

MINUTES
RED BANK ZONING BOARD OF ADJUSTMENT
August 18, 2022

The Red Bank Zoning Board of Adjustment held a public meeting on Thursday, August 18, 2022, at 6:30 PM 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. A roll call showed the following members were in attendance:

| | | | |
|------------------|---------|----------------|---------|
| Lauren Nicosia | Present | Sean Murphy | Present |
| Ann Torre | Present | Sharon Lee | Absent |
| Richard Angowski | Absent | Joan Rothwell | Absent |
| Ray Mass | Present | Robert Frikker | Absent |
| Eileen Hogan | Present | Vincent Light | Absent |
| Christine Irwin | Present | | |

Also present were Kevin Kennedy, Esq., Board Attorney; Ed Herrman, P.E., Borough Engineer; and Shawna Ebanks, P.P., A.I.C.P., Director of Community Development.

Chair Nicosia 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.

February 17, 2022, Regular Meeting

Motion: Approved as presented

Moved By: Anne Torre

Seconded By: Eileen Hogan

Ayes: Lauren Nicosia, Ann Torre, Ray Mass, Eileen Hogan, Christine Irwin, and Sean Murphy

Nays: None

Resolution of Approval – Application # Z14536: 70 White Street, Block 30, Lot 51

Motion: Approved as presented

Moved By: Sean Murphy

Seconded By: Eileen Hogan

Ayes: Lauren Nicosia, Ann Torre, Ray Mass, Eileen Hogan, Christine Irwin, and Sean Murphy

Nays: None

Resolution of Approval – Application # Z14682: 23 River Street, Block 75.03, Lot 60

Motion: Approved as presented

Moved By: Anne Torre
Seconded By: Eileen Hogan
Ayes: Lauren Nicosia, Ann Torre, Ray Mass, Eileen Hogan, Christine Irwin, and Sean Murphy
Nays: None

Z13489: 121 Monmouth Street; Block 42, Lots 7, 8, 9, 10 & 11.01

The applicant requested that the application be carried to the September 15, 2022, public meeting without re-noticing.

Moved By: Ray Mass
Seconded By: Anne Torre
Ayes: All in Favor

Z14215: 10 Wallace Street; Block 48, Lot 2

Edward McKenna, jr., Esq. represented the applicant, Louis Andriano.

Chair Nicosia recused herself from the application. Ray Mass took over as chair for the rest of the proceeding.

Exhibits A-1 through A-5 were marked and presented, including rendering and site plans:

A-1; Application for Development Permit

A-2; Denial of Development Permit, dated May 5, 2021

A-3; Intent to Proceed, dated August 3, 2021

A-4; Sign Details, consisting of 5 sheets

A-5; Review Memorandum from Shawna S. Ebanks, P.P., A.I.C.P., the Borough's Director of Community Development, dated November 24, 2021

The following witness was sworn in for the presentation:

Louis Andrianos- Owner of Neapoli Restaurant

Mr. McKenna gave an introduction and description of the project. He informed the Board that his client prematurely installed the sign without approval from the appropriate departments. After the sign was installed, it was brought to his attention that the sign exceeded the Borough's ordinance for size and lighting. The required size sign is 6 square feet, and the applicant's sign is 10 square feet. Additionally, the sign is internally lit.

Sean Murphy asked Mr. Andrianos how long ago the sign was installed, and he responded three years. Next, Mr. Murphy asked if there were any complaints about the sign, and he replied that there were none. Mr. Murphy stated that the Borough frowns upon anyone installing a sign without approval; however, since the sign was installed without any complaints and was aesthetically pleasing, he saw no issues.

Ken Zockol commented that he found the sign aesthetically pleasing and has no problems with it.

Kevin Kennedy reiterated the conditions of the application. Ms. Ebanks stated as a condition of the approval, the applicant must obtain building permits for the sign. Mr. Andrianos replied that once he addresses the court violation for the sign, he will apply for building permits. The applicant agreed to all conditions.

Anne Torre motioned to approve the application with conditions, and Eileen Hogan seconded.

Ayes: Ann Torre, Ray Mass, Eileen Hogan, Christine Irwin, and Sean Murphy

Nays: None

Abstain: None

Z14645: 160 Monmouth Street; Block 36, Lot 26

Edward McKenna, Jr., Esq. represented the applicant, Tony Zhou.

Mr. McKenna explained that the applicant installed several illuminated signs inside and outside his business without receiving zoning approval. As a result, the applicant received code enforcement violations due to the nonconforming signage. Mr. McKenna stated that he spoke with the Zoning Officer, Ms. Ebanks, and they agreed to the applicant removing all the nonconforming signages except for the open sign within 48 hours.

Kevin Kennedy asked Ms. Ebanks if a variance was needed for the sign remaining on the building; she replied no variance is required as it is permitted.

Mr. McKenna requested that the application be withdrawn without prejudice, understanding that the non-compliant signs would be removed.

Sean Murphy motioned to approve the withdrawal request, and Eileen Hogan seconded.

Ayes: Ann Torre, Ray Mass, Eileen Hogan, Christine Irwin, and Sean Murphy

Nays: None

Abstain: None

The meeting adjourned at 7:15 PM.

Respectfully submitted,
Chris Ann DeGenaro
Board Secretary