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RUMSON ZONING BOARD
APRIL 27, 2023
MINUTES

The regularly scheduled virtual meeting was called to order at 7:30 pm with a salute to the flag, followed by a roll call of Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mrs. Mayo, Mr. Ward, Chairman Torcivia
Absent: None

Also present, Bernard Reilly, Esq., David Marks, Zoning Officer, Thomas Rogers, Board Secretary

The notice requirements of the Open Public Meetings Act were stated as being met.

Mr. Rogers and Mr. Marks were sworn in.

Chairman Torcivia made a Motion to approve the March 23, 2023 Meeting Minutes as submitted; Seconded by Mr. Hofferber. By voice vote the March 23, 2023 Minutes were approved with Mr. Calder and Mrs. Mayo abstaining from the vote.

Mr. Reilly submitted a Resolution for the application of the Rumson Country Day School for property located at 35 Bellevue Avenue, Block 90, Lot 1.01 for the Board's consideration.

After review Mr. Ehrenberg made a Motion to approve the Resolution as submitted; Seconded by Mr. Carey.
Roll call vote:

Ayes: Mr. Hofferber, Mr. Carey, Mr. Ehrenberg, Mr. Hawley

Nays: None

Abstain: Mr. Calder, Mrs. Mayo

Recused: Chairman Torcivia, Mr. Izzo

Mr. Rogers announced that the application of **The French Market 2, Inc.** for property located at **114 E.**

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River Road, Block 52, Lot 14 has requested the application be **carried** to the **May 25, 2023** Zoning Board Meeting at 7:30 pm without notice required based on a letter received from Mr. VonArx earlier this month and placed on the Borough website for public view.

Mr. Rogers announced that Rick Brodsky, Esquire attorney for the applicant, **XL Holdings, LLC (Val's Tavern)** property located at 123 E. River Road, Block 59, Lot 9 is requested the application be **carried** to the **June 22, 2023** Zoning Board Meeting at 7:30 p.m. without notice required.

Both requests were granted without further notice.

Mr. Rogers announced the continued application of **David and Laura DiPietro** for property located at **124 Bingham Avenue, Block 18, Lot 68** be presented for the Board's consideration.

Mr. Calder and Mrs. Mayo certified they reviewed the last meeting and are eligible to vote on the application.

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant submitted revised plans removing the originally proposed cabana and replacing it with an open-air pergola which will eliminate the side and rear setback variances. The only variance being requested is for lot coverage.

Mr. Brodsky recalled Caroline Grieco, the project architect. Ms. Grieco was sworn in at the previous meeting and remains under oath.

Ms. Grieco testified the pool equipment will be relocated and screened to comply with the Borough's ordinance. Ms. Grieco described the revisions made to the plans.

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Chairman Torcivia open the application for public questions and/or comments. Ann Gaus residing at 80 Ridge Road inquired about the landscape screening. Mr. Brodsky advised that the applicant is willing to submit landscaping plans for review and approval prior to Resolution approval. There being no further public questions/comments, the public portion was closed.

After discussion, Chairman Torcivia asked the pleasure of the Board. Mr. Hawley made a Motion to approve the amended application subject to review and approval of landscaping plans; Seconded by Mrs. Mayo.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr. Calder,
Mr. Ehrenberg, Mr. Hawley, Mrs. Mayo, Chairman
Torcivia

Nays: None

Mr. Rogers announced the application of **David Goldsmith** for property located at **10 Avenue of Two Rivers South, Block 127, Lot 5.01** be presented for the Board's consideration.

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant addressed the Board. The applicant is seeking side yard setback variance relief for the installation of a sports court.

Mr. Brodsky introduced Peter Goodhue, a New Jersey licensed architect. Mr. Goodhue was sworn in and the Board accepted his credentials. Mr. Goodhue described the proposed approximately 90 square foot sports court located in the side yard.

Mr. Brodsky introduced David Goldsmith, the property owner. Mr. Goldsmith was sworn in and stated the

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proposed sports court is for recreational purposes for his children and friends.

Chairman Torcivia opened the application for public questions and/or comments. Michael Salerno residing at 18 Avenue of Two Rivers South was sworn in. Mr. Salerno spoke in support of the application. David Druckman residing at 12 Avenue of Two Rivers South was sworn in. Mr. Druckman spoke in favor of the application.

There being no further public questions and/or comments the public portion was closed.

Chairman Torcivia asked the pleasure of the Board. Mr. Ehrenberg made a Motion to approve the application as presented; Seconded by Mr. Hofferber.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr. Calder,
Mr. Ehrenberg, Mr. Hawley, Mrs. Mayo, Chairman
Torcivia

Nays: None

Mr. Rogers announced that the application of **Anne Lentz** for property located at **9 Oak Lane, Block 24.03, Lot 27** be presented for the Board's consideration.

Anne and Andy Lentz, the property owners, were sworn in. Mr. and Mrs. Lentz explained the application is to construct a sunroom/office with a basement at the subject premises. These improvements require variance relief for an increase in floor area and floor area ratio. Variance relief was obtained in November of 2021, however no permits were filed and the time to act has elapsed.

Mr. Lentz explained the rationale for the delay in completing the proposal. The proposal has not changed. They agree to all the conditions in the 2021

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approval, and they request the Board grant the variance relief being sought.

Chairman Torcivia opened the application for public questions and/or comments. There being none, the public portion was closed.

Chairman Torcivia asked the pleasure of the Board. Mr. Hawley made a motion to approve the application with the same conditions as listed in the prior Resolution; Seconded by Mr. Izzo.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr. Calder,
Mr. Ehrenberg, Mr. Hawley, Mrs. Mayo, Chairman
Torcivia

Nays: None

There being no further business before the Board, Motion was made by Mr. Hofferber and seconded by Mr. Izzo to adjourn at approximately 8:20 p.m. All in Favor.

The next scheduled meeting will be May 25, **2023** at 7:30 p.m.

Respectfully submitted,
Michele MacPherson