

## Beach access issues prompt lawyer-hosted meeting at hotel

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STAFFORD — As the struggle over beach replenishment continues, residents are gearing up for a legal battle that could threaten the future of the project.

Kenneth Porro, an attorney from Lyndhurst, will be present at a 2 p.m. meeting Sunday at the Holiday Inn on Route 72 in Stafford where residents are expected to debate the merits of seeking legal action against the project.

At issue is the debate between oceanfront homeowners and the state Department of Environmental Protection over private versus public beach access. Homeowners claim they would be signing away their property while the state refuses to allow public money to fund a project on private land.

Beach Haven Mayor Deborah C. Whitcraft feels that the presence of lawyers has complicated the beach access issue unnecessarily.

"We are in desperate need for this project," Whitcraft said. "There are 70,000 lawyers in the state of New Jersey. They are looking at this as a way to improve themselves."

Porro comes to the Long Beach Island beach replenishment controversy with experience. He represented an Ocean City resident in a 2003 state Superior Court case alleging negative property impact as the result of a seven-mile dune construction project in 1993.

The court awarded the property owner, Louis Spadacino, \$37,001 plus interest for the loss of easement and severance damage for the loss of his ocean view as a result of the creation of a higher dune.

It is expected that Porro would try to argue the same point about the upcoming beach project on LBI, a notion that worries many officials eager to see the project begin.

"During the meeting, they should really take the lawyers down to the beach and show them what is going on," said Surf City Mayor Leonard T. Connors. "This is an issue that needs to be addressed before it gets any worse."

At a recent Board of Commissioners meeting in Harvey Cedars, borough officials urged residents in favor of the beach replenishment project to attend the meeting and refute arguments.

"We told people about the meeting and let the residents know that we were encouraging them to go and tell their side," said Borough Clerk Daina Dale.

Though only 22 of the needed 82 easements in Harvey Cedars have been signed over and returned to borough hall, there has been talk among some residents about the possibility of having the town receive sand before Ship Bottom and Surf City, where the project is slated to begin in the spring.

For that to happen, all the needed easements would need to be returned. Many hope that by returning easements in at least one Island municipality would allow the project to begin, making it more likely to continue to receive federal funding in the future.

"If Ship Bottom and Surf City don't have theirs in and we do, it's been our understanding that the DEP will start here first," Dale said.

Ship Bottom Councilmen Edward English said the project has had problems with getting the right information out there to residents.

"Right now, there is a lot of misinformation out there," English said. "We have to work with the press to get all of the correct information out there. This project is a win-win situation for all of us involved."

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