

RUMSON ZONING BOARD

NOVEMBER 30, 2023

MINUTES

The regularly scheduled meeting was called to order at 7:30 pm with a salute to the flag, followed by a roll call of Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Ms. Mayo, and Chairman Torcivia.

Absent: Mr. Hofferber, Mr. Carey, Mr. Ward

Also present, Bernard Reilly, Esq., David Marks, Borough Engineer, and Thomas Rogers, Secretary.

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

Mr. Rogers and Mr. Marks were placed under Oath.

Mr. Hawley made a Motion to approve the **October 26, 2023 Meeting Minutes** as submitted; Seconded by Mr. Ehrenberg.

Roll call vote:

Ayes: Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Ms. Mayo

Nays: None

Abstain: Chairman Torcivia

Mr. Reilly submitted a **Resolution** approving the application of Moira and Marco Bongarzone for property located at 30 Center Street, Block 61, Lot 10, R-5 Zone. Mr. Ehrenberg made a motion to approve the Resolution as submitted; Seconded by Mrs. Mayo.

Roll call vote:

Ayes: Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Ms. Mayo

Nays: None

Abstain: Chairman Torcivia

The **continued application** of Wesley and Ann Gaus for property located at 80 Ridge Road was presented for the Board's consideration.

Wesley Gaus, the property owner, was previously sworn and remains under Oath. Mr. Gaus explained at the last meeting the Board had requested a reduction to the Phase-2 addition to eliminate the side yard setback variance. A landscape plan was also requested for review and approval by the Board and the Board's professionals. Mr. Gaus explained the revisions made to the proposal and stated the variance relief sought under the revised plans are for maximum building coverage of proposed at 8,449 square feet and for the orientation of the garage doors.

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

After discussion, Chairman Torcivia asked the pleasure of the Board. Mr. Hawley made a Motion to approve the application as revised; Seconded by Ms. Mayo.

Roll call vote:

Ayes: Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Ms. Mayo

Nays: None

Abstain: Chairman Torcivia

The application of **Joshua and Catherine Porter** for property located at 16 Navesink Avenue, Block 72, Lot 29.01 in the R-2 Zone was presented for the Board's consideration.

Joshua Porter the property owner was sworn. Mr. Porter introduced Anthony Condouris, a New Jersey licensed architect. Mr. Condouris was sworn in and the Board accepted his credentials.

Mr. Condouris described existing conditions at the subject premises. The proposed project is to construction a new covered porch area with living space able, a new deck and fence around the existing pool. The application seeks variance relief for building coverage of 4,413 square feet; lot coverage of 11,072 square feet and setback for the pool patio/deck of 11.3 feet. The property is currently encumbered by the pre-existing conditions of: The garage side yard setback of 1.3 feet. The pool located in the front yard with a front yard setback of 56.5 feet and extending into the side yard setback at 15 feet.

Mr. Condouris stated that a portion of the driveway will be removed to help reduce the amount of lot coverage being requested. The property has landscaping and these improvements will not be visible from the street.

Mr. Porter stated the exiting three-car garage contains loft space used as living space for family support staff.

Board Members questioned the legitimacy of the living space above the garage. Mr. Condouris advised the applicant is willing to cease the living quarters over the garage pending further research.

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

After discussion, Chairman Torcivia asked the pleasure of the Board. Mr. Ehrenberg made a motion to approve the application as submitted without use of the living space over the garage; Seconded by Mrs. Mayo.

Roll call vote:

Ayes: Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Ms. Mayo, Chairman
Torcivia

Nays: None

Abstain: None

The application of **Eric and Cathleen Earnhardt** for property located at 48 First Street, Block 31, Lot 11 in the R-5 Zone was presented for the Board's consideration.

John Anderson, Esquire from the Foss, San Filippo & Milne law firm representing the applicant place his appearance on the record. Mr. Anderson introduced Michael Simpson, a New Jersey licensed architect and planner. Mr. Simpson was sworn in and the Board accepted his credentials.

Mr. Simpson described the existing conditions at the subject property. Mr. Simpson stated the application is to construct a rear first and second floor additions, a new 48-foot front porch, reconstruction the existing rear patio and install a new generator. The applicant is seeking variance relief for a front yard setback of 28.5 feet. The proposed addition intensifies the existing nonconformity for the rear yard setback of 28.5 feet and side yard setback of 4.5 feet.

Mr. Simpson described the proposed interior floor plans and the exterior architectural details.

Board Members questioned the positioning and location of the generator.

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

After discussion, Chairman Torcivia asked the pleasure of the Board. Chairman Torcivia made a motion to approve the application as submitted; Seconded by Mr. Ehrenberg.

Roll call vote:

Ayes: Mr. Calder, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Ms. Mayo, Chairman
Torcivia

Nays: None

Abstain: None

A brief recess takes place.

The application of **Al Shissias** for property located at 27 First Street, Block 27, Lot 20 in the R-5 Zone was presented for the Board's consideration.

Mr. Reilly stated the notices have been reviewed and the Board has jurisdiction to hear the matter.

Al Shissias, the property owner was sworn in. Mr. Shissias stated the application is to demolish the existing second floor, front porch, rear deck patio and construct a new second floor addition, covered front porch and walkway, rear covered deck, rear patio, pool, driveway expansion, additional AC unit and generator. Variance are being sought for principal structure side yard setback of 7.2 feet; principal structure combined side yard setback of 15.1 feet, an existing nonconformity which will be intensified; maximum lot coverage of 3,141 square feet; minimum front yard porch setback of 26.8 feet, also an intensification; minimum accessory a/c setback of 3.8 feet; minimum accessory generator setback of 3.5 feet; driveway setback of 0 feet; maximum driveway width of 18 feet and curb cut of 20 feet.

Mr. Shissias explained the existing conditions at the subject premises. Mr. Shissias described the interior floor plans and exterior architectural details.

Mr. Shissias stated the lot coverage was miscalculated and will comply. The second-floor addition will not extend past the existing footprint of the first floor. Mr. Shissias explained the rationale for the variances being sought. The current five- bedroom home will remain five bedrooms. Widening the driveway and curb cut will allow for on site parking for three vehicles.

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

Board Members questioned the amount of variance relief being sought on the subject property. Mr. Shissias stated there are areas of the proposal that could be adjusted to make the application a little more palatable.

Mr. Reilly announced the application will be carried to the January 25, 2024 Zoning Board Meeting at 7:30 pm with notice required.

The application of **Marguerite Connelly and Matthew Lonuzzi** for property located at 8 Willowbrook Road, Block 93, Lot 16.09, in the R-1 Zone was presented for the Board's consideration.

Mr. Reilly reviewed the notices and the Board has jurisdiction to hear the application.

Matthew Lonuzzi, property owner was sworn in. Mr. Lonuzzi stated the application is seeking a variance to install a 30 KW generator on a 6' by 3' concrete pad setback five feet from the rear and side property lines. Per Borough Ordinance the proposed generator does not meet the principal structure side and rear setbacks of 40 feet and 50 feet.

Mr. Lonuzzi described the existing conditions at the subject property and the surrounding properties. Mr. Lonuzzi described the location of the utility services on the property. The proposed location may be five feet from the property line, but the closest home is hundreds of feet away.

Chairman Torcivia opened the application for public questions and/or comments. (Neighbor) residing at 120(A) Rumson Road was concerned with the generator's proximity to the road and the noise generated from the unit. Mr. Cutler residing at 2 Alice Road and a Trustee for 6 Willowbrook Road objected to the location and size generator proposed. There being no further public questions and/or comments, the public portion was closed.

The applicant agreed to have the application carried to next available meeting to investigate an alternative size and/or location of the generator.

Mr. Reilly announced the application will be carried to the January 25, 2024 Zoning Board Meeting at 7:30 pm notice will be provided, if necessary.

There being no further business before the Board, Motion was made and seconded to **adjourn** at approximately 10:05 p.m.

The December 28, 2023 Meeting has been cancelled.

The next scheduled meeting will be **January 25, 2024** at 7:30 p.m.

Respectfully submitted,
Michele MacPherson