

Eminent domain unlikely for LBI

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Two Long Beach Island mayors said Wednesday that using eminent domain is not feasible to obtain access easements for the planned beach-replenishment project.

State and federal officials are requiring about 800 easements from oceanfront property owners on the island before the project can begin. However, many oceanfront residents have opposed the easements and, thus far, signed documents have been slow in coming to the LBI municipalities.

Earlier in the year, Surf City Mayor Leonard Connors said eminent domain would be used if homeowners didn't grant the easements, which would allow access to the beach on their properties. But on Wednesday, both Connors and Beach Haven Mayor Deborah Whitcraft said the legal fees and other costs associated with using eminent domain would be too high, making the option unrealistic.

In Surf City alone, Connors said eminent domain could cost \$1 million, a figure he said was estimated by Anthony Graziano, president of the Ocean County Board of Taxation.

"Towns can't afford that. Len Connors is absolutely right on that," Whitcraft said.

However, if using eminent domain is off the table, Whitcraft said that would likely mean the beach replenishment project, long sought by island residents and officials who say the program is badly needed to protect the island from storms, is doomed unless property owners grant the easements.

"I think the beach replenishment project as it stands now is dead in the water," Whitcraft said.

Long Beach Township Mayor DiAnne Gove and Ship Bottom Mayor William Huelsenbeck couldn't be reached for comment Wednesday afternoon. However, while acknowledging eminent domain wasn't a pleasant option, Harvey Cedars Mayor Jonathan Oldham wouldn't say it wasn't one that his borough would consider.

"I think that anything like that would always be a last resort in any case. I don't think you can totally rule it out. I think the problem is it's unclear what the value is" of the land in question, Oldham said.

Although the land the easements concern doesn't contain structures, it does affect the total lot size of a particular piece of property, according to Whitcraft. Lot size is used in determining what a property owner can build.

But Oldham said he was also still hopeful the easements would be signed.

"We desperately need the project in Harvey Cedars, and I think the homeowners realize that. I think we're going to work our hardest and try our best to secure those easements," Oldham said.

Connors, however, wasn't optimistic about the project. He said that's why the Surf City Borough Council recently introduced an ordinance to make oceanfront owners pay for sand dumped on their property, a measure he said would ensure his town is able to conduct whatever repairs are needed in the future.

"We've got to move on to another way to make sure that these dunes are made safe to protect the public health and welfare," Connors said.

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