

**BOROUGH OF PEAPACK AND GLADSTONE  
SOMERSET COUNTY, NEW JERSEY**

**ORDINANCE NO. 1150-2025**

**AN ORDINANCE TO AMEND CHAPTER XXIII, "LAND DEVELOPMENT ORDINANCE" OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF PEAPACK AND GLADSTONE AMENDING ARTICLE XIA,  
MU-AH MIXED USE - AFFORDABLE HOUSING ZONE**

**WHEREAS**, pursuant to the New Jersey Supreme Court "Mount Laurel" decisions, every municipality within the State has a constitutional obligation to provide realistic opportunities for the development of affordable (low and moderate income) housing; and

**WHEREAS**, the Peapack and Gladstone Borough Land Use Board has adopted an amended Housing Element and Fair Share Plan, dated August 7, 2020, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (hereinafter "Fair Share Plan") to address its constitutional obligation for the Third Round, which covers the time period from 1999 to June 30, 2025; and

**WHEREAS**, the Fair Share Plan identifies certain properties to be zoned for inclusionary development pursuant to the settlement between the Borough and the Fair Share Housing Center (the "FSHC Settlement Agreement"), including the Main Street and Lackawanna Avenue area; and

**WHEREAS**, the Borough previously amended the Land Development Ordinance to create the Mixed Use - Affordable Housing Zone (the "MU-AH Zone") for this Main Street and Lackawanna Avenue area; and

**WHEREAS**, the Borough now seeks to amend the MU-AH Zone to clarify that "breweries" are a permitted use in the MU-AH Zone, and that outdoor dining is permitted in the MU-AH Zone.

**NOW THEREFORE BE IT ORDAINED** by the Borough Council of the Borough of Peapack and Gladstone, Somerset County, State of New Jersey, that it does hereby amend and supplement the Land Development Ordinance of the Borough, as follows:

Note: deletions of existing ordinance requirements are indicated by ~~strikeout~~ where new sections are indicated by *bold italics*.

**SECTION 1.** Article XIA, §23-95.11, Mixed Use-Affordable Housing Zone, MU-AH is hereby amended as follows:

§23-95.11.c Principal Permitted Commercial and Residential Uses.

***11. Microbrewery***

§23-95.11.r.3 Approval process.

***(i) Notwithstanding the above, any proposed interior improvements or change in tenant so long as the new tenant's use is a permitted use, may be done through the issuance of a Zoning Permit unless, as so determined by the Zoning Officer, the change(s) are so significant as to require site plan approval or site plan waiver from the Land Use Board. However, any exterior improvements or modifications shall be subject to Ordinance Section 23-27 "Submission Procedures for Site Plans and Subdivisions" as to whether site plan waiver, minor site plan or major site plan is required from the Land Use Board.***

***§23-95.11.s Outdoor Dining. Outdoor dining is permitted in the MU-AH Zone as part of a permitted restaurant or retail food establishment, provided a zoning permit is first obtained by the Zoning Officer subject to compliance with Paragraphs (a), (b), (c), (d), (e) and (f) of Section 23-40.19 of this Ordinance except that approval may be granted through site plan waiver by the Land Use Board pursuant to Ordinance Section 23-27.2(b).***

**SECTION 2.** The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Somerset County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15 and 40:55D-62.1. The Borough Clerk shall execute any necessary Proofs of Service of the notices required by this section and shall keep any such proofs on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

**SECTION 3.** After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Land Use Board of the Borough of Peapack for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Land Use Board, acting in its capacity as Planning Board, is directed to make and transmit to the Borough Council, within thirty-five (35) days after referral, a report including identification of any provision in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate

**SECTION 4.** If any paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 5.** All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** This ordinance shall take effect immediately upon: (i) adoption; and (ii) publication in accordance with the laws of the State of New Jersey.

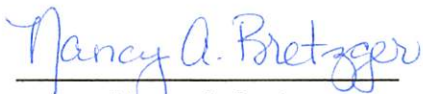
Introduced: March 4, 2025

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Jamie Murphy	X			
	X	Eric L. Quartello	X			
		Sergio Silva	X			
		Julie Sueta	X			
		John Sweeney				X
X		Jill Weible	X			

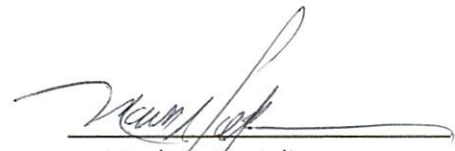
Adopted: April 15, 2025

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Jamie Murphy	X			
		Eric L. Quartello	X			
		Sergio Silva				X
		Julie Sueta	X			
X		John Sweeney	X			
	X	Jill Weible	X			

Attest:



Nancy A. Bretzger  
Borough Clerk



Mark A. Corigliano  
Mayor