

**BOROUGH OF HARVEY CEDARS
LAND USE BOARD**

**Regular Meeting – Minutes
May 21, 2026**

The May 21, 2026 regular meeting of the Land Use Board of the Borough of Harvey Cedars was held in the meeting room of Borough Hall 7606 Long Beach Boulevard, Harvey Cedars, New Jersey.

The meeting was called to order by **Alcides Andril** at 06:32 PM.

Chairman Alcides Andril made the following announcement: “This is the regular meeting of the Harvey Cedars Land Use Board, notice of which was duly posted on the Bulletin Board in the Municipal Clerk’s office and advertised in the Beach Haven Times and Asbury Park Press and filed with the Municipal Clerk as required by the Open Public Meeting Act.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”

Members of the Board present: **Mayor John Imperiale, Commissioner Joseph Gieger, Alcides Andril, Mindy Berman, Richard Warren, and Thomas Griffith**

Members of the Board absent: **Bill Montag, Mark Simmons, and Kathy Sheplin**

Alternate members of the Board present: **Russell Harle, Fred Bercari, Edward O’Connor, and Robert Palestri**

Alternate members of the Board absent: **None**

Also present were the following: **Frank Little P.E, Kevin Quinlan Esq., Cecilia Morillo Zoning Officer**

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**Minutes – March 19, 2026 Regular Meeting**

**Mindy Berman** made a motion to approve the minutes from the regular meeting on **April 16, 2026**, seconded by **Richard Warren**. The following vote was recorded: **Mayor Imperiale, Commissioner Gieger, Alcides Andril, Mindy Berman, Russell Harle and Robert Palestri** voted **Yes** to approve.

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Prior to hearing the application, **Mayor John Imperiale, Fred Bercari, and Commissioner Joe Gieger** recused themselves.

Application – 2026:03 – 8103 Long Beach Boulevard LLC – 8103 Long Beach Blvd.

The following was entered into evidence:

A1 – Application

A2 – Preliminary Major Subdivision Plan prepared by Stuart Challoner & Associates LLC

A3 – Architectural Plans prepared by Jay Madden Architect

A4 – Floor Plans prepared by Jay Madden Architect

A5 – Dwelling Elevations prepared by Jay Madden Architect

B1 – Engineer Review Letter prepared by Frank Little PE

John Jackson with **JJJ Law Firm** represented the applicants **8103 Long Beach Boulevard LLC**. **Mr. Jackson** passed out additional exhibits to the board members and professionals.

The following was entered into evidence:

A6 – Power Point Presentation

John Jackson explained that after the denial of the previous application, the applicants revised their application. He shared that there is now an increased interior setback between the homes, an increase in exterior setbacks, and an improved parking plan.

Stuart Challoner with **Stuart Challoner and Associates** was sworn in. **Mr. Challoner** is the engineer and planner on the application. Testimony began with sharing photos of the existing lots. He explained that the lots consist of a parking lot and a commercial building that will be demolished to create four individual non-conforming 4500sqft lots, where 5000sqft is required.

Mr. Challoner gave an explanation behind why the lots are undersized with the presentation of a Harvey Cedars Tax Map.

The following was entered into evidence:

A7 – Harvey Cedars Tax Map

Mr. Challoner explained that the lots are undersized due to Ocean County taking ten feet of property from this location in 1919 in order to widen the road right-of-way to sixty feet. The additional ten feet would have allowed for a conforming subdivision.

John Jackson asked **Stuart Challoner** to explain why this application is better than the previously denied application. **Mr. Challoner** shared that the first change is the location of the parking and site triangle. He added that the revised application relocates the garages and keeps the site triangles clear of parked cars.

Mr. Challoner gave additional information regarding the parking on 81st and 82nd Street. He explained that the application before the board provides a parking plan that is more inline with the neighborhood allowing on-street parking safe distances away from the proposed driveways.

John Jackson requested **Mr. Challoner** explain the setback changes to the application. The explained that the applicants are seeking a variance for 8ft side yard setbacks where 10ft is required. The homes will have a 10ft setback off of Long Beach Boulevard and the adjoining easterly residential lots. He believes that this size setback fits the surrounding homes and neighborhood.

Stuart Challoner added that the current property has a ninety percent impervious coverage. The new proposed homes would allow for more storm runoff and drainage. He stated that it will be better for the environment.

John Jackson asked if the proposed plan and parking element would enhance the safety and circulation of traffic. **Stuart Challoner** explained that the homes would allow for ingress and egress onto 81st Street and 82nd Street. No vehicles would need to back onto **Long Beach Boulevard**.

Prior to moving forward, **Kevin Quinlan Esq.** explained to the board that they would be voting on the testimony that is presented to them at the current meeting. He shared that the applicants are referencing the prior application to establish the substantial changes that they made.

John Jackson and **Stuart Challoner** reviewed the Board Engineer Review Letter prepared by Frank Little PE.

The applicants are also seeking a height variance of 32ft. Based on the borough code, if the variances for side yard setback are granted the height variance will not be required.

Stuart Challoner added that all homes will go through the new compliance regulations with the FEMA and the DEP.

John Jackson and **Stuart Challoner** moved back to the Harvey Cedars Tax Map and stated that the location is suitable for four residential lots. **Mr. Jackson** asked **Mr. Challoner** to explain the downsides of two oversized lots since public discussion prior asked to reduce the number of homes. **Mr. Challoner** explained that it would not fit the neighborhood based on a planning perspective.

In conclusion, **Mr. Challoner** stated that the benefits substantially outweigh any negative.

Richard Warren questioned the possibility of three conforming lots. **Mr. Challoner** explained that the applicant did review that possibility. The configuration would force the driveways of the boulevard frontage homes to back onto Long Beach Boulevard and any accessory structures in the rear of the properties would be up against the existing properties of the neighborhood.

Jay Madden with **Jay Madden Architects** was sworn in. **Mr. Madden** designed the proposed homes. **Mr. Madden** gave an overview on each of the proposed homes and layouts. He explained that the **Harvey Cedars** ordinances do not allow for “cookie cutter” style homes so they are working towards making each home different. He added that each home would be a modest 2,200sqft of walkable heated space.

Richard Warren stated that the home may be proportionate to the square footage but it is pushing the maximum on height. **Jay Madden** explained that the 2500sqft home on the 4500sqft lot is perfect in size and compatible in size with the neighboring lots. He repeated prior testimony by **Mr. Challoner** and explained that if the side yard setback requirements are granted than the height variance will not be needed.

Public portion was opened.

Peter Elkins – 10 E. 82nd Street – was sworn in. **Mr. Elkins** asked for a potential timeline for construction and demolition. **Jay Madden** stated that the project would be within a year.

Saul Ellman – 9 E. 82nd Street – was sworn in. **Mr. Ellman** believes that the proposed subdivision plan is appropriate and allows for a less impactful use of the property.

Alfred Zarroli – 4 E. 81st Street – was sworn in. **Mr. Zarroli** is in favor of the application. He is in favor of the positioning, the modest sizes, and lower intensity.

Marilyn Upton – 5 E. 81st Street – was sworn in. **Mrs. Upton** was not in favor of the application. She believes that the homes are “too tight” and they are trying to squeeze in too many residential homes. She added that parking issues are going to arise from the new configuration and removal of existing parking spaces. With swimming pools and back yards being in close proximity of each other, she explained that it will be loud late in the evening.

Jim Brady – 8108 Long Beach Boulevard – was sworn in. **Mr. Brady** supports the application. He explained that his driveway backs directly onto Long Beach Boulevard. He added that the configuration of the proposed homes allows for smart ingress and egress onto 81st and 82nd Street and keeps vehicles off of Long Beach Boulevard. Mr. Brady also supports the application because it removes the possibility of a high volume restaurant.

Randy Sunberg – 12 E. 79th Street – was sworn in. **Mr. Sunberg** asked the Land Use Board to deny the application. He explained that the public is missing the point. He asked the board to consider what is best for Harvey Cedars. **Mr. Sunberg** stated that the applicants are seeking variances so they do not need to comply with zoning requirements for setbacks and height. With the location of the homes being in the limited commercial district, **Mr. Sunberg** explained that the borough has made a large investment in the streetscape and sidewalk creating a town village area. These homes would take a piece of that away.

Alan Zorn – 1 E. 82nd Street – was sworn in. **Mr. Zorn** is not in favor of the application and believes this will set a negative precedence in the borough. He explained that the applicants are creating a perception of hardship but it does not exist. **Mr. Zorn** added that the applicants had knowledge of the pre-existing condition.

The following was entered into evidence:

O1 – Schematic Drawing

Mr. Zorn passed out a schematic drawing of the possibility of three homes. He explained that the schematic is for conforming 5000sqft lots. **Mindy Berman** interjected and explained that the homes he prepared in lot one and lot two are not conforming and he has increased the overall volume of the lots creating the same issue. **Kevin Quinlan** questioned the parking lot on the schematics. **Alan Zorn** gave an overview of each of his proposed properties square footage and the possibility of an easement to the third home. Alcides Andril stated that easements are no longer permitted per borough ordinance. Mr. Zorn asked the board to stick to the zoning code as it exists and deny the application.

Wesley Smith – 16 W. 85th Street – was sworn in. **Mr. Smith** shared the traumatic story of a pedestrian being fatally struck on Long Beach Boulevard. He stated that we would be terribly irresponsible to allow another house or business to be built with a driveway or parking lot on Long Beach Boulevard in the heart of the business district.

Edward Lilly – 8 E. 79th Street – was sworn in. **Mr. Lilly** asked the board to truly consider and listen to what is before them. He echoed Mr. Zorn's comments and believes this could set a negative precedence moving forward.

Gerard Hanson – 6 E. 82nd Street – was sworn in. **Mr. Hanson** is opposed to the application. **Mr. Hanson** questioned the height variance and the reasoning behind it.

Public portion was closed.

John Jackson gave closing remarks on the application.

Board comments began with **Chairman Alcides Andril**. **Chairman Andril** explained that he is in favor of the application with the proposed configuration. He added that the proposed configuration allows for safety. He gave an overview of what was proposed before the board and does not see any negative impact on the neighboring properties.

Mindy Berman shared that as a realtor she understands that the business district is what makes Harvey Cedars special. She expressed her disappointment that the restaurant would not be moving forward but understands. **Ms. Berman** applauded the testimony for including the county taking part of the boulevard facing frontage since it was not mentioned in detail at the prior hearing. She would be in favor of the approval.

Richard Warren explained that he has been wrestling with the application and the special reasons behind the variance request. He applauded the applicants for their presentation but he still finds that the applicants are trying to squeeze four lots into an area that does not accommodate four lots. **Mr. Warren** does not believe it makes sense for the board to be approving a subdivision of four non-conforming lots.

Thomas Griffith shared that he believes the county taking the 10ft is an incredible hardship. He finds that the houses are proportional in size to the lots and enhances the boulevard safety. Mr. Griffith is in favor of the application.

Russell Harle believes this will set a precedence for future applications and is not in favor of the approval.

Robert Palestri shared that he does not find HCH to be a historical building. He explained that it is ultimately about safety and the applicants are proposing a safe alternative in their proposed subdivision. In his experience as a realtor, he explained that the property values around the properties will increase.

Edward O'Connor explained that he understands the economical side of the choice between moving forward with swapping their plans to residential. He shared that this proposed application follows safety, continuity in the neighborhood, and finds it viable.

Mindy Berman made a motion to **approve** the application, seconded by **Robert Palestri**. The following vote was recorded: **Alcides Andril, Mindy Berman, Thomas Griffith, Edward O'Connor**, and **Robert Palestri** voted **Yes** to approve the application. **Richard Warren** and **Russell Harle** voted **No** to the approval. The application passed.

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#### **Application – 2026:04 – 5703 Long Beach Boulevard – Glenn & Virginia Stefani**

**James Raban** with **Raban and Raban** is representing the applicants **Glenn and Virginia Stefani**.

**The following was entered into evidence:**

**A1** – Application

**A2** – Architectural Plans prepared by Linda Montanel Smith

**A3** – Prior Resolution granted by the Harvey Cedars Land Use Board in 2019

**A4** – Color Photos

**A5** – Copy of Harvey Cedars Tax Map

**B1** – Engineer Review Letter prepared by Frank Little PE

**James Raban** gave an overview of the property location at **5703 Long Beach Boulevard**. He shared that the home is currently developed as a single-family dwelling. The applicants are proposing to reconfigure a section of the existing second story of the existing home. In addition, a portion of the property where there are open decks and covered decks will be expanded and enclosed to create some additional living space. He added that the existing footprint of the home would not be changing.

**Mr. Raban** explained that the applicants are seeking a variance due to an existing non-conformity that exists on the property. He added that the applicants will not be expanding or exacerbating any of the previously granted relief.

**James Brzozowski** with **Horn, Tyson, and Yoder** was sworn in. **Mr. Brzozowski** gave an

overview of the property's location on Long Beach Boulevard. He explained that the property has 75ft of frontage on Long Beach Boulevard and an existing two-story single-family home with an accessory in-ground swimming pool. **Mr. Brzozowski** explained that there are currently five existing non-conformities that include total building coverage, driveway opening of 57ft, and setbacks. He shared that the only non-conformity that is being affected in this application is the northerly side yard setback of 8.2ft.

**James Brzozowski** explained the applicant's proposal to the board. The applicants are proposing to expand the second floor 6ft to the east over the existing first floor and 15ft to the west over the existing first floor. He added that the increase in non-conformity is vertical not horizontal.

**The following was entered into evidence:**

**A6** – Sheet A02 - Highlighted Architectural Plans

**A7** – Sheet A 3.0 – Cross sections of the structure facing north

**Commissioner Joseph Gieger** asked the applicants to shift their existing trash corral to be in compliance with the borough code.

The applicant, **Glenn Stefani**, was sworn in. **Mr. Stefani** shared his history in Harvey Cedars. He explained that the proposed design would allow for his expanding family to fit comfortably in his existing home.

**Robert Palestri** asked if additions to homes would trigger the driveway ordinance. **Zoning Officer Cecilia Morillo** confirmed that renovations would not necessarily trigger the ordinance. **Frank Little PE** interjected and explained that this is a unique experience since it is located on Long Beach Boulevard and would require Ocean County approval.

**Chairman Andril** shared that he does not have any issues with the proposed application. With all changes being made within the footprint, he was in favor.

**Mayor John Imperiale** agreed with **Chairman Andril** and does not have any issue with an approval.

**Thomas Griffith** and **Mindy Berman** applauded the applicants for keeping their home and not tearing down to start fresh.

**Mayor John Imperiale** made a motion to approve the application, seconded by **Mindy Berman**. The following vote was recorded: **Mayor Imperiale, Commissioner Gieger, Alcides Andril, Mindy Berman, Richard Warren, Thomas Griffith, Russell Harle, Fred Bercari, and O'Connor** all voted **Yes** to approve the application.

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Public portion was opened.

Public portion was closed.

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The Harvey Cedars Land Use Board reviewed Ordinance 2026:18. There were no comments or recommendations from the board.

Kevin Quinlan Esq. presented the board a new application packet and meeting documents. This new application and process will cover items that are currently missing from the process. The new application will provide a copy to the fire department and police department. He added that they cannot be forced to comment on applications but this will serve as a notice. **Commissioner Gieger** asked if he as a commissioner could make them comment. **Kevin Quinlan** explained that he cannot but the board is able to bring in their own expert witnesses if needed.

Kevin Quinlan Esq. explained to the board that a new board application and processes is currently in the works. He added that one of the new processes will require applicants to submit their applications directly to the board professionals, police department, and fire department.

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The meeting was adjourned at 9:08PM.

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Christine Lisiewski, Secretary