

**RUMSON ZONING BOARD**  
**January 25, 2024**  
**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. Carey, Mr. Ehrenberg, Mr. Hawley, Mr. Hofferber, Mr. Izzo, Mrs. Mayo, Mr. Ward, and Chairman Torcivia  
Absent: None

Also present, Michael B. Steib, Esq., David Marks, Borough Engineer, Thomas Rogers, Secretary, and Ed Herrman representing T&M Associates

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

Mr. Steib announced the **Re-Appointment** of Peter Izzo as Zoning Board Member through 12/31/2027 and Andrew Ward as Alternate Zoning Board Member through 12/31/2025.

Mr. Steib asked for nominations for the **2024 Zoning Board Chairman** position. Mr. Izzo nominated Benedict J. Torcivia, Jr. for the 2024 Chairman of the Zoning Board; Seconded by Mr. Hawley.

Roll call vote:

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

Chairman Torcivia asked for nomination for the **2024 Zoning Board Vice Chairman** position. Chairman Torcivia nominated Glenn Hofferber for the 2024 Vice Chairman position; Seconded by Mr. Hawley.

Roll call vote:

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

Mr. Izzo made a motion to approve the following **Re-Organization Resolutions**: to appoint Michael B. Steib, Esquire as the Zoning Board Attorney; to appoint T&M Associates as Zoning Board Engineer; to appoint State Shorthand Reporting Services as Zoning Board Reporting Service; to appoint Thomas Rogers as Zoning Board Secretary; and to appoint The Asbury Park Press and The Two River Times as the Zoning Board Official Newspapers. Seconded by Ms. Mayo.

Roll call vote:

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

Mr. Izzo made a Motion to approve the **November 30, 2023 Meeting Minutes** as corrected; Seconded by Chairman Torcivia.

Roll call vote:

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

Nays: None

Abstain: Mr. Carey, Mr. Hofferber, Mr. Ward

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

Mr. Calder made a Motion to adopt a **Resolution** approving the application of Joshua and Catherine Porter for property located at 16 Navesink Avenue Block 72, Lot 29, R-2 Zone; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

Abstain: Mr. Carey, Mr. Hofferber, Mr. Ward

Chairman Torcivia made a Motion to adopt a **Resolution** approving the application of Eric and Cathleen Earnhardt for property located at 48 First Street, Block 31, Lot 11, R-5 Zone; Seconded by Mrs. Mayo.

Roll call vote:

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

Nays: None

Abstain: Mr. Carey, Mr. Hofferber, Mr. Ward

Mr. Steib announced the application of Bedlam, LLC for property located at 7 Blackpoint Horseshoe, Block 79, Lot 3 in the R-2 Zone seeking a one-year **extension for Resolution #8021** be presented for the Board's consideration. Brett Lawrence, Esquire and member of the LLC was sworn in.

Mr. Lawrence stated the approval of the Resolution was October 2022. The demolition was completed in December of 2022. The building process was paused for economic reasons and is now feasible. There have been no changes in the character of the neighborhood or zoning requirements.

Mr. Marks advised there have been no ordinance revisions that would affect the previous approval; and agreed with the applicant's assessment of the neighborhood's character.

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

Mr. Hawley made a Motion to grant the extension; Seconded by Mr. Ehrenberg.

Roll call vote:

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

Nays: None

Abstain: None

The **Application** of Chris and Avery Brighton for property located at 60 Rumson Road, Block 100, Lot 3 in the R-2 Zone has requested to be carried to the next available meeting. Mr. Steib announced that service has been reviewed. The Board does have jurisdiction and the matter will be carried to the February 22, 2024 Zoning Board meeting at 7:30 p.m. without further notice being required.

The **Continued 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. Steib advised the Board is in receipt of the following exhibits: A-1 Application dated 09/12/2023; A-2 Development Permit Application dated 10/03/2023; A-3 Zoning Denial Memorandum dated 10/03/2023; A-4 Clarification dated 10/04/2023; A-5 Business/Residence Plan dated 09/12/2023; A-6 Boundary Survey dated 02/23/2016; A-7 Business/Residence Plan dated 01/10/2024; A-8 Revised Plan Review dated 01/17/2024; A-9 Memorandum; A-10 Architectural Plans; A-11 Photoboard w/ sketch.

Al Shissias, the property owner was sworn in at the last hearing and remains under Oath. Mr. Shissias stated the revised plans are to construct a new second-floor addition, covered front porch and walkway, rear covered and open deck, rear patio, driveway expansion and additional air conditioning unit. The variance being sought are for setback requirements. The attic will be used for storage with pulldown stairs.

Chairman Torcivia opened the application for public questions and/or comments. Mrs. Booker residing at 16 Allen Street was sworn in and expressed concern with the proposed pool impacting flooding conditions on neighboring properties and outdoor lighting. Mrs. Booker supplied photographs of the conditions marked as O-1 and O-2. James Fitzmorris residing at 41 First Street was sworn in. Mr. Fitzmorris spoke in favor of the application. Richard Booker residing at 16 Allen Street was sworn in. Mr. Booker questioned previous denial of a pool on the property and echoed Mrs. Booker's concern with the flooding in the area.

Mr. Marks responded that there is no record of any previous application on the property readily available at this time. Mr. Marks stated there is a drainage easement on the property and explained the maintenance and upkeep of the municipal system. Grading and stormwater management plans will be submitted for review and approval.

Mr. Rogers reminded the Board the application is specifically for the home itself. The driveway variances have been removed and the pool would need approval further down the road.

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

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

Roll call vote:

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

Nays: None

Abstain: Mr. Carey, Mr. Hofferber, Mr. Ward

The **Continued Application** of Marguerite Connelly for property located at 8 Willowbrook Road, Block 93, Lot 16.02 in the R-1 Zone was presented for the Board's consideration.

Mr. Steib advised the Board is in receipt of the following exhibits: A-1 Application dated 10/19/2023; A-2 Development Permit Denial dated 10/17/2023; A-3 Zoning Denial Memorandum dated 11/7/2023; A-4 Kohler Specifications; A-5 Resolution dated 12/20/2022; A-6 Plot Utility Plan dated 5/12/2023; A-7 Hand-drawn fence and screen plan; A-8 Photograph

Marguerite Connelly, the property owner, previously sworn and remains under Oath. As suggested at the last meeting, Ms. Connelly spoke to her neighbors and the plans have been revised to include a six-foot fence and shrubs around the proposed generator as depicted in A-8.

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. Mrs. Mayo made a motion to approve the application as revised and the Resolution as submitted; Seconded by Mr. Ehrenberg.

Roll call vote:

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

Nays: None

Abstain: Mr. Carey, Mr. Hofferber, Mr. Ward

The **Application** of Melissa Monteiro for property located at 116 Ridge Road (aka 18 Auldwood Lane), Block 16, Lot 15 in the R-1 Zone was presented for the Board's consideration.

Mr. Steib stated he reviewed the service and it is in order. The Board has jurisdiction to hear the matter.

Melissa Monteiro, the property owner was sworn in. Ms. Monteiro introduced Al 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 property. The application is to demolish the existing retaining wall and portion of the existing front deck. The proposal is for a new pool, patio, pool compliant fence, retaining walls, exterior stairs, and expansion of the existing front deck. Excavation of the existing grade to allow for a walk-out basement and finish a portion of the existing basement. Variances are needed for the location of the pool and equipment in the front yard.

Mr. Shissias supplied A-7 showing the crawl sections of the basement and an aerial of the neighborhood and a key map. Mr. Shissias described the interior floor plans marked A-8.

Mr. Shissias explained alternative options for the location of the pool and equipment and described the grading and excavation plans. The pool will be shielded from view by fencing and proposed and existing landscaping.

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

Board Members requested an *existing vegetation survey* and *landscaping plan* be submitted for review and approval. The application will be carried to the February 22, 2024 Zoning Board meeting at 7:30 pm without further notice being required.

There being no further business before the Board, Motion was made and seconded to **adjourn** at approximately 9:00 p.m.

The next scheduled meeting will be **February 22, 2024** at 7:30 p.m.

Respectfully submitted,  
Michele MacPherson