

**Borough of Peapack & Gladstone
Land Use Board**

January 3, 2018

Reorganization meeting.

Attorney Roger Thomas assumed the chair for this portion of the meeting.

Opening Statement: Adequate notice of this meeting of the Land Use Board of the Borough of Peapack & Gladstone was given to the Courier News on January 23, 2017 and was posted at the Municipal Complex, 1 School Street, Peapack; The Peapack Post Office, 155 Main Street, Peapack; and the Gladstone Post Office, 266 Main Street, Gladstone, New Jersey on January 19, 2018.

Salute to the Flag

Swear in members

The following members were sworn into the office as members of the Land Use Board by attorney Roger Thomas.

- Mark Corigliano, Class III – Term 12-31-18
- Kingsley W. Hill, Class II – Term 12-31-18
- Judith Silacci, Class IV – 12-31-21
- Susan Rubright, Class IV – 12-31-21
- Peter Sorge, Class IV – alternate # 1 – 12-31-18 (unexpired term of Judy Silacci)
- Lisa Saunders, Class IV – alternate # 3 – 12-31-18 (unexpired term of James Heck)
- Matt Sutte – Class IV – alternate # 4 – 12-31-19

Roll Call:

Present:

Greg Yannaccone, Chairman
Mayor William Muller
Susan Rubright
Mark Corigliano, Councilman
Joan Dill, Class IV
Kingsley Hill
David DiSabato
Chris Downing
Judy Silacci
Peter Sorge, Alternate # 1
James Heck, Alternate # 2 - late
Lisa Saunders, Alternate # 3
Matt Sutte, Alternate # 4

Absent:

None

Also Present:

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Roger Thomas, Esq. Borough LUB attorney

William Ryden, Borough Engineer

John Szabo, Borough Planner

The meeting commenced at 7 p.m. Mr. Thomas chaired the meeting until the election of the Chairman.

Election of Chairman for 2018:

Kingsley Hill nominated Greg Yannaccone for the position of Chairman of the board for 2018; the motion was seconded by Joan Dill and was approved by the following roll call vote:

AYES: Mayor Muller; Councilman Corigliano; Joan Dill; Susan Rubright; Judy Silacci; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; Lisa Saunders and Matt Sutte.

NAYS: None

ABSTAIN: Greg Yannaccone

Upon the election of Mr. Yannaccone, Mr. Thomas then turned the meeting over to Chairman Yannaccone.

Election of Vice-Chairman for 2018

Greg Yannaccone nominated Susan Rubright as Vice Chairman for 2018; Joan Dill seconded the motion which was approved by the following roll call vote:

AYES: Mayor Muller; Councilman Corigliano; Joan Dill; Judy Silacci; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; Lisa Saunders; Greg Yannaccone and Matt Sutte.

NAYS: None

ABSTAIN: Susan Rubright

Nominations for Assistant to Secretary:

Greg Yannaccone nominated Judy Silacci as Assistant to the Secretary for the year 2018; Joan Dill seconded by the following roll call vote:

AYES: Mayor Muller; Councilman Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; Lisa Saunders; Greg Yannaccone; Susan Rubright and Matt Sutte.

NAYS: None

ABSTAIN: Judy Silacci

APPOINTMENT OF PROFESSIONALS:

Chairman Yannaccone read the resolution into the record.

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Greg Yannaccone moved to adopt the resolution appointing the Board Attorney Roger Thomas; Planner John Szabo, and Engineer William Ryden for the year 2018; Joan Dill seconded the motion which was passed by the following roll call vote:

AYES: Mayor Muller; Councilman Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; Lisa Saunders; Greg Yannaccone; Judy Silacci Susan Rubright and Matt Sutte.

Susan Rubright abstained from voting for John Szabo because she has a conflict with an application in another town.

NAYS: None

 **James Heck came into the meeting.**

OFFICIAL NEWSPAPER:

Greg Yannaccone moved to adopt the resolution designating the Official newspapers which are the Courier News and Bernardsville News; location for posting of notices and the fee to be paid by any person requesting individual notice of meetings; Joan Dill seconded the motion which was passed by the following roll call vote:

AYES: Mayor Muller; Councilman Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; Lisa Saunders; Greg Yannaccone; Judy Silacci Susan Rubright; James Heck and Matt Sutte

NAYS: None

There followed discussion about the newspaper to be used for application notices. The two newspapers are to be used for Board purposes and the Bernardsville news as the preferred newspaper for application notices but allowing the Courier News as a secondary newspaper for notice. Kingsley Hill moved to amend the resolution; Susan Rubright seconded the motion which was approved unanimously by a voice vote.

MEETING DATES:

The time to start the meeting will be 7 p.m.

Greg Yannaccone moved to adopt the resolution setting the meeting dates for 2018; Kingsley Hill seconded the motion which was passed unanimously by a voice vote.

APPOINTMENT OF THE CLERK/SECRETARY OF THE BOARD FOR 2018.

Greg Yannaccone moved to appoint Sarah Jane Noll as the Clerk/Secretary of the Board for 2018; Joan Dill seconded the motion which was passed by the following roll call vote:

AYES: Mayor Muller; Councilman Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; Lisa Saunders; Greg Yannaccone; Judy Silacci Susan Rubright; James Heck and Matt Sutte

NAYS: None

- James Heck, Class IV – alternate # 2 – 12-31-19

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James Heck was sworn into office by Roger Thomas.

The reorganization portion of the meeting was adjourned at 7:22 p.m. and the regular meeting started.

January 3, 2018 MEETING

The meeting was opened as the regular meeting of January 3, 2018.

Bee Rules and Regulations:

Chairman Yannaccone acknowledged Theresa White's presence regarding the information that she had forwarded to the Board regarding the Rules and Regulations proposed by the State of NJ. She had also forwarded a proposed letter which Chairman Yannaccone advised is not necessarily the thoughts of this board. She explained that the Borough does not have an ordinance and that the state Rules and Regulations would take control. Chairman Yannaccone suggested that the board members read the proposed letter which was distributed and be prepared to discuss it at the meeting on the 17th of January. This will be placed on the agenda.

Mike Seboria a member of the public asked to speak and asked if the Borough Council or the LUB would respond to the State. With the agreement of Mayor Muller and Councilman Corigliano, it was agreed that the LUB would respond. The deadline is January 19th.

Public Hearing

❖ 230 Main PG, LLC – Block 31, Lot 3.04 – Application 2017-0004

The applicant is seeking conditional use approval with preliminary and final site plan approval to convert existing upstairs apartments to office use. The subject property is located in the VN, Village Neighborhood Zone. A report dated December 8, 2017 prepared by Borough Engineer William Ryden and a report dated December 26, 2017 prepared by Borough Planner John Szabo were both distributed amongst the board members prior to the meeting along with the site plan and application.

Christopher Quinn, Esq. introduced himself and explained the request to the change of use to all general use. Change of use does require site plan approval though no site work is being done. Existing apartments would become offices. Office use requires more parking

William Ryden recommended that the requested 3 checklist waivers be granted in order to determine completeness. Greg Yannaccone moved to grant the waivers requested; Joan Dill seconded the motion which was approved by the following roll call vote;

AYES: Yannaccone; Rubright; Silacci; Muller; Corigliano; Dill; Hill; Downing; DiSabato; Sorge; Heck; Saunders; Sutte.

NAYS: None

Requested waivers as per 23-33.4:

Item 9 – Streams, watercourses & trees within 100' of the PQ

Item 18 – Cross Sections and profiles of the abutting road

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Item 22 – Environmental Impact Statement

Peter Sorge decided to abstain from voting on this application since as he explained, he is not within 200' but does live close to another property which is owned by this applicant. He did leave the dais and remained as a member of the public.

The application was deemed complete.

Robert Moschello, Engineer employed by Gladstone Design was sworn in and accepted as an expert witness.

Mr. Moschello proceeded to testify using the following exhibit which was entered into evidence as:

Exhibit A-1 -Site Plan Rendered dated 1/3/18.

He proceeded to explain the existing building and property.

230 Main Street is located on 0.465-acre site with a mixed-use building consisting of 4,225 s.f. with a furniture store on the first floor and a two-bedroom apartment above. The site is developed with 12 parking spaces including 10 spaces dimensioned at 9' wide and 18' deep and a two-car attached garage. No new improvements are proposed; however, the change in use of retail and apartments will require additional parking spaces. No increase in size of the building. 3,700 s.f. would require 15 spaces and they have only 12. They looked into 190 Main Street which is the PG Bank which has an abundance of parking spaces and they will allow 3 spaces for the employees at 230 Main Street to park and walk over to the office. The distance is 700' from the PG Bank and this building. There are sidewalks for access. He advised that there would be no cutting through the church lot. They have not talked to the church about parking. The leased spaces would be used by the staff of the Tenant. The tenant will use the garage spaces. There was no lease agreement in the package submitted with the application. Board attorney Roger Thomas advised that the board must have the lease reviewed. The applicant agreed to that. There is a concern about the lease being terminated and then they would be short 3 spaces. Mr. Thomas explained that if it was terminated and they would have to come back to the board for further review. A Deed restriction and Lease Agreement will be needed. Susan Rubright suggested that the resolution be recorded. The garage will continue to be used for parking.

John Szabo, Borough planner advised that they need a variance because they are seeking off-site parking which is not allowed to be counted towards a property's parking requirement. The parking is based on sq. footage, not use. A 24' back up aisle is required and some of the designated parking stalls lack adequate driveway aisle width in order to access and leave the parking spaces efficiently.

The Board then reviewed the reports of the Board's professionals. There is no ability to have a shared driveway. They are proposing some additional screening by the parking area. Lighting will be turned off at 9 p.m. The County has withheld their approval until after the board has heard the application. The conditions of the prior approval should still be in effect. 1999 was date of prior approval. The zoning official is the responsible person to inspect the property for compliance with approvals. VN zoning allows

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affordable housing. Mr. Szabo advised that when the building permit is issued, they have to pay a fee into the affordable housing fund.

Public Portion – was opened.

Curt Corbin was sworn in and upon questioning, was advised the change does not trigger an increase in the affordable housing responsibility. Mr. Thomas advised that offices do not produce children but apartments do.

Mike Saboria – made a statement regarding the splitting up of existing areas and the need for more parking on site.

The attorney for the applicant reminded that the parking requirement is based on s.f. not use.

The public portion was closed.

The attorney summed up his application.

Mr. Thomas reviewed the conditions needed for approval: deed restriction regarding parking and subject to 3 off-site parking spaces and that board review would be necessary if the lease of the 3 parking spaces was terminated; compliance with Mr. Szabo's report regarding landscaping in 6.9a); lights being turned off at 9 p.m.; no change in size or lighting on existing sign; review of lease agreement and deed restriction; recording of approving resolution and subject to County review.

Susan Rubright moved to authorize the board attorney to draft a resolution with the aforementioned conditions; Joan Dill seconded the motion, which was approved by the following roll call vote;

AYES: Yannaccone; Rubright; Silacci; Muller; Corigliano; Dill; Hill; Downing; DiSabato; Heck; Saunders; Sutte.

NAYS: None

NJ Planning Officials

The Secretary asked about the membership with the NJ Planning Officials. It was decided to apply for a single membership of LUB \$325.

Minutes – The minutes of October 18th were approved with corrections; The minutes of October 24th were approved as read.

A motion to adjourn was made and seconded and the meeting was closed at 8:35 p.m.

Sarah Jane Noll
Board Secretary/Clerk