

LBI town takes hard line in easement battle

Harvey Cedars won't maintain holdouts' property

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HARVEY CEDARS — To some residents, it's an act of retribution.

To borough officials, it's simply following the example of the state and federal governments.

Routine maintenance along Harvey Cedars' eroded oceanfront is being performed now exclusively on properties where owners have agreed to join the federal beach replenishment program.

The reason is this: If the federal government requires permission from property owners to access private land, then the same standard should apply to local government, Harvey Cedars officials contend.

"The borough has always maintained the oceanfront by bulldozing sand. Now we are only maintaining properties that have signed their easements," Borough Clerk Daina Dale said.

Mayor Jonathan Oldham added: "Our goal is not to irritate anybody. In today's litigious society, you need a release to go on someone's property."

Along the island, many beachfront homeowners have resisted granting the Army Corps of Engineers access to their property. The reasons vary. Some people fear taller dunes might obstruct ocean views, while others contend granting the easements would limit what can be built on a homeowner's property. Many property owners complain the easements shouldn't be granted in perpetuity — meaning forever.

The issue about routine beach maintenance in Harvey Cedars is the latest twist in the ongoing debate about the replenishment initiative.

Angry property owners

At a special meeting Saturday, Harvey Cedars officials met with property owners who have yet to sign their easements and heard angry complaints about the borough no longer maintaining their property.

"They pay the same taxes as everybody else," said John Weber, the East Coast regional manager for the Surfriider Foundation, which has taken issue with elements of the replenishment project.

Weber, who attended Saturday's meeting, said the project is pitting neighbor against neighbor.

"They feel they're being retaliated against by the town," he said. "They're people saying it's

extortion. It's pulling the town apart."

Lisa P. Jackson, commissioner of the state Department of Environmental Protection, said she's not optimistic that resistant property owners will change their minds.

"At this point, this project is not moving forward, and there are two reasons for that," Jackson said during a meeting Monday with the Asbury Park Press editorial board.

One reason is the widespread resistance among waterfront owners all along Long Beach Island.

A second reason is that in the North Beach and Loveladies sections of Long Beach Township, "we don't have anywhere near the bathrooms and the parking and the quarter-mile access that we need," Jackson said.

People in support of the project remain perplexed by the opposition.

The next big storm to sweep through may sweep away the homes that dot the eroded shoreline, resident Tony Aukstikalnis warned.

"I'm convinced we need it. I've lived here 14 years, and I've seen things get worse. I understand some of the concerns people have . . . but I think it's foolish of them," he said. Of the 82 signatures needed in Harvey Cedars, 49 have been received.

"We got our 49th this morning," Dale said Monday. "We've got a couple promises, too."

Deadline approaches

The DEP has set a June 15 deadline on the boroughs of Ship Bottom and Surf City, where little progress has been made in obtaining signatures. Of the 54 requests for easements recently mailed out to oceanfront residents, only one property owner has agreed to grant access, Ship Bottom officials reported Monday.

In anticipation that Surf City and Ship Bottom won't meet the deadline, Oldham has been pushing to get his town's easements finished by June 15 so Harvey Cedars can be first in line for replenishment.

In Surf City, 14 owners have signed and 11 haven't.

"If they haven't signed on by now I don't think they're going to," Surf City Mayor Leonard T. Connors Jr. said, adding the project appears to be doomed.

The replenishment project involves building up the dune to a uniform 22-foot height to protect the island from wave and storm damage. Federal engineers want to pump about 11 million cubic yards of sand onshore during the initial construction. A periodic nourishment cycle would contribute an additional 2 million cubic yards every seven years.

Dale acknowledged that some Harvey Cedars residents are angry about the borough's new oceanfront maintenance policy.

"There are some negative feelings. That is the way it is. It is private property," she said.

For Oldham, the replenishment project is a public safety imperative aimed at shielding the 18-mile-long barrier island from the effects of a devastating storm.

"I'm concerned about the long-term future of the island if the project doesn't go," he said.

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