

MINUTES
RED BANK ZONING BOARD OF ADJUSTMENT
September 7, 2023

The Red Bank Zoning Board held a public meeting on Thursday, September 7, 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	Absent	Paul Cagno	Present
Ray Mass	Present	Anna Cruz	Present
Eileen Hogan	Present	Amanda Doremus	Absent
Ben Yuro	Present	Eugene Horowitz	Present
Sharon Lee	Present	Chris Havens	Present
Vincent Light	Present		

Also present were Kevin Kennedy, Esq., Board Attorney; Edward Herrman 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.

Regular Meeting Minutes: August 17, 2023

Motion: Approved as presented
Moved by: Paulo Cagno
Seconded by: Eugene Horowitz
Ayes: All in favor
Nays: N/A
Abstained: N/A

Z14989: 78 Bridge Avenue; Block 40, Lot 12, 13.01, 13, 15, and 16

The applicant requested that the application be carried to the September 21, 2023, public meeting without further notice.

Motion: Carry application to September 21st, 2023, without further notice
Moved by: Eileen Hogan
Seconded by: Sharon Lee
Ayes: All in favor
Nays: N/A
Abstained: N/A

Z1522: 30 St. Nicholas Place; Block 113, Lot 26

Michael Falzarano, the property owner, was present to provide testimony regarding the proposed garage.

Exhibits A-1 through A-4 were marked and presented, including renderings and site plans:

A-1: Intent to Proceed dated June 23, 2023

A-2: Garage plans consisting of four (4) sheets, prepared by Mike Falzarano, dated May 1, 2023

A-3: Survey of Property consisting of two (2) sheets prepared by Leo A. Kalieta, P.L.S.

A-4: Planning Department Review Memorandum dated September 1, 2023

Edward Herrman and Shawna Ebanks were sworn in.

Mr. Falzarano testified that he owned the subject proposed and has owned and lived in the house for one year. The house is a single-family with no garage. He explained that he was seeking an exception to the requirement of 8-foot side and rear yard setbacks. Here, proposes to place the garage 3 feet from the side and rear property line to align it with the existing driveway. The proposed garage would provide more storage for the applicant and add more value to his home. Additionally, the adjacent property owners also have single-car garages.

Kevin Kennedy asked Mr. Falzarano about the proposed garage's size, height, and possible utilities. Mr. Falzarano said it would be a detached 12-foot X 22-foot single-car garage. There will be an electrical connection for powering the automatic garage door and inside light.

Shawna Ebanks asked the applicant if he plans to extend the garage pavement to the proposed, and Mr. Falzarano replied yes. Ms. Ebanks then asked if the material would be pavement or pavers, and he responded the driveway extension would be pavement.

Mr. Kennedy asked about the size of the drive extension, and Mr. Falzarano replied 10 feet to the driveway length.

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

Ayes: Ray Mass, Eileen Hogan, Ben Yuro, Vincent Light, Sharon Lee, Paul Cagno, Anna Cruz, Eugene Horowitz

Nays: None

Abstain: None

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

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

Edward Herrman and Shawna Ebanks were sworn in.

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

Exhibits A-20 through A-23 were marked and presented, including renderings and site plans:

A-20: Certification of Chris Haven

A-21: Existing Front and Right of Way Setbacks prepared by S.O.M.E Architects dated September 6, 2023

A-22: Comparison of Building Heights prepared by S.O.M.E Architects dated September 6, 2023

A-23: Existing Retail Stores Within Vicinity prepared by S.O.M.E Architects dated September 6, 2023

Mr. McKenna updated the Board that since the last hearing, the applicant met with the representatives of the Monmouth County Engineer's Office and obtained informal approval for reducing the yellow-curbed no-parking area in front of the property from 60 feet to 25 feet, subject to Borough Official's approval. Shawna Ebanks also added Chief McConnell was contacted and willing to provide a letter of support with their County application.

Chris Havens voiced his concern regarding the potential traffic caused by the proposed development. He suggested the northeastern corner should be stripped for no parking to be more than 25 feet.

Paul Cagno asked for details on whether the applicant's County application was for the designation of the space to be used by the proposed development or for public parking. Mr. McKenna replied that the request would be for it to be used as a loading zone.

Sharon Lee asked if the loading zone would be for passenger pickup/drop off, large products, or food deliveries. Mr. McKenna replied that it would be for multiple purposes. Ms. Lee asked if the County acknowledges these uses, and Mr. McKenna said yes.

Edward O'Neill provided testimony professional planning testimony. Mr. O'Neil details why the use is considered an inherently beneficial use and its contribution to the community. He explained that the location was suitable and ideal for people with disabilities to become active community members. The proposed development is within proximity to bus stops and the Red Bank Train Station, which provides access to jobs and Brookdale College. Additionally, there is an off-street public parking space, and retail and service facilities are easily accessible. Mr. McKenna also explained that the proposed use meets the definition of an inherently beneficial use under the Municipal Land Use Law.

Furthermore, the residential unit on the ground floor benefits residents living there. The navigator unit needs to be on the first floor to see who goes in and out clearly. The unit will be discreet to give the residents privacy. The proposed navigator unit would be 535 square feet, and the entrance door is on the interior, and the windows cannot be seen from the street.

Vincent Light asked if all the units met the minimum requirement of 600 square feet. Mr. O'Neill replied that a few units would be less than 600 square feet.

Edward Herrman commented that the proposed project is akin to a college dormitory based on Mr. O'Neill's testimony on density, the number of units, and the sense of community. Mr. O'Neill said that this project is like a college experience where the goal is to get people to socialize.

Vincent Light asked about the cost of the services to residents and the rents. Mr. O'Neill said there is a cost to services incorporated into the rent calculations and the number of residents.

Chris Havens asked if the project would pay taxes, and Mr. McKenna responded yes. Mr. Havens then asked if a capital subsidy or donations was being offered. Mr. McKenna said there is and there are other revenue resources. John Klein added further details on the financial investment into the projects.

Shawna Ebanks asked about the number of affordable housing units. Mr. Klein replied that five (5) units are set aside for affordable housing.

Ms. Ebanks asked if these affordable units would have the same layout as the market rate units, and Mr. Klein replied yes, it would be the same for all.

Sharon Lee asked if the applicant allotted enough space for all the proposed services presented in the application. Karen Flaherty replied that there was enough space to execute their programming for the development. She also added that Thrives' partnership with Rutgers Adult Autism Service Center will provide offsite servicing space.

Katie Cartier - 9 Chestnut Hill Lane, Lyncroft; Mark Tabkin - 331 Newman Springs Road; Jane Klienman- 68 Wallace Street; Joyce DeJohn- 24 Holly Street, Rumson; Mark Cartier - 9 Chestnut Hill Lane, Lyncroft; spoke in favor of the application and strongly urged for the Board to approve the application.

Kevin Kennedy reiterated the application's conditions and standards, and the applicant agreed to all conditions.

Mr. McKenna confirmed that the prior application will be abandoned and that this current application will be pursued in good faith.

Mr. Herman and Mr. Kennedy added that any deviation from the intent of use should necessitate a revisit to the Board.

Chair Mass motioned to deem the proposed use as inherently beneficial use, and Sharon Lee seconded.

Ayes: Ray Mass, Eileen Hogan, Ben Yuro, Vincent Light, Sharon Lee, Paul Cagno, Anna Cruz, Eugene Horowitz

Nays: None

Abstained: None

Raymond Mass motioned to approve the application, and Eugene Horowitz seconded it.

Ayes: Raymond Mass, Ben Yuro, Sharon Lee, Vincent Light, Anna Cruz, and Eugene Horowitz

Nays: Paul Cagno

Abstained: None

The meeting adjourned at 8:07 PM.

Respectfully submitted,
Aline Macatrao
Board Secretary