



**RUMSON ZONING BOARD
JUNE 25, 2026
MEETING MINUTES**

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

Present: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg, Mr. Carey, Mr. Calder, Mr. Ward, Mr. Brown, Chairman Hofferber

Absent: Mrs. Mayo, Mr. Brown

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

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

Mr. Marks and Marie DeSoucey were sworn in.

Administrative

Mr. Izzo made a motion to approve the May 28, 2026 Zoning Board Meeting Minutes as submitted; Seconded by Mr. Hawley.

Roll call vote:

Ayes: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg, Mr. Carey, Mr. Calder, Mr. Ward,
Chairman Hofferber

Nays: None

Mr. Carey made a motion to approve **Resolution #26-8108** approving the application of **Schafer** for property located at **5 Clover Lane, Block 97, Lot 36** in the **R-1 Zone**; Seconded by Mr. Ehrenberg,

Roll call vote:

Ayes: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg, Mr. Carey, Mr. Calder, Mr. Ward,
Chairman Hofferber

Nays: None

Announcements:

None

Old Business:

None

New Business

The application of **Britney Fox-Karnal** for property located at **15 Sycamore Lane, Block 86, Lot 12** in the **R-1 Zone** was presented for the Board's consideration. Mr. Steib stated notice and service have been reviewed and is deemed in order. The Board has jurisdiction to hear the application.

The Board is in receipt of the following exhibits: A-1 Denial Memorandum dated 04/09/2026; A-2 Survey prepared by JY Land Surveying dated 08/24/2020; A-3 Land Use and Development Permit Application dated 01/01/2026; A-4 Variance Application dated 03/02/2026

Britney Fox-Karnal the property owner was sworn in. Ms. Fox-Karnal stated that when they moved here, they were not aware of permits and zoning and that having goats and chickens was not a permitted use in the zone. Ms. Fox-Karnal said that her son has a tick disorder and caring for the animals helps him and gives him confidence and has a calming effect. Caring for the animals give her family a healthier and connected lifestyle.

Ms. Fox-Karnal is asking for forgiveness for an honest mistake and consideration for a use variance to allow the family to keep these animals and requesting perhaps a Deed restriction or time limitation on the variance should it be granted.

Board Members expressed concern with granting a variance that would run with the property and questioned the setbacks of the accessory structures currently on the property.

Mr. Marks explained the circumstances initiating this application and that the property is required to be five acres or more to be designated a farm and inquired about the number of animals on the property. Ms. Fox-Karnal stated there are two goats, ten chickens and a dog.

Ms. Fox-Karnal submitted an existing site plan prepared by Shissias Design and Development dated 06/25/2026 marked A-5.

Chairman Hofferber opened the application for public questions and/or comments. Edward DeFabio residing at 16 Kemp Avenue was sworn in. Mr. DeFabio stated his backyard is directly behind the subject property. He expressed concerns with animal noises, odors and a rodent problem. Allowing this to become farm property will affect the property values in the neighborhood. Mr. DeFabio also questioned who will monitor the health of these animals.

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

Board Members were sympathetic to the applicant's circumstances but were concerned with granting a variance for this type of use on property of this size and the variance running with the land.

After deliberations, Chairman Hofferber asked the pleasure of the Board. Mr. Carey made a motion to deny the application; Seconded by Chairman Hofferber.

Roll call vote:

Ayes: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg. Mr. Carey, Mr. Calder, Mr. Ward,

Chairman Hofferber
Nays: None

The application of **Undici Due, LLC** for property located at **11 West River Road, Block 29, Lot 4** in the **GB Zone** was presented for the Board's consideration. Mr. Steib stated notice and service have been reviewed and is deemed in order. The Board has jurisdiction to hear the application.

The Board is in receipt of the following exhibits: A-1 Undici/Rumson sidewalk furniture Plan prepared by Mancini Duffy Architects dated 03/09/2026; A-2 Survey prepared by Charles Surmonte dated 03/04/2026; A-3 Denial Memorandum revised date 03/05/2026; A-4 Variance Application received 04/08/2026; A-5 Completeness Review and Engineering Review dated 04/27/2026; A-6 Permit Expansion and Rendering dated 04/28/2026

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant, addressed the Board. Mr. Brodsky stated the proposal seeks to make permanent the approval for outdoor seating in the front of the existing restaurant. The application seeks variance approval to permit eight outdoor tables with two seats along the front of the existing covered outdoor seating. There will be four to four-and-a-half-foot of sidewalk clearance. The applicant understands the ordinance requirements of removing an equivalent number of indoor seats.

The restaurant is a conditionally permitted use that does not conform to the conditions in the zone and the application is considered an expansion of use. The ordinance also requires six-foot clearance between the tables and the curb. This proposal complies with ADA requirements.

Mr. Brodsky introduced Victor Rallo. Mr. Rallo was sworn in. Mr. Rallo gave a history of the seasonal outdoor seating since COVID and is seeking a variance to continue. There will be a total of 56 outdoor seats and the indoor seating upstairs is not used simultaneously. There is no additional lighting proposed.

Board Members questioned the rationale behind the additional seating not being contained in the existing enclosed area. Mr. Rallo stated there needs to be space for ingress/egress also that would hinder the ambience of the existing outdoor seating area. The applicant is amenable to limit the additional outdoor seating to seven tables with two seats each.

Mr. Steib advised that granting approval will be subject to other Government Agencies approvals (ABC) and requirements.

Mr. Marks advised that the curb lines along West River Road are relatively straight, but the amount of sidewalk varies based on the buildings' frontages. The minimum width prescribed by The Department of Justice is maintained and the proposed configuration complies with those requirements.

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

After deliberations, Chairman Hofferber asked the pleasure of the Board. Mr. Carey made a motion to approve the application with conditions as discussed; Seconded by Mr. Izzo.

Roll call vote:

Ayes: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg, Mr. Carey, Mr. Ward,
Chairman Hofferber

Nays: Mr. Calder

The application of **Sebastian Cina** for property located at **16 Harbor Drive, Block 111, Lots 22 and 22.01** in the **R-2 Zone** was presented for the Board's consideration. Mr. Steib stated notice and service have been reviewed and is deemed in order. The Board has jurisdiction to hear the application.

The Board is in receipt of the following exhibits: A-1 Aerial Photograph; A-2 Denial Letter Summary from Architect Darcy dated 06/03/2025; A-3 Denial Memorandum dated 07/03/2026; A-4 NJ DEP Permit Plan prepared by Two River Engineering revised date 11/01/2025; A-5 Denial Memorandum dated 12/11/2025; A-6 Variance Application dated 01/09/2026; A-7 Boundary and Topographic Survey prepared by KF2T dated 05/31/2023; A-8 Plot Plan prepared by Two River Engineering revised date 12/09/2025; A-9 Architectural Plot Plan with Elevation and Floor Plans and Photographs prepared by David J. Darcy Architect revised date 11/06/2025

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant addressed the Board. Mr. Brodsky stated that the proposal is for outdoor entertainment improvements which are not visible from the roadway.

Mr. Brodsky introduced David Darcy, a New Jersey licensed architect. Mr. Darcy was sworn in, and the Board accepted his credentials. Mr. Darcy submitted A-10 Aerial view of property, and A-11 Google Map. The proposed improvements consist of additions to the principal building, new covered porch, outdoor kitchen, pool, spa and patios.

Mr. Darcy explained existing conditions at the subject property. Mr. Darcy described the proposed outdoor improvements, additions to the principal building, architectural details, unique features of the property. Variance relief is requested for Floor Area Ratio, lot coverage, building coverage, floor area and setbacks from a waterway. The proposed lot coverage variance is for 5,000 square feet. The building coverage increase of 1,700 square feet requires a variance also. The floor area requested is 456 square feet for the cabana, small bathroom and wine room. Mr. Darcy explained the variances requested for the setbacks.

Mr. Marks inquired whether the requested lot coverage relief of 5,000 square feet was above and beyond the allowable credits in the ordinance. Mr. Darcy responded in the affirmative. Mr. Marks asked for clarification regarding the waterway setbacks providing openness, light, air and visibility not impeding views from the public and adjoining property owners. Mr. Darcy explained that an open-air structure does not impede sight lines and setback adjustments could be investigated.

Board Members expressed concern with the amount of variance relief requested and the justification for same.

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

Mr. Brodsky requested the application be carried to the next available meeting date. The applicant agrees to the extension of time for the application to September 30, 2026. The application will be carried to the August 27, 2026 at 7:30 pm without notice required.

The application of **Jefrey and Whitney Payne** for property located at **25 Ridge Road, Block 100, Lot 14** in the **NB/R-4 Zone** was presented for the Board's consideration. Mr. Steib stated notice and service have been reviewed and is deemed in order. The Board has jurisdiction to hear the application.

The Board is in receipt of the following exhibits: A-1 Land Use Development Permit Application dated 01/21/2026; A-2 Denial Memorandum dated 01/31/2026; A-3 Variance Application dated 03/10/2026; A-4 Denial Memorandum revised date 04/08/2026; A-5 Survey prepared by Morgan Engineering and Surveying dated 05/22/2019; A-6 Architectural Site Plan and Elevation and Floor Plan drawing prepared by Matthew T. Cronin revised date 03/05/2026

The applicants, Jefrey and Whitney Payne, were sworn in. Mrs. Payne explained the rationale for the proposal. Mr. Payne submitted a sheet with four photographs marked A-7 and described them. Mr. Payne explained the proposed interior floor plans and exterior renovations to the home and garage.

Mr. Payne introduced Matthew Cronin, a New Jersey licensed architect. Mr. Cronin was sworn in, and the Board accepted his credentials. Mr. Cronin explained the existing conditions at the subject premises. Mr. Cronin described the proposal is to straighten the driveway, realign the garage 90 degrees to face the east, close the existing curb cut, extend the sidewalk, create a compliant 12-foot-wide driveway with a new curb cut and an 18' by 21' porte cochere on the west side of the house. Mr. Cronin described the interior floor plans, elevations, exterior architectural details and materials.

Mr. Cronin stated the request is for variances for the side yard setbacks and parking within the front yard. The detached garage located in the front yard is nonconforming and is proposed to remain.

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

After deliberations, Chairman Hofferber asked the pleasure of the Board. Mr. Izzo made a motion to approve the application as presented; Seconded by Mr. Hawley.

Roll call vote:

Ayes: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg. Mr. Carey, Mr. Calder, Mr. Ward, Chairman Hofferber

Nays: None

The application of **Derek Serpe** for property located at **36 East River Road, Block 11, Lot 12** in the **R-2 Zone** was presented for the Board's consideration. Mr. Steib stated notice and service have been reviewed and is deemed in order. The Board has jurisdiction to hear the application.

The Board is in receipt of the following exhibits: A-1 Denial Memorandum dated 06/27/2025; A-2 Variance Application dated 02/11/2026; A-3 Denial Memorandum dated 04/09/2026; A-4 Cabana Plot Plan prepared by Lindstrom, Diessner and Carr, PC dated 02/25/2026; A-5 Architectural Elevation and Floor Plans prepared by Rice and Brown Architects dated 03/02/2026

The applicant, Derek Serpe, was sworn in. Mr. Serpe stated the proposal is to construct a 255 square-foot cabana with a powder room and install landscape screening. Mr. Serpe introduced Ken Smith, a New Jersey licensed engineer and planner. Mr. Smith was sworn in, and the Board accepted his credentials.

Mr. Smith described the existing conditions at the subject premises. The proposed cabana has received DEP approval. Variance relief is being requested for side yard setback of 17.5 feet and landscape buffering will be added along the fence line. Mr. Smith cited environmental hardships related to the waterfront and bluff associated with the property. There will be no substantial detriments to the public good or zone plan. The benefit of granting the variance outweighs any detriment.

Mr. Marks verified the setback requirements and stated any landscape enhancement needs to meet the ordinance requirements for the Zone. The applicant will submit landscaping plans for review and approval.

Mr. Serpe introduced Dustin Brown, a New Jersey licensed architect. Mr. Brown was sworn in, and the Board accepted his credentials. Mr. Brown stated the goal was to keep the cabana as least impactful as possible. Mr. Brown described the size, definition and architectural details.

Chairman Hofferber opened the application for public questions and/or comments. Kerry Chandler residing at 26 East River Road was sworn in. Ms. Chandler questioned the location of the cabana and the need for the setback variance. Mr. Smith explained the rationale for the cabana location and the goal to protect the unique environmental conditions on the site. There being no further public questions and/or comments, the public portion was closed.

After deliberation, Chairman Hofferber asked the pleasure of the Board. Mr. Izzo made a motion to approve the application as presented; Seconded by Mr. Hawley.

Roll call vote:

Ayes: Mr. Izzo, Mr. Hawley, Mr. Ehrenberg. Mr. Carey, Mr. Calder, Mr. Ward, Chairman Hofferber

Nays: None

EXECUTIVE SESSION:

None

There being no further business before the Board, Motion was made and seconded to adjourn at approximately 10:20 p.m.

The next scheduled meeting will be **July 23, 2026** at 7:30 p.m.

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