City of Long Branch Department of Building and Development Office of the Director 344 Broadway Long Branch, NJ 07740

Phone (732) 571-5651

Fax (732) 222-4493

January 27, 2010

Atlantic Paving 63 Community Pl. Long Branch, NJ 07740

****NOTICE OF VIOLATION****

Ref: block 237, lot various 63 Community Pl.

Dear Sir,

As a result of a complaint, an inspection was made of the above captioned property on January 21, 2010. We find the following in violation of City Ordinance 345:

You have expanded the use of the property beyond the scope of your approved Zoning Permit dated 8/3/09. You must comply with the following:

- 1. The demolition/disposal business must be removed from the property. All trucks, equipment, dumpster containers and any other items related to this business must be removed.
- 2. You must remove all piles of construction material, firewood and dirt/soil that is being stockpiled on the site.

A re-inspection will be made on or about February 26, 2010. Failure to comply will result in a summons being issued in Municipal Court.

Should you have any questions, please do not hesitate to call.

Sincerely,

Kevin J. Hayes, Sr. Director of Building & Development Fire Marshal



1 1 SUPERIOR COURT OF NEW JERSEY LAW DIVISION - MONMOUTH COUNTY 2 DOCKET NO. MON-L-4039-11 3 -----X X--BRIAN D. ASARNOW, 4 Plaintiff, 5 DEPOSITION OF: KEVIN HAYES 6 CITY OF LONG BRANCH, a municipal 7 corporation of NJ; ADAM SCHNEIDER, 8 MAYOR; MARY JANE CELLI, COUNCILWOMAN; HOWARD WOOLLEY, ADMINISTRATOR; KEVIN HAYES, DIRECTOR BUILDING & DEVELOPMENT; 9 MICHELLE BERNICH, ZONING OFFICER; 10 TERRY JANECZEK, CHAIRPERSON, ZONING BOARD; MICHAEL IRENE, ZONING BOARD 11 ATTORNEY; EDWARD BRUNO AND E&L PAVING, INC.; RAY GREICO & ATLANTIC PAVING 12 (& COATING), LLC; JOE ROSARIO & ROSARIO CONTRACTING CORP., d/b/a **Original Transcript** 13 ROSARIO MAZZA DEMOLITION AND RECYCLING CO.; CUSTOM LAW SPRINKLER CO., LLC; R. BROTHERS CONCRETE, LLC; 14 SEASHORE DAYCAMP, 15 Defendants. X--------X 16 17 A Computerized Transcript of the Stenographic notes of the proceedings in the 18 19 Above-entitled matter as taken by and before PATRICIA A. FORNAROTTO, a Certified Shorthand 20 21 Reporter and Notary Public of the State of New Jersey, certify the foregoing deposition was taken 22 At Long Branch City Hall, 344 Broadway, Long 23 Branch, New Jersey, 07740, on Thursday, March 24 28, 2013, commencing at 10:15 a.m. 25 Ą.

STATE HOFTHAND BEPORTING SERVICE, INC.

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1	<u>A P P E A R A N C E S</u>	
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4	BRIAN D. ASARNOW	
5	55 Community Place	
6	Long Branch, NJ 07740	
7	Pro Se Plaintiff.	
8		
9		
10		
11		
12	ANSELL, GRIMM & AARON, ESQS.	
13	BY: BARRY CAPP, ESQ.,	
14	1500 Lawrence Avenue	
15	CN 7807	
16	Ocean, New Jersey 07712	
17	Attorney for the Defendants.	
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Hayes - direct 140 question. 1 We visited the site the day before the court 2 А 3 date and inspected the site, and Miss Bernich and I felt it was in compliance. 4 5 Are you saying that Atlantic Paving Q received a summons in relation to the January 27, 6 2010 notice of violation because you're claiming, 7 are you not -- answer that question, please. 8 9 Α I don't know what the question is. 10 0 The question is, you just stated that 11 this was Atlantic Paving's first summons and Jose 12 Rosario's first summons. 13 MR. CAPP: Object to the form. 14 That's not what he said. 15 Α I think I testified it was Atlantic Paving's first violation for this. That was my testimony. 16 17 Q Well, you issued the notice of 18 violation in January 27, 2010, to Atlantic Paving? 19 But again, it's the, it's the summons is Α 20 what you're appearing in court for. When you 21 appear in court, you're not answering a notice of 22 violation, you're answering a summons and to my 23 knowledge it was the first summons for that offense. That's to my knowledge. 24 25 And I didn't see a summons in Q

STATE GHORTHAND REPORTING SERVICE, INC.

Hayes - direct 141 1 relationship to the January 27, 2010 notice of violation. 2 3 Α Then maybe there was no summons issued. 4 0 Okay. Then that would indicate that 5 he had abated the violation, that the demolition 6 and disposal of business would be removed? 7 Ά That's what I would assume. If there was a 8 notice of violation from July, then that's what I 9 would assume, yes. 10 Q I haven't seen any proof of that. Ι 11 haven't seen any photos. 12 Α We don't take photos of abated violations. 13 We take photos of violations. 14 0 So I have to take your word for it or 15 your department's word for it that it was abated, 16 at least temporarily? 17 MR. CAPP: Object to the form of the question. 18 19 Α Well --20 MR. CAPP: You have a witness 21 testifying under oath, Mr. Asarnow. 22 0 You -- yeah. 23 MR. CAPP: Just let me, please. Your 24 first question to Mr. Hayes was, do you understand 25 that the testimony you're giving is as if you're

EPORTING SERVICE, INC.

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	Hayes - direct 147
1	Q And you never sought to impose a
2	\$2,000 a day penalty or threaten anybody with any
3	jail time over that; did you?
4	MR. CAPP: Object to the form.
5	A I never threatened anybody with anything,
6	sir. That's not my position to do that.
7	Q And you never imposed
8	MR. CAPP: He's still answering the
9	question.
10	A I did not seek to impose a maximum fine for
11	this defendant or any other defendant in the 17
12	years I've been, 18 years I've been on this job.
13	Q Well
14	A And again, if I did, it's only my
15	recommendation to the prosecutor. The prosecutor
16	then recommends to the Judge. The Judge makes the
17	final decision.
18	Q Well, you didn't bring the Judge any
19	photos of abatement. The Judge hasn't seen any
20	photos of what's over there so he doesn't really
21	have anything to do go by, just your word; is that
22	correct?
23	MR. CAPP: Object to the form.
24	A You have to get back to the Judge on that.
25	MR. CAPP: Getting back to that being
1	

STATE SHORTHANE REPORTING SERVICE, INC.

	Hayes - direct 154
1	again in violation.
2	Q But you didn't take photos or
3	document that either because you don't take
4	pictures of any abatement?
5	A I don't think that's what she's said. She's
6	saying in this letter that many of these violations
7	that were previously sent to them and were abated
8	are now in violation again; and yes, she took
9	photos accompanying this and then summonses were
10	issued based on the notice of violation, an
11	additional summons to this property owner.
12	Q The question is, is there any proof
13	that it was previously abated?
14	A I'm not answering that question again. No.
15	Yeah, I'm done.
16	MR. CAPP: That question has been
17	asked half a dozen times.
18	MR. ASARNOW: I asked for proof. I
19	didn't get any.
20	MR. CAPP: You asked six times of Mr.
21	Hayes, there isn't any.
22	MR. ASARNOW: I asked it of you.
23	MR. CAPP: You asked it of me and now
24	you've asked the witness six times. You're not
25	going to believe either of us. So I don't know
	a de la companya de l Companya de la companya
i	STATE SHORTANE REPORTING SERVICE, INC.

STATE SHORTHANE REPORTING SERVICE, INC.

	Hayes - direct 158
1	A I have an unblemished service record with
2	over 18 years with the city.
3	Q So we're getting into it. That's why
4	I'm producing all the notice of violations and
5	summonses.
6	A That's great. You're making my case, Mr.
7	Asarnow.
8	MR. CAPP: You can ask him questions
9	and that's it.
10	Q You haven't provided any proof of any
11	abatement for five minutes. You haven't provided
12	proof that you abated anything for two seconds.
13	A Are we done?
14	MR. CAPP: We're about done.
15	A Let's go.
16	MR. ASARNOW: No, we're continuing.
17	MR. CAPP: We are not going to
18	continue if we leave. If we leave, you're not
19	going to get him back.
20	Q I assume he'll be back. I assume
21	when the Judge sees what I'm getting at here, I
22	think he'll have you back. I'll have you back when
23	Mr. Woolley and Mr. Schneider come.
24	A That's great. I have several departments to
25	run.

STATA SHORTAND REPORTING SERVICE, INC.



NOTICE OF VIOLATION #2

July 15, 2011

VIA REGULAR AND CERTIFIED MAIL TO:

Business Owners: Jose Rosario Rosario-Mazza 63 Community Place Long Branch, NJ 07740

And

Atlantic Paving 63 Community Place Long Branch, NJ 07740

And

Zoning Permit Applicant:

James Siciliano, Esq. 485 Broadway Long Branch, NJ 07740

for:	63 Communi	ty Place	and associated lots for Atlantic Paving
Block:	237	Lots:	13.02, 32.01, 32.02, 37.01, 38.02, 39, 19, 20 & 21
Zone:		Le:	Ordinance Section 345

As a follow-up to my first Notice of Violation dated June 22, 2011 that your businesses received June 24, 2011 (certified receipt copies attached), I performed brief site inspections on July 11 and 13 and a full inspection on July 15, 2011 at the above-mentioned property. Our Division has determined that you have not abated the violation or contacted us regarding the expanded use of the property beyond the scope of your approved Zoning Permit issued 08/03/09.

As previously stated, the expanded use is in <u>VIOLATION</u> of the City's Zoning Ordinance, your approved Zoning Permit issued 08/03/09 and the previously abated NOV (issued January 27, 2010). Additionally, your current uses of Lots 19, 20, 21 and the portion of Block 237, Lot 52 contiguous to lot 20 for the demolition/disposal business and to store equipment, machinery, materials and containers were not approved as part of the 08/03/09 zoning permit.

As before, you are required to cease all work/use of the expansion immediately. You must also comply with the following within 10-days of this notice:

- Remove the demolition/disposal business and all materials, machinery, equipment, containers and stockpiling on the entire site that is related to the demolition/disposal business;
- Remove all plies of construction material and dirt/soil that is being stockpiled on the entire site;
- Remove all materials, equipment, containers, machinery, and stockpilling on Lots 19, 20, 21 and the portion of Block 237, Lot 52 contiguous to lot 20.

A re-inspection will occur on or about <u>August 1, 2011</u> This is your second and final warning. Failure to correct will result in a summons.



Re: Notice of Violation

Page 2 of 2

Please be advised, the expanded use for the demolition/disposal business and the use of Lots 19, 20, 21 and 52 listed above are not permitted and require use variances from the Zoning Board of Adjustment.

An appeal of this decision (an assertion that the determination is incorrect or improper) must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment.

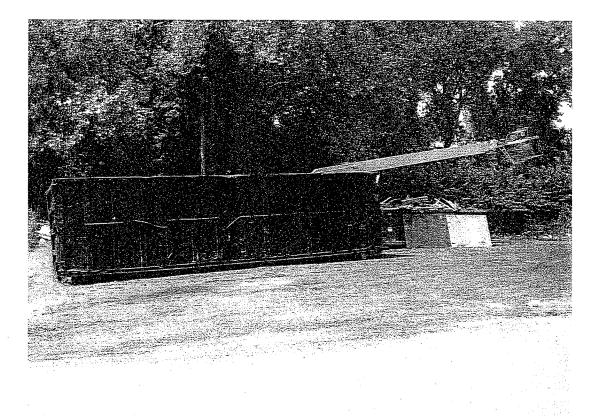
Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at <u>www.visitlongbranch.org</u>

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

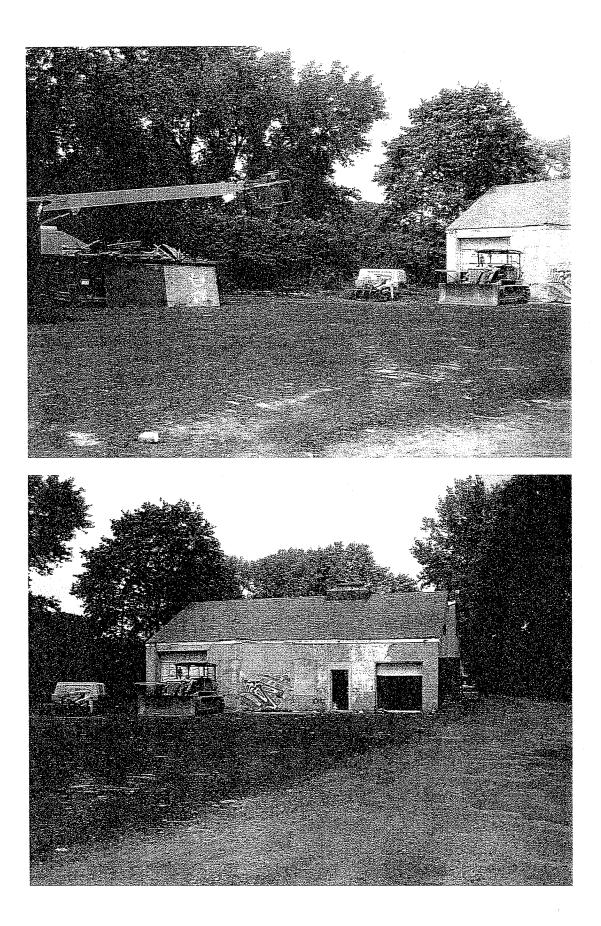
Michele J. Bernich Zoning Officer

55 – 63 Community Place Atlantic Paving Co.

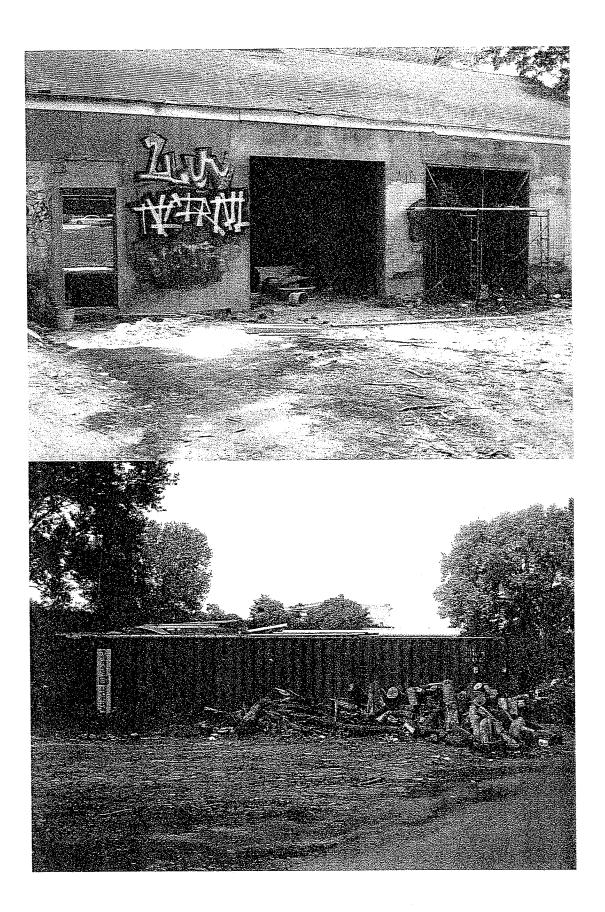
August 1, 2011 2:15 PM

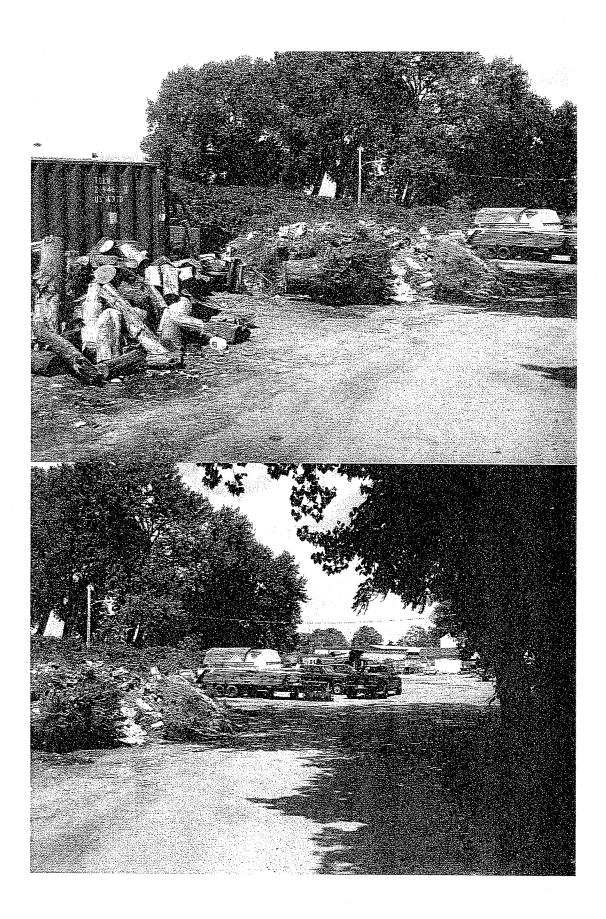


55-63 Community Place Photographs of August 1, 2011



Page 2 of 4





SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete items 1, 2, and 3. Also complete (tem 4 if Restricted Delivery is desired. A. Signature C Agent Print your name and address on the reverse Y CI:Addres so that we can return the card to you. Atlach this card to the back of the malpiece, or on the front if space permits. 8. dzte bi Deiva đ 1. Article Addressed to: D. is delivery address different from item 12 T2 Yes If YES, onter delivery address below: É No Jose Rosario Atlantic Paving 63 community place Long Branch, NJ.07740 8. Service Type Certified Met C Express Mall C Registered CI Return Receipt for Merchandi CI insured Mail 4. Residenti Delivery? (Extra Fee) Ves Yes 2. Adicio Namber 7003 1680 0002 5086 5698 (Transfer from servic PS Form 3811; February 2004 Domestic Retem Receipt 102505-02-11-154

SENDER: GOMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete items 1, 2, and 3. Also complete item 4 If Restricted Delivery is desired. A Sign **A**Anoni Print your name and address on the reverse C Addaes so that we can return the card to you. Attach this card to the back of the malpiece, Date of D or on the front if space permits. 29-11 D. Is delivery ackiess different from kern 1? 1. Article Addressed to: U Yes if YES, enter delivery address below: LI No James Siciliano, Esq. 485 Broad way Long Branch, NJ 07740 3. Service Type Certified Mall C Express Mail C Felan Receipt for Merchandle I insured Mell COD. 4. Restricted Delivery? (Extra Fee) 1 Yes 2. Article Namh 7003 1680 0002 5086 5681 (Transfer, PS Form 3811, February 2004 Domestic Reium Receint 102555-0234-154

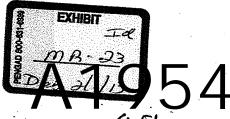
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COURT LD. PREFIX COMPLAINT	LCNG BRANC
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Complaint	Long Branch, NJ 977
The State of	of New Jersev
(Please Print)	
Defendant's Name: First Ini	ial Last
Jose Address	Rosario
63 Community	City OI (R
State 7 To Code Telephone /	
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Date: Daty II. Sex	Eves & Height Restrictions
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STATE OF NEW JERSEY COUNTY OF	MONDIOUTH } SS
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Information and belief, the named de	for the best of hismer knowledge or fendant on or about the
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O in LONG BRANCH	2.500 County of MORMOUTH NJ
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in violation of (one charge only)	Cheese, Republics of Oddinance Manhart escribe Logistion
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STATE OF NEW JERSEY MUNICIPAL COURT OF LONG BRANCH COUNTY OF MONMOUTH

LONG BRANCH

vs.

CDR#: SC 2011 027685

Name of Defendant-JOSE ROSARIO

Address- 63 COMMUNITY PL. LONG BRANCH NJ, 07740.

Offense-345- ERECT STRUCTURE W/O PERMIT

Date of Offense- 08/03/2011 Date of Process- 08/03/2011 Date Process Served- 08/03/2011

Name of Officer- OFCR.S. RAFFERTY Department- LONG BRANHC POLICE DEPARTMENT

How Defendant pleads & date- NO PLEA. 11/15/2011

Attorney's Appearances- JAMES M SICILIANO ESQ.

Remarks/Witnesses- OFCR.S. RAFFERTY/COMP.

Trial Date- 11/15/2011.

Heard By-JUDGE CIERI

How Disposed of & Sentence-DISMISSED.

Total Fines and Costs- \$00.00

ì

I hereby certify that the above is a true copy of the docket.

Court Administrator

A1955

March 9, 2012

EXHIBIT The MB -FG

COURTED PRETX COMPLANT	
1325 SC 027	586 MUNICIPAL COURT
Complaint	Long Broadway
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	of New Jersey
	VS. States in the second states in the
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	City City
	PI. L.B.
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(DESCRIPTION	TOF OFFENSE)
	345
in violation of (one charge only)	(Dathin, Regulation of Outperce Hauston)
	escribe Location
	63 COMMUNITY PI.
OATH: Subscribed and swear to before	CERTIFICATION: I certify that the fore- going statements made by me are true.
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(Signature of Complexing Witness)	
(Signature of Person Administering Qath)	Signature of Conditions Witness
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Probable cause is found for the issuance	
OF BAS Complaint Sommons	The completing miness is a jar enlocement clicker or a code enloce-
Yes	FRANCE STREET FRANCE AND CONTRACT STREET
() Ho (Signature of Judicial Officer)	able cause determination is not re- 0
	guired prior to the issuance of this : Coopland Summars.
Ho (Signature of Jedge)	
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BEFORE THIS COURT TO ANSWER THIS CO	NIPLANIT. IF YOU FAIL TO APPEAR ON THE
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STATE OF NEW JERSEY MUNICIPAL COURT OF LONG BRANCH COUNTY OF MONMOUTH

LONG BRANCH

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vs.

CDR#: SC 2011 027686

Name of Defendant-ATLANTIC PAVING

Address- 63 COMMUNITY PL. LONG BRANCH NJ, 07740.

Offense-345- ERECT STRUCTURE W/O PERMIT

Date of Offense- 08/03/2011 Date of Process- 08/03/2011 Date Process Served- 08/03/2011

Name of Officer-OFCR.S. RAFFERTY Department-LONG BRANHC POLICE DEPARTMENT

How Defendant pleads & date- NO PLEA. 11/15/2011

Attorney's Appearances- JAMES M SICILIANO ESQ.

Remarks/Witnesses- OFCR.S. RAFFERTY/COMP.

Trial Date- 11/15/2011.

Heard By-JUDGE CIERI

·J

How Disposed of & Sentence- GUILTY.

Total Fines and Costs- \$91.00. PAID IN FULL

I hereby certify that the above is a true copy of the docket. MAI Court Administrator

March 9, 2012

1957

LONG BRANCH MUNICIPAL COURT MONMOUTH COUNTY, NEW JERSEY SUMMONS NO.: SC-2011-027685/86 - - - - - x x- - -STATE OF NEW JERSEY, : TRANSCRIPT : -vs-OF : : ATLANTIC PAVING, : PROCEEDINGS JOSE ROSARIO, : Defendants x----- - x Held at: 279 Broadway Long Branch, NJ 07740 Heard on: November 15, 2011 BEFORE:

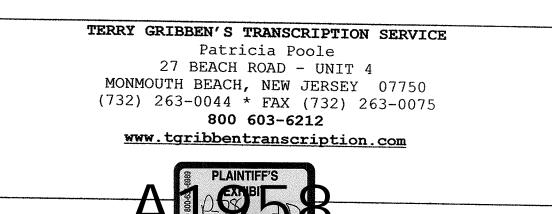
THE HONORABLE GEORGE CIERI, J.M.C.

TRANSCRIPT ORDERED BY:

BRIAN D. ASARNOW

APPEARANCES:

JAMES SICILIANO, ESQ. Attorney for the Defendants



Colloguy 2 THE COURT: Mr. Siciliano, did you resolve 1 2 yours? 3 MR. SICILIANO: Yes, sir. 4 Do you want to come on up, we'll THE COURT: 5 take your last one. What was the name? 6 MR. SICILIANO: It's the companion case of Jose Rosario and Atlantic Paving. 7 THE COURT: Okay. Come on up. Counsel, your 8 9 appearance. 10 MR. SICILIANO: Good morning, Your Honor, James Siciliano on behalf of Mr. Rosario and Atlantic 11 12 Paving. 13 THE COURT: Okay, who is Mr. Benun? 14 MR. SICILIANO: That's a separate case. 15 THE COURT: Separate case, okay. Okay, Mr. Rosario, would you say your name. 16 17 MR. ROSARIO: Jose Rosario. 18 And sir, would you say your name. THE COURT: 19 MR. GRIECO: Ray Grieco. 20 THE COURT: Mr. Rosario, how are you related 21 to Atlantic Paving? 22 MR. ROSARIO: We have business ventures 23 together. 24 MR. SICILIANO: He's not, Judge. 25 THE COURT: Okay, you are sir, you're related



NOTICE OF VIOLATION

February 13, 2013

VIA REGULAR AND CERTIFIED MAIL TO:

Business Owners:	Atlantic Paving					
	63 Community Place					
	Long Branch, NJ 07740					

RE: NEW Zoning Violation

 for:
 63 Community Place and associated lots for Atlantic Paving

 Block:
 237
 Lots:
 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21

 Zone:
 I / R-4/C-2
 Le:
 Ordinance Section 345

I inspected the site today with Kevin Hayes. We observed that many of the violations that were previously abated and/or addressed are again in violation. Additionally, there are new violations that now exist at the above property.

To reiterate the July 2011 Notice of Violation, the stockpiling and current uses of Lots 19, 20, 21 and the portion of Block 237, Lot 52 contiguous to lot 20 for storing equipment, machinery and materials was not approved as part of the Zoning Permit issued 08/03/09. The current use of the garage as a repair shop and the additional businesses occupying the site were also not approved.

You are required to cease all work/use of these expanded uses immediately and must comply with the following within 10-days of the date of this notice:

- Remove all businesses that are not Atlantic Paving from the site;
- Remove all materials, machinery, equipment, and related amenities to all businesses that are not Atlantic Paving;
- Remove all uses and materials from Lots 19, 20, 21 and 52;
- Remove all dirt/soil that is stockpiled on the entire site;
- Remove the auto repair business from the garage.

A re-inspection will occur on or about <u>February 25, 2013</u>. Failure to correct will result in a summons.

An appeal of this decision (an assertion that the determination is incorrect or improper) must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at www.visitlongbranch.org

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

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Michele J. Bernich Zoning Officer







SITE INSPECTION MEMO

DATE: February 25, 2013

TO: Kevin Hayes, Building and Development, Director

Michele Bernich, Zoning Officer (N FROM:

RE: Zoning Notice of Violation dated February 13, 2013 63 Community Place and associated lots for Atlantic Paving Block: 237 Lots: 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21 Zone: 1 / R-4/C-2

Per my Notice of Violation in reference to the above, I inspected the site today. Attached please find photographs of the property.

In summary, the majority of the stockpiling of dirt/soil has been removed on the entire site and most of the stockpiled materials/vehicular use of Lots 19, 20, 21 was addressed. However, some materials still remained on those lots and all other violations were not abated. These violations are still in effect

- Businesses that are not Atlantic Paving have not been removed from the site; 0 ۲
- Materials, machinery, trucks, equipment, and related amenities to businesses that are not Atlantic Paving still remain on site; ۲
- Some stockpiled materials/debris/trees and machinery remain on Lots 19, 20, 21;
- Some materials, machinery and trucks are located on Lot 52;
- Stockpiled debris and materials remain on the entire site;

The auto repair business still remains in the garage.

Since this NOV has not been abated, please issue summonses as required.

I will issue Notices of Violation to the other businesses and property owner this week.





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3/25/13 3 Mrs Turner ; Adjecerned until 4/9 + No other summenses assored - Couldn't give reason why adjourned or by who "could be several reasons " - ASTE Mayes

12/3/13 - Auschefeld analogo Yere like





NOTICE OF VIOLATION

March 4, 2013

VIA REGULAR AND CERTIFIED MAIL TO:

Business Owner:		Ray Grieco Atlantic Paving 63 Community Place Long Branch, NJ 07740
RE:	Zoning Violation	

 For:
 63 Community Place and associated lots for Atlantic Paving

 Block:
 237
 Lots:
 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21

 Zone:
 I / R-4/C-2
 Ordinance:
 Sections 345-11W(1), 14A, 68C, 76A, 12M

Per my Notice of Violation dated February 13, 2013 in reference to the above, I re-inspected the site on February 25, 2013. In summary, the majority of the stockpiling of dirt/soil has been removed on the entire site and most of the stockpiled materials/vehicular use of Lots 19, 20, 21 was addressed. However, some materials still remained on those lots and all other violations were not abated. These violations are still in effect as follows:

- Businesses that are not Atlantic Paving have not been removed from the site;
- Materials, machinery, trucks, equipment, and related amenities to businesses that are not Atlantic Paving still remain on site;
- Some stockpiled materials/debris/trees and machinery remain on Lots 19, 20, 21;
- Some materials, machinery and trucks are located on Lot 52;
- Stockpiled debris and materials remain on the entire site;
- The auto repair business still remains in the garage.

Since this NOV had not been abated by the required date, summonses will be issued as well as Notices of Violation to the other businesses and property owner.

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

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Michele J. Bernich Zoning Officer



NOTICE OF VIOLATION

March 4, 2013

VIA REGULAR AND CERTIFIED MAIL TO:

Property Owner:

Ed Bruno E & L Paving Co. Inc. 122 Monmouth Boulevard Oceanport, NJ 07757

RE: Zoning Violation For: 63 Community Place and associated lots for Atlantic Paving Block: 237 Lots: 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21 Zone: 1 / R-4/C-2 Ordinance: Sections 345-11W(1), 345-14A, 345-68C, 345-76A

On February 13, 2013 I inspected the above site with Kevin Hayes. We observed that multiple businesses were operating on the property which is in violation of the Zoning Permit issued 08/03/09 to Atlantic Paving. Therefore, I issued a Notice of Violation (NOV) to Atlantic Paving requesting the removal of all businesses that are not Atlantic Paving from the site.

Per the NOV, I performed a follow-up site inspection on February 25, 2013 and saw that these other businesses had not been removed from the site and those materials, machinery, trucks, equipment, and related amenities to businesses that are not Atlantic Paving still remained on site. Therefore, as the property owner, the property, you and E & L Paving are in **VIOLATION** of ZP# 080309-3 and the above noted zoning ordinance sections.

All work/use of the businesses other than Atlantic Paving must cease immediately. All businesses other than Atlantic Paving and their materials, machinery, trucks, equipment, and related amenities to those businesses must be removed within 10-business days of the date of this notice.

A re-inspection will occur on or about March 18, 2013. Failure to correct will result in a summons.

An appeal of this decision (an assertion that the determination is incorrect or improper) or a request for variances must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at <u>www.visitlongbranch.org</u>

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

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Michele J. Bernich Zoning Officer



NOTICE OF VIOLATION

March 4, 2013

VIA REGULAR AND CERTIFIED MAIL TO:

Business Owner:

Joe Rosario Custom Lawn Sprinkler Co. 63 Community Place Long Branch, NJ 07740

RE: Zoning Violation

 For:
 63 Community Place and associated lots for Atlantic Paving

 Block:
 237
 Lots:
 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21

 Zone:
 I / R-4/C-2
 Ordinance:
 Sections 345-11W(1), 345-14A, 345-68C, 345-76A

On February 13, 2013 I inspected the above site with Kevin Hayes. We observed that your business, Custom Lawn Sprinkler Co., was operating on the property which is in violation of the Zoning Permit issued 08/03/09 to Atlantic Paving. Therefore, I issued a Notice of Violation (NOV) to Atlantic Paving requesting the removal of all businesses that are not Atlantic Paving from the site.

Per the NOV, I performed a follow-up site inspection on February 25, 2013 and saw that your business had not been removed from the site and that materials, machinery, trucks, equipment, and related amenities to businesses that are not Atlantic Paving still remained on site. Therefore, Custom Lawn Sprinkler is in **VIOLATION** of Zoning Permit # 080309-3, Ordinance Section 345-11W(1) (*no lot shall have erected upon it more than one principal permitted use*), Ordinance Section 345-14A (*a change, addition or expansion of a new or existing use shall require site plan approval*), Ordinance Section 345-68C (*no non-conforming use may be expanded*)and Ordinance Section 345-76A (*zoning permits are required upon a change in use of the land or structure*).

You are required to cease all work/use of this business immediately and must remove the business including all materials, machinery, trucks, equipment, and related amenities to same business within 10-business days of the date of this notice.

A re-inspection will occur on or about March 18, 2013. Fallure to correct will result in a summons.

An appeal of this decision (an assertion that the determination is incorrect or improper) or a request for a use variance in accordance with Ordinance Section 345-13 must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at www.visitlongbranch.org

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

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Michele J. Bernich Zoning Officer



NOTICE OF VIOLATION

March 4, 2013

VIA REGULAR AND CERTIFIED MAIL TO:

Business Owner:

Joe Rosario Rosario-Mazza Demolition Corporation 63 Community Place Long Branch, NJ 07740

RE: Zoning Violation

 For:
 63 Community Place and associated lots for Atlantic Paving

 Block:
 237

 Lots:
 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21

 Zone:
 I / R-4/C-2

 Ordinance:
 Sections 345-11W(1), 345-14A, 345-68C, 345-76A

On February 13, 2013 I inspected the above site with Kevin Hayes. We observed that your business, Rosario-Mazza Demolition Corporation, was operating on the property which is in violation of the Zoning Permit issued 08/03/09 to Atlantic Paving. Therefore, I issued a Notice of Violation (NOV) to Atlantic Paving requesting the removal of all businesses that are not Atlantic Paving from the site.

Per the NOV, I performed a follow-up site inspection on February 25, 2013 and saw that your business had not been removed from the site and that materials, machinery, trucks, equipment, and related amenities to businesses that are not Atlantic Paving still remained on site. Therefore, Rosario-Mazza Demolition is in **VIOLATION** of Zoning Permit # 080309-3, Ordinance Section 345-11W(1) (*no lot shall have erected upon it more than one principal permitted use*), Ordinance Section 345-14A (*a change, addition or expansion of a new or existing use shall require site plan approval*), Ordinance Section 345-68C (*no non-conforming use may be expanded*)and Ordinance Section 345-76A (*zoning permits are required upon a change in use of the land or structure*).

You are required to cease all work/use of this business immediately and must remove the business including all materials, machinery, trucks, equipment, and related amenities to same business within 10-business days of the date of this notice.

A re-inspection will occur on or about March 18, 2013. Failure to correct will result in a summons.

An appeal of this decision (an assertion that the determination is incorrect or improper) or a request for a use variance in accordance with Ordinance Section 345-13 must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at www.visitlongbranch.org

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

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Michele J. Bernich Zoning Officer



NOTICE OF VIOLATION

March 4, 2013

VIA REGULAR AND CERTIFIED MAIL TO:

Business Owner:

R. Brothers Concrete LLC 63 Community Place Long Branch, NJ 07740

RE: Zoning Violation

 For:
 63 Community Place and associated lots for Atlantic Paving

 Block:
 237

 Lots:
 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21

 Zone:
 I / R-4/C-2

 Ordinance:
 Sections 345-11W(1), 345-14A, 345-68C, 345-76A

On February 13, 2013 I inspected the above site with Kevin Hayes. We observed that your business, R. Brothers Concrete, LLC, was operating on the property which is in violation of the Zoning Permit issued 08/03/09 to Atlantic Paving. Therefore, I issued a Notice of Violation (NOV) to Atlantic Paving requesting the removal of all businesses that are not Atlantic Paving from the site.

Per the NOV, I performed a follow-up site inspection on February 25, 2013 and saw that your business had not been removed from the site and that materials, machinery, trucks, equipment, and related amenities to businesses that are not Atlantic Paving still remained on site. Therefore, R. Brothers Concrete is in **VIOLATION** of Zoning Permit # 080309-3, Ordinance Section 345-11W(1) (*no lot shall have erected upon it more than one principal permitted use*), Ordinance Section 345-14A (*a change, addition or expansion of a new or existing use shall require site plan approval*), Ordinance Section 345-68C (*no non-conforming use may be expanded*)and Ordinance Section 345-76A (*zoning permits are required upon a change in use of the land or structure*).

You are required to cease all work/use of this business immediately and must remove the business including all materials, machinery, trucks, equipment, and related amenities to same business within 10-business days of the date of this notice.

A re-inspection will occur on or about March 18, 2013. Failure to correct will result in a summons.

An appeal of this decision (an assertion that the determination is incorrect or improper) or a request for a use variance in accordance with Ordinance Section 345-13 must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at <u>www.visitlongbranch.org</u>

Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

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Michele J. Bernich Zoning Officer

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Mr. Brian Asarnow 55 Community Place Long Branch, NJ 07740

T: 732-870-2570 Fax: 732-870-0606 Email: b.asarnow@comcast.net

October 14, 2014

MUNICIPAL COURT RECORDS REQUEST

Attn: Mrs. Terri Turner, Court Administrator

1) All hearing dates for SC-028787 issued 2/25/13 - State v. Atlantic Paving

2) Complaint event history for SC-028787

3) Next trial date for SC-028787 11/10/2014

4) Copy of any summons issued to Joe (Jose) Rosario or his companies, Rosario Construction, Rosario Mazza Demolition, Rosario Demolition, and Custom Lawn Sprinkler. (Do not include SC 027685/027686)

If none, State "None" NONC

Otherwise please indicate all hearing and any disposition dates.

5) Copy of any summons issued to Ed Bruno or his company E&L Paving Co. as of 2/25/13 If none, State "None" NOR

Otherwise please indicate all hearing and any disposition dates

Responses provided by flui fluingen 1071104

6) Copy of any summons issued to RR Brothers Company or any other companies since 2/25/13 on Block 237 in Long Branch which includes Morris Ave. and Community Place.

If none, State "None"

Otherwise please indicate all hearing and any disposition dates NO clisposition dates

Please feel free to write the court's responses in spaces following above questions. Please call when ready.

Thanks,	The only thing that has changed is the new
Brian Asarnow	Court date of 11/10/2014
Request received by	Date:

344 BROADWAY PH 732-571-5686 FAX 732-222-8835 kschmelz@ci.long-branch.nl.us Kathy L. Schmelz, RMC, City Clerk Important Notice	
The last page of this form contains important information related to your rights concerning government	records. Please read it carefully.
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VIOLATIONS

emises: Atlantic Paving & Contracting Yard 63 Community Place

Long Branch, NJ 07740

mer/Agent: Atlantic Paving & Contracting Yard 63 COMMUNITY PLACE

Long Branch, NJ 07740

Registration No. 1325-49801-001-01 Inspection Date: April 14, 2014 Initial Inspector: _ Print Name: Page number: 1

T. A. Siciliano, III

		Date:			
The viola	tions cited on the above premises are as follows:	Inspector:			
Number	Description (Maintenance: 9 Retrofit: 0)	Abate by	U/A	U/A	U/A
1.	Location: Throughout Nature: Annual service of fire extinguishers is required. Code Section: N.J.A.C. 5:70-3,906.2	05/14/2014			
2.	Location: Outside Area Around Building Nature: Remove accumulation of rubbish Code Section: N.J.A.C. 5:70-3,102.1.1	05/14/2014			
3.	Location: Inside Garage area Nature: Remove accumulation of rubbish Code Section: N.J.A.C. 5:70-3,102.1.1	05/14/2014			
4.	Location: Inside Garage Nature: Storage shall be maintained neat and orderly Code Section: N.J.A.C. 5:70-3,315.2	05/14/2014			
5.	Location: Garage Area Nature: Removal of accumulation of wastepaper,wood, hay,straw,weeds,litter or combustible or flammable Code Section: N.J.A.C. 5:70-3,304.1.1	05/14/2014			
б.	Location: OUTSIDE AND GARAGE AREA Nature: Remove accumulation of grease, dust or waste material. ALL OPEN DRUNS, BARRELS, PALES Code Section: N.J.A.C. 5:70-3,102.1.1	05/14/2014			
7.	Location: INSIDE OF GARAGE Nature: Improper storage, use, & handling of allowable hazardous materials-ALL OPEN PALES, DRUMS, BARRELS Code Section: N.J.A.C. 5:70-3,2703.1	05/14/2014			
8.	Location: FRONT OF BUILDING Nature: Remove accumulation of rubbish. REMOVE ALL TIRES TRASH, COMPUTERS, ETC Code Section: N.J.A.C. 5:70-3,102.1.1	05/14/2014			
9.	Location: OUTSIDE OF GARAGE Nature: Compressed gas cylinders FULL or EMPTY must be secured from falling. Code Section: N.J.A.C. 5:70-3,3003.5.3	05/14/2014			

Key: The numbering of violations is for identification purposes only and shall not be construed as bearing in any way on the seriousness of any violation.

A1966

"U" Unabated - Violation uncorrected.

"A" Abated - Violation corrected.



City of Long Branch Office of Planning and Zoning

344 Broadway, Long Branch NJ 07740 Phone (732) 571-5647 Fax (732) 222-7755

NOTICE OF VIOLATION

June 10, 2014

VIA REGULAR AND CERTIFIED MAIL TO:

Ray Grieco Atlantic Paving 63 Community Place Long Branch, NJ 07740

RE:	Zoning Violation - Lot Consolidation			
	For:	Atlantic Paving		
	Address:	63 Community Place		
	Block:	237		
	New Lot:	19.01		
	Prior Lots: Zones:	13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21 1/R-4/C-2		
	Ordinance:	Sections 14A, 68C, 76A		

Dear Mr. Greico:

As you are aware, at the court proceedings on May 12, 2014, I was advised that the multiple lots used by your business and noted above were consolidated into one lot (19.01) per a Deed of Consolidation. I confirmed with the City's assessor that 63 Community Place was in fact consolidated to Block 237 Lot 19.01.

The lot consolidation violates a variety of Zoning Ordinances. Additionally, the change in use of prior Lot 52 from an access area to a new use for the paving company requires various zoning reviews.

Thus this letter serves as a Notice of Violation for the following:

§ 345-14. Site plan review.

A. Any application for a building permit for other than a single- or two-family home for new construction or for a change, addition or expansion of a new or existing use shall require site plan approval. *Prior Lot 52 was not included as part of ZP#080309-3.* The use of prior Lot 52 as part of consolidated Lot 19.01 requires site plan review. Additionally, the change in use of prior Lot 52 from an access area to a new use for the paving company business use requires site plan review.

§ 345-68. Continuance of existing provisions.

C. No nonconforming use may be expanded. Prior Lot 52 was not included as part of ZP#080309-3. The lot consolidation that adds prior Lot 52 constitutes an expansion of the preexisting non-conforming paving company use and requires review and approval by the Zoning Board of Adjustment.

§ 345-76. Certificates and permits.

A. Zoning permits. Zoning permits, where required, shall be secured from the Zoning Officer prior to the issuance of a building permit for the ponstruction or attemption of any structure or part of a

structure or upon a change in the use of the land or a structure. Prior Lot 52 was not included as part of ZP#080309-3. A zoning permit is required for the use of prior Lot 52. Additionally, a zoning permit application for the use of new lot 19.01 was not submitted for review and is required.

Per the above, a detailed zoning permit application and site plan for new Lot 19.01 is required to be submitted to the Planning & Zoning Office within 10 business days of the date of this letter. *Failure to submit a zoning permit application by June 24, 2014 will result in a summons.*

Be advised of the following violation penalties:

Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch, where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the discretion of the Judge imposing the same: a fine of not more than \$2,000; imprisonment for not more than 90 days; and/or a period of community service not exceeding 90 days;

Per Ordinance Section 1-16B, Separate Violations: Except as otherwise provided, each and every day in which a violation of this Code shall constitute a separate violation. In addition, each violation of this Code shall be considered a separate offense upon each and every day in which a violation exists;

Per Ordinance Section 1-16C, Applicability: The maximum penalty provisions stated herein are not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all (except where a mandatory statutory penalty is set forth in any part of the Code required by state law), may be appropriate for a particular case or violation.

An appeal of this decision must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at<u>www.visitlongbranch.com</u>

Thank you for your prompt attention to this matter. I can be reached at the above if you have any questions.

41968

Michele J. Bernich, P.E. Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement Carl Turner, *Planning* James Aaron, Esq., *City Attorney* Barry Capp, Esq., *City Attorney* Steven Rubin, Esq., *Municipal Prosecutor* Paul Edinger, *Atlantic Paving Attorney*



City of Long Branch Office of Planning and Zoning

344 Broadway, Long Branch NJ 07740 Phone (732) 571-5647 Fax (732) 222-7755

NOTICE OF VIOLATION

June 10, 2014

VIA REGULAR AND CERTIFIED MAIL TO:

Ed Bruno E&L Paving Company 122 Monmouth Boulevard Oceanport, NJ 07757

RE:	Zoning Violation - Lot Consolidation		
	For:	Atlantic Paving	
	Address:	63 Community Place	
	Block:	237	
	New Lot:	19.01	
	Prior Lots:	13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21	
	Zones:	1/R-4/C-2	
	Ordinance:	Sections 14A, 68C, 76A	

Dear Mr. Bruno:

As you are aware, at the court proceedings on May 12, 2014, I was advised that the multiple lots noted above (owned by E&L Paving Company) were consolidated into one lot (19.01) per a Deed of Consolidation. I confirmed with the City's assessor that 63 Community Place was in fact consolidated to Block 237 Lot 19.01.

The lot consolidation violates a variety of Zoning Ordinances. Additionally, the change in use of prior Lot 52 from an access area to a new use for the paving company requires various zoning reviews.

Thus this letter serves as a **Notice of Violation** for the following:

§-345-14. Site plan review.

A. Any application for a building permit for other than a single- or two-family home for new construction or for a change, addition or expansion of a new or existing use shall require site plan approval. Prior Lot 52 was not included as part of ZP#080309-3. The use of prior Lot 52 as part of consolidated Lot 19.01 requires site plan review. Additionally, the change in use of prior Lot 52 from an access area to a new use for the paving company business use requires site plan review.

§ 345-68. Continuance of existing provisions.

C. No nonconforming use may be expanded. Prior Lot 52 was not included as part of ZP#080309-3. The lot consolidation that adds prior Lot 52 constitutes an expansion of the preexisting non-conforming paving company use and requires review and approval by the Zoning Board of Adjustment.

§ 345-76. Certificates and permits.

A. Zoning permits. Zoning permits, where required, shall be secured from the Zoning Officer prior to the issuance of a building permit for the construction or alteration of any structure or part of a

Re: Notice of Violation

structure or upon a change in the use of the land or a structure. *Prior Lot 52 was not included as part of ZP#080309-3. A zoning permit is required for the use of prior Lot 52. Additionally, a zoning permit application for the use of new lot 19.01 was not submitted for review and is required.*

Per the above, a detailed zoning permit application and site plan for new Lot 19.01 is required to be submitted to the Planning & Zoning Office within 10 business days of the date of this letter. *Failure to submit a zoning permit application by <u>June 24, 2014</u> will result in a summons.*

Be advised of the following violation penalties:

Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch; where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the discretion of the Judge imposing the same: a fine of not more than \$2,000; imprisonment for not more than 90 days; and/or a period of community service not exceeding 90 days;

Per Ordinance Section 1-16B, Separate Violations: Except as otherwise provided, each and every day in which a violation of this Code shall constitute a separate violation. In addition, each violation of this Code shall be considered a separate offense upon each and every day in which a violation exists;

Per Ordinance Section 1-16C, Applicability: The maximum penalty provisions stated herein are not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all (except where a mandatory statutory penalty is set forth in any part of the Code required by state law), may be appropriate for a particular case or violation.

An appeal of this decision must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at<u>www.visitlongbranch.com</u>

Thank you for your prompt attention to this matter. I can be reached at the above if you have any questions.

41970

Michele J. Bernich, P.E. Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement Carl Turner, *Planning* James Aaron, Esq., *City Attorney* Barry Capp, Esq., *City Attorney* Steven Rubin, Esq., *Municipal Prosecutor* Paul Edinger, *Atlantic Paving Attorney*



-City of Long Branch Office of Planning and Zoning

344 Broadway, Long Branch NJ 07740 Phone (732) 571-5647 Fax (732) 222-7755

NOTICE OF VIOLATION

June 23, 2014

VIA REGULAR AND CERTIFIED MAIL TO:

Ray Grieco Atlantic Paving 63 Community Place Long Branch, NJ 07740

RE:	Zoning Viola	tion - Site Inspection
	For:	Atlantic Paving
	Address:	63 Community Place
	Block:	237
	New Lot:	19.01
	Prior Lots:	19, 20, 21, 52, 39, 13.02, 32.01, 32.02, 37.01 and 38.02
	Zones:	I/R-4/C-2
	Ordinance:	Section 345:
		11W(1), 11A, 11C, 11J, 23A, 31A, 34B, 12(K), 42A(5),(6) & (7), 68C and 76A

Dear Mr. Greico:

Per my site inspection with Officer Deniro on June 16, 2014, we observed various changes of use and some new uses at the abovementioned property that <u>violate</u> ZP#080309-3 and the City of Long Branch Zoning ordinances.

In general, parking and outdoor stockpiling and storage of tires, scrap material, boats, concrete materials, debris, tree parts, soil, pipe, pavers, bricks and wood materials, among others, on the entire property site was observed. In various locations, these items encroach the vegetation along the stream. Businesses other than Atlantic Paving continue to operate from this location (*R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, a food truck and an auto body repair shop*). Additionally, the use on prior lots 19, 20, 21 and 52 was changed from the prior use of an alleyway and access to your site to the parking of vehicles, boats and equipment and outdoor storage of various materials. Also outdoor scrap material sorting and storage on prior lots 37.01 and 38.02 was obviously noted.

Specifically, the following was observed:

• Prior lots 19, 20 and 21 [R-4 Zone]:

Parking of vehicles (cars and a truck); outdoor storage of materials (tree parts [stumps, branches and trunks], concrete barriers and materials, lumber/wood/plywood); storage of a boat; 55-gallon drums near the garage. Some of these materials encroach the vegetation along the stream.

• Prior lot 52 [C-2 Zone]:

A propane tank and (possibly abandoned) "food truck" (Chimichurri Fritura) located near the garage; parking of cars and equipment; outdoor storage of: boats, construction equipment (backhoes, excavators, plows, buckets, flat beds, wheel barrows) and various materials (concrete pavers, bricks, crushed concrete and asphalt, wood palettes and materials, traffic cones, flexible drainage pipe, sheds,

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scrap materials, boxes of piping/tubing). Additionally, debris such as tires and wires are stockpiled. Some of these materials encroach the vegetation along the stream.

- Prior lot 39 [C-2 Zone]: Outdoor storage of: dumpsters, construction equipment and trucks (backhoes, excavators, dump trucks, plows, paving equipment) and various concrete materials. Additionally, soil and tires are stockpiled. Some of these materials encroach the vegetation along the stream.
- Prior lots 38.02 and 37.01 [C-2 Zone]: Outdoor storage of: dumpsters, construction equipment and trucks (backhoes, excavators, paving equipment, cherry pickers, buckets). Stockpiling of various debris, scrap materials; scrap metal and wire was prominent. Some of these materials encroach the vegetation along the stream.
- Prior lots 32.01 and 32.02 [I Zone]: Various containers and dumpsters; outdoor storage of: construction equipment and trucks (backhoes, excavators, dump trucks, paving equipment, plows, cherry pickers, buckets). The dumpster overflowing with pipe, tubing and cardboard was prominent. A Central Jersey Trucking truck with a flat tire was also stored in this location.
- Prior lot 13.02 [I Zone]: A new trailer filled with equipment is now located adjacent to the principal building. Garbage and garbage cans were also located next to this trailer.

This letter serves as a Notice of Violation as follows:

Violation 1: § 345-11W(1). Principal permitted use or principal building.

Unless otherwise permitted in a specific zone as set forth in Article IV, Zone District Use Regulations, or as permitted in Subsection E, no lot shall have erected upon it more than one principal permitted use or one principal building.

ZP#080309-3 approved the use for one use - a paving company business (Atlantic Paving). The current multiple business use on the premises for R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, a food truck and an auto body repair shop are more than one principal use and must be removed.

Violation 2: § 345-11A. Preservation of natural features.

Existing natural features such as trees, brooks, drainage channels and view shall be retained. Whenever such features interfere with the proposed use of such property, a retention of the maximum amount of such features consistent with the use of the property shall be required, whenever possible, at the discretion of the Planning Board.

The boats, vehicles, equipment and materials storage on prior lots 21, 52, 39, 37.01 and 38.02 encroach the vegetation along the stream which violates this requirement and must be removed.

Violation 3: § 345-11C. Storage of materials.

No person shall store materials of any kind on the premises in any district except in conjunction with bona fide warehouses and the construction of a structure to be erected on the premises upon which the materials are stored for a period of one year from the date of the commencement of storage unless a permit is granted by the City Council.

The outdoor storage of materials storage on prior lots 19, 20, 21, 52, 39, 38.02, 37.01, 32.01 and 32.02 violate this requirement and must be removed.

Page 3 of 6

Violation 4: § 345-11. Additional provisions

H. All yards facing on a public street shall be considered front yards and shall conform to the minimum front yard requirements for the zone in which they are located.

J. No front yard shall be used for open storage of boats, vehicles or any other equipment except for vehicular parking on driveways, but not to include parking lots. All open storage areas which have secured permits from the City Council shall be properly landscaped. None of the aforesaid vehicles, boats or any other equipment shall be stored less than 10 feet from the rear or side lines of the principal building, nor shall any such boats, recreation vehicles or other equipment be stored in a public street.

The boat and vehicle storage on prior lots 19, 20 and 21 violate this requirement and must be removed.

Violation 5: § 345-23. R-4 Residential District. [Prior lots 19, 20 & 21]

A. Permitted uses. Permitted uses shall be as follows:

(1) All uses permitted in the R-3 Residential District, § 345-22A.

§ 345-22. R-3 Residential District.

A. Permitted uses. Permitted uses shall be as follows:

(1) All uses permitted in the R-1 Residential District, § 345-20A.

(2) Home occupation.

(3) Home professional office.

§ 345-20. R-1 Residential District.

A. Permitted uses. Permitted uses shall be as follows:

(1) One-family dwellings.

(2)Municipal buildings, community centers and public parks and playgrounds, exclusive of schools.

(3)Temporary buildings for uses incidental to construction work, provided that such buildings are removed upon completion or abandonment of the construction work.

(4)Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries shall be a permitted use in all residential districts. The requirements for such residences shall be the same as for single-family dwelling units located within such districts. [Added 2-23-1999 by Ord. No. 15-99]

The boat, various materials and vehicle storage on prior lots 19, 20, and 21 are not permitted uses in the R-4 Zone and must be removed.

Violation 6: § 345-31. C-2 Professional Office and Related Services District. [Prior lots 52, 39, 38.02 & 37.01] A. Permitted uses. Permitted uses shall be as follows:

(1) All uses permitted in the S-1 Professional Office District.

(2)Related services, including but not limited to the following: printing, business machines and office supplies.

(3)Farm markets/community farmers' markets (see §§ 345-10K and 345-3). [Added 5-26-2009 by Ord. No. 9-09]

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§ 345-37. S-1 Professional Office District.

A. Permitted uses. Permitted uses shall be as follows:

(1) One-family homes in accordance with the regulations of the R-4 District regulations.

(2) Home professional offices.

(3) Professional offices.

(4) Home occupation.

(5) Funeral home.

(6) Municipal buildings, parks and playgrounds.

Page 4 of 6

(7)Temporary buildings for uses incidental to construction work, provided that such buildings are removed upon completion and abandonment of the construction work.

The current multiple business uses on the premises for R. Brothers Concrete, Rosario Mazza Demolition, a food truck and an auto body repair shop and the current outdoor storage of materials such as boats, wood, concrete and scrap materials are not considered permitted uses in the C-2 Zone and must be removed.

Violation 7: § 345-34. I - Industrial Zone District. [Prior lots 32.01 and 32.02]

B.Permitted accessory uses. Permitted accessory uses shall be as specified in the C-1 Commercial District, § 345-30B.

§ 345-30. C-1 Central Commercial District. [Amended 6-22-1993 by Ord. No. 19-93]

B.Permitted accessory uses. Permitted accessory uses shall be as follows: [Amended 2-14-1995 by Ord. No. 8-95]

(1) Signs subject to provisions of Chapter 284, Signs.

(2) Fences, subject to the provisions of § 345-41.

(3) Essential services.

(4) Private garages.

(5) Off-street parking facilities, subject to the provisions of § 345-42.

(6)Parking lots, subject to § 345-42 and all other applicable general regulations of Chapter 300, Subdivision of Land, and this chapter.

(7)Satellite and/or microwave broadcasting appurtenances (applicable to commercial properties only, and excluding residential properties).

The current multiple business use on the premises for R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, and the scrap metal sorting and storing uses are not considered permitted accessory uses to the paving company in the I-Zone and must be removed.

Violation 8: § 345-12. Prohibited uses.

K. The sorting, baling or storage of scrap metal, paper, rags or other scrap or waste material, except that such sorting, baling or storage may take place in conjunction with a permitted recycling plant as set forth in \S 345-34A(12).

§ 345-34. I - Industrial Zone District.

A. Permitted uses. Permitted uses shall be as follows:

(12)Recycling plant for indoor sorting, preparation, storage and disposal of glass, metal, aluminum and paper waste products and outdoor storage of the finished product, so long as it is confined within containment walls not visible to the public.

The outdoor scrap material sorting and storage on prior lots 37.01 and 38.02 is prohibited and must be removed.

Violation 9: § 345-42. Off-street parking regulations.

A. General provisions.

(5) A site plan shall be filed with the zoning permit application where off-street parking facilities are required or permitted under the provisions of this chapter in connection with the use or uses for which application is being made.

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A site plan is required for the new parking areas on prior lots 19, 20, 21, and 52.

Page 5 of 6

Violation 10: § 345-42. Off-street parking regulations.

A. General provisions.

(6) All parking areas, passageways and driveways, except when provided in connection with one-family residences, shall be surfaced with a dustless, durable, all-weather pavement, clearly marked for car spaces, and shall be adequately drained, all subject to the approval of the City Engineer.

A site plan, complete with grading and drainage, is required for City Engineer review for the new parking areas on prior lots 19, 20, 21 and 52.

Violation 11: § 345-42. Off-street parking regulations.

A. General provisions.

(7)No display vehicles or trailer device for commercial purposes shall remain in any district for longer than a twenty-four-hour period.

The new trailer on prior lot 13.02 is not permitted and must be removed

Violation 12: § 345-68. Continuance of existing provisions.

C. No nonconforming use may be expanded.

The additional parking and outdoor storage areas for boats and various materials as noted above on prior lots 19, 20, 21 and 52, the use of prior lots 38.02 and 37.01 for scrap metal sorting and storing, and the use of the overall site for outdoor storage of various materials and multiple business uses are expansions of the pre-existing non-conforming paving company use and must be removed.

Violation 13: § 345-76. Certificates and permits.

A. Zoning permits. Zoning permits, where required, shall be secured from the Zoning Officer prior to the issuance of a building permit for the construction or alteration of any structure or part of a structure or upon a change in the use of the land or a structure.

Zoning permits were not applied for and are required for the changes in use of the land for all of the following per Violations 1 - 11 above: each business other than Atlantic Paving (R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, the food truck and auto body repair shop), new parking areas, change of use of prior lots 19, 20, and 21, new use of prior lots 52, 38.02 and 37.01, and outdoor storage areas.

In order to comply with the above and abate these violations, the following <u>must be complete within ten (10)</u> <u>business days</u> from the date of the Notice of Violation:

- 1) A zoning permit application (complete with site plan and grading and drainage) is required to be submitted to the Planning & Zoning Office.
- 2) The businesses, trucks, equipment, dumpsters and storage containers that are not Atlantic Paving (R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Jersey State Trucking, food truck, and the auto body shop) are required to be removed.
- 3) The outdoor storage of all materials (such as but not limited to concrete, pavers, piping and tubing) on all lots is required to be removed.
- 4) The trailer located on prior lot 13.02 must be removed.
- 5) The stockpiling of soil, storage of tires, scrap material and scrap metal sorting and storage must be removed from the premises.
- 6) The 55-gallon drums and propane tank must be removed.
- 7) The boats, vehicles, trucks and equipment emprior los 19, 70, 11 and 52 must be removed.

Page 6 of 6

Failure to complete items 1 through 7 above by July 8, 2014 will result in a summons with daily penalties as outlined below.

Be advised of the following violation penalties:

Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch, where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the discretion of the Judge imposing the same: a fine of not more than \$2,000; imprisonment for not more than 90 days; and/or a period of community service not exceeding 90 days.

Per Ordinance Section 1-16B, Separate Violations: Except as otherwise provided, each and every day in which a violation of this Code exists shall constitute a separate violation. In addition, each violation of this Code shall be considered a separate offense upon each and every day in which a violation exists.

Per Ordinance Section 1-16C, Applicability: The maximum penalty provisions stated herein are not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all (except where a mandatory statutory penalty is set forth in any part of the Code required by state law), may be appropriate for a particular case or violation.

An appeal of this decision must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. This limitation is not imposed if the applicant is seeking a variance, site plan, or subdivision. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at<u>www.longbranch.org</u>

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Thank you for your cooperation and prompt attention to this matter.

de Geric

Michele J. Bernich, P.E. Zoning Officer

Cc: Kevin J. Hayes, Sr., Director of Building & Development Carl Turner, Planning James Aaron, Esq., City Attorney Barry Capp, Esq., City Attorney Steven Rubin, Esq., Municipal Prosecutor Paul Edinger, Esq., Atlantic Paving Attorney



-City of Long Branch Office of Planning and Zoning 344 Broadway, Long Branch NJ 07740

Phone (732) 571-5647 Fax (732) 222-7755

NOTICE OF VIOLATION

June 23, 2014

VIA REGULAR AND CERTIFIED MAIL TO:

Ed Bruno E&L Paving Company 122 Monmouth Boulevard Oceanport, NJ 07757

RE:	Zoning Viola	ation - Site Inspection
	For:	Atlantic Paving
	Address:	63 Community Place
	Block:	237
	New Lot:	19.01
	Prior Lots:	19, 20, 21, 52, 39, 13.02, 32.01, 32.02, 37.01 and 38.02
	Zones:	I/R-4/C-2
	Ordinance:	Section 345:
		11W(1), 11A, 11C, 11J, 23A, 31A, 34B, 12(K), 42A(5),(6) & (7), 68C and 76A

Dear Mr. Bruno:

Per my site inspection with Officer Deniro on June 16, 2014, we observed various changes of use and some new uses at your property mentioned above that violate ZP#080309-3 and the City of Long Branch Zoning ordinances.

In general, parking and outdoor stockpiling and storage of tires, scrap material, boats, concrete materials, debris, tree parts, soil, pipe, pavers, bricks and wood materials, among others, on the entire property site was observed. In various locations, these items encroach the vegetation along the stream. Businesses other than Atlantic Paving continue to operate from this location (*R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, a food truck and an auto body repair shop*). Additionally, the use on prior lots 19, 20, 21 and 52 was changed from the prior use of an alleyway and access to your site to the parking of vehicles, boats and equipment and outdoor storage of various materials. Also outdoor scrap material sorting and storage on prior lots 37.01 and 38.02 was obviously noted.

Specifically, the following was observed:

• Prior lots 19, 20 and 21 [R-4 Zone]:

Parking of vehicles (cars and a truck); outdoor storage of materials (tree parts [stumps, branches and trunks], concrete barriers and materials, lumber/wood/plywood); storage of a boat; 55-gallon drums near the garage. Some of these materials encroach the vegetation along the stream.

• Prior lot 52 [C-2 Zone]:

A propane tank and (possibly abandoned) "food truck" (Chimichurri Fritura) located near the garage; parking of cars and equipment; outdoor storage of: boats, construction equipment (backhoes, excavators, plows, buckets, flat beds, wheel barrows) and various materials (concrete pavers, bricks, crushed concrete and asphalt, wood palettes and materials, traffic cones, flexible drainage pipe, sheds,

Page 2 of 6

scrap materials, boxes of piping/tubing). Additionally, debris such as tires and wires are stockpiled. Some of these materials encroach the vegetation along the stream.

- Prior lot 39 [C-2 Zone]: Outdoor storage of: dumpsters, construction equipment and trucks (backhoes, excavators, dump trucks, plows, paving equipment) and various concrete materials. Additionally, soil and tires are stockpiled. Some of these materials encroach the vegetation along the stream.
- Prior lots 38.02 and 37.01 [C-2 Zone]: Outdoor storage of: dumpsters, containers, construction equipment and trucks (backhoes, excavators, paving equipment, cherry pickers, buckets). Stockpiling of various debris, scrap materials; scrap metal and wire was prominent. Some of these materials encroach the vegetation along the stream.
- Prior lots 32.01 and 32.02 [I Zone]: Various containers and dumpsters; outdoor storage of: construction equipment and trucks (backhoes, excavators, dump trucks, paving equipment, plows, cherry pickers, buckets). The dumpster overflowing with pipe, tubing and cardboard was prominent. A Central Jersey Trucking truck with a flat tire was also stored in this location.
- Prior lot 13.02 [I Zone]:
- A new trailer filled with equipment is now located adjacent to the principal building. Garbage and garbage cans were also located next to this trailer.

This letter serves as a Notice of Violation as follows:

Violation 1: § 345-11W(1). Principal permitted use or principal building.

Unless otherwise permitted in a specific zone as set forth in Article IV, Zone District Use Regulations, or as permitted in Subsection E, no lot shall have erected upon it more than one principal permitted use or one principal building.

ZP#080309-3 approved the use for one use - a paving company business (Atlantic Paving). The current multiple business use on the premises for R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, a food truck and an auto body repair shop are more than one principal use and must be removed.

Violation 2: § 345-11A. Preservation of natural features.

Existing natural features such as trees, brooks, drainage channels and view shall be retained. Whenever such features interfere with the proposed use of such property, a retention of the maximum amount of such features consistent with the use of the property shall be required, whenever possible, at the discretion of the Planning Board.

The boats, vehicles, equipment and materials storage on prior lots 21, 52, 39, 37.01 and 38.02 encroach the vegetation along the stream which violates this requirement and must be removed.

Violation 3: § 345-11C. Storage of materials.

No person shall store materials of any kind on the premises in any district except in conjunction with bona fide warehouses and the construction of a structure to be erected on the premises upon which the materials are stored for a period of one year from the date of the commencement of storage unless a permit is granted by the City Council.

The outdoor storage of materials storage on prior lots 19, 20, 21, 52, 39, 38.02, 37.01, 32.01 and 32.02 violate this requirement and must be removed.

Page 3 of 6

Violation 4: § 345-11. Additional provisions

H. All yards facing on a public street shall be considered front yards and shall conform to the minimum front yard requirements for the zone in which they are located.

J. No front yard shall be used for open storage of boats, vehicles or any other equipment except for vehicular parking on driveways, but not to include parking lots. All open storage areas which have secured permits from the City Council shall be properly landscaped. None of the aforesaid vehicles, boats or any other equipment shall be stored less than 10 feet from the rear or side lines of the principal building, nor shall any such boats, recreation vehicles or other equipment be stored in a public street.

The boat and vehicle storage on prior lots 19, 20 and 21 violate this requirement and must be removed.

Violation 5: § 345-23. R-4 Residential District. [Prior lots 19, 20 & 21]

A. Permitted uses. Permitted uses shall be as follows:

(1) All uses permitted in the R-3 Residential District, § 345-22A.

§ 345-22. R-3 Residential District.

A. Permitted uses. Permitted uses shall be as follows:

(1) All uses permitted in the R-1 Residential District, § 345-20A.

(2) Home occupation.

(3) Home professional office.

§ 345-20. R-1 Residential District.

A. Permitted uses. Permitted uses shall be as follows:

(1) One-family dwellings.

(2)Municipal buildings, community centers and public parks and playgrounds, exclusive of schools.

(3)Temporary buildings for uses incidental to construction work, provided that such buildings are removed upon completion or abandonment of the construction work.

(4)Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries shall be a permitted use in all residential districts. The requirements for such residences shall be the same as for single-family dwelling units located within such districts. [Added 2-23-1999 by Ord. No. 15-99]

The boat, various materials and vehicle storage on prior lots 19, 20, and 21 are not permitted uses in the R-4 Zone and must be removed.

Violation 6: § 345-31. C-2 Professional Office and Related Services District. [Prior lots 52, 39, 38.02 & 37.01] A. Permitted uses. Permitted uses shall be as follows:

(1) All uses permitted in the S-1 Professional Office District.

(2)Related services, including but not limited to the following: printing, business machines and office supplies.

(3)Farm markets/community farmers' markets (see §§ 345-10K and 345-3). [Added 5-26-2009 by Ord. No. 9-09]

A1979

§ 345-37. S-1 Professional Office District.

A. Permitted uses. Permitted uses shall be as follows:

(1) One-family homes in accordance with the regulations of the R-4 District regulations.

(2) Home professional offices.

(3) Professional offices.

(4) Home occupation.

(5) Funeral home.

(6) Municipal buildings, parks and playgrounds.

Page 4 of 6

. . .

(7)Temporary buildings for uses incidental to construction work, provided that such buildings are removed upon completion and abandonment of the construction work.

The current multiple business uses on the premises for R. Brothers Concrete, Rosario Mazza Demolition, a food truck and an auto body repair shop and the current outdoor storage of materials such as boats, wood, concrete and scrap materials are not considered permitted uses in the C-2 Zone and must be removed.

Violation 7: § 345-34. I - Industrial Zone District. [Prior lots 32.01 and 32.02]

B.Permitted accessory uses. Permitted accessory uses shall be as specified in the C-1 Commercial District, § 345-30B.

§ 345-30. C-1 Central Commercial District. [Amended 6-22-1993 by Ord. No. 19-93]

B.Permitted accessory uses. Permitted accessory uses shall be as follows: [Amended 2-14-1995 by Ord. No. 8-95]

(1) Signs subject to provisions of Chapter 284, Signs.

(2) Fences, subject to the provisions of § 345-41.

(3) Essential services.

(4) Private garages.

(5) Off-street parking facilities, subject to the provisions of § 345-42.

(6)Parking lots, subject to § 345-42 and all other applicable general regulations of Chapter 300, Subdivision of Land, and this chapter.

(7)Satellite and/or microwave broadcasting appurtenances (applicable to commercial properties only, and excluding residential properties).

The current multiple business use on the premises for R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, and the scrap metal sorting and storing uses are not considered permitted accessory uses to the paving company in the I-Zone and must be removed.

Violation 8: § 345-12. Prohibited uses.

K. The sorting, baling or storage of scrap metal, paper, rags or other scrap or waste material, except that such sorting, baling or storage may take place in conjunction with a permitted recycling plant as set forth in \S 345-34A(12).

§ 345-34. I - Industrial Zone District.

A. Permitted uses. Permitted uses shall be as follows:

(12)Recycling plant for indoor sorting, preparation, storage and disposal of glass, metal, aluminum and paper waste products and outdoor storage of the finished product, so long as it is confined within containment walls not visible to the public.

The outdoor scrap material sorting and storage on prior lots 37.01 and 38.02 is prohibited and must be removed.

Violation 9: § 345-42. Off-street parking regulations.

A. General provisions.

(5) A site plan shall be filed with the zoning permit application where off-street parking facilities are required or permitted under the provisions of this chapter in connection with the use or uses for which application is being made.

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A site plan is required for the new parking areas on prior lots 19, 20, 21, and 52.

Page 5 of 6

Violation 10: § 345-42. Off-street parking regulations.

A. General provisions.

(6) All parking areas, passageways and driveways, except when provided in connection with one-family residences, shall be surfaced with a dustless, durable, all-weather pavement, clearly marked for car spaces, and shall be adequately drained, all subject to the approval of the City Engineer.

A site plan, complete with grading and drainage, is required for City Engineer review for the new parking areas on prior lots 19, 20, 21 and 52.

Violation 11: § 345-42. Off-street parking regulations.

A. General provisions.

(7)No display vehicles or trailer device for commercial purposes shall remain in any district for longer than a twenty-four-hour period.

The new trailer on prior lot 13.02 is not permitted and must be removed

Violation 12: § 345-68. Continuance of existing provisions. C. No nonconforming use may be expanded.

The additional parking and outdoor storage areas for boats and various materials as noted above on prior

lots 19, 20, 21 and 52, the use of prior lots 38.02 and 37.01 for scrap metal sorting and storing, and the use of the overall site for outdoor storage of various materials and multiple business uses are expansions of the pre-existing non-conforming paving company use and must be removed.

Violation 13: § 345-76. Certificates and permits.

A. Zoning permits. Zoning permits, where required, shall be secured from the Zoning Officer prior to the issuance of a building permit for the construction or alteration of any structure or part of a structure or upon a change in the use of the land or a structure.

Zoning permits were not applied for and are required for the changes in use of the land for all of the following per Violations 1 - 11 above: each business other than Atlantic Paving (R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Central Jersey Trucking, the food truck and auto body repair shop), new parking areas, change of use of prior lots 19, 20, and 21, new use of prior lots 52, 38.02 and 37.01, and outdoor storage areas.

In order to comply with the above and abate these violations, the following <u>must be complete within ten (10)</u> <u>business days</u> from the date of the Notice of Violation:

- 1) A zoning permit application (complete with site plan and grading and drainage) is required to be submitted to the Planning & Zoning Office.
- 2) The businesses, trucks, equipment, dumpsters and storage containers that are not Atlantic Paving (R. Brothers Concrete, Rosario Mazza Demolition, Custom Lawn Sprinklers, Jersey State Trucking, food truck, and the auto body shop) are required to be removed.
- 3) The outdoor storage of all materials (such as but not limited to concrete, pavers, piping and tubing) on all lots is required to be removed.
- 4) The trailer located on prior lot 13.02 must be removed.
- 5) The stockpiling of soil, storage of tires, scrap material and scrap metal sorting and storage must be removed from the premises.
- 6) The 55-gallon drums and propane tank must be removed.
- 7) The boats, vehicles, trucks and equipment of prior lots 19, 80, 21 and 52 must be removed.

Page 6 of 6

Failure to complete items 1 through 7 above by July 8, 2014 will result in a summons with daily penalties as outlined below.

Be advised of the following violation penalties:

Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch, where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the discretion of the Judge imposing the same: a fine of not more than \$2,000; imprisonment for not more than 90 days; and/or a period of community service not exceeding 90 days.

Per Ordinance Section 1-16B, Separate Violations: Except as otherwise provided, each and every day in which a violation of this Code exists shall constitute a separate violation. In addition, each violation of this Code shall be considered a separate offense upon each and every day in which a violation exists.

Per Ordinance Section 1-16C, Applicability: The maximum penalty provisions stated herein are not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all (except where a mandatory statutory penalty is set forth in any part of the Code required by state law), may be appropriate for a particular case or violation.

An appeal of this decision must be filed within 20 days of the date of this notice with the Zoning Board of Adjustment. This limitation is not imposed if the applicant is seeking a variance, site plan, or subdivision. Zoning Ordinances, Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at<u>www.longbranch.org</u>

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Thank you for your cooperation and prompt attention to this matter.

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Michele J. Bernich, P.E. Zoning Officer

Cc: Kevin J. Hayes, Sr., Director of Building & Development Carl Turner, Planning James Aaron, Esq., City Attorney Barry Capp, Esq., City Attorney Steven Rubin, Esq., Municipal Prosecutor Paul Edinger, Esq., Atlantic Paving Attorney



RE:

City of Long Branch Office of Planning and Zoning

344 Broadway, Long Branch NJ 07740 Phone (732) 571-5647 Fax (732) 222-7755

NOTICE OF VIOLATION

November 6, 2014

VIA REGULAR AND CERTIFIED MAIL TO:

Ray Grieco Atlantic Paving 63 Community Place Long Branch, NJ 07740

For:	tion - October 23, 2014 Inspection Atlantic Paving
Address:	63 Community Place
Block:	237
New Lot:	19.01
Prior Lots:	19, 20, 21, 52, 39, 13.02, 32.01, 32.02, 37.01 and 38.02
Zones:	I/R-4/C-2
Ordinance:	Section 345: 11A, 11C, 68C and 76A

Dear Mr. Greico:

Due to a complaint on October 21, 2014, Kevin Hayes, Sr., Director of Building & Development, and I performed an inspection on October 23, 2014 at the abovementioned property and observed conditions that render the property in violation of provisions of the City's zoning ordinances. These conditions include additional dumpsters, soil stockpiling and outdoor stockpiling in new open storage containment compartments (in addition to what was observed in June, 2014) on your property. Specifically, the following was observed:

 Prior lots 20 and 21 [R-4 Zone]: Dumpsters and outdoor stockpiling of soil which may also encroach the vegetation along the stream.

Prior lots 39 and 38.02 [C-2 Zone]:

Outdoor stockpiled materials in new open storage containment compartments (concrete block and other materials that comprise the structures). These materials and structures may encroach the vegetation along the stream.

Thus, this letter shall serve as a <u>Notice of Violation</u> of provisions of the City's zoning ordinances for the new dumpsters, outdoor stockpiling and storage compartment structures as follows:

Violation 1: § 345-11C. Storage of materials.

No person shall store materials of any kind on the premises in any district except in conjunction with bona fide warehouses and the construction of a structure to be erected on the premises upon which the materials are stored for a period of one year from the date of the commencement of storage unless a permit is granted by the City Council.

The outdoor storage of soil and materials on prior lots 20, 21, 39 and 38.02 violate this requirement and must be removed.

Page 2 of 3

Violation 2: § 345-11A. Preservation of natural features.

Existing natural features such as trees, brooks, drainage channels and view shall be retained. Whenever such features interfere with the proposed use of such property, a retention of the maximum amount of such features consistent with the use of the property shall be required, whenever possible, at the discretion of the Planning Board.

The dumpsters, stockpiling, and storage containment structures on prior lots 20, 21, 39 and 38.02 encroach the vegetation along the stream which violate this requirement and must be removed.

Violation 3: § 345-68. Continuance of existing provisions. C. No nonconforming use may be expanded.

The additional outdoor storage containment area/structures as noted above on prior lots 39 and 38.02 are an expansion of the pre-existing non-conforming paving company use and must be removed.

Violation 4: § 345-76. Certificates and permits.

A. Zoning permits. Zoning permits, where required, shall be secured from the Zoning Officer prior to the issuance of a building permit for the construction or alteration of any structure or part of a structure or upon a change in the use of the land or a structure.

Zoning permits were not applied for and are required for the new containment compartment structures as well as the change in use of the land for adding the containment structures on prior lots 39 and 38.02.

Violation 5: NJDEP requirements.

Permits from the NJDEP are required for structures and uses along a stream corridor.

NJDEP permits were not submitted to our office for the new containment compartment structures, blocks, and uses on prior lots 39 and 38.02 as required.

BE ADVISED you are required to **RECTIFY THESE VIOLATIONS** by implementing one of the following:

- 1. ABATE THE VIOLATION. To do so, all of the following items must be perfected within 30-days of this notice (December 6, 2014):
 - a) The new containment area must be removed including the outdoor stockpiled materials in the open storage compartments as well as the concrete block and other materials that comprise the containment compartment structures on lots 39 and 38.02.
 - b) The new soil stockpiling and dumpsters must be removed from the premises of lots 20 and 21.
- 2. APPLY TO THE ZONING BOARD OF ADJUSTMENT FOR RELIEF. A complete application to the Zoning Board of Adjustment for variances must be filed within 20-days of this notice (November 26, 2014). Development Plan Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at www.longbranch.org.

Failure to complete the above as noted will result in summonses with penalties as outlined below.

In the event that you fail to rectify these violations, the following penalties shall apply:

Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch, where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the discretion of the Judge imposing the same: a fine of not more than \$2,000; imprisonment for not more than 90 days; and/or a period of community service not exceeding 90 days.

Per Ordinance Section 1-16B, Separate Violations: Except as otherwise provided, each and every day in which a violation of this Code exists shall constitute a separate violation. In addition, each violation of this Code shall be considered a separate offense upon each and every day in which a violation exists.

Per Ordinance Section 1-16C, Applicability: The maximum penalty provisions stated herein are not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all (except where a mandatory statutory penalty is set forth in any part of the Code required by state law), may be appropriate for a particular case or violation.

The City also reserves the right to seek any additional remedies, including an injunction, to abate the above referenced violations.

Should you wish to appeal this decision you must file a complete application within 20 days of the date of this notice with the Zoning Board of Adjustment. Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at<u>www.longbranch.org</u>

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Thank you for your cooperation and prompt attention to this matter.

Michele J. Bernich, P.E. Zoning Officer

Cc: Kevin J. Hayes, Sr., Director of Building & Development Carl Turner, Planning James Aaron, Esq., City Attorney Barry Capp, Esq., City Attorney Paul Edinger, Esq., Attorney for Atlantic Paving



City of Long Branch Office of Planning and Zoning

344 Broadway, Long Branch NJ 07740 Phone (732) 571-5647 Fax (732) 222-7755

NOTICE OF VIOLATION

November 6, 2014

VIA REGULAR AND CERTIFIED MAIL TO:

Ed Bruno E&L Paving Company 122 Monmouth Boulevard Oceanport, NJ 07757

Zoning Viola	tion - October 23, 2014 Inspection
For:	Atlantic Paving
Address:	63 Community Place
Block:	237
New Lot:	19.01
Prior Lots:	19, 20, 21, 52, 39, 13.02, 32.01, 32.02, 37.01 and 38.02
Zones:	I/R-4/C-2
Ordinance:	Section 345: 11A, 11C, 68C and 76A

Dear Mr. Bruno:

RE:

Due to a complaint on October 21, 2014, Kevin Hayes, Sr., Director of Building & Development, and I performed an inspection on October 23, 2014 at the abovementioned property and observed conditions that render the property in violation of provisions of the City's zoning ordinances. These conditions include additional dumpsters, soil stockpiling and outdoor stockpiling in new open storage containment compartments (in addition to what was observed in June, 2014) on your property. Specifically, the following was observed:

 Prior lots 20 and 21 [R-4 Zone]: Dumpsters and outdoor stockpiling of soil which may also encroach the vegetation along the stream.

Prior lots 39 and 38.02 [C-2 Zone];

Outdoor stockpiled materials in new open storage containment compartments (concrete block and other materials that comprise the structures). These materials and structures may encroach the vegetation along the stream.

Thus, this letter shall serve as a **Notice of Violation** of provisions of the City's zoning ordinances for the new dumpsters, outdoor stockpiling and storage compartment structures as follows:

Violation 1: § 345-11C. Storage of materials.

No person shall store materials of any kind on the premises in any district except in conjunction with bona fide warehouses and the construction of a structure to be erected on the premises upon which the materials are stored for a period of one year from the date of the commencement of storage unless a permit is granted by the City Council.

The outdoor storage of soil and materials on prior lots 20, 21, 39 and 38.02 violate this requirement and must be removed.

Page 2 of 3

Violation 2: § 345-11A. Preservation of natural features.

Existing natural features such as trees, brooks, drainage channels and view shall be retained. Whenever such features interfere with the proposed use of such property, a retention of the maximum amount of such features consistent with the use of the property shall be required, whenever possible, at the discretion of the Planning Board.

The dumpsters, stockpiling, and storage containment structures on prior lots 20, 21, 39 and 38.02 encroach the vegetation along the stream which violate this requirement and must be removed.

Violation 3: § 345-68. Continuance of existing provisions. C. No nonconforming use may be expanded.

The additional outdoor storage containment area/structures as noted above on prior lots 39 and 38.02 are an expansion of the pre-existing non-conforming paving company use and must be removed.

Violation 4: § 345-76. Certificates and permits.

A. Zoning permits. Zoning permits, where required, shall be secured from the Zoning Officer prior to the issuance of a building permit for the construction or alteration of any structure or part of a structure or upon a change in the use of the land or a structure.

Zoning permits were not applied for and are required for the new containment compartment structures as well as the change in use of the land for adding the containment structures on prior lots 39 and 38.02.

Violation 5: NJDEP requirements.

Permits from the NJDEP are required for structures and uses along a stream corridor.

NJDEP permits were not submitted to our office for the new containment compartment structures, blocks, and uses on prior lots 39 and 38.02 as required.

BE ADVISED you are required to **<u>RECTIFY THESE VIOLATIONS</u>** by implementing one of the following:

- 1. ABATE THE VIOLATION. To do so, all of the following items must be perfected within 30-days of this notice (December 6, 2014):
 - a) The new containment area must be removed including the outdoor stockpiled materials in the open storage compartments as well as the concrete block and other materials that comprise the containment compartment structures on lots 39 and 38.02.
 - b) The new soil stockpiling and dumpsters must be removed from the premises of lots 20 and 21.
- 2. APPLY TO THE ZONING BOARD OF ADJUSTMENT FOR RELIEF. A complete application to the Zoning Board of Adjustment for variances must be filed within 20-days of this notice (November 26, 2014). Development Plan Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at www.longbranch.org.

Failure to complete the above as noted will result in summonses with penalties as outlined below.

Page 3 of 3

In the event that you fail to rectify these violations, the following penalties shall apply:

Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch, where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the discretion of the Judge imposing the same: a fine of not more than \$2,000; imprisonment for not more than 90 days; and/or a period of community service not exceeding 90 days.

Per Ordinance Section 1-16B, Separate Violations: Except as otherwise provided, each and every day in which a violation of this Code exists shall constitute a separate violation. In addition, each violation of this Code shall be considered a separate offense upon each and every day in which a violation exists.

Per Ordinance Section 1-16C, Applicability: The maximum penalty provisions stated herein are not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all (except where a mandatory statutory penalty is set forth in any part of the Code required by state law), may be appropriate for a particular case or violation.

The City also reserves the right to seek any additional remedies, including an injunction, to abate the above referenced violations.

Should you wish to appeal this decision you must file a complete application within 20 days of the date of this notice with the Zoning Board of Adjustment. Permits and Development Plan (Board) Applications are available at the Planning Department between 8:30 AM and 4:30 PM M-F or on-line at<u>www.longbranch.org</u>

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Thank you for your cooperation and prompt attention to this matter.

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Michele J. Bernich, P.E. Zoning Officer

Cc: Kevin J. Hayes, Sr., Director of Building & Development Carl Turner, Planning James Aaron, Esq., City Attorney Barry Capp, Esq., City Attorney Paul Edinger, Esq., Attorney for E & L Paving Mr. Brian Asarnow 55 Community Place Long Branch, NJ 07740

T: 732-870-2570 Fax: 732-870-0606 Email: b.asarnow@comcast.net

January 9, 2015

MUNICIPAL COURT RECORDS REQUEST

Attn: Mrs. Terri Turner, Court Administrator

1) All hearing dates for SC-028787 issued 2/25/13 - State v. Atlantic Paving. 105 + Court-date 1/2/15

2) Complaint event history for SC-028787 \checkmark

20

4) Copy of any summons since 2/25/13 issued to Joe (Jose) Rosario or his companies, Rosario Construction, Rosario Mazza Demolition, Rosario Demolition, and Custom Lawn Sprinkler. If none, State "None" NONQ. Otherwise please indicate all hearing and any disposition dates.

5) Copy of any summons issued to RR Brothers Company or any other companies since 2/25/13 on Block 237 in Long Branch which includes Morris Ave. and Community Place. If none, State "None" NONC. Otherwise please indicate all hearing and any disposition dates

6) Copy of any summons issued to Ed Bruno or his company E&L Paving Co. as of 2/25/13 If none, State "None". MCUSSA

Otherwise please indicate all hearing and any disposition dates 1/(2/15)

7) Copy of any new summonses issued to Ray Greico or his company Atlantic Paving after 2/25/13 If none, State "None" Here Here Cuclosed

Otherwise please indicate all hearing and any disposition dates

Please feel free to write the court's responses in spaces following above questions. Please call when ready.

l'hanks

Brian Asarnow

Request received by	Date:
Responses provided by: _	Ate 2039



LONG BRANCH CITY CMM1111		MATED COMPLAINT SYSTEM LAINT EVENT HISTORY	01/14/2015 17:23
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M000042 END OF LIST

PF7-PAGE BACK PF8-PAGE FWD

COURTED PREFIX COMPLAINT NUMBER	LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740
The State of New Je (Please Print) VS. Defendant's Name: First Initial POTI 100 TET 0	rsey Lasi
El E	City Long Branch IECUR TY NU/IBLR Height Restrictions
DL	State Exp. Date
COUNTY OF MONMOUTH	corb 0
of Zaning Witness: Michele R of Zaning 344 Bracdway (Identity Depl/Agency Representation) (Endge I	((lane) 25-46 No.) 25-46
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in violation of (one charge only) 415-146	guasion of Orchairs (Number)
OCATHON OF OFFENSE 1 3 2 5 03 C 0 m OATH: Subscribed and sworn to before me this 0 day of 0 y, yr 14 c ram are t and a to before t and a sworn to before to before to before to before to before to before to be t	CATION: I certify that the fore- tements made by me are true. are that if any of the foregoing its made by me are willfully me subject to punishment.
(Signature of Person Administering Oath)	(Date)
PROBABLE CAUSE DETERMINATION FOR IS	
No (Signature of Judicial Officer) CANUMA able guide	complaining witness is a law cement officer or a code enforce- officer with territorial and subject r jurisdiction and a judicial prob- cause determination is not re- d prior to the issuance of this claint-Summons.
YOU ARE HEREBY SUMMONED BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF DATE AND AT THE TIME STATED, A WARRANT MAY BE NOTICE TO APPE	YOU FAIL TO APPEAR ON THE ISSUED FOR YOUR ARREST.
COURT APPEARANCE CORT Month Day REQUIRED DATI Month Day (Date Summons/ssued) (Signature of Pe Completen-Summons	rson Issuing Summons)

Complaint	COMPLAINT NUMBER	LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740
(Please Print) Defendant's Name: First	State of New Je	
Address 63 Commo	PAVENG	City proce Branch
	phone SACANLY	Height Restrictions
		State Exp. Date
STATE OF NEW JERSEY COUNTY OF Complaining Witness:	MONMOUTH	} ss:
Residing at	Lennity Dept / Agenzy Represented (Bodge H	Ū
by certrification or on oath information and belief, the /// in	, says that to the best of his named defendant on or a SZ014 Day	bout the
U did commit the following o	F NON CONFORM	or <u>MONMOUTH</u> NJ 4
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BEFORE THIS COURT TO AN DATE AND AT THE TIME ST	SWER THIS COMPLAINT. IF YO ATED, A WARRANT MAY BE IS DTICE TO APPEA	U FAIL TO APPEAR ON THE SUED FOR YOUR ARREST
COURT APPEARANC	E COURT MONT PP	STIME 1: 10 PM
(Date Semmons Issued) Complaint-Summons	(Signature of Perso	n Resulting Summons)

COURTILD. PREFIX COMPLAINT	NUMBER
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COURT LD. PREFix COMPLAINT NUMBER LONG BRANCH 1325 - 032360 MUNICIPAL COURT 279 Broadway 279 Broadway Long Branch, NJ 07740
iomplaint
The State of New Jersey (Please Print) VS. Defendant's Name: First Initial
ATLANITIC PAVIXIG
U3 COMMUNIFY Ling Gang Branch State Zip Code Telephone Specific Security NU/IBER Min 67740 Yr. Sex Security Security NU/IBER Birth Mo. Day Yr. Sex Security Security Security NU/IBER
Date:
* State Exp. Date
STATE OF NEW JERSEY MONMOUTH } SS:
Complaining Witness: Michale Dernich
of Zon/n/J 344 BrackWay 25-40 3 (Identity Dept/Agency Represented) (Jackge Na.) Residing at
by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the SCOM
Month Usy Manhall MANNAGE MANNAGITH NJ
U did commit the following offense:
STOLAGE OF VEHICLES + BOATS (DESCRIPTION OF OFFENSE)
in violation of (one charge only) <u>345 - 11 J</u> (Statute, Regulation of Ordinance Number)
LOCATION 222 Describe Location
CATH: Suborihod and sworn to before CERTIFICATION: I certify that the fore-
going statements made by me are true.
me this <u>b</u> day of <u>NOD</u> , yr <u>A</u> statements made by me are willfully false, I am subject to punishment.
(Signature of Complaining Witness) (Date)
(Signature of Person Administering Oath)
PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:
COURT USE ONLY LAW/ CODE ENFORCEMENT USE ONLY
Probable cause is found for the issuance Of this Complaint-Summons Hes LUW R LUW
No (Signature of Judicial Officer) CMAH able cause determination is not re- guired prior to the issuance of this comptaint-Summons.
No (Signature of Judicial Officer) Charles able cause determination is not re- guired prior to the issuance of this No (Signature of Judge) YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.
COURT APPEARANCE COURT Month Day Year-Time / COPM
Walk (1011) KURADICALER
(Oate Summons Issued) (Signature of Person Issuing Summons) Compteint-Summons SF (area)

COURT I.D.	PREFIX	COMPLAINT NUMBER
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LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

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	The State of New Jersey	
1000	(Please Print)	
ſ	Defendant's Name: First Initial Last	
I	ATLANTIC PAVING	
ľ	Address City	
I	43 COMMUNITY PI JANG BARAN	
ľ	State Zip Code Telephone	
Ļ	NATIONNUMBER	
	Birlh Mo. Day Yr. Sex § Eyes § Height Restrictions	8
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	DL	
t	State Exp. Date	-
L		l
	STATE OF NEW JERSEY	ð
	COUNTY OF MOHMOUTH } SS:	
ŀ	Complaining Witness: Michele Pernich	n
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0	in LONG RRANCH MILET PERMIT	2
U	did commit the following offense:	4
	MULTZALE USESZN C-2 ZONE	
	(DESCRIPTION OF OFFENSE)	
	3	
	in violation of (one charge only) 345-314	
	(Statute, Regulation or Ordinance Number)	
	LOCATION OF OFFENSE	
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l	statements made by me are willfully false, I am subject to punishment.	
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1000	(Signature of Complaining Witness) (Date)	
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	/(Signature of Person Administering Oath) CYVV (Signature of Complaining Witness)	
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	PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:	
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susi	Asint-Summons ((Orginalize of Person issuing Summons)	

COURT LD. PREFIX 1325 SC Complaint	COMPLAINT NUMBER	LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740
(Please Print) Defendant's Name: Firs	e State of New . vs.	Jersey Last
ATLANTIC Address U.3 COMMU State IZID Code ITC	PAV 7NG	sny branch
A.S. 67746 Birth Mo. Day Date:	Yr. Sex § Eyes	ECURITY NUMBER
STATE OF NEW JERS		State Exp. Date
COUNTY OF Complaining Witness	344 Brondway	RAICH 10 (Norma) 25-46
Residing at by certification or on or information and belief,	the named defendant on o	his/her knowledge or rabout the
0 in LONG BRANCH U did commit the following A CCCSSO 7	Day Yes WER132538C Cour g offense: VASE 117 I	nty of <u>MOHMOUTH</u> NJ
(DE	SCRIPTION OF OFFE ge only) <u>345-34</u> (States, I	NSE) / B Regulation of Ordinance Number)
OF OFFENSE	orn to before CERTIF	TRATION: I certify that the fore- tatements made by me are true.
(Signature of Completining	OR Stateme	vare that if any of the foregoing ints made by me are willfully am subject to punishment. (Date)
(Signature of Person Adminis		nature of Complaining Witness)
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DATE AND AT THE TIME S	HEREBY SUMMONED ANSWER THIS COMPLAINT. IF ANSWER THIS COMPLAINT. IF A WARRANT MAY BE NOTICE TO APPE	OU FAIL TO APPEAR ON THE

SC - 032363

COURT I.D.

1325 Complaint

LONG BRANCH
MUNICIPAL COURT
279 Broadway
Long Branch, NJ 07740

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(Please Print) VS.	-w versey
Defendant's Name: First Initial	Last
ATLANTIC PAVILALE	2 Constant of the second se
63 Commonity PI	City
State Zip Code Telephone	Long Branch
Birth Mo. Day Yr. ISay SIEv	CINE REQUENTLY NUMBER
Date: Day II. Sex of Ey	es & Height Restrictions
DL #	
	State Exp. Date
STATE OF NEW JERSEY	
- Complaining Witness: Michele	MOUTH } SS:
	<u>Bernich</u> 0
of Laning Sty Brach	144 25-40 B
Residing at	n (Bydge No.) S
by certification or on oath, says that to the be information and belief, the named defendant	a h i f h i ii
<u>e 11 5 10</u>	
O in_LONG BRANCH	County of MONMOUTH NJ
did commit the following offense:	Colombia and a second s
PLOHIJBUTED USE-SCI	LAO Material
Storage (DESCRIPTION OF O	FFENSE)
in violation of (one charge only)345-	-12K
	Lature, Regulation of Ordinance Number)
OF OFFENSE 10 B 2 P 03 C	Smanonder []
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the trus Le day or 1000, yr.19 1 a	m aware that if any of the foregoing tements made by me are with the
	the state of the care manually
	se, I am subject to punishment.
VSignature of Complaining Witness)	se, i am subject to punishment.
	(Date)
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VSignature of Comptaining Witness) VSignature of Person Administering Oathy PROBABLE CAUSE DETERMINATION FO COURT USE ONLY	(Date)
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Visignature of Complaining Witness) Visignature of Person Administering Oathy PROBABLE CAUSE DETERMINATION FO COURT USE ONLY Probable cause is found for the issuance of this Complaint-Summons Viss Viss () No (Signature of Judicial Officer) () No	(Date) (Date) (Signature of Complaining Witness) RISSUANCE OF PROCESS: CODE ENFORCEMENT USE ONLY The complaining witness is a law anforcement officer or a code enforce- ment officer with territorial and subject ment officer with territorial and subject
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(Signature of Complaining Witness) (Signature of Person Administering Oathy PROBABLE CAUSE DETERMINATION FO COURT USE ONLY Probable cause is found for the issuance of this Complaint-Summons Yes (Signature of Judicial Officer) Yes No (Signature of Judicial Officer) Yes YOU ARE HEREBY SUMMON BEFORE THIS COURT TO ANSWER THIS COMPLAINT DATE AND AT THE TIME STATED, A WARRANT MAY	(Oate) (Oate) (Signature of Complaining Witness) RISSUANCE OF PROCESS: CODE ENFORCEMENT USE ONLY The complaining witness is a law anforcement officer or a code enforce- ment officer with territorial and subject hatter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- ble cause determination is not re- matter jurisdiction and a judicial prob- matter jurisdiction and a judicial prob
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COURT I.D. PREFix COMPLAINT NU 1325 SC 0323	
Complaint	Long Branch, NJ 07740
	F New Jersey S.
ATLANTIC PAVE	1
Address	City
03 COMMUNITY PL	Long Branch
State Zip Code Telephone	SOCIAL SECURITY NUMBER
Birth Mo. Day Yr. Sex Date:	Eyes & Height Restrictions &
	State Exp. Date
STATE OF NEW JERSEY COUNTY OF	MONMOUTH } SS:
+ Complaining Witness: Miche	<u>k Bernich</u>
E of Tanin a 214 Brok	(Name) KellA
(Iderzity Dept/Agency Re	Vac 194 20 4 0
Residing at by certification or on oath, says that to	the best of his/ber knowledge or
information and belief, the named defe	ndant on or about the
n Month Day	Vear Time sag
U in LONG BRANCH did commit the following offense:	5:308 County of MONMOUTH NJ
SITE ALCA CROUND	Car Dicking Com
Site plan required	OF OFFENSEL
for an	
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	45 - 42 A (Statute, Regulation or Ordinance Number)
in violation of (one charge only)	45 - 42 14- (Statute, Regulation or Orcharce Number) Cribe Location
in violation of (one charge only)	UStante, Regulation of Ordenace Number) Critice Location S COMMON 14 PL CERTIFICATION: L certify that the fore-
in violation of (one charge only)	UStante, Regulation of Ordenace Number) Critice Location S COMMON 14 PL CERTIFICATION: L certify that the fore-
in violation of (one charge only)3	45-424 (Statute, Regulation or Orderance Number) SCOMMONIA
in violation of (one charge only) 3 UCCATION OF OFFENSE 250 OATH: Subscribed and sworn to before me this 6 day of NOV. yr. 14 WWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWW	UStance, Regulation or Ordenance Number) Gribe Location CERTIFICATION: I certify that the fore- going statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.
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COURT I.D.	PREFIX	COMPLAINT NUMBER
1325	SC-	032367
Complaint		

1	325 - SC -	COMPLAINT NUMBER	LONG BRANCH MUNICIPAL COURT 279 Broadway
Co	mplaint		Long Branch, NJ 07740
	The Please Print) elendant's Name: First チナビル・マナエ	State of Ne vs.	Last
4	ddress 3 COMMU ate Zip Code Te	Inity PL	Long Branch
D	ate:	کې ۲r. Sex နို့Eye	STAL DEQUALITINUMBER
DI #			State Exp. Date
Long	STATE OF NEW JERSI	EY MON	MOUTH SS:
ŀ	Complaining Witness	: Michele	Bernich 0
4	of Loning 3"	19 DOGLY (Identify Dept/Agency Represente	<u>VCY 20-40</u>
L D	Residing at by certification or on oa information and belief,		est of his/her knowledge or
Z			2014 1000 2
0	in LONG BRANCH		County of <u>MONMOUTH</u> NJ
U	did commit the following	offense: Expan	5100 6F Non Conforming 20121, 38.02, 37.01
	USC FILE. (DE	SCRIPTION OF (OFFENSE)
			,
i	in violation of (one char	ge only) <u>345</u>	- 680 (Stearte, Regulation or Ordinance Number)
	LOCATION OF OFFENSE	2 5 Describe	-68C (Stace, Regulation or Ordinance Number) LOCALION COMMM a motify PL
	LOCATION	2 S Describe orn to before	Statements made by me are willfully
J.	LOCATION OF OFFENSE J B OATH: Subscribed and sw	2 S Describe orn to before V, yr V	(Stante, Regulation of Ordinance Number) Cocation CERTIFICATION: I certify that the fore- opoing statements made by me are willfully statements made by me are willfully raise, I am subject to punishment.
The the	LOCATION OF OFFENSE J B OATH: Subscribed and sw me this (day of NO MBE	2 5 Describe orn to before V, yr V g Witness)	(Blacele, Regulation of Ordnance Number) Location CERTIFICATION: I certify that the fore- going statements made by me are willfully attacements made by me are willfully alse, I am subject to punishment.
	LOCATION OF OFFENSE D B OATH: Subscribed and sw me this (day of NO MBEP (Signature of Complaining (Signature of Person Administ	2 5 Describe orn to before y witness) 10 ULC stering Oath) DETERMINATION F	(Stante, Regulation of Ordinance Number) Cocation CERTIFICATION: I certify that the fore- opoing statements made by me are willfully statements made by me are willfully raise, I am subject to punishment.
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	LOCATION OF OFFENSE OATH: Subscribed and sw me this (day of NO WBEP (Signature of Complaining (Signature of Person Admining (Signature of Person Admining) (Signature of Person Admining)	2 S. Describe orn to before y, yr Y g Witness) g Witness) g Witness) DETERMINATION F LLY L the issuance Cial Officer) Cynell	(Statute, Regulation of Ordnance Number) Location CERTIFICATION: I certify that the fore- poing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully talse, I am subject to punishment. (Date) (Signature of Comptaining Witness) CORISSUANCE OF PROCESSS W/CODE ENFORCEMENT USE ONLY The complaining witness is a law enforcement officer or a code enforce- ment officer with territoria and subject
	LOCATION OF OFFENSE OATH: Subscribed and sw me this & day of No (Signature of Complaining (Signature of Person Admin (Signature of Person Admin PROBABLE CAUSE COURT USE OF Probable cause is found for Of this Complaint-Summons (Signature of Judi Yes) No (Signature of Judi Yes No (Signature of Judi Yes No (Signature of Judi	2 5 23 0 orn to before y yr	(Statute, Regulation of Ordnance Number) Location CERTIFICATION: I certify that the fore- going statements made by me are true. I am aware that if any of the fore- going statements made by me are willfully talse, I am subject to punishment. (Date) (Signature of Complaining Witness) ORISSUANCE OF PROCESSS W/CODE ENFORCEMENT USE ONLY The complaining witness is a law enforcement officer or a code enforce- ment officer with territorial and subject Methods and a judicial prob- netle cause determination is not re- guind prior to the issuance of this
UNINONS THE T	LOCATION OF OFFENSE OATH: Subscribed and sw me this & day of No (Signature of Complaining (Signature of Person Admin (Signature of Person Admin PROBABLE CAUSE COURT USE OF Probable cause is found for Of this Complaint-Summons (Signature of Judi Yes) No (Signature of Judi Yes No (Signature of Judi Yes No (Signature of Judi	2 5 0escribe orn to before y witness) g witness) berefore g witness) berefore g witness) berefore berefore cial Officer) curve berefore cial Officer) curve berefore cial Officer) curve berefore curve berefore curve berefore curve berefore curve berefore curve curve berefore curve curve berefore curv	(Statute, Regulation of Ordnance Number) CORTIFICATION: I certify that the fore- poing statements made by me are true. am aware that if any of the foregoing statements made by me are willfully alse, I am subject to punishment. (Date) (Signature of Complaining Witness) ORISSUANCE OF PROCESS: W/CODE ENFORCEMENT USE ONLY The complaining witness is a law enforcement officer or a code enforce- ment officer with territorial and subject matter jurisdiction and a judicial prob- rable cause determination is not re- guired prior to the issuance of this Complaint-Summons. ONED TO APPEAR UNT. IF YOU FAIL TO APPEAR ON THE MAY BE ISSUED FOR YOUR ARREST. PPEAR

COURT I.D. PREFIX COMPLAINT NUMB	
1325 - SC - 03236	LONG BRANCH
Les LUULUU	279 Broadway
Complaint	Long Branch, NJ 07740
(Please Print)	lew Jersey
Defendant's Name: First Initial	Last
ATLANTIC PAVI	-NG
Address	, City
State Zip Code Telephone	Long Branch
NJ 67740 S	DCIAL SECURITY NUMBER
Birth Mo. Day Yr. Sex SE	yes & Height Restrictions &
*	
	State Exp. Date
STATE OF NEW JERSEY COUNTY OF	NMOUTH } SS:
Complaining Witness: Michel	Amouth 300.
	(Narre)
of Loning 344 Broadw	<u>cy 25-40</u>
Residing at	
by certification or on oath, says that to the information and belief, the named defendar	best of his/her knowledge or
Month Day	2014 1500 2
in LONG BRANCH MUNICA 2 5 100	County of MOHMOUTH NJ
did commit the following offense:	
Failure to obtain.	Zoning Permits
reach USSECRIPTION OF (OFFENSE)
n violation of (one charge only) 345-	-76A
	(Statute, Regulation or Ordinance Number)
OF OFFENSE 03 20 63 C	ommon, ty PL
	CERTIFICATION: I certify that the fore- toing statements made by me are true.
We also the car of Toto , W. 19	talements made by me are willfully
MBESSIE OR	alse, I am subject to punishment.
(Signature of Complaining Witness)	//////////////////////////////////////
In Rourier	(Date)
(Signature of Person Administering Oath CMCA	(Signature of Complaining Witness)
PROBABLE CAUSE DETERMINATION FO	DR ISSUANCE OF PROCESS
COURT USE ONLY LAY	V/CODE ENFORCEMENT USE ONLY
obable cause is found for the issuance this complaint-Summons	The complaining witness is a law
EU I ANNA RUINAN	eniorcement officer or a code entered
Vo (Signature of Judicial Officer)	ment officer with territorial and subject matter jurisdiction and a judicial prob-
es Chick	able cause determination is not re-
to (Signature of Judge)	Complaint-Summons.
YOU ARE HEREBY SUMMO	NED TO APPEAR 🛛 🗧
EFORE THIS COURT TO ANSWER THIS COMPLAIN	
PATTE AND AN THE TIME STATED, A WARRANT MA	Y BEISSUED FOR YOUR ARREST.
COURT APPEARANCE COURT Month	PEAH Pax 1 Year Time / 200-AU
REQUIRED ADDATE	12H5 100m
ate Summen's (sued)	KILLING CMPA
al commons (Signature al-Summons	of Person issuing Summons) SF (200)

JRT LD. PREFIX COMPLAINT N 325 SC 0322 nplaint	
ease Print) endant's Name: First Initi	of New Jersey vs. al Last chipany
2 MONMOUTH BLVE B ZIP Code COTTS 7 Telephone	SOCIAL SECURITY NUMBER
h Mo. Day Yr. Sex	Sector Eyes Sector Peight Restrictions Sector Peight Restrictions Sector State Exp. Date
TATE OF NEW JERSEY OUNTY OF	<u>Monmouth</u> } SS:
Complaining Witness: Miche	le Bernich 0
1 Zoning 344 Bran	Represented Redge Na.)
lesiding at y certification or on oath, says that t iformation and belief, the named det	o the best of his/her knowledge or fendant on or about the 2014 1500
LONG BRANCH Math	OF MATERIAS
· (DESCRIPTION	OF OFFENSE)
violation of (one charge only)	(Statute: Regulation or Ordinance Number)
CATION OFFENSE F 3 2 5 0 ATH: Subscribed and sworn to before	B Community 12
this Laday of NOV, yr, 14	CERTIFICATION: I certify that the fore- going statements made by me are true. I am aware that if any of the foregoing
Marie 1	statements made by me are willfully false, I am subject to punishment.
(Signature of Completining Witness)	(Date)
(Signature of Person Administering Oath	(Signature of Complaining Witness)
COURT USE ONLY	NON FOR ISSUANCE OF PROCESS:
his complaint-Summons I LUX LA LUX I [Signature of Judicial Official 25	The complaining witness is a law enforcement officer or a code enforce- ment officer with territorial and subject matter jurisdiction and a judicial prob- able cause determination is not re- quired prior to the issuance of this complaint-Summons.
EFORE THIS COURT TO ANSWER THIS C DATE AND AT THE TIME STATED, A WAR	UMMONED TO APPEAR OMPLAINT. IF YOU FAIL TO APPEAR ON THE RANT MAY BE ISSUED FOR YOUR ARREST.
COURT APPEARANCE SOURT REQUIRED DATE	Mythin Pan Year Time / 200 PM
ate Summons Issued)	(Signature of Petson Issuing Summons) SF (9/04)

r	COURT I.D.	PREFIX	COMPLAINT	NUMBER		10	NG BR	ANCH
	1325	SC-	032	218	1	MUNIČ	IPAL C	OURT
, he	Complaint					Long Br	279 Bro anch, NJ)adway I 07740
-		The	State of	of New	/ Jers	ey		
	(Please Prin Defendant's		Ini	VS.		Last		
	E+L	Par	ing	<u></u>	Dany	Lasi		
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ŀ	State Zip (Code Tel	ephone	32.00		rech	port	<u></u>
	Birth Mo.	Day Y	r. Sex	S(PC) S(Eyes	<u>рі. (рес</u>	URITY	NUME	3IER
- F	Date:			Eyes		eight F	Restriction	ns ç
	<u>*</u>							
L					St	ate [Exp. Date	3
	STATE OF I COUNTY O	VEW JERSE	Y	MONMO			}	SS:
ŀ	Complainir	ng Witness:	Mich		Ber	^ · ~	} /_	 n
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4	And the second states of the s		Identity Dept/Agency	Represented) (E	Sactige type)	<u></u>	40	
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0		BRANCH	Day MUM 1:3 *1	7. 2 .5 :000 Co	a support	Time		N.I 2
U	did commit th	ne following o	offense:				INAILI	
	STORM	SE OF				TS		
			CRIPTION	0F OFF 21/C_	ENSE)			
	in violation of	(one charge	only)	17.0- (Statu)	e, Regulation or C	Dictionance Num	aber}	211119
	LOCATION OF OFFENSE	1032	2572	scribe Local		ren il	. PI	
	OATH: Subscr	ibed and sworn	to before	CERT	IFICATION	: I certify	that the fo	re-
	me this $\underline{\mathscr{Q}}$ o	lay of <u>NOV</u>	yr. 14-	1 200 1	statements aware that i nents made	1 201 2 01 1	ha hhranai	10/11
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1 400	(Signature o	I Complaining W				Date)	*****	700 km
ij	LUL I		1 Aney	a milan				
		erson Administeri		<u>COTS</u>	ignature of Co	omplaining	Witness)	
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P	robable causa is	s found for the i	ișsuance		ODE ENFOR			- and a second second
	t this Complaint			L . / S 60K	complainin	Cet of a c	ndo onioro	۵.
	an and a second	ature of Judicial C	Miller) Curr	, Amai	nt officer with ter jurisdictio r-cause det	in and a i	udicial orol	h.
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h	COURT	NC PPEARANCE	DTICE TO	APPE	AR	Timel	AC 1-	
L			DATE	IIZ	H187	<u> </u>	OPN	2
1			EX /3 -					
-	Date Summons Iss	ued)	ye	Signature of Pe		<u>UM</u>	UKA4	¥-11-

JRT I.D. PREFIX COMPLAINT NUMBER LONG BRANCH
325 SC 032219 279 Broadway Long Branch, NJ 07740
Implaint The State of New Jersey Implaint
idress 2 Monmouth BLVD City City City
ate Zip Code Telephone SOCIAL SECURITY NUMBER
rth Mo. Day Yr. Sex of Eyes of regit
STATE OF NEW JERSEY MONMOUTH } SS:
Complaining Witness: Michele Becarch
of Zoning 344 Broadway 25-40 3
Residing at
in LONG BRANCH MALEN 1:3:2:5:3:5: County of MONMOUTH NJ
Multiple uses in C-2 Zone (DESCRIPTION OF OFFENSE)
345-314
LOCATION DE 2 2 5 Describe Location
OATH: Subscribed and sworm to before me this <u>6</u> day of <u>NOV</u> , yr. <u>14</u> CERTIFICATION: I certify that the fore- going statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully talse, I am subject to punishment.
(Bignature of Complaining Williess) (Date)
(Signature of Person Administering Oath) Of Left Signature of Complaining Witness)
PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS: COURT USE ONLY LAW / CODE ENFORCEMENT USE ONLY
Probable causa is found for the issuance of this complaint-summons the supervised of the supervised of
With a strain of the strain of
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.
NOTICE TO APPEAR COURT APPEARANCE DOURT Month Day Ver Time OPP
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COURT I.D. PREFIX COMPLAINT NUME	20 MUNICIPAL COURT 279 Broadway
Complaint	Long Branch, NJ 07740
(Please Print) VS Defendant's Name: First Initial	Last
Et L Paving Con	upany City
1 Address	
122 Monmooth BLVD	OCCANBRI
State Zip Code Telephone	SACIAL SECURITY NUMBER
WJ G7757 Birth Mo. Day Yr. Sex Sex	Eyes & Height Restrictions &
Date:	Eyes & Height Restrictions &
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╞ ╪╷╷┕╗╘╺╻╘╺╻ ┺╌┲┹	State Exp. Date
STATE OF NEW JERSEY COUNTY OF	NONMOUTH } SS:
Complaining Witness: Michele	Bernich 0
2 of Zoniny 344/ Broads	25-40
(identify Depi/Agency Re	presented) (Budge No.)
Residing at	
by certification or on oath, says that to information and belief, the named defe	ndant on or about the
Σ <u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u></u>	2014 1500
And Markin way	5 County of MONMOUTH NJ
U in LONG BRANCH did commit the following offense:	County of Montaneoviti in a
ACCESSORY USES IN	I ZONC
DESCRIPTION	OF OFFENSE)
(2	IIC-ZILB
in violation of (one charge only)	(Statule, Regulation or Ordinance Mumber)
LOCATION 1 10 0 0 9es	cribe Location
OF OFFENSE La S C D C	3 COMMUNITY -
OATH: Subscribed and swom to before	CERTIFICATION: I certify that the fore- going statements made by me are true. I am aware that if any of the foregoing
me this 6 day of NOV, yr. 14	I am aware that if any of the foregoing statements made by me are willfully
Sul in I	false, I am subject to punishment.
(Signature of Complaiding Witness)	(Date)
1 ferres pleres	
(Signature of Person Administering Oath)	(Signature of Complaining Witness)
PROBABLE CAUSE DETERMINAT	ION FOR ISSUANCE OF PROCESS:
COURT USE ONLY	LAW / CODE ENFORCEMENT USE ONLY
Probable cause is found for the issuance	The complaining witness is a law
Of this Complaint-Summons	enforcement officer or a code enforce- ment officer with territorial and subject
Hes len run	matter jurisdiction and a judicial prob-
No &(Signature of Judicial Officer)	A able cause determination is not re-
YOU ARE HEREBY SU BEFORE THIS COURT TO ANSWER THIS C DATE AND AT THE TIME STATED, A WAF	Complaint-Summons.
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	OMPLAINT, IF YOU FAIL TO APPEAR ON THE
DATE AND AT THE TIME STATED A WAR	JMMONED TO APPEAR OMPLAINT. IF YOU FAIL TO APPEAR ON THE RANT MAY BE ISSUED FOR YOUR ARREST.
NOTICE 1	O APPEAR
COURT APPEARANCE COURT	Month Day Year Time ; (X AM
	AN ALPM
11/5/14 11/2	Mr Allerations
(Date Summons Issued) Compleint-Summons	(Signature of Person issuing Summons)

COURT I.D.	PREFIX	COMPLAINT NUMBER
1325	SC	032221

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COURT APPEARANCE REQUIRED

ø 11/5/14 COURT DATE

COURT I.D.	PREFIX	COMPLAINT NUMBER
1325	SC-	032222
Complain	t .	

LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

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COURT I.D. PREFIX COMPLAINT NUMBER	LONG BRANCH
1325 SC - 032223	MUNICIPAL COURT 279 Broadway
Complaint	Long Branch, NJ 07740
(Please Print) VS. Defendant's Name: First Initial	Last
ETL Paving Compan-	City
122 Monmouth BLVD	occanport
State Zip Code Telephone SUCIAL	SECURITY NUMBER
Birth Mo. Day Yr. Sex & Eyes Date:	e Height Restrictions
DL	
	State Exp. Date
STATE OF NEW JERSEY COUNTY OF MONMOUT	Contraction of the second s
- Complaining Witness: Michele	pernich n
= of Zonina 344 broading	ma la n
Posiding at	Ū
by certification or on oath, says that to the best of information and belief, the named defendant on o	rabout me
5 <u>96</u> <u>11</u> <u>5</u> <u>96</u> 0 in 1006 BRANCH 30151325305 Cou	<i>•</i>
U in LONG BRANCH AND STORE COU	OF NON CONGRAS
USR ROACINTS: 19.7021	38.02137.01
U in LONG BRANCH AND TO SEE COU did commit the following offense: EXPANSIA USE PRICE Lats: 19,20,21 (DESCRIPTION OF OFFE	INSE)
in violation of (one charge only)	Regulation of Ordinance Number)
	mmandell
doing	IFICATION: I certify that the fore- statements made by me are true.
me this () day of NCV, yr. staten	aware that if any of the foregoing nents made by me are willfully I am subject to punishment.
MBire OI	
(Signature of Complaining Witness)	(Date)
	Signature of Complaining Witness)
PROBABLE CAUSE DETERMINATION FOR	
	CODE ENFORCEMENT USE ONLY
Or the four the state of the st	ne complaining witness is a law norcement officer or a code enforce-
The reader of the second secon	ent officer with territorial and subject atter jurisdiction and a judicial prob- ble cause determination is not re-
Z Yes	uired prior to the issuance of this C omplaint-Summons.
(Signature of Judicial Officer) Yes No (Signature of Judge) YOU ARE HEREBY SUMMON BEFORE THIS COURT TO ANSWER THIS COMPLAINT DATE AND AT THE TIME STATED, A WARRANT MAY	ED TO APPEAR
DATE AND AT THE TIME STATED, A WARHANT MAY	BE ISSUED FOR YOUR ARREST.
COURT APPEARANCE COURT Month	Jay Year Time MAN AM
REQUIRED ADATE I	BULLAND CARGO
(Date Summons issued) (Signature Compteint-Summons	of Person Issuing Summons)
Branchells (1994) 54. Branchells and an	

COURT I.D. PREFIX COMPLAINT NUMBER	
Complaint	Long Branch, NJ 07740
The State of Ne (Please Print) VS. Defendant's Name: First Initial	Last
Et L Paving Com	Dany City
122 Monnouth BLUD	Oceanport
State Zip Code Telephone Si	CIAL SECURITY NUMBER
Birth Mo. Day Yr. Sex 8 E) Date:	es of Height Restrictions of
DL /	
	State Exp. Date
STATE OF NEW JERSEY COUNTY OF MO	NMOUTH } SS:
Complaining Witness: Michak	Bernich 0
Zon Zoning 344Broadw	(Nama) CLY 25-40
(Kansity Dept/Agency Represen	Nedy (Badgo No.)
Residing at by certification or on oath, says that to the information and belief, the named defenda	best of his/her knowledge or
information and belief, the named defenda	2014 1500 P
Month Day	County of MONMOUTH NJ
U did commit the following offense:	
Failure to obtain	Zoning Permits
For each DESCRIPTION OF	OFFENSE)
in violation of (one charge only)3	45-76A- (Statute, Regulation or Ordinance Number)
LOCATION OF OFFENSE	Commonty PL
OATH: Subscribed and sworn to before	CERTIFICATION: I certify that the fore- going statements made by me are true.
me this 10_day of NOV, yr. 14	am aware that it any of the foregoing statements made by me are willfully
Milleria On	false, I am subject to punishment.
(Signature of Complaining Witness)	ениендалениениениениениениениениениениениениение
Vieri Thursen	Thusignature of Complaining Witness)
Gignature of Person Administering Oath OF COMPANY C	
	TAW/CODE ENFORCEMENT/USEIONLY
Probable cause is found for the issuance	The complaining witness is a law
Of this Complaint-Summons	enforcement officer or a code enforce- ment officer with territorial and subject
No - (Signature of Judicial Officer)	matter jurisdiction and a judicial prob-
2 Yes	Complaint-Summons.
NO (Signature of Judge) YOU ARE HEREBY SUM BEFORE THIS COURT TO ANSWER THIS COME DATE AND AT THE TIME STATED, A WARRAN	Complaint-Summons.
BEFORE THIS COURT TO ANSWER THIS COM	PLAINT, IF YOU FAIL TO APPEAR ON THE
NOTICE TO	APPEAK
REQUIRED	THE TOP
11 8 114 Ler	mature of Person Issuing Summons)
(Date Comments issued) Z (Cin Completini-Summons	V ks (not)

COURT LD. PREFIX COMPLAINT NUMBER	
	LONG BRANCH
1325 SC 032351	MUNICIPAL COURT 279 Broadway
	Long Branch, NJ 07746
(Please Print)	w Jersey
Defendant's Name: First Initial	
E+L PAVIENCE C	Last
Et L PANING C	City
HEE MONMOUTH BI	VD OCEANPORT
NO 07757 See Stor	THE SECURITY NUMBER
Birth Mo. Day Yr. Sex § Eye	
│ [#]┐┖┐┖┑╹┑╹┑╹┑╹┑╹	
	State Exp. Date
STATE OF NEW JERSEY	
Complaining Witness: Michele	(A)
= of Zaning 344 Bank	Bernich n
of <u>Loning</u> <u>S44</u> <u>Brocdwc</u>	1 JEINA
_ Residing at	(Badga No.)
by certification or on oath, says that to the bes information and belief, the named defendant of	of his/her knowledge or
	14 1500
AN ILLUNG BRANCH MARKEN DAR BRANCH	ounty of MONMOUTH NJ
FAILURE TO OBTAIN	SITE REVIEW
(DESCHIPTION OF OF	ENSE
in violation of (one charge only) $345-1$	4A
LOCATION PROPERTIES DESCRIPTION	a. Regulation or Ordinance Number1
OATH: Subscribed and	nonity PL
CERT	IFICATION: I certify that the fore-
me this Q day of <u>NOU</u> , yr. <u>IV</u> going am is staten	aware that if any of the foregoing ents made by me are true.
Marine OB false,	am subject to punishment.
(Signature of Complaining Waness)	
Levi Kluries	(Date)
(Signature of Person Administering Oath) CMCA (S	gnature of Complaining Witness)
PROBABLE CAUSE DETERMINATION FOR IS	SUANCE OF PROCESS
WIN DOUNT USE UNLT	DE ENFORCEMENT USE ONLY
Of this down is round for the issuance	
Post 1 day : [1] ento	complaining witness is a law cement officer or a code enforce-
No (Signature of Judical Officer)	Vincer with ternional and subject
Yes Quire	cause determination is not re-
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	Hann-Summons.
YOU ARE HEREBY SUMMONED	Mann-Summons.
YOU ARE HEREBY SUMMONED BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF Y DATE AND AT THE TIME STATED A WARD NOT	TO APPEAR
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DATE AND AT THE TIME STATED, A WARRANT MAY BE NOTICE TO APPER COURT APPEARANCE COURT Month LORD	AMAIN-SUMMIONS.
DATE AND AT THE TIME STATED, A WARRANT MAY BE NOTICE TO APPE	TO APPEAR
DATE AND AT THE TIME STATED, A WARRANT MAY BE NOTICE TO APPE COURT APPEARANCE COURT Month Day COURT APPEARANCE COURT APPEARANCE APPEARANCE COURT APPEARANCE	TO APPEAR OU FAIL TO APPEAR ON THE SSUED FOR YOUR ARREST.
DATE AND AT THE TIME STATED, A WARRANT MAY BE NOTICE TO APPE COURT APPEARANCE COURT Month Day COURT APPEARANCE COURT APPEARANCE APPEARANCE COURT APPEARANCE	TO APPEAR OU FAIL TO APPEAR ON THE SSUED FOR YOUR ARREST.

	INT NUMBER
1325 SC - 0.32	LONG BRANCH MUNICIPAL COURT
Complaint	Long Branch, NJ 07740
The State	of New Jersey
(Please Print) Defendant's Name: First	VS.
	G Company
100	City
State Zip Code Telephone	and the second s
Birth Mo. Day Yr. Sex	SPCIAL SECURITY NUMBER
Date:	Sector Eves Sector Height Restrictions Sector Sec
<u> </u> #	
	State Exp. Date
STATE OF NEW JERSEY	MONMOUTH } SS:
Complaining Witness: Mic	
= of Zoning 344 Brock	dway X-4A 0
Residing at	Cy ReprozentAdy (Badge No.)
by certification or on oath, says that information and belief, the named of	t to the best of his/her knowledge or
S Monthation and belief, the named of 1/	<u>2614</u> 1500
U did commit the following offense:	2.5 County of MONMOUTH NJ Z
A contract the following offense:	NCONFORMANE
USE LOTEZAIPTIO	N OF OFFENSE)
in violation of (one charge only)	345-68C
LOCATION LA LES LES	(Slature, Regulation or Ordinance Number)
OF OFFENSE 25 25 C	S Commonthy PL
	CEDTIEICATION. 1
	CERTIFICATION: I certify that the fore- going statements made by me are true.
me this O day of <u>NOU</u> , yr. <u>14</u>	Joing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punjshment.
me this O day of Nov. yr. 14	and aware that if any of the foregoing tatements made by me are willfully statements made by me are willfully false, I am subject to punishment.
me this day of <u>NW</u> , yr <u>IV</u> (Signature of Complaining Witness) UNY NULLAPA	Joing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punjshment.
me this (day of <u>NW</u> , yr. <u>14</u> (Signature of Complaining Witness) (Signature of Person Atministering Oath) (W	OR (Date)
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OURT I.D.	PREFIX	COMPLAINT NUMBER
1325	SC	032353

LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

omplaint	
The State of (Please Print) V Defendant's Name: First Initia	New Jersey s.
<u> </u>	Paul
Et L PAVING CO	City
122 Monmouth BL	O OCEANBORT
State, Zip Code Telephone	SUCIAL SECURITY NUMBER
Birth Mo. Day Yr. Sex Date:	S Eyes S Height Restrictions S
	State Exp. Date
	State Exp. Date
STATE OF NEW JERSEY COUNTY OF	MONMOUTH } SS:
 Complaining Witness: <u>Miche</u> 	le Bernich 0
of Zoning 344 Brock	
(Identify Dept./Agency I	Represented) (Badge No.)
Besiding at by certification or on oath, says that to	the best of his/her knowledge or
information and belief, the named def	endant on or about the
Month Day	Year Thmo es
did commit the following offense:	interneting and in the second se
Fulure Tresolition	BROFFERSENCY Permit
in violation of (one charge only)	345-76A
	(Statute, Regulation of Ordinance Number) SSCribe Location
OF OFFENSE 1 3 2 5 6	3 Community PL
OATH: Subscribed and sworn to before	CERTIFICATION: I certify that the fore- going statements made by me are true. I am aware that if any of the foregoing
me this Q day of VU, yr. 14	statements made by me are willfully
A MBail	false, I am subject to punishment.
(Signature of Complaining Witness)	(Date)
(Signature of Person Administering Oath)	(Signature of Complaining Witness)
	TION FOR ISSUANCE OF PROCESS:
	VAW/CODELENFORCEMENT USEONLY
Probable cause is found for the issuance	The complaining witness is a law
Of this complaint-summors)	enforcement officer or a code enforce- ment officer with territorial and subject matter-jurisdiction and a judicial prob-
No 2 (Signature of Judicial Officer)	ultimate prior to the issuance of this C
Signature of Judge)	Complaint-Summons.
	UMMONED TO APPEAR COMPLAINT: IF YOU FAIL TO APPEAR ON THE RRANT MAY BE ISSUED FOR YOUR ARREST.
	COMPLAINT. IF YOU FAIL TO APPEAR ON THE
	RRANT MAY BE ISSUED FOR YOUR ARREST.
COURT APPEARANCE COURT REQUIRED DATE	Manth Davy Yes Time DAM
11/5/14 LLL	Signature of Person Issuing Summons)
(Date automia issueu)	(Signature of Person issuing Summons)

 COURT'I.D.
 PREFIX
 COMPLAINT NUMBER

 1325
 SC
 032369

	LONG BRANCI
	MUNICIPAL COURT
÷	279 Broadwa
	Laws Barnet Altermot

Complaint	Long Branch, NJ 07740
The State of New Jer (Please Print) VS. Defendant's Name: First Initial	rsey Last
Address Paving Company	
	City
122 Mannouth BLVD State I Zip Code Telephone	CCEAN PORT
1V3 67757 SPCIAL \$	EQURITY NUMBER
Birth Mo. Day Yr. Sex S Eyes	Height Restrictions
┝╪┯┶┯┶┯┷┯┷┯┷┯┷┯┷	State Exp. Date
	State Exp. Date
STATE OF NEW JERSEY COUNTY OF MONMOUTH	} SS:
Complaining Witness: Muchele Be	aich n
	$\frac{\gamma_{11}}{\gamma_{12}} = 0$
ot Laning 344 Brocher	<u>40</u>
Residing at	
by certification or on oath, says that to the best of his/ information and belief, the named defendant on or abo	her knowledge or
2 11 3 20/4	1500 2
in LONG BRANCH	16192 550
U did commit the following offense:	
Multiple USES	
(DESCRIPTION OF OFFENSI	2)
in violation of (one charge only)345-//1	NG
(Statute, Regulation	on or Ordinance (Kimber)
OF OFFENSE 13 3 2 3 63 COM	munifiel
OATH: Subscribed and sworn to before CERTIFICAT	ION: I certify that the fore-
me this 12 day of NOV, yr. 14 I am aware t	ents made by me are true. hat if any of the foregoing nade by me are willfully
iaise, i am su	bject to punishment.
(Signature of Complaining Witness)	
	(Date)
(Signature of Person Administering Qath(1/) /// (Signature	of Complaining Witness)
PROBABLE CAUSE DETERMINATION FOR ISSUA	• • • • •
	FORCEMENT USE ONLY
Probable cause is found for the issuance	A ONOCIMENT OSE ONLT
Of this complaint-Summons,	laining witness is a law It officer or a code enforce-
ment office	r with territorial and subject diction and a judicial prob-
	determination is not re-
D No (Signature of Judge) Complaint-S	
No (Signature of Judge) YOU ARE HEREBY SUMMONED TO BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU F	ADDEAD
BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU F	
DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUE	APPEAR AIL TO APPEAR ON THE D FOR YOUR ARREST.
NOTICE TO APPEAR	()
COURT APPEARANCE COURT Month Day 19	Time 100 AM
1115/14 1/011 KI	
(Date Summons Issued) (Signature of Person Iss	Ling Summons)
and be a second state of the second state of t	SF (ave)

COURT I.D. PREFIX COMPLAINT NUMBER LONG BRANCH 1325 3 2 MUNICIPAL COURT 3 Complaint 279 Broadway Long Branch, NJ 07740 The State of New Jersey (Please Print) Defendant's Name: First VS. _ Initial Last aving Lompa Address 122 auth Zip Code Telephone S XC Birth UF MI Day MB Mo Yr. Sex Date: Eyes Height Restrictions DL State Exp. Date STATE OF NEW JERSEY MONMOUTH SS: ł h Complaining Witness: M N N ſ of Gn n 0 \sim Residing at by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the ۵ D S Þ 0 Z LONG BRANCH in 20101 3'2 5:000 County of U did commit the following offense: 2 MONMOUTH NJ STREAM En C.C.C. (DESCRIP in violation of (one charge only) LOCATION OF OFFENSE escribe 1 ocalia 7 OATH: Subscribed and sworn to before Crannon CERTIFICATION: I certify that the fore-going statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. me this 0 day of OR (Signal e of Con plaining Witnes (Date) a (Signature of Person Administering Oat) (Signature of Complaining Witness) PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS: COURT USE ONLY LAW / CODE ENFORCEMENT USE ONLY Probable cause is found for the issuance of this complaint-summons The complaining witness is a law enforcement officer or a code enforce-ment officer with territorial and subject matter jurisdiction and a judicial prob-able cause determination is not re-quired prior to the issuance of this Complaint-Summons. les No lÔ (Sig e of Audicial O Yes \cap 0 No (Signature of Judge) YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST. NOTICE TO APPEAR Γ_{1} REQUIRED COURT Month DATE 115 PM 1L Date Summ M ļ ons issued (Signature of SF (9/69)

UNU

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To: Terri Turner Page 1 of 2

10/05/2017 11:44 #033 P.002/002

17328700606 From: Brian Asarnow

Mr. Brian Asarnow 55 Community Place Long Branch, NJ 07740

T: 732-870-2570 Fax: 732-870-0606 Email: <u>b.asarnow@comcast.net</u>

October 4, 2017

MUNICIPAL COURT RECORDS REQUEST

Attn: Mrs. Terri Turner, Court Administrator

1. All hearing dates since 11/4/15 and any dispositions for:

SC-028787 issued 2/25/13 - State v. Atlantic Paving SC-032354 thru SC- 032368 issued 11/5/14 - State v. Atlantic Paving SC-032217 thru SC- 032224 issued 11/5/14 to E&L Paving Company SC-032351 thru SC- 032353 & SC032369 & SC 032370 issued 11/5/14 to E&L Paving Company

2. Next hearing date for above complaints

3. Copy of summons for SC-032356 - 59; SC-032365 & SC-032366

4. Copy of any other summonses issued to Atlantic Paving after 11/5/14 on Block 237 in Long Branch which includes Morris Ave. and Community Place. If none, State "None" otherwise please indicate all hearing and any disposition dates

5. Copy of any other summonses issued to E&L Paving on or after 11/5/14 and not listed above. If none, State "None" otherwise please indicate all hearing and any disposition dates

6. Copy of any summons since 2/20/13 issued to Jose (Joe) A. Rosario, ir. (approx. 50 years old, previously residing at 7 Catherine Street, Long Branch) or his companies. Rosario Contracting, Rosario Construction, Rosario Mazza Demolition, Rosario Demolition, and Custom Lawn Sprinkler on Block 237 in Long Branch which includes Morris Ave. and Community Place.

If none, State "None" otherwise please indicate all hearing and any disposition dates.

7. Copy of any summons issued to RR Brothers Company or any other companies since 2/20/13 on Block 237 in Long Branch which includes Morris Ave. and Community Place. If none, State "None" otherwise please indicate all hearing and any disposition dates

10/05/2017 11:43 #033 P.001/002

New Josey Courts	New Jersey Records Req		10 Rec	uest Date /4/2017 quest Needed By /4/2017	Preferred Delivery Pick Up US Mail On Site Inspection Fax Email			
Last Name	Ji Menningation	Mid	dle Initial	First Nan	ıe			
Asarnow		D		Brian				
Address 55 Community PI.						Daytime Teleph 7328702570	one (include area code) ext.	
City State Zip Code						Fax/Email (optional)		
Long Branch	Desugat Drassasina I		NJ	07740		b.asamow@comcast.net		
Contraction of the Contraction o	Request Processing I locations below to process y	A	equest					
County <u>Monmouth</u> Division	Appell	late Division (me Court Cle ourt Clerk's C	Clerk's Off rk's Office				ninistrative Director	
Part C: Case Ide		our olorito c			<u> </u>			
Case Name State v. Atlantic Pavi	ng, E&L Paving, Jose (Joe Cases, if you do not know the do	e) A. Rosario	o, Jr. etc. please prov	ide Defenda	int's i	see attached s		
Indictment/Arrest Date	indictment/Accusation/ Complaint/Municipal Number	Appeal Num	ber Se	entending D	ate	Name of Senten	L cing Judge	
Attach additional pages See attached separa								
Part E: Copy Fe	ees	an da managan yang mang mang mang mang mang mang mang m	ngan di yang saki da sa ti da sa ti da sa ti					
Copy Fees: 5¢ per page letter size 7¢ per page legal size	Special Copy Reque	Seal	Certifi	ed without plified (incl	Sea	j at	e you a named party or torney in this case? Yes No	
B ¹		For Judici		Only				
If request is denied or m Sir, Pleas	Denied [Unavailable ecords are unavailable, exple se note at th <u>ummans have</u>	vistim	ch addition	thin	1	rus Chu	inged and He 1/8/2018 Inner CMAA Page	
				11	er	nothe	uner UNIT	