

**MINUTES**  
**RED BANK PLANNING BOARD**  
**July 17, 2023**

The Red Bank Planning Board held a public meeting on July 17, 2023, at 7 PM in the Municipal Building, first floor, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Daniel Mancuso called the meeting to order at 7:04 PM. A roll call showed the following members were in attendance:

Mayor Portman	Absent	Megan Massey	Absent
Greg Fitzgerald	Present	Louis DiMento	Present
Dan Mancuso	Present	Kristina Bonatakis	Present
Thomas Welsh	Present	Barbara Boas	Present
Frederick Stone	Present	Wilson Beebe	Present
Itzel Hernandez	Present	Brian Parnagain	Present

Also present were Michael Leckstein Esq., Board Attorney; Ed Herman, P.E, P.P, Board Engineer; Shawna Ebanks, P.P, AICP, Director of Community Development; and Aline Macatrao, Board Secretary.

Chair Mancuso read the Open Public Meeting Statement Act. In addition, an adequate and electronic notice of time, place, and matter was posted in two newspapers, the Borough Clerk's Office, the Borough's website, outside the council chambers, and on the front door of Borough Hall.

**Oaths to Office:**

Michael Leckstein read the Oath of Office and swore in the following members to the Planning Board:

<u>Member</u>	<u>Term Ends</u>
Greg Fitzgerald	2026
Dan Mancuso	2027
Thomas Welsh	2023
Frederick Stone	2025
Louis DiMento	2027
Kristina Bonatakis	2025
Barbara Boas	2026
Wilson Beebe	2025
Brian Parnagain	2024

**Reorganization of the Board:**

Members of the Board announced nominations for the following positions:

**1) Chairperson:**

Motion: Nomination for Dan Mancuso as Chairperson  
Moved By: Thomas Welsh  
Seconded By: Louis DiMento  
Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Wilson Beebe, Itzel Hernandez, Frederick Stone and Brian Parnagain.  
Nays: N/A  
Abstain: N/A

**2) Vice Chair:**

Motion: Nomination for Barbara Boas for Vice-Chair  
Moved By: Dan Mancuso  
Seconded By: Thomas Welsh  
Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Wilson Beebe and Itzel Hernandez.  
Nays: N/A  
Abstain: N/A

**3) Board Secretary:**

Motion: Nomination for Shawna Ebanks as Acting Board Secretary  
Moved By: Thomas Welsh  
Seconded By: Dan Mancuso  
Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Wilson Beebe and Itzel Hernandez.  
Nays: N/A  
Abstain: N/A

**4) Board Attorney:**

Motion: Nomination for Michael Leckstein, Esq. as Board Attorney  
Moved By: Dan Mancuso  
Seconded By: Barbara Boas  
Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Wilson Beebe and Itzel Hernandez.  
Nays: N/A  
Abstain: N/A

**5) Board Engineer:**

Motion: Nomination for Edward Herrman, P.E. (T &M Associates) as Board Engineer  
Moved By: Dan Mancuso  
Seconded By: Thomas Welsh

Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Wilson Beebe and Itzel Hernandez.  
Nays: N/A  
Abstain: N/A

**6) Official Newspapers:**

Motion: Nomination for Asbury Park Press, Two River Times & Star Ledger as the Board's official newspapers.  
Moved By: Dan Mancuso  
Seconded By: Kristina Bonatakis  
Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Wilson Beebe and Itzel Hernandez.  
Nays: N/A  
Abstain: N/A

**Regular Meeting Minutes: June 5, 2023**

Motion: Approved as presented  
Moved by: Dan Mancuso  
Seconded by: Barbara Boas  
Ayes: Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, Frederick Stone.  
Nays: N/A  
Abstained: N/A

**Resolution of Approval - 45 N Bridge Ave – Block 4, Lot 6**

Motion: Approved as presented  
Moved by: Dan Mancuso  
Seconded by: Kristina Bonatakis  
Ayes: Kristina Bonatakis, Dan Mancuso, Louis DiMento, and Frederick Stone.  
Nays: N/A  
Abstained: Barbara Boas

**Resolution of Approval – 80 Shrewsbury Ave – Block 39, Lot 23 & 24**

Motion: Approved as presented  
Moved by: Barbara Boas  
Seconded by: Frederick Stone  
Ayes: Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, and Frederick Stone.  
Nays: N/A  
Abstained: N/A

**P15177: 14 Wharf Avenue; Block 10, Lots 4 & 5**

The applicant requested that the application be carried to the August 21, 2023, public meeting without re-notice.

**Z14975: 156 West Front Street; Block 6, Lot 20**

John Anderson, Esq. represented the applicant, Plug Naturals, LLC

Exhibits A-1 through A-19 were marked and presented, including renderings and site plans:

A-1: Intent to Proceed dated February 20, 2023

A-2: Denial of Development Permit Application dated October 12, 2022

A-3: Narrative of Development

A-4: Disclosure of Ownership

A-5: Owner's Consent Form

A-6: Minor Site Plan for Addition & Interior Renovations to Existing Building, 156 West Front Street, Block 6, Lot 20, prepared by SOME Architects, PC, dated February 22, 2023, consisting of five (5) sheets

A-7: Green Development Checklist

A-8: Preliminary & Final Major Site Plan for Plug Naturals, LLC, Block 6 Lot 20, prepared by Andrew R. Stockton, P.L.S. & P.E, of Eastern Civil Engineering, LLC, dated March 10, 2023, consisting of Six (6) sheets

A-9: Stormwater Runoff Review, prepared by Eastern Civil Engineering, LLC, dated March 30, 2023

A-10: Statement by Applicant (Intended Operations on site) under Section 490-56.2.K

A-11: Cover letter for Confidential Security Plan dated March 21, 2023

A-12: Certification of Compliance with Performance Standards

A-13: Revised Elevations, prepared by SOME Architects, PC, dated March 30, 2023

A-14: Revised Architecture Plan Cover Sheet, prepared by SOME Architects, PC, dated March 30, 2023

A-15: Traffic Memorandum, prepared by Simoff Engineering Associates, Inc., dated July 6, 2023

A-16: PowerPoint Presentation consisting of 43 slides

A-17: Project Vehicle Turning Template

A-18: RiverCenter Letter of Support dated May 12, 2023

A-19: Colored Site Plan of the Subject Site dated May 1, 2023

The following witness was sworn in for the presentation:

Garth Case, Plug Naturals, LLC

Michael Simpson, R.A, S.O.M.E Architects, P.C

Andrew Stockton, P.E; Eastern Civil Engineering, LLC

Hal Simoff, P.E, Simoff Engineering Associates, Inc.

Mr. Anderson explained that the applicant was seeking major site plan approval, bulk variances, and design waivers for the change of use from a single-family dwelling to a personal-use cannabis retail establishment, which is a conditional use within the BR-1 zone. The major site plan request was due to the increase in parking requirements. The applicant proposes to adaptively reuse the existing structure. There will be no new driveways or streets, and the applicant will reuse existing utilities. There will be a slight grading improvement. Overall, the site work would be de minus. Four variances are being requested, however, three of which are existing conditions of the site: lot frontage requires 100 feet of frontage, but the existing lot has 50 feet of frontage, the required

front yard setback is 25 feet, and the existing setback is 20.5 feet. The existing side yard setback is 3.86 feet, and 10 feet is required. However, with the installation of the ADA ramp the proposed setback will be 0 feet. The ordinance requires eight (8) parking spaces; however, the applicant proposes seven (7) spaces which results in a deficiency of one (1) space.

Garth Case provided testimony on the operation of the cannabis retail business within the existing structure. The cannabis business will sell cannabis products. It will be the only business operating on the site. All products will be prepackaged in childproof and waterproof packaging. Customers must be 21 or older, and no consumption will occur onsite. The hours of operation will be 8:00 AM to 10:00 PM. There will be six (6) staff members: one receptionist, one security guard, two sales representatives, one pickback, and one manager onsite at all times. There will be two (2) shifts: 8:00 AM to 3 PM and 3 PM to 10 PM.

Deliveries will be made to the rear of the building, generally via small cargo vans, and in the morning before the business opens. No cannabis products will be discarded in the regular trash containing office waste. A security guard will be present during operating hours and a 24-hour surveillance system. No odors will be omitted from the site due to the packaging materials and HVAC system will have a carbon filter. Employees will park in the parking garage across the street, and the parking in the rear will be reserved for customers. Online sales will be promoted to prevent queuing in front of the building and time spent in the store. No cultivation of cannabis or manufacturing of products will be done onsite.

Barbara Boas questioned the capacity limits for the proposed use. Michael Simpson replied that there is a possible limit of eighteen (18) people, resulting in sixteen (16) customers with six (6) employees.

Mrs. Boas then asked how long a customer would stay within the store. Mr. Case replied that 10 minutes for new customers and 3-5 minutes for returning customers.

Michael Simpson provided testimony on the proposed renovations to the existing structure. The exterior renovation will be done to look like a residential structure. On the first floor, there will be an addition to the rear for access to the basement, where products will be stored, and more operating space for staff members. The basement, second, and third floors will not be accessible to the public. Exterior mechanical equipment will be screened. There will be no change to the front yard setback or the rear. All the signage will comply with the ordinance. Signs will be exteriorly illuminated. The bathrooms will be ADA-compliant. A ramp will be placed on the side of the building.

Mrs. Boas asked about the generator and the noise effect on the adjacent residential neighbors. Mr. Simpson replied that there would be no disturbance. The generator would have a small light, but it would not be a distraction.

Louis DiMento asked if the house was currently occupied, and Mr. Simpson replied that it was by the property owner.

Wilson Beebe asked about the materials of the siding, and Mr. Simpson replied that it would be a hardy shingle or shake siding.

Ed Herrman asked about the ramp locations and how it impacts the parking in the rear, and Mr. Simpson replied that the ramp will be constructed close to the property line. The ramp will be 20 feet long with a 5-foot by 5-foot turning radius. It would be over 100 square feet to allow it to comply with the building code.

Tom Welshed asked about the parking onsite and the turning patterns onto Front Street.

The Board took a break and returned at 8:34 PM. A roll call was taken, and all members were present.

Andrew Stockton presented the proposed site plans and improvements to the site. The existing lot is 50 feet wide by 138 feet deep, with a total lot area of 6,900 square feet. There's an existing two-and-a-half-story dwelling on the property. There are two existing sheds in the back right corner and an existing driveway along the left side of the dwelling, which leads to an existing parking area in the rear yard of the lot. The proposed layout will remove the existing crushed stone driveway and parking area and create a new paved driveway. The new parking area will consist of seven (7) parking spaces. Four facing towards the east, one of those will be an ADA parking space, and then three facing towards the north or the back of the property. The size of the parking stalls will be 9 feet by 18 feet. The proposed driveway will be accessible from West Front Street. The existing building footprint has a 15.6% coverage lot, and the proposed renovations and addition to the back left corner of the building will increase it to 17.3%; the ordinance allows up to 50%. Additionally, the impervious coverage of the existing lot is 70.3% and will increase to 77.6%. The ordinance requires an unoccupied open space of 15%, and the applicant proposes 22.4%.

The applicant agreed to comply with the comments of the Shade Tree Committee and Environmental Commission.

The parking lot will be graded out so it drains out toward the gutter line of West Front Street. The two existing catch basins will be connected to the gutter line.

The newly paved lot will be stripped.

Hal Simoff provided professional traffic engineering testimony. He testified that there would be higher traffic volume around 2 PM on weekdays. The parking spaces will have a turnover rate of 6 cars per hour. Regarding pedestrian safety, Mr. Simoff recommended that the applicant request signage for crossing from the County in front of the site.

Louis DiMento asked how online clientele will be handled. Mr. Case said a queueing system will allow customers to schedule a pick-up.

Allen Hill, 64 Holmes Street, voiced concern about traffic safety.

Susan Viscome, 25 Cedar Street, asked whether the parking garage can accommodate overflow parking for the proposed use.

In Mr. Simpson's professional planning testimony, he highlighted that the applicant requests relief from hardship variances. The narrow, shallow site impacts the parking lot's layout and the buffering between the adjacent properties. The road inlets and drainage on West Front Street also limit the accessibility of the site. Mr. Simpson stated that although the site is within the residential zone, it is located on a commercial street. He further added the proposed business location was identified in the master plan as being an essential link to the west and east sides of Red Bank.

Mr. Welsh said he is very concerned about the lack of a crosswalk and the traffic the proposed business might cause.

Barbara Boas motioned to carry the application to September 18, 2023, and Itzel Hernandez seconded.

Ayes: Greg Fitzgerald, Thomas Welsh, Kristina Bonatakis, Dan Mancuso, Louis DiMento, Barbara Boas, and Wilson Beebe.

Nays: N/A

Abstained: N/A

The meeting adjourned at 9:47 PM.

Respectfully submitted,  
Aline Macatrao  
Board Secretary