

MINUTES
RED BANK ZONING BOARD OF ADJUSTMENT
November 21, 2024

The Red Bank Zoning Board held a public meeting on Thursday, November 21, 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; Edward Herrman, P.E., P.P., Board Engineer; Shawna Ebanks, P.P., AICP, Director of Community Development; and Aline Macatralo, 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.

Z14822: 187 Riverside Avenue; Block 4.01, Lots 1 & 2

Jennifer S. Krimko, Esq. represented the applicant OutFront Media, L.L.C..

Shawna Ebanks and Edward Herrman were sworn in.

The following witness was sworn in for the presentation:

Christine Cofone, P.P. – Cofone Consulting Group, LLC

Daniel J. Dougherty, P.E., C.M.E.- Dynamic Engineering

Exhibits A-28 through A33- were marked and presented.

A-28: Bulk Variance Plan prepared by Tiago F. Duarte, P.E., of Dynamic Engineering, dated May 4, 2022, and last revised on July 22, 2024, consisting of four (4) sheets.

A-29: Letter of Amendment prepared by Daniel J. Dougherty, P.E., P.P., C.M.E., of Dynamic Engineering Consultants, PC, dated July 30, 2024.

A-30: Narrow View Technology Exhibit, prepared by Tiago F. Duarte, P.E., of Dynamic

Engineering, dated April 4, 2024, consisting of one (1) sheet.

A-31: Letter prepared by Jennifer Krimko, Esq. of Ansell Law, dated July 31, 2024

A-32: T&M's Review memorandum letter dated September 13, 2024.

A-33: Billboard view exhibit prepared by Dynamic Engineering, dated November 21, 2024.

Exhibit B-8 was marked and presented.

B-8: Review memorandum from Red Bank Fire Official John Drucker, dated January 3, 2023.

Exhibits O Rallo-1 to O Rallo-3 were marked and presented.

O Rallo- 1: Copy of site plan prepared by Victor Rallo, dated November 21, 2024

O Rallo- 2: Outfront sign location lease, dated June 1, 2021.

O Rallo- 3: Environmental estimate from T.Slack Environmental dated February 1, 2023.

Ms. Krimko briefed the Board on the applicant's last appearance on April 4, 2024. She explained that the applicant still seeks approval to modernize a non-conforming static billboard. She explained that the only change from the previous meeting was the sign's location, which was to be placed in the exact location of the existing sign.

Chair Mass asked if the applicant would be keeping the existing foundation. Ms. Krimko explained that replacing the foundation is the only way to modernize a static billboard.

Anna Cruz asked how the workers would access the billboard since it would be close to the neighbor's property. Christine Cofone replied that many of the sign controls can be done remotely.

Jay Herman, 11 Vista Place, asked how close the sign would be to the neighbor's property. Ms. Krimko answered that the proposed monopole is .5 feet, and the back of the sign is 1.1 feet.

Daniel J. Dougherty discussed the revisions to the site plan. He explained that the sign is shifted closer to the existing billboard. The applicant proposes moving the sign further away from all the neighbors. The existing sign area is 480 square feet, and the proposed sign area is 380 square feet. The existing height is 22 feet; the applicant proposes an increase of 5 feet.

Mr. Dougherty said there would not be any trespassing or need to be on the neighbor's property to maintain the sign.

The existing sign face is 3 feet from the southern property line, and the proposed is 6 feet.

Ben Yuro asked how wide the new billboard base is. Mr. Dougherty replied that it is 36-inch diameter.

Sharon Lee asked how close the horizontal solitude is to the property line. Mr. Dougherty replied that it is approximately 1 foot to the south property.

Vincent Light asked if the changes would affect the proposed narrow technology view. Mr. Dougherty answered that 17 feet would be reflected in the narrow view technology, but it would remain the same scope and scale.

Chair Mass asked if the sign's lighting would interfere with the existing traffic lights. Mr. Dougherty replied that the alignment of the sign does not interfere with the traffic lights.

Mr. Light asked why the sign was not centered on the road view. Ms. Krimko explained that relocating the sign would be categorized as new instead of updated or modernized.

Ed Herrman asked if the site plans from April last year represent the new horizontal location. Mr. Dougherty replied that it does not, the entire view cone will be shifted to the east.

Jay Herman asked how far the entire structure would be from the southern property. Mr. Dougherty responded that the closest portion is the vertical tune that supports the whole sign and will be .5 feet from the property.

Chair Mass asked for clarification regarding the ordinance chapter 490 under 490-104 regarding Billboards. Ms. Krimko explained that it is a non-permitted use, but the section referred by Chair Mass cannot regulate use, non-compliance with the design standard is a waiver.

Victor Rallo, 183 Riverside Ave, provided copies of a site plan showing how his property would be affected by the proposed sign. He stated his objection to the application. He indicated that he considered purchasing the property to develop the site, but the billboard restrictions made it difficult to build.

Paul Cagno asked Mr. Rallo if it would make a difference to him whether they improved the billboard since it is locked in a lease until 2041. Mr. Rallo explained that the price to buy out the lease would change drastically from a static sign to a digital one. Ms. Krimko asked Mr. Rallo why the sale contract fell through. Mr. Rallo said that the first time it fell through was because the owner did not relocate the billboard as promised. Ms. Krimko asked Mr. Rallo if he tried to buy out the billboard lease. Mr. Rallo replied that he didn't.

Bob Zuckerman, RiverCenter, expressed that billboards are inappropriate in the historic downtown. If the billboard gets approved, it will set a terrible precedent because other applicants will apply for more billboards. He also thinks that the proposed billboard location is hazardous.

The Board took a break at 8:24 pm and returned at 8:36 pm. A roll was called.

Thomas Wilson, 7 Conover Lane, Middletown, commented that the digital billboard is unsafe for the location at the intersection.

The Board found that the application needed a D (1) use variance to permit a billboard in the zone.

Chris Havens expressed that a static billboard is different from a digital billboard.

Mr. Cagno commented that getting the permit from the DOT to enhance the static billboard is not proof that it is safe.

Eileen Hogan commented that the proposed digital billboard is not an asset to Red Bank. Ben Yuro and Chair Mass agreed.

Chair Mass said that the town has made it clear that they do not favor billboards.

Raymond Mass motioned to deny the application, and Eileen Hogan seconded.

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

Nays: None

Abstained: None

Raymond Mass motioned to adjourn the meeting, and Sharon Lee seconded.

Ayes: All in favor

Nays: None

Abstained: None

The meeting adjourned at 9:45 PM.

Respectfully submitted,
Aline Macatralo
Board Secretary