

**MINUTES**  
**RED BANK ZONING BOARD OF ADJUSTMENT**  
**April 17, 2025**

The Red Bank Zoning Board held a public meeting on Thursday, April 17, 2025, 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    | Absent  | Paul Cagno      | Present |
| Raymond Mass  | Present | Anna Cruz       | Absent  |
| Eileen Hogan  | Present | Amanda Califano | Absent  |
| Ben Yuro      | Absent  | 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; and Shawna Ebanks, Acting Board Secretary.

Chair 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.

**Resolution of Approval – Z15980: 302 River Road; Block 14, Lot 2.02**

Motion: Approved as presented  
Moved by: Vincent Light  
Seconded by: Eugene Horowitz  
Ayes: Raymond Mass, Eileen Hogan, Sharon Lee, Vincent Light, Eugene Horowitz  
Nays: None  
Abstained: None

**Resolution of Approval – Z15961: 50 Hilltop Terrace; Block 52.05, Lot 13**

Motion: Approved as presented  
Moved by: Raymond Mass  
Seconded by: Vincent Light  
Ayes: Raymond Mass, Eileen Hogan, Sharon Lee, Vincent Light, Eugene Horowitz, and Paul Cagno  
Nays: None  
Abstained: None

**Z15787: 232 S. Pearl Street; Block 76, Lot 20.02**

Kevin Asadi, Esq, represented the applicant, Jacob Morales.

Jacqueline Dirmann and Shawna Ebanks were sworn in.

Chris Havens recused himself from this application.

The following witnesses were sworn in for the presentation:

Jacob Morales – Property owner

Edward W. O'Neill, Jr., R.A. - O'Neil Architecture & Planning

Exhibits A-1 through A-7 were marked and presented.

A-1: Zoning Application dated August 28, 2024.

A-2: Zoning Denial Letter dated July 12, 2024.

A-3: Survey of Property prepared by David J. Johnson, P.L.S., of Morgan Engineering and Surveying, dated May 30, 2024, consisting of one (1) sheet.

A-4: Plans entitled "New Single-Family Residence for Jacob Morales" prepared by Edward W. O'Neill, Jr., R.A., of O'Neil Architecture & Planning, dated August 15, 2024, revised January 21, 2025, consisting of five (5) sheets.

A-5: T&M Associates review memorandum dated March 17, 2025.

A-6: Package consisting of a survey, aerial view, photographs, floor plans, and lot area study.

A-7: (4) Certified letters sent to neighbors, dated September 11, 2024

A-8 (A-D): Property Owners Buy/Sale letters

Kevin Asadi, Esq. explained that the applicant appeared before the Board on January 2 for the construction of a single-family house on an undersized lot. The lot at 232 Pearl Street is 27 feet wide, where 50 feet is required. The ordinance requires a lot size of 4,500 square feet, and the lot is 2,686 square feet. The plan presented in January had two parking spaces in the front yard, and the Board asked that the applicant reduce the size and height of the house and remove the off-street parking. The proposed house complies with the rear and front yard setbacks, building height, and lot coverage.

The applicant has returned with revised plans based on the Board's comments and, therefore, needs a front yard setback and off-street parking variances. The house was reduced by 300 square feet. Also, the applicant has met with the neighbor, 230 Pearl Street, to compromise on the front yard setback by moving the house back 7 feet and building them new side stairs. The neighbor would then have no objections to the application.

Eileen Hogan asked who would be living at the house, and Jacob Morales stated that the house would be for his mother and any family.

Ms. Hogan had concerns about the size of the house on the lot and whether the proposed structure could be extended to the rear and not the sides. Mr. Asadi explained that the applicant would lose a bedroom if the house were reduced.

Shawna Ebanks asked what the impact of the new construction would be on the neighbor on the right. Mr. Morales stated that it was a vacant lot, and the owner was unknown.

Kevin Kennedy asked if letters were sent to adjacent property owners asking to buy or sell a piece of their property to make it more conforming. Mr. Asadi responded that the letters were sent on September 11, 2024. Eugene Horowitz asked if there were any other neighbors who objected, and Mr. Asadi responded that he was not aware.

Jacqueline Dirmann and Ms. Ebanks asked if any trees were being removed, and Mr. Asadi responded no. He clarified that the tree shown on Google Maps is on the adjacent lot, not the subject lot.

Edward O'Neil provided professional planning and architectural testimony about the project. Mr. O'Neil informed the Board that the side setbacks are the same. To make a three-bedroom house, two bedrooms must be in the back next to each other. The bedrooms are 9 ½ by 12.

Vincent Light asked if the bedrooms could be stacked, and Mr. O'Neil responded that it wasn't possible because it would make the second floor larger than the 1<sup>st</sup> floor.

Ms. Hogan commented that the house is too large for the small lot. Mr. O'Neil explained that the challenge with the lot is that it is very narrow. Mr. Asadi added that the proposed structure complies with the maximum lot coverage for the zone. The new construction complies with the lot coverage standards, which help control the size of the structure on lots. The structure is under the requirement. Mr. O'Neil further explained that reconfiguring the layout of the house to make it longer would interrupt the circulation of the house, making it larger, which would increase the lot coverage.

Mr. Light asked if the hallways would be on one side of the house and not in the middle, but Mr. O'Neil stated that it would be an inefficient circulation system. This is why hospital corridors are in the middle, because it's a more efficient way to double-load.

Mr. O'Neil stated that the original plan had a more conforming structure. However, based on the Board's comments, the revised plans made the structure less conforming. Members of the Board still felt like the revisions did not change the intensity of the structure.

Mr. Horowitz asked if the surrounding properties also had three-foot setbacks, and Mr. O'Neil stated that they did. It was not unusual for the neighborhood.

Paul Cagno asked about the distance from the last step raiser from the adjacent property to the proposed house. Mr. Asadi said that the applicant has agreed to reorient the steps for the property owner so that the landing is in the direction of the street. Mr. O'Neil responded that the steps are .9 feet from the property line and will make it four feet with the change in the orientation.

Ms. Hogan asked about changing the layout to make it longer, not wider. Mr. O'Neil explained that increasing the lot coverages would make the circulation longer, which is a more onerous variance than a setback variance.

Mr. O'Neil spoke about the negative criteria and whether there is any substantial detriment to the neighborhood if the Board grants the variances for the proposed structure. The neighbor facing Drs. James Parker Boulevard has a long rear yard and would not be impacted by the development. The house's orientation provides more sunlight for the inside and serves as an energy-saving device, keeping the home warmer in the winter. Also, the window placement allows for good ventilation of the rooms. Mr. O'Neil testified that there is no detriment because of the side yard setback. The positive criteria meet the goals of the Master Plan and address sustainability issues.

Mr. Cagno asked if the proposed structure blocks the light and view for the adjacent structure on the right, then it is not beneficial to them. Mr. O'Neil and Mr. Asadi responded that the adjoining property losing partial light does not prohibit the site's development based on the Municipal Land Use Law.

Mr. Asadi stated that whether the side yard setback has a 5-, 6-, or 3.3-foot setback does not make an appreciable difference to the property owner on Drs. James Parker. The negative criteria are about whether there is a substantial detriment to the public good or a surrounding property owner, and with all the space between the proposed building and the existing building on Drs. James Parker, there's no detriment. There may be a general detriment to any lands being developed anywhere to the surrounding neighbors, but that's not a detriment that the MLUL is concerned with. The law is concerned with the development being a substantial detriment, and the variance itself would not lead to a significant detriment.

Mr. O'Neil stated that if the proposed construction conforms to the zone's setbacks, then the lot would be unbuildable. As stated in the statutes, Mr. Asadi added that there is a hardship because of the unusual narrowness of the lot and its undersized nature. This is why the adjacent neighbor at 230 S Pearl asked for the house to be set back seven more feet.

Mr. Cagno asked the Board to consider limiting the height of a future fence.

Chair Mass asked if the applicant knew how long the lot had been vacant. Mr. O'Neil responded that a house was present in 1908, 1914 and 1922 on the Sanborn maps. Ms. Hogan asked if it showed how big the house was.

Eileen asked why the applicant only wants to build on small lots, which creates a hardship. Ms. Ebanks stated that there are many applications that come before the Planning Board for subdivisions to create these undersized lots.

Mr. O'Neil further added that the 1908 maps depict a house on the lot, and the zoning regulations may have been different to permit a smaller house. In connection with the applicant's former application for Berry Street, that lot was wider and smaller, whereas this lot is narrower.

Mr. Cagno asked what the size of the proposed structure is compared to the neighbor on the right and the two houses next to that. Mr. O'Neil responded that they are about 1,00 square feet. Mr. Cagno followed up by asking if the proposed house is 1,875 square feet. He compared the size of the proposed house to a two-family house on the same street.

Mr. Horowitz commented that since the lot has been vacant for over 100 years and no neighbors object to the application, he favors the development even though it's oversized for the lot. He liked that the project is less than the minimum lot coverage.

Sharon Lee asked about the buy-sell letters. Mr. Asadi responded that he had sent the letter and received one response from someone interested in expanding his commercial business, but they did not follow up. Mr. Morales commented that he was not interested in selling the property since he had to sell the property on Berry Street only for the neighbor to not develop it.

Ms. Lee also commented that the Board is trying to find a compromise if the applicant makes the house smaller. Mr. Asadi explained that the applicant had reduced the structure's height to have less impact on the neighboring property.

Chair Mass asked what the size would be if the original application were 25x44. They only made the house four feet shorter.

Ms. Hogan commented that the house was too large for a single-family home on the lot.

Mr. Light commented that the two houses next to the property were 972 and 1000 square feet. Mr. O'Neil explained that those houses were built over 100 years ago, and the standards differed.

Mr. Asadi asked Mr. O'Neil when the last time was, he was asked to design a house under 1000 square feet, and he responded no. The development of the property would allow for a relatively affordable house.

Mr. Asadi summed up the presentation and the testimony presented.

Mr. Cagno asked whether the driveway apron would be removed, and Mr. Asadi replied Yes.

Ms. Dirmann asked where the A/C condenser would be placed. It was stated that it would be located in the rear, adjacent to the deck.

Eugene Horowitz motioned to approve the application, and Paul Cagno seconded.

Ayes: Paul Cagno and Eugene Horowitz  
Nays: Raymon Mass, Eileen Hogan, Sharon Lee, and Vincent Light  
Abstained: None

The meeting adjourned at 8:23 PM.

Respectfully submitted,  
Shawna Ebanks  
Acting Board Secretary