

RUMSON PLANNING BOARD
MARCH 1, 2021
MINUTES

The regularly scheduled virtual meeting was called to order at 7:30 pm with a salute to the flag, followed by a roll call of: Chairman Lospinuso, Mr. Clark, Councilman Casazza, Mrs. White, Mrs. Baret, Mr. Shanley, Mr. Barham, Mr. Ciambrone, Mrs. Condon
Absent: Councilman Rubin, Mrs. Ford

Also present, Michael B. Steib, Esq., Fred Andre', Thomas Neff representing T&M Associates and Eric Paone Hurd, Moderator.

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

Chairman Lospinuso offered a warm welcome to Fran Condon and thanked her for her service on the 2021 Planning Board.

Chairman Lospinuso asked for any comments on the January 4, 2021 Meeting Minutes. Mr. Shanley made a Motion to approve the Minutes as submitted; Seconded by Councilman Casazza.

Roll call vote:

Ayes: Mr. Clark, Councilman Casazza, Mrs. Baret, Mr. Shanley, Mr. Barham

Nays: None

Abstain: Mrs. White, Mrs. Condon

Mr. Steib announced that the first order of business will be an informal review of a proposed minor subdivision for Kopel - Virginia for properties located at 134 Rumson Road and 52 Bellevue Avenue.

Mark Aikins, Esquire representing the property owner addressed the Board. Mr. Aikins introduced Patrick Ward, the project engineer and planner. Mr. Ward explained that the proposal is to adjust the lot line from Lot 13.01 and add a portion of that property to Lot 15. Once that is completed the plan is to subdivide Lot 15 into one rectangular lot and one flag lot, both will consist of 1.5 acres. The remaining Lot 13.01 will also be 1.5 acres. Essentially creating three lots.

Mr. Ward described the concept plan. The existing dwelling will remain on Lot 15 with a width and frontage of 200 feet. The existing home on "Lot A" causes an excess of building coverage. The created rear "Lot B" deviates from the R-1 zoning in terms of lot frontage and width, which is 39 feet where 200 feet is required. There is also a deviation in lot circle diameter. A conservation easement or restriction of some sort between new lots "B" and "C". The applicant's goal was to provide three 1.5 acre lots while meeting most bulk requirements for the zone.

Board Members expressed concern with the creation of a flag lot; safety issues with an additional driveway access on Rumson Road; proposed Lot "A" will be over on building coverage and will create the need for a variance.

Mr. Aikins thanked the Board for their consideration and will take their comments under advisement.

Mr. Steib announced that the minor subdivision application of Steven Scopellite for property located at 52-54 Buena Vista Avenue be presented for the Board's consideration.

Mr. Neff stated that there is no objection to the granting of the requested waivers and the application can be deemed complete. Mr. Shanley made a motion to grant the requested waivers and hear the application; Seconded by Mr. Clark.

Roll call vote:

Ayes: Mr. Clark, Councilman Casazza, Mrs. White, Mrs. Baret, Mr. Shanley, Mr. Barham, Mr. Ciambrone, Mrs. Condon, Chairman Lospinuso

Nays: None

Mr. Steib advised that service is in order and the Board has jurisdiction to hear the application.

Rick Brodsky, Esquire, from the Ansell, Grimm and Aaron law firm, representing the applicant addressed the Board. Mr. Brodsky indicated that the property consists of two lots recorded under the same Deed of approximately 10.37 acres. The proposal is simply a new lot line adjustment and all the existing structures will remain. The only construction will be to add an independent driveway to proposed Lot 3.01 and remove a portion of the connection between the existing driveways. Mr. Brodsky advised that the exact same proposal was approved in 2016 but was never perfected.

Mr. Steib advised that the Board is in receipt of the following exhibits: A-1 Minor Subdivision Application dated 11/20/20; A-2 Minor Subdivision Plan prepared by Charles Surmonte revised 5/2/17; A-3 Resolution adopted 6/6/16; A-4 Resolution adopted 2/6/17; A-5 T&M Associates Engineering and Completeness Review dated 1/11/21.

Mr. Brodsky introduced Charles Surmonte, a New Jersey licensed engineer and land surveyor. Mr. Surmonte was sworn in and the Board accepted his credentials. Mr. Surmonte described the existing conditions of the subject property. Proposed Lot 2.01 is an irregularly shaped lot that consists of 348,678 square feet or 8 acres with 544 feet of frontage on Buena Vista Avenue. Proposed Lot 3.01 is also irregularly shaped and consists of 103,383 square feet or 2.37 acres with 200 feet of frontage on Buena Vista Avenue.

Both lots have existing garage doors facing Buena Vista Avenue and have existing accessory structures that exceed 30 percent of the principle dwelling. Lot 3.01 is deficient in the lot shape circle being tangent to the front setback line. These variances were granted approval in the 2016 application. A new driveway access is proposed for Lot 3.01 on Buena Vista Avenue. No trees are proposed to be removed as part of this application.

Chairman Lospinuso opened the testimony for public questions. Mike McCarty residing at 1 Blackpoint Horseshoe questioned the location of the lot shape circle in relation to the pond. He was advised that the pond is not considered wetlands and is state open waters. The lot shape circle proposed on Lot 2.01 is shown at the maximum allowable and the actual required lot shape circle of 115 feet is much smaller. There being no further questions, the public question portion was closed.

Mr. Brodsky introduced Andrew Janiw, a New Jersey licensed planner. Mr. Janiw was sworn in and the Board accepted his credentials. Mr. Janiw described the existing conditions on the subject property and the surrounding properties. This application provides adequate light, air and open space. The benefits of this application outweigh any detriments. The granting of the three variances being requested will have no detrimental impact on the Borough of Rumson's Master Plan, zone plan and zoning ordinances.

Mr. Brodsky introduced Steven Scopellite, the property owner. Mr. Scopellite was sworn in. Mr. Scopellite explained that the intent of the subdivision is to market and sell 52 Buena Vista Avenue as an eight-acre equestrian estate.

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

After further discussion, Chairman Lospinuso asked the pleasure of the Board. Mr. Clark made a motion to approve the subdivision as presented; Seconded by Mr. Barham.

Roll call vote:

Ayes: Mr. Clark, Councilman Casazza, Mrs. White, Mrs. Baret, Mr. Shanley,
Mr. Barham, Mr. Ciambrone, Mrs. Condon, Chairman Lospinuso

Nays: None

Mr. Steib advised the Board that no Executive Session was necessary.

There being no further business before the Board, the meeting was adjourned at approximately 9:20 p.m.

The next scheduled meeting will be held virtually on April 12, 2021 at 7:30 p.m.

Respectfully submitted,
Michele MacPherson