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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO. MON-L-4039-11

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BRIAN D. ASARNOW,
Plaintiff,

v.

CIVIL
ACTION
DEPOSITION
OF:
CARL H.
TURNER,
JR.

CITY OF LONG BRANCH, a
Municipal corporation of NJ,
ADAM SCHNEIDER, MAYOR, MARY
JANE CELLI, COUNCILWOMAN,
HOWARD WOOLLEY,
ADMINISTRATOR, KEVIN HAYES,
DIRECTOR BUILDING &
DEVELOPMENT, MICHELLE
BERNICH, ZONING OFFICER,
TERRY JANECZEK, CHAIRPERSON,
ZONING BOARD, MICHAEL IRENE,
ZONING BOARD ATTORNEY,
ZONING BOARD, EDWARD BRUNO
and E&L PAVING, INC., RAY
GREICO & ATLANTIC PAVING (&
COATING), LLC., JOE ROSARIO
& ROSARIO CONTRACTING CORP.,
d/b/a ROSARIO MAZZA
DEMOLITION and RECYCLING
CO., CUSTOM LAWN SPRINKLER,
CO., LLC., R. BROTHERS
CONCRETE, LLC, RICHARD
BRAHA, SEASHORE DAYCAMP,
Defendants;

X----- X

Original Transcript

1 T R A N S C R I P T of the stenographic notes
2 of the proceedings in the above-entitled matter as
3 taken by and before DEBRA A. BAPTIST, a Certified
4 Shorthand Reporter and Notary Public of New Jersey,
5 at offices of LONG BRANCH CITY HALL, 344
6 Broadway, Long Branch, New Jersey 07740, on
7 Friday, February 1, 2013 commencing at forty-four
8 minutes after two in the afternoon.

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A P P E A R A N C E S

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BRIAN D. ASARNOW, PRO SE
55 Community Place
Long Branch, New Jersey 07740
Pro Se.

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ANSELL, GRIMM & AARON, ESQS.
BY: BARRY CAPP, ESQ.,
1500 Lawrence Avenue, CN 7807
Ocean, New Jersey 07712
Attorneys for the Defendants.

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1 MR. ASARNOW: Fair enough.

2 MR. CAPP: I understand you're trying
3 to cut time and I appreciate that.

4 MR. ASARNOW: Fair enough.

5 MR. CAPP: But the questions have to
6 be cut down. I mean it's --

7 Q Didn't the Zoning Officer bypass the
8 Zoning Board in issuing a zoning permit to continue
9 a use that was never - for which approvals were
10 never obtained and to expand that use?

11 A No.

12 MR. CAPP: Object to form.

13 You can answer.

14 A No.

15 Q How so?

16 A The zoning officer's permit that was granted
17 specifically referenced the preexisting building
18 and property on which E&L Paving had existing for
19 at least the last 20 to 30 years. And the Zoning
20 Officer did not allow them to expand the use per se
21 on any of the other properties.

22 Q The zoning permit has Mr. Bruno using
23 all the properties that he owns in the vicinity of
24 me. Here is the zoning permit and here is the map
25 (indicating). It covers the entire area in my area.

1 MR. CAPP: What's the question? There
2 has to be a question.

3 Q Was Mr. Bruno not to use any of those
4 lots listed for a construction yard?

5 MR. CAPP: Object to form.

6 You can answer it if you understand
7 it.

8 Q What about lots 19, 20 and 21 on
9 Morris Avenue, which is an R Zone, was Mr. Bruno to
10 be allowed to operate a construction yard on those
11 properties?

12 A No.

13 Q Then why is it on the zoning permit
14 in the first place?

15 MR. CAPP: Objection to form. You can
16 answer.

17 A I don't know. I don't know why it's on this
18 form.

19 Q You wouldn't normally put lots on a
20 permit that aren't to be used I would think, would
21 you?

22 MR. CAPP: Object to the form.

23 You can answer.

24 A Correct.

25 Q Okay. Do you understand what the

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4 Shorthand Reporter and Notary Public of New Jersey,
5 at offices of LONG BRANCH CITY HALL, 344
6 Broadway, Long Branch, New Jersey 07740, on
7 Wednesday, February 19, 2014 commencing at nineteen
8 minutes after ten in the forenoon.
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14 A P P E A R A N C E S

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16 MICHAEL S. KASANOFF, ESQ.
17 157 Broad Street, Suite 321
18 P.O. Box 8175
19 Red Bank, New Jersey 07701
20 Attorney for the Plaintiff.

21 ANSELL, GRIMM & AARON, ESQS.
22 BY: BARRY CAPP, ESQ.,
23 1500 Lawrence Avenue, CN 7807
24 Ocean, New Jersey 07712
25 Attorneys for the Defendants.

ALSO PRESENT:
BRIAN D. ASARNOW

1 A Yes.

2 Q All right. I'd like you to turn to
3 page 33 in that transcript, please.

4 A (Complies).

5 Q On 33 did you see on line seven it
6 says Didn't the Zoning Officer bypass the Zoning
7 Board in issuing a zoning permit to continue a use
8 that was never - for which approvals were never
9 obtained and to expand that use and you said no?

10 A Yes.

11 Q And then you were asked how so and
12 then you explained that the Zoning Officer's permit
13 was granted - that was granted specifically
14 referenced the preexisting building and property on
15 which E & L Paving had existing for at least the
16 last 20 to 30 years and the Zoning Officer did not
17 allow them to expand the use per se on any of the
18 other properties.

19 A Yes.

20 Q What did you mean by that?

21 A That the business, the conducting of the
22 business was specifically restricted to the
23 operation being contained within the building.

24 Q Okay.

25 A And that's what the Zoning Officer was