

# ZONING BOARD OF ADJUSTMENT

**FEBRUARY 19, 2026**

PRESENT: Charles Ross, Phil Greig, Tony Almeida, Barry Lubin, Mark O'Neill, Clare Hayner and Mark Spagnuolo

ABSENT: Jim DiOrio and Mark Fitzgerald

ALSO, PRESENT: Board Attorney Kevin Kennedy, Esq., Zoning Officer Ted Bianchi, and Board Secretary April Claudio

The secretary said that adequate notice of this meeting of the Zoning Board of Adjustment was sent by email to our official newspapers, the Coast Star and the Asbury Park Press and by posting a copy of said notice at the Municipal Complex and on the Borough's Website.

Mr. Greig offered a motion to approve the minutes of the January 22, 2026 meeting, which was seconded by Mr. Almeida and approved by the following vote:

AYES: Ross, Greig, Almeida, Lubin, O'Neill, Hayner and Spagnuolo

Mr. Almeida offered a motion to waive the reading and approve the resolution for Donald & Patricia Ginty, 616 16<sup>th</sup> Avenue, which was seconded by Mr. Greig and approved by the following vote:

AYES: Ross, Greig, Almeida, Lubin, O'Neill, Hayner and Spagnuolo

Mr. Lubin offered a motion to waive the reading and approve the resolution for Brian & Cecilia Matthews, 109 11<sup>th</sup> Avenue, which was seconded by Mr. Spagnuolo and approved by the following vote:

AYES: Ross, Greig, Almeida, Lubin, O'Neill, Hayner and Spagnuolo

Mr. Almeida offered a motion to waive the reading and approve the resolution for Arthur Moloughney, 204 Third Avenue, which was seconded by Mr. Spagnuolo and approved by the following vote:

AYES: Ross, Greig, Almeida, Lubin, O'Neill, Hayner and Spagnuolo

## EDWARD SZUMSKI – 207 NINTH AVENUE

Appearing for this application were Mr. Szumski, attorney Bill Shipers, and architect Mary Hearn. Mr. Spagnuolo recused himself as he is a relative of Mr. Szumski. Mr. Kennedy advised there are only six eligible members now and this is an application for a use variance.

Exhibits marked: A1 application, A2 minor land use permit, A3 survey, A4 architectural plans, A5 pamphlet of 13 pages containing aerials and photographs, A6 proposed elevations, and A7 photo board of existing site.

Mr. Szumski stated he has owned the property since 2013. There is currently one structure containing two units, first floor and second floor. Unit one has two bedrooms and one bathroom and is currently occupied. Unit two has four bedrooms and one bathroom and is currently occupied. House has been in his family for years and became a rental property when he was 10 years old after the passing of his grandparents. He would like to make alterations to the home to grow into and make it his own.

Ms. Hearn explained the existing floor plans. The proposal is to renovate the first floor to open up the floor plan to create a dining room, relocate the kitchen, and put the family room at the rear that would be open to the kitchen and dining room. Add mudroom, pantry, outdoor shower and a half bathroom. They would remove the rear deck and replace it with a landing to a patio. Mr. Shipers pointed out the first floor would then go from two bedrooms with one bathroom to one bedroom with one and a half bathrooms. The second-floor unit would remain as is with a locked

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door between the two units. The second floor would be changed to three bedrooms with three bathrooms. The exterior of the garage will be renovated to match the front house.

Ms. Hearn stated Mr. Szumski spoke to his neighbors about his plans. The neighbor to the west had a concern about an 18-inch bump out on the second floor of the front of the house which requires a setback variance. They decided to reduce it by six inches to appease the neighbor.

Variances: Expansion of a non-conforming use, existing front, west side and rear setbacks, existing garage setbacks, building coverage of 28% due to the existing garage, new front yard setback of 18.6 feet, front porch setback of balcony at 11.9 feet. Can move it an inch to meet the 12 ft. setback if the Board prefers. Impervious coverage currently exceeds the 50% allowed and will be reduced and brought into compliance at 43.3%.

Mr. Shipers felt the proposed improvements improve the aesthetics of the home and brings the home up to code which falls under the positive criteria for granting the D variance. Ms. Hearn felt there were no substantial detriments or negative impact to granting the D variance.

Mr. Greig asked if the existing fireplace is permitted to be wooden. Mr. Szumski stated it used to be metal, but it would get rusty. Ms. Hearn stated it is being removed since they are offering a balcony on the second floor.

Ms. Hayner asked for clarification on how the house will be used. Ms. Hearn stated Mr. Szumski will occupy the second floor with the anticipation of eventually taking over the whole home, which is why the interior door between the units is being added.

Public: None

Mr. Ross felt this is a net positive to the community, the building coverage is increasing slightly but the number of bedrooms is decreasing. Mr. Greig agreed. Mr. Almeida stated the overall aesthetics are improving, the impervious coverage is being brought into compliance, an old historic home is being brought up to code, and the number of bedrooms decreasing are all positive. Mr. O'Neill was in favor of the application. Ms. Hayner liked the home was staying within the family.

Mr. Almeida offered a motion to approve the application, which was seconded by Mr. Lubin and approved by the following vote:

AYES: Ross, Greig, Almeida, Lubin, O'Neill and Hayner

Mr. Bianchi and Mr. Kennedy addressed the Board regarding the approvals granted to 503 12<sup>th</sup> Avenue. During construction, the scope of work exceeded permits and approvals. Mr. Bianchi issued a Stop Work Order because the house was torn down to the first floor except for a six-foot wall. Mr. Kennedy stated that typically if the house was going to be demolished the Board may have asked to build a new house compliant with the setbacks. Mr. Almeida stated he would like to review the resolution and the plans. Ms. Claudio read a letter from architect Paul Amelchenko. Mr. Spagnuolo asked if they have documentation of the deterioration and water damage mentioned in the letter. Mr. Almeida offered a motion that they should come back before the Board to address the changes to the front house but be permitted to continue renovations on the rear structure. Mr. Spagnuolo and Mr. Kennedy discussed adding a condition to future resolutions advising the applicant that if there are changes it may require board approval. Mr. Almeida also would like them to pay any fines before they come back to the Board and keep the construction site maintained while they wait to go before the Board. Ms. Hayner seconded Mr. Almeida's motion, and everyone agreed.

Mr. Almeida offered a motion to adjourn the meeting, which was seconded by Mr. Spagnuolo and approved unanimously.