



RUMSON PLANNING BOARD
February 2, 2026
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: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky
Absent: Mr. Goodes, Mr. McManus

Also present, Michael B. Steib, Esq., Thomas Rogers, Municipal Clerk, Administrator, David Marks, Borough Engineer, George Minaidis, representing T&M Associates, Kendra Lelie, Borough Planner (via telephone conference)

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

Mr. Steib administered the Oath of Office to Councilman Casazza.

Kendra Lelie, Thomas Rogers and David Marks were sworn in.

Administrative:

Review of the Fourth Round Amended Housing Element and Fair Share Plan. Mr. Steib advised the service has been reviewed and is in order. The Board does have jurisdiction to proceed.

Ms. Lelie explained the changes to the overlay districts and other amendments to the plan.

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

Mrs. Baret made a motion to approve **Resolution #26-00** to adopt the Housing Element and Fair Share Plan as amended for the Fourth Round Housing Element; Seconded by Councilman Casazza.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

Consistency review of the Mixed Use and Multi-family Overlay **Ordinance # 26-004D** amending Chapter 22, Development Regulation in the GB, NB and POB Zone Districts.

Councilman Casazza made a motion to approve the amendment to the ordinance and deem it to be consistent; Seconded by Councilman Kingsbery.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

Consistency review Ordinance 26-005D amending Chapter 22, Development Regulations in the Faith Institution Inclusionary Overlay Zone. Mrs. Baret made a motion to approve the amendment to the ordinance and deem it to be consistent; Seconded by Councilman Casazza.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

The review and approval of the January 12, 2026 Planning Board Meeting Minutes was tabled at this time.

Resolutions

Mr. Torres made a motion to approve **Resolution #26-7** approving the application of River Point Inn for property located at **132 E. River Road, Block 54, Lot 6** in the GB Zone; Seconded by Councilman Kingsbery.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

Abstain: Councilman Casazza

Chairman Brodsky stated the Board was made aware that the properties on Tennis Court Lane and Belknap Lane were being marketed with the wording that “you could build your own dream home”, and inquired about compliance with the special condition regarding the architectural style for the construction of new homes and the enforcement of the same.

Mr. Brodsky, attorney for TagCap Atlantic, 54 Rumson, L.L.C. addressed the Board. Mr. Brodsky stated the “dream home” will be an Atlantic Builders’ home. Atlantic Builders’ business model is essentially twofold. Atlantic Builders will contract to sell the property and the completed home with the potential purchaser. There will be input, special requests, extras and options from the third-party owner, but those will still be homes designed and built by Atlantic Builders.

Sometimes Atlantic Builders will sell the property early on before the construction of the home to the ultimate owner. Typically, that’s in conjunction with a construction management agreement whereby Atlantic Builders is contracted to build the home.

The applicant has agreed as a condition of approval the homes would be designed and built by Atlantic Builders. The advertised “dream home” sign was not meant to imply that the lots would be sold without restriction. Any sale would be subject to conditions of the resolution. There was no intention to run a fowl of any provision in the subdivision approval.

Konstantinos Natsis reiterated that the homes will be designed and built by Atlantic Builders. There will be wording in the purchase contracts regarding the restrictions.

Mr. Brodsky supplied that the County Planning Board is initially amenable to allowing access onto Rumson Road a little further from Tennis Court Lane.

Mrs. Baret made a motion to approve **Resolution #26-8** approving the Minor Subdivision application of TagCap Atlantic, 54 Rumson, L.L.C. with special conditions, for property located at **54 Rumson Road, Block 103, Lot 2** in the R-2 Zone; Seconded by Mrs. Ford.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Mr. Ciambrone, Mrs.Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

Abstain: Councilman Casazza

Old Business

None

New Business

The application of **Berry** for property located at **35 Rumson Road, Block 134, Lot 9 in the R-5 Zone** was presented for the Board’s consideration. Mr. Steib stated service has been reviewed and is in order. The Board has jurisdiction to hear the application. The Borough Engineers have no objection to the submission waivers being granted.

Mrs. Baret made a motion to grant the requested waivers; Seconded by Councilman Casazza.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs.Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

The Board is in receipt of the following exhibits: A-1 Application dated 9/20/2025; A-2 Survey of Lot 9 and Block 134 prepared by Charles V. Bell Associates, Inc., dated 2/26/2025; A-3 Minor Subdivision Plan and Survey for Lot 9, Block 134 prepared by Charles V. Bell Associates, Inc. dated 5/19/2025; A-4 T&M Associates Completeness Engineering and Fee Review dated 12/15/2025; A-5 Land Use and Development Permit Application dated 9/29/2025; A-6 Denial Memorandum dated 10/31/2025

Rick Brodsky, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant addressed. The application proposes to subdivide a single-family oversized lot into two fully

conforming single-family residential lots. There are no variances associated with the application. There is no new construction proposed. The potential homes were plotted just for illustrative purposes showing the lots will remain oversized for the zone. In the R-5 Zone the minimum lot area required is 6,000 square feet and the lots are proposed in excess of 13,000 square feet each. The lot widths comply. All existing improvements on the site will be removed.

Mr. Marks stated item 1.2b listed in the 12/15/2025 T&M Associates Report References a potential variance for a five-foot setback for the driveway was in error and not applicable for this zone. The submitted plans comply with the ordinance.

Mr. Brodsky introduced Vanessa Berry, property owner. Ms. Berry was sworn in. Ms. Berry explained the rationale for the proposed subdivision and stated the intention is to build something that fits into the neighborhood and would be amenable to a condition of approval being new construction be of like and style of similar homes in this area and not seek variance relief.

Mr. Brodsky introduced Charles V. Bell, Jr., a New Jersey licensed land surveyor and planner. Mr. Bell was sworn in, and the Board accepted his credentials. Mr. Bell described existing conditions are the subject premises.

Mr. Bell stated there are no variances or wetlands associated with the application. Mr. Bell corrected the lot width of the property as 110 feet. The two new proposed lots 9.01 and 9.02 are 55 feet in width. Mr. Bell stated the applicant will comply with the items raised in the T&M Associates' review of the proposal.

Board Members inquired possible proposed basements and the highwater table at the property. Mr. Marks stated that part of the parcel is in the FEMA Map Flood Zone restricting any type of basement. The home would have to be built in accordance with the Borough's Flood Plane Management Standards for the entirety of the lots, and the height of the homes will be 35 feet and possible two to three feet above ground level in accordance with the Base Flood Elevation Standards.

Board Members questioned whether the 55-foot width is comparable with other properties in the immediate area and expressed concern with building of new houses in the Flood Zones exacerbating existing conditions. Mr. Brodsky stated the property currently does not have any stormwater management system in place.

Mr. Marks asked whether if the County did a taking or temporary construction easement in association with the S-32 replacement and if there were any plans for future easement. Mr. Bell stated their construction ended at the westerly boundary of the property, and they do not expect any easement in the future.

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

After deliberations, Chairman Brodsky asked the pleasure of the Board. Councilman Casazza made a motion to approve the minor subdivision with the conditions of no variances required, new home will comply with the Rumson Shore Community style of home and compliance with listed items in the T&M Associates review; Seconded by Mr. Shissias.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: Mrs. Carras

The application of **Bartz (aka Rumson Market, L.L.C)** for property located at **101 East River Road, Block 47, Lot 1 in the GB Zone** was presented for the Board's consideration. Mr. Steib reviewed service and it is in order. The Board does have jurisdiction to hear the application.

Board Member reviewed the waiver requested submitted by the applicant in the T&M Associates review memorandum. Mr. Marks advised there are no objections to the submission waivers being granted and the applicant will provide testimony for items listed in same.

Councilman Casazza made a motion to grant the completeness waivers requested; Seconded by Mrs. Baret.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

The Board is in receipt of the following exhibits: A-1 Minor Site Plan prepared Kennedy Consulting Engineers dated 10/29/2025; A-2 Architectural Plan prepared by Robert W. Adler and Associates dated 10/29/2025; A-3 Topographic Survey prepared by Charles Surmonte Professional Engineer and Land Surveyor dated 07/31/2020; A-4 Application dated 10/30/2025; A-5 T&M Associates Completeness Engineering and Fee Report dated 12/17/2025; A-6 Deed of Easement for Right-of-way from 101 East River, LLC to the County of Monmouth dated 06/06/2022; A-7 Land Use and Development Permit Application dated 08/13/2025; A-8 Denial Memorandum dated 09/02/2025; A-9 Pylon Sign Exhibit

Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm addressed the Board. Ms. Krimko submitted A-10 9 Photographs of subject property; A-11 Aerial prepared by Kennedy Consulting Engineers; A-12 91 East River Road Photograph. Ms. Krimko stated that currently The Peach Pit operates on the site by way of a 2022 Use Variance approval that included a significant parking variance to allow nine spaces, where 23 spaces was required. Prior to the Peach Pit occupying the location it was a real estate office.

The current application is to bring the site back to a retail deli use, which is expressly permitted by the ordinance. The Rumson Market previously operated at 91 East River Road. This take-out retail deli use reduces the 14-space parking deficit to two parking spaces. Eleven spaces are required and nine are provided. The building signs will be refurbished with new faces. There are no other site changes or tables and chairs proposed.

Ms. Krimko introduced Andrew R. Comi, a New Jersey licensed engineer. Mr. Comi was sworn in, and the Board accepted his credentials.

Mr. Comi described the existing conditions at the subject premises and the surrounding area. Ms. Krimko explained the terms of the easement between the two property owners for ingress and egress not for parking and will not be changed with this application.

Mr. Comi testified at the rear of the building there is a paved parking lot with nine spaces with one ADA space, which will not change. Eleven spaces are required for the 1,200 square foot deli on the first floor. The second floor will be used for storage and office space. The existing refuse enclosure containing five 32-gallon trash cans is located at the west side rear of the building and will not change. Private haulage will be arranged and roll out dumpsters can be supplied, if necessary. Mr. Rogers suggested possibly supplying outdoor trash cans. The applicant is amenable to supplying attractive receptacles and will police and maintain same.

The only proposed exterior improvement are the proposed signs. The existing ground and building mounted signs will be refaced. The location and size of these signs will not change. Box truck deliveries will be made twice a week and performed prior to opening.

Ms. Krimko introduced Greg Bartz, owner/operator. Mr. Bartz was sworn in. Mr. Bartz testified the hours of operation are 8 am to 4 pm for the public. There will be three employees from 7 am to 5 pm parking off site. The equipment used is self-ventilating, greaseless ovens. The same Butler's menu was be in place.

Mr. Rogers stated the Board is eligible to opine on the Construction Code or the construction of a building meets the cooking standards for the type of kitchen they want to install. During the previous application there was a discussion as to what could or could not be put in. A small electric pizza oven and a few other items were allowed. The building is not equipped to meet the requirements.

Mr. Steib advised the applicant will have to meet all the requirements from the Construction Office and the Building Code. Ms. Krimko stated there are no proposed changes to what exists in the kitchen and was permitted to be there by way of the Building Code. Ms. Krimko cited the ordinance definition for the use. There are no plans for outdoor seating or indoor gaming.

Mr. Rogers stated the applicant must submit details to the Building Department and Construction Office for compliance.

Board Members inquired about policing loitering and the like. Mr. Bartz stated the number of occupants allowed would be limited.

Mr. Steib advised there are existing nonconformities associated with the site and they are permitted to continue. The variance requested is for parking for this permitted use.

Chairman Brodsky opened the application for public questions and/or comments. William Walton residing at 9 North Street was sworn in. Mr. Walton commented on parking issues with other businesses in that area. Elain Eden residing at 4 Wilson Circle was sworn in. Ms. Eden questioned the illegal and legal parking in the area and commented on the dangerous conditions in the area. Mr. Marks advised the restricted parking information. George Massabni residing at 37 Highland Avenue was sworn in. Mr. Massabni spoke in favor of the application and commended the business owner's love for community.

John Conklin, residing at 8 Brookside Drive was sworn in. Mr. Conklin asked for clarification of outdoor seating, the hours of operation, deliveries, take-out and refuse pickups. Mr. Conklin expressed concern with potential traffic issues with illegal parking. Ms. Krimko addressed the issues.

Board Members suggested signage for no stopping or standing in the area and the applicant restrict hours for deliveries and trash pickups.

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

After deliberations, Chairman Brodsky asked the pleasure of the board. Councilman Casazza made a motion to approve the application with the following conditions: appropriate refuse containers and private pickup; compliance with the T&M Associates items; no interior structural renovations; adherence to hours of operation; no tables, chairs or outdoor seating; attractive outdoor trash receptacles; no deliveries or trash pickups before 7 am; Building Department review and approval with codes pre-CO; as-built matching submitted plans; Seconded by Mr. Torres.

Roll call vote:

Ayes: Mrs. Baret, Mrs. Carras, Councilman Casazza, Mr. Ciambrone, Mrs. Ford, Councilman Kingsbery, Mr. Shissias, Mr. Torres, Chairman Brodsky

Nays: None

Executive Session

None

There being no further business before the Board, the meeting was adjourned at approximately 10:30 p.m.

The next regularly scheduled **Planning Board Meeting will be held on March 2, 2026** at 7:30 p.m.

Respectfully submitted,
Michele MacPherson,
State Shorthand Reporting Service, Inc.