

MINUTES
RED BANK BOARD OF ADJUSTMENT
June 17, 2021

The Red Bank Zoning Board held a Zoning Board of Adjustment meeting on Thursday June 17, 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 6:30 pm. The Board saluted the flag. A roll call showed the following members were in attendance: Lauren Nicosia, Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Sharon Lee, Robert Frikker, 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 Ray Mass, seconded by Lauren Nicosia to approve the Resolution for 70 Locust Ave., LLC. Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Sharon Lee and Bruce Maida. Nays: none.

The application for American Real Estate Opportunity Fund will be heard 9/2/2021. They will re-notice for a live meeting.

Applications:

The Parker @ Red Bank; 234 & 240 Shrewsbury Avenue; Block-78, Lots: 11-14 Z13429

The following Exhibits were entered: A-11; Bifurcated Site Plan revised 5/7/21: A-12; Architectural Plan revised 4/30/21: A-13; Power Point Presentation 5/20/21: A-14; Revised T&M Review Letter dated 6/11/21: B-10 Certification of Bob Frikker listening to the tapes for the 3/18/21 and 5/20/21 meetings: B-11; Certification of Anne Torre for the listening to the 5/20/21 meeting and B-12; Christine Irwin for listening to the tapes for the 3/18/21 and 5/20/21 meetings. Ed Herrman was sworn.

Craig Gianetti, Esq. represented the applicant. He entered Exhibit A-15; Plaza Concept Plan dated 5/4/21: A-16; 3D Rendering of the Corner View: A-17; 3D Rendering of the Rear View and A-18: 3D Rendering of the Retail View.

He reviewed the application for the 4-story mixed use building and the required variances they are seeking for this bifurcated application.

The changes submitted reduced the foot print and floor area ration by 13%. The residential units proposed were reduced from 23 to 20 units and the retail area was reduced from 4,580 square feet to

3,826 square feet. The building length by reduced by 20 feet and was shifted further south away from the intersection. There will be a pedestrian plaza on River Street and Shrewsbury Avenue. The parking was increased from 32 to 34 spaces. They also lowered the parking requirement from 64 to 55 spaces.

Christine Nazzaro Cofone, PP, was sworn in. She explained the changes to the plan. They reduced the sections of the building from 5 to 3. The building has been pulled back substantially, thus allowing them to create a meaningful pedestrian area, larger than a tennis court. The sizes of the residential units are as follows: Unit 1B (8 units) 845 square feet: Unit 1B2 (6 units) 853 square feet and Unit 2B (6 units) 1,157 square feet.

There are prominently 1-bedroom units. There are two (1) bedroom COAH units proposed. The retail space will be facing Shrewsbury Avenue. The sidewalk along Shrewsbury Avenue was enlarged from 10 ½ feet to 13 ½ feet.

The plaza will create interest to the area. She reviewed the proposed 4 season plant materials. There will be ornamental benches and planters. They are also proposing breaks in the paver area.

Lauren Nicosia clarified where the 2 COAH units are proposed. They have not decided where these units will be. There will be one (1) bedroom and one (2) bedroom. A/C units will be located on the roof. This will be discussed during site plan.

Bruce Maida confirmed the required COAH units are still at 2, even though the size of the application was reduced.

The units will be proposed for rent, not for sale. The market will help determine this.

William Poku, 90 Bank Street, was sworn. He wanted to know how they will mitigate affordability with the rents being driven up and the displacement of existing renters in the area.

Mr. Gianetti did not feel these were any facts testified to in this application. Mr. Poku referred to a Rutgers Study. Ms. Cofone explained that the Borough is not eliminating any COAH, deed restricted units. They are creating opportunity for the Borough to seek credit. Mr. Poku was approached by a current tenant that has been asked to re-locate.

Christine Cofone clarified that study was done in 2019 and prepared by the students for their program., The Borough did not request this to be done.

There are 2 apartments proposed on floor one and 6 apartments on the other three floors.

Mr. Poku also said the Board might want to use wood instead of metal for the benches, as the sun might make them too hot to sit on.

Roger Mumford, Property Owner, was sworn. He agreed with Mr. Poku. He does not care where the COAH units are located. In order to build COAH units, you need very low interest rates. His COAH units are upscale and comparable to any the market units.

Frank Miskovich, Traffic Engineer, was sworn and previously accepted as an expert witness.

He explained how they increased parking while decreasing the number of units. He discussed where the residents will be parking. Two ADA compliant spaces were relocated. There will be 1 space dedicated to each unit, all the other spaces will be used for retail, residents and guests. He reviewed parking supply and demand stating 34 spaces more than adequate for this application.

Delivery vehicles, postal trucks and small panel trucks will not need to enter into the parking area. They will come into West Front Street or Shrewsbury Avenue. Ed Herrman stated they do not want delivery trucks double parked on Shrewsbury Avenue. They could have a designated loading area.

William Poku questioned if during the period of no parking, would there be overflow on Bank Street and River Street? Mr. Miskowich did not feel the retail would be open during those times. There is no prohibition to parking on Shrewsbury Avenue during the day. The time of no parking is 2am-6am. The trash pick-up will be addressed during site plan. It was explained they would pull into the driveway and exit onto River Street.

Ms. Cafone summarized her testimony.

William Poku questioned if the median income for that area can support the rents that will be associated with this project. Ms. Cafone did not agree with Mr. Poku regarding the benefits this project will have to the community.

Alicia Wilkerson, 107 River Street, was sworn. She questioned if the 2 COAH units proposed and if that is the standard. Christine Cofone stated they are doing what is required. The square footage will be the same as the market units.

She questioned Mr. Mumford regarding how many COAH units are in his other properties. Mr. Mumford explained. They are all in compliance with the Borough requirement.

Mary-Ellen Mess, 95 Hudson Avenue, was sworn. She questioned the variance density and wanted to know what kind of public areas are provided to permit the neighbors to sit outside and visit each other. Christine Cofone re-described the public area proposed.

Gilda Rogers wanted to know if the projects being developed in town benefit the Borough. Mr. Mumford explained they do not have a tax abatement and the town benefits from the taxes generated from his projects.

Alicia Wilkerson questioned if research has been done regarding the utility grid. This will be discussed during the site plan phase.

Sue Viscomi, 25 Cedar Street, questioned Mr. Mumford if he has the same commitment to construct as quickly as he has his other projects. Mr. Mumford responded yes, that his projects go up quickly.

William Poku questioned Mr. Mumford if he would consider developing a bank at this property.

Mr. Mumford said he would consider it, as he need 4,000 square feet of space and he needs an area for his office.

Theresa Poku questioned where the entrance to the residential units would be. It was explained that you will enter through an atrium at the rear of the building.

Bruce Maida thinks they should pause the application until the new Master Plan is complete.

Mr. Gianetti explained it is illegal to put a moratorium on applications while the Master Plan is being revised.

Brad Jones, 88 River Street, was sworn. He is a new taxpayer for the past year. He loves the area. He purchased a home built by Roger Mumford. He feels the project adds value to the town and it is a win for everyone involved.

Gilda Rogers, was sworn. She explained that change is inevitable and towns are not the same as they were years ago. Roger Mumford is culturally conscious. His donations of the T Thomas Fortune House and cultural center benefit the area. She sees this as an exciting opportunity for the west side. The project name is the Parker, named after a prominent African American in the Red Bank area.

Mary Ellen Mess was sworn in. She stated the projects must be looked at all together. There are huge projects with no set-backs and feels this is a problem.

Aisha Nesmith, 92 Drs. James Parker Blvd., was sworn. She has been living in Fortune Square the past 2 years. She is also an educator for the Red Bank Public Schools. She is happy to have invested in the westside and complimented Fortune Square.

William Poku, was sworn. He is not in favor of the project. He feels inflated assessments are the result of these projects. He feels Mr. Mumford should wait and meet with the residents to work out something in agreement to everyone and keep families here.

Brad Jones grew up in Bergen County. He specifically moved into Red Bank. He supports the project that enhances this side of town.

Mary Ellen Mess stated that gentrification is a universal problem. She moved here because of the diversity. Despite the fact that huge projects are going up, her taxes have not gone down.

Tiffany Harris, 1 Cedar Crossing, was sworn. She is not in favor of this building. She has resided here 50 years. She would like to see more single-family detached homes for families. The traffic would be a nightmare.

The public portion was closed.

Lauren Nicosia stated the project is too dense. The applicant has not made their case. The sidewalk in front is too narrow. She would be in favor of 3 stories.

Bruce Maida feels the project is too high and dense.

Ray Mass stated that Mr. Mumford does some great projects in town; however, he does not like the project the way it looks now. He feels it looks like Station Place and he has received negative comments about that building.

Lauren agreed.

Eileen Hogan is inclined not to approve this.

Sharon Lee complimented Mr. Mumford's work, but she feels we are changing the dynamic of the town. She would like to postpone the vote, so the Board can think about everything.

Anne Torre made a motion to carry the application to September 2, 2021, seconded by Sharon Lee.

Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre and Bob Frikker. Nays: none. There will be no further notice required. Mr. Gianetti confirmed his consent to extend the time the Board has to act on the application.

Ray Mass made a motion to adjourn the meeting, seconded by Eileen Hogan. The meeting was adjourned at 9:35pm.

Respectfully submitted,
Dina Anastasio