



RUMSON ZONING BOARD
February 27, 2025
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. Calder, Mr. Hawley, Mr. Hofferber, Mr. Izzo (arrived 7:38), Mrs. Mayo,
Chairman Torcivia
Absent: Mr. Carey, Mr. Ehrenberg, Mr. Ward

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

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

Reorganization

Mr. Steib swore Alison Mayo in as **Alternate #1** to the 2025 Zoning Board for a two-year term.

David Marks and Marie DeSoucey was sworn in.

Administrative

Mr. Calder made a Motion to approve the **January 23, 2025 Meeting Minutes** as amended; Seconded by Mr. Hawley.

Roll call vote:

Ayes: Mr. Calder, Mr. Hawley, Chairman Torcivia
Nays: None
Abstain: Mr. Hofferber, Mrs. Mayo

Mrs. Mayo made a Motion to approve **Resolution #2025-9**, the Rumson Zoning Board Annual Reports; Seconded by Chairman Torcivia.

Roll call vote:

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

Mr. Calder made a Motion to approve **Resolution #8074** approving the application of Anthony Buffone for property located at 17 Shrewsbury Drive, Block 135, Lot 8, Zone R-2; Seconded by Mr. Hawley.

Roll call vote:

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

Mr. Hawley made a Motion to approve **Resolution #8075** approving the application of Scott Elsas for property located at 26 Tuxedo Road, Block 124, Lot 21, Zone R-5; Seconded by Chairman Torcivia.

Roll call vote:

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

Mr. Calder made a Motion to approve **Resolution #8076** approving the application of Elisa Walling for property located at 12 Washington Avenue, Block 141, Lot 10, Zone R-5; Seconded by Mr. Hawley.

Roll call vote:

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

Unfinished Business

None.

New Business

Mr. Steib advised the Board is in receipt of a **Resolution Extension** request from Chris and Avery Brighton for property located at 60 Rumson Road, Block 100, Lot 3 in the R-2 Zone.

Avery Brighton, the property owner, was sworn in. Mrs. Brighton advised there have been no zoning changes to the property. There are no changes to the plans, the character of the neighborhood or surrounding properties since the March 28, 2024 approval.

Mr. Hofferber made a motion to grant the extension of time to **Resolution #8051-ext**; Seconded by Mrs. Mayo.

Roll call vote:

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

The application of **Daniel and Bridget Duffy** for property located at 28 Lincoln Avenue, Block 142, Lot 8 in the R-5 Zone was presented for the Board's consideration.

Mr. Steib advised the service has been reviewed and deemed adequate. The Board has jurisdiction to hear the application.

The Board is in receipt of the following Exhibits: A-1 Application for Development Permit dated 9/25/2024; A-2 Denial Memorandum dated 9/26/2024 updated 2/18/2025; A-3 Variance Application dated 11/20/2024; A-4 Architectural Elevations and Floor Plans prepared by Anthony M. Condouris architect dated 9/9/2024 revised 1/28/2025; A-5 Survey prepared by Morgan Engineering dated 7/30/2021

John A. Sarto, Esquire from the Giordano, Halleran and Ceisla law firm representing the applicant placed his appearance on the record. Mr. Sarto submitted A-6 Google Maps Aerial. Mr. Sarto introduced Anthony M. Condouris, a New Jersey licensed architect. Mr. Condouris was sworn in, and the Board accepted his credentials.

Mr. Condouris testified the proposal is to construct a one-story addition and covered porch to the rear of the existing structure, which triggers the variances being sought. Also proposed is a two-story rear addition, at-grade patio, outdoor shower, renovation of the front covered porch and rear screened porch.

Mr. Condouris explained the existing conditions at the subject premises. The property is a corner lot and the proposed one-story addition and covered porch in the rear is within the secondary front setback on Ward Avenue. The existing dwelling is setback 21.2 feet and 35 feet is required.

Mr. Condouris described the interior floor plans, the exterior elevations and architectural details and materials. Mr. Condouris also described the existing landscape buffering at the property. The applicant is amenable to additional landscaping and to replace the covered porch with a pergola. Revised plans will be submitted to zoning for review and approval.

Mr. Condouris opined the hardship is driven by the irregularly shaped, corner lot.

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 building coverage being requested.

After deliberations, Chairman Torcivia asked the pleasure of the Board. Mr. Izzo made a Motion to approve the amended application as discussed; Seconded by Mrs. Mayo.

Roll call vote:

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

The application of **Stephen and Nadia Harhen** for property located at 9 Circle Drive, Block 13, Lot 15 in the R-3 Zone was presented for the Board's consideration.

Mr. Steib advised the service has been reviewed and deemed adequate. The Board has jurisdiction to hear the application.

The Board is in receipt of the following exhibits: A-1 Application for Development Permit dated 11/27/2024; A-2 Variance Application w/ Narrative dated 1/16/2025; A-3 Survey dated 10/9/2024; A-4 Architectural Elevation and Floor Plans prepared by Robert W. Adler dated 11/8/2024; A-5 Denial Memorandum dated 12/4/2024.

Mark Aikins, Esquire, representing the applicant addressed the Board.

Mr. Aikins introduced Robert W. Adler, Jr., a New Jersey licensed architect. Mr. Adler was sworn in, and the Board accepted his credentials. Mr. Adler submitted a series of photograph marked as A-6.

Mr. Adler stated the application is for a 1960's split level residence. The proposal is to construct a two-story addition over the proposed new third bay of the garage, a new open front porch. Mr. Adler described the existing conditions at the subject premises.

The property is currently nonconforming for side yard setback for the existing deck, and side and rear setbacks for the existing shed. The proposal is seeking variances for maximum building coverage and minimum side yard setback.

Mr. Adler described the proposed interior floor plans, exterior architectural details and materials. This proposal will have a positive aesthetically appealing façade element. The footprint of the dwelling will not change. Mr. Adler submitted A-7 a series of color rendering and explained the proposed improvements.

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

Board Members expressed concern with the justification for the maximum building coverage being requested.

A brief recess is taken.

Mr. Aikins requested the application be carried to the next available meeting to revise the proposal.

The application will be carried to the March 27, 2025 Zoning Board Meeting at 7:30 p.m. without further notice required.

The application of **Matt and Amanda Lukof** for property located at 35 Wardell Avenue, Block 105, Lot 43 in the R-4 Zone was presented for the Board's consideration.

Mr. Steib stated the notice has been reviewed and deemed adequate. The Board has jurisdiction to hear the matter.

The Board is in receipt of the following exhibits: A-1 Development Application Permit dated 12/13/2024; A-2 Zoning Denial Memorandum dated 1/17/2025; A-3 Variance Application dated 2/14/2025; A-4 Survey prepared by Morgan Engineering and Surveying dated 10/17/2024; A-5 Architectural Elevation and Floor Plans prepared by Shissias Design and Development dated 12/23/2024

Matt Lukof, the property owner, was sworn in. Mr. Lukof explained the rationale behind the application. Mr. Lukof introduced Alec Shissias, a New Jersey licensed architect. Mr. Shissias was sworn in, and the Board accepted his credentials.

Mr. Shissias testified the application is to raze the existing dwelling and construction a two and a half story, single-family residence on the existing foundation. The property is an oversized, 17,000 square foot interior conforming lot. The existing pool, patio and deck are proposed to remain.

Mr. Shissias explained the existing conditions at the subject premises.

Mr. Shissias described the proposed interior floor plans, the exterior elevations, the architectural details and materials. Mr. Shissias submitted A-6 two photographs of existing conditions.

Variances being sought are for Floor Area Ratio, maximum floor area, building and lot coverage, oversized driveway, parking in the front yard setback and inaccessible garage. The hardship is explained as the existing 7'3" basement is considered floor area and a half-story, even though it is not habitable space.

Board Members expressed concerns with having the existing dwelling being almost completely razed and the request for the variances.

Mr. Marks advised the Board of issues in the past where applicants have tried to utilize the foundation and eventually the basement footings were found unsuitable. Mr. Marks strongly recommended a structural engineer be consulted to evaluate the capability of the basement handling the additional load of a second story. Mr. Marks reviewed the definition of basements within the ordinance.

Mr. Shissias stated the house was built Pre-World War II and is not on a block foundation. The type of foundation footings in this instance were built to support either a one- or two-story house.

Mr. Shissias stated the maximum permitted building coverage is 2,547 square feet. The existing building coverage is 2,606 square feet and the proposed is 2,623 square feet.

The two garage variances will be removed. The lot coverage variance is an existing condition. The building coverage will be reduced with the removal of the existing shed. The proposed dwelling is comparable with the newer surrounding homes. The bulk of the proposal is only visible in the rear.

Ms. DeSoucey advised the proposal should be considered a three-story home because of the basement and attic ½ stories.

The applicant requested a straw pool of the Board Members be conducted. Board Members shared their concerns for the requested floor area, setting precedent and the rationale for a hardship.

The applicant requested to be carried to the next available meeting to take the Board's comments into consideration and revise the plans.

The application will be carried to the March 27, 2025 Zoning Board Meeting at 7:30 p.m. without further notice required.

There being no further business before the Board, Motion was made and seconded to **adjourn** at approximately 9:50 p.m.

The next scheduled meeting will be **March 27, 2025** at 7:30 p.m.

Respectfully submitted,
Michele MacPherson