

MINUTES
RED BANK ZONING BOARD OF ADJUSTMENT
May 2, 2019

The Red Bank Zoning Board held its regularly scheduled meeting on Thursday, May 2, 2019 in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

A workshop meeting was held at 6:00pm. The following members were in attendance: Lauren Nicosia, Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Stephanie Albanese and Matt Anderson (arrived 6:25pm). Also present were Glenn Carter, P.P., Director of Planning & Zoning, Kevin Kennedy, Esq., Board Attorney and Dina Anastasio, Board Secretary. At the workshop meeting the Board discussed the evening's agenda.

Chair Lauren Nicosia called the meeting to order at 6:30pm. She 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.

Administrative Matters:

A motion was made by Ray Mass, seconded by Anne Torre to approve the minutes of the April 18, 2019 meeting. Ayes: Ray Mass, Eileen Hogan, Anne Torre and Stephanie Albanese. Nays: none.

Public Hearings:

HRK at RB, LLC. (Riverwalk Commons), 24-30 Mechanic Street, Block 29, Lot 5.01, Z10249

Debbie Gregg, Esq. was there on behalf of the applicant. Glenn Carter was sworn. Kevin Kennedy explained the reaffirmation and extension request submitted by HRK at RB, LLC. The prior applicant has defaulted on the loan and HRK are the contract purchasers of the property. The original application, commonly known as Riverwalk Commons, was approved in 2012. There are currently different expiration dates in effect for this application, as the original Resolution had one date and the Developer's Agreement had another. This request is to provide an expiration date of June 30, 2020 for the developer to obtain construction permits and commence construction. This approval is retroactive to any of the existing expiration dates, if needed.

They must provide 2 COAH units on site and this approval would re-affirm the Board's original approval. If there are any modifications to the plans, the applicant would have to return to the Board for approval.

A motion was made by Eileen Hogan, seconded by Ray Mass to approve the extension. Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Stephanie Albanese and Matt Anderson. Nays: none.

A motion was made by Anne Torre, seconded by Eileen Hogan to approve the Resolution. Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Stephanie Albanese and Matt Anderson. Nays: none.

Gary Casazza, 56 Newman Springs Road, Block 87, Lot 17, Z13245

The applicant was represented by Kevin Asadi, Esq. Glenn Carter was sworn. Ed O'Neill, SOME Architects was sworn. Anne Torre disclosed she served on the Rumson School Board with Mr. Casazza about 15 years ago. There is no direct/indirect financial bearing and she can impartially hear this application. There were no objections. Mr. Casazza owns Gary Allen Construction. The following Exhibits were entered: A-1; DPA: A-2; Plans prepared by SOME Architects dated 3/25/19 (2 sheets); A-3; Property Survey: A-4; Zoning Chart: A-5; Denial Letter: A-6; Disclosure of Ownership & Intent to Proceed: A-7; Review Letter by Glenn Carter dated 5/1/19: A-8; Photos taken by Glenn Carter: A-9; Display Board of 2 Area Plans prepared by Ed O'Neill dated 5/2/19: A-10; Title Search prepared by Scott Title Co. dated 4/17/19 of block 87/ lot 17: A-11; Chain of Title consisting of various deeds from 1971 for block 87/ lot 16.

The applicant is proposing to construct a single family dwelling on an undersized lot. If you were to conform to the setback requirements for this corner lot, the building area would only be about 10 feet. They are proposing a house to be 10 feet off both property lines. There is a variance required for the 30 feet front yard setback; whereas, 16 feet are proposed. This goes to the covered porch. The setback to the house is 20 feet. The house size measures 20 feet X 37 feet. There are 740 square feet proposed on the first floor and the minimum required is 700 square feet. This is similar to neighboring houses. 6 of 12 houses in the area are non-conforming.

Mr. Asadi stated the applicant has reached out to neighboring property owners for their possible interest in selling. There were no interested sellers. The applicant can comply with the requirements in Glenn Carter's review letter for item #2. It was noted that for confirmation regarding the prior ownership of lots 16 & 17, there was a period of time that lot 17 was owned by Virginia Amend and lot 16 was owned by James and Virginia Amend. When James passed away in 2002, the deed was never transferred to Virginia. Mr. Asadi feels there is no merger issue as per the Lochner case.

A motion was made by Eileen Hogan, seconded by Ray Mass to approve the application. Ayes: Lauren Nicosia, Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Stephanie Albanese and Matt Anderson. Nays: none.

Glenn Carter also added that the applicant should be prepared to submit for a grading/drainage review from the Borough Engineer.

James Dooley, 25 Vista Place, Block 13, Lot 16, Z13229

The applicant was represented by Ed McKenna, Esq. Lauren Nicosia recused herself. Glenn Carter was sworn.

The following Exhibits were entered: A-1; DPA Package: A-2; Plans prepared by Studio 200 dated 1/28/19 (18 pages); A-3; Plot Plan prepared by Lindstrom, Diessner & Carr dated 10/30/18 (4 pages): A-4; Zoning Board Resolution dated 10/12/82: A-5; Zoning Board Resolution dated 7/7/94: A-6; Zoning Board Resolution dated 4/3/03: A-7; CAFRA Approval dated 3/6/19: A-8; Photos taken by Glenn Carter.

There have been 4 prior variances approved for the subject property. The applicant is here because of the accessory structure currently on the property, which restricted living space, as

well as renting of the structure. The applicant has no problem abiding by the prior guidelines in place for this structure. Currently the house sits on the property in an east/west direction and the applicant is proposing to demolish this house and rebuild it with a north/south direction to enable them enjoyment of the water views. The existing house is 3,500 square feet and the proposed is 3,485. The first floor is proposed to be 2,381 square feet and the second floor is 1,104. The first floor will contain an open kitchen, great room and master bedroom suite. The second floor will have 2 bedrooms and a shared bathroom. The remainder of the upstairs, as well as the basement, will remain unfinished.

James Dooley was sworn. He has owned the property about 1 year. It is currently vacant. He explained there is an existing dock. He has applied for approval to utilize the dock to put a boat into the water, as the dock is slightly larger. There is a fence proposed for the property, but if an additional fence is required around the pool, they will adhere to that condition. A 2 car garage is also proposed.

Glenn Carter questioned if the existing landscape is to remain. Mr. McKenna stated they will not know until construction is complete as to which plants/trees will remain. They will submit a landscape plan and work with the Shade Tree Committee at that time.

A motion was made by Stephanie Albanese, seconded by Anne Torre to approve the application. Ayes: Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Stephanie Albanese and Matt Anderson. Nays: none.

A motion was made by Eileen Hogan, seconded by Ray Mass to approve the Resolution for this application. Ayes: Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Stephanie Albanese and Matt Anderson. Nays: none.

On a motion made by Anne Torre and seconded by Ray Mass, the meeting was adjourned at 7:15pm.

Respectfully Submitted,
Dina Anastasio, Secretary
Red Bank Zoning Board of Adjustment