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Linda Henderson, Alternate No. 2

**Historic Preservation Commission**

25 Neptune Blvd, Neptune, New Jersey 07753  
732-988-5200 ext. 204 Fax 732-988-4259

**Certificate of Appropriateness**

07/15/2020

JAMES SWEENEY  
112 EMBURY AVENUE  
OCEAN GROVE NJ 07756

**RE: HISTORIC PRESERVATION COMMISSION APPLICATION HPC2020-055**  
**Block 223 Lot 2 also known as 112 EMBURY AVE**

Dear Applicant:

Enclosed herewith, please find HPC Resolution No. 2020-029 relative to the application submitted to perform certain exterior work on or around the subject property.

An approval of Historic Preservation Commission shall be valid for a period of two (2) years from the date of approval unless reasonable extensions are granted by Historic Preservation Commission. Any deviation from the approved plan will render this Certificate of Appropriateness null and void. All changes must be approved by the Commission which may require the applicant to submit a new application clearly documenting the changes.

A denial of a Certificate of Appropriateness shall be deemed to preclude the applicant from undertaking the activity applied for. Any decision by the Historic Preservation Commission to deny a Certificate of Appropriateness or a demolition permit may be appealed to the Zoning Board of Adjustment in the manner set forth in Section 706 (Appeals and applications to the ZBOA) of the Zoning Ordinance. The applicant shall also be required to provide the Historic Preservation Commission with written notice of such an appeal simultaneously with the filing of the appeal to the Zoning Board of Adjustment.

This Historic Preservation Commission wishes to thank you for your cooperation in maintaining the integrity and character of Ocean Grove, a registered national Historic District. Should you have any questions or concerns please feel free to contact this office at (732) 988-5200, extension 204.

Cordially,

Dawn Crozier  
HPC Administrative Officer

cc:



**RESOLUTION 2020-029**  
**TOWNSHIP OF NEPTUNE**  
**HISTORIC PRESERVATION COMMISSION**  
**RESOLUTION OF MEMORIALIZATION**  
**MONMOUTH COUNTY, NEW JERSEY**  
**DENIAL OF ACCESSORY SHED STRUCTURE**

**Denial: June 23, 2020**  
**Memorialized: July 14, 2020**

**IN THE MATTER OF: JAMES J. SWEENEY(112 EMBURY AVENUE)**  
**APPLICATION NO.: HPC2020-055**

**WHEREAS**, James J. Sweeney (the "Applicant") has applied to the Township of Neptune Historic Preservation Commission (the "Commission") seeking to install an accessory shed structure in the rear yard of his property pursuant to Sections 900-914 of the Township of Neptune Land Development Ordinance for lands known and designated as Block 223, Lot 2, on the official Tax Map of the Township of Neptune, and more commonly known as 112 Embury Avenue, Ocean Grove, New Jersey 07756 (the "Property"); and

**WHEREAS**, a complete application has been filed, the fees as required by Township Ordinance have been paid, proof of service and publication of notice is required by law has been furnished and determined to be in proper order, and it otherwise appears that the jurisdiction and powers of the Commission have been properly invoked and exercised; and

**WHEREAS**, public hearings were held remotely via Zoom on May 12, 2020 and June 23, 2020, at which time testimony and the exhibits referenced below were presented on behalf of the Applicant and all interested parties having had an opportunity to be heard; and

**WHEREAS**, the following Exhibits were marked into evidence:

- A-1 Application Package
- A-2 Additional Information for 112 Embury Avenue dated May 27, 2020

**NOW THEREFORE, BE IT RESOLVED** the Commission makes the following findings of fact based on evidence presented at its public hearing at which a record was made:

1. **The Applicant is seeking approval to install a prefabricated Home Depot storage shed in the rear of the existing residential building on the Property.**

2. The subject Property is located within the HDR-1 Historic District Residential Zone and is improved with a single-family dwelling constructed in 1889 and is considered a "Key Structure" by date as defined in the Historic District's Design Guidelines for Residential Structures ("Design Guidelines").

3. The Applicant appeared and testified in support of his Application. It was the Applicant's intention to install a prefabricated Home Depot 8 ft. square storage shed that was 7 ft. tall. Given the delay in scheduling the public hearing, the shed was already installed and came painted with "Dover Gray" siding and a charcoal roof. The Applicant offered to repaint the siding and make any other exterior modifications required to bring the shed into compliance with the HPC Design Guidelines. Mr. Sweeney presented the results of his own survey of fifteen (15) other existing sheds in Ocean Grove, although he was unable to identify those sheds which had obtained prior HPC approval. Mr. Sweeney acknowledged to not having been aware of the HPC review requirement at the time he ordered installation of the shed, and had anticipated receiving a decision before the installation had commenced.

4. The Commission expressed concern about the size, location and design of the storage shed, which remained visible from the street, contrary to the requirements of the Section IV.T of the Design Guidelines. Section I.D#7e requires of the Design Guidelines requires the HPC to consider the mass, proportions, architectural style, rhythms and relationship to the size and scale of the proposed structure's

surroundings. Notwithstanding the Applicant's offer to decorate the shed to render it more conforming, the Commission determined that that the installed shed is grossly oversized and remained visible from the street, in contravention of the Design Guidelines. The Applicant confirmed that he could not relocate the shed further behind his home, as that would impede access to the existing Bilco-style door.

5. There were no members of the public who expressed an interest in the application.

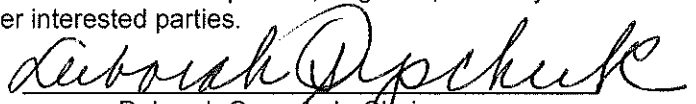
**NOW, THEREFORE, THE COMMISSION** makes the following conclusions of law based upon the foregoing findings of fact:

1. The Applicant seeking approval to install a prefabricated Home Depot storage shed in the rear of the existing residential building on the Property.

2. The Commission concludes the installation of the 64 sq. foot shed at the location proposed, being visible from the street, is inconsistent with §IV.T of the Design Guidelines and the Ordinance. A Certificate of Appropriateness is therefore denied.

**NOW, THEREFORE, BE IT RESOLVED**, by the Historic Preservation Commission of the Township of Neptune on this 14<sup>th</sup> day of July, 2020 that the action of the Commission taken on June 23, 2020 denying a Certificate of Appropriateness for Application No. HPC2020-055 for the installation of an accessory shed structure to the rear of the existing residential home located at Block 223, Lot 2, on the official Tax Map of the Township of Neptune, and more commonly known as 112 Embury Avenue, Ocean Grove, New Jersey pursuant to Section 900-914 of the Township of Neptune Land Development Ordinance, is hereby memorialized.

**BE IT FURTHER RESOLVED** that the Commission Secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Township Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.

  
Deborah Osepchuk, Chairwoman  
Township of Neptune Historic  
Preservation Commission

ON MOTION OF: Mr. Rudell

SECONDED BY: Mrs. Heinlein

ROLL CALL:

YES: Mrs. Heinlein, Mr. MacMorris, Mrs. Osepchuk, Mr. Rudell, Ms. Shaffer, Mr. Steen, and Mr. Wierzbinsky


NO: None

ABSTAINED: None

ABSENT: None

DATED: July 21, 2020

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Township of Neptune Historic Preservation Commission, Monmouth County, New Jersey at a public meeting held on July 14, 2020.

  
Kristie Dickert, Secretary  
Township of Neptune Historic  
Preservation Commission