

MINUTES
RED BANK ZONING BOARD OF ADJUSTMENT
June 18, 2024

The Red Bank Zoning Board held a public meeting on Thursday, July 18, 2024, at 6:30 PM in the Municipal Building, first floor, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Raymond Mass called the meeting to order at 6:30 PM. A roll call showed the following members were in attendance:

Anne Torre	Present	Paul Cagno	Absent
Ray Mass	Present	Anna Cruz	Present
Eileen Hogan	Present	Amanda Califano	Absent
Ben Yuro	Present	Eugene Horowitz	Present
Sharon Lee	Present	Chris Havens	Present
Vincent Light	Present		

Also present were Kevin Kennedy, Esq., Board Attorney; Jacqueline Dirmann, P.E, P.P., Board Engineer; Shawna Ebanks, P.P, AICP, Director of Community Development; and Aline Macatrao, Board Secretary.

Chair Raymond 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- June 6, 202

Motion: Approved as presented
Moved by: Anne Torre
Seconded by: Raymond Mass
Ayes: Anne Torre, Raymond Mass, Eileen Hogan, Ben Yuro, Vincent Light, and Anna Cruz.
Nays: None
Abstained: Sharon Lee

Resolution of Approval – Z15512: 40 East Bergen Place; Block 112, Lot 33

Motion: Approved as presented
Moved by: Eileen Hogan
Seconded by: Ben Yuro
Ayes: Anne Torre, Raymond Mass, Eileen Hogan, Ben Yuro, Vincent Light, and Anna Cruz.
Nays: None
Abstained: Sharon Lee

Administrative Approval – Z13849: 121 Monmouth St. Block 42, Lots 7, 8, 9, 10 & 11.01

Motion: Approved as presented

Moved by: Eileen Hogan

Seconded by: Sharon Lee

Ayes: Anne Torre, Raymond Mass, Eileen Hogan, Ben Yuro, Sharon Lee, Vincent Light, and Anna Cruz.

Nays: None

Abstained: None

Z15687: 41 Reckless Place; Block 104, Lot 6.01

The applicant, LoPiccolo Properties LLC, was represented by Edward McKenna, Esq.

The following witness was sworn in for the presentation:

Edward W. O'Neil, Jr., R.A - S.O.M.E. Architects

Exhibits A-1 to A-4 were marked and presented:

A-1: Intent to Proceed dated June 4, 2024.

A-2: Development Permit Application and Denial Letter dated May 13, 2024.

A-3: Plans Titled: New Three Car Garage for the LoPiccolo Property, 41 Reckless Place, Red Bank, New Jersey, Block 104, Lot 6.01; consisting of two (2) sheets prepared by Edward W. O'Neil, Jr., R.A. dated May 8, 2024.

A-4: Review memorandum by Shawna Ebanks, dated July 16, 2024.

Edward McKenna presented that the applicant proposes demolishing an existing detached accessory building and constructing a new detached garage. The proposed structure will be 16 feet tall, 704 square feet, and located at the rear of the property.

Edward O'Neil provided professional architecture and planning testimony. He testified that the variances being sought are the size of the proposed garage being 704 square feet where 500 square feet is permitted, the proposed side setback is 3.1 feet where 8 feet is required, and the rear proposed setback is 5.1 square feet where 8 feet is required. The building meets the side setback requirements.

Chair Mass asked if the space above the parking will be used for storage. Mr. O'Neil replied that it would be an open space.

Chris Havens asked if the garage colors would match the principal structure. Mr. O'Neil confirmed it would.

Mr. Havens asked about the size of the existing garage. Mr. O'Neil responded approximately 360 square feet.

Anna Cruz asked about the utilities. Mr. O'Neil replied that the only electricity was for the lighting and doors.

Anne Torre questioned what was located behind the existing garage, and Mr. O'Neil replied that the property had deep backyards.

Ms. Torre asked if the tenants would use the proposed garage. Mr. McKenna replied that it was for the tenants only.

Shawna Ebanks asked if they plan to use it to stack cars. Mr. O'Neil replied no.

Kevin Kennedy reiterated the conditions of the application, and the applicant agreed to all conditions.

Eileen Hogan motioned to approve the application, and Vincent Light seconded.

Ayes: Anne Torre, Raymond Mass, Eileen Hogan, Ben Yuro, Sharon Lee, Vincent Light, and Anna Cruz.

Nays: None

Z15674: 268 Broad Street; Block 101, Lot 22

Richard Schwartz, Esq, represented the applicant, Weston Property LLC.

The following witnesses were sworn in for the presentation:

Robert Puterman – President of Weston Property LLC

Frank Russo – Vice President of Weston Property LLC

Exhibits A-1 to A-4 were marked and presented

A-1: Development Permit Application and Denial Letter dated May 9, 2024.

A-2: Survey of Property, consisting of one (1) page, prepared by Michael Lynch P.L.S., dated March 21, 2022.

A-3: Sign Renderings prepared by Yes Graphic, consisting of two (2) pages, dated May 6, 2024.

A-4: Review Memorandum from Shawna Ebanks, dated July 16, 2024.

Richard Schwartz presented the applicant is proposing to replace an existing ground sign.

Robert Puterman testified that he purchased the property about two years ago and is currently being renovated.

Vicent Light asked if the proposed sign would be for three tenants, and Mr. Puterman confirmed.

Frank Russo explained that they propose upgrading the existing sign to match the style of the building's facade. The sign would be made of NewTechWood European siding in a Brazilian Ipe color. The proposed sign will remain in the exact location: setback 24 feet from the curb and 14 feet from the front property line.

The proposed sign would be 8 feet 6 inches tall and 4 feet 3 inches wide. The structure will contain two panels for two tenants' logos/names on the front and the back. On the side and top is the property's address. The sign material will be 3/16-inch, made of aluminum, painted black with a

floated 1-inch off the main structure face. The graphic would be cut into the aluminum panel with LED backlighting.

Jacqueline Dirmann provided the Board with the sign requirements for the PO zone.

Mr. Russo explained that they selected a backlit sign to reduce any reflection from the sign.

Ms. Ebanks asked about the business's and the sign's hours of operation, and Mr. Russo replied that they were typical office hours.

Chair Mass asked if the applicant knew of any other illuminated signs on Broad Street like the one proposed. Mr. Russo replied no.

Anna Cruz questioned whether the proposed sign's height was intentionally designed to be noticed, and Mr. Puterman confirmed.

Mr. Light had concerns about the proposed height of the sign. Mr. Puterman agreed to reduce the height to 6 feet.

Mr. Light asked about the lighting that would illuminate the sign. Mr. Puterman replied that it was indirect lighting.

Kevin Kennedy reiterated the application's conditions, which were to reduce the height to 6 feet and limit the hours the sign lighting would be on. The applicant agreed to all conditions.

Sharon Lee motioned to approve the application, and Anna Cruz seconded.

Ayes: Anne Torre, Raymond Mass, Eileen Hogan, Ben Yuro, Sharon Lee, Vincent Light, and Anna Cruz.
Nays: None

Z15452: 250 Shrewsbury Avenue; Block 78, Lot 15.01

The applicant, 250 MPG Holdings, LLC, was represented by Edward McKenna, Esq.

The following witnesses were sworn in for the presentation:

Leonard Gorski - 250 MPG Holdings, LLC

Andrew JaFolla, P.E., PTOE - Dynamic Engineering

Justin Auciello, P.P., AICP - Cofone Consulting Group

Exhibits A-1 to A-12 were marked and presented.

A-1: Development Permit Application and Denial Letter dated October 31, 2023.

A-2: Intent to Proceed, dated January 16, 2024.

A-3: Disclosure of Ownership Form.

A-4: Land Development Escrow Agreement.

A-5: Use Variance Plans, prepared by Dynamic Engineering, P.C., dated January 22, 2024, consisting of 3 sheets.

A-6: Preliminary Floor Plans, prepared by Studio 43D Architecture & Design, dated October 26, 2023, last revised April 30, 2024, consisting of 1 sheet.

A-7: Survey, prepared by Harris Surveying, Inc., dated June 6, 2005.

A-8: Traffic Impact and Parking Assessment Report, prepared by Dynamic Traffic, LLC, dated February 28, 2024.

A-9: Correspondence from the Applicant's Attorney to Board Representatives, dated March 5, 2024.

A-10: T&M Associates Review Memorandum dated May 29, 2024.

A-11: Revised Plans, prepared by Studio 43D Architecture & Design, dated October 26, 2023, last revised July 16, 2024.

A-12: A picture of the sidewalks of the existing site, taken by Leonard Gorski in July of 2024.

Edward McKenna presented that the applicant is requesting minor site plan approval for interior alterations of a 471-square-foot first-floor office space to a first-floor single-bedroom residential apartment. He explained that the commercial unit had been vacant for about five years.

Leonard Gorski testified about the proposed interior renovation and new layout. He explained that the existing office space would be converted into a residential unit with a new kitchen, bathroom, fixtures and appliances, and all new furnishings. The storefront door and window would be replaced with a residential-type door and window.

Vincent Light asked if the proposed residential unit is the same size as the office unit. Mr. Gorski responded that it would be the same size, 370 square feet. He explained that the existing two apartment sizes on the second floor are 325 square feet and 400 square feet, and the existing first-floor apartment is about 500 square feet.

Eugene Horowitz asked if tenants park on the street, and Mr. Gorski replied yes.

Shawna Ebanks asked if the first-floor window style and trim would match the second-floor window style and trim, and the applicant agreed.

Sharon Lee had concerns about converting the office space to a residential unit due to the lack of privacy from pedestrians on the street. Mr. Gorski responded that they could change the facade to offer more privacy.

Eileen Hogan asked about the proposed unit's square footage. Mr. Gorski replied 358 square feet.

Jacqueline Dirmann provided the Board with the unit size standards for multifamily development.

Mr. McKenna added that the unit sizes are a preexisting condition at the time of acquisition.

Andrew JaFolla provided professional traffic engineering testimony. A traffic study was prepared for the application. Mr. JaFolla observed the area and saw plenty of available parking spaces around the subject location.

Justin Auciello provided planning testimony. He testified that during his site visit to the area, he observed many residential units on the first floor, even though they were not permitted in the zone. Mr. Auciello testified that, based on his professional opinion, vacant, dark ground-level space harms the community, and occupying the underutilized space with the proposed residential unit would suit the subject structure. He added that there were no detriments to granting the use variance for the conversion of the office use to a dwelling unit. There would be no impairment to the zone because other structures along the corridor have first-floor residential units.

Mr. Auciello concluded the benefits of the use outweigh any detriments and that the application should be approved.

Eileen Hogan and Eugene Horowitz were concerned about the first-floor unit's lack of privacy. Mr. Auciello replied that the proposed improvements would make the property more vibrant property for aesthetics and privacy.

Mr. McKenna concluded that the changes would significantly improve the utilization of the building and the vacant space. Tenant parking would not be an issue since the existing tenants use on-street parking.

Jacqueline Dirmann recommended that the applicant replace the sidewalk with concrete as a condition of the approval.

Ms. Dirmann asked where the trash and recycling are currently stored. Mr. Gorski replied that it was stored at the rear of the building.

Ms. Dirmann asked if any landscaping or lighting is being proposed. Mr. Gorski replied no.

Ms. Dirmann commented that during a site visit, it was observed that the rear yard needed some maintenance. Mr. Gorski replied that it was now clean.

Vincent Light asked how long the existing tenants had been there. Mr. Gorski replied they had been there since he purchased the building.

Ms. Ebanks shared with the Board that more developers are constructing micro-units, which are typically 350 square feet. It is a more affordable option because of how costly housing has become.

Chair Mass commented that this type of house is needed, and he preferred a building with someone living on the first floor rather than an empty commercial space.

Kevin Kennedy reiterated the conditions of the application, and the applicant agreed to all conditions.

Raymond Mass motioned to approve the application, and Vincent Light seconded.

Ayes: Anne Torre, Raymond Mass, Eileen Hogan, Ben Yuro, Vincent Light, and Anna Cruz.

Nays: Sharon Lee

Abstained: None

Eileen Hogan motioned to adjourn the meeting, and Anna Cruz seconded.

Ayes: All in favor

Nays: None

Abstained: None

The meeting adjourned at 8:53 PM.

Respectfully submitted,
Aline Macatrao
Board Secretary