

**MINUTES**  
**RED BANK ZONING BOARD OF ADJUSTMENT**  
**May 17, 2018**

The Red Bank Zoning Board held its regularly scheduled meeting on Thursday, May 17, 2018 in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

A workshop meeting was held at 6:00 pm. The following members were in attendance: Lauren Nicosia, Eileen Hogan, Christine Irwin, Sean Murphy, Anne Torre and Kate Triggiano. Sharon Lee arrived at 6:30. Also present were Board Attorney Kevin Kennedy, Esq., Glenn Carter, Director of Planning & Zoning and Dina Anastasio, Board Secretary. At the workshop meeting the Board discussed the evening's agenda.

Chair Lauren Nicosia called the meeting to order at 6:30 pm. She announced that notice of the meeting was mailed to the Asbury Park Press, Two River Times, and the Star Ledger; was filed with the Borough Clerk; and posted on the Municipal Bulletin board. A roll call showed the same members in attendance.

The Board saluted the flag and opened the meeting to the public for non-agenda items, of which there were none.

**Administrative Matters:**

Anne Torre motioned to approve the minutes of the May 3, 2018 meeting; seconded by Sean Murphy. Ayes: Lauren Nicosia, Eileen Hogan, Christine Irwin and Sharon Lee. Nays: none.

Anne Torre motioned to approve the Resolution for Seeview Remodeling, seconded by Eileen Hogan. Ayes: Lauren Nicosia, Christine Irwin and Sean Murphy. Nays: none.

**Public Hearings:**

**Athas Dounelis, 72-74 Peters Place, Block 45, Lot 13, Z12737**

The applicant was represented by Steve Gouin, Esq. Glenn Carter was sworn

The following exhibits were entered: A-1; DPA and Denial Letter; A-2; Mark up of Survey by Seneca Survey Co., dated 1/15/18 (1 sheet); A-3; Intent to Proceed; A-4; Disclosure of Ownership; A-5; Review Letter from Glenn Carter; A-6; Google Earth Photo; A-7; (3) Photos taken by Glenn Carter.

Mario Cirillo, 66 Peters Place, was sworn. However; it was determined he had a comment regarding the application and will return after the application is presented to address his concerns.

Mr. Gouin explained the application, which involves creating a parking area in the front of the house. The existing property contains 2 residential units, each with 3 bedrooms. A narrow driveway leads to the rear, where there is a 2 car garage. The current situation requires cars to be stacked in the drive, 1 car can be parked in the rear of the premises. They are withdrawing their request for the variances of the maximum driveway width of 12 feet and the side yard setback, thus, only requesting a variance for parking in the front and gravel, where concrete/pavement is required.

Athas Dounelis, the property owner, was sworn. He and his wife purchased the property in December and have resided in 1 of the units and rents out the other. He explained although there is a 2 car garage, a second car cannot be parked in there, as it is difficult to maneuver exiting. Also, since the cars must be stacked, this creates problems, if they must move a car from the rear of the property.

They have parking permits for 4 cars on Maple Avenue. If the application is approved, he would give up those permits. Parking on Peters Place is limited weekdays 7am-4pm. If this wasn't the case, this application would not be made. He also owns another property in town.

There was discussion with Lauren Nicosia regarding a neighboring property that has parking in the front. It was clarified that the situation there was different, as they have no driveway. Sean Murphy also stated the Board generally doesn't like parking in the front, as it is not good for the town.

Mr. Dounelis explained the house was purchased in the current condition and no improvements/changes have been done. He thought since the other property had approval, that this would not be an issue.

Kate Triggiano expressed her concern for setting a precedent, if this application is approved. Kevin Kennedy stated each application is reviewed on an individual basis. Sharon Lee stated the applicant has options, as he does have an existing driveway, but also added the gravel placed in the front is misleading.

Lauren Nicosia questioned if the rear of the property can be altered to accommodate more parking. Mr. Dounelis explained there would still have to be stacked parking.

Steve Gouin conferred with Mr. Dounelis and they consented for an extension thru July 2018. They will rethink the proposal and will return to the Board on June 7, 2018, with no further notice required.

**Aaron Katzel.; 18 Hubbard Park, Block 11, Lot 18.01, Z12640**

The following exhibits were entered: A-1; DPA: A-2; Denial Letter: A-3; Intent to Proceed: A-4; Disclosure of Ownership: A-5; Photos taken by Glenn Carter dated 5/2/18: A-6; Architectural Site Plan (1 sheet) dated 11/6/17: A-7; Review Letter from Glenn Carter: A-8; Alternative Set of Plans prepared by Grammer Designs dated 5/17/18. Glenn Carter was sworn.

Aaron Katzel, property owner, was sworn. He also indicated Chris Rubie from Hilliard Construction is available to testify if needed. Kevin Kennedy disclosed he has represented the company in the past and there is no issue with him impartially reviewing this application, but recommended to see how the presentation goes. Mr. Katzel has owned the property for 6 years and resides there with his wife and 2 children full time in the summer and part time the remainder of the year. He explained the alternative set of plans (Exhibit A-8) is being presented for descriptive purposes only, to show why they are choosing the proposed plan.

Currently, they have 2 electric cars, which are parked on the concrete driveway, exposed to the elements and have a safety risk. The proposed application would enable the cars to be parked in the garage, where charging can take place. He feels the current situation decreases the value of the property.

The proposed garage measures 24 feet wide by 20 feet long, with a height of 13 feet 7 inches and would be built 5 feet from the southern property line, 45 feet from the northern line and 24.5 feet from the ROW. He referred to A-8 stating the left side doesn't have a lot of space for a garage. He has surveyed the neighborhood, which consists of 14 properties, 7 having 1-3 car garages. Two neighboring properties have recently had garages approved and since 50% of the properties have garages, he feels this is consistent with the neighborhood and would add value to the property. The alternative plan would be less attractive and to remain as is, would not be satisfactory. The garage would be used for storage and parking the two vehicles. No living space is proposed. Electric outlets would be placed inside to allow for the vehicle charging.

Lauren Nicosia confirmed the cars are currently charged via a cord run from the house. Sean Murphy suggested the possibility of a 1 car garage, as this is what his property can accommodate, without hindering the neighboring properties.

Sharon Lee questioned if there is room in the rear of the property to build a detached garage. Mr. Katzel explained probably not, due to a sharp drop down in the rear. He explained the 4 possibilities for this application: garage placement on the side of the house, placement by the driveway, keep as is or build a smaller structure.

He has discussed the proposal with some neighbors, but has recently learned of the specific nature of others who are opposing the application. After some discussion, the applicant consented to carry the application to June 7, 2018, at which time he can present changed plans, with no further notice required.

Glenn Carter stated if the plans are revised significantly, this would possibly create additional variances and the applicant would have to re-notice. He also made sure the applicant knew plans must be submitted no later than 10 days prior to the meeting date.

**27 Monmouth, LLC., 27 Monmouth Street, Block 46, Lot 5, Z12475**

The applicant was represented by Ed McKenna, Esq. Glenn Carter was sworn. Lauren Nicosia recused herself from this application and Sean Murphy became acting chairman.

The following exhibits were entered: A-1; DPA and Denial Letter: A-2; Intent to Proceed: A-3; Disclosure of Ownership: A-4; Survey of Property by Thomas Santry dated 11/11/03: A-5; Plans prepared by SOME Architects dated 4/16/18 (1 sheet): A-6; Mark-up of Floor Plan (1 sheet): A-7; Review Letter from Glenn Carter: A-8; Photos by Glenn Carter.

The ownership was disclosed and there were no issues. Kevin Kennedy confirmed this application is for a (d) variance and there were only 6 members present. Mr. McKenna can present the application and decide if he would like the members to vote. Mr. McKenna explained the application, which consists of an existing building located in a zone which doesn't permit office space on the first floor fronting on Monmouth Street. The unusual nature of the building has the entry in the property rear. The property owner has had a difficult time through the years getting retail tenants in the space and if someone does rent, they do not stay long. He wants to utilize the space wisely. There is currently no proposed tenant. The building will remain the same on the exterior and the owner will continue to honor the obligations for retail in units 1 and 2.

Glenn Carter stated some items in the review letter is for the owner to address some repairs, including fixing the curb and striping in the parking lot. The applicant has no issues with these requests.

Ed O'Neill, PP, from SOME Architects, was sworn and accepted as an expert witness. He referred to a board, which contains colored photos of previously introduced exhibits. He described the circulation of the building, with a large walkway in the center used to access the different units. He explained the conformance with the Master Plan indicating this site is particularly suited for the use, it creates more pedestrian traffic, reinforces Monmouth Street as a downtown area and supports local shops. There would be no visible change from Monmouth Street and there is no substantial detriment to the zoning plan. There were no questions from the Board or the public.

A motion was made by Anne Torre, seconded by Eileen Hogan to approve the application. Ayes: Christine Irwin, Sean Murphy, Sharon Lee and Kate Triggiano. Nays: none.

On a motion made by Eileen Hogan, seconded by Kate Triggiano, the meeting was adjourned at 7:46pm.

Respectfully Submitted,  
Dina Anastasio  
Secretary, Red Bank Zoning Board of Adjustment