



219 Main Street & 9-35 Lackawanna Avenue

Area in Need of Redevelopment Study

Dated August 18, 2021

Borough of Peapack Gladstone | Somerset County, New Jersey





B U R G I S
A S S O C I A T E S , I N C .

Community Planning
Land Development and Design
Landscape Architecture

Principals:

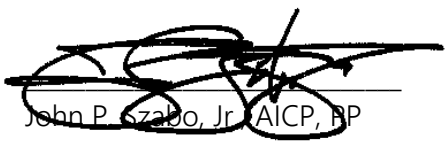
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219 Main Street and 9-35 Lackawanna Avenue
Area in Need of Redevelopment Study

Borough of Peapack Gladstone
Somerset County, New Jersey

Prepared for the Borough of Peapack Gladstone
Land Use Board
BA# 3677.02

The original document was appropriately signed and sealed on August 18, 2021 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners



John P. Szabo, Jr. AICP, PP
Professional Planner #3445

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Introduction

On October 13, 2020, the Mayor and Council of the Borough of Peapack Gladstone authorized the Borough Land Use Board to conduct a preliminary investigation to determine if contiguous properties located at 219 Main Street and 9-35 Lackawanna Avenue (hereinafter referred to as the "Study Area") constitute an "Area in Need of Redevelopment" under the New Jersey Local Redevelopment and Housing Law (LRHL). The Land Use Board subsequently directed Burgis Associates, Inc. to prepare the planning analysis contained herein for its review and subsequent recommendation to the Mayor and Council.

As identified in the Mayor and Council's authorizing resolution, (See Appendix A), the Study Area consists of two (2) tax lots identified by municipal tax records as Block 20, Lot 5 and Block 22, Lot 13. Altogether, the Study Area encompasses 2.9 acres.

The October 13th resolution further declares that the preliminary investigation of the Study Area shall be undertaken within the context of a "non-condemnation" redevelopment procedure. That is, if the Study Area or a portion thereof is determined to be an Area in Need of Redevelopment pursuant to the LRHL, it shall be designated a "Non-Condensation Redevelopment Area." Such a designation would authorize the Borough to use all those powers provided by the Legislature for use in a redevelopment area, excluding eminent domain.

Accordingly, the following study examines whether the Study Area qualifies as an Area in Need of Redevelopment pursuant to the requirements and criteria set forth by the LRHL. It is based upon an examination of the Study Area's existing development, site inspection of the properties including interior inspections of the existing buildings, a review of historical data and an evaluation of the statutory "Area in Need of Redevelopment" criteria.

Ultimately, this study finds that the parcels in question, specifically Block 20, Lot 5 and Block 22, Lot 13 do not satisfy the criteria for inclusion as an area in need of redevelopment for the reasons enumerated in this report.

The Area in Need of Redevelopment Study is divided into the following sections:

❖ [Section 1: LRHL Background](#)

The first section discusses the background of the LRHL as well as the redevelopment process and the statutory criteria for determining whether a site qualifies as an Area in Need of Redevelopment.

❖ [Section 2: Study Area](#)

The next section provides an overview of the Study Area. It includes an analysis of its existing land uses, ownership records, property tax records, and surrounding development pattern. Detailed information for each lot within the Study Area is also provided.

❖ [Section 3: Borough Master Plan](#)

Section 3 discusses the relationship of the Borough's Master Plan to the Study Area.

❖ [Section 4: Existing Zoning](#)

Next, Section 4 discusses the existing zoning of the Study Area and how it relates to the Master Plan.

❖ [Section 5: Compliance with the Statutory Criteria](#)

The penultimate section analyzes the Study Area's compliance with the LRHL statutory criteria.

❖ [Section 6: Planning Conclusions and Recommendations](#)

Finally, Section 6 offers the study's planning conclusions and recommendations.

Section 1: LRHL Background

In 1992, the New Jersey Legislature enacted a new statute which revised and consolidated the State's various redevelopment statutes. Known as the Local Redevelopment and Housing Law (LRHL), this new statute rescinded a number of prior redevelopment statutes and replaced them with a single comprehensive statute governing local redevelopment activities throughout the State. Ultimately, the LRHL was designed by the State Legislature to assist municipalities in the process of redevelopment and rehabilitation. As explained by the Legislature in the preamble to the LRHL:

"There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort."

The LRHL provides the statutory authority for municipalities to engage in a number of redevelopment activities, including designating an "Area in Need of Redevelopment"; preparing and adopting redevelopment plans; and implementing redevelopment projects. Essentially, the LRHL is a planning and financing tool that allows an area to be overlain with specific zoning and other incentives to stimulate its redevelopment or rehabilitation.

More specifically, a redevelopment designation allows a municipality at its discretion to:

1. Adopt a redevelopment plan that will identify the manner in which an area will be developed, including its use and intensity of use;
2. Issue bonds for the purpose of redevelopment;
3. Acquire property through eminent domain;
4. Lease or convey property without having to go through the public bidding process;
5. Collect revenue from a selected developer; and/or
6. Grant tax exemptions and abatements.

1.1: Redevelopment Process

As outlined by the LRHL, the first step of the redevelopment process is for the governing body to direct the planning board to undertake a preliminary investigation to determine whether or not an area is in need of redevelopment

As required by recent amendments to the LRHL, the governing body must also indicate whether it is seeking to designate the area as a "Non-Condemnation Redevelopment Area" or a "Condemnation Redevelopment Area." Pursuant to the resolution adopted on October 20, 2020, the Borough of Peapack Gladstone Mayor and Council has initiated this process as a "Non-Condemnation" Study Area (see Appendix A).

An area qualifies as an in need of redevelopment if it meets at least one (1) of the eight (8) statutory criteria listed under Section 5 of the LRHL. These criteria, which are described in detail later in this section, are the same regardless of whether a governing body seeks to designate a study area as a "Non-Condemnation Redevelopment Area" or a "Condemnation Redevelopment Area."

The statute also specifically establishes that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety, or welfare, provided that the inclusion of those lands is necessary for the effective redevelopment of the area.

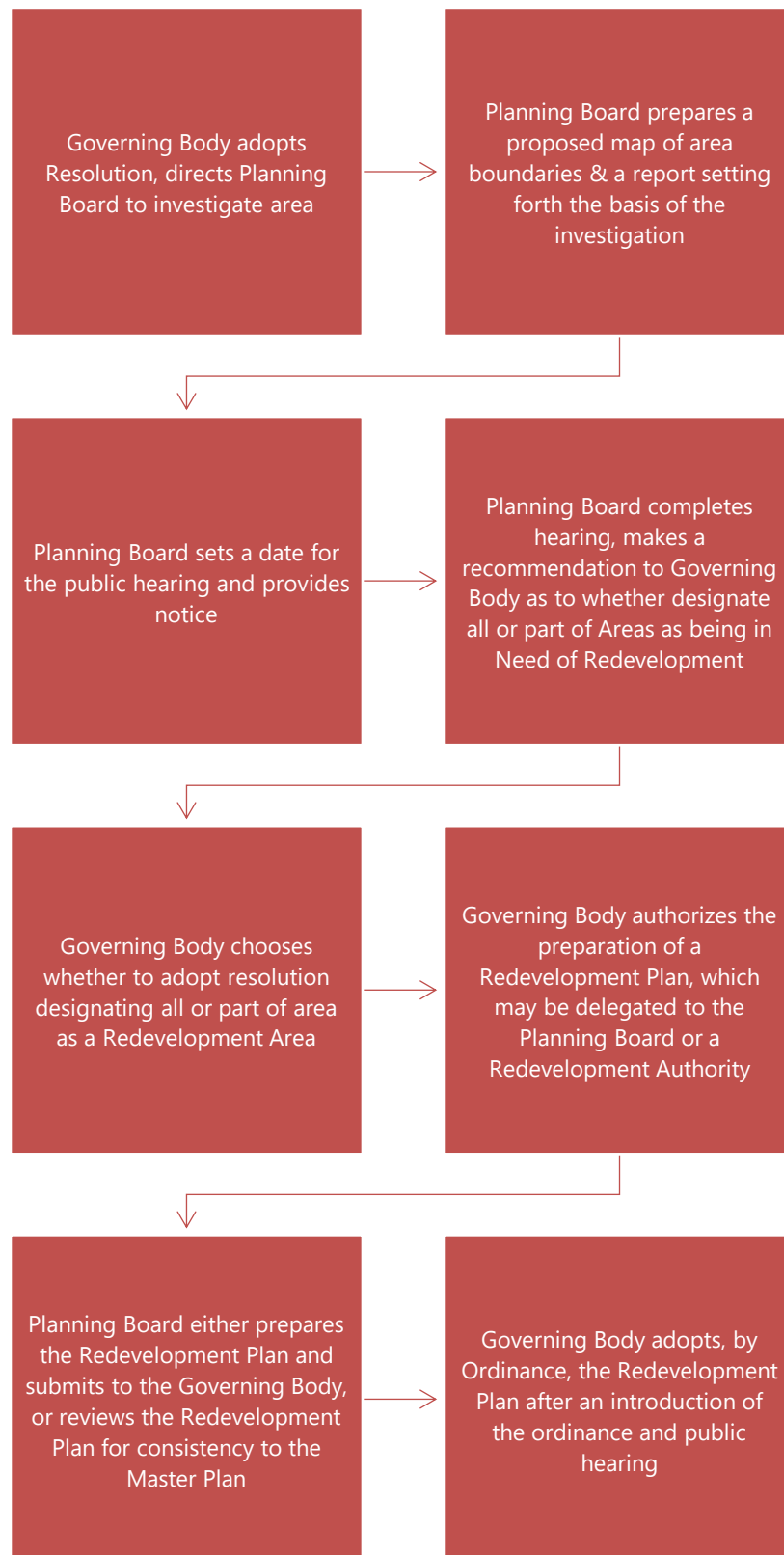
After it conducts its investigation, the planning board, in this case land use board, must hold a public hearing on the proposed redevelopment area designation. Based on the planning board's recommendation, the governing body may designate all or a portion of the area as an "Area in Need of Redevelopment." If so designated, the governing body will then prepare a redevelopment plan for the area, or alternatively will direct the planning board to prepare such a plan.

Following the adoption of the redevelopment plan, the governing body or another public agency/authority designated by the governing body as the "redevelopment entity" will oversee the implementation of the redevelopment plan. This redevelopment entity is responsible for selecting a redeveloper to undertake the redevelopment project which implements the plan.

In summary, the LRHL essentially establishes a two-fold process in which a site is designated as an Area of Need of Redevelopment (Step 1), and a plan is prepared based on that designation (Step 2). The accompanying Figure 1 provides a summary of this process, beginning with the adoption of a resolution by the governing body to the preparation and adoption of a redevelopment plan.

In the event that the planning board recommends that an area does not qualify as an area in need of redevelopment, the governing body may still adopt a resolution to convey the designation on the study area [see N.J.S.A. 40A:12A-6b.(5)(b)].

Figure 1: Summary of Redevelopment Process



1.2: Statutory Criteria

The LRHL establishes eight (8) statutory criteria to determine if an area qualifies as being in need of redevelopment. The statute provides that a delineated area may be determined to be in need of redevelopment if “after investigation, notice and hearing...the governing body of the municipality by resolution concludes that within the delineated area” any one of the eight (8) criteria are present.

The criteria area as follows:

- | | |
|--|---|
| 1. The “a” Criterion:
Deterioration | The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. |
| 2. The “b” Criterion:
Abandoned
Commercial and
Industrial Buildings | The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. |
| 3. The “c” Criterion:
Public and Vacant
Land | Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. |
| 4. The “d” Criterion:
Obsolete Layout and
Design | Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. |

5. The "e" Criterion: Property Ownership and Title Issues	A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
6. The "f" Criterion: Fire and Natural Disasters	Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
7. The "g" Criterion: Urban Enterprise Zones	In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zone Act," the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment
8. The "h" Criterion: Smart Growth Consistency	The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In regard to the “h” criterion, there are ten (10) principles of smart growth. These principles are established as follows:

1. Mix of land uses
2. Take advantage of compact design
3. Create a range of housing opportunities and choice
4. Create walkable neighborhoods
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Direct development toward existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost effective
10. Encourage community and stakeholder collaboration in development decisions

Section 2: Study Area

The following section provides a general overview of the Study Area, including an analysis of its existing land uses, ownership records, property tax records, and surrounding development pattern. Detailed information for each lot within the Study Area is also provided.

2.1: Study Area Overview

The Study Area is located in the central portion of the Borough, with frontage on both Main Street and Lackawanna Avenue. The total tract area encompasses approximately 2.9 acres. It consists of two (2) separate lots: Block 20 Lot 5 and Block 22 Lot 13. The properties are irregular in shape with varying lot depths.

Existing land uses on the subject properties include retail sales (a tack shop (Equitack), and specialty car sales showroom and auto repair facility(The Stable), a restaurant (Cafe Saponi), a pizzeria, an office/warehouse building used by multiple tenants, a garage structure used for storage, a metal roofed open shed used for vehicle storage and a barn used as an electrical contractor's office and with storage of associated electrical supplies. Residential uses are also present. A single-family residence is situated on Block 20 Lot 5 while rental apartments are present above the tack shop on Block 22 Lot 13. Photographs appended to this report illustrate the land uses within the Study Area.

Existing Land Tax Assessment

The following table provides an overview of the existing land uses within the Study Area as identified by Borough tax records.

Table 1: Existing Land Uses

Block	Lot	Address	Area(Acres)	Land Use
20	5	9-35 Lackawanna Avenue	0.75	4A Commercial
22	13	219 Main Street	2.15	4A Commercial
Total Area			2.9	

Both parcels within the Study Area are owned by Ferris Corporation.

The following table provides the land, improvement, and total values of each property. Once again, this information was obtained from online Mod IV tax data which is publicly available from the Department of the Treasury's Division of Taxation.

Table 2: Property Tax Records

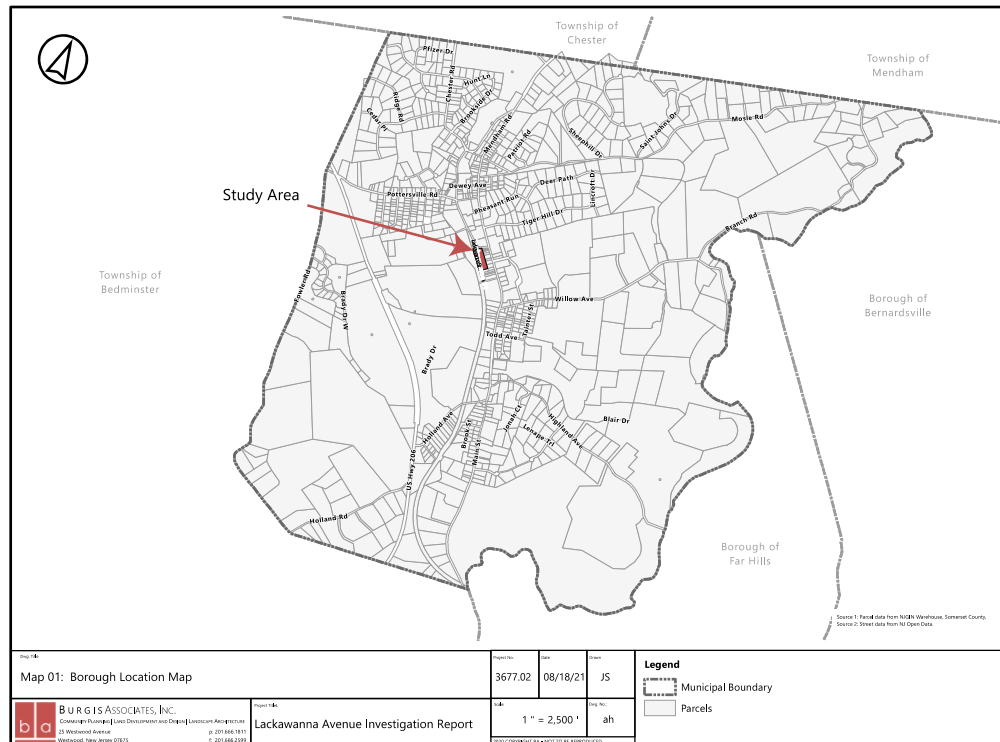
Block	Lot	Land Value	Improvement Value	Total Value	Improvement to Land Value Ratio
20	5	\$298,000	\$363,100	\$661,400	1.22
22	13	\$998,000	\$2,002,000	\$3,000,000	2.0

One indicator of blight is present when the improvement value of a property is less than the land value. In this case, the improvement value for both properties exceed the land value.

2.2: Surrounding Land Uses

Adjoining land uses to the study area include the rail line associated with the NJ Transit Gladstone line to the west, the Gladstone Station to the northwest, and Liberty Park to the south. Land Uses to the east along Main Street include one- and two-family residential structures and the St. Luke's Village Senior housing complex. The Peapack Brook runs along the westerly boundary of the study area.

Map 1: Location

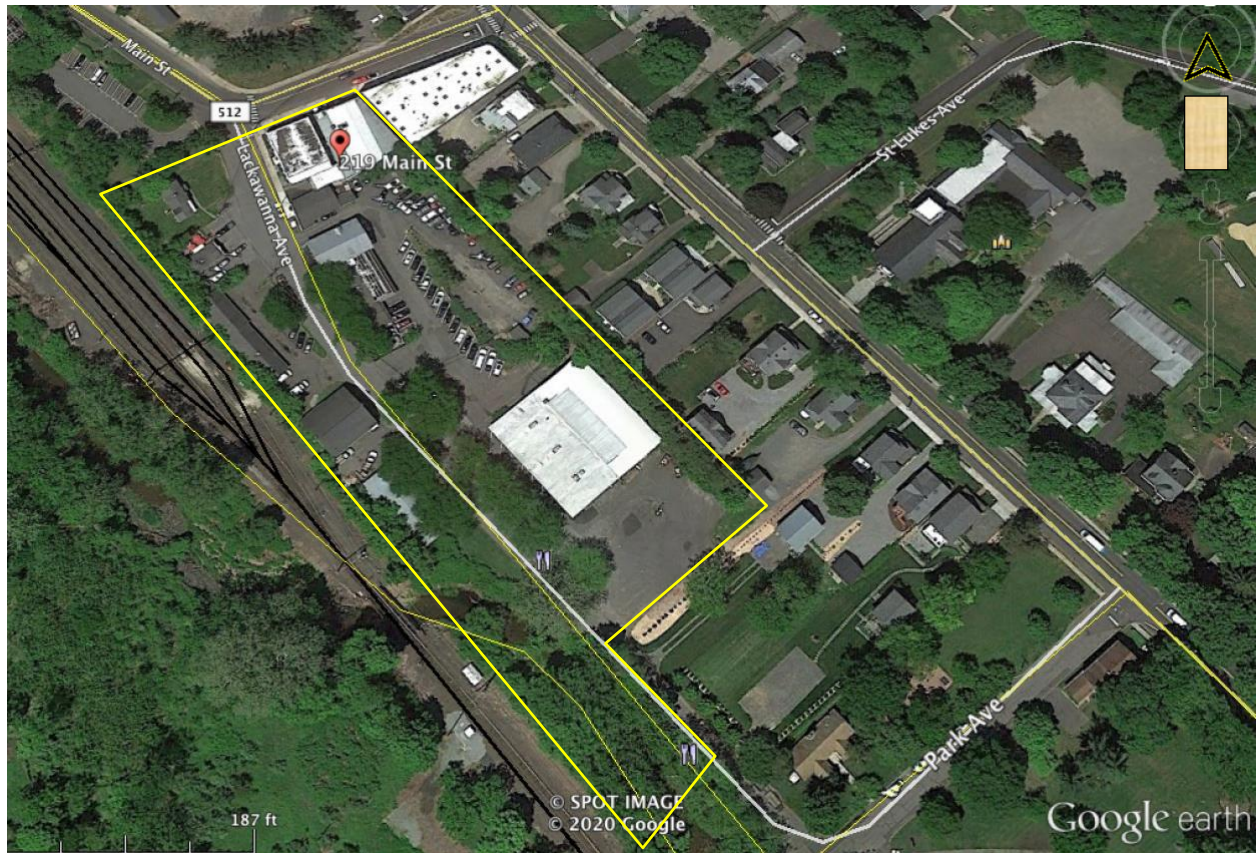


Map 2: Lot Line Map with Study Area Highlighted



Source: NJDEP GEOWEB

Map 3: Aerial View



Source: Google Earth image dated 2020

Section 3: Master Plan

The following section discusses the relationship of the Borough's master planning documents to the Study Area.

3.1: Land Use Plan

The Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-62a, requires every municipality with a zoning ordinance to adopt a master plan containing at least a land use plan element and housing plan element. What follows is a brief historical description of the Borough of Peapack's master planning efforts over the past years.

The Borough of Peapack and Gladstone Land Use Board adopted its last comprehensive master plan including a land use element on December 18, 1996. Land Use Element was subsequently amended on February 3, 1999 and by Reexamination Report adopted on February 16, 2005.

The February 16, 2005 Master Plan Reexamination and Land Use Plan Update Report incorporated a number of recommended amendments to the Borough's Land Use Plan and Zoning Ordinance. The report:

- Specifically considered a request by Peapack Residential Associates, LLC, that the Borough permit the construction of a luxury age-restricted community on certain lands within the "ORL" and "RR-5" zoning districts on the west side of Route 206 as an optional development alternative.
- Concluded that the construction of an age-restricted housing development on the subject lands would have less adverse impacts upon the road network, infrastructural needs, the environment, the Borough's then potential affordable housing obligations, etc., then would result if the lands were developed in accordance with the underlying "ORL" zoning.

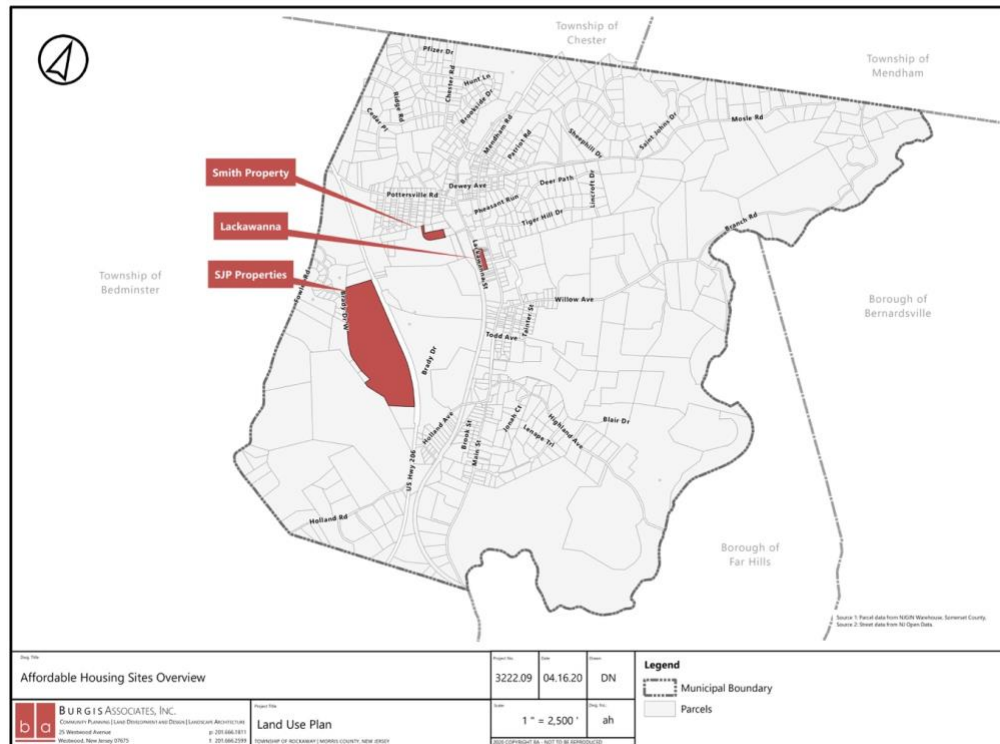
The 2005 Reexamination and Land Use Element Update recommended that the Borough zoning ordinance be amended to reflect the Land Use Board's findings. The Governing Body accepted the Land Use Board's recommendation, and the zoning ordinance was amended accordingly.

The Land Use Board conducted its most current reexamination of the 1996 Master Plan, its updated elements and previous reexamination reports in 2014 adopting a master plan periodic reexamination report on January 29, 2015 (2014 Reexamination Report). The 2014 Reexamination Report made a number of

recommendations to amend the Borough's master plan goals and objectives and zoning ordinance.

In response to its Third Round affordable housing obligation under the Supreme Court's Mount Laurel decisions, the Borough prepared and adopted a Housing Element and Fair Share Plan (HE&FSP) on November 7, 2018 which was subsequently amended on August 19, 2020. As a result of amendments to the HE&FSP, the Land Use Board adopted an amended Land Use Element at a public hearing also held on August 19, 2020, the purpose of which was to acknowledge, within the land use plan, those properties designated for inclusionary affordable housing development. The study area that is the subject of this report is included in both documents and identified for mixed residential and commercial development with an affordable housing component.

Map 4: Adopted 2020 Land Use Plan Map Amendment



Section 4: Existing Zoning

As a result of the land use plan amendment adopted by the Land Use Board on August 19, 2020, the study area was subsequently rezoned by the Borough from VN, Village Neighborhood Zone to the MU-AH, Mixed Use Affordable Housing Zone.

4.1: Mixed Use Affordable Housing Zone

The Study Area is located in the Mixed-Use Affordable Housing Zone or MU-AH. This zoning designation is consistent with the Borough's Land Use Plan which was amended to promote mixed use inclusionary development of the properties pursuant to the Borough's adopted HE&FSP.

Permitted uses within the MU-AH Zone include the following:

1. Retail business
2. Dance studios, art and photographic studios, yoga and wellness studios or similar such uses
3. Restaurants and food establishments without drive-thru facilities
4. Pharmacies without drive-thru facilities
5. Health spas, gym and boutique exercise /fitness facilities
6. General office uses
7. Medical offices limited to small scale general, or specialty practices herein defined as a medical or dental practice offering medical or dental services on an outpatient basis and including a total of no more than the full time equivalent of three principal health care providers and two other medical or dental professionals, exclusive of administrative or clerical staff, providing services on the premises. A medical or dental office may also contain associated in-house ancillary services such as in-house diagnostic testing facilities, medical counseling services, and similar services.
8. Multifamily residential housing above commercial or as stand-alone buildings
9. Structured parking.

Residential development is permitted at a maximum density not to exceed a total of 40 units with a minimum requirement that no less than 3 units are set aside within the development as affordable units to low- and moderate-income families.

Table 3: MU-AH District Bulk Standards

Area & Bulk Regulations	
Minimum lot area (acres):	0.74
Minimum distance between buildings (feet):	
a) Buildings fronting directly on Main Street (feet):	0
b) All other buildings (feet):	10
Minimum setbacks from external lot lines (feet):	
a) Front yard:	None
b) Side yard:	None
c) Rear yard: From Residential	15
From Rail Line	10
Maximum building lot coverage (percentage):	65
Maximum impervious lot coverage (percentage):	85

Section 5: Compliance with the Statutory Criteria

Existing site conditions were observed, photographed and analyzed in the context of the statutory criteria required under the LRHL for designation as an area in need of redevelopment.

As indicted by a sampling of the numerous photographs taken of the study area and appended to this report, the study area does not fully satisfy the criteria that would support designation as a non-condemnation area in need of redevelopment. Due to file size limitations, additional photographs will be presented during the public hearing presentation to supplement the public record. Following is a description of the site conditions observed onsite that support this view.

The buildings on both properties of the Study Area, are for the most part, well maintained, structurally sound, mostly occupied and put to productive use. There were no significant signs of building deterioration or dilapidation that are normally associated with blighted conditions. While some of the accessory outbuildings exhibited conditions needing repair, the few building issues observed were addressable through normal routine maintenance.

As to site conditions, with the exception of some outdoor storage and need for asphalt repair within the parking areas, observed site conditions did not rise to the level of blight as contemplated by the LRHL. Most issues could be address through routine site maintenance.

A review of Borough records indicates no instances of building, zoning or health violations. In fact, the buildings appeared code compliant with smoke detectors, sprinkler systems and fire extinguishers. Building entrances and exits were easily accessible and there were no apparent hazards on site either within the buildings or on the property.

There are no title issues or issues associated with diverse ownership that would preclude reasonable development of the property under its current zoning as the property is owned by a single corporate entity.

There were no apparent site conditions that produced a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

Finally, as discussed previously, tax data for the Study Area indicates that the structures contained within the area have value that exceeds the land valuation,

where, for example, in the instance of 219 Main Street, is double. This is an important indices as blighted properties generally exhibit just the opposite characteristic.

Section 6: Planning Conclusions and Recommendation

The planning analysis contained herein concludes that Block 20 Lot 5 (9-35 Lackawanna Avenue) and Block 22 Lot 13 (219 Main Street) do not display characteristics sufficient to satisfy the statutory criteria as expressed by the LRHL that would justify their designation as a Non-Condensation Redevelopment Area.

Although it may be argued that the properties are underutilized and not performing to its “highest and best use” it should be noted that this is not a criteria upon which such a designation can rely. The seminal case on this point is *Gallenthin Realty v. Bor. of Paulsboro*, 191 N.J. 344, 366-370 (2007) wherein the New Jersey Supreme Court ruled that the term “not fully productive” would exceed the meaning of “blight” of the State constitution, and therefore, a property’s lack of productivity could not be the sole basis for its designation as an area in need of redevelopment.

Building and site conditions did not rise to the level of blight that is customarily associated with such areas and, in light of the close scrutiny of these designations by the Courts, the designation of an area in need of redevelopment must be carefully analyzed within the strict context of the statutory requirements that would clearly satisfy the criterion thereby justifying the powers of intervention granted the governing body to foster development. It is further noted that the Study Area has only just recently been rezoned by the Borough to provide opportunities for redevelopment without the necessity of a redevelopment designation. Time may prove such zoning a successful tool to promote redevelopment without the necessity of intervention as contemplated by the LRHL.

Appendix A

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 186-20

TITLE: RESOLUTION OF THE BOROUGH OF PEAPACK & GLADSTONE, AUTHORIZING THE BOROUGH OF PEAPACK & GLADSTONE LAND USE BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES BLOCK 22, LOT 13 AND BLOCK 20, LOT 5 – LACKAWANNA STREET, FOR CLASSIFICATION AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Borough to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the Borough Council of the Borough of Peapack & Gladstone may direct the Land Use Board of the Borough to conduct a preliminary investigation and public hearing to determine whether certain areas of the Borough constitute areas in need of redevelopment; and

WHEREAS, the Borough Council seeks to have the Land Use Board undertake a preliminary investigation of Block 22, Lot 13 and Block 2, Lot 5 – Lackawanna Street; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Borough Council shall state whether the redevelopment area shall be a "non-condemnation redevelopment area", which is defined as a redevelopment area that shall not use the power of eminent domain authorized by the "Redevelopment Law", or whether the redevelopment area shall be a "condemnation redevelopment area", which is defined as a redevelopment area that may use the power of eminent domain authorized by the Redevelopment Law; and

WHEREAS, upon the completion of the preliminary investigation and public hearing, the Land Use Board shall provide recommendations to the Borough Council as to its investigation of the "Study Area", all in accordance with N.J.S.A. 40A:12A-6.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey:

1. The Land Use Board is hereby authorized and directed to conduct a preliminary investigation pursuant to the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, to determine whether the "Study Area" satisfies the criteria set forth in N.J.S.A. 40A:12A-6, and should be designated as an area in need of redevelopment.

2. Any redevelopment area created pursuant to this authorization shall be a "non-condemnation" redevelopment area pursuant to N.J.S.A. 40A:12A-6.

3. That the Land Use Board is hereby authorized to utilize John P. Szabo, Jr., PP, AICP of Burgis Associates, Inc. to prepare the preliminary investigation as to whether the Study Area constitutes an "area in need of redevelopment" under the "Redevelopment Law".

4. As part of its investigation, the Land Use Board shall prepare a map showing the boundaries of the Study Area and the location of the various parcels contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.

5. The Land Use Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of N.J.S.A. 40A:12A-6.

6. At the hearing, the Land Use Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Land Use Board and made part of the public record.


7. After conducting its investigation, preparing a map of the Study Area, conducting a public hearing at which all objections to the designation are received and considered, the Land Use Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or a portion of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

8. The Borough Administrator, Clerk, Borough Planner and Attorney are hereby authorized and directed to take any necessary and appropriate actions in connection with the preliminary investigation of the Study Area, and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents necessary to undertake the investigation as being hereby ratified and confirmed.

9. This Resolution take effect immediately upon adoption.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
X		Gian-Paolo Caminiti	X			
		Mark Corigliano	X			
		Amy Dietrich	X			
	X	Jamie Murphy	X			
		Royal Smith	X			
		John Sweeney	X			

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON OCTOBER 13, 2020.



NANCY A. BRETZGER
BOROUGH CLERK



GREGORY J. SKINNER
MAYOR

CRAIG M. GIANETTI
Attorney at Law

One Jefferson Road
Parsippany, NJ 07054-2891
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cgianetti@daypitney.com

September 28, 2020

Via E-MAIL

Mayor Skinner and Councilmembers
c/o Ms. Nancy Bretzger
Borough Clerk
Borough of Peapack & Gladstone
1 School Street, P.O. Box 218
Peapack, NJ 07977

Re: Request for Investigation of property as an Area in Need of Redevelopment
Lot 13, Block 22 and Lot 5, Block 20 ("Lackawanna Properties")

Dear Mayor Skinner and Councilmembers:

This firm represents Melillo Equities, LLC ("Melillo"), the contract purchaser of the Lackawanna Properties. Pursuant to a Memorandum of Understanding ("MOU") between Melillo and the Borough as part of the Borough's affordable housing case, Melillo is seeking to develop the Lackawanna Properties with a mixed-use development consisting of multi-family residential and commercial uses. Pursuant to Section 3 of the MOU, please accept this letter as Melillo's request that the Borough undertake an investigation of the Lackawanna Properties to determine whether said properties qualify as an "area in need of redevelopment" as described in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and, if so, to designate the area in need of redevelopment.

Please contact me if you require additional information or have questions relating to the above request. I look forward to hearing from you regarding this request.

Very truly yours,



Craig M. Gianetti

cc: Roger Thomas, Esq.



The Stable Auto Sales and Repair



Stable Show Room



Stable Repair Shop



Stable Storage Garage



Stable Parking and Outdoor Vehicle
Storage Looking North



Equitack w/ Apts Above



Equitack Showroom



Cafe Sapor Restaurant



Cafe Savori Interior



Cafe Savori Outdoor Dining Area



Pizzeria Restuarant



Rear of Pizzeria



Single Family Residence



Barn Building Used by Electrical Contractor



Southerly view of Barn



Interior View of Barn Building



Open storage with metal roof for vehicles



Structural view of metal roof



Exterior view of Cafe Saporì on Lackawanna Avenue



Storage garages



Rear of storage garage building



Materials stored in garage (example)



Warehouse Distribution Building w/ multiple tenants



Distribution Operation



Interior view of ceiling and storage of materials



Interior view of ceiling and truss work



Second Level



Shed, outdoor storage and entrance to space rented for motorcycle repair



Motorcycle repair



Rented storage space



Site conditions - Wall

Concrete
Stairs





Parking
Lot
Pavement