A conceptual site plan for the 2-acre overflow parking lot at 348 Shore Drive (the "Auxiliary Lot") has now been provided, outlining a repaving of this lot to accommodate an additional 221 parking spaces.

Additional revisions include the permanent removal of the volleyball nets and relocation of the existing shed on the Sandbox at Seastreak Beach Bar (the "Sandbox") beach area. Further, curbing in the eastern section of the Primary Lot will be expanded slightly.

Besides the removal of all landscaping from the eastern section of the Primary Lot (i.e., in proximity to the car drop-off lanes), landscaping schedule remains unchanged. All previously proposed evergreen trees on this lot have now been removed. Further, where seven (7) Hackleberry deciduous trees were previously proposed throughout the Primary Lot, five (5) of these trees are now proposed.

The Primary Lot's average illumination has increased by a negligible amount (2.55 footcandles (fc), where 2.52 was recently proposed). Additionally, where seven (7) different lighting fixtures were previously proposed throughout the entire parking lot, 13 fixtures are now proposed. All light poles will still be mounted to a height of 15 feet.

Site Conditions

The existing site and parking conditions for the ferry terminal, as well as the operations of the Sandbox, remain unchanged from the previous planner letter. The Traffic/Parking Study prepared by McDonough & Rea Associates, dated September 3, 2025, estimated that approximately 75 employees work at the Sandbox, with 5-20 being scheduled at any time during its operational months (i.e., April through October). Further, the peak season for the Sandbox was projected to be Saturdays and Sundays in July and August.

Existing Parking and Ferry Ridership

The same traffic/parking study, which utilized parking count data from August 2025, calculated a peak number of 579 parked vehicles in the Primary Lot, and 40 in the Auxiliary Lot on a Tuesday afternoon. This data included vehicles parked for both the ferry terminal and Sandbox. This study notes the parking capacity of both lots to be 957 spaces.

The Borough's Seastreak ferry ridership data between June of 2025 and May of 2026 demonstrates peak ridership during the summer months (i.e., June-August). During these months, the departure time with the most ferry passengers was consistently 8:00 am on a Tuesday morning, peaking at 510 passengers at that time in July, followed by 472 passengers in June, and 467 passengers in August. The highest number of passengers to depart from the terminal on any given morning (i.e., between 5:50 AM and 12:00 PM) was 1,172 on a Tuesday in July. Ultimately, the number of passengers departing the terminal decreased during the fall and winter months, with low points in December and January.

The trend of increased ridership in the spring, with peaks in the summer, was also reflected in the passenger arrival data. Across the same period (i.e., between June of 2025 and May of 2026), the most populous arrival time was 5:20 PM, followed by 6:50 PM. During the summer months, most passengers arrived on Friday evenings, while during the rest of the year, most arrivals occurred on Tuesday evenings, similarly to the departure trend. The peak number of riders arriving at the Seastreak terminal was 278 riders on a Friday in July and 485 riders on a Tuesday in October. The highest number of passengers to arrive at the terminal on any given day (i.e., between 7:45 AM and 8:35 PM) was 1,807 passengers on a Tuesday in July.

Ultimately, the operation of the Sandbox during the summer months creates additional activity on the site during its peak period for ferry ridership.

Project Description

The scope of the proposed demolition, parking circulation, landscaping, and lighting outlined in the previous planner letter are consistent with the current proposal, besides the revisions outlined at the beginning of this letter.

Aerial of Subject Property



Zoning

Both the Primary and Auxiliary Lots are located in the WC-2 Waterfront Commercial 2 Zone. The applicant is proposing to operate two (2) principal uses on the Primary Lot: a parking lot and a public beach. Proposed accessory uses for this lot include the Seastreak ferry service and seasonal operation of the Sandbox beach bar. Both accessory uses are permitted within the WC-2 zone. However, public beaches are not permitted within the WC-2 zone. Therefore, the application requires a d(1) use variance.

On the Auxiliary Lot, the proposed principal use is a parking lot. This is a permitted use in the WC-2 zone.

WC-2 Waterfront Commercial 1 Zone (Chapter 21 Attachment 1)				
	Ordinance Requirements	Existing: Primary Lot	Proposed: Primary Lot	Proposed: Auxiliary Lot
Min. Lot Area	-	333,717 SF (7.6 acres)	No change	2 acres
Min Lot Frontage/Width	100 feet	221.7 feet	No change	108.8 feet
Min. Lot Depth	150 feet	870.6 feet	No change	> 150 feet
Min. Front Setback	20 feet	828.9 feet	No change	N/A – No structures proposed
Min. Side Setback	10 feet / 10 feet	> 10 feet / > 10 feet	No change	N/A – No structures proposed
Min. Rear Setback	-	41.3 feet	No change	N/A – No structures proposed
Max. Building Height	36 feet	<36 feet	No change	N/A – No structures proposed
Max. Building Cover	25%	~0.2%	No change	N/A – No structures proposed
Max. Impervious Cover	70%	83.7%	83.1% (V)	Applicant to confirm.

V = Bulk variance relief required

Off-Street Circulation, Parking, and Loading Requirements			
	Ordinance Requirements	Existing	Proposed
Minimum Number of Parking Spaces (21-65.14D)	<p><u>Ferry transportation Services</u>: 0.7 space for every passenger seat on all departing boats during a regular 24-hour period = 2,660 seats* x 0.7 = 1,862 spaces</p> <p>+</p> <p><u>Public and private beaches</u>: 1 for every 250 square feet of beach area= 43,000 square feet of beach** / 250 square feet/beach = 172 spaces</p> <p>+</p> <p><u>Eating and drinking establishment</u>: 1 for every 4 seats = 0 fixed seats/4 = 0 spaces</p> <p>Total = 2,034 spaces</p>	957 spaces	734 on Primary Lot + 221 on Auxiliary Lot = 955 spaces (V)
<u>Electric Vehicle Parking (§21-65.6A.D)</u>	<p>A minimum of 4% of the total parking spaces on the sites are required to be Make-Ready electric vehicle parking spaces, with at least 5% of these spaces accessible for people with disabilities</p> <p><u>955 parking spaces x .04 = 39 EV spaces</u> <u>39 EV spaces x .05 = 2 EV ADA accessible spaces</u></p>	N/A	0 EV Make-Ready spaces (W)
On-Site Parking Requirement (21-84A)	In the WC-2 district all required parking shall be provided on site.	Off-site parking provided within Auxiliary Lot (ENC)	No change (V)
Parking Space Setbacks (21-65.14D)	<p>Parking spaces or access aisles, except entrance or exit drives, shall have a minimum setback of at least one-half (1/2) the required setback for the principal building.”</p> <p>Front Setback: 20 feet / 2 = 10 feet Side Setback: 10 feet / 2 = 5 feet</p>	<p>Front Setback: 2 feet</p> <p>Side Setback: 5.4 feet</p>	<p>Primary Lot: Front Setback: 10 feet Side Setback: 6 feet</p> <p>Auxiliary Lot: Front: 0 feet (V) Side: 1 feet (V)</p>

	Ordinance Requirements	Existing	Proposed
Minimum Parking Space Dimensions (21-65.14D)	Standard spaces: In general, ninety (90) degree parking spaces shall be nine (9) feet wide by eighteen (18) feet long Parallel parking spaces shall be 8 feet wide by 21 feet long.	8.5 feet wide in designated parking areas (ENC)	8.5' space proposed to remain (ENC), as well as a section of 8' x 16' compact angled spaces in the Primary Lot (W). Parallel spaces comply.
Driveway Aisle Width (21-65.14D)	90-degrees parking angle: 24 feet 45-degrees parking angle (one-way): 13 feet	N/A	Both Lots: 90-degrees: 24 feet 45-degrees: 15 feet
Bumper Provisions (21-65.14D)	Parking spaces shall be delineated by a treated wood bumper, at minimum of thirty (30) inches above grade.	Not provided	No change for either Lot (W)
Landscaping Requirements			
Minimum Landscaping (21-65.10)	A minimum of ten (10%) percent of the area of the site not devoted to structures, paving or other required uses shall be landscaped.	Unclear	Unclear – Applicant to confirm for Primary Lot.
Lighting Requirements			
Fixture Height (21-65.11)	No light source, including sign lights, shall exceed a height of fifteen (15) feet	N/A	Primary Lot: 15 feet Auxiliary Lot: Unclear
Light Intensity (21-65.11)	The light intensity provided at ground level shall be a minimum of three-tenths (0.3) footcandle anywhere and shall average a minimum of five-tenths (0.5) footcandle over the entire area	N/A	Primary Lot: Minimum: 0.5 fc Average: 2.55 fc Auxiliary Lot: Unclear
	The light intensity anywhere shall not exceed three-tenths (0.3) footcandle along any residential property line.	N/A	Primary Lot: > 0.3 fc adjacent to Lot 27.01 (V) Auxiliary Lot: Unclear

*Based on a report by Brian O'Callahan on July 13, 2023

**Value estimated using the scale of the provided drawings

ENC = Existing non-conforming condition

V = Bulk variance relief required

W = Design Waiver required

Variances and Waivers Required

1. The applicant requires d(1) variance relief to permit a public beach within the WC-2 Waterfront Commercial 2 Zone.

Pre-Existing Non-Conforming Conditions

Pre-existing non-conforming conditions include:

1. **On-Site Parking Requirement (§21-84A)** – Where all required parking for a use shall be provided on site in the WC-2 district, additional parking for the Seastreak ferry is proposed off-site, on the Auxiliary Lot. This is an existing non-conforming condition which should be confirmed.
2. **Insufficient Standard Parking Space Dimensions (§21-65.14D)** – Where the minimum required width of a standard parking space is 9 feet, 8.5 feet is proposed. This parking space width was approved for a designated section of the Primary Lot, per the 2001 adopted resolution for the site.

Newly Created Deviations

C-Variances

1. **Excessive Impervious Coverage (Chapter 21 Attachment 1)** – A maximum impervious coverage of 70% is permitted, where 83.1% is proposed.
2. **Insufficient Onsite Parking Spaces (§21-65.14D)** – Where a total of 2,034 parking spaces is required, 953 parking spaces are proposed between the Primary and Auxiliary Lots.
3. **Excessive Illumination (§21-65.11)** – Where the light intensity shall not exceed 0.3 fc along any residential property line, greater than 0.3 fc is proposed along the southern property line, adjacent to Lot 27.01.
4. **Parking Space Setbacks (§21-65.14D)** – Where the minimum required front yard setback for the parking spaces is 10 feet, and the side yard setback is 5 feet, a 0 foot setback and 1 foot setback are proposed, respectively, within the Auxiliary Lot.

Design Standards/Waivers

1. **Insufficient Electric Vehicle Parking (§21-65.6A.D)** – Where the minimum of 4% of the total parking spaces on the sites are required to be Make-Ready electric vehicle parking spaces (i.e., 39), with at least 5% of these spaces (i.e., 2) accessible for people with disabilities, no electric vehicle parking spaces are proposed.
2. **Insufficient Standard Parking Space Dimensions (§21-65.14D)** – Where the minimum required width of a standard parking space is 9 feet, all the proposed angled parking spaces are undersized, measuring 8 feet wide by 16 feet deep. These dimensions have not been previously approved.
3. **Bumper Provisions (§21-65.14D)** – Where bumpers are required for surface parking spaces, no bumpers are proposed.

Planning Comments:

Variance

1. This application requires d(1) use variance relief to permit a public beach within the WC-2 Waterfront Commercial 2 Zone. The applicant shall provide planning testimony to justify the requested relief from the Board.
 - a. Positive Criteria - That there are “special reasons” for granting the requested variance and that the site is “particularly suitable” for the proposed use, which are often referred to as the “positive criteria.”
 - i. The “special reasons” testimony shall either demonstrate how the proposed use advances the purposes of zoning, whether there is a hardship that prevents development of the property with a permitted use, or whether the proposed use is inherently beneficial.
 - ii. The “particularly suitable” analysis should focus on why this location within the municipality or region is particularly suited to the use despite the zoning, and what unique characteristics of the site make it appropriate for the proposed use rather than a permitted use.
 - b. Negative Criteria - The applicant’s testimony must demonstrate that the requested variance can be granted without substantial detriment to the public good. This analysis should consider impacts on neighboring properties and on the general public welfare. The applicant’s testimony must demonstrate that the requested variance will not substantially impair the intent and the purpose of the Borough Master Plan and Zoning ordinance.
2. The applicant requires bulk variance relief for four (4) c-variances for this application. The applicant shall provide testimony that demonstrates how the request for relief may be granted based on one of the standards provided in the MLUL at N.J.S.A. 40:55D-70c. It is the applicant’s responsibility to bear the burden of proof.
3. The application requires three (3) design exceptions. The applicant shall provide testimony demonstrating that strict compliance with the Ordinance standards is impracticable per the standard set forth at N.J.S.A. 40:55D-51.

Conformance with the Borough Master Plan

1. The 2016 Master Plan Reexamination Report for the Borough established distinct waterfront zones, including waterfront commercial, residential, and transitional commercial/residential zones. The subject property is located within a waterfront commercial zone, as most of this zone's development consists of restaurants, marinas, and commercial establishments. Unlike waterfront transitional zones, where beaches are permitted, neither public nor private beaches are permitted within waterfront commercial zones.
 - a. The applicant shall provide testimony regarding the implications of deviating from the Reexamination Report's vision, and maintaining both the beach and beach bar uses within a waterfront commercial zone, rather than a waterfront transitional zone.
2. Further, within the Master Plan Reexamination, it is explicitly mentioned that parking should be limited to an accessory use within waterfront commercial zones: "due to sensitive location of the waterfront commercial districts, the Borough should ensure parking in these areas is limited to an accessory use" (p.54).
 - a. Parking is maintained as a principal use within both the Primary and Auxiliary Lots.
 - b. A concept site plan for the Auxiliary Lot has now been provided, indicating that 221 spaces are proposed on this lot. Previously, per the traffic/parking study, this lot was noted to have contained approximately 40 cars at peak hours.
 - i. How will the increase of cars on this lot be regulated? Will the lot now be monitored by a parking attendant?
 - ii. The Applicant should provide testimony regarding the logistics for directing cars to the Auxiliary lot, upon achieving capacity of the Primary Lot.
 - iii. The proposed circulation for pedestrians parking in the Auxiliary Lot should be clarified; will the pedestrians walk the approximately ¼ mile distance to the Primary Lot and utilize the new sidewalks to reach the ferry terminal?
 - iv. What efforts will be made to prevent cars from double or triple parking on the Primary Lot, as evident in the site visit photos (provided at the end of this letter)?

Dual Use of the Site/Parking Arrangements

1. It is noted that Section 21-65.14D of the Borough's Zoning and Land Use Regulations requires a minimum width of 9 feet for parking spaces. Proposing hundreds of compact parking spaces on both lots creates more spaces than would normally be permitted, on a property which already experiences a high volume of passengers, especially in the mornings and evenings. a The Applicant should provide testimony regarding the implications of proposing "undersized" parking spaces.

2. The parking space deficit for the ferry service was significant prior to the current application. Further, the proposed number of parking spaces (955) is essentially the same as what is on the site currently (957). Ferry ridership has increased significantly since the time of the adopted 2001 resolution for the site, which outlined an off-peak maximum of 25 passengers. Based on the 2025-2026 ridership data provided, off-peak maximums still reach up to over 100 passengers.
 - a. The applicant shall provide testimony regarding the ability of site and proposed parking arrangements to meet the needs of both the ferry service and beachgoers, which brings hundreds of additional people to the site between April and October.
 - b. What mechanisms will be set in place to accommodate the influx of activity on the site particularly during the summer months? It is reiterated that the peak volume of passengers departing the terminal in July was 1,172, and arriving in the terminal was 1,807.
3. The exact extent of the compact parking spaces is unclear; while the Zoning table states that 113 compact spaces are proposed, it appears that nearly, if not all, of the spaces shown on the plans for both lots are compact. All compact spaces should be explicitly noted as such on the plans.
4. The revised plans do not indicate designated parking spaces for the food trucks for the Sandbox. Will these trucks still take up car parking spaces?
5. The applicant shall speak to the feasibility of incorporating bumpers for the parking spaces in order to eliminate the accumulated waiver.
6. The Applicant should provide testimony regarding logistics for valet parking throughout the site, and confirm the location of such parking.
 - a. Are the tandem style parking spaces on the Primary Lot intended for valet parking? If so, what measures will be taken to ensure that these spaces are not occupied by non-valet vehicles?
7. The site plan indicates two (2) 10-foot-wide car drop-off lanes; the Applicant shall testify to the drop-off parking area, including how many cars can utilize this area at one time. Will any curbing or signage be implemented to physically distinguish these areas?

Lighting and Landscaping

1. A lighting plan for the Auxiliary Lot has not been provided; the Applicant should testify to the existing and proposed lighting on this lot. A plan outlining this information should be provided.
2. The proposed illumination along the southern property line of the Primary Lot shall be reduced to not exceed 0.3 fc.
3. All light spillage onto neighboring properties should be eliminated.
4. The applicant shall confirm that all proposed fixtures are downcast and will not create a glare.

5. It is recommended that a similar strategy of landscape infill and fencing as currently exists along the southern property line (i.e., hedging and fencing) be provided along the western property line, adjacent to the existing residential condominiums. Fencing should not exceed 6 feet in height, and comply with the permitted materials and standards outlined in § 21-65.7 of the Borough Ordinance. In addition, consideration should be given to replace the 15 foot light poles with bollards in this area along a portion of the exit driveway.
6. The applicant shall clarify that a minimum of ten (10%) percent of the Primary Lot not devoted to structures or paving is landscaped, in accordance with §21-65.10.

Miscellaneous

1. The applicant shall provide testimony regarding parking logistics during the proposed construction; where will vehicles park during the repaving? Will this affect operations of the Seastreak ferry?
2. The provided plans do not indicate provisions for trash and recycling.
 - a. Trash and recycling provisions shall be outlined on the drawing set.
 - b. The applicant shall provide testimony regarding circulation of a garbage truck throughout the site based on the new arrangements.
3. No bicycle parking spaces have been provided on the plans. The plans shall be revised to accommodate bicycle parking spaces, given the nature of the beach and beach bar use.

Site Visit Photos (taken June 23, 2025)



View of the subject property along Shore Drive.



Seastreak ferry terminal.



Seastreak Beach.



Operations of the Sandbox at Seastreak Beach (bar and food trucks, parking in car parking spaces).



Existing parking arrangements and one-way driveways within the main parking lot.



Combination of gravel, sand, and asphalt within the main parking lot.



Several cars parked on the grass within the main parking lot.



Auxiliary/overflow parking lot, located at 348 Shore Drive.

Attachment
LUB 25-06 Application
Planner Review Letter #1
Dated July 8, 2025

TO: Borough of Highlands Land Use Board

FROM: Susan Gruel, PP
Megan Adam, Associate Planner

RE: 326 Shore Drive
Block 100, Lot 27
Use Variance, Bulk Variances

DATE: July 8, 2025

As requested, we have reviewed the following materials:

- Borough of Highlands Land Use Board Application and Checklist, dated April 24, 2025;
- Property Survey of Block 100, Lot 27 in the Borough of Highlands, prepared by Najarian Associates dated June 25, 2024;
- 9-sheet engineering set entitled, "Seastreak Ferry Terminal Repaving Project," prepared by Najarian Associates dated April 22, 2025;
- Landscape and Lighting Plans prepared by Quercus Design Studio, LLC., dated March 12, 2025; and
- Stormwater Management Report prepared by Najarian Associates dated April 22, 2025.

Site Description

The subject property is an approximately 7.5-acre lot adjacent to the Sandy Hook Bay, with frontage along Shore Drive to the south, located at 326 Shore Drive. The property is located on Lot 27 of Block 100 in the Borough and includes approximately 221.7 feet of frontage along Shore Drive. The property includes a large parking lot for the Seastreak ferry service and a public beach, which is located in the northwestern section of the property. During the summer months, the Sandbox at Seastreak Beach Bar operates within the beach area, and several food trucks park on the site daily to serve the beachgoers.

The Seastreak ferry terminal is located within the southeastern section of the property. The terminal is serviced by a covered ticketing office and wood deck, which provide access to the ferry.

A fee is required during the summer to enter the Seastreak beach and utilize its amenities, which include the Sandbox Beach Bar, flexible seating, volleyball courts, and live music. The property survey notes that a one-story frame building, storage containers, and freezer also service the beach bar. The provided plans denote that, with the picnic tables provided and non-fixed seating, a total of 643 occupants could utilize the Seastreak beach.

Beyond the beach and ferry terminal is an extensive parking lot (the “main parking lot”), which includes a total of 957 parking spaces. This main parking lot is loosely marked by pavement markings and directional signage, and includes scattered sections of asphalt, gravel, sand, and concrete pads. The beach area is separated from the main parking lot by chain link fencing. This fencing continues along the property’s western and eastern borders.

The subject property is located within the WC-2 Waterfront Commercial Zone of the Borough. Directly west of the property, on Lots 30.02 and 27.06 of Block 100 are two-story frame buildings for the Shore Landing Apartments and the Bayview Condominiums, respectfully. Residential multifamily use continues to the east of the subject property on Lot 27.01, which includes the Sandpiper Condominiums. Rows of hedges and wood fencing provide additional separation between these developments and the subject property.

Project Description

The primary improvements proposed for the subject property include repaving, restriping, and reorganizing circulation throughout the main parking lot. Operations of the Seastreak ferry terminal will remain, as will the existing beach use. The Sandbox Beach bar will continue to operate on a seasonal basis.

Demolition

Extensive demolition of the site’s existing impervious improvements is proposed. The demolition plan notes that a majority of the site’s asphalt, gravel, concrete pads, and striping will be removed. The southwestern section of the parking lot, which includes five (5) rows of angled compact parking spaces, will maintain its general configuration and one-way circulation to the ferry terminal. Site disturbance will not extend into the beach area; further, the existing sheds, frame building, and cooler that service the ferry terminal will remain and be protected. The site’s existing inlets, piers, and fencing will also remain.

Proposed Parking/Circulation Improvements

The proposed project involves repaving the main parking lot to improve drainage, flow of traffic, and pedestrian safety. Three (3) different materials will pave the new lot, including full depth asphalt pavement, full depth gravel, and a mill and overlay asphalt pavement. Additional parking lot improvements include restriping of parking spaces, the construction of new curbs, sidewalks, and walkways throughout.

Safety measures, including the bar stops, new directional signage, and pavement markings, will be placed throughout the lot to guide circulation. The project proposes a total of 804 parking spaces throughout the main parking lot, which includes 17 ADA parking spaces, 3 ADA van parking spaces, 113 compact spaces, and 140 spaces within a two-row valet car lift. A minimum driveway width of 24 feet will be maintained

throughout the rows of standard parking spaces, and a width of 15 feet is proposed for the aisles with compact parking spaces. Two (2) car drop-off lanes will also be marked near the ferry terminal.

The proposed operations also include maintaining Block 101, Lot 12.01 (348 Shore Drive) as an overflow parking lot. This lot is located ¼ mile northwest of the subject property, and measures approximately 3 acres in area.

Landscaping and Lighting

A combination of deciduous trees (Bowhall Red Maples), evergreen trees (Eastern Red Cedars), and ornamental trees (Serviceberries) are proposed throughout the subject property where impervious improvements are not present. Additionally, shrubs, perennials, and ornamental grasses will be planted.

New light poles and bollards are proposed throughout the main parking lot, and within the beach area. To accommodate the 16 proposed light poles, new electrical and overhead wires will be laid. The overall mounting height of the light poles is 15 feet. Further, the bollard lights will be placed along walkways and within smaller parking sections. The average illumination throughout the main parking lot is approximately 2.52 footcandles (fc).

Aerial of Subject Property



Zoning

The property is in the WC-2 Waterfront Commercial 2 Zone. The applicant is proposing to operate two principal uses on the site: a parking lot and a public beach. Proposed accessory uses include the Seastreak ferry service and seasonal operation of the Sandbox beach bar. Both accessory uses are permitted within the WC-2 zone. However, public beaches are not permitted within the WC-2 zone. Therefore, the application requires a d(1) use variance.

WC-2 Waterfront Commercial 1 Zone (Chapter 21 Attachment 1)			
	Ordinance Requirements	Existing	Proposed
Min. Lot Area	-	333,717 SF	No change
Min Lot Frontage/Width	100 feet	221.7 feet	No change
Min. Lot Depth	150 feet	870.6 feet	No change
Min. Front Setback	20 feet	828.9 feet	No change
Min. Side Setback	10 feet / 10 feet	> 10 feet / > 10 feet	No change
Min. Rear Setback	-	41.3 feet	No change
Max. Building Height	36 feet	<36 feet	No change
Max. Building Cover	25%	~0.2%	No change
Max. Impervious Cover	70%	83.7%	83.1% (V)

V = Bulk variance relief required

Off-Street Circulation, Parking, and Loading Requirements			
	Ordinance Requirements	Existing	Proposed
Minimum Number of Parking Spaces (21-65.14D)	<p><u>Ferry transportation Services</u>: 0.7 space for every passenger seat on all departing boats during a regular 24-hour period = 2,660 spaces* x 0.7 = 1,862 spaces</p> <p>+</p> <p><u>Public and private beaches</u>: 1 for every 250 square feet of beach area= 43,000 square feet of beach** / 250 square feet/beach = 172 spaces</p> <p>+</p> <p><u>Eating and drinking establishment</u>: 1 for every 4 seats = 408 fixed seats/4 = 102 spaces</p> <p>Total = 2,136 spaces</p>	957 spaces	804 spaces + unclear on offsite lot (V)
On-Site Parking Requirement (21-84A)	Waterfront Uses and Districts: "In the WC-2 district all required parking shall be provided on site."	Off-site parking provided within overflow lot on Block 101, Lot 12.01 (ENC)	No change (V)
Parking Space Setbacks (21-65.14D)	<p>Parking spaces or access aisles, except entrance or exit drives, shall have a minimum setback of at least one-half (1/2) the required setback for the principal building."</p> <p>Front Setback: 20 feet / 2 = 10 feet</p> <p>Side Setback: 10 feet / 2 = 5 feet</p>	<p>Front Setback: 2 feet</p> <p>Side Setback: 5.4 feet</p>	<p>Front Setback: 10 feet</p> <p>Side Setback: 8 feet</p>
Minimum Parking Space Dimensions (21-65.14D)	Standard spaces: In general, ninety (90) degree parking spaces shall be nine (9) feet wide by eighteen (18) feet long	N/A	18' x 8.5' proposed (W)

Driveway Aisle Width (21-65.14D)	90-degrees parking angle: 24 feet 45-degrees parking angle (one-way): 13 feet	N/A	90-degrees: 24 feet 45-degrees: 15 feet
Bumper Provisions (21-65.14D)	Parking spaces shall be delineated by a treated wood bumper, at minimum of thirty (30) inches above grade.	Not provided (ENC)	No change (W)
Landscaping Requirements			
	Ordinance Requirements	Existing	Proposed
Minimum Landscaping (21-65.10)	A minimum of ten (10%) percent of the area of the site not devoted to structures, paving or other required uses shall be landscaped.	Unclear	Unclear – applicant to confirm
Lighting Requirements			
	Ordinance Requirements	Existing	Proposed
Fixture Height (21-65.11)	No light source, including sign lights, shall exceed a height of fifteen (15) feet	N/A	15 feet
Light Intensity (21-65.11)	The light intensity provided at ground level shall be a minimum of three-tenths (0.3) footcandle anywhere and shall average a minimum of five-tenths (0.5) footcandle over the entire area	N/A	Minimum: 0.5 fc Average: 2.52 fc
	The light intensity anywhere shall not exceed three-tenths (0.3) footcandle along any residential property line.	N/A	> 0.3 fc periodically (V)

*Based on a report by Brian O'Callahan on July 13, 2023

**Value estimated using the scale of the provided drawings

ENC = Existing non-conforming condition

W = Design Waiver required

Variations and Waivers Required

1. The applicant requires d(1) variance relief to permit a public beach within the WC-2 Waterfront Commercial 2 Zone.

Pre-Existing Non-Conforming Conditions

Pre-existing non-conforming conditions include:

Design Standards/Waivers

1. **Bumper Provisions (§26-65.14D)** – Where bumpers are required for surface parking spaces, no bumpers are proposed.

Newly Created Deviations

C-Variations

1. **Excessive Impervious Coverage (Chapter 21 Attachment 1)** – A maximum impervious coverage of 70% is permitted, where 83.1% is proposed.
2. **Insufficient Onsite Parking Spaces (§21-65.14D)** – Where a total of 2,136 parking spaces is required, 804 parking spaces are proposed.
3. **Offsite Parking Requirement (§21-84A)** – Where offsite parking is not permitted within the WC-2 district, offsite parking is proposed on Block 101, Lot 12.01.
4. **Excessive Illumination (§21-65.11)** – Where the light intensity shall not exceed 0.3 fc along any residential property line, greater than 0.3 fc is proposed along the southern and western property lines.

Design Standards/Waivers

1. **Insufficient Standard Parking Space Dimensions (§21-65.14D)** – Where the minimum required width of a standard parking space is 9 feet, 8.5 feet is proposed.

Planning Comments:

Variance

1. This application requires d(1) use variance relief to permit a public beach within the WC-2 Waterfront Commercial 2 Zone. The applicant shall provide planning testimony to justify the requested relief from the Board.
 - a. Positive Criteria - That there are “special reasons” for granting the requested variance and that the site is “particularly suitable” for the proposed use, which are often referred to as the “positive criteria.”

- i. The “special reasons” testimony shall either demonstrate how the proposed use advances the purposes of zoning, whether there is a hardship that prevents development of the property with a permitted use, or whether the proposed use is inherently beneficial.
 - ii. The “particularly suitable” analysis should focus on why this location within the municipality or region is particularly suited to the use despite the zoning, and what unique characteristics of the site make it appropriate for the proposed use rather than a permitted use.
 - b. Negative Criteria - The applicant’s testimony must demonstrate that the requested variance can be granted without substantial detriment to the public good. This analysis should consider impacts on neighboring properties and on the general public welfare. The applicant’s testimony must demonstrate that the requested variance will not substantially impair the intent and the purpose of the Borough Master Plan and Zoning ordinance.
2. The application requires two (2) design exceptions. The applicant shall provide testimony demonstrating that strict compliance with the Ordinance standards is impracticable per the standard set forth at N.J.S.A. 40:55D-51.

Conformance with the Borough Master Plan

1. The 2016 Master Plan Reexamination Report for the Borough established distinct waterfront zones, including waterfront commercial, residential, and transitional commercial/residential zones. The subject property is located within a waterfront commercial zone, as most of this zone’s development consists of restaurants, marinas, and commercial establishments. Unlike waterfront transitional zones, where beaches are permitted, neither public nor private beaches are permitted within waterfront commercial zones.
 - a. The applicant shall provide testimony regarding the implications of deviating from the Reexamination Report’s vision, and maintaining both the beach and beach bar uses within a waterfront commercial zone, rather than a waterfront transitional zone.
2. Further, within the Master Plan Reexamination, it is explicitly mentioned that parking should be limited to an accessory use within waterfront commercial zones: “due to sensitive location of the waterfront commercial districts, the Borough should ensure parking in these areas is limited to an accessory use” (p.54).
 - a. Parking is maintained as a principal use within Lot 27.
 - b. The proposed development also includes maintaining the existing overflow parking lot on Block 101, Lot 12.01.

- i. The applicant shall clarify the number of parking spaces within this offsite lot, and speak to its efficiency to accommodate overflow parking.
- ii. No plans for this lot have been provided; is any work proposed within this lot (e.g., repaving, restriping, addition of parking spaces)?
- iii. We note that this property is owned by Sandy Hook Bay Parking, LLC. Has this owner been made aware of the current application for Lot 27?

Dual Use of the Site/Parking Arrangements

1. The parking space deficit for the ferry service was significant prior to the current application. Further, less parking spaces (804) are proposed than are currently on the site (957). We note that from a site visit on June 23, 2025, several cars were parked on the grass within the main parking lot.
 - a. The applicant shall provide testimony regarding the ability of site and proposed parking arrangements to meet the needs of both the ferry service, and beachgoers.
2. With the newly proposed parking arrangements, where will the food trucks park in the summertime? Will these trucks have designated parking areas or still take up car parking spaces?
3. The applicant shall speak to the feasibility of incorporating bumpers for the parking spaces, to eliminate the accumulated waiver.

Lighting

1. The lighting plan shall be revised to eliminate all light spillage onto neighboring properties.
2. The proposed illumination along the southern and western property lines shall be reduced to not exceed 0.3 fc.
3. The applicant shall confirm that all proposed lighting fixtures are downcast and will not create a glare.

Landscaping

1. The applicant shall clarify that a minimum of ten (10%) percent of the area not devoted to structures or paving is landscaped, in accordance with §21-65.10. Additional variance relief may be required.

Miscellaneous

1. The applicant shall provide testimony regarding parking logistics during the proposed construction; where will vehicles park during the repaving? Will this affect operations of the Seastreak ferry?
2. The provided plans do not indicate provisions for trash and recycling.
 - a. Trash and recycling provisions shall be outlined on the drawing set.

- b. The applicant shall provide testimony regarding circulation of a garbage truck throughout the site based on the new arrangements.
3. No bicycle parking spaces have been provided on the plans. The plans shall be revised to accommodate bicycle parking spaces, given the nature of the beach and beach bar use.
4. The application package notes that deed restrictions exist on the site, but this documentation has not been attached. The applicant shall confirm that any deed restrictions do not affect the proposed operations.

Site Visit Photos (taken June 23, 2025)



View of the subject property along Shore Drive.



Seastreak ferry terminal.



Seastreak Beach.



Operations of the Sandbox at Seastreak Beach (bar and food trucks).



Existing parking arrangements and one-way driveways within the main parking lot.



Combination of gravel, sand, and asphalt within the main parking lot.



Several cars parked on the grass within the main parking lot.



Overflow parking lot, located at 348 Shore Drive.