

MINUTES
RED BANK BOARD OF ADJUSTMENT
May 20, 2021

The Red Bank Zoning Board held a Zoning Board of Adjustment meeting on Thursday May 20, 2021 at 6:30 pm, via Zoom in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Lauren Nicosia called the meeting to order at 6:35 pm. The Board saluted the flag. A roll call showed the following members were in attendance: Lauren Nicosia, Ray Mass, Eileen Hogan, Richard Angowski, Sean Murphy, Sharon Lee, Bruce Maida, Kevin Kennedy, Esq., Board Attorney, Ed Herrman, PE, Shawna Ebanks, Director of Community Development and Maria Graziano, Board Secretary.

Kevin Kennedy read the Open Public Meeting Statement Act. An Adequate and electronic notice with the time, place and matter was posted in the two newspapers, with the Borough Clerk's office, the Borough website and posted outside the Red Bank Meeting room and on the front door of Borough Hall. Mr. Kennedy also announced the login information was advertised as well. Mr. Kennedy announced that if the public needed to contact us they could raise their electronic hand, call Maria Graziano or send her email at mgraziano@redbanknj.org.

Lauren Nicosia opened the meeting to the public for non-agenda items of which there were none.

A motion was made by Bruce Maida, seconded by Eileen Hogan to approve the Resolution for Megan Massey. Ayes: Ray Mass, Eileen Hogan, Richard Angowski and Bruce Maida. Nays: none.

A motion was made by Eileen Hogan, seconded by Bruce Maida to approve the Resolution for Melih Gasko. Ayes: Ray Mass, Eileen Hogan, Richard Angowski and Bruce Maida. Nays: none.

Applications:

57 Peters, LLC.; 57 Peters Place; Block-60, Lot: 3 Z14087

Ed Herrman, PE, was sworn. Lauren Nicosia and Bruce Maida recused themselves.

The following Exhibits were entered: A-1. Development Permit Application, A-2; Survey: A-3; Floor Plans and Elevations: A-4; Review Letter from Shawna Ebanks.

The applicant was represented by Ed McKenna, Esq. He stated the owner of the LLC. Is John Najny. There is currently a 5-unit residential building. The top floor is a 1-bedroom apartment. As the roof is sloped, there is only 4-feet of height at certain area. They are proposing dormers to increase the height to 6-feet. It will continue as a 1-bedroom unit.

Brian Berzinskis, Architect, was sworn and accepted as an expert witness.

He explained the existing roof rafters affect the existing space. They will not be adding additional square footage.

Four of the units are currently occupied. This unit is currently vacant. The tenant moved out, because of the problem with the unit. They will do the renovations and re-rent the space.

There are three studios and two 1-bedroom units. All C/O's have been confirmed, along with the state registration forms. There is also a garage located on the property and adequate parking provided. There were no questions from the public. The public portion was closed.

A motion was made by Eileen Hogan, seconded by Sean Murphy to approve the application. Ayes; Ray Mass, Eileen Hogan, Richard Angowski, Sean Murphy and Sharon Lee. Nays: none.

The application for 120 Monmouth Street will be carried to the August 5, 2021 meeting with no further notice required. Mr. McKenna agreed to extend the time the Board has to take action for this application.

70 Locust Avenue, LLC., 70 Locust Avenue; Block 39, Lot 3 Z13612A

Ed Herrman, PE, was sworn. The application was continued from 1/21/2021.

The applicant was represented by Rick Brodsky, Esq.

The following Exhibit was entered: A-8; Revised Survey prepared by Lakeland Survey dated 3/31/21.

The application is for a minor sub-division. Currently the existing structure is a 4-family dwelling.

They are proposing to form a new single-family lot closer to Locust Avenue and the structure will be located on the westerly side of the property

Mr. Himmelman, represented the condo association at the last meeting, where the concerns were presented. At the suggestion of the Board, the applicant adjourned that meeting, so they could meet with the association to work out detail.

The application presented now is the result of that meeting. They re-located the structure to be about 47 feet from the existing condo association and the plan is to flip the lot to have the building located on the eastern side of the property.

The association withdrew the objection and were satisfied with this change.

Landscaping will be provided.

A d variance for the density is required – 6 dwellings per acre are permitted; whereas, 7.2 is proposed.

A variance for the lot frontage is also required.

Marc Leber, Civil Engineer, was sworn and accepted as an expert witness.

He explained the plan to use dry wall for the drain-off; one in the front and rear yard.

There are no concerns regarding drainage to the river. He described the property details.

The applicant will submit a final grading Plot and Utility plan.

There will be no impact of the new driveway to the neighboring condo dwellings.

Steven Houck, property owner, was still under oath.

He explained the driveway is about 3 feet off the property line. There are small white pines, which will not be affected by the construction.

Skip Laurels are proposed, as they are deer resistant. There was discussion regarding the existing and proposed trees.

Sean Murphy would like the applicant to receive a recommendation from the Shade Tree Committee.

Mr. Houck confirmed that all neighbors are in agreement to this application.

Eric Anderson, Board Member for Bell Haven, was sworn. He likes the revised plan. He clarified the height of the proposed fence and if the existing wire fence could be removed. Yes, the wire fence will be removed and the proposed fence would be vinyl, 4-foot high, graduating to 6 feet further back. No variances required.

The public portion was closed.

A motion was made by Sean Murphy, seconded by Lauren Nicosia to approve the application. Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Richard Angowski, Sean Murphy and Sharon Lee. Nays: none.

An announcement was made to clarify that the application for American Opportunity Real Estate Fund, 273 Shrewsbury Avenue was not to be heard at this meeting. They are scheduled for the June 17th meeting.

The Parker at Red Bank, 234 & 240 Shrewsbury Avenue, Block 78, Lots 11-14 Z13729

Ed Herrman, PE, was sworn in.

Craig Giannetti, Esq. represented the applicant for this bi-furcated application.

This application is continued from a prior meeting.

Updated plans dated 5/7/21, were submitted on May 10th.

The following Exhibit was entered: A-10; Power-Point Presentation with revised plans dated 5/7/21 was entered.

Mr. Giannetti explained the changes: they reduced the building size, made a wider sidewalk, creating a plaza, reduced the residential units from 23 to 20 units, reduced the commercial size from 4,580 square feet to 3,826 square feet. The available parking was increased from 32 to 34 spaces and the parking requirement was reduced, as a result in the reduction of residential units and retail square footage.

Lauren Nicosia questioned the size of the sidewalk on Shrewsbury. This was not enlarged.

They would still like to have 4 stories and the COAH requirement would remain at 2 units (10%).

Sean Murphy liked the enlarged sidewalk proposed.

Kevin Kennedy explained that the plans have to be on file for the Board and public to review.

There was some discussion concerning if the revised plans were submitted to the Board.

The Board took a break to work out some details regarding the submission of the plans.

A role call showed the same members in attendance.

It was confirmed the revised plans were submitted and posted as required.

Sean Murphy was not sure what the changes were. Mr. Giannetti briefed the Board on the changes and also noted that this was not the site plan portion of the application.

Kevin Kennedy recommended that the Board carry the application. He does not want any issues with any procedural aspects of the application.

Lauren Nicosia made a motion to carry the application to June 17, 2021, seconded by Ray Mass. Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Richard Angowski, Sean Murphy, Sharon Lee and Bruce Maida. Nays: none. There will be no further notice required. Mr. Giannetti confirmed his consent to extend the time the Board has to act on the application.

Sean Murphy made a motion to adjourn the meeting, seconded by Eileen Hogan. The meeting was adjourned at 8:45pm.

Respectfully submitted,
Dina Anastasio