

**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



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

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BRIAN D. ASARNOW,  
Plaintiff,

-v-

DEPOSITION OF:  
KEVIN HAYES

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; 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 LAW SPRINKLER  
CO., LLC; R. BROTHERS CONCRETE, LLC;  
SEASHORE DAYCAMP,  
Defendants.

Original Transcript

X-----X

A Computerized Transcript of the  
Stenographic notes of the proceedings in the  
Above-entitled matter as taken by and before  
PATRICIA A. FORNAROTTO, a Certified Shorthand  
Reporter and Notary Public of the State of New  
Jersey, certify the foregoing deposition was taken  
At Long Branch City Hall, 344 Broadway, Long  
Branch, New Jersey, 07740, on Thursday, March  
28, 2013, commencing at 10:15 a.m.

A P P E A R A N C E S

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BRIAN D. ASARNOW  
55 Community Place  
Long Branch, NJ 07740  
Pro Se Plaintiff.

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

1 question.

2 A We visited the site the day before the court  
3 date and inspected the site, and Miss Bernich and I  
4 felt it was in compliance.

5 Q Are you saying that Atlantic Paving  
6 received a summons in relation to the January 27,  
7 2010 notice of violation because you're claiming,  
8 are you not -- answer that question, please.

9 A I don't know what the question is.

10 Q 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 A I think I testified it was Atlantic Paving's  
16 first violation for this. That was my testimony.

17 Q Well, you issued the notice of  
18 violation in January 27, 2010, to Atlantic Paving?

19 A But again, it's the, it's the summons is  
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  
24 offense. That's to my knowledge.

25 Q And I didn't see a summons in



1 relationship to the January 27, 2010 notice of  
2 violation.

3 A Then maybe there was no summons issued.

4 Q Okay. Then that would indicate that  
5 he had abated the violation, that the demolition  
6 and disposal of business would be removed?

7 A 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. I  
11 haven't seen any photos.

→ 12 A We don't take photos of abated violations.  
→ 13 We take photos of violations.

14 Q 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  
18 question.

19 A Well --

20 MR. CAPP: You have a witness  
21 testifying under oath, Mr. Asarnow.

22 Q 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

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 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

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.



**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 #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

RE: **Second 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, 19, 20 & 21  
 Zone: I/R-4/C-2 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.

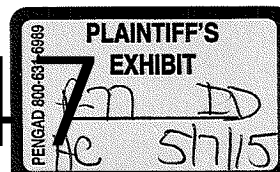
As previously stated, the expanded use is in **VIOLATION** of the City's Zoning Ordinance, your approved Zoning Permit issued 08/03/09 and the previously abated NOV (issued January 27, 2010). Additionally, your current uses of Lots 19, 20, 21 and the portion of Block 237, Lot 52 contiguous to lot 20 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 piles of construction material and dirt/soil that is being stockpiled on the entire site;
- Remove all materials, equipment, containers, machinery, and stockpiling 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 August 1, 2011. This is your second and final warning. Failure to correct will result in a summons.

A1947



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 [www.visitlongbranch.org](http://www.visitlongbranch.org)

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

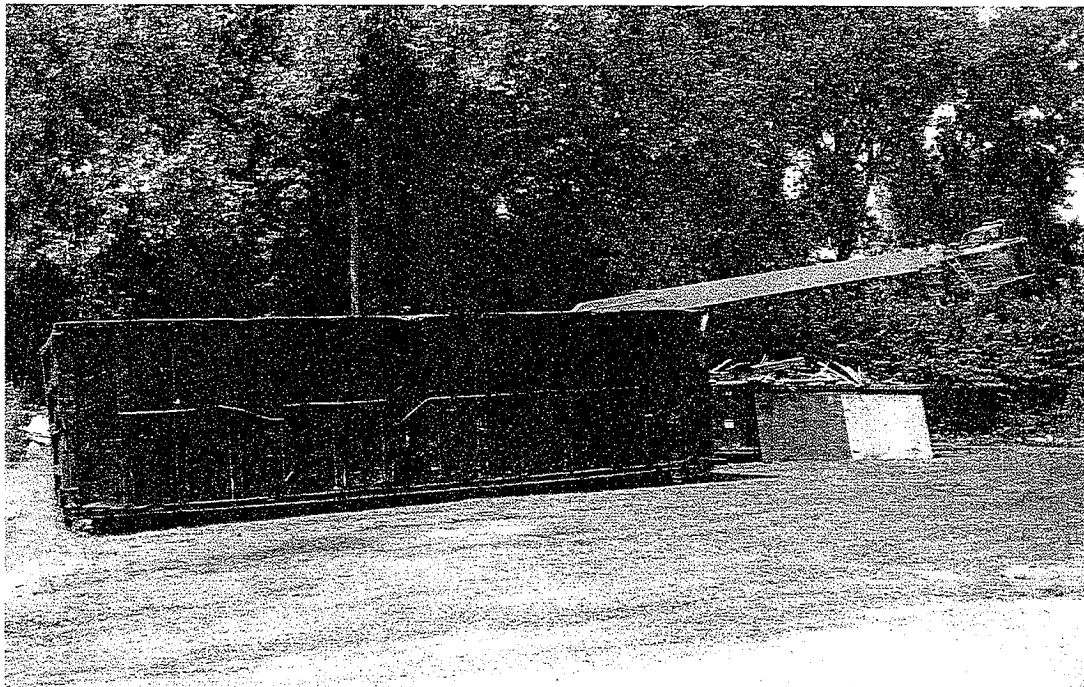
  
Michele J. Bernich  
Zoning Officer

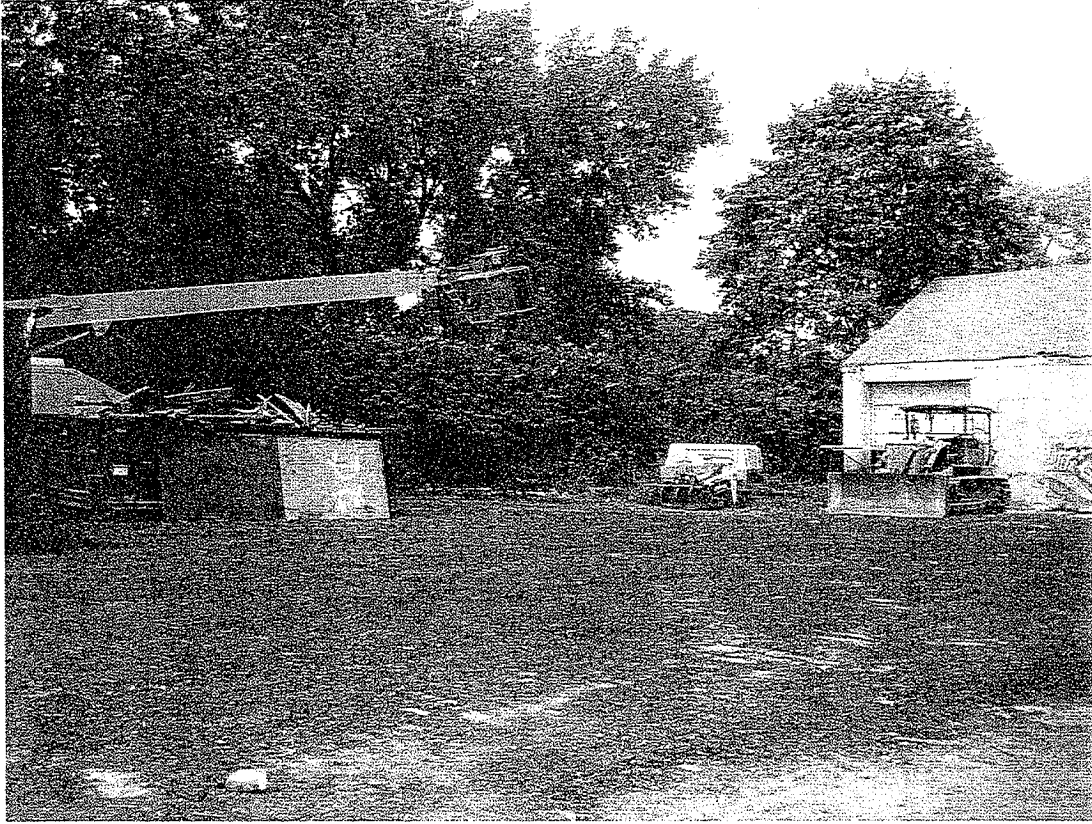
Cc: Kevin Hayes, Director, Code Enforcement  
Carl Turner, Planning

A1948

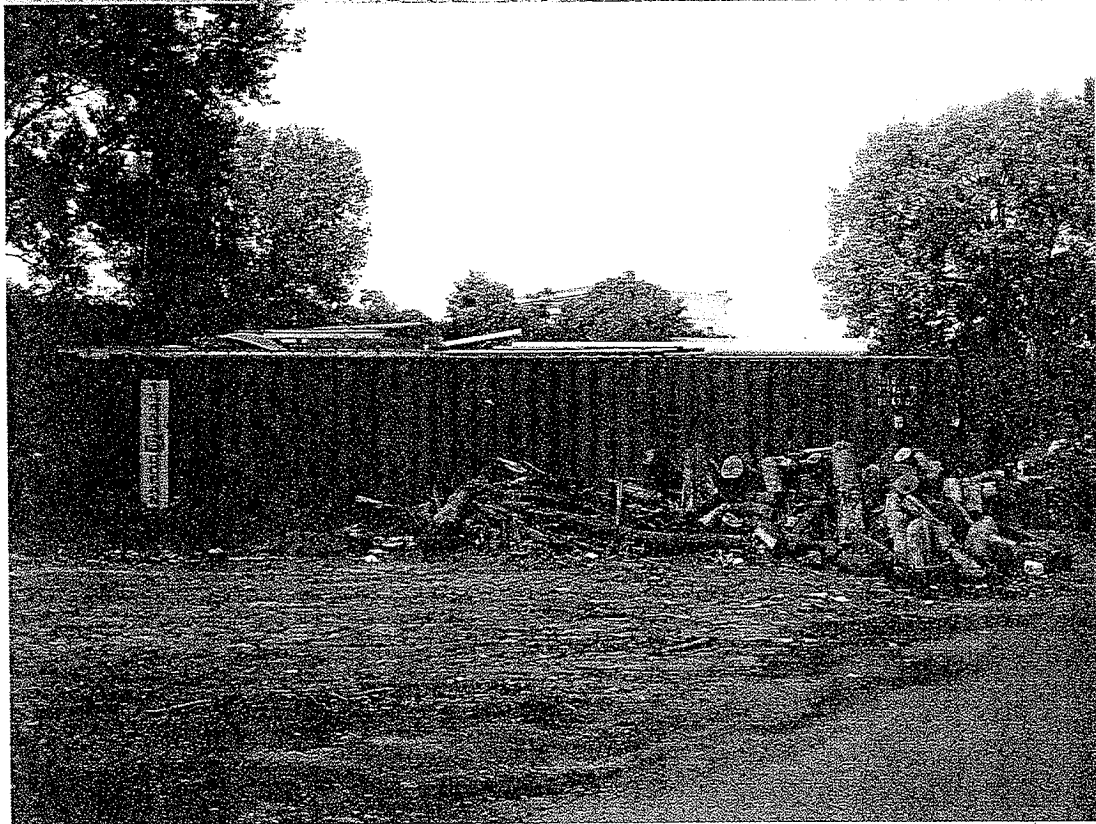
55 – 63 Community Place  
Atlantic Paving Co.

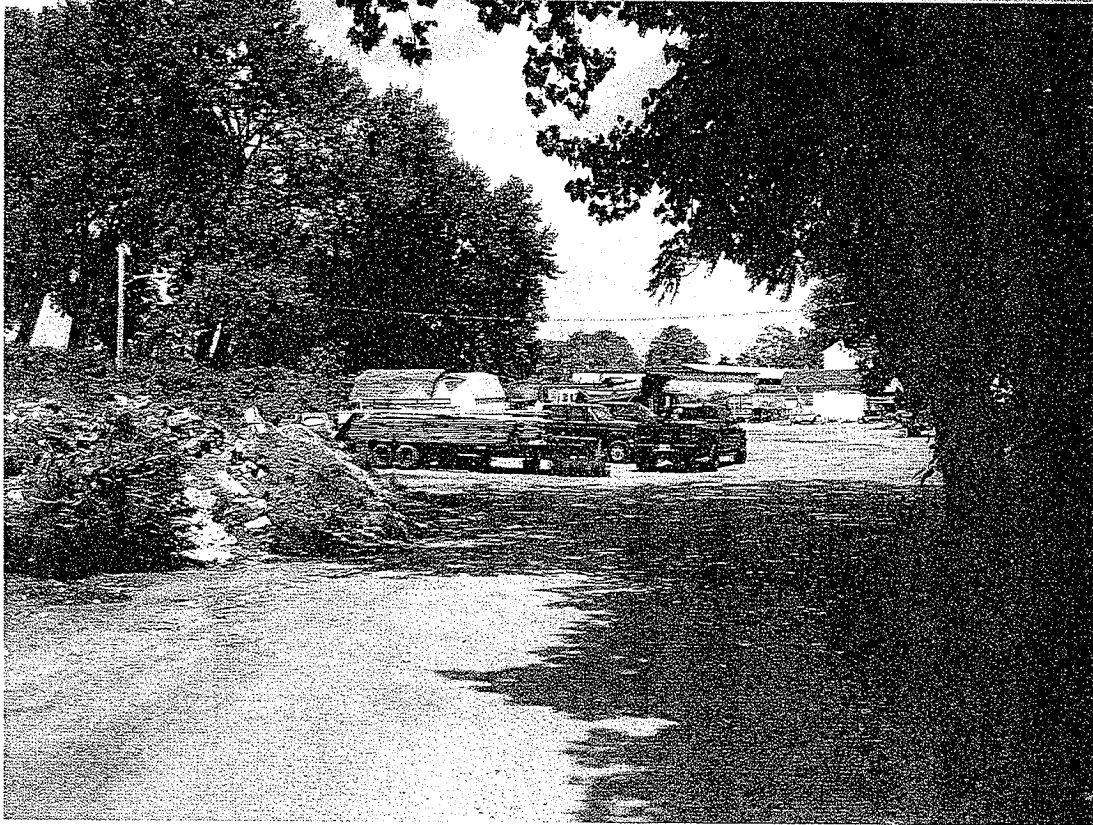
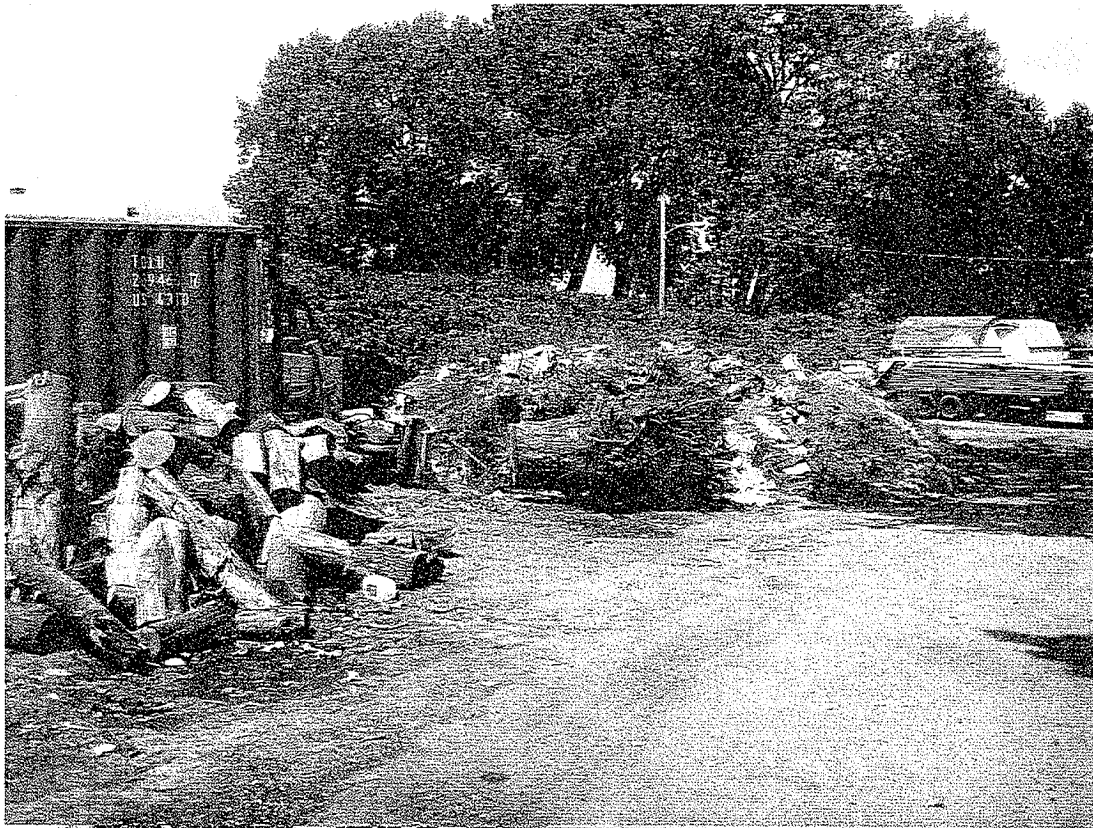
August 1, 2011  
2:15 PM











SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Jose Rosario Atlantic Paving 63 Community Place Long Branch, NJ 07740</p> <p>B-237 L-1302</p>	<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number: <u>7003 1680 0002 5086 5698</u></p> <p>(Transfer from service)</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-01-164</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>James Siciliano, Esq. 485 Broadway Long Branch, NJ 07740</p> <p>B-237 L-1302</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number: <u>7003 1680 0002 5086 5681</u></p> <p>(Transfer)</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-01-164</p>	

A1953  
2x51

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 027685**

LONG BRANCH  
 MUNICIPAL COURT  
 279 Broad St  
 Long Branch, NJ 07740

**Complaint**  
**The State of New Jersey**  
 (Please Print) VS.

Defendant's Name: First Initial Last  
**Jose Rosario**

Address City  
**63 Community Pl. LB**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07740**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
**08 05 11**

DL # State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS

Complaining Witness: **SO Rafferty**  
 of **LBSPD 804**  
 (Specify Court Agency Represented) (Badge No.)  
 Residing at **344 Woodway**  
 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 **08 05 11**  
 in **LONG BRANCH** County of **MONMOUTH** NJ

did commit the following offense:  
**Violation of Zoning Permit**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **7326** Describe Location **63 Community Pl.**

OATH: Subscribed and sworn to before me this \_\_\_ day of \_\_\_, yr. \_\_\_

CERTIFICATION: I certify that the foregoing 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.

**08/03/11**  
 (Date)

(Signature of Complaining Witness) (Signature of Person Administering Oath) (Signature of Complaining Witness)

**PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS**

COURT USE ONLY LAWYER/ CODE ENFORCEMENT USE ONLY

Probable cause is found for the issuance of this Complaint-Summons

Yes  No (Signature of Judicial Officer)

Yes  No (Signature of Judge)

The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED

COURT DATE: **08 16 11** Time: **8:15 PM**

**08/03/11**  
 (Date Summons Issued) (Signature of Person Issuing Summons)

EXHIBIT  
 Id  
 M.B. 23  
 D. 2/11  
**A 1954**



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

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

March 9, 2012

  
Court Administrator

A1955

EXHIBIT  
 FD  
 MB-34  
 Dab 2/1/13

COURT ID	PREFIX	COMPLAINT NUMBER	LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740		
1325	SC	027686			
Complaint					
The State of New Jersey					
(Please Print) VS.					
Defendant's Name: First		Initial		Last	
Atlantic		Paving			
Address				City	
63 Community Pl.				LB.	
State	Zip Code	Telephone	SOCIAL SECURITY NUMBER		
NJ	07740				
Birth Date:	Mo.	Day	Yr.	Sex	Eyes
DL					Resinctions
				State	Exp. Date
STATE OF NEW JERSEY COUNTY OF } SS: MONMOUTH					
COMPLAINT	Complaining Witness: <u>SO Rafferty</u>				
	of <u>LRPP</u> <u>804</u>				
	Residing at <u>344 Academy</u>				
	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				
	<u>08</u> <u>03</u> <u>11</u>				
	in <u>LONG BRANCH</u> <u>325</u> County of <u>MONMOUTH</u> NJ				
	did commit the following offense:				
	<u>Violation of Zoning Permit</u> (DESCRIPTION OF OFFENSE)				
	in violation of (one charge only) <u>345</u>				
	(Statute, Regulation or Ordinance Number)				
LOCATION OF OFFENSE:	Describe Location				
<u>CODB</u>	<u>63 Community Pl.</u>				
OATH: Subscribed and sworn to before me this ___ day of ___, 19__			CERTIFICATION: I certify that the foregoing 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.		
(Signature of Complaining Witness)			(Date)		
			<u>08/03/11</u>		
(Signature of Person Administering Oath)			(Signature of Complaining Witness)		
			<u>SR</u>		
<b>PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:</b>					
(QUIBROS ONLY)			(LAW CODE ENFORCEMENT USE ONLY)		
Probable cause is found for the issuance of this Complaint-Summons			<input checked="" type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with technical and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.		
<input type="checkbox"/> Yes					
<input type="checkbox"/> No (Signature of Judicial Officer)					
<input type="checkbox"/> Yes					
<input type="checkbox"/> No (Signature of Judge)					
<b>YOU ARE HEREBY SUMMONED TO APPEAR</b>					
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.					
<b>NOTICE TO APPEAR</b>					
COURT APPEARANCE REQUIRED	DATE	Month	Day	Year	Time
<input checked="" type="checkbox"/>	<u>08/16/11</u>	<u>08</u>	<u>16</u>	<u>11</u>	<u>8:15 PM</u>
(Date Summons Issued)					
(Signature of Person Administering Summons)					

COMPLAINT

SUMMONS

SUMMONS



STATE OF NEW JERSEY  
MUNICIPAL COURT OF LONG BRANCH  
COUNTY OF MONMOUTH

LONG BRANCH

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

How Disposed of & Sentence- GUILTY.

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

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

March 9, 2012

  
Court Administrator

A1957  
EX 51

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, :  
 JOSE ROSARIO, : PROCEEDINGS  
 :  
 Defendants :  
 x- - - - - x

Held at: 279 Broadway  
Long Branch, NJ 07740

Heard on: November 15, 2011

B E F O R E:

THE HONORABLE GEORGE CIERI, J.M.C.

**TRANSCRIPT ORDERED BY:**

BRIAN D. ASARNOW

**A P P E A R A N C E S:**

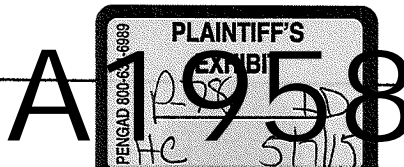
JAMES SICILIANO, ESQ.  
Attorney for the Defendants

---

**TERRY GRIBBEN'S TRANSCRIPTION SERVICE**

Patricia Poole  
27 BEACH ROAD - UNIT 4  
MONMOUTH BEACH, NEW JERSEY 07750  
(732) 263-0044 \* FAX (732) 263-0075  
800 603-6212

[www.tgribbentranscription.com](http://www.tgribbentranscription.com)





1 THE COURT: Mr. Siciliano, did you resolve  
2 yours?

3 MR. SICILIANO: Yes, sir.

4 THE COURT: Do you want to come on up, we'll  
5 take your last one. What was the name?

6 MR. SICILIANO: It's the companion case of  
7 Jose Rosario and Atlantic Paving.

8 THE COURT: Okay. Come on up. Counsel, your  
9 appearance.

10 MR. SICILIANO: Good morning, Your Honor,  
11 James Siciliano on behalf of Mr. Rosario and Atlantic  
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.  
16 Rosario, would you say your name.

17 MR. ROSARIO: Jose Rosario.

18 THE COURT: And sir, would you say your name.

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

A1959



**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**

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 February 25, 2013. **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](http://www.visitlongbranch.org)

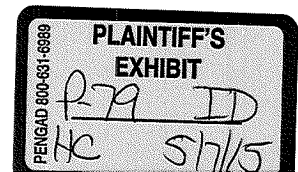
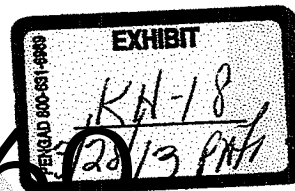
Should you have any questions, please feel free to contact me or Kevin Hayes at 732-222-7000.

*Michele Bernich*

Michele J. Bernich  
 Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement  
 Carl Turner, Planning

**A19600**  
 Ex 57 P79





**City of Long Branch**  
**Office of Planning and Zoning**  
 344 Broadway, Long Branch NJ 07740  
 Phone (732) 571-5647 Fax (732) 222-7155

**SITE INSPECTION MEMO**

**DATE:** February 25, 2013

**TO:** Kevin Hayes, *Building and Development, Director*

**FROM:** Michele Bernich, *Zoning Officer* (MB)

**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: I / R-4/C-2

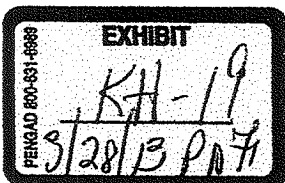
Per my Notice of Violation in reference to the above, I inspected the site today. Attached please find photographs of the property.

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 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 has not been abated, please issue summonses as required.

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



(12 pages total)  
**A1961**  
 EX57

COURT ID. PREFIX COMPLAINT NUMBER  
**1325 SC 028787**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

Plaintiff's Name: Atlantic Paving City: Long Branch

Address: 63 Community Pl City: Long Branch

State: NJ Zip Code: 07740 Telephone: \_\_\_\_\_

Sex: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Restrictions: \_\_\_\_\_

Birth Date: \_\_\_\_\_ Mo. Day Yr. Sex Eyes Height Restrictions

DL # \_\_\_\_\_ State: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

STATE OF NEW JERSEY  
 COUNTY OF MORMOUTH ) SS

Complaining Witness: G.D. Hayes  
 of LOPD #200  
Police Dept./Agency Resources (Page No.)

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 2/25/13  
 in LONG BRANCH County of MORMOUTH NJ  
 did commit the following offense:

Operating in violation of zoning permit  
DESCRIPTION OF OFFENSE

in violation of (one charge only) 345  
(Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE:  1  2  3  4  5  6  7  8  9  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25  26  27  28  29  30  31  32  33  34  35  36  37  38  39  40  41  42  43  44  45  46  47  48  49  50  51  52  53  54  55  56  57  58  59  60  61  62  63  64  65  66  67  68  69  70  71  72  73  74  75  76  77  78  79  80  81  82  83  84  85  86  87  88  89  90  91  92  93  94  95  96  97  98  99  100

LOCATION: 63 Community Pl

OATH: Subscribed and sworn to before \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, yr. \_\_\_\_\_

CERTIFICATION: I certify that the foregoing 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.

(Signature of Complaining Witness) \_\_\_\_\_ (Date) 3/11/13

(Signature of Person Administering Oath) \_\_\_\_\_ (Signature of Complaining Witness) \_\_\_\_\_

**COURT USE ONLY** / **LAW / CODE ENFORCEMENT USE ONLY**

Probable cause is found for the issuance of this Complaint-Summons

Yes  No (Signature of Justice Officer) \_\_\_\_\_

Yes  No (Signature of Judge) \_\_\_\_\_

The complaining witness is a law enforcement officer or a code enforcement officer with technical and subject matter jurisdiction and a probable cause determination is not required prior to the issuance of this Complaint-Summons.

**NOTICE TO APPEAR**

COURT APPEARANCE REQUIRED

COURT DATE	Mo.	Day	Year	Time
	3	12	13	8:30 AM

(Signature of Person Issuing Summons) \_\_\_\_\_

3/25/13 Mrs Turner: Adjourned until 4/9  
 + No other summonses issued  
 - Couldn't give reason why adjourned  
 or by who "could be several reasons"  
 - ask Hayes

12/23/13 - Rescheduled appearance. Please file with court

A

PLAINTIFF'S EXHIBIT  
 962  
 HC 5/1/15



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**

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.

  
Michele J. Bernich  
Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement  
Carl Turner, Planning

**A750**



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

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: 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 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 [www.visitlongbranch.org](http://www.visitlongbranch.org)

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

  
Michele J. Bernich  
Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement  
Carl Turner, Planning

**A751**



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**

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. **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](http://www.visitlongbranch.org)

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

  
 Michele J. Bernich  
 Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement  
 Carl Turner, Planning

**A752**



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**

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](http://www.visitlongbranch.org)

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

  
 Michele J. Bernich  
 Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement  
 Carl Turner, Planning

**A753**





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

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 [www.visitlongbranch.org](http://www.visitlongbranch.org)

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

Michele J. Bernich  
Zoning Officer

Cc: Kevin Hayes, Director, Code Enforcement  
Carl Turner, Planning

**A754**



# New Jersey Judiciary Records Request Form

Request Date

10/14/14

Preferred Delivery

- Pick Up
- US Mail
- On Site Inspection
- Fax
- Email

Request Needed By

### Part A: Requestor Identification

Last Name <i>Asarnew</i>	Middle Initial <i>D</i>	First Name <i>Brian</i>
Address <i>55 Community Pl.</i>		Daytime Telephone (Include area code) <i>732 870 2570</i> ext.
City <i>Lang Branch</i>	State <i>NJ</i>	Zip Code <i>07740</i>
Fax/Email (optional) <i>b.asarnew@comcast.net</i>		

### Part B: Records Request Processing Location

Please select one of the locations below to process your records request.

County _____	<input type="checkbox"/> Appellate Division Clerk's Office	<input type="checkbox"/> Office of the Administrative Director
Division _____	<input type="checkbox"/> Supreme Court Clerk's Office	<input checked="" type="checkbox"/> Municipal Court <i>Lang Branch</i>
<input type="checkbox"/> Superior Court Clerk's Office	<input type="checkbox"/> Tax Court Clerk's Office	<input type="checkbox"/> Other _____

### Part C: Case Identification

Case Name <i>See attached</i>	Docket/Complaint/Ticket Number*			
*In Criminal and Municipal Cases, if you do not know the docket number, please provide Defendant's information:				
Defendant Name and alias(es), if any	Defendant Birth Date   Last 4 digits of Defendant's Social Security Number			
Indictment/Arrest Date	Indictment/Accusation/Complaint/Municipal Number	Appeal Number	Sentencing Date	Name of Sentencing Judge

### Part D: Records Requested by Division

Please describe records requested as completely as possible. Include any case numbers, dates and names of individuals involved. Attach additional pages if necessary.

*See attached list of 6 records requested dated 10/14/14*

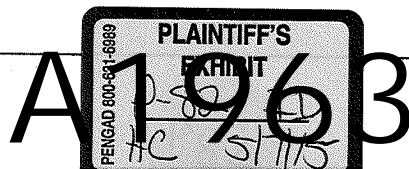
### Part E: Copy Fees

Copy Fees: 5¢ per page letter size 7¢ per page legal size	Special Copy Requests - Additional fees will be charged <input type="checkbox"/> Seal only <input type="checkbox"/> Certified with Seal <input type="checkbox"/> Certified without Seal <input type="checkbox"/> Exemptified (includes Seal)	Are you a named party or attorney in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	---

### For Judiciary Use Only

Disposition <input type="checkbox"/> Delivered <input type="checkbox"/> Denied <input type="checkbox"/> Unavailable	Disposition Date
--	------------------

If request is denied or records are unavailable, explain here. Attach additional pages if necessary.



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" NONE

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" NONE

Otherwise please indicate all hearing and any disposition dates

- 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" NONE

Otherwise please indicate all hearing and any disposition dates No disposition dates

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

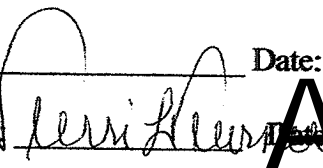
Thanks,

  
Brian Asarnow

The only thing that has changed is the new  
court date of 11/10/2014

Request received by \_\_\_\_\_ Date: \_\_\_\_\_

Responses provided by \_\_\_\_\_

  
A1964  
10/14/14



CITY OF LONG BRANCH  
**OPEN PUBLIC RECORDS ACT REQUEST FORM**  
 344 BROADWAY

PH 732-571-5686 FAX 732-222-8835  
 kschemelz@ci.long-branch.nj.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.

**Requestor Information - Please Print**

First Name Brian MI D. Last Name Asarnow  
 E-mail Address b.asarnow@comcast.net  
 Mailing Address 55 Community Pl.  
 City Long Branch State NJ Zip 07740  
 Telephone 732-870-2570 FAX ~~732-970-0000~~  
 Preferred Delivery: Pick Up  US Mail  On-Site Inspect  Fax  E-mail   
 If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE / HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state or the United States.  
 Signature [Signature] Date 12/29/14

**Payment Information**

Maximum Authorization Cost \$ \_\_\_\_\_  
 Select Payment Method  
 Cash  Check  Money Order   
 Fees: Letter size pages - \$0.05 per page  
 Legal size pages - \$0.07 per page  
 Other materials (CD, DVD, etc) - actual cost of material  
 Delivery: Delivery / postage fees additional depending upon delivery type.  
 Extras: Special service charge dependent upon request.

**Record Request Information:** Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

All notice of violations issued to Ed Bruno, ETL Paving, Ray Greico, Atlantic Paving, Joe Rosario, Rosario Contracting or demolition, Otto R Brachner Concrete or others on block 237 in 2014

**AGENCY USE ONLY**

Est. Document Cost \_\_\_\_\_  
 Est. Delivery Cost \_\_\_\_\_  
 Est. Extras Cost \_\_\_\_\_  
 Total Est. Cost \_\_\_\_\_  
 Deposit Amount \_\_\_\_\_  
 Estimated Balance \_\_\_\_\_  
 Deposit Date \_\_\_\_\_

**AGENCY USE ONLY**

**Disposition Notes**  
 Custodian: if any part of request cannot be delivered in seven business days, detail reasons here.  
 In Progress - Open \_\_\_\_\_  
 Denied - Closed \_\_\_\_\_  
 Filled - Closed \_\_\_\_\_  
 Partial - Closed \_\_\_\_\_

**AGENCY USE ONLY**

Tracking Information		Final Cost	
Tracking #	_____	Total	_____
Rec'd Date	_____	Deposit	_____
Ready Date	_____	Balance Due	_____
Total Pages	_____	Balance Paid	_____
Records Provided			
Custodian Signature		Date	

Completed  
 1/6/15  
 A

Code:   
 Pricing:

Due Date: 1/8/14



# VIOLATIONS

Premises: 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: T. A. Siciliano, III

Page number: 1

Inspector/Agent: Atlantic Paving & Contracting Yard  
63 COMMUNITY PLACE  
Long Branch, NJ 07740

Date:

Inspector:


The violations cited on the above premises are as follows:

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			
6.	Location: OUTSIDE AND GARAGE AREA Nature: Remove accumulation of grease, dust or waste material. ALL OPEN DRUMS, 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.

"U" Unabated - Violation uncorrected.

"A" Abated - Violation corrected.

# A1966



**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:** 13.02, 32.01, 32.02, 37.01, 38.02, 39, 52, 19, 20 & 21  
**Zones:** I / 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 pre-existing 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

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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 [www.visitlongbranch.com](http://www.visitlongbranch.com)

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

  
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

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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:** I / 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 pre-existing 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

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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:

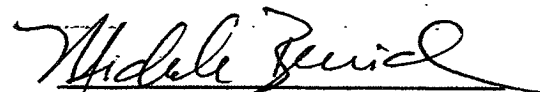
Per Ordinance Section 1-16A, Maximum Penalties: *For violation of any provision of the Code of the City of Long Branch; where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the 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 [www.visitlongbranch.com](http://www.visitlongbranch.com)

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

  
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

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**-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 Violation - 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 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 pallets 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, 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.*

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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]

§ 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.

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(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 § 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.

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

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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 must be complete within ten (10) business days 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 on prior lots 19, 20, 21 and 52 must be removed.

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**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:

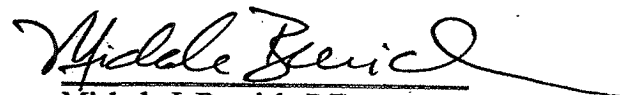
Per Ordinance Section 1-16A, Maximum Penalties: For violation of any provision of the Code of the City of Long Branch, where no specific maximum penalty is required under applicable state law, the maximum penalty for any such violation shall be one or more of the following, upon conviction and in the 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 [www.longbranch.org](http://www.longbranch.org)*

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*  
Steven Rubin, Esq., *Municipal Prosecutor*  
Paul Edinger, Esq., *Atlantic Paving Attorney*

A1976



**-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 Violation - 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,

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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, 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.*

A1978

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]

§ 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.

A1979

(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 § 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.

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

A1980

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 must be complete within ten (10) business days 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 on prior lots 19, 20, 21 and 52 must be removed.

A1981

**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 [www.longbranch.org](http://www.longbranch.org)*

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*  
Steven Rubin, Esq., *Municipal Prosecutor*  
Paul Edinger, Esq., *Atlantic Paving Attorney*

A1982



**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

**RE: Zoning Violation - 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. 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 **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.*

**A1983**

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](http://www.longbranch.org).*

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

A1984

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 [www.longbranch.org](http://www.longbranch.org)*

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*

A1985





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

**RE: Zoning Violation - 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:

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.*

**A1986**

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.*

A1987

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 [www.longbranch.org](http://www.longbranch.org)*

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 E & L Paving*

A1988

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. *last court date 1/12/15 ✓*

2) Complaint event history for SC-028787 ✓

3) Next trial date for SC-028787 - *3/9/15 @ 1pm ✓*

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" *NONE*

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" *NONE*

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" ✓ *enclosed*

Otherwise please indicate all hearing and any disposition dates *1/12/15*

7) Copy of any new summonses issued to Ray Greico or his company Atlantic Paving after 2/25/13

If none, State "None" ~~none~~ *enclosed*

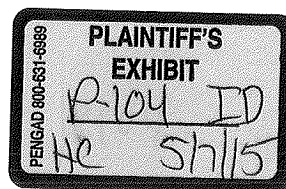
Otherwise please indicate all hearing and any disposition dates

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

Thanks,  
  
Brian Asarnow

Request received by \_\_\_\_\_ Date: \_\_\_\_\_

Responses provided by:  Date: *1/14/15*  
**A2039**



LONG BRANCH CITY  
CMM1111

NJ AUTOMATED COMPLAINT SYSTEM  
COMPLAINT EVENT HISTORY

01/14/2015  
17:23

COMPLAINT NO: SC 2013 028787 COURT CODE: 1325 COMPLAINT STATUS: ACTI  
DEFENDANT : ATLANTIC PAVING RELATED COMP : N  
PAGE 0001 OF 002

EVENT DATE/TIME	FIELD	CHANGE/DESCRIPTION	USER ID
11/11/2014 00:29	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
11/10/2014 03:09	P	ALL COMPLAINTS DISCONNECTED FROM BAJUDCS3	
09/06/2014 00:24	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERMUTURN0
07/15/2014 00:29	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
05/13/2014 00:23	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
03/12/2014 00:26	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
01/18/2014 00:25	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
12/19/2013 00:26	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
10/23/2013 00:31	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
10/17/2013 00:26	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
10/09/2013 00:27	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
09/12/2013 00:36	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3

PF7-PAGE BACK PF8-PAGE FWD

A2040

LONG BRANCH CITY  
CMM1111

NJ AUTOMATED COMPLAINT SYSTEM  
COMPLAINT EVENT HISTORY

01/14/2015  
17:23

COMPLAINT NO: SC 2013 028787 COURT CODE: 1325 COMPLAINT STATUS: ACTI  
DEFENDANT : ATLANTIC PAVING RELATED COMP : N  
PAGE 0002 OF 002

EVENT DATE/TIME	FIELD	CHANGE/DESCRIPTION	USER ID
07/25/2013 00:30	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
05/23/2013 00:28	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
04/18/2013 00:32	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
03/26/2013 00:32	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3
03/20/2013 00:32	A NOTICES	CHANGE DATE NOTICE SENT TO INV.	PERJUDCS3

M000042 END OF LIST

PF7-PAGE BACK PF8-PAGE FWD

A2041

1325 SC 032354

LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

Complaint

The State of New Jersey

Defendant's Name: ATLANTIC PAVING, Address: 63 Community Pl Long Branch, State: NJ, Zip Code: 07740, Telephone: [blank], SOCIAL SECURITY NUMBER: [blank], Birth Date: [blank], Sex: [blank], Eyes: [blank], Height: [blank], Restrictions: [blank], DL #: [blank], State: [blank], Exp. Date: [blank]

STATE OF NEW JERSEY COUNTY OF MONMOUTH } SS:

Complaining Witness: Michele Bernich of Zoning 344 Broadway 25-48 Residing at [blank] in LONG BRANCH MONMOUTH NJ

Failure to obtain site review (DESCRIPTION OF OFFENSE)

In violation of (one charge only) 345-14A

LOCATION OF OFFENSE 1325 63 Community Pl

OATH: Subscribed and sworn to before me this 6 day of Nov, yr. 14 CERTIFICATION: I certify that the foregoing statements made by me are true.

Signatures of Complaining Witness, Person Administering Oath, and Complaining Witness

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS

COURT USE ONLY: Probable cause is found for the issuance of this Complaint-Summons. LAW / CODE ENFORCEMENT USE ONLY: The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

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 REQUIRED: [checked] COURT DATE: 11/15/14, Month: 11, Day: 15, Year: 2014, Time: 10:00 AM

11/15/14 (Date Summons Issued) [Signature] (Signature of Person Issuing Summons)

A2042

IDENT. NO. 1295  
 TYPE SC  
 COMPLAINT NUMBER 032355

LONG BRANCH  
 MUNICIPAL COURT  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

(Please Print)

Defendant's Name: First Initial Last  
 ATLANTIC PAVING

Address City  
 63 Community Pl Long Branch

State Zip Code Telephone SOCIAL SECURITY NUMBER  
 NJ 07740

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

DL #

State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF MONMOUTH } SS:

Complaining Witness: Michale Bernich  
 of Zoning 344 Broadway 25-410  
 (Identify Dept./Agency Represented) (Badge No.)

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  
11 5 2014 1500  
 Month Day Year Time  
 in LONG BRANCH 1325 County of MONMOUTH NJ

did commit the following offense:  
Expansion of non conforming  
Use Lot 52  
 (DESCRIPTION OF OFFENSE)  
 in violation of (one charge only) 345-68C  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1 3 2 5 Describe Location  
 63 Community Pl

OATH: Subscribed and sworn to before  
 me this 6 day of Nov, yr. 14  
 CERTIFICATION: I certify that the foregoing 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.

[Signature] OR [Signature]  
 (Signature of Complaining Witness) (Date)  
[Signature] [Signature]  
 (Signature of Person Administering Oath) (Signature of Complaining Witness)

**PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF SUMMONS**

COURT USE ONLY LAW/CODE ENFORCEMENT USE ONLY

Probable cause is found for the issuance of this Complaint-Summons

Yes  No  
 (Signature of Judicial Officer)

Yes  No  
 (Signature of Judge)

The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED

COURT DATE Month Day Year Time : 11:00 AM/PM

11/15/14 [Signature]  
 (Date Summons Issued) (Signature of Person Issuing Summons)

A2043



COURT I.D. PREFIX COMPLAINT NUMBER

1325

SC

052400

LONG BRANCH

278 Broadway  
Long Branch, NJ 07740

Complaint

(Please Print)

Defendant's Name: First Initial Last  
 ATLANTIC PAVANE

Address  
 63 Community Pl Long Branch

State Zip Code Telephone  
 NJ 07746

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

State Exp. Date

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH } SS:

Complaining Witness: Michele Berach  
 of Zoning 344 Broadway 25-40  
 (Identify Dept./Agency Representative) (Badge No.)

Residing at  
 I certify that to the best of his/her knowledge or information and belief, the named defendant on or about this  
 11 5 2014 1500  
 Month Day Year Time

LONG BRANCH 1325 County of MONMOUTH NJ

to commit the following offense:  
 failure to obtain zoning permit  
 (DESCRIPTION OF OFFENSE)

Violation of (one charge only) 34.5-26A  
 (Statute, Regulation or Ordinance Number)

SECTION 10325 Describe Location  
 63 Community Pl

Subscribed and sworn to before  
 this 10 day of Nov, yr 14  
 Signature of Complaining Witness OR (Date)

Signature of Person Administering Oath (Signature of Complaining Witness)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS

COURT USE ONLY LAW / CODE ENFORCEMENT USE ONLY  
 If cause is found for the issuance of Complaint-Summons  
 Signature of Judicial Officer  
 Signature of Judge  
 This complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

YOU ARE HEREBY SUMMONED TO APPEAR  
 IN THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE  
 AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST

NOTICE TO APPEAR  
 COURT APPEARANCE REQUIRED  
 COURT DATE Month Day Year Time  
 11/12/15 1:00 PM  
 (Signature of Person Issuing Summons)

SF (9/09)

A2044

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 002057**

**LONG BRANCH**

Complainant: \_\_\_\_\_  
 Defendant's Name: First ATLANTIC Last Parziale  
 Address 63 Community Pl City Long Branch  
 State NJ Zip Code 07740 Telephone \_\_\_\_\_  
 Birth Date: Mo. 11 Day 5 Yr. 2014 Sex M Eyes Blue Height 5-10 Restrictions \_\_\_\_\_  
 DL # \_\_\_\_\_ State NJ Exp. Date \_\_\_\_\_

STATE OF NEW JERSEY  
 COUNTY OF MONMOUTH } SS.  
 Complainant: Michelle Bernick  
 of Zoning 344 Broadway (Identify Dept./Agency Representative) / (Judge No.) 25-40  
 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 \_\_\_\_\_  
 Month 11 Day 5 Year 2014 did commit the following offense:  
LONG BRANCH County of MONMOUTH NJ

**MULTIPLE USES**  
 (DESCRIPTION OF OFFENSE)  
 in violation of (one charge only) 345-11W(1)  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1325 Describe Location 63 Community Pl  
 OATH: Subscribed and sworn to before me this 10 day of Nov, yr. 14  
 Signature of Complainant Witness: M Bernick (Date) \_\_\_\_\_  
 Signature of Person Administering Oath: \_\_\_\_\_  
 Signature of Complainant: \_\_\_\_\_  
 CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are knowingly false, I am subject to punishment.

PROBABLE CAUSE DETERMINATION  
 COURT USE ONLY: Probable cause is found for the issuance of this Complaint-Summons. \_\_\_\_\_  
 LAW/ CODE ENFORCEMENT USE ONLY: The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a probable cause determination is not required prior to the issuance of this Complaint-Summons. \_\_\_\_\_  
 Signature of Judicial Officer: \_\_\_\_\_  
 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**  
 COURT APPEARANCE REQUIRED: COURT DATE 11/14 Month 11 Day 14 Year 2014 Time 1:00 PM  
 Summons Issued: \_\_\_\_\_  
 Signature of Person Issuing Summons: \_\_\_\_\_

A2045

1325 SC 032359

LONG BRANCH  
MUNICIPAL COURT  
279 Broadway  
Long Branch, NJ 07740

Complaint

**THE STATE OF NEW JERSEY**  
(Please Print)  
Defendant's Name: First (initial) Last  
ATLANTIC POWER  
Address  
63 Community Pl City Long Branch  
State NJ Zip Code 07740 Telephone  
Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
DL # State Exp. Date

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH SS

COMPLAINANT  
Complaining Witness: Michelle Brannich  
of Zoning 344 Broadway 25-40  
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  
11 Month 5 Day 2014 Year 1560 Time  
in LONG BRANCH 1325 County of MONMOUTH NJ  
did commit the following offense:

COMPLAINANT

STREAM ENCROACHMENT  
(DESCRIPTION OF OFFENSE)

In violation of (one charge only) 345-11A  
(Police, Regulatory or Ordinance Number)

LOCATION OF OFFENSE 10825 63 Community Pl  
(Section of Township)

OATH: Subscribed and sworn to before  
me this 10 day of NOV, yr. 14  
CERTIFICATION: I certify that the foregoing statements made by me are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Michelle Brannich (Signature of Complaining Witness) 11/5/14 (Date)  
Michelle Brannich (Signature of Person Administering Oath) 11/5/14 (Date)

**PROBABLE CAUSE DETERMINATION**

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 enforcement officer with training and subject matter jurisdiction and a judicial oath was taken prior to the issuance of this Complaint-Summons.	
<input checked="" type="checkbox"/> Yes	<u>Michelle Brannich</u> (Signature of Judicial Officer)	<input type="checkbox"/>	
<input type="checkbox"/> No		<input type="checkbox"/>	
<input type="checkbox"/> Yes		<input type="checkbox"/>	
<input type="checkbox"/> No		<input type="checkbox"/>	

**YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT-SUMMONS ON OR ABOUT THE DATE AND AT THE TIME STATED HEREIN. FAILURE TO APPEAR MAY RESULT IN YOUR ARREST.**

**NOTICE TO APPEAR**  
 COURT APPEARANCE REQUIRED  
COURT DATE: 11/12/14 10 AM/PM

11/5/14 (Date Summons Issued)  
Michelle Brannich (Signature of Person Issuing Summons)

Complaint-Summons

A2046

**Complainant**

*(Please Print)*

Defendant's Name: First VS Last

Address ATLANTIC PARK City Long Branch

63 Community Pl. Long Branch

State NJ Zip Code 07740 Telephone

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

DL

STATE OF NEW JERSEY  
 COUNTY OF MONMOUTH

Complaining Witness: Michele Bernick  
 of Zoning 344 Broadway 75410  
 (County Deal (Signer Representative) (Usage Fee))

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  
11 Month 5 Day 2014 Year 1500 Time

in LONG BRANCH County of MONMOUTH NJ

did commit the following offense:  
OUTDOOR STORAGE OF MATERIALS  
 (DESCRIPTION OF OFFENSE)

violation of (one charge only) 345-11C

LOCATION OFFENSE 1325 63 Community Pl

Signature of Person Administering Oath [Signature] (Date)

Signature of Complaining Witness [Signature] (Date)

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are knowingly false, I am subject to punishment.

**PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF COMPLAINT-SUMMONS**

**COURT USE ONLY**

Probable cause is found for the issuance of Complaint-Summons

The complaining witness is a law enforcement officer or a court administrator with terminal and subject matter jurisdiction and a police officer did cause summons to be issued prior to the issuance of this Complaint-Summons

[Signature] (Signature of Judicial Officer)

[Signature] (Signature of Judge)

**YOU ARE HEREBY SUMMONED TO APPEAR IN THIS COURT TO ANSWER THIS COMPLAINT AT THE TIME AND PLACE STATED THEREON AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.**

**NOTICE TO APPEAR**

COURT APPEARANCE REQUIRED

COURT DATE: Month 12 Day 15 Year 2014 Time 1000 AM/PM

114 Summons Issued

[Signature] (Signature of Person Issuing Summons)

A2047

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325** - **SC** - **032360**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

(Please Print) **VS.**  
 Defendant's Name: First Initial Last  
ATLANTIC PAINTING  
 Address 63 Community Pl Long Branch  
 State NJ Zip Code 07740 Telephone \_\_\_\_\_  
 Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL # \_\_\_\_\_ State Exp. Date \_\_\_\_\_

STATE OF NEW JERSEY } SS:  
 COUNTY OF MONMOUTH

Complaining Witness: Michael Bernich  
 of Zoning 344 Broadway 25-40  
 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  
11 5 2014 1500  
 in LONG BRANCH COURT 1325 County of MONMOUTH NJ

did commit the following offense:  
STORAGE OF VEHICLES + BOATS  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) 345-11 J  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 10325 Describe Location 63 Community Pl

OATH: Subscribed and sworn to before me this 6 day of Nov, yr. 14  
[Signature] OR [Signature]  
 (Signature of Complaining Witness) (Date)  
 (Signature of Person Administering Oath) (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <u>[Signature]</u> <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: Month 12 Day 15 Year 2014 Time 1:00 PM

11/5/14 (Date Summons Issued) [Signature] (Signature of Person Issuing Summons)

A2048

COURT I.D. PREFIX COMPLAINT NUMBER

1325 SC 032361

LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

Complaint

The State of New Jersey

(Please Print)

VS.

Defendant's Name: ATLANTIC PAVING, Address: 63 Community Pl Long Branch, State: NJ, Zip Code: 07740, Telephone: SOCIAL SECURITY NUMBER, Birth Date: 11/5/2014, Height: 1500

STATE OF NEW JERSEY COUNTY OF MONMOUTH } SS:

Complaining Witness: Michele Bernich of Zoning 344 Broadway 75-40

Residing at 11/5/2014 1500

in LONG BRANCH 1325 County of MONMOUTH NJ

did commit the following offense: MULTIPLE USES IN C-2 ZONE (DESCRIPTION OF OFFENSE)

in violation of (one charge only) 345-214 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1325 Describe Location 63 Community Pl

OATH: Subscribed and sworn to before me this 10 day of Nov, yr. 14

CERTIFICATION: I certify that the foregoing 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.

Signatures of Complaining Witness, Person Administering Oath, and Complaining Witness

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COURT USE ONLY: Probable cause is found for the issuance of this Complaint-Summons. LAW / CODE ENFORCEMENT USE ONLY: The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction...

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 REQUIRED: COURT DATE 11/20/14 Time 1:00 PM

Date Summons Issued: 11/15/14 Signature of Person Issuing Summons

COMPLAINT

COMPLAINT

SUMMONS

SUMMONS

A2049

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032362**

**LONG BRANCH  
 MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**  
 (Please Print) VS.

Defendant's Name: First Initial Last  
**ATLANTIC PAVING**

Address City  
**63 Community Pl Long Branch**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07740**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 (Grid for personal information)

DL # (Grid for driver's license information)

State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS:

**COMPLAINANT** Complainant Witness: **Michele Bernich**  
 of **Zoning 344 Broadway 25-40**  
 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  
**11** **5** **2014** **1500**  
 in **LONG BRANCH** **MUN 325000** County of **MONMOUTH** NJ  
 did commit the following offense:

**Accessory use in I zone**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-34B**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE  1  2  3  4 Describe Location  
**63 Community Pl**

OATH: Subscribed and sworn to before

me this **10** day of **Nov**, yr. **14**

CERTIFICATION: I certify that the foregoing 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.

OR

*[Signature]*  
 (Signature of Complainant Witness)

*[Signature]*  
 (Signature of Person Administering Oath)

*[Signature]*  
 (Signature of Complainant 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

Yes  
 No  
 Yes  
 No  
 (Signature of Judicial Officer)  
 (Signature of Judge)

The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**SUMMONS** 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 REQUIRED  
 COURT DATE Month Day Year Time AM PM  
**11/15/14** **10** **PM**

*[Signature]*  
 (Date Summons issued) (Signature of Person Issuing Summons)

A2050

COURT I.D. PREFIX COMPLAINT NUMBER

1325 SC 032363

LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

Complaint

**The State of New Jersey**  
(Please Print) VS.

Defendant's Name: First Initial Last  
ATLANTIC PARKING

Address 63 Community Pl City Long Branch

State NJ Zip Code 07740 Telephone \_\_\_\_\_ SOCIAL SECURITY NUMBER \_\_\_\_\_

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

DL # \_\_\_\_\_ State \_\_\_\_\_ Exp. Date \_\_\_\_\_

STATE OF NEW JERSEY COUNTY OF MONMOUTH } SS:

COMPLAINT

Complaining Witness: Michale Bernich  
of Zoning 344 Broadway 25-40  
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  
11 Month 5 Day 2014 Year 500 Time  
in LONG BRANCH County of MONMOUTH NJ

COMPLAINT

did commit the following offense:  
PROHIBITED USE - SCRAP Material Storage (DESCRIPTION OF OFFENSE)  
in violation of (one charge only) 345-12L  
(Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 10325 Describe Location 63 Community Pl

OATH: Subscribed and sworn to before me this 16 day of NOV, yr. 14  
CERTIFICATION: I certify that the foregoing 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.

[Signature] OR [Signature]  
(Signature of Complaining Witness) (Date)  
(Signature of Person Administering Oath) (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <u>[Signature]</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

SUMMONS

**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 REQUIRED

COURT DATE: 1 12 15 Time: 1:00 PM

11/15/14 (Date Summons Issued)  
[Signature] (Signature of Person Issuing Summons)

Complaint-Summons

SF (0/02)

A2051



COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032364**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

**Complaint**

**The State of New Jersey**  
 (Please Print) **VS.**  
 Defendant's Name: First Initial Last  
**ATLANTIC PAVZING**  
 Address City  
**63 Community Pl Long Branch**  
 State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07740**  
 Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL #  
 State Exp. Date

STATE OF NEW JERSEY } SS:  
 COUNTY OF **MONMOUTH**

**COMPLAINT** Complaining Witness: **Michele Bernich**  
 of **Zoning 344 Broadway 25-40**  
 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  
**11** **5** **2014** **1500**  
 in **LONG BRANCH** **MONMOUTH** County of **MONMOUTH** NJ

**COMPLAINT**

did commit the following offense:  
**Site plan required for parking area**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-42A**  
 (State, Regulation or Ordinance Number)

LOCATION OF OFFENSE **325** Describe Location  
**63 Community Pl**

OATH: Subscribed and sworn to before me this **6** day of **Nov**, yr. **14**  
 CERTIFICATION: I certify that the foregoing 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.

**OR**  
 (Signature of Complaining Witness) (Date)  
 (Signature of Person Administering Oath) (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <b>Chris</b> <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**SUMMONS** 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 REQUIRED  
 COURT DATE: **1/15/14** **1000** AM/PM

**11/15/14** (Date Summons Issued)  
 (Signature of Person Issuing Summons) **Chris**

Complaint-Summons

SF (REV)

**A2052**

1325 SC 032367

Complaint

LONG BRANCH MUNICIPAL COURT 279 Broadway Long Branch, NJ 07740

The State of New Jersey

Defendant's Name: ATLANTIC PAVING, Address: 03 Community Pl Long Branch, State: NJ, Zip Code: 07748, Telephone: SOCIAL SECURITY NUMBER, Birth Date: 11/5/2014, Sex: S, Eyes: BRN, Height: 1580, DL #, State, Exp. Date

STATE OF NEW JERSEY COUNTY OF MONMOUTH } SS:

COMPLAINT

COMPLAINT

Complaining Witness: Michele Bernich of Zoning 344 Broadway 25-40

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 11/5/2014 1530

in LONG BRANCH 0325 County of MONMOUTH NJ did commit the following offense: Expansion of Non conforming use Prior LOTS: 19, 20, 21, 38.02, 37.01 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) 345-68C (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1325 Describe Location 03 Community Pl

OATH: Subscribed and sworn to before me this 6 day of Nov, yr 14 CERTIFICATION: I certify that the foregoing 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.

Signatures of Complaining Witness, Person Administering Oath, and 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 enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

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 REQUIRED. COURT DATE: 11/18/14, Month: 11, Day: 18, Year: 2014, Time: 1:00 PM

Date Summons Issued: 11/15/14, Signature of Person Issuing Summons: [Signature]

A2053

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325** - **SC** - **032368**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

**Complaint**

**The State of New Jersey**  
 (Please Print) **VS.**

Defendant's Name: First Initial Last  
**ATLANTIC PAVING**

Address City  
**63 Community Pl Long Branch**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07740**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL # State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS:

Complaining Witness: **Michal Bernich**  
 of **Zoning 344 Broadway 25-40**  
 (Identify Dept./Agency Representative) (Badge No.)

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  
**11** **5** **2014** **1500**  
 Month Day Year Time

in **LONG BRANCH** **1325** County of **MONMOUTH** NJ

did commit the following offense:  
**Failure to obtain Zoning Permits**  
 or each use (DESCRIPTION OF OFFENSE)  
 n violation of (one charge only) **345-76A**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE Describe Location  
**1325 63 Community Pl**

OATH: Subscribed and sworn to before  
 me this **6** day of **Nov**, yr. **14**  
**Supercie** OR (Date)  
 (Signature of Complaining Witness)  
**Eric R Turner** (Signature of Person Administering Oath)  
**CMCA** (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  
 by **Eric R Turner** (Signature of Judicial Officer)  
 to **CMCA** (Signature of Judge)  
 The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable-cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE Month Day Year Time **10:00 AM**  
**1314** (Signature of Person Issuing Summons)  
 (Signature of Person Issuing Summons)

**COMPLAINT**

**SUMMONS**

**A2054**

JRT I.D. PREFIX COMPLAINT NUMBER  
**325** **SC** **032217**

**LONG BRANCH  
 MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

Case (Print) **VS.**

Defendant's Name: First Initial Last  
**PL PAVING Company**

Address City  
**2 MONMOUTH BLVD OCEANPORT**

Zip Code Telephone SOCIAL SECURITY NUMBER  
**087787**

Sex Eyes Height Restrictions  
 (Grid for personal details)

State Exp. Date

STATE OF NEW JERSEY }  
 COUNTY OF **MONMOUTH** } SS:

Complaining Witness: **Michele Bernich**  
 (Name)  
**Zoning 344 Broadway 25-40**  
 (Identify Dept./Agency Represented) (Badge No.)

Residing at  
 I certify that on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the  
**11** **5** **2014** **1500**  
 Month Day Year Time  
**LONG BRANCH** **325** County of **MONMOUTH** NJ

Defendant committed the following offense:  
**OUTDOOR STORAGE OF MATERIALS**  
 (DESCRIPTION OF OFFENSE)

Violation of (one charge only) **345-11C**  
 (Statute, Regulation or Ordinance Number)

CATION OFFENSE	Describe Location
<b>AB25</b>	<b>603 Community Pl</b>

WITNESS: Subscribed and sworn to before  
 On this **6** day of **NOV**, yr. **14**  
 (Date)

**OR**

(Signature of Complaining Witness) (Date)  
 (Signature of Person Administering Oath) (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. (Signature of Judicial Officer) (Signature of Judge)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE **11/14/2014** Time **1:00 PM**  
 (Signature of Person Issuing Summons)

14-Summons SF (9/08)

COMPLAINT

SUMMONS

A2055

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032218**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

**Complaint**

**The State of New Jersey**  
 (Please Print) **VS.**

Defendant's Name: First Initial Last  
**E + L Paving Company**

Address City  
**122 Monmouth Blvd Oceanport**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07757**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL # State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS:

**COMPLAINING WITNESS:** Michele Bernich  
 of Zoning 344 Broadway 25-40  
 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  
11 5 2014 1500  
 in LONG BRANCH 1325 County of MONMOUTH NJ

did commit the following offense:  
**STORAGE OF VEHICLES + BOATS**  
 (DESCRIPTION OF OFFENSE)  
 in violation of (one charge only) 345-11J  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **1325** Describe Location  
**603 Community Pl**

OATH: Subscribed and sworn to before  
 me this 6 day of NOV, yr. 14  
**OR**  
 CERTIFICATION: I certify that the foregoing 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.

Michele Bernich (Signature of Complaining Witness)  
Jerry R. Huerter (Signature of Person Administering Oath)  
Michele Bernich (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: Month Day Year Time AM/PM  
11/15/14 12:15 100  
 (Date Summons Issued) (Signature of Person Issuing Summons)

Complaint-Summons SF (REV)

**A2056**

**The State of New Jersey**  
 (Please Print) VS.  
 Defendant's Name: First Initial Last  
**F + L PAVENI COMPANY**  
 Address City  
**12 Monmouth Blvd Oceanport**  
 Telephone SOCIAL SECURITY NUMBER  
**07757**  
 Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 State Exp. Date

STATE OF NEW JERSEY } SS:  
 COUNTY OF **MONMOUTH**  
 Complaining Witness: **Michele Bernich**  
 of **Zoning 344 Broadway 25-40**  
 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  
**11** **5** **2014** **1500**  
 Month Day Year Time  
 in **LONG BRANCH** **0801325** County of **MONMOUTH** NJ

did commit the following offense:  
**MULTIPLE uses in C-2 ZONE**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-31A**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **1325** Describe Location **03 Community PL**

OATH: Subscribed and sworn to before  
 me this **6** day of **Nov**, yr. **14**  
 CERTIFICATION: I certify that the foregoing 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.

**Michele Bernich** (Signature of Complaining Witness) **OR** (Date)  
**Wesley Blumer** (Signature of Person Administering Oath) **OR** (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <b>OR</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable-cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE **11** **15** **14** **1000** AM/PM

**11/15/14** (Date Summons Issued) **Wesley Blumer** (Signature of Person Issuing Summons)

COMPLAINT

SUMMONS

SUMMONS

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325** - **SC** - **032220**

**LONG BRANCH  
 MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

(Please Print) **VS.**

Defendant's Name: First Initial Last  
**E+L Paving Company**

Address City  
**122 Monmouth Blvd Oceanport**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07757**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 \_\_\_\_\_

DL # \_\_\_\_\_ State Exp. Date \_\_\_\_\_

STATE OF NEW JERSEY }  
 COUNTY OF **MONMOUTH** } SS:

Complaining Witness: **Michelle Bernich**  
 of **Zoning 344 Broadway 25-40**  
 (Identify Dept./Agency Represented) (Badge No.)

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  
**11** **5** **2014** **1500**  
 Month Day Year Time  
 in **LONG BRANCH** **0325** County of **MONMOUTH** NJ  
 did commit the following offense:  
**Accessory Uses in F zone**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-34B**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **1325** Describe Location **603 Community Pl**

OATH: Subscribed and sworn to before  
 me this **6** day of **NOV**, yr. **14**

CERTIFICATION: I certify that the foregoing 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.

**[Signature]** (Signature of Complaining Witness) **OR** \_\_\_\_\_ (Date)  
**[Signature]** (Signature of Person Administering Oath) \_\_\_\_\_ (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 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: **11/15/14** Month Day Year Time **1:00** AM/PM

**11/15/14** (Date Summons Issued) **[Signature]** (Signature of Person Issuing Summons)

**A2058**

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032221**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

**Complaint**

**The State of New Jersey**  
 (Please Print) VS.

Defendant's Name: First Initial Last  
**E+L Paving Company**

Address City  
**127 Monmouth Blvd Oceanport**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07757**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
**11 5 2014 1508**

DL # State Exp. Date

STATE OF NEW JERSEY }  
 COUNTY OF **MONMOUTH** } SS:

**COMPLAINANT** Complaining Witness: **Michele Bernich** **COMPLAINANT**  
 of **Zoning 344 Broadway 25-40**  
 (Identify Dept./Agency Represented) (Badge No.)

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  
**11 5 2014 1508**  
 Month Day Year Time  
 in **LONG BRANCH** **AWAY 1325** County of **MONMOUTH** NJ

did commit the following offense:  
**Prohibited use - scrap material storage**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-12k**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE	<b>1325</b>	Describe Location	<b>03 Community PL</b>
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OATH: Subscribed and sworn to before me this **6** day of **NOV**, yr. **14**

CERTIFICATION: I certify that the foregoing 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.

**M Bernich** (Signature of Complaining Witness) **OR** (Date)  
**W. H. K...** (Signature of Person Administering Oath) **Michele Bernich** (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons. <input checked="" type="checkbox"/>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Signature of Judge)	

**SUMMONS** 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. **SUMMONS**

**NOTICE TO APPEAR**

COURT APPEARANCE REQUIRED

COURT DATE Month Day Year Time AM PM  
**11/15/14 12:00 PM**

**W. H. K...** (Signature of Person Issuing Summons)

Complaint-Summons

**A2059**



COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032222**

**LONG BRANCH  
 MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

(Please Print) VS.  
 Defendant's Name: First Initial Last  
E+L Paving Company  
 Address City  
122 Monmouth Blvd Oceanport  
 State Zip Code Telephone SOCIAL SECURITY NUMBER  
NJ 07757  
 Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL #  
 State Exp. Date

STATE OF NEW JERSEY }  
 COUNTY OF MONMOUTH } SS:

COMPLAINING WITNESS: Michele Bernick  
 of Zoning 344 Broadway 25-40  
 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  
11 5 2014 1500  
 in LONG BRANCH 1325 County of MONMOUTH NJ

did commit the following offense:  
Site plan required for parking areas  
 (DESCRIPTION OF OFFENSE)  
 in violation of (one charge only) 345-42A  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1325 Describe Location 63 Community Pl

OATH: Subscribed and sworn to before  
 me this 6 day of NOV. yr. 14  
 CERTIFICATION: I certify that the foregoing 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.

Michele Bernick OR 11/6/14  
 (Signature of Complaining Witness) (Date)  
[Signature] [Signature]  
 (Signature of Person Administering Oath) (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 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <u>[Signature]</u> <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: 11/12/14 1000 PM

11/11/14  
 (Date Summons Issued)  
[Signature]  
 (Signature of Person Issuing Summons)

A2060

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032223**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

(Please Print) **VS.**

Defendant's Name: First Initial Last  
**ETL Paving Company**

Address City  
**122 Monmouth Blvd Oceanport**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07757**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL # State Exp. Date

STATE OF NEW JERSEY } SS:  
 COUNTY OF **MONMOUTH**

**COMPLAINANT** Complainant Witness: Michelle Bernich (Name)  
 of Zoning 344 Broadway 75-40 (Identify Dept./Agency Represented) (Badge No.)  
 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  
11 5 2014 1500  
 Month Day Year Time  
 in LONG BRANCH 0801325000 County of MONMOUTH NJ  
 did commit the following offense: Expansion of Nonconforming  
use prior Lots: 19, 20, 21, 38, 02, 37, 01  
 (DESCRIPTION OF OFFENSE)

**COMPLAINANT**

in violation of (one charge only) 345-68C  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1325 Describe Location 63 Community Pl

OATH: Subscribed and sworn to before  
 me this 6 day of NOV, yr. 14  
 CERTIFICATION: I certify that the foregoing 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.

M Bernich OR 11/5/14  
 (Signature of Complainant Witness) (Date)  
[Signature]  
 (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 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE 11 15 14 10 AM/PM

11/15/14 (Date Summons Issued)  
[Signature] (Signature of Person Issuing Summons)  
 Complaint-Summons SP (REV)

**SUMMONS**

**SUMMONS**

A2061

**Complaint**

**The State of New Jersey**  
 (Please Print) VS.

Defendant's Name: First Initial Last  
E+L Paving Company

Address  
122 Monmouth Blvd Oceanport

State NJ Zip Code 07757 Telephone \_\_\_\_\_ SOCIAL SECURITY NUMBER \_\_\_\_\_

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

DL # \_\_\_\_\_ State \_\_\_\_\_ Exp. Date \_\_\_\_\_

STATE OF NEW JERSEY } SS:  
 COUNTY OF MONMOUTH

Complaining Witness: Michael Bernich  
 of Zoning 344 Broadway 25-40  
 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  
11 Month 5 Day 2014 Year 1500 Time  
 in LONG BRANCH 1325 County of MONMOUTH NJ

did commit the following offense:  
Failure to obtain Zoning Permits for each use  
 (DESCRIPTION OF OFFENSE)  
 in violation of (one charge only) 345-76A  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE 1325 Describe Location 63 Commercial PL

OATH: Subscribed and sworn to before me this 10 day of NOV, yr. 14  
 CERTIFICATION: I certify that the foregoing 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.

[Signature] OR [Signature]  
 (Signature of Complaining Witness) (Date)  
[Signature] [Signature]  
 (Signature of Person Administering Oath) (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons. <input checked="" type="checkbox"/>

**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 REQUIRED  
 COURT DATE 11/18/14 Month 11 Day 18 Year 2014 Time 1000 AM/PM

11/18/14 (Date Summons Issued)  
[Signature] (Signature of Person Issuing Summons)

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032351**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**  
 (Please Print) **VS.**  
 Defendant's Name: First Initial Last  
**E+L PAVING COMPANY**  
 Address City  
**122 MONMOUTH BLVD OCEANPORT**  
 State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07757**  
 Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL #  
 State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS:

**COMPLAINANT** Complainant Witness: **Michele Bernich**  
 of **Zoning 344 Broadway 25-40**  
 (Identify Dept./Agency Represented) (Badge No.)  
 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  
**11** **5** **2014** **1500**  
 Month Day Year Time  
 in **LONG BRANCH** **1325** County of **MONMOUTH** NJ  
 did commit the following offense:  
**FAILURE TO OBTAIN STATE PLAN REVIEW**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-14A**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **B325** Describe Location  
**68 Community PL**

OATH: Subscribed and sworn to before  
 me this **6** day of **NOV**, yr. **14**  
**M Bernich** OR  
 (Signature of Complainant Witness) (Date)  
**Debra K. ...**  
 (Signature of Person Administering Oath) (Signature of Complainant 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 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: **11** **12** **15** **1** **00** AM (PM)  
 Month Day Year Time  
**11/14**  
 (Date Summons Issued)  
**Debra K. Bernich**  
 (Signature of Person Issuing Summons)

SF (009)

A2063

COURT I.D. PREFIX COMPLAINT NUMBER

1325 SC 032352

LONG BRANCH MUNICIPAL COURT  
279 Broadway  
Long Branch, NJ 07740

Complaint

**The State of New Jersey**  
(Please Print) vs.

Defendant's Name: First Initial Last  
**E+L PAVING COMPANY**

Address  
**122 MONMOUTH BLVD OCEANPORT**

State **NJ** Zip Code **07757** Telephone **SOCIAL SECURITY NUMBER**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

DL #

State Exp. Date

STATE OF NEW JERSEY  
COUNTY OF **MONMOUTH** } SS:

**COMPLAINANT**

Complaining Witness: **Michele Bernich**  
of **Zoning 344 Broadway** (Name) **25-40** (Badge No.)

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  
**11** Month **5** Day **2014** Year **1500** Time

in **LONG BRANCH** County of **MONMOUTH** NJ

**COMPLAINANT**

did commit the following offense:  
**EXPANSION OF NONCONFORMING USE LOT**  
in violation of (one charge only) **345-68C**  
(Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **1325** Describe Location **Gas Community PL**

OATH: Subscribed and sworn to before me this **10** day of **Nov**, yr. **14**

**[Signature]** (Signature of Complaining Witness) **OR** (Date)

**[Signature]** (Signature of Person Administering Oath) **[Signature]** (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 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**SUMMONS**

**SUMMONS**

**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 REQUIRED

COURT DATE: Month **11** Day **10** Year **2014** Time **10** AM/PM

**11/14** (Date Summons Issued) **[Signature]** (Signature of Person Issuing Summons)

Complaint-Summons

SF (9/00)

A2064

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032353**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**

(Please Print) **VS.**

Defendant's Name: First Initial Last  
**E+L PAZING COMPANY**

Address City  
**122 Monmouth Blvd Oceanport**

State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07757**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL # State Exp. Date

STATE OF NEW JERSEY } SS:  
 COUNTY OF **MONMOUTH**

Complaining Witness: **Michele Bernick**  
 of **Zoning 344 Broadway 25-40**  
 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  
**11** **5** **2014** **1500**  
 in **LONG BRANCH** **1325** County of **MONMOUTH** NJ  
 did commit the following offense:

**Failure to obtain zoning permit**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-76A**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE Describe Location  
 **325** **63 Community Pl**

OATH: Subscribed and sworn to before  
 me this **6** day of **Nov**, yr. **14**  
 CERTIFICATION: I certify that the foregoing 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.

**[Signature]** OR  
 (Signature of Complaining Witness) (Date)  
**[Signature]**  
 (Signature of Person Administering Oath) (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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer) <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	<input type="checkbox"/> The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: **11/12/14** **10** AM PM  
**11/5/14** (Date Summons Issued)  
**[Signature]** (Signature of Person Issuing Summons)

A2065

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032369**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**  
 (Please Print) VS.  
 Defendant's Name: First Initial Last  
**E+L Paving Company**  
 Address City  
**122 Monmouth Blvd OCEAN PORT**  
 State Zip Code Telephone SOCIAL SECURITY NUMBER  
**NJ 07787**  
 Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
 DL #  
 State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS:

COMPLAINING WITNESS: **Michele Bernich**  
 of **Zoning 344 Broadway** (Identify Dept./Agency Representative (Badge No.)) **25-40**  
 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  
**11** Month **5** Day **2014** Year **1500** Time  
 in **LONG BRANCH** County of **MONMOUTH** NJ

did commit the following offense:  
**MULTIPLE USES**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-11W(1)**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **B25** Describe Location  
**103 Community PL**

OATH: Subscribed and sworn to before me this **12** day of **NOV**, yr. **14**  
 CERTIFICATION: I certify that the foregoing 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.

**[Signature]** (Signature of Complaining Witness) **OR** (Date)  
**[Signature]** (Signature of Person Administering Oath) **[Signature]** (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.  
 Yes  No  
 (Signature of Judicial Officer) **[Signature]**  
 Yes  No  
 (Signature of Judge)

The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**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 REQUIRED  
 COURT DATE: **1 12 2014** Time **1000** AM/PM

**11/5/14** (Date Summons Issued)  
**[Signature]** (Signature of Person Issuing Summons)

A2066

COURT I.D. PREFIX COMPLAINT NUMBER  
**1325 SC 032370**

**LONG BRANCH MUNICIPAL COURT**  
 279 Broadway  
 Long Branch, NJ 07740

Complaint

**The State of New Jersey**  
 (Please Print) VS.

Defendant's Name: First Initial Last  
**F & L Paving Company**

Address  
**127 Monmouth BLVD Oceanport**

State Zip Code Telephone  
**NJ 07719**

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions  
**11 5 2014 1500**

DL #

State Exp. Date

STATE OF NEW JERSEY  
 COUNTY OF **MONMOUTH** } SS:

COMPLAINANT  
 Complaining Witness: **Michael Bernich**  
 of **Zoning 344 Broadway 25-40**  
 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  
**11 5 2014 1500**  
 in **LONG BRANCH** County of **MONMOUTH** NJ

COMPLAINANT

did commit the following offense:  
**STREAM ENCROACHMENT**  
 (DESCRIPTION OF OFFENSE)

in violation of (one charge only) **345-11A**  
 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE **1325** Describe Location  
**63 Community PL**

OATH: Subscribed and sworn to before  
 me this **10** day of **Nov**, yr. **14**

CERTIFICATION: I certify that the foregoing 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.

*[Signature]*  
 (Signature of Complaining Witness)  
*[Signature]*  
 (Signature of Person Administering Oath)  
*[Signature]*  
 (Signature of Complaining Witness)

OR

(Date)

**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. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.	

SUMMONS

SUMMONS

**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 REQUIRED

COURT DATE: **11/20/14** Time: **1000** AM/PM

(Date Summons Issued) *[Signature]*  
 (Signature of Person Issuing Summons)

A2067



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

T: 732-870-2570

Fax: 732-870-0606

Email: [b.asarnow@comcast.net](mailto:b.asarnow@comcast.net)

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, jr. (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

 <p>New Jersey Judiciary <b>Records Request Form</b></p>	Request Date 10/4/2017	Preferred Delivery <input type="checkbox"/> Pick Up <input type="checkbox"/> US Mail <input type="checkbox"/> On Site Inspection <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email
	Request Needed By 10/4/2017	

**Part A: Requestor Identification**

Last Name Asarnow	Middle Initial D	First Name Brian
Address 55 Community Pl.		Daytime Telephone (include area code) 7328702570 ext.
City Long Branch	State NJ	Zip Code 07740
Fax/Email (optional) b.asarnow@comcast.net		

**Part B: Records Request Processing Location**

Please select one of the locations below to process your records request.

<input type="checkbox"/> County Monmouth	<input type="checkbox"/> Appellate Division Clerk's Office	<input type="checkbox"/> Office of the Administrative Director
<input type="checkbox"/> Division	<input type="checkbox"/> Supreme Court Clerk's Office	<input checked="" type="checkbox"/> Municipal Court <u>Long Branch</u>
<input type="checkbox"/> Superior Court Clerk's Office	<input type="checkbox"/> Tax Court Clerk's Office	<input type="checkbox"/> Other

**Part C: Case Identification**

Case Name State v. Atlantic Paving, E&L Paving, Jose (Joe) A. Rosario, Jr. etc.	Docket/Complaint/Ticket Number* see attached separate listing			
*In Criminal and Municipal Cases, if you do not know the docket number, please provide Defendant's information:				
Defendant Name and alias(es), if any	Defendant Birth Date   Last 4 digits of Defendant's Social Security Number			
Indictment/Arrest Date	Indictment/Accusation/Complaint/Municipal Number	Appeal Number	Sentencing Date	Name of Sentencing Judge

**Part D: Records Requested by Division**

Please describe records requested as completely as possible. Include any case numbers, dates and names of individuals involved. Attach additional pages if necessary.

See attached separate listing of 7 items.

**Part E: Copy Fees**

Copy Fees: 5¢ per page letter size 7¢ per page legal size	Special Copy Requests - Additional fees will be charged <input type="checkbox"/> Seal only <input type="checkbox"/> Certified with Seal <input type="checkbox"/> Certified without Seal <input type="checkbox"/> Exemplified (includes Seal)	Are you a named party or attorney in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	---

**For Judiciary Use Only**

Disposition <input type="checkbox"/> Delivered <input type="checkbox"/> Denied <input type="checkbox"/> Unavailable	Disposition Date
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If request is denied or records are unavailable, explain here. Attach additional pages if necessary.

Sir, Please note at this time nothing has changed and no new summons have been issued. New court date 1/8/2018

Terri L Turner CMCA page 1