

MINUTES
RED BANK BOARD OF ADJUSTMENT
May 6, 2021

The Red Bank Zoning Board held a Zoning Board of Adjustment meeting on Thursday May 6, 2021 at 6:30 pm, via Zoom in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Vice Chair Ray Mass called the meeting to order at 6:30 pm. The Board saluted the flag. A roll call showed the following members were in attendance: Ray Mass, Eileen Hogan, Christine Irwin, Richard Angowski (signed in at 6:39pm), Anne Torre, Sharon Lee, Bob Frikker, Bruce Maida, Kevin Kennedy, Esq., Board Attorney, Ed Herrman, PE, Shawna Ebanks, Director of Community Development and Maria Graziano, Board Secretary.

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

Lauren Nicosia opened the meeting to the public for non-agenda items of which there were none.

Applications:

Nabil Bader; 38 Sunset Avenue; Block-96, Lot: 13 Z13081

This application was continued from the 4/15/21 meeting

They explained the revised plans, which included keeping the open porch and extending to the rear of the property. No additional variances are required.

The Board thanked Mr. Bader for keeping the porch and complimented his new design.

A motion was made by Bruce Maida, seconded by Ray Mass to approve the application. Ayes; Ray Mass, Eileen Hogan, Richard Angowski, Anne Torre, Bob Frikker and Bruce Maida. Nays: none.

A motion was made by Bruce Maida, seconded by Anne Torre to approve the Resolution for this application. Ayes: Ray Mass, Eileen Hogan, Richard Angowski, Anne Torre, Bob Frikker and Bruce Maida. Nays: none.

Megan Massey, 53 West Sunset Avenue; Block 89, Lot 1 Z14091

The applicant is seeking approval for a C variance for a rear-yard addition, where 30 feet is required and 19.1 feet is proposed.

The following Exhibits were entered: A-1; Development Permit Application: A-2; Denial: A-3; Intent to Proceed: A-4; Survey: A-5; Alterations and Additions Plan; A-6 Review Letter from Shawna Ebanks.

The first floor will consist of a kitchen with a laundry room and a bathroom. They are proposing to add 1 bedroom to the second floor. There are currently 3 bedrooms and 1 ½ bathrooms. They will be set back further than the house currently sits. They have spoken to the neighbors and there are no issues.

A motion was made by Eileen Hogan, seconded by Anne Torre to approve the application. Ayes: Ray Mass, Eileen Hogan, Christine Irwin, Anne Torre, Bob Frikker and Bruce Maida. Nays; none.

Melih Gazko, 31 Washington Street, Block 24, Lot 15 Z13881

Ed Herrman, PE, was sworn. Robert Koseyan, Contractor, was sworn in.

Melih Gazko, property owner, was sworn. He purchased the property in June 2020 and currently resides in unit B of the side by side duplex. Unit A has 2 bedrooms and 1 ½ bathrooms; unit B has 2 bedrooms and 1 bathroom. Both units are occupied.

The following Exhibits were entered: A-1; Development Permit Application: A-2; Denial: A-3 Survey: A-4; Review Letter from Shawna Ebanks.

Unit A has a set of stairs in the rear of the property, that are in disrepair. Unit B has a small deck, with no stairs. They would like to install a deck with a barrier between and both units would have 1 level of the deck. The patio floods and is slippery in the winter. It would be removed, thus increasing impervious coverage. The deck would be 360 square feet, composed of synthetic Trex material. It would be sealed off, so no animals could enter underneath.

The application has not been presented to the HPC. Since the renovations are to the rear of the property, they do not have to review the application. Shawna Ebanks confirmed it is not visible from the street.

A motion was made by Eileen Hogan, seconded by Christine Irwin. to approve the application. Ayes: Ray Mass, Eileen Hogan, Christine Irwin, Richard Angowski, Anne Torre, Bob Frikker and Bruce Maida. Nays; none. There was a condition that the HPC would have to approve of the application.

Park Valley Monmouth, LLC., 120 Monmouth Street, Block 33, Lot 9.01 Z13547

Lauren Nicosia and Bruce Maida recused themselves from the application.

Marc Leckstein, Esq., represented the Board for this application. Ed Herrman, PE, was sworn in.

Michael Netta, was sworn in.

The property is owned by several investors, including Gerald Alberti, Nicholas Burdi and John Mango. There are a few other owners, but they do not reside in Red Bank and the ownership is less than 5%.

The following Exhibits were entered: A-1; Application dated 6/10/20: A-2; Original Denial dated 11/14/19: A-3; Revised Denial dated 7/14/20: A-4; Preliminary and Final Site Plan dated 8/2/20 consisting of 8 sheets: A-5: Architectural Plans prepared by Mike Simpson consisting of 7 sheets revised to 4/20/21: A-6; Traffic Report prepared by Dynamic Traffic; A-7; Green Checklist: A-9; Groundwater Letter: A-11; Letter from Mike Simpson dated 4/20/21: B-1; T&M Review Letter dated 5/5/21.

The applicant was represented by Ed McKenna, Esq. He described the application. The original application proposed 38 units, which has been revised to 32 units. The property is located on the corner of Pearl Street. The property is technically not located in the train station overlay, but they had to meet the requirements. It is 3 properties away.

Mike Simpson, Architect, was sworn and accepted as an expert witness.

He described the project, which has been modified to allow retail on Monmouth Street.

He referred to Exhibit A-5, explained the layout of the property. There will be underground parking, following the guidelines of the Ordinance. 9 of the spaces will be for compact cars. After discussions with RiverCenter, they agreed to put retail space into the application. The rooftop area is 3,203 square feet will provide green space. They are open to discussion on this topic. There will be 11 units per floor and tenant storage space. Stairs will go up to the rooftop, where the mechanicals will be located and not visible from the street.

The façade moves in and out and will consist of multi softer- stone colors. Each unit will have a balcony. The fence will shield the parking garage. The potential signs and awnings for the retail portion were reviewed.

The COAH unit proposed on the second floor has to be 3 bedrooms. It would be located in the Northeast section. It would take up some of the green space or the amenity room. The client is suggesting they create it off-site. They would like to Board to weigh in on this. It could possibly be a single family dwelling. He noted that all the units in the application are 1-2 bedrooms. The COAH unit is the only 3-bedroom unit for the application.

Ed Herrman stated other applications have their COAH units off-site. He recommends this. The Board agreed with a stipulation that no C of O be issued until the off-site COAH unit is identified. The units will be rentals. Amenities will include yoga classes and movie nights. They don't anticipate families with children to reside here.

A private hauler will pick up the trash twice weekly and once weekly for recycling. The dumpsters will be rolled out and not left on the sidewalk. There will be an on-site property manager.

Carl DeAngelis, 117-119 Monmouth Street, was sworn.
Nancy Blackwood, 34 Chestnut Street, was sworn.
They clarified the 3-bedroom, unit, if approved, would be about 1,200 – 1,300 square feet.
Mr. McKenna explained you would have to walk through 1 bedroom to get to one of the other bedrooms.

John McCormach, PE, was sworn and accepted as an expert witness.
He referred to Exhibit A-5 and stated the building would only generate minor traffic. It would be less than 20 trips during peak hours. The traffic counts were done pre-Covid-19 and when there was a show at the Count Basie Theatre. There were 4-600 vehicles during peak times.
He was confident that the parking is sufficient and satisfied the demand for all times throughout the day.

There will be public on-street parking, as they are eliminating a driveway. This create 2 spaces and allow for a loading zone and Uber pick-ups.
The is no parking on the side of the building. Monmouth Street currently has 2 spaces. They will be shifted. They will be metered and monitored by the town.
There will be one assigned parking space for each residential unit and 3 for the retail units. ADA compliant spaces will be provided and 10 spaces will be left open. RSIA requirements state ½ space per unit are to be provided. They can be on-site or on the street.

There is no plan at this time for an electric charging station, unless the Board asks for it. There is a public one located about 150 from the property. Ed Herrman confirmed the Ordinance does require 2 spaces.

The garage door will roll-up. You can see through it. Key-fobs will be provided to the residents. The Board requested samples of the garage door.

Ray Mass made a motion to carry the application to May 20, 2021, seconded by Bob Friker. All were in favor. There will be no further notice required.

Eileen Hogan made a motion to adjourn the meeting, seconded by Bruce Maida. The meeting was adjourned at 9:20pm.

Respectfully submitted,
Dina Anastasio