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RUMSON ZONING BOARD
FEBRUARY 23, 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. Calder, Ms. Mayo, Mr. Ehrenberg, Mr. Hawley, Chairman Torcivia
Absent: Mr. Izzo, Mr. Carey

Also present, Bernard Reilly, Esq., David Marks, Zoning Officer, Thomas Rogers, Secretary, Thomas Neff representing T&M Associates

Mr. Marks and Mr. Rogers were placed under Oath for the proceedings.

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

The review and approval of the 01-26-2023 Meeting Minutes was tabled.

The application for **French Market 2, Inc.**, located at **114 E. River Road, Block 52, Lot 14, GB Zone** was presented for the Board's consideration. The Notice has been reviewed and the Board has jurisdiction to hear the matter.

Brooks Von Arx, Esquire representing the applicant addressed the Board Mr. Von Arx introduced Elizabeth Waterbury, a New Jersey licensed Engineer. Ms. Waterbury was sworn in and the Board accepted her credentials.

Ms. Waterbury described the existing conditions at the subject premises. Ms. Waterbury testified that the applicant is seeking D variance relief for the use of a café/restaurant, Minor Site Plan approval and multiple bulk variances for the pre-existing primary and accessory structures, which do not have prior approvals. The applicant is seeking approvals for the continuation of the use of retail sales for goods for consumption on and off premises and to continue the use of outdoor tables and chairs.

Ms. Waterbury explained the applicant is willing to reduce the size of the shed on site to help alleviate the building coverage on the property. The parking spaces as proposed are adequate for the proposed use. Refuse pick up and deliveries will be handled during off hours. The ADA parking and access will be enhanced.

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The proposed planters will aid in providing safety for the outdoor seating and will not impact the sight triangle.

Ms. Waterbury described the proposed stormwater management system and will comply with the engineer's recommendations.

Chairman Torcivia opened the testimony for public questions. Lynn Ellen Goldstone, 108 East River Road, asked about the handicap parking space affecting the already challenged parking in this area.

There being no further public questions, the public question portion was closed.

Mr. Von Arx introduced Carli Windsor, residing at 114 East River Road. Ms. Windsor was sworn in and gave history of the business, the existing conditions and explained the day-to-day operations and number of employees. The hours of operation are Mondays through Saturday 7:00 AM to 5:30 PM and Sunday hours are 8:00 AM to 2:00 PM.

Ms. Windsor described the interior floor plans of the existing building. There have been private events held at the premises on occasion on a BYOB basis. No alcohol is provided by the French Market 2. Ms. Windsor is requesting permission to hold a maximum of three private events per year with a maximum of 25 attendees as a condition of any approval granted by the Board.

Board Members questioned the origin of the sheds located on the property. Ms. Windsor explained the circumstances and the use of the sheds. Mr. Von Arx stated that one shed is to be removed and one will be reduced in size for building coverage requirements.

Mr. Reilly announced that the application will be carried to the March 23, 2023 Zoning Board meeting at 7:30 p.m. without further notice required.

A brief recess takes place.

The application of **Rumson Country Day School** located at **35 Bellevue Avenue, Block 90, Lot 1.01** was presented for the Board's consideration.

Mr. Reilly advised the notices are in order and the Board has jurisdiction to hear the application.

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Chairman Torcivia recuses himself from hearing the application. Vice-Chairman Hofferber steps in as Chairman for the application.

The application is seeking to amend Preliminary and Final Site Plan approval for ground-level signage at the corner of Bellevue and Ridge and aesthetic lighting at the premises.

Michael Bruno, Esquire representing the applicant addressed the Board.

Alexis Gasiorowski, Esquire representing an objector placed her appearance on the record.

Mr. Bruno introduced Carson Smith, Head of the Rumson Country Day School. Mr. Smith was sworn in.

Mr. Smith testified that the primary objective is to maintain a beautiful campus and to enhance the appearance.

Mr. Bruno, introduce Michael Mannino, Director of Facilities at the Rumson Country Day School. Mr. Mannino was sworn in. Mr. Mannino explained the aesthetic improvements as low-voltage landscape lighting to accentuate the dramatic architecture of the school and assist in the ingress and egress on campus and will be turned off at approximately 10:30 pm. The existing sign is not in keeping with the campus aesthetics.

Mr. Bruno introduced Matthew Malyar. Mr. Malyar was sworn in and the Board accepted his credentials.

Mr. Malyar described the design and location of the proposed sign. There will be no external glare and will enhance the presence and beauty of the campus.

The proposed landscape lighting will not spill onto any neighboring property. All the existing lighting will remain as previously approved.

Mr. Bruno introduced James Kennedy, a New Jersey licensed engineer and planner. Mr. Kennedy was sworn in and the Board accepted his credentials.

Mr. Kennedy explained the vertical spillage of light required under the ordinance. Mr. Kennedy testified that the applicant is seeking a variance for the size and height of the proposed

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ground level sign. Mr. Kennedy described the surrounding properties.

Mr. Kennedy described the existing conditions at the site and testified that the proposed sign will not impact sight triangle and meets the height requirements of the Borough's ordinance. The proposed sign is 65.1 square foot according to the ordinance. The proposed sign promotes a visually desirable environment and provides for the safe flow of traffic. The benefits of granting the requested variance outweigh any detriments.

Mr. Reilly suggested that the application will be carried to the next available meeting.

Mr. Calder made a Motion to carry the application to the March 23, 2023 Zoning Board Meeting at 7:30 pm without notice being required; Seconded by Mr. Ehrenberg.

Roll call vote:

Ayes: Chairman Hofferber, Mr. Calder, Ms. Mayo, Mr. Ehrenberg,
Mr. Hawley

Nays: None

Recused: Chairman Torcivia

There being no further business before the Board, Motion was made and seconded to adjourn at approximately 10:10 p.m.

The next scheduled meeting will be **March 23, 2023** at 7:30 p.m.

Respectfully submitted,

Michele MacPherson