

**HARVEY CEDARS BOARD OF COMMISSIONERS
WORK SESSION & EXECUTIVE SESSION MINUTES
DECEMBER 15, 2025**

Monday, December 15, 2025 – Work Session Meeting – Easement Discussion

Mayor John Imperiale, Commissioner Paul Rice, Commissioner Joseph Gieger, Resident Robert Palestri, Chief Robert Burnaford, Zoning Officer Cecilia Morillo and Municipal Clerk Christine Lisiewski were present.

The group discussed the attached email that resident Robert Palestri had forwarded to the Board of Commissioners.

“One item in particular that you may want to address is the no parking on easements preventing emergency vehicles. Our existing ordinance 13-7.4 e talks about uninhibited access at a private easement. I strongly feel that can be misinterpreted and suggest you look at clarifying the existing ordinance by adding No Parking. Ship bottom has excellent language in 10.44.020 A & B. In any case, my public info is below. An educated public makes better decisions.

Maris Stella Info for “The Public” timeline

The Borough announces in the monthly Currents newsletter that the Oceanside property at Maris Stella is for sale, saying THIS WOULD REQUIRE 72nd ST TO BE CONTINUED THROUGH TO THE BEACH.

The Applicant applied to DEP for a 9-home Subdivision (5 Oceanfront & 4 Oceanblock lots).

The Borough Commissioners sent a letter to DEP with comments underscoring the importance of continuation of 72nd Street to the beach and the maintenance of fire and emergency access.

Resident letters to the DEP with comments on dune protection, emergency access on easements, continuing 72nd St to the beach, keeping the RAA zoning & why using the extended beach front lot for building calculation.

DEP Sends a Deficiency letter to Applicant.

DEP states application for nine-home subdivision is now WITHDRAWN.

Applicant submits to DEP a two-home oceanfront application.

The Borough Commissioners send a letter to DEP with concerns about a piecemeal approach to this parcel, as well as reiterating the critical need to continue 72nd Street to the ocean, Emergency vehicle access and overall drainage.

The residents' attorney sends a 5-page objection letter to the DEP regarding the 2 Oceanfront application.

DEP issues a Permit for the two-home plan.

*The Harvey Cedars Master Plan Re-Examination of 2021
Part 3 Established Zoning Districts and Land Use Recommendations
states residential development to continue in accordance with zoning plan*

The Harvey Cedars Zoning RAA 13-10.3 b & c single family residential district states lots in each SUBDIVISION have a minimum of 7500 sq feet notes the intention of the RAA zone is to maintain a low density

Maris Stella is in the RAA zone with lots having a minimum of 7500 sq feet requirement. The Zoning code also describes the future development needs of large tracts and the zones they are in.

The 2006 Marris Stella easement deed of dedication and its perpetual storm damage reduction apparently granted the original Small Estate lot to extend onto the beach and they can be used for building lot calculation. Certainly not the intent of a storm mitigation agreement and brings to question

how one lot in the 2006 agreement is now 4 oceanfront lots in the 2025 application ?

The applicant applies to NJDEP for 5 additional homes (2 oceanfront & 3 Oceanblocks) for a total of a 7 home subdivision .

Applicants send letter to the Borough Commissioners requesting a Zone change of the RAA zone to RA zone.

Residents' attorney sent a 5 page letter of OBJECTION to this zone change.

At Borough Meeting a request from the Public for the commissioners to respond to the Applicant zone change request letter. It's the first Commissioner Meeting Since the request by the applicants.

After discussion all 3 commissioners voted to not change the zoning

Borough Commissioners send a letter to the applicants that after reviewing the master plan and zoning ordinances zoning for this parcel it will remain as stated.

*Applicant revises application to the DEP to 4 new lots (2 oceanfront & 2 oceanblock)
The total subdivision lots are now at 6 (4 oceanfront & 2 oceanblock) and does not honor the town requirement to extend 72st.*

DEP in process of approving the 4 new lots for a total of 6 lots (4 oceanfront & 2 oceanblock)

There are 4 areas of Major concern including emergency vehicle access.

1. The Continuation of 72 nd St to the ocean/beach.

*2. Maintaining the RAA zoning of
7500 sq foot lots.*

3. Maintaining the integrity of the Dune & following both local and state tree removal directives.

4. EMERGENCY VEHICLE access on the two proposed easements, compounded by the fact the Borough does not have a no vehicle parking on an easement ordinance.

***THIS SUBDIVISION PROCESS WILL SET A PRECEDENT FOR HOW THE REMAINING
LARGE LAND PARCELS IN HARVEY CEDARS WILL BE DECIDED IN THE
FUTURE...."***

The group discussed enforcing parking issues on easements and current ordinances that are in place. The Commissioners were urged by the Chief of Police and Zoning Officer to evaluate current ordinances and actual ongoing issues before creating a new ordinance.

Christine Lisiewski, Municipal Clerk

John M. Imperiale, Mayor

Joseph F. Gieger, Commissioner

Paul G. Rice, Commissioner