

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

July 7, 2021

Peter Sorge called the meeting to order at 6:32 P.M. with the opening statement.

Adequate notice of this Executive meeting of the Peapack & Gladstone Borough Land Use Board was given as required by the "Open Public Meetings Act" as follows: notice was sent to the Observer Tribune and the Courier News, posted on the bulletin board in the Borough Municipal Building and posted on the Borough website and filed with the Borough Clerk. The Land Use Board will hold an Executive meeting by web-based platform providing remote access as the meeting will be open to the public remotely. Details for public participation will be posted on the website at peapackgladstone.org. The public can join the meeting from their computer, tablet, or smartphone by registering at:

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Salute to the Flag

Present:

Greg Skinner, Mayor
Peter Sorge
David DiSabato
Kingsley Hill
Joan Dill
Chris Downing
Judy Silacci
Robert Riedel, Alternate # 2
Paul Norbury, Alternate # 3
Greg Yannaccone
Craig Darvin, Alternate # 4

Absent:

Mark Corigliano, Councilman
Matt Sutte, Alternate #1

Also Present:

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

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BLOCK 22, LOT 13 AND BLOCK 20, LOT 5 – LACKAWANNA STREET

The procedure to be followed by the Land Use Board and Governing Body regarding the Study to determine if the property needs Non-Condensation Redevelopment.

John Szabo took over the meeting and explained the process to be followed starting with the Council sending a letter to the LUB. Mr. Szabo reviewed the properties containing two lots and multiple buildings. Notices must be sent at least 10 days prior to the scheduled public hearing. Following the meetings, the board's decision is sent to the Governing Body who accepts or rejects the recommendation that the LUB makes. The power rests with the governing body. Mr. Szabo advised that he would have a report prepared in several week. There may be multiple meetings regarding the study and the decision. The Governing Body authorizes the steps to go forward and refers it to the LUB for comment. Roger Thomas advised that it is the obligation of the LUB to review the plan for the purpose of consistency with the Master Plan.

There being no further discussion on the process, David DiSabato assumed the chair for the rest of the meeting.

Minutes: The minutes of the June 2, 2021, were approved by a motion of Judy Silacci and a second by Joan Dill. Peter Sorge, Kingsley Hill and Greg Yannaccone abstained.

Resolution – Susan Rubright Resignation. Roger Thomas read the resolution into the record. Joan Dill moved to adopt the resolution and Judy Silacci seconded the motion which was adopted by the following roll call vote:

AYES: Greg Skinner; Peter Sorge; Kingsley Hill; Greg Yannaccone; Chris Downing; Judy Silacci; Joan Dill; Robert Riedel; David DiSabato; Paul Norbury; and Craig Darwin.

NAYS: None

The Secretary will have the resolution framed.

Resolution – 17 Mendham Road – This will be deferred to the August 4, 2021, meeting.

Greg Skinner and Peter Sorge; left the meeting since they are unable to vote on the application.

Before the vote was taken, Mr. Hill left the meeting.

Public Hearing:

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Application # 2020-002 – Block 23, Lot 3 – Red Horse Motoring Club of Peapack, LLC – 165 Main Street – Carried from the May 5, 2021, meeting. – *Application deemed complete 2-3-2021 – Tolling time – July 31, 2021.*

Prior to Craig Darvin coming into the meeting there were only 6 members eligible to vote and Mr. Thomas explained this to the LUB. Mr. Monaghan had left the meeting to discuss this with his client. During his absence Craig Darvin came into the meeting bringing the number of members eligible to vote to 7. Mr. Monaghan was informed of this and then agreed to proceed with the meeting. It was explained that there must be 5 affirmative votes out of the 7 to approve the application.

John Hansen was called as a witness and was reminded that he had been previously sworn. He was made the presenter and entered the following exhibit into evidence.

A-3 – dated 7-2-21 – site plan with colors identifying items on the plan. Red dashed line represents the area 5' from the property line which the liquor license encompasses. The red hatched areas are buildings excluded from the liquor license. The yellow/brown hatch is the smoking area, solid waste, and recycling area. Chris Downing questioned other areas that were to be excluded from the liquor license, which included the front showroom. The Board members discussed customers walking throughout the site with drinks. Mr. Hill had researched and noted that the ban on alcoholic beverages is only on Municipal Buildings. Mr. Thomas reminded the board that since this is a 'd' variance application, conditions can be made.

Mr. Monaghan then addressed the letter that he had sent to Roger Thomas. The letter listed the monthly events that would be using the shuttle busing which will total 24 per year but not more than 3 per month. Mr. Riedel questioned why all the events will need offsite parking.

7:30 – Kinglsey Hill left the meeting.

There was discussion on the spread sheet, and it was decided not to mark it into evidence. Mr. Hansen explained that the parking spaces required is determined by square foot of each use, not the number of persons. Mr. Thomas needs the parking demand. Joan Dill reminded the members that the applicant testified that they will be requiring reservations which will help them determine if off-site parking is needed.

After some discussion about the spread sheet, it was determined that it be revised. Mr. Harter testified that the entire management team lives in this community and designs the events to accommodate this town and what is appropriate for it. It is not Pottstown. He explained that the events in Peapack would be of a smaller and more refined nature. Regular members will not be entertained if there is an event. The employees will be parking at the northeast corner of Main and Willow.

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Public Portion

John Kapler of Holland Ave. questioned if anyone will be directing people to parking space.

There were no further questions of Mr. Harter.

John Hansen was introduced as a professional planner and was reminded that he has been previously sworn. Mr. Hansen testified to the existing conditions and the non-conformities of the property which is in the VN Zone. He reviewed the setbacks noting that all the buildings are in violation of the front yard setback. 35' is the minimum required. There is no proposal to enlarge any of the buildings, but the house is being removed. There is 19.9% building coverage and 15% is allowed. They will be removing a building bringing the coverage to 17%. The existing lighting will be enhanced. He addressed existing signage and the changes to be made displaying a photo of the building with the Red Horse Signage.

Questions by the members.

Chris Downing questioned the non-conforming signs. The sign on the side of the building mirrors the one in Pottstown not the one with the sports car.

John Hansen then addressed the use and the special reasons that are being met. He testified that there is no substantial detriment to the area and pointed out the positive criteria which included the fact that the building has been used for automobile sales for years and how it supports the use proposed. He summed up the positive criteria. The masonry structure will remain and the proposed changes will bring the building back to what it was in the early 1900's. The site is being brought up to current ADA standards. He reviewed the variances that are needed and was questioned by Mr. Monaghan, the applicant's attorney.

Members questioned the witness.

Mr. Downing questioned why the old house foundation does not need a variance. Mr. Thomas explained. David DiSabato questioned the Village Character and the affect this will have on it and questioned if there are better locations for this use.

Public Portion

John Kapler questioned is a stormwater plan had been submitted. Mr. Hansen explained that since the coverage is being reduced, a plan is not required.

Guy Torsilieri advised that he likes the application, but it appears that everyone is having an issue with the parking.

Mr. Szabo questioned the witness and the lighting impact on the area was questioned. Mr. Harders offered to dim the lighting in the showrooms pointing out that the area to the rear of the property is not visible.

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Mr. Monaghan summed up the application and the public portion for comments/testimony was opened.

Guy Torsilieri was sworn in and advised that he owns multiple properties in Peapack. His office is at 265 Main Street. As an adjoining property owner, he advised that he has a vested interest in making sure that the area is developed appropriately. He felt that the applicant had done a great job and is in favor of the application and that it will have a positive impact on the community. Hope they will approve.

Since there were no other members from the public with comments, the public portion was closed.

Wm Ryden advised that he has no other comments then that which is in his December 18, 2020, report.

John Szabo advised that he has no issue with John Hansen's testimony.

Roger Thomas suggested that the Board make a motion to approve the 'd' variance as a procedural mechanism advising that there are 7 members voting with the need of 5 affirmative votes. He asked the members to consider if the use is appropriate to the nature of the Village neighborhood and advised that there can be conditions as to the off-site parking.

Joan Dill moved to approve the 'd' variance as applied for with conditions that will be included in the site plan approval; Craig Darwin seconded the motion.

Chris Downing read the objectives listed in the Master Plan and Joan Dill spoke in support of the application.

The motion to approve the 'd' variance and site plan was approved by the following roll call vote:

Joan Dill	yes
Chris Downing	no
Judy Silacci	yes
Robert Riedel	yes
Paul Norbury	yes
Craig Darwin	yes
David DiSabato	no

The board took a 5-minute break and reconvened the meeting at 10:15 p.m.

The Board discussed some of the conditions that they wanted to be in the resolution:

- Smoking Area – limited to only area outlined in exhibit A-3.
- Liquor license – Not within 5' of property line.
- Brew Pub – not allowed

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- Events – any event that would require the parking outside of the property – limited to a closure of 11 p.m., subject to noise standards,
- Reservation on weekend only.
- Copy of lease arrangement with Melillo Equities.
- Parking on property across Main Street on property owned by Melillo Equities.
- No events on site until restoration is completed.
- Parking areas approved by Board professionals.
- Club member activity limited during events
- Determine closing hours for indoor and garden
- Hire off duty officers for events
- Residential building removed within 12 months from the date of memorialization of the resolution.
- Curb stops to be installed.
- Garage doors closed during all events
- Lighting plan
- Outdoor music to be limited to unamplified acoustic guitar music in the garden until 9:30-10 p.m.
- Somerset Co. Planning Board approval
- Dimming lights in front garage at sunset
- Gooseneck lighting on building to be dimmed.
- Employee parking area to be determined.
- Rallies – no planned rallies around this site.
- Rally is an organized event.

Chairman DiSabato was advised that the two clubs are reciprocal. The LUB members decided the following closing hours:

10 p.m. – during the week

11 p.m. for inside on Friday and Saturday evenings.

Liquor license – allowed in the garden area, pathway to the garden and the building except for the showrooms.

All agreements are to be provided to Roger Thomas for his review.

The next meeting of the LUB will be on August 4, 2021.

ADJOURNMENT – There being no further business, a motion was made by Joan Dill and seconded by Judy Silacci to adjourn the meeting at 11:20 p.m.

Sarah Jane Noll
Clerk/Administrator