

RUMSON ZONING BOARD
July 20, 2021
MINUTES

The regularly scheduled virtual meeting was called to order at 7:30 pm with a salute to the flag, followed by roll call Chairman Brodsky, Mr. Torcivia, Mr. Blum, Mr. Shissias, Mrs. McGill, Mrs. Carras (arrived at approximately 8:30 pm)

Absent: Mr. Hofferber, Mr. Izzo

Also present, Bernard Reilly, Esq., Fred Andre', Zoning Officer, Tom Neff representing T&M Associates and Eric Paone Hurd, Moderator.

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

Fred Andre', the Borough Zoning Officer was sworn in.

Chairman Brodsky announced that the application of **Robert Ackerman** for property located at **58 Bingham Avenue** be presented for the Board's consideration.

Mr. Blum recused himself from hearing the application.

Mark Aikins, Esquire representing the applicant addressed the Board. Mr. Aikins introduced Richard Tokarski, a New Jersey licensed architect. Mr. Tokarski was sworn in and the Board accepted his credentials. Mr. Tokarski testified that the application is to remove the existing detached garage and shed to construct a new two-story addition at the premises. Mr. Tokarski described the existing conditions at the property and the renovations being proposed. The existing garage is in dilapidated condition and needs to be demolished. The existing home was constructed in 1893 and the proposed addition mimics a detached garage and connects to the house with a glass breezeway. Mr. Tokarski gave a description of the interior floor plans and the exterior elevations.

Mr. Aikins introduced Maeve Desmond, a New Jersey licensed planner. Ms. Desmond was sworn in and the Board accepted her credentials. Ms. Desmond testified that the existing detached garage is substandard and not suitable to function as a garage. The existing shed and brick patios are being removed, which reduces the lot coverage. Off-street parking for three vehicles is provided within the existing driveway. The benefits of granting the requested variance outweigh any detriment. The proposed addition complies with the requirements for building coverage, lot coverage. The project provides adequate light, air and open space, setbacks and height requirements will be met. This proposal will not substantially impair the intent and purpose of the zoning ordinance or Master Plan of the Borough.

Board Members expressed concern without the construction of a replacement garage at the subject property and the proposed addition gives the appearance of a separate living space.

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

Mr. Aikins requested that the application be carried to the next available meeting. Mr. Reilly announced that the application will be carried to the August 17, 2021 meeting at 7:30 pm without notice being required.

Mr. Blum resumes his seat on the dais.

Chairman Brodsky announced that the continued application of **The Peach Pit, LLC** for property located at **101 East River Road** be presented for the Board's consideration.

Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant addressed the Board.

Brief recess is taken.

Ms. Krimko submitted the following exhibits: A-3 Use Chart prepared by Tara Duva; A-4 Architectural Plans dated 5/5/2021; A-5 Circulation and Parking Plan dated 7/9/2021; A-6 Planning exhibit.

Ms. Krimko recalled Tara Lynn Duva. Ms. Duva was sworn at the last meeting and remains under Oath. Ms. Duva gave additional testimony regarding the time schedule of the proposed sessions, proposed maximum occupancy of the sessions, timing and lunch delivery services and the number of employees proposed for the school year programs.

Ms. Duva also gave further testimony regarding the Saturday party services being proposed would be available at 11:00 and 2:00 on a year-round basis. Monday through Friday from 9:00 to 2:00 during the summer the applicant is proposing to do hybrid version of various programs offered during the school year.

Chairman Brodsky opened the testimony for public questions. Adam M. Harris, Esquire asked for verification of employee arrival/departure times, student restrictions, occupancy limitations. Robert Gray inquired about the costs associated with the services offered, employment resourcing.

Ronald Cucchiaro, Esquire, representing the Tom Giaimo asked questions regarding the professional development sessions and capacity limitations, total occupancy of the facility and summer hours.

John Conklin inquired about the college prep courses and the limitations and hours of operations, length of enrichment courses.

Sean Byrnes, Esquire representing the owner of 105 River Road inquired about the maximum occupancy of the facility.

There being no further questions, the public portion was closed.

Ms. Krimko introduced Robert W. Adler, a New Jersey licensed architect. Mr. Adler was sworn in and the Board accepted his credentials. Mr. Adler described the existing and proposed interior floor plans of the premises. The exterior of the building/property is being renovated currently and described the proposed signage, lighting plan and bicycle rack plans for this use.

Tom Neff asked for clarification on the existing and proposed outdoor lighting, proposed landscaping plans and bike rack details. Mr. Neff asked the applicant to supply detailed plans for review and approval.

Chairman Brodsky opened the testimony for public questions. Mr. Harris inquired about the outside refuse enclosure and proposed kitchen facilities. Mr. Cucchiaro questioned the exterior renovations, permitted uses of the property. Cynthia Hull asked for clarification on the refuse enclosure and collection schedule. Mr. Byrnes asked for clarification of the occupancy per use, number of proposed bike racks, refuse pickup and frequency and compliance with Fire/Building Codes.

There being no further public questions, the public portion was closed.

A brief recess takes place.

Ms. Krimko introduced John McCormack, a New Jersey licensed traffic engineer. Mr. McCormack was sworn in and the Board accepted his credentials. Mr. McCormack gave a summary of his traffic report regarding the proposed use, adequacy of the roadway's ability to handle the traffic and the parking availability.

Mr. McCormack testified that the traffic generations projected during peak hours for permitted uses in this zone would be significantly higher than the projections for the proposed use. Mr. McCormack explained the availability of public on-street parking within 600 feet of the site to accommodate any overflow parking needs during the week and on the weekends. Any deliveries to the site will be via vans or small box trucks and would occur during off-peak hours. There is no proposed change to the existing parking spaces or the driveway at 103 East River Road, which has an easement agreement with the subject premises. Refuse pick up will be done under the direction of the facility manager and by a private carting company. The student drop-off and pickup plan has many options and most of the student are old enough to arrive and leave by their own means.

Board Members expressed concerns with the traffic pattern and parking availability being different during the school year.

Chairman Brodsky opened the testimony for public questions. Mr. Harris asked for further information regarding data supplied for Mr. McCormack's testimony, scope of his calculations, analysis and report.

Mr. Byrnes asked for verification on the easement agreement, ingress/egress, circulation on the site and the intensity of the proposed use.

Mr. Chucchiaro inquired about on-street parking for the facility and other businesses in the area, easement maneuverability, pickup/drop-off activity and trip generation data.

Cynthia Hull asked whether traffic counts were conducted on West Street and East River Road while the schools were in session and vehicular maneuverability on site.

Ms. Krimko requested that the application be carried to next available date. Mr. Reilly announced that the application will be carried to the September 21, 2021 with notice being required.

Mr. Reilly submitted a Resolution approving the application of Coady Lawes for property located at 32 Holly Street, Block 69, Lot 8. After review and discussion, Mrs. Carras made a motion to approve the Resolution as submitted; Seconded by Chairman Brodsky.

Roll call vote:

Ayes: Mrs. Carras, Mr. Izzo, Chairman Brodsky

Nays: None

Abstain: Mr. Blum, Mr. Torcivia, Mr. Shissias, Mrs. McGill

Chairman Brodsky asked for comments on the June 15, 2021 Zoning Board Minutes. Mrs. Carras made a Motion to approve the Minutes with corrections; Seconded by Chairman Brodsky. By voice vote the June 15, 2021 Minutes were approved.

There being no further business before the Board, the meeting was adjourned at approximately 11:15 p.m.

The next scheduled meeting will be **August 17, 2021** at 7:30 p.m.

Respectfully submitted,
Michele MacPherson