

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

January 15, 2020

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 17, 2019 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.

Attorney Roger Thomas assumed the chair at the Land Use Board meeting commencing at 7:02 p.m.

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 – 12-31-20
Peter Sorge – Class IV – 12-31-2022*
Kingsley Hill – Class II – 12-31-2020
James J. Heck – Alt. # 1 – 12-31-2020**
Matt Sutte – Alt. # 2 – 12-31-2021
Robert Riedel – Alt. # 3 – 12-31-2021
Paul Norbury – Alt. # 4 – 12-31-2021

Roll Call:

Present:

Mayor Greg Skinner
Susan Rubright
Mark Corigliano, Councilman
Joan Dill
Kingsley Hill
David DiSabato
Chris Downing
Peter Sorge
James Heck, Alternate # 1
Matte Sutte, Alternate # 2
Robert Riedel, Alternate # 3
Paul Norbury, Alternate # 4

Absent:

Judy Silacci

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John Szabo, Borough Planner
William Ryden, Borough Engineer

Also Present:

Roger Thomas, Esq. Board attorney
Sarah Jane Noll, Clerk/Administrator

Election of Chairman for 2020:

David DiSabato nominated Susan Rubright for the position of Chairman for 2020; Greg Skinner seconded the nomination and since there were no other nominations for this position, the ballot was closed and the motion was approved by the following roll call vote:

AYES: Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; James Heck; and Matte Sutte.

NAYS: None

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

Mrs. Rubright welcomed the new members and **welcomed** back the reappointed members.

Election of Vice-Chairman for 2020

Mark Corigliano nominated Peter Sorge as Vice-Chairman for the year 2020; Greg Skinner seconded the motion which was approved by the following roll call vote:

AYES: Susan Rubright; Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; James Heck; Matte Sutte; Robert Riedel and Paul Norbury.

NAYS: None

Nominations for Secretary:

Joan Dill nominated Judy Silacci as the Secretary; Kingsley Hill seconded the motion which was approved by the following roll call vote:

AYES: Susan Rubright; Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; James Heck; Matte Sutte; Robert Riedel and Paul Norbury.

NAYS: None

APPOINTMENT OF PROFESSIONALS:

Joan Dill moved to adopt the resolution appointing the Attorney Roger Thomas, Planner John Szabo, and Engineer William Ryden for the year 2020; Kingsley Hill seconded the motion which was passed by the following roll call vote:

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AYES: Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; James Heck; Susan Rubright; Matte Sutte; Robert Riedel and Paul Norbury.

NAYS: None

APPOINTMENT OF THE CLERK OF THE BOARD FOR 2020.

Joan Dill moved to appoint Sarah Jane Noll as the Clerk/Secretary of the Board for 2020; Susan Rubright seconded the motion which was passed by the following roll call vote:

AYES: Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; James Heck; Susan Rubright; Matte Sutte; Robert Riedel and Paul Norbury.

NAYS: None

OFFICIAL NEWSPAPER:

Joan Dill 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; Peter Sorge seconded the motion which was passed by the following voice vote:

AYES: Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; James Heck; Susan Rubright; Matte Sutte; Robert Riedel and Paul Norbury.

NAYS: None

MEETING DATES:

Joan Dill moved to adopt the resolution setting the meeting dates for 2020; Kingsley Hill seconded the motion which was passed by the following roll call vote:

AYES: Greg Skinner; Mark Corigliano; Joan Dill; Kingsley Hill; David DiSabato; Chris Downing; Peter Sorge; James Heck; Susan Rubright; Matte Sutte; Robert Riedel and Paul Norbury.

NAYS: None

The reorganization portion of the meeting was adjourned at 7:16 p.m. and the regular meeting started.

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REGULAR MEETING

The regular meeting of the board commenced at 7:20 P.M.

Roll Call:

Mayor Greg Skinner
Susan Rubright
Mark Corigliano, Councilman
Joan Dill
Kingsley Hill
David DiSabato

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Chris Downing
Peter Sorge
James Heck, Alternate # 1
Matte Sutte, Alternate # 2
Robert Riedel, Alternate # 3
Paul Norbury, Alternate # 4

Absent:

Judy Silacci
John Szabo, Borough Planner
William Ryden, Borough Engineer

Also Present:

Roger Thomas, Esq. Board attorney
Sarah Jane Noll, Clerk/Secretary

Resolution to be adopted:

#2019-006 – Block 2.02, Lot 3 – 7 Church Street.

**BOROUGH OF PEAPACK AND GLADSTONE LAND USE BOARD
RESOLUTION OF MEMORIALIZATION**

**Approved: December 4, 2019
Memorialized: January 15, 2020**

**IN THE MATTER OF
MICHAEL HARDIN
BLOCK 2.02, LOT 3
VARIANCE APPLICATION
APPLICATION NO. 2019-006**

WHEREAS, Michael Hardin, (hereinafter known as the “Applicant”) filed an application for minor subdivision approval with the Borough of Peapack and Gladstone Land Use Board (hereinafter known as the “Land Use Board”) on November 13, 2019, and

WHEREAS, the matter was deemed complete on December 4, 2019, and

WHEREAS, public hearing was held on December 4, 2019 with notice being required, at which time the Land Use Board rendered its decision on the application in accordance with the requirements of N.J.S.A. 40:55D-10(g), and

WHEREAS, it has been determined that the Applicant has complied with all of the rules, regulations and requirements of the Land Use Board and that all of the required provisions of compliance have been filed with the Land Use Board, and

WHEREAS, the Land Use Board has received as part of the hearing process the following testimony and documentary evidence submitted by the Applicant and its consultants, the Land Use Board staff, and members of the public:

The Applicant is the owner of property known as Lot 3, Block 2.02 on the Tax Map of the Borough of Peapack and Gladstone. The property is otherwise known as 7 Church Street, Gladstone, New Jersey, 07934. The property consists of a single-family residence abutting Church Street. There is also a shed located on the property along with Peapack Brook flowing through the westerly portion of the property.

The Applicant seeks to enclose an existing deck on the property for additional living space.

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Mr. Hardin testified that part of the original house was built in 1865. It has been expanded over the years. There is a gap in the living space which contains a deck. They are seeking to enclose that deck for purposes of expanding their living room, dining room and kitchen area and construct a new deck on the westerly edge of the house. In effect, what they will be doing will be connecting the two (2) wings of the house for additional living space. The area to be enclosed is approximately 283 square feet. It was pointed out by Board members that there will be a need to obtain DEP approval since the property is effected by freshwater wetlands and their associated transition area.

Mr. Hardin testified that most of the houses in the neighborhood are in fact nonconforming. He indicated that the current house is rather small and disjointed and the addition will provide for better living space for his growing family.

Board members comments indicated that the house is a special house given that portions of it were built in 1765 and that the addition is an attempt to preserve the historic character not only of the house but of the neighborhood.

The Board took into account the report of its Planner, Mr. John Szabo, dated November 25, 2019. He noted that the surrounding developments include detached single and two-family residences together with a church. The area immediately to the north and to the west of the site is wooded and owned by the Borough as open space. He further acknowledged that the property is environmentally sensitive subject to NJDEP regulations. Mr. Szabo also noted that in addition to the enclosure of the 283 square foot existing deck the Applicant proposes to construct a new 245 square foot deck behind the new addition and a smaller 24 square foot deck located behind the residence. He also notes that the Applicant proposes a 288 square foot freestanding garage which meets Ordinance standards. Mr. Szabo notes that because the lot intersects two (2) streets, by Ordinance definition the front yard extends along the entire frontage of the property. Therefore, the proposed building addition is within the required 50 foot setback and thus requiring the variance. He also notes that other preexisting nonconformities are not impacted by the development.

WHEREAS, the Land Use Board, in reviewing the foregoing testimony and documentary evidence, makes the following findings of fact and conclusions:

The Applicant must establish both the positive and negative criteria in regard to the variance request under N.J.S.A.40:55D-70(c). The Applicant can either use the “c(1)” or the “c(2)” criteria. The Board finds that because of the irregularly shaped lot the addition is technically in the front yard although it is generally masked by the existing structure. Therefore, the Board finds that the “c(1)” criteria is met in that the lot is unusually shaped resulting in the need for the variance.

Additionally, the “c(2)” criteria is met in that it is acknowledged that the house is a special house in that the addition is an attempt to preserve a house that was originally built in 1765 and this will allow for a historic preservation of this structure which fits the historic character of the neighborhood in which it is located.

With regard to the negative criteria, the Board finds that there is no substantial detriment to the public good particularly since the new addition will be masked by existing structures and will not be particularly visible from Church Street. A new proposed deck will also not present any negative impact to surrounding properties.

With regard to the impact on the Zone Plan or the Zoning Ordinance, the Board finds that the project fosters the intent and purpose of the Master Plan and the Zoning Ordinance to preserve and protect historic residences, which is the intent and purpose of this project.

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NOW, THEREFORE, BE IT RESOLVED that the Land Use Board of the Borough of Peapack and Gladstone does hereby approve the front yard variance for the reasons expressed hereinbefore and in accordance with the plans submitted by Ferriero Engineering, Inc. of Chester, New Jersey consisting of three (3) sheets and dated October 3, 2019.

This approval is subject to the following terms and conditions:

1. This approval is subject to the Applicant obtaining all necessary approvals from the NJDEP.
2. This approval is subject to the payment of all appropriate fees and taxes.
3. This approval incorporates all of the representations made by the Applicant during the course of the hearing and makes them a part of this approval as if set forth herein as a condition.

The undersigned does hereby certify that the foregoing is a true copy of the action taken by the Borough of Peapack and Gladstone Land Use Board at its regular meeting on December 4, 2019.

Susan Rubright moved to adopt the foregoing resolution; Kingsley Hill seconded the motion which was passed by the following roll call vote:

AYES: Susan Rubright; Greg Skinner; Kingsley Hill; Chris Downing; David DiSabato

NAYS: None

Minutes – December 4, 2019 minutes were approved as read.

The Clerk reviewed the applications that are scheduled to be heard by the Land Use Board.

Public Portion – There being no one in the public, the public portion was closed.

Adjourn

A motion to adjourn was made and seconded and the meeting was closed at 7:27 p.m.

Sarah Jane Noll
Administrator/Secretary