

**MINUTES**  
**RED BANK ZONING BOARD OF ADJUSTMENT**  
**February 17, 2022**

The Red Bank Zoning Board of Adjustment held a public meeting on Thursday, February 17, 2022, at 6:30 PM via Zoom video conferencing call.

Chair Lauren Nicosia called the meeting to order at 6:36 PM. A roll call showed the following members were in attendance:

Lauren Nicosia	Present	Sean Murphy	Present
Ann Torre	Present	Sharon Lee	Present
Richard Agnowski	Present	Joan Rothwell	<i>Absent</i>
Ray Mass	Present	Robert Frikker	Present
Eileen Hogan	Present	Vincent Light	Present
Christine Irwin	<i>Absent</i>		

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

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.

Pledge of Allegiance: Chair Lauren Nicosia led the audience and members of the public in the Flag Salute.

**Administrative Matters:**

**1) Meeting Minutes: January 6, 2022**

Motion: Approve the January 6, 2022 meeting minutes as presented.

Moved By: Ray Mass

Seconded By: Sean Murphy

Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, Robert Frikker, and Vincent Light

Nays: N/A

Abstain: N/A

**2) Resolution Appointing Board Engineer:**

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

Moved By: Anne Torre

Seconded By: Lauren Nicosia

Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, Robert Frikker, and Vincent Light  
Nays: N/A  
Abstain: N/A

**3) Resolution Appointing Conflict Engineer**

Motion: Adopt the resolution to appoint C.M.E. as Conflict Engineer to the Board.  
Moved By: Eileen Hogan  
Seconded By: Lauren Nicosia  
Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, Robert Frikker, and Vincent Light  
Nays: N/A  
Abstain: N/A

**4) Resolution Appointing Board Attorney**

Motion: Adopt the resolution to appoint Kevin Kennedy as Board Attorney.  
Moved By: Lauren Nicosia  
Seconded By: Anne Torre  
Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, Robert Frikker, and Vincent Light  
Nays: N/A  
Abstain: N/A

**5) Resolution Appointing Special Council / Conflict Board Attorney:**

Motion: Adopt the resolution to appoint Marc A. Leckstein as Special Council/Conflict Board Attorney  
Moved By: Lauren Nicosia  
Seconded By: Anne Torre  
Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, Robert Frikker, and Vincent Light  
Nays: N/A  
Abstain: N/A

**6) Resolution for Extension of Time for 70 Locust Avenue**

Motion: Adopt the resolution for an extension of time for 70 Locust Avenue.  
Moved By: Sean Murphy  
Seconded By: Anne Torre  
Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, and Robert Frikker

**Public Hearing:**

**Z14215: 10 Wallace Street; Block 48, Lot 2**

A motion was made to carry the application to April 21, 2022, meeting without the need for any further notice.

Moved By: Anne Torre  
Seconded By: Sean Murphy  
Ayes: ALL IN FAVOR  
Nays: N/A  
Abstain: N/A

**Z14322: 173 Maple Avenue; Block 103, Lot 1**

A motion was made to carry the application to April 7, 2022, meeting without further notice.

Moved By: Laruen Nicosia  
Seconded By: Sean Murphy  
Ayes: All in Favor  
Nays: N/A  
Abstain:

**Z14281: 170 Broad Street; Block 104, Lot 14**

Thomas Letizi, Esq., represented 173 Maple, L.L.C, applicant.

Sharon Lee and Eileen Hogan recused themselves from the application.

Exhibits A-1 through A-10 were marked and presented, including renderings and site plans:

A-1: Application for Development Permit

A-2: Denial of Development Permit, dated June 21, 2021

A-3: Intent to Proceed, dated June 7, 2021, and Narrative of Development

A-4: A.D.A. and Exterior Renovation Plans, prepared by Paul D. Mutch, Jr., P.E., consisting of one (1) sheet

A-5: Monument Sign Details, prepared by A.G.I., dated April 21, 2021, consisting of fourteen (14) sheets

A-6: Review Memorandum from Staff Planner, Shawna Ebanks, P.P., A.I.C.P.; dated January 5, 2022

A-7: Aerial Exhibit, prepared by Stonefield Engineering, dated February 16, 2022

A-8: Photo Exhibit (2-sides), prepared by Stonefield Engineering, dated February 16, 2022

A-9: Site Plan, prepared by Stonefield Engineering, dated May 4, 2021

A-10: Monument Sign Details, prepared by A.G.I., dated April 21, 2021

The following expert witnesses were sworn in for the presentation:

Aaron Chen, P.E. - Stonefield Engineering

T.J. Ricci, P.P. - Stonefield Engineering

Kandyn Leach - Signage Solutions

The applicant is seeking approval to permit a double-faced sign, with each sign's face being approximately 2.5 feet by 2.5 feet. (36 Square Feet).

Testimony was provided by the applicant's witnesses and professionals regarding the logistics of the sign and the variances sought. The applicant proposes to install a new ground-mounted monument sign at the site. The new ground sign will be located near the intersection of Broad Street and Leroy Place. The total sign area (including the support structure) is 36-square feet. Only one side (south side) of the double-faced sign will be externally illuminated. An automatic timer will turn off the external illumination. One side of the sign will only be externally illuminated between dusk and dawn. There will be no interchangeable copy associated with the new sign. Instead, the proposed sign will be a stationary, non-content changing sign.

Sharon Lee, Chair Nicosia, and Vincent Light had questions regarding the sign's height, location, and lighting.

Sean Murphy asked the applicant if they complied with the Police Department traffic safety requirement. The applicant stated they were in full compliance.

Kevin Kennedy reiterated the conditions of the application. Richard Angowski motioned to approve the application with the conditions presented and seconded by Sean Murphy.

Ayes: Lauren Nicosia, Ann Torre, Richard Angowski, Ray Mass, Sean Murphy, Robert Frikker, and Vincent Light

Nays: N/A

Abstain: N/A

Recused: Sharon Lee and Eileen Hogan

**Z14334: 211 Shrewsbury Avenue; Block 74, Lot 7.02**

Edward McKenna, Esq., represented the applicant Parker Family Health Center.

Chair Nicosia and Richard Angowski recused themselves from the application. Ray Mass took over as chair for the rest of the proceeding.

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

A-1: Application for a Development Permit, dated July 26, 2021

A-2: Architectural Plans, prepared by S.O.M.E. Architects, P.P., dated January 14, 2022, consisting of four (4) sheets

A-3: T&M Associates Review Memorandum, dated February 15, 2022

A-4: Red Bank Zoning Board of Adjustment Resolution 2021-14 dated August 19, 2021

The following expert witness was sworn in for the presentation:

Edward W. O'Neil, R.A, P.P., - SOME Architects, P.C.

Anne Torre stated that she had worked for Parker Family Health Center. Mr. Kennedy confirmed that there was no conflict of interest.

Mr. McKenna briefly introduced the application, the previous zoning board approvals, and the reason for the applicant seeking an amended approval. The 0.2-acre property contains an

existing medical office with a parking area for six (6) vehicles. The site is located in the Residential Business zone and fronts Shrewsbury Avenue. In 2021, the applicant received approval from the Z.B.A. to construct a one-story addition to the existing structure consisting of a conference room, four offices/examination areas, and a bathroom. The applicant is now seeking to amend the approval from 2021 to provide a 2,814 square foot, two-story addition to the existing medical office use that will consist of conference rooms, offices, examination areas, re-natal area, and restrooms. Additional personnel will not be added to the facility. A D(2) use variance is required to expand an existing non-conforming use.

Ed Herman was sworn in. He asked Mr. O'Neil and Mr. McKenna questions regarding his review memo dated February 15, 2022. The applicant agreed to comply with the Board Engineer's comments.

Anne Torre asked about the impact of the expansion and the existing parking deficiencies. Mr. McKenna replied that the applicant has an agreement with River Street Commons for nine (9) parking spaces. He further explained that most patients use other modes of transportation instead of a personal vehicle which alleviates the need for additional parking.

Vincent Light asked whether the applicant received complaints from neighboring residents regarding the off-street parking. Mr. O'Neil replied that there were no complaints and the new addition would not add new employees.

Anne Torre asked if there was adequate off-street parking. Mr. O'Neil replied yes.

Sean Murphy commented that the use serves the community, and the applicant should consider their future growth and the current location. Mr. McKenna stated that the proposed expansion would meet their needs for the next 15 years.

Kevin Kennedy reiterated the conditions of the application. Mr. McKenna agreed to all comments.

There were no public comments.

Sean Murphy motioned to approve the application with the conditions presented and seconded by Ray Mass.

Ayes: Ann Torre, Ray Mass, Eileen Hogan, Sean Murphy, Sharon Lee, Robert Frikker, and Vincent Light

Nays: N/A

Abstain: N/A

Recused: Lauren Nicosia and Richard Angowski

A 10-minute break was given at 8:10 PM, and the Board returned at 8:20 PM. A roll call was taken, and all members of the Board were presented.

**Z13489: 121 Monmouth Street; Block 42, Lots 7, 8, 9, 10, 11 & 11.01**

Edward McKenna, Esq., represented the applicant 12 Monmouth, L.L.C.

Chair Nicosia and Richard Angowski recused themselves from the application.

Kevin Asadi, Esq. was also present to represent Station Place at Monmouth-First Realty State Investment Trust of N.J. He noted that the notice had an error with the number of parking spaces; however, he had no objection to the notice.

Kevin Kennedy had a question regarding the ownership of the property. Mr. McKenna confirmed that Michael Salerno owns 121 Monmouth Street, 129 Monmouth Street (Tristate Realty), 36 Oakland Street, and 62 Pearl Street (Pearl Realty).

Exhibits A-1 through A-11 were marked and presented, including renderings and site plans:

A-1: Denial of Development Permit Application, dated September 27, 2019

A-2: Development Permit Application dated September 23, 2019

A-3: Intent to Proceed date November 13, 2019

A-4: Disclosure of ownership

A-5: Preliminary/Final Site Plan, by Kennedy Consulting Engineer, L.L.C., dated May 28, 2021

A-6: Aerial Rendering dated June 9, 2021

A-7: Subdivision Plot Plan date June 22, 2021

A-8: Stormwater Management Report by SOME Architects dated May 28, 2021

A-9: Review Memo by Glenn Carter dated January 15, 2020, and revised March 1, 2020

A-10: T&M and Associates Review Letter dated January 28, 2022

A-11: A-202 Project Elevations

Mr. McKenna described the application and the variances sought to consist of preliminary and final site plan approval with a use variance, bulk variances, and design waiver relief. The applicant proposed to construct a 45-unit mixed-use residential apartment and retail structure. The applicant proposes an at-grade parking area under the building, 1,315 square feet of retail, and 690 square feet of office space on the first floor. The applicant also proposes various site work, including paved driveways and walkways, an at-grade parking area adjacent to Pearl Street, drainage, utilities, and limited curb replacement.

The following expert witness was sworn in for the presentation:

Michael Simpson, R.A, P.P., LEED AP- SOME Architects, P.C.

Mr. Simpson testified on the design of the proposed structure.

Sean Murphy had concerns regarding the parking being adjacent to the residential properties and the possibility of demolition of the two residential dwellings. Mr. McKenna stated that the area would buffer with landscaping.

Eileen Hogan inquired about the proximity of the Red Bank Charter School to the proposed development and whether the school's administration had any comments on the design. Mr. McKenna answered that the applicant had met with the Charter School, and there were no objects to the proposed design.

The meeting was opened to the public for questions relating to the application.

Mandy Hanigan, 66 Oakland Street, about the length of the sidewalks and the impact on pedestrian traffic. Mr. Simpson said the site engineer would answer questions about the site plan.

Roger Foss, Trustee of the Charter School, asked about any easements for access to the Charter School. Mr. Simpson replied was no easement proposed.

Kristina Bonatakis, 122 Riverside Avenue, asked whether the previous plans included more indoor parking spaces. Mr. Simpson's responded that they are proposing 56 parking spaces for residents and retail customers.

Chair Mass made a motion to carry the application to April 21, 2022, seconded by Sean Murphy. All were in favor. There will be no further notice required. Mr. McKenna consented to extend the time the Board has to act on the application.

The meeting was adjourned at 9:36 PM.

Respectfully submitted,  
Chris Ann DeGenaro  
Board Secretary