

**RUMSON ZONING BOARD
JULY 27, 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. Ehrenberg, Mr. Hawley, Mrs. Mayo, Mr. Ward, Chairman Torcivia
Absent: None

Also present, Bernard Reilly, Esq., David Marks, Zoning Officer, Thomas Rogers, Zoning Board 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 **June 22, 2023 Meeting Minutes** as submitted; Seconded by Mr. Izzo.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr.

Hawley, Mrs. Mayo, Chairman Torcivia

Abstain: Mr. Calder, Mr. Ehrenberg, Mr. Ward

Nays: None

Mr. Reilly submitted a Resolution approving the application of **Michael Feminello** for property located at **40 Warren Street, Block 137, Lot 2, R5 Zone**.

After review Mr. Izzo made a Motion to approve the Resolution as submitted; Seconded by Mrs. Mayo.

Roll call vote:

Ayes: Mr. Hofferber, Mr. Izzo, Mr. Carey, Mr.

Hawley, Mrs. Mayo, Chairman Torcivia

Abstain: Mr. Calder, Mr. Ehrenberg, Mr. Ward

Nays: None

It was announced the applications of **French Market 2, Inc.** located at **114 E. River Road, Block 52, Lot 14**; **John Daccurso** for property located at **12 Hunt Street, Block 6, Lot 2**; and **XL Holdings, L.L.C. (Val's Tavern)** located at **123 E. River Road, Block 59, Lot 9** will be carried to the **August 24, 2023** Zoning Board Meeting at 7:30 pm without further notice being required.

The application of **Marc Guss** for property located at **16 Church Street, Block 26, Lot 14** was presented for the Board's consideration.

The notice requirements and publication have been reviewed and the Board has jurisdiction to hear the application.

Mr. Reilly advised this application is for a D variance and would require five out of seven affirmative votes to carry.

Marc Guss, the property owner, was sworn in. Mr. Guss introduced Alec Shissias, a New Jersey licensed architect. Mr. Shissias was sworn in and the Board accepted his credentials.

Mr. Shissias explained that the property was granted variances for the second-floor addition and various improvements in 2022. Mr. Shissias described the existing conditions of the property.

The proposal is to construct a 65-square-foot, one-story enclosed entranceway on the existing nonconforming front entry terrace and to expand the front walkway from 10' by 3' to 10' by 10'.

Variances are being requested for increasing the floor area from 1,970 square feet to 2,022 square feet; the building coverage from 1,194 square feet to 1,246 square feet; and reducing the front yard setback from the existing 13 feet to 9 feet.

Mr. Shissias reviewed the proposed architectural details for the front elevation.

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. Mr. Izzo 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. Ehrenberg, Mr. Hawley, Chairman Torcivia

Abstain: Mrs. Mayo, Mr. Ward

Nays: None

The application of **Victory Park Tavern, L.L.C.**, located at **21 West River Road, Block 28, Lot 4** was presented for the Board's consideration.

The notice requirements and publication have been reviewed and the Board has jurisdiction to hear the application.

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant placed his appearance on the record. Mr. Brodsky submitted a series of photographs marked A-1.

Mr. Marks advised that no variance is necessary for the addition of 110 square feet utilitarian space proposed for the 3 walk-in coolers. Mr. Marks reviewed the T&M Associates report with the witnesses.

Mr. Brodsky introduced Mark Leber, a New Jersey licensed engineer. Mr. Leber was sworn in and the Board accepted his credentials.

Mr. Leber described the existing conditions at the site and surrounding area.

Mr. Leber testified the proposal is to formalize and get permanent approval for the existing 10-table outdoor seating area. All the pre-existing nonconformities at the property will remain unchanged. Under this proposal the parking area will be improved and include one ADA parking space.

The proposal is to install and relocated the fire escape for the apartments on the second and third floors of the building.

Mr. Brodsky introduced Nicole Laub, owner/operator. Ms. Laub was sworn in and testified regarding the inside and outdoor seating capacity, operations and parking availability. The applicant will comply with current or future Borough, County and Federal requirements that apply to outdoor seating and ADA regulations.

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. Mr. Hofferber made a Motion to approve the application as presented with discussed conditions; Seconded by Mr. Calder.

Roll call vote:

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

Abstain: None

Nays: None

There being no further business before the Board, Motion was made by Mr. Hawley and seconded by Mr. Ehrenberg to adjourn at approximately 8:55 p.m.

The next scheduled meeting will be **August 24, 2023** at 7:30 p.m.

Respectfully submitted,

Michele MacPherson