

**RUMSON ZONING BOARD  
SEPTEMBER 28, 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. Hofferber, Mr. Izzo, Mr. Carey, Mr. Calder, Mr. Hawley, Mrs. Mayo, Mr. Ward, Chairman Torcivia  
Absent: Mr. Ehrenberg

Also present, Bernard Reilly, Esq., David Marks, Zoning Officer, 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. Hofferber made a Motion to approve the August 24, 2023 Meeting Minutes as submitted; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

Abstain: Mrs. Mayo (absent on 8/24/23)

Mr. Reilly submitted a Resolution for the bifurcated application of XL Holdings, L.L.C./Val's Tavern for property located at 123 E. River Road, Block 59, Lot 9. Mr. Hofferber made a motion to approve the Resolution granting the retractable canopy over the front porch; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

Abstain: Mrs. Mayo (absent on 8/24/23)

Mr. Reilly submitted a Resolution for the bifurcated application of XL Holdings, L.L.C./Val's Tavern for property located at 123 E. River Road, Block 59, Lot 9. Mr. Hofferber made a motion to approve the resolution denying the rear improvements and patio addition; Seconded by Chairman Torcivia.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Hawley, Chairman Torcivia

Nays: None

Abstain: Mr. Izzo, Mr. Carey, Mr. Calder, Mrs. Mayo, Mr. Ward

Mr. Reilly submitted a Resolution approving the application of Chris Kuelzow for property located at 78 Buena Vista Avenue, Block 114, Lot 17. Mr. Calder made a motion to approve the Resolution as submitted; Seconded by Chairman Torcivia.

Roll call vote:

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

Nays: None

Abstain: Mrs. Mayo (absent on 8/24/23)

Mr. Reilly submitted a Resolution approving the application of Randolph and Margot Takian for property located at 20 Wilson Circle, Block 49, Lot 1. Mr. Hofferber made a motion to approve the Resolution as submitted; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

Abstain: Mrs. Mayo (absent on 8/24/23)

It was announced the application of **French Market 2, Inc.** located at **114 E. River Road, Block 52, Lot 14** has been amended and now falls under the jurisdiction of the Rumson Planning Board. The applicant respectfully requests to withdraw their application before the Zoning Board without prejudice. Notice will be provided for a future Planning Board hearing date.

Chairman Torcivia made a motion to accept the withdrawal of the application without prejudice; Seconded by Mrs. Mayo.

Roll call vote:

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

Nays: None

The application of **John Daccurso** for property located at **12 Hunt Street, Block 6, Lot 2** was presented for the Board's consideration.

Mr. Reilly stated the application commenced at the May 25, 2023 Zoning Board Meeting and has now been amended. Notices and publication have been reviewed and the Board has jurisdiction to hear the matter. Under the MLUL this application requires a super majority (five affirmative votes) for the Floor Area Ratio to pass.

Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant addressed the Board. Ms. Krimko stated the amended application no longer requires a variance for lot coverage and the building coverage has been reduced to 1,852 square feet from the 2007 approved 2,120 square feet.

Ms. Krimko submitted the following exhibits: A-1 InSite Engineer Survey dated 8/9/23; A-2 Plot Plan dated 9/14/23; A-3 Architectural Plans revised through 9/14/23; A-4 Neighborhood Aerial; A-5 Site Rendering; A-6 Series of photographs; A-7 PowerPoint packet

Ms. Krimko introduced John Daccurso, the property owner. Mr. Daccurso was sworn in. Mr. Daccurso described the existing conditions of the dwelling and the proposed renovations to

bring it back to its former glory with a few modern touches. Mr. Daccurso reviewed the PowerPoint presentation he prepared.

Ms. Krimko introduced Peter Goodhue, a New Jersey licensed architect. Mr. Goodhue was sworn in and the Board accepted his credentials.

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

Ms. Krimko introduced Jason Fichter, a New Jersey licensed professional engineer and planner. Mr. Fichter was sworn in and the Board accepted his credentials.

Mr. Fichter described the subject property and the surrounding neighborhood. The property is slightly oversized for the zone and oddly shaped. The home was originally constructed in 1893 and over the past 130 years renovations have occurred making it a bit of a “Frankenstein”. The proposal’s goal is to bring the home back to its original historic charm with modern standards.

The existing garage will be removed and replaced with a smaller garage in a more appropriate location. The driveway will be reduced by half and a pool constructed in the rear yard. The proposed home will be reduced to three bedrooms. The only footprint expansion to the existing home is a small mud room and a stairwell in the rear of the home. The second-floor porch on the east side will be enclosed. The proposed lot coverage is fully conforming. A variance is required for floor area ratio and floor area.

The existing Floor Area Ratio is 2,509.4 square feet and 3,076.3 square feet is proposed. The existing building coverage is 1,734 square feet and 1,852.8 square feet is being proposed to accommodate the proposed mud room and stairwell. The existing rear yard setback is 31.8 feet where 35 feet if permitted. The side yard setback to the proposed relocated detached garage is 2.95 feet. The driveway will be reduced helping the lot coverage issue. The setback to the proposed covered front porch will remain as existing 16.6 feet adding historic charm back to the home. There will be no change to the single side yard measurement or the combined side yard measurement. The proposed lot coverage is compliant.

In Mr. Fichter’s opinion this is an appropriate development and the improvements promote the general welfare. The application provides adequate light, air and open space and promotes a more desirable visual environment. There are no adverse impacts from granting the variance for the floor area ratio and floor area nor is there a substantial detriment to the public good or impair the intent and purpose of the zone plan. The benefits of this application would substantially outweigh any detriments.

The application was opened 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. Hofferber made a Motion to approve the application as presented; Seconded by Mr. Hawley.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr. Calder, Mr. Hawley, Mrs. Mayo, Mr. Ward, Chairman Torcivia  
Nays: None

A brief recess was taken.

The application of **Joshua and Catherine Porter** for property located at **16 Navesink Avenue, Block 72, Lot 29.01** will be carried to the **October 26, 2023** Zoning Board Meeting at 7:30 pm without further notice being required.

The application of **Rakesh and Suhma Sahmi** for property located at **56 Wardell Avenue, Block 105, Lot 30** was presented for the Board's consideration.

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicants addressed the Board. Mr. Brodsky introduced Michael James Monroe, a New Jersey licensed architect. Mr. Monroe was sworn in and the Board accepted his credentials.

Mr. Monroe stated the application is to demolish the existing fire-damaged home and construct a new two and a half story, single-family home with a detached garage and add a swimming pool. Mr. Monroe described the existing conditions at the subject property. The proposal is to re-designate the waterway as the front yard. Variances are required for the lot shape circle, front and side yard setbacks. The property is an oddly shaped lot at the end of a cul-de-sac and is wider towards the waterway and has mature landscape buffering surrounding the home and garage.

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

The application was opened 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. Hofferber made a motion to approve the application as presented subject to review and approval of revisions to pool and driveway as discussion; Seconded by Mr. Izzo.

Roll call vote:

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

Nays: None

The application of **Charles Fine** for property located at **82 Black Point Road, Block 63, Lot 10** was presented for the Board's consideration. Charles Eric Fine, the property owner, was sworn in. Mr. Fine introduced Alec Shissias, a New Jersey licensed architect. Mr. Shissias was sworn in and the Board accepted his credentials.

Mr. Shissias described the existing conditions at the subject premises. The proposal is to demolish the existing dwelling and reconstruct the two-story home with a partial basement on

the existing footprint adding a new front porch, rear deck with a pergola. Variance relief is being requested for the combined side yard setback proposed at 19.8 feet as currently existing.

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

The testimony was opened 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 presented; Seconded by Mrs. Mayo.

Roll call vote:

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

Nays: None

There being no further business before the Board, Motion was made and seconded to adjourn at approximately 10:00 p.m.

The next scheduled meeting will be **October 26, 2023** at 7:30 p.m.

Respectfully submitted,  
Michele MacPherson