



Approved: July 25, 2024

RUMSON ZONING BOARD
June 27, 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. Carey, Mr. Carey, Mr. Hawley, Mr. Hofferber, Mrs. Mayo, Mr. Ward, Chairman Torcivia

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

Absent: Mr. Ehrenberg, Mr. Izzo

Also present, Michael B. Steib, Esq., David Marks, Zoning Officer, 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.

ADMINISTRATIVE

Mr. Calder made a Motion to approve the **May 23, 2024 Meeting Minutes** as submitted;
Seconded by Mr. Hawley.

Roll call vote:

Ayes: Mr. Calder, Mr. Carey, Mr. Hawley, Mr. Hofferber, Ms. Mayo, Chairman
Torcivia

Nays: None

Abstain: Mr. Ward

Mr. Carey made a Motion to adopt **Resolution #8060** approving the application of Steven Konrad for property located at 10 Edwards Point Road, Block 124, Lot 5 in the R-1 Zone;
Seconded by Mrs. Mayo.

Roll call vote:

Ayes: Mr. Calder, Mr. Carey, Mr. Hawley, Mr. Hofferber, Ms. Mayo, Chairman
Torcivia

Nays: None

Abstain: Mr. Ward

Unfinished Business:

The continued application of **Thomas McLaughlin** for property located at 24 Ridge Road, Block 70, Lot 8 in the R-2 Zone was presented for the Board's consideration.

Mrs. Mayo recused herself from hearing the application.

Mr. Steib advised the Board is in receipt of the following exhibits: A-6 Revised Denial Memorandum dated 6/13/2024; A-7 Revised Pool Grading Plan prepared by MGC Associates dated 6/1/2024

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant placed his appearance on the record. Mr. Brodsky stated the revised plans propose the installation of an in-ground pool only and dry well system, which still exacerbates the existing coverage condition. Mr. Brodsky submitted Revised Plans, which were marked A-8.

Mr. Brodsky recalled Gary Chiang, the project engineer. Mr. Chiang was sworn at the last meeting and remains under Oath.

Mr. Chiang described the revisions made to the plans and the Stormwater Management plans. The 774 square-foot patio has been eliminated. The driveway has been reduced by approximately 480 square feet. A variance is still needed for coverage and the side yard setback for the pool location.

Board Members suggested a further reduction to the circular driveway to keep the coverage approximately the same as existing conditions. Mr. Brodsky stated the applicant is amenable to doing that and revised plans will be submitted for review and approval.

Chairman Torcivia opened the application 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 with the revisions as discussed and subject to review and approval by the Board; Seconded by Mr. Calder. There was a request to draft a resolution, in the case that the Board approves the next revision.

Roll call vote:

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

Nays: None

Abstain: Mr. Ward

Recused: Mrs. Mayo

Mrs. Mayo resumes her seat on the dais (?)

NEW BUSINESS

The application of **Michael and Kimberly Magarro** for property located at 36 Warren Street, Block 137, Lot 3 in the R-5 Zone was presented for the Board's consideration.

Mr. Steib advised that service has been reviewed and is in order. The Board has jurisdiction to hear the application. The Board is in receipt of the following exhibits: A-1 Application dated 4/10/2024; A-2 Zoning Denial Memorandum dated 3/8/2024; A-3 Plot Plan prepared by Robert W. Adler and Associates revised date 2/27/2024; A-4 Aerial Photograph of the subject property

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the application placed his appearance on the record.

Mr. Brodsky introduced Robert W. Adler, Jr., a New Jersey licensed architect. Mr. Adler was sworn in, and the Board accepted his credentials.

The proposal is for coverage variance relief for the installation of approximately 894 square feet of high-quality artificial turf in the rear yard, which has already been installed. Mr. Adler submitted a series of four photographs marked as A-5 and described the contents; Shaw Industries, Inc. product specifications marked as A-6.

Mr. Adler testified that this material is very pervious and not typical AstroTurf. Mr. Adler supplied details of the permeability rate, the effects on the stormwater management system and the maintenance of this product.

Mr. Adler described the existing conditions of the subject property and surrounding properties. All other site conditions are compliant.

Chairman Torcivia opened the testimony for public questions and/or comments. Robert Olan residing at 38 Warren Street was sworn in. Mr. Olan expressed concern with seeking permission for something after the fact and verification of ordinance definition of lot coverage, impervious and pervious materials. Nancy Haaren residing at 34 Warren Street was sworn in. Ms. Haaren expressed concern with granting a variance, suggested a "tweak" to the ordinance and unknown contaminants leaking into the waterway. Ms. Haaren was also concerned with DEP permit application follow up. Mr. Adler stated the applicant has received DEP approval. There being no further public questions and/or comments, the public portion was closed.

After deliberations, Chairman Torcivia asked the pleasure of the Board. Mr. Ward made a motion to approve the proposal with conditions as discussed; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

The application of **Elisa Walling** for property located at 12 Washington Avenue, Block 141, Lot 10 in the R-5 Zone was presented for the Board's consideration.

Mr. Steib advised that notice has been reviewed and is in order. The Board has jurisdiction to hear the application. The Board is in receipt of the following exhibits: A-1 Land Use permit dated 4/26/2024; A-2 Denial Memorandum dated 6/12/2024; A-3 Variance application dated 6/10/2024; A-4 Architectural Site Plan prepared by Shissias Design and Development dated 6/7/2024; A-5 Survey prepared by Morgan Engineering, L.L.C. dated 11/5/2012

Elisa Walling, the applicant was sworn in. Ms. Walling explained the rationale for the proposal. Ms. Walling introduced Alec Shissias, a New Jersey licensed architect. Mr. Shissias was sworn in, and the Board accepted his credentials. Mr. Shissias explained the existing conditions at the property and the surrounding area.

Mr. Shissias described the proposal as a one-story rear addition with a two-car detached garage in the same location as the existing one-car detached garage. There are existing variances associated with the property. The variances being sought are for minimum side yard setback where eight feet are required, and two feet are existing, and four feet is being proposed; minimum front yard setback proposed at 23 feet. The three remaining variances are related to the two-car detached garage where 35 feet is required for the secondary frontage; maximum accessory structure of ground floor area and minimum driveway width in the front yard.

Mr. Shissias described the interior floor plans and the exterior architectural details. Mr. Marks asked for verification of the existing FEMA requirements and the elevation, screening and location of the HVAC units. Mr. Shissias explained the caveats of the requirements and will submit the revised plans for the screening of the units.

Chairman Torcivia opened the testimony for public questions and/or comments. Arlene Eskow residing at 15 Lincoln Avenue was sworn in. Ms. Eskow expressed concern with the possible runoff impacting her property. Mr. Marks explained grading and drainage plans will be submitted for review and approval. There being no further public questions and/or comments, the public portion was closed.

After deliberations, Chairman Torcivia asked the pleasure of the Board. Mr. Hofferber made a motion to approve the application conditioned upon approval of reviewed plans; Seconded by Mrs. Mayo.

Roll call vote:

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

Nays: None

The application of **Delia Tanger** for property located at 16 Bruce Place; Block 43, Lot 10 in the R-6 Zone was presented for the Board's consideration.

Mr. Steib advised that notice has been reviewed and is in order. The Board has jurisdiction to hear the application.

Theodora McCormick, Esquire from the Epstein, Becker and Green law firm, representing the applicant place her appearance on the record. Ms. McCormick introduced Anthony Condouris, a New Jersey licensed architect. Mr. Condouris was sworn in, and the Board accepted his credentials.

Mr. Condouris described existing conditions at the subject property. The variances being sought are for floor area, FAR, front yard setback, side yard setbacks, total combined side yard setback, accessory building setback. The lot coverage is proposed at 2,698 square feet and 2,375 square feet is permitted. The proposed floor area is 2,394 square feet and 2,000 square feet is permitted. The building coverage is proposed at 1,696 square feet and 1,458 square feet is permitted.

Mr. Condouris described the interior floor plans, and the exterior architectural details and elevations.

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. Ward made a motion to approve the application as presented; Seconded by Mr. Hawley.

Roll call vote:

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

Nays: None

The application of **Fredrika Vance** for property located at 6 Belknap Lane, Block 101, Lot 5 in the R-2 Zone was presented for the Board's consideration.

Mr. Steib stated the notice has been reviewed and is in order. The Board has jurisdiction to hear the application. The Board is in receipt of the following exhibits: A-1 Application dated 6/12/2024; A-2 Zoning Denial Memorandum dated 6/12/2024; A-3 Architectural Elevation and Floor Plans prepared by James T. Daley revised date 6/13/2024; A-4 Survey prepared by Brunswick Surveying, Inc. dated 1/27/2023; A-5 8 ½ by 11 sheet consisting of two photographs; A-6: 8 ½ by 11 sheet consisting of two photographs

Fredrika Vance, the property owner was sworn in. Ms. Vance described the rationale for the proposed renovations and additions to the 1897 home. Ms. Vance introduced James T. Daley, a New Jersey licensed architect. Mr. Daley was sworn in, and the Board accepted his credentials.

Mr. Daley explained the existing conditions at the subject premises. The new variances being requested are for maximum floor area, maximum floor area ratio, maximum building coverage, minimum principle building front yard setback, maximum peak height, minimum accessory

building front yard setback, rear yard setback, maximum peak height and maximum accessory building ground floor area. The maximum lot coverage will be intensified. The existing nonconformities will remain unchanged.

Mr. Daley described the proposed renovations, interior floor plans and exterior architectural details and elevations of the home and garage.

Chairman Torcivia opened the testimony for public questions and/or comments. Richard Diamond residing at 67 Navesink Avenue was sworn in. Mr. Diamond expressed concern with the proposed height of the garage impacting his privacy. There being no further public questions and/or comments, the public portion was closed.

After deliberations, Chairman Torcivia asked the pleasure of the Board. Mr. Hawley made a motion to approve the application as presented; Seconded by Mr. Carey.

Roll call vote:

Ayes: Mr. Calder, Mr. Carey, Mr. Hawley, Mr. Hofferber, 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 10:10 p.m.

The next scheduled meeting will be **July 25, 2024** at 7:30 p.m.

Respectfully submitted,
Michele MacPherson