

MINUTES
RED BANK BOARD OF ADJUSTMENT
December 9, 2020

The Red Bank Zoning Board held a Special Meeting on Wednesday, December 9, 2020 at 6:00 pm, via Zoom in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

The following members were in attendance: Lauren Nicosia, Ray Mass joined at 6:26 pm, Eileen Hogan, Christine Irwin, Richard Angowski, Sean Murphy joined at 6:13 pm, Anne Torre, Sharon Lee, and Bruce Maida. Kevin Kennedy, Esq., Board Attorney and Maria Graziano Board Secretary.

Chair Lauren Nicosia called the meeting to order at 6:10 pm. Lauren Nicosia announced that notice of the meeting was mailed to the Asbury Park Press and the Two River Times; was filed with the Borough Clerk; and posted on the Municipal Bulletin board. A roll call showed the same members in attendance. The Board saluted the flag and opened the meeting to the public for non-agenda items of which there were none.

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 newspaper, with the Borough Clerk's office, 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 need to contact us they could raise their electronic hand, call Maria Graziano or send her email at mgraziano@redbanknj.org.

Administrative Matters:

Resolution: 21 N. Prospect Avenue, Richard Deluccia. Front Porch addition and no further enclosure. A motion was made by Sean Murphy and seconded by Lauren Nicosia. Ayes: Lauren Nicosia, Eileen Hogan, Christine Irwin, Richard Angowski, Sean Murphy, Anne Torre, and Sharon Lee. Nay: None

Public Hearings:

141 West Front Street – Red Bank Corporate Plaza, Block 34, Lots. 3.01, 25 & 26 ZR1355

Applicant Red Bank Corporate Plaza, LLC is seeking bifurcated use variance and approval. Peter Wersinger, Lawyer for the applicant.

Ray Mass joined the meeting at 6:26 pm.

Kevin Kennedy this meeting is a continuation of January 16, 2020. Mr. Kennedy listed the following exhibits. B-1: Christine Irwin signed the certification that Christine Irwin reviewed all the previous tapes. Ed Hermann was sworn in by Kevin Kennedy. A-24: Transcripts from

1/16/2020 meeting, A-25: Amended site plan rendering, Maser Consultant, dated 11/24/2020, A-26: Architect Site Design & Interior Design, Fineberg and Associates, dated 11/18/2020, A-27: Existing Conditions Aerial exhibit, Maser Consultants, dated 1/14/2020
A-28: Height & Density Report, Maser Consultant 11/24/2020, A-29: Bifurcated Amended Site Plan, Maser Consultant, 11/18,2020, A-30: Site Triangle Report, Maser Consultant,
A-31: Traffic Input Report, Maser Consultant, November 25, 2020.

Kevin Kennedy swore in Ed Herrman from T&M Associates.

Kevin Kennedy asked if there were any attorneys in the meeting that would like to introduce himself.

Robert McGowan is interested in the proceeding.

Patricia Koutin – resident looking for the minutes from 1/16/2020. Will get you a copy of the minutes or point you to where they are.

Robert Marchese, Esq, 27 West St. formally making an appearance in this case. He is representing several properties across the street from the site.

David Cooksen, resident, will send an email to Maria with questions. Kevin Kennedy advised him that he should ask questions along the way. Mr. Cooksen stated it is a waste of time at these meetings.

Peter Wersinger the applicant has engaged a shorthand reporter and it is being recorded by Deanna. They have listened to the neighbors and have made some changes

Jeromie Lange, Engineer in NJ. Kevin Kennedy swore him in. His credentials were accepted and approved in January 2020 and is still good.

Mr. Lange testified that they have made changes: Apt reduced from 150 to 137. All units will be slightly reconfigured. 126 of 137 are fully compliant with sq. ft. requirements. Seeking some minor variances for 11 units. Density has been reduced slightly below 52 per acre, previously it was 56. Height has been reduced to 122 from 125. The West Street façade has been pulled back 8 feet to help with site triangles. Additional public parking will be added. There is an additional of 10 spaces, a loss of 5 spaces with a net gain of 5 spaces.

Variance Relief Overview of Changes:

D1 or D5 – Use variance or density variance Planner will address. Density is 16 per acre they are proposing 52 per acre. They are asking for relief for a number of units that are below 1000 square feet. Smallest being affordable units are 569 sq feet, plus or minus. D4 -FAR Recalculated from the original testimony. The garage is permitted a 3.0 and they are at a 1.6. proposed. Regarding the rest of the building without the garage Far is at 2.5 where 2.1 is permitted.

D-5 - Density proposing 52 units per acre, 16 per acre are permitted. D-6 - Height originally proposing 125 feet at penthouse height but is has been reduced to 122 feet.

There are several C variances. Frontage 25 ft required proposing 7.1 from West Front Street 14.6 Pearl and 14.3 on Wall St. Minimum rear yard 20 is required 0 is proposed. Side yard set back is 10 feet, 0 is proposed. Max Lot Coverage allowed is 50% they are at 62.4%. There are 2 roof top outdoor areas. Gross Habitual Floor there are 137 total units, 126 fully comply, 11 require variances. There are 4 (1) Bedroom COAH units that require variances 3 are at 569 sq ft (+ or -) 1 at 661 sq (+ or -) where 900 is required, 3 (2) bedroom units at 1064 sq ft were 1100 is required, a 3 (3) bedrooms units, 2 at 1227 sq ft (+ or -) and 1 at 1055 (+ or -) where 1250 is required. There is a 15 buffet required, they are providing 0. Site triangles have been reduced. There was some testimony on the height of the garage and setbacks on all streets.

A question was asked regarding West Street. Will there be an overhang over the sidewalk or street. There will be an overhang but it will be on their property not over the sidewalk or street.

There was some discussion on what Red Bank is requiring for parking. An actual number. Red Bank's ordinances does not have an exact number. There is a calculation and interpretation, Red Bank ordinances, RSIS, and National Standards all goes into this calculation.

Kevin Kennedy swore in William Feinberg, Licensed Architect. Credentials were accepted from the previous meeting. Exhibit, A-26 Architect Composite A1: 20 pages, A-2: 2 page Rendering. They are not seeking a sign variance that is part of the Site Plan. Mr. Feinberg testing that the client asked to make changes on the ground floor plan revisions. Lower left corner West Street & Wall Street was pushed back 8 feet, adjusted the egress stairs, relocated the bicycle storage room and 7 parking spaces were added and are open to the public. These 7 parking spaces should be limited to 2 hour parking to allow turnover for the public. Encourage the people to rotate with signs indicating parking time limit and free parking.

Lower level parking - no modification, 2nd floor - no revisions, 3rd floor - readjusted location of some COAH units, reduced the total number of units, left the original footprint, and increased the size of the units. Sheet A-4: 4th floor - modified, reshuffled units shown over Pazzo. 5th floor plan, eliminated one of the amenity spaces, 6th Floor -Plaza level, reduced the number of units by 4, replaced some COAH units and shuffled the market rate units within the elevator lobby area and the main floor plate. Increased the size of the units and the depth of the units. 9th floor reduced 2 units. Reduced the height by 3 feet. Wall Street elevation pushed the building back 8 feet, we have site triangles, we cantilever the upper floors. Questions was asked and answered that the mechanicals will be on the roof. The actual Height of the building to the floor level is 113 feet.

Mr. Marchese stated that the applicant did meet with him and some of his clients on January 16, 2020 and appears that some changes have been made. Is the exit on West Front Street going to be an active non-emergency exit or only an emergency exit? Mr. Lange testified that the West Front Street exit will be entirely closed. Exit on West Street will be a fully used exit.

Jamie Learn, 91 Manor Drive. Kevin Kennedy swore her in. What is the benefit of approving these extreme variances to the residents. Kevin Kennedy stated this was a comment not a

question and the questions should be directed to the Architect and hold the comment for the comment section.

Patricia Kouten, 46 Bank Street The zoning allows for 16 units per acre and seeking a variance for 52 units per acre.

David Puchalski, 22 West Street. Exhibits are posted on the Borough's website. Kevin Kennedy disclosed he has represented Mr. Puchalski in the past. Exhibit A-28 Height & Density, Mr. Lange testified on the different heights of other buildings around Red Bank compared to the proposed application. It was requested that Mr. Lange state what zone each of these properties are in. Grandview Towers BR-1 same as 141 West Front Street, North of the train station overlay according to the map published by the Borough. Wesley & Arms, BR-1 at 62.9 units per acre, West Side Lofts, BR-1 in overlay district 52 units per acre, Grand Tower BR-1 48 units per acre, VNA, WD district 86 units per acre, Colony House, WD district 68 units per acre, Atrium @ Navesink Harbor 147 units per acre. They were asked at a previous meeting to verify the Height at the Atrium at Navesink flat roof is 138 flat roof, total height 155 feet. Riverview Towers, WD district, 202.7 units per acre, 120 foot flat roof total of 158 feet.

Buildings in the surrounding area are in the same zone as well as different zoning districts. What is the height limitation in this district. It is 40 feet. The application is more than triple the height limitation.

Mr. Lange went over the slides in his presentation. Ed Herrman asked Mr. Lange to give the board a sense of the square feet of the increase for impervious coverage. Mr. Lange stated the increase of impervious net increase of approximately 5.385 per 0.12 acres of impervious coverage from what is there today less motor vehicle.

Maurice Rached, traffic engineer. Kevin Kennedy swore him in. Mr. Rached stated his credentials and they were accepted by the Board. Mr. Wersinger asked Mr. Rached questions. Mr. Rached originally produced a traffic report and updated on 11/25/2020. Yes Exhibit A-8: Old traffic report, A-31 supplement traffic study, dated 11/25/2020

The traffic report was based on data collected prior to Covid and published 11/2020. We look at the traffic impact, we analyze before and after the date is collected then we do a parking analysis.

Collected data on 10/10/2019 in the am and pm and then did a trip generation and explained how the data is analysed.. In the am there were 49 trips. In the pm there were 35 incoming and 24 outgoing with a total of 60 trips. He explained how the traffic patterns would change with this application. He went over each intersection and measured the delay in the am and pm and came up with the traffic impact. There is a level of service criteria. That level will stay the same. They look at the safety around the building and the driveways. Criteria states that for 25 mph and it states you need 295 feet. They set the building back so it would not encroach the site triangle. Looked at circulation of trucks and fire trucks which will be addressed if the

application is approved. We found a truck can manueve the existing driveway and circulate in the building. Parking: Mr. Rached presented Table 4, Summary of his findings when it came to parking. He went over the table explaining the column 1 is land use, residential use , column 2 is the # of units and the required # of spaces per unit based on RSIS or the ordinance, and the 4th column is the results of calculations. You need 260 for residents, 420 for offices, and 87 for the restaurant. When you add them up there are 765 spaces (rounding up generously). RSIS states that you shall provide Shared Parking space results and we came up with 457. We comply with RSIS and the ordinance. We are providing 554 with 90 spaces (+ or -) providing excess of what is required. Parking Observations were done on Friday, 10/11/2020 9:00 - 10:00 am, 10/11 5:00 - 8:00 pm and came up with 77 spaces which is equivalent to 93 with the restaurant and office peak at 93 spaces. 72% of parking lot was empty.

Mr. Rached visited the site on 1/14/2020 approximately at 11:30 and he counted 144 cars and adjusted it to 173 with full occupancy. There is no parking problem. They have plenty of parking spaces. Accident Reports - there were 18 accidents for 2017, 2018, 2019, and 2020.

Ed Herrman had some questions. Mr. Rached explained how the different trips and different times of the day impact the parking and traffic.

This application was carried to February 4, 2021 with no new public notice starting at 6:00 workshop and 6:30 pm meeting. Mr. Wersinger agreed to extend the time frame for a Remote meeting. Login information will be the same.

Respectfully Submitted,
Maria Graziano, Secretary Red Bank Zoning Board of Adjustment