



Approved: May 23, 2024

**RUMSON ZONING BOARD**  
**April 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.

Present: Mr. Calder, Mr. Carey, Mr. Hawley, Mr. Hofferber, Mr. Izzo, Ms. Mayo, Mr. Ward, Chairman Torcivia

Mr. Ehrenberg arrived at approximately 7:34 pm.

Absent: None

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

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

Mr. Marks and Ms. DeSoucey were placed under Oath.

Mr. Izzo made a Motion to approve the **March 28, 2024 Meeting Minutes** as submitted; Seconded by Mr. Hofferber.

Roll call vote:

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

Nays: None

Abstain: Mr. Calder, Ms. Mayo

Mr. Ward made a Motion to adopt **Resolution #8016-Modification** approving the application of Steve Lipitzki for property located at 49 East River Road, Block 39, Lot 12, Zone R-5; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

Abstain: Mr. Calder, Ms. Mayo

Mr. Hawley made a Motion to adopt **Resolution #8054** approving the application of MG Kelly Builders for property located at 86 Black Point Road, Block 63, Lot 8, Zone R-6; Seconded by Mr. Ward.

Roll call vote:

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

Nays: None

Abstain: Mr. Calder, Ms. Mayo

Mr. Carey made a Motion to adopt **Resolution #8055** approving the application of Frank and Rhea Mallon for property located at 34 First Street, Block 26, Lot 9, Zone R-5; Seconded by Chairman Torcivia.

Roll call vote:

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

Nays: None

Abstain: Mr. Calder, Ms. Mayo

Mr. Hofferber made a Motion to adopt **Resolution #8056** approving the application of Nathan Mousselli for property located at 21 Holly Street, Block 67, Lot 14, Zone R-5; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

Abstain: Mr. Calder, Ms. Mayo

Mr. Hawley made a Motion to adopt **Resolution #8057** approving the application of Colin and Jessica Dudick for property located at 12 Holly Street, Block 68, Lot 8, Zone R-5; Seconded by Mr. Carey.

Roll call vote:

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

Nays: None

Abstain: Mr. Calder, Ms. Mayo

Mr. Steib advised the continued application of **Ed Moldaver** for property located at **31 Ward Avenue, Block 80, Lot 6.04** in the **R-2 Zone** has been carried for two months. There has been no further submission by the applicant or communications by the applicant. Mr. Steib suggested the application be dismissed without prejudice.

Mr. Hofferber made a Motion to dismiss the application without prejudice; Seconded Mr. Izzo.

Roll call vote:

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

Nays: None

Abstain: Ms. Mayo, Mr. Ward

Mr. Steib advised the next agenda item is a request of Christopher and Estelle Gillis for an **extension of time** for a previously approved **Resolution** for property located at 151 Bingham Avenue. The notice has been reviewed and is in order.

The Board has jurisdiction to hear the matter.

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicants addressed the Board. Mr. Brodsky this application was previously approved by Resolution adopted on May 17, 2022 for a two-story, one-car garage and interior renovations to the home. There have not been any ordinance changes that would impact the development as currently proposed. This is simply a request for an extension of the time to perfect the approved plans to September 1, 2024.

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

Mr. Marks concurred there have been no changes in zoning or ordinances to impact this development.

Chairman Torcivia asked the pleasure of the Board. Mr. Izzo made a motion to grant the extension of the previous Resolution to September 1, 2024; Seconded by Ms. Mayo.

Roll call vote:

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

Nays: None

Abstain: Ms. Mayo, Mr. Ward

The **Application** of Maureen Hourihan (Conley) for property located at 112A Avenue of Two Rivers was presented for the Board's consideration.

Mr. Steib advised that the service has been reviewed, is in order, and the Board has jurisdiction to hear the matter. The principle matters of this application relate to the change of use, from commercial to residential, requiring a variance.

John Anderson, Esquire from the Foss, San Fillipo & Milne law firm representing the applicant addressed the Board. Mr. Anderson stated the property has pre-existing nonconformity conditions which will not be exacerbated. Because residential uses within the R-4 Zone, as opposed to the NB Zone criteria, are reduced somewhat, there is de minimis relief being sought. The access and two-car parking to the property is through the rear of the lot by way of a Borough owned land off of Ridge Road and will remain the same.

Mr. Steib stated the Board is in receipt of the following exhibits: A-1 Application dated 3/20/2024; A-2 Land Use and Development Permit dated 2/23/2024; A-3 Denial Memorandum dated 3/11/2024; A-4 Site Plan with photographs revised through 2/23/2024; A-5 Survey dated 1/23/2024; A-7 Resolution dated 2/4/2008; A-8 Planning Board Resolution dated 9/6/1994; A-9 Easement Agreement

Mr. Anderson introduced Michael Simpson, a New Jersey licensed architect and planner. Mr. Simpson was sworn in, and the Board accepted his credentials.

Mr. Simpson described the existing conditions at the subject premises and surrounding properties. Mr. Simpson submitted aerial photographs dated 4/25/2024 marked as A-6.

Mr. Simpson testified that by virtue of changing from a business use to a residential use five of the existing conditions become less onerous. The lot size and required lot width, setbacks, lot shape and lot coverage are reduced under the residential use. An existing parking space will be removed which reduces lot coverage.

Mr. Simpson described the proposed exterior and interior improvements. A 10' by 10' shed is also proposed in the rear. The sign will be removed. Variance relief is being sought for minimum floor area; maximum building and maximum lot coverage. The benefits of variances being granted substantially outweigh any detriments. There will be no detriment to the zone plan or zoning ordinance.

Mr. Anderson and the Board discussed the Easement Agreement in detail. Mr. Steib advised the Board can grant an approval conditioned upon the proof of the access easement being submitted and reviewed.

Chairman Torcivia opened the testimony for public questions and/or comments. James Hourihan residing at 526 Ocean Avenue in Sea Bright was sworn in. Mr. Hourihan commented on the Easement Agreement. There being no further public questions and/or comments, the public portion was closed.

After deliberations, Chairman Torcivia asked the pleasure of the Board. Chairman Torcivia made a motion to approve the application subject to access easement proof being submitted; Seconded by Mr. Ward.

Roll call vote:

Ayes: Mr. Calder, Mr. Carey, Mr. Ehrenberg, Mr. Hawley, Mr. Izzo, Chairman Torcivia

Nays: Mr. Hofferber,

Abstain: Ms. Mayo, Mr. Ward

The **Application** of Bridget Losco for property located at 22 North Street was presented for the Board's consideration.

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

The Board is in receipt of the following exhibits: A-1 Application dated 11/29/2023; A-2 Denial Memorandum dated 4/4/2024; A-3 Survey dated 5/20/2022; A-4 Site Plan with elevation and floor plans dated 10/10/2023

Bridget Losco, the applicant, was sworn in. Ms. Losco introduced Alec Shissias, a New Jersey licensed architect. Mr. Shissias was sworn in, and the Board accepted his credentials.

Mr. Shissias explained existing conditions at the subject property. Mr. Shissias described the proposed interior floor plans and exterior architectural details. The property has existing nonconformities due to the property being a corner lot and undersized. The variances being requested are for maximum building coverage, proposed at 1,455 square feet, and minimum secondary front yard setback off Forrest Avenue, proposed at 4.5 feet.

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

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

Roll call vote:

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

Nays: None

Abstain: Ms. Mayo, Mr. Ward

There being no further business before the Board, Motion was made and seconded to **adjourn** at approximately 8:46 p.m.

The next scheduled meeting will be **May 23, 2024** at 7:30 p.m.

Respectfully submitted,  
Michele MacPherson