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Block: 118 Prop Loc: 12 NEW YORK AVE Owner: DEFARIA, NATIA Square Ft: 1232
 Lot: 20 District: 1335 NEPTUNE TOWNSHIP Street: 12 NEW YORK AVE Year Built: 1946
 Qual: Class: 2 City State: OCEAN GROVE, NJ 07756 Style: 5

Additional Information

Prior Block: 59.03 Acct Num: 00010320 Addl Lots: EPL Code: 0 0 0
 Prior Lot: 247 Mtg Acct: Land Desc: 32X57 Statute:
 Prior Qual: Bank Code: 0 Bldg Desc: 2SFAL Initial: 000000 Further: 000000
 Updated: 09/19/19 Tax Codes: F02 Class4Cd: 0 Desc:
 Zone: HDR1 Map Page: Acreage: 0 Taxes: 10248.00 / 10186.77

Sale Information

Sale Date: 12/18/18 Book: 9328 Page: 7801 Price: 1 NU#: 4

Sr1a	Date	Book	Page	Price	NU#	Ratio	Grantee
More Info	12/18/18	9328	7801	1	4	0	DEFARIA, NATIA

TAX-LIST-HISTORY

Year	Owner Information	Land/Imp/Tot	Exemption	Assessed	Property Class
<u>2020</u>	DEFARIA, NATIA	368000	0	493900	2
	12 NEW YORK AVE	125900			
	OCEAN GROVE, NJ 07756	493900			
<u>2019</u>	DEFARIA, RAYMOND J	368000	0	482100	2
	12 NEW YORK AVENUE	114100			
	OCEAN GROVE, NJ 07756	482100			
<u>2018</u>	DEFARIA, RAYMOND J	368000	0	480000	2
	12 NEW YORK AVENUE	112000			
	OCEAN GROVE, NJ 07756	480000			
<u>2017</u>	DEFARIA, RAYMOND J	280500	0	418000	2
	12 NEW YORK AVENUE	137500			
	OCEAN GROVE, NJ 07756	418000			

*Click on Underlined Year for Tax List Page

[*Click Here for More History](#)

Deborah Osepchuk, Chair
Lucinda Heinlein, 1st Vice Chair
Leonard J. Steen, 2nd Vice Chair
Steven R. Tombalakian, Esq., HPC Attorney
Ronald D. Cucchiaro, Esq., HPC Attorney
Dawn Crozier, Administrative Officer
Kristie Dickert, Secretary



Douglas MacMorris, Member
Jeffery Rudell, Member
Jenny Shaffer, Member
Joseph Wierzbinsky, Member
Douglas McKeon, Alternate No. 1
Linda Henderson, Alternate No. 2

OFFICE OF THE HISTORIC PRESERVATION COMMISSION

25 Neptune Boulevard Neptune NJ 07753
(732) 988-5200 x. 204 Fax (732) 988-4259
kdickert@neptunetownship.org

June 26, 2020

Natia DeFaria
12 New York Avenue
Ocean Grove, NJ 07756

**RE: HISTORIC PRESERVATION COMMISSION APPLICATION NO. HPC 2020-128
BLOCK 118, LOT 20 ALSO KNOWN AS 12 NEW YORK AVENUE**

Dear Applicant:

Please be advised the above mentioned application has been reviewed for completeness and the Application Review Team (Review Team) has determined that this application cannot be administratively approved. Therefore, you are hereby notified that your application has been scheduled for a virtual public hearing before the Historic Preservation Commission. Your application has been scheduled for a virtual public hearing/meeting on **Tuesday, August 11, 2020 at 7:00 PM**. The meeting will be held virtually via Zoom. Log-in and Participant information is as follows:

Topic: Historic Preservation Commission Regular Meeting of August 11, 2020
Time: Aug 11, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83583112786?pwd=R1Q0WXRwdXZjU2c3eENKZTRDNUozUT09>

Meeting ID: 835 8311 2786

Password: 097767

One tap mobile

+16465588656,,83583112786#,,,0#,,097767# US (New York)

+13017158592,,83583112786#,,,0#,,097767# US (Germantown)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 835 8311 2786

Password: 097767

Find your local number: <https://us02web.zoom.us/j/keYSBjPZB>

Preliminary Review Notes

Below, please find the Application Review notes. Please understand that this is a preliminary review. It includes, but is not limited to, the observations on the following pages concerning your project. In no event shall this preliminary review constitute an approval. Neither the Applicant nor the Review Team is bound by this review. Also, these comments do not preclude additional information requests, comments, or concerns from HPC members before or at the virtual hearing/meeting. The Applicant and/or the Representative of the Applicant should carefully review the notes below and be prepared to discuss these items.

Description of Work

- "1) Please see attached Resolution
- 2) Landscaped wall based on its size/height please see attached Boundary & Topographic survey by WJH Engineering (included 3 copy)
- 3) Work was done for the handicapped access ramp on the corner by the Township, which caused a grading issues and was corrected by landscaping with PA natural fieldstone. Please see attached photos. (7 pg.)
- 4) Materials used: PA natural fieldstone which was organized by size and shape, landscape fabric was added, before setting up a stone level; crushed layer of stones were placed"

Classification

According to the Assessor's records, the subject structure was constructed in XXXX; this property is classified as an "Other" Structure by date. "Other" structures include those dwellings constructed after 1941. These may not specifically contribute to the overall historic styles or craftsmanship of preceding historic dwellings, but, as part of the Historic District of Ocean Grove, are subject to review based on *Ocean Grove Historic District Architectural Guidelines for Residential Structures*. As per the *Design Guidelines*, Section I, Subsection B, p. 2: "All exterior work performed on or around any existing or proposed single family, townhouse, multi-family residential, religious or recreational structure within the Ocean Grove Historic District is subject to and must comply with the standards and intent of Ocean Grove Historic District Architectural Guidelines for Residential Structures".

Non-Compliant Items:

1. **PA Natural Fieldstone is not a historically appropriate material to Ocean Grove. See Section Page 33 – IV R. Fifth Paragraph Architectural Landscape Treatments – Page 5 #7 Letter C Streetscape.**

Compliant Items

1. None.

Compliance Issues

1. PA Natural Fieldstone is not a historically appropriate material to Ocean Grove. Please refer to the following Sections of the *Ocean Grove Historic District Architectural Design Guidelines for Residential Structures*:
 - Section I, Subsection D.7.c., page 5: "Streetscape: The HPC will consider the effect of the proposed work on the historic preservation and enhancement of the Owner's property, adjoining properties, and the Ocean Grove Historic District as a whole."
 - Section IV, Subsection R, fifth paragraph, page 33: "Retaining walls, where required should be either brick masonry, rough chiseled face or split face type block. It is encouraged to locate and utilize used shadow block which will replicate the style found on such walls throughout Ocean Grove."

Additional Request

1. Please provide the following copies by **JULY 27, 2020**:
 - a. Eleven (11) copies of the Resolution of Approval from the Board of Adjustment along with Black and White Photos attached to same.
 - b. Eleven (11) copies of the Boundary and Topography Survey (original size 11 x 17).
 - c. Eleven (11) sets of color photos showing existing conditions of the site with the wall in place.
2. Please also provide the above-requested information via e-mail in the form of a .pdf file by **JULY 27, 2020**.

If any changes are made to your application after you have been placed on the agenda, or if you fail to produce any of the items requested by the Commission, your hearing will be deferred to the next available meeting.

It is highly recommended that you attend this virtual hearing in order to address any questions or concerns the Commission may have. An Architect, Contractor, or Attorney may accompany you, or you may appoint a representative in the event you are unable to attend/participate. Please be advised, your absence or lack of participation in the virtual meeting may cause your application to be deferred.

For your convenience, the Ocean Grove Historic District Guidelines for Residential Structures can be found online at www.neptunetownship.org.

The HPC thanks you for your cooperation and support in maintaining the integrity and character of the Ocean Grove, a registered National and State Historic District. Should you have any further questions or concerns please feel free to contact me at (732) 988-5200, extension 278 or via email kdickert@neptunetownship.org.

Cordially,

A handwritten signature in cursive script that reads "Kristie Dickert".

Kristie Dickert
HPC Secretary

Application #: HPC 2020-128

Application Date: 06/17/2020

Historic Preservation Commission Certificate of Appropriateness Application

- | | | |
|---|--|---|
| <input type="checkbox"/> AC UNIT | <input type="checkbox"/> GATE | <input type="checkbox"/> RAILINGS |
| <input type="checkbox"/> ADDITION | <input type="checkbox"/> GENERATOR | <input type="checkbox"/> RETAINING WALL |
| <input type="checkbox"/> ARBOR | <input type="checkbox"/> GUTTERS & LEADERS | <input type="checkbox"/> ROOF |
| <input type="checkbox"/> AWNING | <input type="checkbox"/> HOT TUB | <input type="checkbox"/> SATELLITE DISH |
| <input type="checkbox"/> BALCONY | <input type="checkbox"/> LATTICE | <input type="checkbox"/> SHED |
| <input type="checkbox"/> CHIMNEY | <input type="checkbox"/> LIGHT FIXTURE | <input type="checkbox"/> SHUTTERS |
| <input type="checkbox"/> COLUMNS | <input type="checkbox"/> NEW CONSTRUCTION | <input type="checkbox"/> SIDING |
| <input type="checkbox"/> DECK | <input type="checkbox"/> ORNAMENTATION | <input type="checkbox"/> SIGN |
| <input type="checkbox"/> DOOR REPLACEMENT | <input type="checkbox"/> OUTDOOR SHOWER | <input type="checkbox"/> SKYLIGHT |
| <input type="checkbox"/> DRIVEWAY | <input type="checkbox"/> PAINT | <input type="checkbox"/> SOLAR |
| <input type="checkbox"/> EXTERIOR ALTERATIONS | <input type="checkbox"/> PATIO | <input type="checkbox"/> STAIRS |
| <input type="checkbox"/> FENCE | <input type="checkbox"/> PIERS | <input type="checkbox"/> VENT |
| <input type="checkbox"/> FLAGS / BANNERS | <input type="checkbox"/> PORCH | <input type="checkbox"/> WALKWAY |
| <input type="checkbox"/> FOUNDATION | <input type="checkbox"/> PORCH FAN | <input type="checkbox"/> WINDOWS |
| <input checked="" type="checkbox"/> OTHER <u>landscape wall</u> | | |

Please complete this application in its entirety.

Before submission of an application, the applicant is encouraged to review the Ocean Grove Historic District Architectural Design Guidelines for Residential Structures or Commercial Buildings and read the entire attached Information Sheet. The Guidelines are available online at www.neptunetownship.org. Please type or print legibly with ink.

Incomplete applications will not be accepted.

REQUIRED INFORMATION: *With each application, you are required to submit color photos of the property, and, depending on the scope of work proposed, architectural plans or sketches, material samples, color samples, catalog cuts, or any other useful references for review. Once your application is scheduled for a meeting, you may be required to submit additional information or copies of your application and other submitted documents.*

PROPERTY IDENTIFICATION

ADDRESS: 12 New York Ave. Ocean Grove. NJ 07756
BLOCK: 118 LOT: 20 QUALIFIER: _____

OWNER INFORMATION

NAME(S): NATIA DEFARIA
ADDRESS: 12 New York Ave. Ocean Grove NJ 07756
PHONE: _____ EMAIL: _____

APPLICANT INFORMATION

☒ Check if same as Owner

NAME(S): _____ COMPANY: _____
ADDRESS: _____
PHONE: _____ EMAIL: _____

APPLICANT CAPACITY – IF OTHER THAN OWNER (Check one):

☐ Lessee ☐ Agent ☐ Architect ☐ Contractor ☐ Attorney ☐ Other: _____

PROPERTY INFORMATION

PROPERTY TYPE (Check one):

☒ Single Family ☐ Multifamily: _____ Units ☐ Commercial ☐ Condo ☐ Mixed Use

ARCHITECTURAL PERIOD / YEAR BUILT: _____ ARCHITECTURAL STYLE: _____

Does your project include demolition of 15% or more of exterior of existing structure? ☐ YES ☒ NO

If YES: you must apply for a Demolition Permit prior to applying for a Certificate of Appropriateness.

Do you have Zoning Department approval for this project? ☐ YES ☐ NO ☐ N/A

ZONING PERMIT ID# (from Zoning Permit): ZBA#20-09 ZB20/2 DATE APPROVED: MAY 6, 2020

Please Note: If Zoning approval is required for the work described on your application, your application will remain incomplete until Zoning approval is received. **Incomplete applications will not be accepted.**

Describe all proposed work to be conducted on subject property below. Be sure to include all colors and materials to be used. Attach additional pages if necessary.

1. Please see attached Resolution
2. Landscaped wall based on its size/height please see attached Boundary & Topographic survey by WTH Engineering (included 3 copy)
3. Work was done for the handicapped access ramp on the corner by the Township, which caused grading issues and was corrected by landscaping with PA natural fieldstone. Please see attached photos. (7 pg.)
4. Materials used: PA natural fieldstone which was organized by size and shape, landscape fabric was added, before setting up a stone level; crushed layer of stones were placed

By signing this application, the Applicant and Owner agree to the following:

- Property site visits by Neptune Township Staff, HPC Members and HPC Professionals until the project has been deemed to be complete.
- The information herein is correct and complete to the best of your knowledge.
- The HPC or HPC Application Review Team may require additional information for your application to be considered complete.

By signing this application, the Owner authorizes the listed Applicant to appear as their representative at a public hearing before the Commission.

Natia DeFaria

OWNER NAME - Please PRINT

Natia DeFaria

OWNER SIGNATURE

DATE

06/17/2020

Natia DeFaria

APPLICANT NAME - Please PRINT

Natia DeFaria

APPLICANT SIGNATURE

DATE

06/17/2020

Dear Members of Historic Preservation Commission:

I would like to introduce myself and explain more about the 12 New York project since we are scheduled for upcoming zoom meeting. It's a little different setting and therefore I've decided to have a folder for you to preview.

My name is Natia DeFaria and I have resided at 12 New York Ave since 2001. My late husband Raymond J. DeFaria had lived at same house since 1975. Since his passing I have been maintaining the house alone. In the summer of 2019, a new handicapped access ramp was placed on the corner of my house and repairing caused grading issues since sidewalk was lowered. Dirt was falling on sidewalk and mud was coming down every time it rained. I tried to correct grading issue by removing an existing 4-foot fence and landscaped the side of the property with PA natural fieldstone.

As a gardener and a member of Ocean Grove beautification group in Ocean Grove, I always admired the history of my town and tried to keep Victorian flowers in my garden to represent the past and offset the colonial house setting with a small surrounded garden. I have found different landscaping styles in town and as I researched them, it makes sense to see some bold cement structures around the flower gardens as well as natural stone landscapes along Ocean Grove. I don't think too much research is done regarding Ocean Grove's Victorian gardens. During my research an interesting article came to my attention from the magazine History of Victorian Garden by Mary H Dyer published on February 7, 2019.

"During the Victorian era gardening became wildly popular. Landscaped gardens were created by the wealthy usually, but the middle class with more time on their hands than ever before were also able to create in Victorian gardens.

Characteristics of Victorian Garden style are diverse, but they share several notable characteristics: fences, flower beds, plants, trees and shrubs etc.

Victorian Rock gardens tended to be made of both, artificial and natural rock stones.

The artificial type commonly being imitate a render used to make masonry or structures imitate natural rock when the transportation and cost of casing larger natural rocks to build the structure would have been cost prohibitive.

Victorian Garden growing passion for gardening during the 1800's created an expanding market in garden design, plants, seeds and tools.

In 1830 many rock gardens used natural stone rocks, but it was costly and not affordable to all.

In 1840's innovators sought to use artificial materials because they allowed the construction of large-scale rockwork at much lower cost, leaving more money to be spent on the plants for the displays."

After researching more about Victorian gardens, it makes sense why Centennial Cottage and Pioneer Cottage have natural stone landscaped in their property.

Centennial Cottage - Elizabeth Fell House at 44 Ocean Pathway, which was constructed in 1879 in the style of Swiss Chalet. As of today, the Historical Society of OG leases the building from Camp Meeting Association and uses the property as a living history museum where the legacy of a treasured past is preserved with authentic Victorian architecture and has a landscaped garden with the same PA natural fieldstone. Please see attached photos file 1 photos 1,2

Historic Pioneer Cottage, located at 64 Asbury Avenue in Ocean Grove was built in 1870 and is one of the first cottages build in OG. It has natural stone surrounded on their property as well. Please see attached photos, file 1 photo 3 & 4 ~~032~~.

These historical cottages are examples of Ocean Grove's past Victorian era.

During my neighborhood strolls, I admire the nicely landscaped properties with the same PA natural stone landscaping. It makes nature balanced and design with Victorian gardens. Please see file 1 photos 5,6,7,8.

Example:

- a. 115 Main Ave., OG
- b. 94 Lake Ave., OG

If you walk down to Mt. Hermon way you will see a row of houses with strange cement wall landscaping, apparently because back in 1830's cement artificial material landscaping was trendy. It was affordable to many and therefore we have above walls in town. See attached photos in file 2.

- a. 77 Mt. Herman Way
- b. 95 Mt. Herman Way
- c. 101 Mt. Hermon Way

The decision I had to make was how to environmentally and historically blend a landscaped wall structure in the town of Ocean Grove. Because I had seen PA natural stonework in town, I choose PA fieldstone. It has a large variety of shapes, sizes and colors, blues, greens and charcoal colors with some exposed moss on the stone.

They are simple to construct while a Fieldstone wall construction is very labor intensive. Round natural stones, when fit together, crate a beautiful rustic wall. Constructed wall has aesthetic purposes for retaining soil to fix gardening issues accrued with handicap work done by the township's contracted workers.

As you know, fieldstone is composed of granite, sandstone or limestone, each of which lend a different color to the stones.

Wall is more expensive than a fence, though on the plus side wall will last longer and therefore it was a more cost-effective option for me. It was also a better environmentally choice of material. Dry stocked natural stone wall adds a timeless beauty to a historic town in my opinion. I get numerus compliments while I am tending to my garden project.

Please see attached photos on Folder 2.

I am asking the Historic Preservation Commission to approve my project.

I went with higher cost materials for this project and it's looks much nicer than the replaced 4-foot fence I feel.

Thank you in advance.

Sincerely

Natia DeFaria

12 New York Ave

Ocean Grove, NJ 07756

Block 118, Lot 20

A handwritten signature in black ink that reads "Natia DeFaria". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Paul Dunlap, Chairman
Barbara Bascom
William Frantz, 1st Vice Chairman
Monica C. Kowalski, Esq.
Matt Shafai, PE, PP
Jennifer C. Beahm, PP, AICP
Kristie Dickert, Administrative Officer



James Gilligan, 2nd Vice Chairman
Thomas Healy
Frances Keel
Dr. James Brown
Alternates: Naomi Riley
Michael Pullano
Ashley Vidal

Office of the Neptune Board of Adjustment
25 Neptune Boulevard, P.O. Box 1125
Neptune, New Jersey 07753
732-988-5200 Ext. 278 Fax: 732-988-4259
KDickert@neptunetownship.org

May 7, 2020

Sent Via First Class Mail and E-mail jsk@ansellgrimm.com

Jennifer S. Krimko, Esq.
Ansell Grimm & Aaron
1500 Lawrence Avenue
CN7807
Ocean, New Jersey 07712


Re: Resolution ZBA#20-09 Case #: ZB20/02
Block(s): 118, Lot(s): 20
Applicant: Natia DeFaria
Project Address: 12 New York Avenue, Ocean Grove, NJ

Dear Ms. Krimko:

Enclosed please find three [3] original resolutions adopted **March 4, 2020** and memorialized at the **May 6, 2020** public hearing of the Neptune Township Zoning Board of Adjustment.

Please be advised that it will be necessary for you to publish the decision of the Neptune Zoning Board of Adjustment, in one of the Township's official newspapers [the Coaster or Asbury Park Press] and return the original affidavit to this office for proof of publication.

If you have any questions regarding this matter, please feel free to contact me the number listed above and I will be glad to help you.

Sincerely,

Kristie Dickert
Administrative Officer
Zoning Board of Adjustment

c: M. Shafai, Engineer (via e-mail)
J. Beahm, Planner (via e-mail)
W. Doolittle, Director of Construction
Heather Kepler/Diana Pajak (via e-mail)
B. Haney, Tax Assessor
G. Waterman, Zoning Officer
Zoning Bd File#20/02

APPLICANT: NATIA DEFARIA
APPLICATION NUMBER: ZB20/02
BLOCK: 118
LOTS: 20

ADDRESS: 12 NEW YORK AVENUE, OCEAN GROVE
ATTORNEY FOR APPLICANT: JENNIFER S. KRIMKO, ESQ.
RESOLUTION NUMBER: ZBA#20-09



**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
OF THE TOWNSHIP OF NEPTUNE
FOR BULK VARIANCE RELIEF
FOR LANDSCAPE WALL**

WHEREAS, BOARD MEMBER JAMES GILLIGAN, offered the following Resolution moved and seconded by **BOARD MEMBER MICHAEL PULLANO**:

WHEREAS, NATIA DE FARIA by and through their Attorney, **JENNIFER S. KRIMKO, ESQ.** hereinafter referred to as the "applicant" filed an application with the Zoning Board of Adjustment of the Township of Neptune, (hereinafter referred to as the "Board") seeking the following relief:

Applicant constructed an approximately 1.7-foot-high (on average) rock retaining wall along and over the front property lines. Therefore, the wall has a zero (0) foot front yard setback in that it extends over the front property lines onto the land owned by the Ocean Grove Camp Meeting Association, located between the lease lines and the roadways. As such, Applicant seeks bulk variance relief pursuant to NJSA 40:55D-70.c to permit a zero (0) foot front yard setback for an approximately 1.7 foot high (on average) retaining wall, whereas such walls are required to be set back from property lines a distance equal to the height of the wall closest to that property line, which in this case would be approximately 1.7 feet.

Applicant also expressly makes application for an additional exceptions, waivers, variances, interpretations and other approvals as reflected on the filed plans (as same may be further amended from time to time without further notice and as may be determined to be necessary by the Board during the review and processing of the application.

WHEREAS, the application pertains to premises known and designated as Block 118, Lot 20 on the Tax Map of the Township of Neptune, which premises are located at 12 New York Avenue, Ocean Grove (Neptune Township), New Jersey; and

WHEREAS, all notice requirements were satisfied by the applicant and the Board has jurisdiction to hear, consider and determine the application at issue; and

WHEREAS, the Board held a public hearing with regard to the referenced application on the following date, March 4, 2020; and

WHEREAS, the following items were entered as Exhibits at the hearing:

1. Exhibit A-1: Boundary and Survey by Bennet revised to 1-13-2020.
2. Exhibit A-2: Photo packet of property (4 photos). No date on photos
3. Exhibit A-3: Photo packet (9) photos: similar height and location of sidewalk.
4. Exhibit A-4: Photo of 43 Embury –Town fixed the grade differential in other circumstances by building a curb against the sidewalk

WHEREAS, The Board listened to the Testimony of the following:

1. NONE.

WHEREAS, The Board took Questions from the following member of the Public as to the witnesses presented:

1. NONE.

WHEREAS, The Board took Commentary on the Application upon conclusion of the witness testimony as follows:

1. NO PUBLIC COMMENTS

WHEREAS, the Board, having given due consideration to the Exhibits moved into evidence and the Testimony presented at said hearing(s), does make the following findings of fact:

1. This is a landscape wall based on its size/height and not a retaining wall under the Ordinance located in Ocean Grove.
2. Work was done for the handicapped access ramp on the corner by the Township which caused some grading issues which the owner corrected on her own.
3. All photos submitted were taken by applicant in the week prior to the hearing.
4. The area which was fixed became lower than prior sidewalk after Township work. Dirt was coming onto the sidewalk. Applicant put the landscape wall where the prior fence was located. (A-2)
5. Applicant did not bring any dirt onto the property. The area was elevated and required no additional dirt.
6. Applicant was not aware that the landscape wall was not located fully on her property.
7. The wall is resting on crushed stone.
8. This is a landscaping wall, not a structural wall.
9. The Board collectively agreed that this was a better zoning alternative by diminishing the trip hazard of curb and was much more attractive.
10. However, given the fact that this is a Historic District, any necessary variance for the landscape wall can be granted but the aesthetic of the wall and its composition must be approved by the Historic Preservation Commission to obtain a Certificate of Appropriateness.

WHEREAS, In order to prevail on an application for a variance, the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D – 70, requires the applicant to establish that the variance can be granted without substantial detriment to the public good and that the granting of the variance does not substantially impair the intent and purpose of the master plan, zone plan and zoning ordinance.

NOW THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Township of Neptune that it hereby adopts the aforesaid findings of fact and specifically makes the following conclusions:

- a. Based upon the aforesaid findings of fact, the Board concludes that:
 - i. The applicant has demonstrated that the proposed use of the property in question is substantially the same kind of use as that to which the premises were devoted at the time of the passage of the zoning ordinance.
- b. Based upon the aforesaid findings of fact, the Board further concludes that the granting of the approval set forth herein will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the zoning ordinance and the zoning plan of the Township of Neptune.
- c. **The Board specifically includes herein by reference, the Transcripts from the hearings, which provide the detailed basis and description of the decision as memorialized in this Resolution and do hereby rely upon same for further reference, as necessary.**

BE IT FURTHER RESOLVED, by the Board of Adjustment of the Township of Neptune that the following be and are hereby GRANTED:

Applicant is conditionally granted their relief for a bulk variance where Applicant constructed an approximately 1.7-foot-high (on average) rock retaining wall along and over the front property lines. Therefore, the wall has a zero (0) foot front yard setback in that it extends over the front property lines onto the land owned by the Ocean Grove Camp Meeting Association, located between the lease lines and the roadways. As such, Applicant is conditionally granted bulk variance relief pursuant to NJSA 40:55D-70.c to permit a zero (0) foot front yard setback for an approximately 1.7 foot high (on average) landscaping wall, whereas such walls are required to be set back from property lines a distance equal to the height of the wall closest to that property line, which in this case would be approximately 1.7 feet.

Given the fact that this is a Historic District, the necessary variance for the landscape wall is conditionally granted subject to the aesthetic of the wall and its composition, which must be approved by the Historic Preservation Commission for the Applicant to obtain a Certificate of Appropriateness.

A SUBMISSION TO THE HPC MUST OCCUR WITHIN 90 DAYS OF THE DATE OF THE MEMORIALIZATION OF THIS RESOLUTION FOR COMPLIANCE. FAILURE TO COMPLY WILL VOID THE GRANT OF THE VARIANCE GRANTED.

ALL APPROVALS GRANTED HEREIN ARE SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) The applicant shall comply with any requirements established by, and obtain any necessary approvals of the following, IF APPLICABLE, to the proposed construction herein:
- a. All Plans must be approved by Township Engineer and Code and Construction Departments for the issuance of Permits;
 - b. MONMOUTH COUNTY PLANNING BOARD;
 - c. FIRE MARSHALL;
 - d. BOARD OF HEALTH;
 - e. SOIL CONSERVATION AND SEDIMENT CONTROL APPROVALS AND PERMITS;
 - f. AFFORDABLE HOUSING CONTRIBUTION (ORD. 04-22)
 - g. BOARD OF ADJUSTMENT PLANNER
 - h. BOARD OF ADJUSTMENT ENGINEER
 - i. POSTING OF PERFORMANCE GUARANTEES AND INSPECTION FEES;
 - j. FINAL SITE PLAN DRAWINGS INCORPORATING ALL CHANGES AND/OR AMENDMENTS MADE AT THE HEARING.
 - k. FINAL DESIGN SUBJECT TO APPROVAL OF THE BOARDS'S PROFESSIONALS.
 - l. SUBJECT TO THE APPLICANT COMPLYING WITH ANY AND ALL FEDERAL, STATE, COUNTY AND LOCAL LAWS, RULES AND REGULATIONS AFFECTING AND PERTAINING TO THE DEVELOPMENT OR USE OF THE SITE IN QUESTION.
- (2) SUBJECT TO ALL REPRESENTATIONS AND TESTIMONY OF THE APPLICANT BEING TRUTHFUL AND ACCURATE

ROLL CALL VOTE: Offered by: James Gilligan

Seconded by: Michael Pullano

THOSE IN FAVOR: Ashley Vidal, Michael Pullano, Naomi Riley, Frances Keel, James Gilligan, Dr. James Brown, and William Frantz

THOSE OPPOSED: None.

ABSENT: Barbara Bascom, Thomas Healy, and Paul Dunlap

ABSTAINED: None.

MEMORIALIZATION VOTE: Offered by: James Gilligan

Seconded by: Naomi Riley

THOSE IN FAVOR: Ashley Vidal, Michael Pullano, Naomi Riley, Frances Keel, James Gilligan, Dr. James Brown, and William Frantz.

THOSE OPPOSED: None.

ABSENT: None.

ABSTAINED: None.

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Neptune at its meeting on March 4, 2020 and memorialized at the meeting held on May 6, 2020.

Date: May 7, 2020





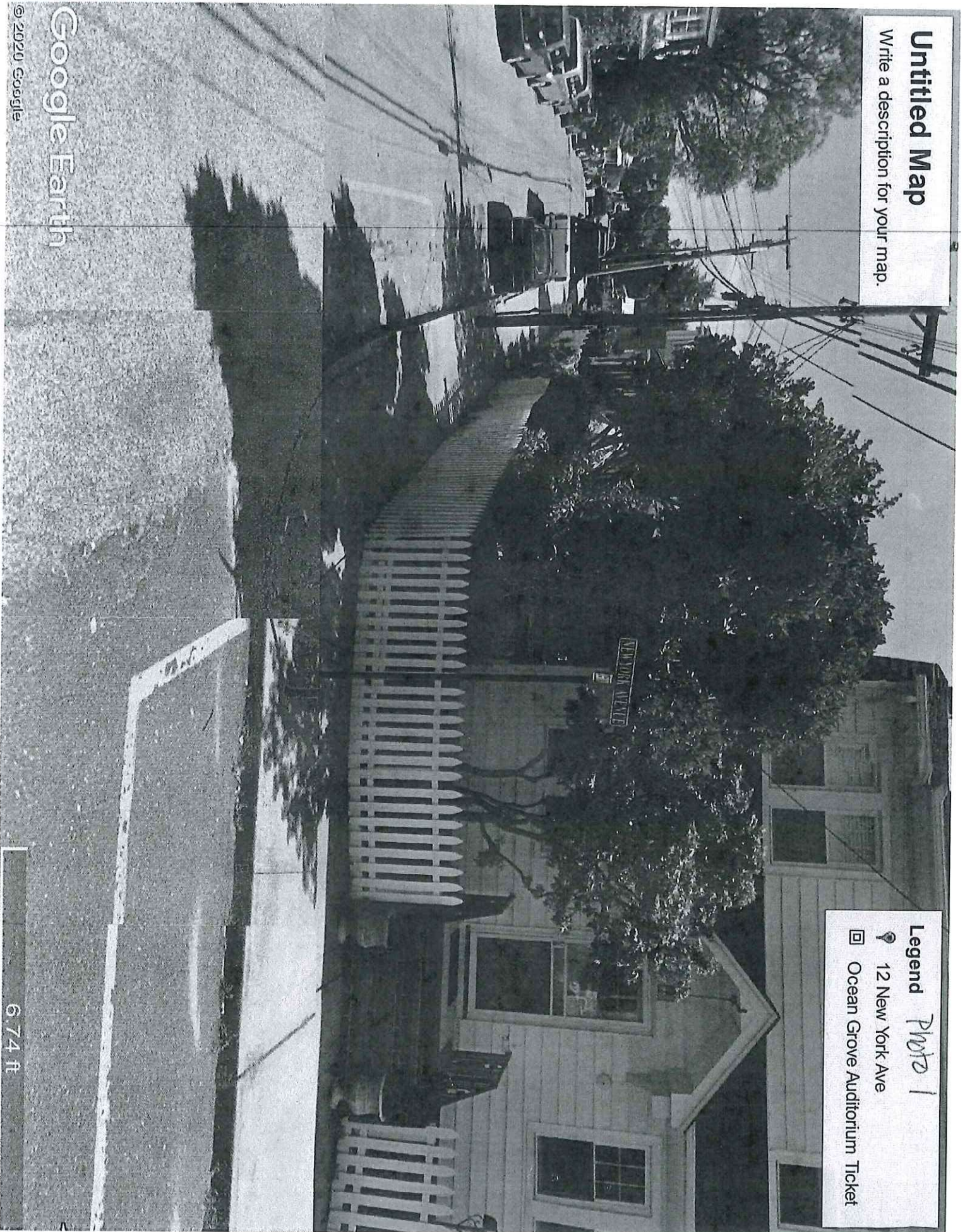
Kristie Dickert, Administrative Officer of the
Zoning Board of Adjustment
Township of Neptune

Untitled Map

Write a description for your map.

Legend Photo 1

-  12 New York Ave
-  Ocean Grove Auditorium Ticket



Google Earth



© 2020 Google

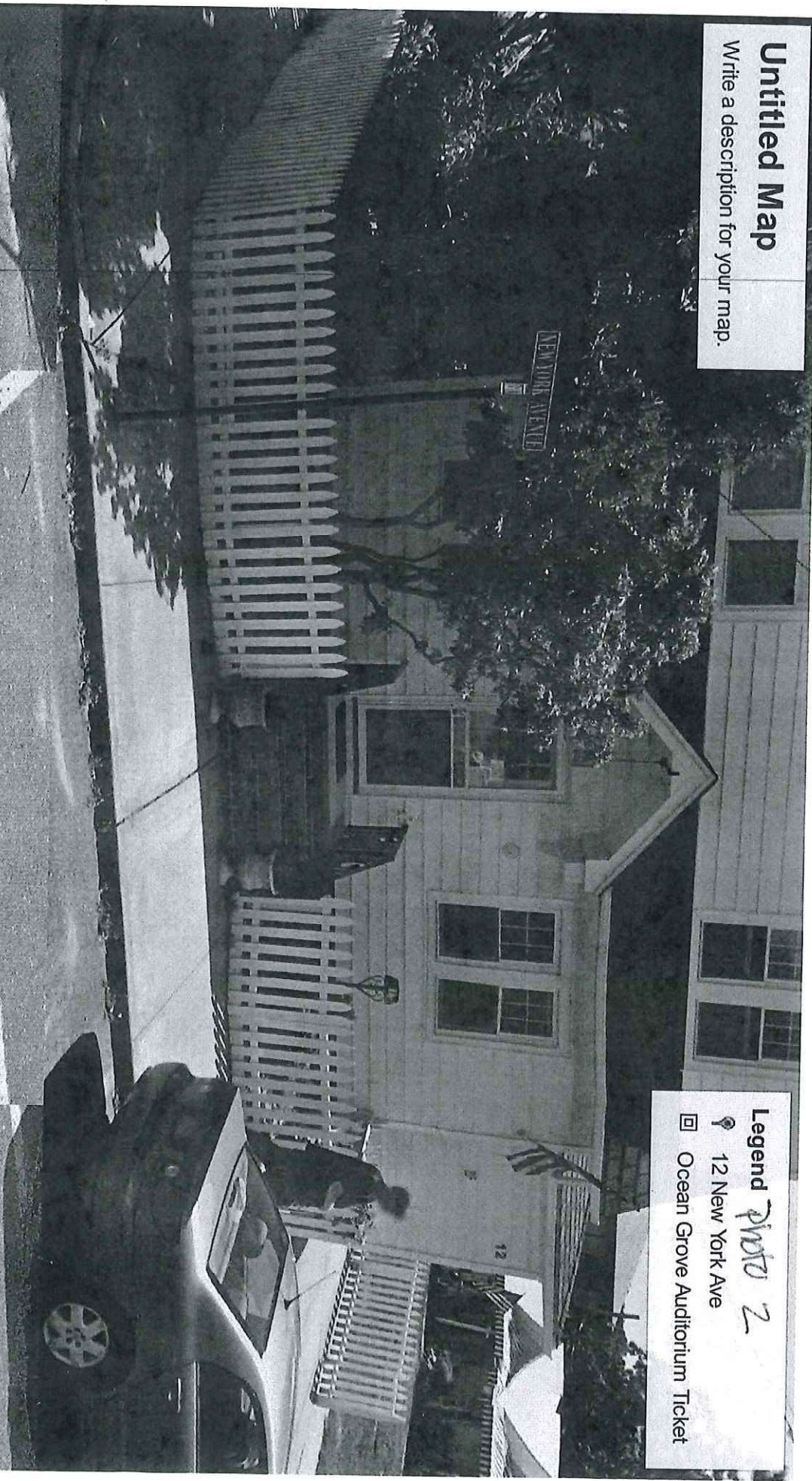
6.74 ft

Untitled Map

Write a description for your map.

Legend *photo 2*

-  12 New York Ave
-  Ocean Grove Auditorium Ticket



Google Earth

© 2020 Google

6.07 ft

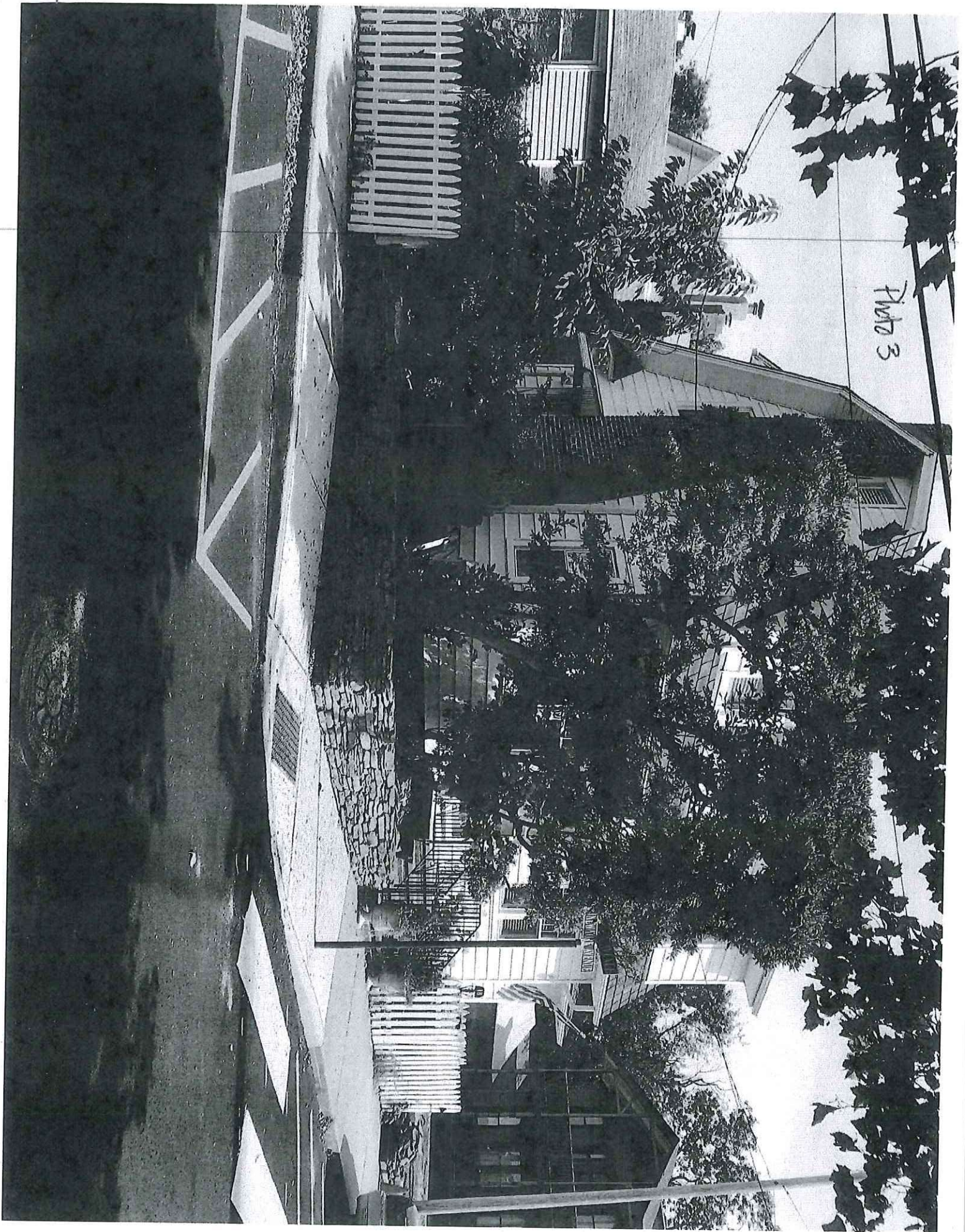


Photo 3

Photo 4

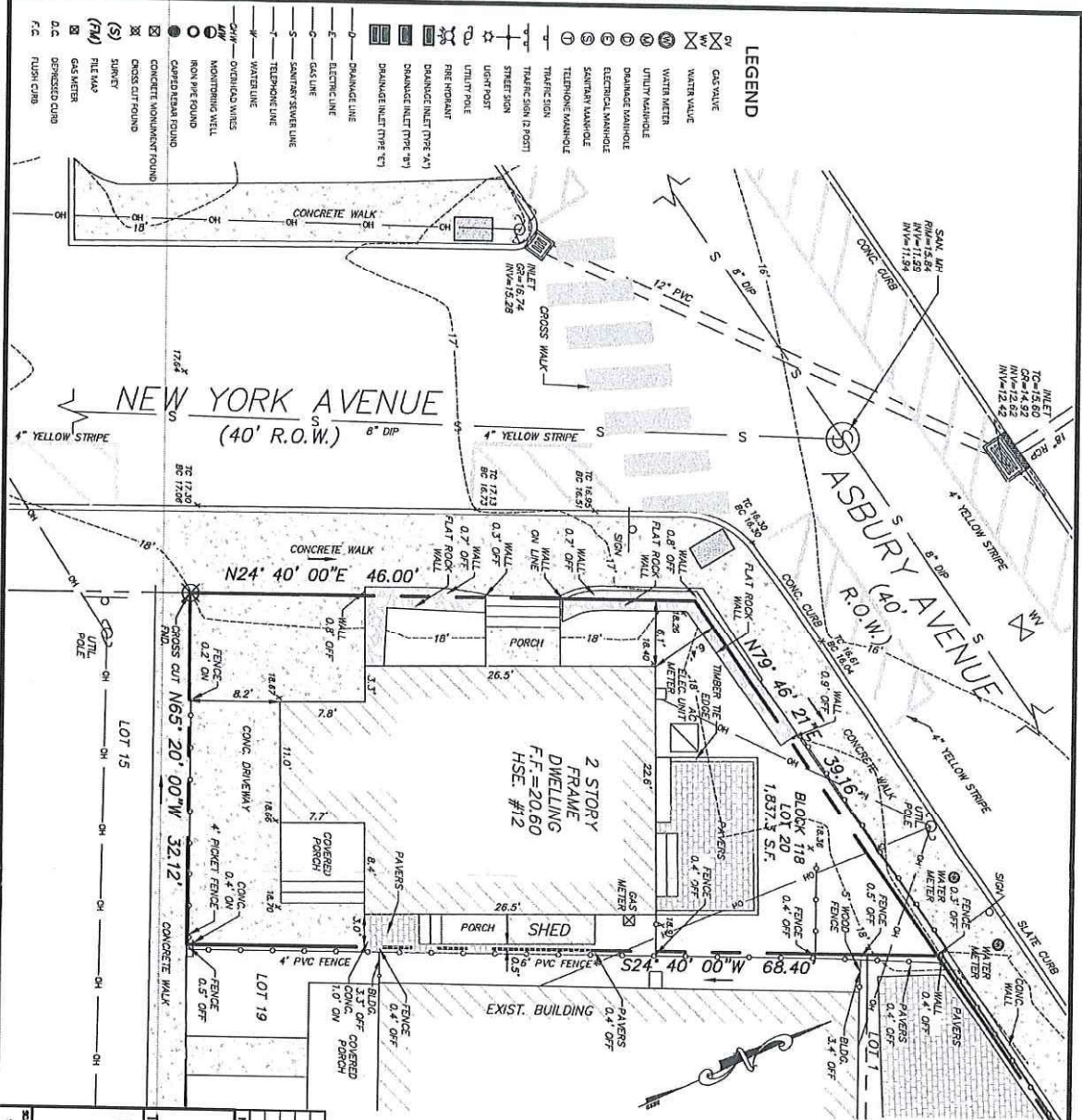


Photos

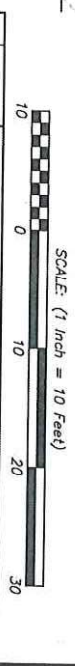


Photo 6



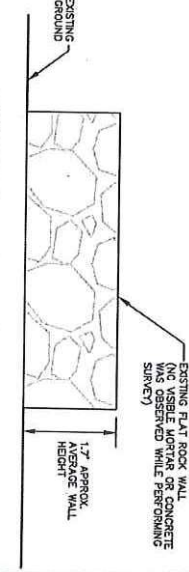


SCALE		DATE		SHEET NO.	
1" = 10'	3/8"	1/16/19	1/16/19	1887	1 OF 1
WH ENGINEERING 287 MONMOUTH ROAD BLACK A, SUITE 7 OCEAN GROVE, NJ 08562 WWW.WHENENGINEERING.COM					
PETER P. BENNETT III PROFESSIONAL LAND SURVEYOR, L.C. NO. 40851 <i>John P. Bennett III</i>					
BOUNDARY & TOPOGRAPHIC SURVEY OF LOT 20, BLOCK 118 TOWNSHIP OF NEPTUNE MONMOUTH COUNTY NEW JERSEY THIS SURVEY IS CERTIFIED TO: NATIA DE FARIA					



IMPERVIOUS COVERAGE = 1,413.67 S.F.

EXISTING FLAT ROCK WALL DETAIL



NOTES:

1. CERTIFY THAT THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS THE ACCURATE REPRESENTATION OF THE SURVEYED AREA AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

2. THE SURVEY WAS CONDUCTED ON THE DATE SHOWN ON THIS MAP AND THE SURVEYOR'S NAME AND FIRM ARE SHOWN ON THIS MAP.

3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

4. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

6. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

7. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

8. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS GOVERNING THE PRACTICE OF LAND SURVEYING IN THE STATE OF NEW JERSEY.

Photo 1
12 NY AVE OG





PHOTO 2



PHOTO 4

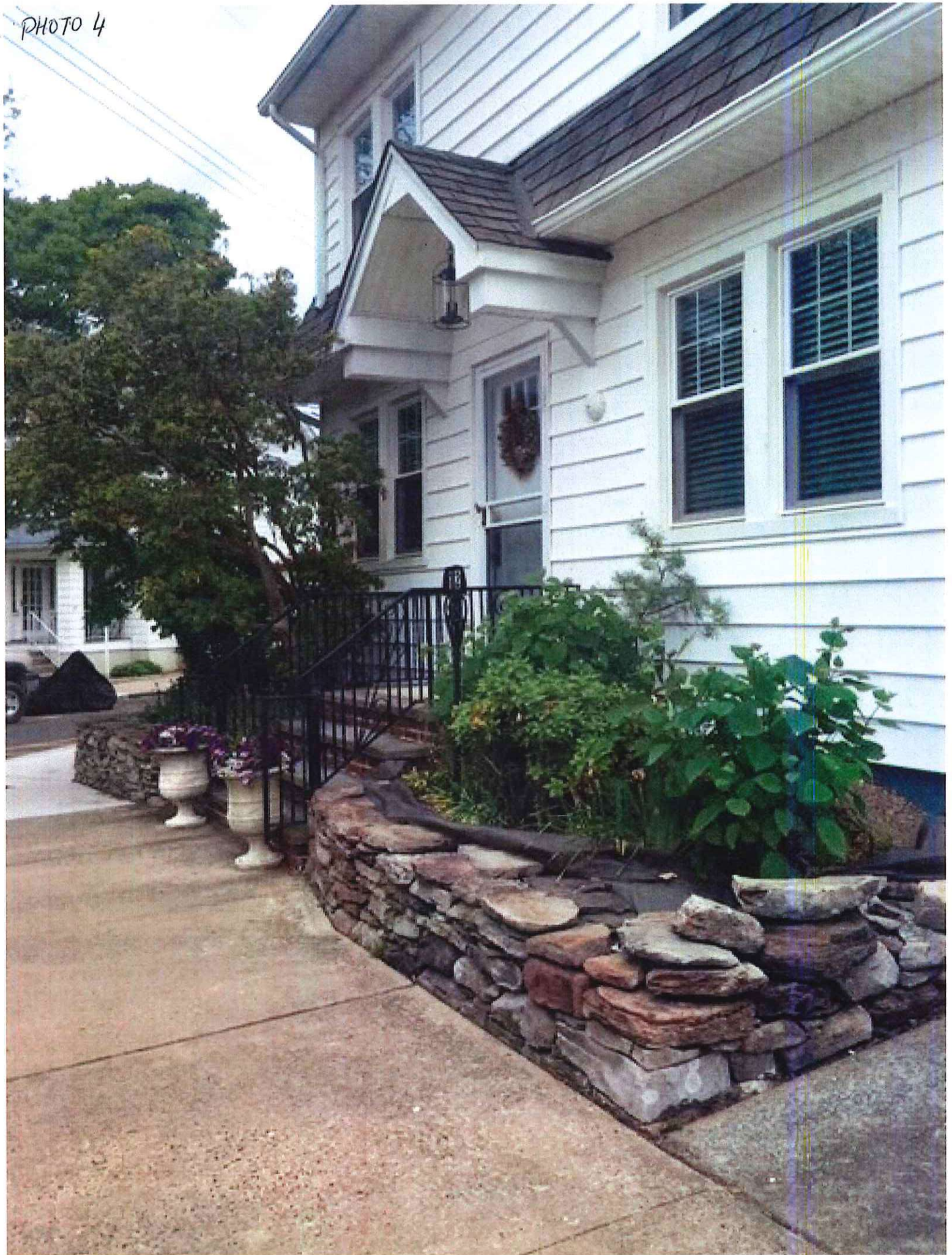


PHOTO 5

DeFaria, Natia

From: [REDACTED]
Sent: Wednesday, October 02, 2019 2:11 PM
To: DeFaria, Natia
Subject: 12 NY



Sent from my iPhone



PHOTO 6



PHOTO 7