

**MINUTES**  
**RED BANK ZONING BOARD OF ADJUSTMENT**  
**October 17, 2024**

The Red Bank Zoning Board held a public meeting on Thursday, October 17, 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      | Present |
| Raymond 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, 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 the 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- October 3, 202**

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

**Resolution of Approval – #Z15588: 1 Fisher Place, Block 13, Lot 20.20**

Motion: Approved as presented  
Moved by: Ben Yuro  
Seconded by: Anna Cruz  
Ayes: Raymond Mass, Eileen Hogan, Ben Yuro, Sharon Lee, Vincent Light, Paul Cagno, and Anna Cruz.

Nays: None  
Abstained: None

**Administrative Approval of Design Waiver – #Z13489: 121 Monmouth Street, Block 42, Lots 7, 8, 9, 20, 11.01**

Design waiver for the location of parking spaces within the front yard for the Pearl Street frontage.

Motion: Approved as presented

Moved by: Vincent Light

Seconded by: Sharon Lee

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

Nays: None

Abstained: None

**PR15743: 160 Newman Springs, Block 97, Lot 31**

Benjamin A. Nadell, Esq, represented the applicant, JCP&L.

Shawna Ebanks and Jacqueline Dirmann were sworn in.

The following witnesses were sworn in for the presentation:

Agung Fu, P.E.– Substation Engineer at FirstEnergy.

Jeffrey Morris, P.E. - Boswell Engineering.

Christine A. Nazzaro-Cofone, AICP, PP. - Cofone Consulting Group, LLC

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

A-1: Red Bank Zoning Board Application.

A-2: Project Narrative.

A-3: Preliminary and Final Plat Site Plans prepared by Jeffrey L. Moris, P.E., of Boswell Engineering, dated July 11, 2024, last revised September 30, 2024, consisting of eleven (11) sheets.

A-4: Boundary and Topographic Survey prepared by David Avery, P.L.S., of Langan Engineering and Environmental Services, LLC., dated April 8, 2024.

A-5: Zoning Denial Letter dated June 10, 2024.

A-6: Disclosure of Ownership dated July 12, 2024.

A-7: Supplement Submission No. 1, prepared by Benjamin A. Nadell, Esq., of Saul Ewing, dated October 2, 2024.

A-8: T&M's review memorandum letter dated October 15, 2024.

A-9: Photograph package prepared by First Energy.

A-10: Aerial photograph.

A-11: Plan Titled: Red Bank Substation Landscape Design Plan, prepared by Boswell Engineering, dated October 16, 2024.

Benjamin A. Nadell presented that the applicant seeks approval for preliminary, final major site plan and D(3) conditional use variance relief. The purpose of the application is to seek approval for an expansion of the existing substation, along with new improvements to both the substation and the property, such as a new control enclosure, a laminate pole, underground transmission work, chain link security fencing, a small transformer replacement, and a new sliding access gate.

Agung Fu provided professional engineering testimony. He explained that the applicant proposes adding 34.5 KV lines that connect to the substation in Colts Neck and 34.5 KV lines that connects to the substation in Middletown. The new lines will require the installation of two (2) relay panels due to the current control enclosure reaching maximum capacity.

Mr. Fu explained that these changes will improve safe and reliable service to current and future customers. These improvements will increase reliability and reduce any possible outages.

The proposed improvement will not increase traffic. Dumpsters will be placed at the construction site during the renovations and removed once completed. There will be no increase in impervious surfaces because the control enclosure is elevated, and the existing expansion area is stoned.

The applicant anticipates the construction phase will conclude in August/November of 2025.

Chair Mass questioned about past fires and other issues created by substations. Mr. Fu explained that the new relay panels contain more advanced technology and can communicate directly to the control room to prevent future incidents. If there is a fault in the lines, this relay can trip faster than the current one.

Vincent Light asked how many customers and how long these improvements would suffice. Mr. Fu advised that he does not have this information.

Paul Cagno asked if the changes would impact the pond at Count Basie Park. Mr. Fu replied that they would not.

Mr. Cagno asked about the details of the proposed fence. Mr. Fu replied that it is a nine-gauge standard fence with barbed wire for security purposes and a sliding gate.

Mr. Light asked if the improvements would decrease power outages. Mr. Fu replied that it would.

Kevin Kennedy asked about lighting changes. Mr. Fu replied that the only lighting proposed is for the entrance of the new control enclosure.

Jeffrey Morris provided professional engineer testimony about the landscaping plan. He said the ideal place for low-growing landscaping is at the corner of Pearl Street and Mohawk Avenue. The applicant is proposing a Virginia Sweetspire.

Jacqueline Dirmann commented that the proposed landscaping would not provide much screening or buffering for the proposed structure. Chair Mass responded that some landscaping is better than nothing.

Christine A. Nazzaro-Cofone provided professional planning testimony. She explained that the application is inherently beneficial because public utilities serve the public. The proposed improvements do not substantially detriment the public good. The project is a good opportunity to upgrade an existing station and implement some of the goals from the 2023 Master Plan.

Mr. Kennedy questioned whether the boundary of the Borough's easement on the property was accurate. However, no official documentation proves whether 10 feet was added to the original right-of-way easement. As a condition of approval, the applicant has agreed to investigate this issue further with the Borough.

Benjamin Nadell asked for 9 months to sort this out, and the board agreed.

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

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

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

Nays: None

Abstain: None

**PR15454: 196 Broad Street; Block 103, Lots 14 & 16**

Edward McKenna, Esq, represented the applicant 196 Broad, LLC.

Shawna Ebanks and Jacqueline Dirmann were sworn in.

Vincent Light recused himself from this application.

The following witnesses were sworn in for the presentation:

Frank Martarella III, A.I.A, N.C.A.R.B. - ThinkDesign Architecture and a member of 196 Broad, LLC.

Exhibits A-1 through A-6 were marked and presented.

A-1: Borough of Red Bank Department of Planning and Zoning Application.

A-2: Proposed Minor Subdivision Site Plan prepared by ThinkDesign Architecture, dated December 1, 2023, revised June 20, 2024, consisting of three (3) sheets.

A-3: Survey of Property prepared by David J. Von Steenburg of Morgan Engineering & Surveying, dated September 11, 2023 (incorporated into Minor Subdivision Plan referenced above).

A-4: Variance Response Letter prepared by Frank Martarella III, A.I.A, N.C.A.R.B., of ThinkDesign Architecture, dated July 2, 2024.

A-5: Response to First Engineering Review, prepared by Edward J. McKenna, Jr., dated October 10, 2024.

A-6: T&M's review memorandum letter dated October 15, 2024.

Edward McKenna presented that the applicant is seeking subdivision and site plan approval to subdivide the parcel containing Lots 14 and 16 into two separate lots, one for the existing building (Lot 14) and one for the construction of the proposed two-story one-family dwelling (Lot 16).

Mr. McKenna advised that plan revisions were requested; however, due to a lack of time, they couldn't submit them in time for the meeting.

Paul Cagno asked if the two driveways go from the front to the back of the lot. Mr. McKenna replied yes.

Mr. Cagno asked how one would make a turn to leave the parking lot. Mr. McKenna replied that they could back the car up, turn, and exit the driveway.

Frank Martarella provided professional architectural testimony. He explained that the Borough picks up the trash, and a different company picks up medical waste as needed.

Kevin Kennedy asked if the applicant is required to provide nine parking spaces instead of the eight proposed. Jacqueline Dirmann responded that they are not required to have nine spaces because they have a dedicated EV space.

Ms. Dirmann asked how they would provide ADA-accessible space without reducing parking spaces. Mr. Martarella explained that he could shift some of the parking spaces slightly.

Ms. Dirmann asked if the parking space changes affected the lot lines. Mr. Martarella replied that these changes do not affect the lot lines. The driveway easement is to be shifted slightly to the west.

Mr. McKenna advised that all the HVAC equipment had already been replaced. The existing plans will be revised to depict all the areas of pavement that are being removed and replaced.

Ms. Dirmann asked if the existing bamboo was being removed. Mr. Martarella replied that it would.

A traffic report wasn't provided. Mr. McKenna explained that the amount of traffic caused by a single-family home is insignificant. The applicant does not anticipate any delivery vehicles coming to the property. There is currently no drainage issue on the property. The applicant will submit a detailed landscaping plan. If the applicant cannot plant enough trees, a contribution to the Shade Tree Trust Fund will be made.

Mr. McKenna added that the applicant is requesting a waiver on architectural plans and elevations for the proposed single-family dwelling because it's uncertain that the applicant will construct the house.

Repairs to the staircase for the existing building have already been completed.

Eileen Hogan asked if two owners could be created if the lot was subdivided. Mr. McKenna replied yes and that it would include a recorded easement.

Vincent Light, 20 Waverly Place, commented that he would like to see a revised plan with all the changes mentioned by the applicant. Mr. McKenna responded that they are not done yet, and some of the requests made tonight will probably impact the plans. The plans will be submitted once they are ready.

Mr. Light asked if it's appropriate for the board to decide on this matter without seeing the actual proposal and its details. Mr. McKenna replied that it had been done many times before.

Mr. Light added that he would like to be able to provide input on the revised plan. Mr. McKenna suggested an informal meeting with the residents to discuss the project.

Mr. Light asked if the driveway would be 9 feet wide instead of 12 feet. Mr. Martarella replied that he shifted the nine-foot parking spots to be directly adjacent to the building and shifted the driveway.

Mr. Light asked if parking spaces could be provided at the back of the proposed house. Mr. Martarella said that this is not preferred because it would prevent the residents from having a backyard.

Chair Mass and Chris Havens had concerns about not having revised plans in front of him so that he could fully understand what they were discussing.

Raymond Mass motioned to carry the application to December 5<sup>th</sup> without further notice, and Ben Yuro seconded.

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

Nays: None

Abstained: None

Eileen Hogan motioned to adjourn the meeting, and Raymond Mass seconded.

Ayes: All in favor

Nays: None

Abstained: None

The meeting adjourned at 8:53 PM.

Respectfully submitted,

Aline Macatrao

Board Secretary