

**MINUTES**  
**RED BANK ZONING BOARD OF ADJUSTMENT**  
**August 17, 2023**

The Red Bank Zoning Board held a public meeting on Thursday, July 17, 2023, at 6:30 PM in the Municipal Building, first floor, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Ray Mass called the meeting to order at 6:37 PM. A roll call showed the following members were in attendance:

Anne Torres	Present	Paul Cagno	Present
Ray Mass	Present	Anna Cruz	Present
Eileen Hogan	Present	Amanda Doremus	Present
Ben Yuro	Present	Eugene Horowitz	Present
Sharon Lee	Present	Chris Havens	Absent
Vincent Light	Present		

Also present were Kevin Kennedy, Esq., Board Attorney, Mike McFarlane, P.E, Board Engineer, Shawna Ebanks, P.P., AICP, Director of Community Development, and Aline Macatrao, Board Secretary.

Chair Mass 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:**

Kevin Kennedy read the Oath of Office and swore in the following new and existing members to the Zoning Board of Adjustment:

<u>Member</u>	<u>Term Ends</u>
Vincent Light	2026
Eugene Horowitz	2024

**Regular Meeting Minutes: July 20<sup>th</sup>, 2023**

Motion: Approved as presented  
Moved by: Anne Torre  
Seconded by: Sharon Lee  
Ayes: Anne Torre, Ray Mass, Eileen Hogan, Ben Yuro, Sharon Lee, and Paul Cagno  
Nays: N/A  
Abstained: Vincent Light

**Resolution Appointing Board Attorney**

Motion: Adopt the resolution to appoint Kevin Kennedy as Board Attorney.  
Moved by: Ray Mass

Seconded by: Eileen Hogan

Ayes: Anne Torre, Ray Mass, Eileen Hogan, Ben Yuro, Sharon Lee, and Paul Cagno

Nays: N/A

Abstained: Vincent Light

**Resolution Appointing Conflict Board Attorney**

Motion: Adopt the resolution to appoint Marc A. Leckstein as Special Council/Conflict Board Attorney.

Moved by: Eileen Hogan

Seconded by: Ray Mass

Ayes: Anne Torre, Ray Mass, Eileen Hogan, Ben Yuro, Sharon Lee, and Paul Cagno

Nays: N/A

Abstained: Vincent Light

**Resolution Appointing Board Engineer**

Motion: Adopt resolution to appoint Edward Herrman of T &M as Board Engineer.

Moved by: Anne Torre

Seconded by: Sharon Lee

Ayes: Anne Torre, Ray Mass, Eileen Hogan, Ben Yuro, Sharon Lee, and Paul Cagno

Nays: N/A

Abstained: Vincent Light

**Resolution Appointing Conflict Board Engineer**

Motion: Adopt the resolution to appoint C.M.E. as Conflict Engineer to the Board.

Moved by: Ray Mass

Seconded by: Sharon Lee

Ayes: Anne Torre, Ray Mass, Eileen Hogan, Ben Yuro, Sharon Lee, and Paul Cagno

Nays: N/A

Abstained: Vincent Light

**Z14822: 187 Riverside Avenue; Block 4.01, Lots 1 & 2**

A motion was made to carry the application to October 5, 2023, meeting with further notice.

Moved By: Ray Mass

Seconded By: Sharon Lee

Ayes: All in favor

Nays: None

Abstain: None

**Z15214: 121 Drs James Parker Blvd; Block 96, Lot 2.03**

Rick Brodsky, Esq. represented the applicant, Lunch Break LLC.

Exhibit A-4 was marked and presented.

Exhibit A4: Revised signage plan dated August 14, 2023 by Delaney Johnson Wagner.

The following witness was sworn in for the presentation:  
Eric Wagner, AIA, Kellenyi, Johnson Wagner Architects

Mr. Brodsky stated that after hearing the board's concerns about the proposed electrical sign's location and the potential of a distraction that it can cause, the applicant removed that replaced it was a standard non-illuminated information board sign.

Mr. Wagner provided testimony on the new proposed sign. He detailed that the sign will be static and would provide information on the different programs that Lunch Break provides. The sign will also be bilingual with Spanish on the right and English on the left. The proposed sign would be similar to what is located at a professional office building. Additionally, the sign will have the street number on it. No illuminated is proposed for any of the signs.

Kevin Kennedy reiterated the conditions of the application, and the applicant agreed to all conditions. Sharon Lee motioned to approve the application, and Anne Torre seconded it.

Ayes: Anne Torre, Ray Mass, Eileen Hogan, Ben Yuro, Sharon Lee and Paul Cagno

Nays: None

Abstain: Vincent Light

Resolution of Approval – 121 Drs James Parker Blvd; Block 96, Lot 2.03

Motion: Approved as presented

Moved by: Anne Torre

Seconded by: Sharon Lee

Ayes: All in favor.

Nays: N/A

Abstained: N/A

**Z15133: 273 Shrewsbury Avenue; Block 77, Lots 1, 2, 2.01, 3, & 25.01**

Edward McKenna, Jr., Esq. represented the applicant, Thrive RB, LLC.

Eileen Hogan recused herself from the application due to a potential conflict of interest.

Edward Herman was sworn in.

Exhibits A-1 through A-17 were marked and presented, including renderings and site plans:

A-1: Application Package

A-2: Preliminary & Final Major Site Plan, prepared by Jaclyn J. Flor, P.E., P.P., C.M.E., of Engenuity Infrastructure, dated April 18, 2023, consisting of nine (9) sheets

A-3: Architectural Plan, prepared by Christiano Pereira, R.A., CPA Architecture, dated April 5, 2023, consisting of seven (7) sheets

A-4: Intent to Proceed letter, dated April 6, 2023

A-5: Disclosure of Ownership & Escrow Agreement letter, dated April 6, 2023

- A-6: Stormwater Management Report, dated April 14, 2023.
- A-7: Green Development Checklist, undated.
- A-8: Development Permit Application & Zoning Permit Denial letter, dated February 17, 2023
- A-9: Traffic Impact Report, dated March 22, 2023
- A-10: Thrive Affordable Housing Plan dated August 2023
- A-11: Resident Selection Plan
- A-12: Parents with a Plan Narrative dated August 1, 2023
- A-13: Parents with a Plan Brochure – undated
- A-14: Environmental Commission Comments
- A-15: Shade Tree Committee Report dated May 30, 2023
- A-16: Red Bank Affordable Housing Attorney Review Memorandum dated August 11, 2023
- A-17: T&M Associates Review Memorandum dated August 14, 2023
- A-18: Illustrated Color Rendering by CPA dated August 17, 2023

The following witnesses were sworn for the presentation:

- John Klein - Thrive RB, LLC
- Karen Flaherty - Parents with a Plan &a Thrive RB LLC
- Jacqueline Flor, P.E., P.P., C.M.E., - Engenuity Infrastructure
- John McCormack, P.E., PTOE - Dynamic Traffic, LLC
- Albert Arencibia, R.A - CPA Architecture

Mr. McKenna provided an open statement about the Thrive RB program and the need for the type of development. The proposed development will be a neural inclusive, supportive, living residential development. To be eligible for a unit, tenants must meet the medical qualifications. The proposed development will consist of thirty-two (32) 1-bedroom apartments. The only first floor unit will be occupied by someone who will provide 24-hour care on-site.

John Klein provided testimony on the purpose and mission of Thrive RB. Mr. Klein explained that the purpose of this development was to provide the first neuro-inclusive housing in New Jersey. Red bank was chosen as the first location because of its walkability and accessible assets such as a hospital, train station and bus services and job opportunities which are very important to residents of the development. Five (5) units will be affordable housing. The residents will have access to a teaching kitchen, gathering/meeting space, and offices for supportive services.

Sharon Lee asked if the first-floor unit will be for couples, Mr. Klein responded that it would be for the resident's assistant only, also known as navigators. The navigators will be in shift -24/7 service.

Ms. Lee asked how the applicant would enforce one person per unit, Mr. Klein responded that it will be stated in the lease. The residents would not be married and if they do get married, they would have to leave the program/housing.

Ms. Lee expressed concerns over the management of the tenants' activities and guests. Mr. McKenna explained that the common areas will be for tenants and their guests, residents cannot

have guests stay overnight. Mr. Klein further explained that during the day tenants are allowed to have visitors. He added that some tenants will transition out of the program and others will be permanent tenants. He expects that less than 5% will transition out of the proposed development.

Paul Cagno asked if the development is based off a similar development/program in Phoenix Arizona. Mr. Klein replied that there were a few similarities, however this is a smaller project and does not offer the transition academy.

Mr. Cagno asked about how tenants will be selected, Mr. Klein replied that tenants go through numerous assessments by the Division of Developmental Disabilities. He added that eligible applicants must be explained to be fully capable of living independently.

Eugene Horowitz asked about the security measures for the proposed development. Mr. Klein replied to the building will be monitored by staff who will assist with any security issues. During the week tenants will see their support service providers.

Karen Flaherty provided additional testimony on the need for neuro-inclusive housing and the project in Phoenix which the proposed development concept was developed from.

Jacqueline Flor provided professional engineering testimony and referred to T&M review memo. She addressed all items in the memo and referred to their response letter.

John McCormack provided professional traffic engineering testimony. He testified that access to the property was being simplified. There are currently 2 driveways on Drs. James Parker Blvd, and they propose to remove both. There is currently one driveway being proposed on Shrewsbury Avenue which was previously approved by the other application, that driveway will require review and approval by the county because Shrewsbury Ave is a county road. Mr. McCormack further stated that the 32 units are projected to generate minimal traffic. From his analysis he estimated that there will be minimal trips generated in the morning, which is about 3 or 4 trips, and believe it might be primarily due to staff coming in for the day. The weekday evening peak hour is about 8 trips, which would be staff leaving and maybe some visitors activity coming and going. He believes that this approval would result in a decrease in the traffic at this property. Mr. McCormack stated that 13 parking spaces are proposed for this development. The ITE estimates the parking demand at .3 spaces per unit, so for 32 units of its 10 vehicles parked, they have 13, which exceeds the ITE demand. Based on the data provided by Parents with a Plan, approximately 10% of the residents would have drivers' licenses therefore, three spaces will be required for tenants. Additionally, since there will be one member of staff per eight residents, four spaces will be set aside for staff parking.

As for other modes of transportation for tenants, Parents with a plan concluded that 25% of their residents will use rideshare services. In addition to rideshare, there are two NJ Transit bus stops at the corner of the proposed development and the Red Bank train station is within walking distance.

Mr. McCormack also provided details of his on-street parking analysis. Almost every block has two-sided street parking which had open spaces during the time of the site visits.

Regarding the loading arrangements for the proposed development, Mr. McCormack testified that move-ins and move-outs will be scheduled through management. The moving vehicles will most likely be small U-Haul vans since the proposed units are small. These types of vehicles can use one of the parking spaces according to Mr. McCormack. Additionally, the Shrewsbury Avenue frontage has a 60-foot no parking area that can be used for used for amazon, UberEATS and any oversized truck.

Trash collection will be done three times a week by a private vendor. The vendor will have access to the garage with a code or key fob and will roll out the dumpster to the garage truck.

Chair Mass asked if there would be a door in the parking garage. Mr. McCormack said yes, they will have a door that opens with a key fob as they approach the garage.

Chair Mass asked if there was an island/median for the right turn in and out of the garage. Mr. McCormack responded that there wasn't. Chair Mass voiced concern with the impact of the cars going into ongoing traffic on Shrewsbury Avenue. Mr. McCormack said the applicant does not anticipate people coming and going at the same time; there is a low possibility of more than eight cars using the garage daily.

Amanda Doremus voiced concern over more tenants using cars than estimated. Mr. McCormack replied that about 10% to 15% of the tenants will have the ability to drive but if for some reason the demand for a parking space becomes higher, then the staff will need to park on the street.

Ms. Doremus asked if there would be an emergency parking spot and Mr. McCormack replied that the car parking space in front of the building is available for emergency uses as well. Ms. Doremus further asked if it will be a marked designated area, and Mr. McCormack responded that he did not know.

Ms. Doremus asked about the Borough Fire Official comments and Mr. McCormack said they haven't received them yet.

Ms. Doremus asked where's the closest municipal lot and Mr. McKenna replied that there isn't one, however the New Jersey Transit parking lot is nearby and free after 11 PM.

Mr. Cagno asked Mr. McCormack about his familiarity with the Phoenix development and their traffic patterns. Mr. McCormack replied that it's a very different facility, they provide more daily activities than the proposed development.

Mr. Cagno then asked if the yellow curb for 60 feet is for the pedestrian's safety, Mr. McCormack replied that NJ Parking Regulation Title 39 only requires 25 feet from the crosswalk.

Mr. Cagno asked how many estimated uber trips will take place during the day with 32 tenants and only 10% are expected to drive, Mr. Cormack replied that about 25% of the tenants will feel comfortable using uber but it doesn't mean they're going to be using it daily. He predicts about 10 uber trips per day.

Mr. Cormack also added the 60 feet of no parking can be reduced by the County if a request is made to bring it down to the State minimum of 25 feet.

Mr. Cagno asked if the applicant would request that the County provide them with the curb space for use by tenants and Mr. McCormack responded yes and using the space for resident 15-minute loading/unloading.

Mr. Cagno asked about deliveries to the development and Mr. McCormack replied that deliveries will come through the garage and managed by staff.

Mr. Cagno asked about the yellow curb length on Shrewsbury Avenue and the front door of the proposed development. Mr. McCormack replied about 80 feet.

Mr. Cagno asked about possible double parking on Shrewsbury Avenue to access the development and Mr. McCormack replied that it unlikely to happen.

Ms. Doremus suggested having a rideshare location where residents can coordinate with rideshare drivers for pickup and drop off.

Mr. Cagno voiced concern over the lack of a loading dock for deliveries. Mr. McCormack and Mr. McKenna responded that the front area will be used for deliveries and can be pre-arranged with management.

Albert Arencibia provided testimony on the architecture and floor plans of the proposed development. The first floor of the building will consist of the garage, trash room, resident amenities spaces, entrance, navigator room and landscaping. All units are going to be ADA accessible. All units will have PTAC units for heating and cooling which will be integrated into the windows. The roof area will have six (6) PTAC condensers and solar panels. They are proposing an industrial look that ties the proposed structure into the other existing surrounding structures.

Mr. Mass asked if all the units including the affordable ones are the same size, Mr. Arencibia replied no, some units are 570 square feet, but most will be over 600 square feet.

All lighting proposed for the development will be shielded.

Mr. Cagno asked if the development will encroach into the sidewalk, Mr. Arencibia replied no, the proposed development will fit within the existing footprint.

Ms. Doremus asked where the condenser heat pumps will be located; Mr. Arencibia explained that the heat pump will be used for the common areas and not for the apartments. The condensers for the heat pump will be on the roof and it will be secured with gate fencing.

Mr. Herman asked if there is a compactor for the trash and Mr. Arencibia replied that there will be a trash room on each floor which will be connected to the compactor.

Mr. Herman then asked about the garage clearance height. Mr. Arencibia replied there will be enough height for all vehicles.

Mr. Cagno asked if there will be enough space to maneuver if the garage is full, Mr. Arencibia responded that parking spaces will be assigned therefore everyone will know where they're going to be. McKenna reassured that there will be enough space to turn around if the garage is full.

Vincent Light asked about the variance relief for the 15-foot buffer and why they couldn't make it larger, Mr. Arencibia responded that in the rear yard setback is 20 feet, side yard setbacks are 10 feet and 5 feet. Therefore, the applicant is reducing the impact of a lesser buffer with landscaping.

Mr. Light asked if the entrance would be gated, and Mr. Arencibia replied there will be a fence around the entire property.

Chair Mass motioned to carry the application to September 7, 2023, and Sharon Lee second.

Ayes: All in favor

Nays: N/A

Abstained: N/A

The meeting adjourned at 9:40 PM.

Respectfully submitted,  
Aline Macatrao  
Board Secretary