

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

February 3, 2021

Regular meeting

Susan Rubright called the meeting to order at 7:03 P.M. with the opening statement.

Opening Statement: Adequate notice of this meeting of the Land Use Board of the Borough of Peapack & Gladstone was given to the Daily Courier News on December 28, 2020 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 December 28, 2020. The meeting is a web-based platform providing remote access as the meeting will be open to the public remotely. In the event any member of the public cannot access the public file documents or exhibits, and/or cannot access the Zoom web-based virtual meeting room, they may contact the Board Secretary at sjnoll@peapackgladstone.org or 201-400-9043.

Salute to the Flag

Roll Call:

Present:

Kingsley Hill
Joan Dill
Chris Downing
Judy Silacci
David DiSabato
Matt Sutte, Alternate #1
Robert Riedel, Alternate # 2
Paul Norbury, Alternate # 3

Absent:

Peter Sorge
Greg Skinner, Mayor
Mark Corigliano, Councilman
Susan Rubright left the meeting after introduction.

Also Present:

Roger Thomas, Esq. Board attorney
William Ryden, Borough Engineer
John Szabo, Borough Planner
Sarah Jane Noll, Clerk/Administrator

Minutes: The minutes of 10-21-20 and January 13, 2021 were approved as read.

Roger Thomas, Board attorney announced that there had been an executive meeting prior to this meeting which involved personnel and no action was taken.

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Susan Rubright turned the meeting over to David DiSabato who is the acting Chairman for the application being heard this evening. Roger Thomas announced that the following LUB members will not be hearing the application and are not at the meeting: Mayor Skinner, Councilman Corigliano, Susan Rubright and Peter Sorge.

Public Hearing:

Application # 2020-002 – Block 23, Lot 3 – Red Horse Motoring Club of Peapack, LLC – 165 Main Street. The application is incomplete until the board addresses the waivers as listed in Mr. Ryden's reports dated 9-9-20 & 12-18-20. Reports from the Board's professionals William Ryden and John Szabo and a report from the Environmental Commission were received and distributed.

Sean Monaghan, Esq. attorney for the applicant introduced himself. Roger Thomas suggested that the applicant address the 9 check list waivers being requested as set forth in Mr. Ryden's report and make their case so that the board can make their decision.

John Hansen, vice president with EL&P Engineering located at 140 W. Main St. Highbridge, NJ was sworn in as a Professional engineer and planner. He was accepted as an expert witness.

Mr. Monaghan addressed Mr. Ryden's report and questioned Mr. Hansen about each of the checklist items. They will agree to provide landscaping. Mr. Ryden favors the granting of the waivers with the understanding that they may have to provide testimony at another time if asked.

Joan Dill moved to grant the waivers; Judy Silacci seconded the motion which was approved by the following roll call vote:

AYES: David DiSabato; Kingsley Hill, Chris Downing, Judy Silacci, Joan Dill, Matt Sutte and Robert Riedel

NAYS: None

The application was deemed complete, and the tolling time started - ends May 14, 2021

Mr. Thomas advised that there will be no new witnesses after 10 a.m. and any testimony will be concluded at 10:30 p.m.

Attorney Sean Monaghan gave an overview of the application pointing out that not only has it been an auto dealership for about 100 years, but the building also served as a place of assembly, it was the Allen Auditorium and there is a plaque on the building with respect to that use. He advised that he has 4 witnesses: Robb Francis, Steven Everett, John Hansen, and Hiland Turner.

Robb Francis was sworn in by Roger Thomas, Esq. Mr. Francis testified that he is the manager of the property and he, his family and his cousin James Nigro own the property. Since his cousin James Nigro lives in California, Mr. Francis handles

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the daily management and the running of the Sportscar dealership. Since May of 2012, they have specialized in high-end sports cars with their focus moving toward historic sports cars. The condition of the existing business when it was purchased and the improvements that have since been made were discussed by Mr. Francis. The dealership is one of the oldest in the State and has existed since 1921. He is a member of the Red Horse Motoring Club and added that most of the members are from the Bernardsville and Peapack area and have expressed their desire for the business to be more family oriented. Since they do not drive their vintage sport cars in bad weather, they like to congregate with people with like interests. He will continue to have the same number of employees and the same hours of operation. The business is mainly conducted by appointment and the busiest day is Saturday. There is sufficient parking on the site. They do participate in the annual car show and visitors use the public parking lot across Main Street and park in the southwest corner of the property during fund raisers. Most of the people attending the car show are showing their own cars. They do not anticipate a change in traffic to the site. Since they started the operation there have been no complaints of the number of cars coming to the site. The building was used as an auditorium between 1913 and 1921 where they had firemen's balls and things of that nature. Main Street is a County road and there have been no significant problems with traffic on Main Street. There is a residential home on the property, which is not occupied, and will not be operated as a residence. Mr. Francis explained that the family occupying the home did not keep it in the condition that he desires and consequently he and his cousin decided not to rent it out. There were no further questions of the witness.

Board members questioned Mr. Francis about the improvements made and he testified that the gravel parking area has not been changed or expanded since the property was purchased. New gravel has been added. The outside and inside of the building has been cleaned up. Mr. Everett will explain the membership of the club. Mr. Francis explained some events that they may have in the future. He anticipates having car rallies but not in Peapack. The focus would be to start at the club or end there. They do anticipate having fun events, and educational events for automobile enthusiasts. He added that the residential house is not on the historic registry. Mr. Francis advised that the house is not a buffer between the pond but rather it is a buffer between the Main Street and the parking lot to the rear. There is no buffer between the house and the pond. They anticipate having less showroom space which will be used for storage of more collectable and rarer vehicles. He advised that most customers park across the street in the public parking but there is an area for parking behind the building. There has never been an issue with parking. The existing sign will be removed and replaced with a new one which will not have back lighting or neon lights. It will be hand painted on the brick wall with goose neck lighting. He explained that the family living in the residence was there when they purchased the property in 2019 but the house had not been maintained and it was decided that the rental was not worth the risk. The house has been vacant for just over 2 years. The house has 4 bedrooms and 2 baths with a dirt floor in the basement. It is in disrepair. It appears that the house has been added onto over the years. Their plan is to level the house and use the stone foundation as a border for a serenity garden with a patio that will complement the park. There were no further questions of this witness by the Board members.

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Public Portion – questions of the witness. John Kappler, 25 Holland Ave. questioned the age of the house. Mr. Francis guessed at 100 years. Mr. Francis advised that he had not notified an Historic Commission since the house is not on the historic register and if he thought that the house would enhance the property, he would take care of it. Being there were no other questions of the witness by the public, the public portion was closed.

Steven Everett was sworn in by Mr. Thomas. Mr. Everett lives at 200 Paxon Hollow Road, Media, Pa 19063. He is one of the owners of Red Horse Motor Club LLC. The car club would be a tenant and sub lease part of the space back to Robb Francis Motor Sports. He testified that he operates a car club in Pa. Red Horse Motoring Club of Peapack intends to be a social club and an automotive storage facility. They will have a couple of different member lounges that will be decorated with antique automobiles on the interior and exterior. They hope for some type of mural on the outbuilding. They have applied for a restaurant liquor license so that the members with their families and friends can have a drink while eating different types of food served from a kitchen. It will be a private social club with a membership fee which would not include the storage; that would be a secondary fee. They would have auto enthusiasts' events in the facility and hopefully fundraisers for charity. Vehicle storage fees are part of the revenue, but the main revenue driver is the social club. The hours of operation for the club are from 8 a.m. to 12 a.m. because of the serving of food and alcohol. They also have a conference space upstairs which will be accessible to members if they wanted to reserve a time to hold board or business meetings.

Robb Francis' current salesmen will be the membership director and manager and Mr. Everett anticipates 4 to 8 part-time employees who would be on two different shifts so they would not be there at the same time. Their goal is to hit a \$5,000 initiation membership fee; a \$500 monthly fee for the social membership; a fee of \$300 per month for car storage and they hope to have a membership of 300. They intend to have bar food from different areas of the world and a variety of wines, beers, and spirits. The lounge presently has a bar at the top of the stage which will be fitted out with seating areas to the left and to the right and on the main showroom floor. The basement will be a game room. They propose to have monthly membership meetings and one (1) social meeting per month.

There is a social time for a few hours on weeknights starting at 7 p.m. They do propose to provide catering for members only and off-site events. Not operating a commercial garage. Storage outside would be in a garage. He listed the areas of indoor storage. Employees will move cars in and out of the facility. 23-33 parking spaces will be provided. Members will not all be there at the same time. Listed parking areas behind the area. Recycling and refuse handled. There will be no outdoor storage of cars and no automobile maintenance or work will be offered. Members are not permitted to repair their cars there.

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John Hansen displayed the Signage Plan which Steve Everett explained. They plan on painting the exterior antique white with a red horse on the top of the building.

Entered into evidence was:

Exhibit A-1 - Sign on the front of building and a mural on the side of the garage which is visible from Main Street.

The mural is 100' from the road and is lower than the grade. Mr. Everett described the building and the signage.

They propose that the lights operate from dusk to dawn.

They propose that the foundation of the residence will become a serenity garden with park benches and landscaping along the street side. This area is not open to the public, only members and friends of the club. They anticipate finishing the old wood floors which are in beautiful condition and keep the tin ceilings and finish the interior with antique barn wood from a horse stable in Pa.

The witness answered the questions of the board which included the color proposed for the building which will be antique white; the number of handicap accesses which is 2 on each level. They anticipate about 30 persons each event. The Board questioned the liquor license which requires that food be served. They have a contract on a restaurant license. Chairman DiSabato asked for more information on the license. The property on the inside and the outside will be covered under the license to serve. Mr. Thomas would like to have a conversation with the attorney handling the liquor license. He will also speak with the Borough attorney John Bruder. They have been approved to purchase the license and intend to do so. According to Mr. Francis the full liquor license requires food to be served. Additional testimony will be provided at a later meeting. They advised that they have 138 members at the Pa. operation. They do not have a liquor license at that facility, but they have a BYOB.

There is a membership application, but the NJ agreement will not be the same as the Pa. application. 30 vehicles can be stored inside including motorcycles. Robb Francis will be to wine and dine his clients in the club. Chris questioned if it is a restaurant or a club. John Szabo explained that there is a different standard for restaurants whether it is public or not and suggested that there be further explanation about this to the Board. The Board discussed the events and their experience with these events and the parking facilities for these. Mr. Francis advised them of several fund raisers that they have had for autism here in Peapack and New York City. They had approximately 100 people at the autism charity which was contained inside the building. The attendees parked in the public parking and down behind the building. If they had an overflow, they would hire a service or a police officer. They want to make sure that they do not disrupt the town. Mr. Everett continued his testimony. Their goal is to have a membership of 300. The number of vehicles proposed to be stored is 33; never more than that number. Part of their growth is to look for another building locally to store vehicles. Mr. Francis believes that there will be fewer cars there than what is there right now. 10% of members will be storage. Most like their cars at home. David DiSabato commented that he

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has never seen a crowd there and he complimented Robb Francis as a fantastic resident. Mr. Francis assured the Board that the town will remain peaceful. He feels that it is important to monitor who comes in and who is on the property. Chairman DiSabato spoke to maintaining the house in favor of a serenity area. Mr. Francis invited members to come over and look at the property. Mr. Everett advised that there will be bar service at any given time. Part of staff will be there to serve the clients who may want to eat or go downstairs to play pool. Their facility in Pa. is in Pottstown.

Mr. Everett explained how they run these events and sell tickets which limits the number of guests. Mr. Thomas suggested that since this is a 'd' variance, reasonable conditions can be imposed which could be the number of events allowed. Robb Francis suggested that they can have events that are off site events. John Szabo suggested looking into a capacity plan for the next hearing and reminded that a 'use' variance goes to the property, not the person. He would like to see a plan showing what their vision is for the foundation/park. The property owner has the right to take the residence down right now. He agreed that it would give a view into Liberty Park. David DiSabato spoke to preservation of the residence but acknowledged that he does not own it. He complimented Mr. Francis on the maintenance of the property. Currently they have 10 motorcycles at the property. They monitor where they are, and when they start up. They are not committed to the mural but would like it. Mr. Ryden spoke to truck deliveries and how they are going to be managed. Mr. Everett advised that he operates a brewery and restaurant in Pottstown and described the deliveries. Mr. Hansen will show this on the plan. Mr. Francis said that they have room in the back. Matt Sutte was told that the club will be a subscription.

Sean Monahan discussed some of the issues that were discussed and advised that the building code is going to determine the number of people allowed in the building. Mr. Francis said that the dealership hours will remain the same and the Club hours will be separate. The second floor has a conference room and will be able to be used by members by reservation but not on a regular basis.

Kinds of events that will be hosted at this location could be a member wedding; birthdays, corporation meetings. At the Pa. facility they have weekly corn hole events and car shows on occasion.

Public Portion

William Hillsinger asked Mr. Francis if they have considered a nonresidential use of the residence if permitted by the Land Use Board. He felt that it would be a way to retain a very historic and beautiful structure. Mr. Francis has considered this as a B & B for members coming into town. As they looked at the electric. Plumbing and heating they decided against that idea. He offered to meet with Mr. Hillsinger and walk him through the house.

Sean Monaghan reminded Mr. Francis that the application states that the house is to be demolished.

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Answering John Kappler Mr. Francis advised that there will be monthly meetings and that the Pa. facility has them and they are attended by between 25-40 member of a total of 138. Thursdays are their busiest night in Pa. Mr. Hansen will address the flood zone.

David DiSabato questioned whether this property has been considered as a potential area for affordable housing. John Szabo explained that the Borough has a one unit rehab and to be affordable the owner has to commit to it for 30 years.

The hearing was carried to the March 3, 2021 meeting without further notice.

ADJOURNMENT – There being no further business, the meeting was adjourned at 10:21 p.m.

Sarah Jane Noll
Clerk/Administrator