Approved: <u>September 14, 2026</u>

RUMSON
PLANNING BOARD
Meeting Minutes
August 3, 2026
MINUTES

The regularly scheduled meeting was called to order at 7:30 p.m. with a salute to the flag, followed by a roll call.

Present: Mrs. Baret, Mrs. Carras, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery
Mr. Shissias, Mr. Torres, Mr. Goodes, Chairman Brodsky
Absent: Mr. McManus

Also present: Michael B. Steib, Esq., David Marks, Borough Engineer, and Marie DeSoucey, Secretary.

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

David Marks and Marie DeSoucey were sworn in.

<u>Announcements:</u>

Chairman Brodsky announced that Richard Torres is stepping down from the Planning Board. The Chairman and Board Members thanked him for his dedication to the Borough and the Planning Board.

<u>Administrative:</u>

Mr. Goodes made a motion to approve the May 4, 2026 Planning Board Minutes as submitted. The motion was seconded by Mr. Ciambrone.
Roll call vote:
Ayes: Mrs. Baret, Mrs. Carras, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Mr. Goodes, Chairman Brodsky
Nays: None

<u>Resolutions</u>

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing TagCap Atlantic 50 Rumson, LLC addressed the Board. Mr. Brodsky advised that the applicant is seeking an extension from the 190-day period to perfect the Deed. Mr. Brodsky stated that the plans remain as approved by the Board, with County approval.

Mrs. Ford made a motion to grant a one-year extension for the application of TagCap Atlantic 50 Rumson Road, LLC for property located at 50 Rumson Road, Block 103, Lot 1 in the R-2 Zone. The motion was seconded by Mr. Torres.
Roll call vote:
Ayes: Mrs. Baret, Mrs. Carras, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Mr. Goodes, Chairman Brodsky
Nays: None

Old Business

None.

New Business

The application of **Hemphill** for property located at **68 Bingham Avenue / 63 Washington Street**, **Block 35, Lots 4 and 5 in the R-5 Zone** was presented for the Board's consideration. Mr. Steib stated that service has been reviewed and deemed in order. The Board has jurisdiction to hear the application.

Pamela Vallas, residing at 64 Bingham Avenue, requested the application be postponed and carried to another meeting. Ms. Vallas stated that she had not had enough notice and time to review the subdivision.

Mr. Steib advised that notice was properly provided and advised the plans were available for review. Ms. DeSoucey advised that the information was posted on the Borough website on Wednesday, which is for public convenience and was not required. The application was available for review at the Borough offices. Mr. Marks reiterated that all the information was on file at the Borough offices as indicated in the notice.

Mr. Steib stated that the applicant complied with all the requirements of the statute. It is within the Board's discretion to allow the public additional time. Chairman Brodsky suggested that the Board proceed with the presentation and withhold any formal action to allow additional time for public review. Leslie Warren, residing at 59 Washington Street, questioned the realtor listing suggesting that this was a "done deal" and reiterated concern about having enough time to review the proposal.

Mr. Steib explained the notice and publication process and requirements.
Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant stated that the notice required by the statute was provided, and that newspaper affidavits had been received. Mr. Brodsky addressed the real estate listing, which stated that the subdivision was pending. Ms. Vallas inquired when the application information was made available on the Borough website. Mr. Marks supplied that it was posted on Tuesday, July 28th at 11:30 a.m. as a courtesy to the public and was not a statutory requirement. Ms. Vallas appreciated the Board's postponement of formal action but stated that she would rather have the hearing be postponed to allow her more time for review and perhaps to consult professionals.

Mr. Steib advised the Board that there are cases where boards have not granted interested parties an opportunity to participate, and the Courts have said they should have been allowed that opportunity. The Board has not made any commitment to the applicant. There will be no inconvenience to the applicant. If the application is successful, there will be a draft Resolution prepared.

Chairman Brodsky stated that the Board wishes to proceed with the application and postpone any formal resolution until the September 14, 2026 meeting.

Mr. Torres recused himself from the meeting.

The Board is in receipt of the following exhibits: A-1 Application dated 07/07/2026; A-2 Denial Memorandum dated 07/16/2026; A-3 Application for Minor Subdivision and variances undated; A-4 Minor Subdivision Plan prepared by David Cranmer revised 07/16/2026.

Mr. Brodsky stated the application seeks minor subdivision and lot line adjustment approval to create two conforming lots from the two existing lots. There is no new construction proposed. The existing homes and structures on each lot will remain. Existing nonconformities on the smaller of the two lots will be resolved should the lot line adjustment be approved.

Mr. Brodsky introduced David Cranmer, a New Jersey licensed engineer and planner. Mr. Cranmer was sworn in, and the Board accepted his credentials.

Mr. Cranmer familiarized the Board with the existing conditions at the subject properties. 63 Washington Street (Lot 4) is the smaller of the two lots, with a width of 50 feet, a depth of 87.1 feet, and a lot area of approximately 4,350 square feet. 68 Bingham Avenue (Lot 5) has a width of 100 feet on Washington Street and 150 feet on Bingham Avenue. It has an area of approximately 21,849 square feet. It is an L-shaped lot that surrounds Lot 4.

The proposal is to essentially convey land from Lot 5 to Lot 4 to create two parcels. Lot 5 will be 100 feet by 175 feet. Lot 4.01 is proposed to be 50 feet (minimum width in the R-5 Zone) by roughly 175 feet in depth. Both properties have frontage on Bingham Avenue and on Washington Street.

The proposal is to convey 4,364 square feet from Lot 5 to Lot 4 to become Lots 4.01 and 5.01. Lot 4 has several nonconformities that would be remedied should the Board look favorably on the proposal. The lot presently has 4,359 square feet and is proposed to be 8,724 square feet, with 6,000 square feet as the minimum requirement for the Zone. The accessory building rear yard setback is proposed to be 89.75 feet, and five feet is the minimum required. The lot shape diameter is required to be 34 feet. The existing lot shape diameter is 17 feet. By adjusting the lot line that dimension will improve to 32 feet. The width, depth and area will comply. The floor area ratio is currently is 0.427 and proposed to be 0.213, which is a substantial improvement. The other nonconformities associated with this lot will be unchanged.

The variances created by the subdivision on Lot 5 are for the side yard setback from the existing structure, which is 9.02 feet where 11 feet is required, and the setback for the existing generator, which is proposed at 4.1 feet where five feet is required. The other existing nonconformities for this lot will remain unchanged.

There is no substantial detriment to the public good, the zone plan or the zoning ordinance.

Board Members expressed concern with the future development of Lot 4 and the uniqueness of this immediate area of the Borough. Ms. DeSoucey supplied the Board with the allowable maximums and required setbacks in the zone.

Mr. Brodsky reiterated that this application does not propose any changes to the existing configuration or structures. Mr. Brodsky introduced Robin Hemphill, the applicant. Mrs. Hemphill was sworn in.

Mrs. Hemphill stated that the cement driveway is oversized, that she owns all the property, and that the driveway can be adjusted and repaired by a potential new owner.

Chairman Brodsky opened the application for public questions and/or comments. Leslie Warren, residing at 59 Washington Street, was sworn in. Mrs. Warren inquired about potential development and changes to the nature of the streetscape. Mr. Brodsky asked for clarification of Mrs. Warren's concerns. Mrs. Warren stated that she was concerned with curing deficiencies on a property that has been that way for the past hundred years and is not hurting anyone. New development on the property could permanently change the look and character of the block.

Board Members questioned the setbacks for fencing. Mr. Marks reviewed the ordinance requirements for fencing and accessory structures in the front and side yards.

Mrs. Warren questioned the justification for curing some nonconformities while others remains as they are. She was advised that the existing conditions on both properties predate the current zoning and are "grandfathered."

Pamela Vallas, residing at 64 Bingham Avenue, was sworn in. Mrs. Vallas asked if there are other backyards that face Bingham and was told no. Mrs. Vallas commented on potential future development on the properties and stormwater management problems impacting her property. Mrs. Vallas expressed concern with the enforcement of ordinance requirements. Mr. Marks advised that Code Enforcement would look at the current conditions and supplied that there are no restrictions on hedge heights unless they are on a corner; then, there needs to be a proper sight triangle. Mrs. Vallas inquired about assurances regarding the impacts of new construction on surrounding properties. Mr. Cranmer stated that there are no changes to the current conditions with this subdivision. There are regulations that must be adhered to with new construction and are enforced by the Zoning Officer and Construction Officials. Mrs. Vallas reiterated her request to have the application postponed and stated that she would rather the subdivision not be approved and the properties remain as they are.

Kostis Natsis, residing at 10 Broadmoor Drive, was sworn in. Mr. Natsis spoke in favor of the application. There being no further public questions and/or comments, the public portion was closed.

Board Members asked for clarification on the calculation of the Floor Area Ratio. Ms. DeSoucey and Mr. Steib explained the Floor Area Ratio calculations and what the entail. Board Members expressed their concerns with the subdivision and potential conditions and restrictions that could be placed on any new development of the property.

Chairman Brodsky stated the objective of getting two conforming lots is a positive for zoning.

The application will be carried to the September 14, 2026 Planning Board meeting at 7:30 pm without further notice being required.

Discussion
None

Executive Session
None

There being no further business before the Board, the meeting was adjourned at approximately 9:40 p.m.

The next scheduled Planning Board Meeting will be held on September 14, 2026 at 7:30 pm.

Respectfully submitted,
Michele MacPherson
State Shorthand Reporting Service, Inc.