

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

January 20, 2021

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 snoll@peapackgladstone.org or 201-400-9043.

Meeting started at 7:02 p.m.

Salute to the Flag

Roll Call:

Present:

Susan Rubright
Greg Skinner, Mayor
Mark Corigliano, Councilman
Kingsley Hill
Joan Dill
Chris Downing
Judy Silacci
David DiSabato
Matt Sutte, Alternate #1
Robert Riedel, Alternate # 2
Paul Norbury, Alternate # 3

Recused - Peter Sorge

Absent:

Also Present:

Roger Thomas, Esq. Board attorney
William Ryden, Borough Engineer
John Szabo, Borough Planner. – having problems with his computer
Sarah Jane Noll, Clerk/Administrator

Minutes – none

Public Hearing – Chairwoman Rubright announced that the public hearing for the Application of P-G Residential Developers LLC will end at 9:30 because the Board has other business to address. She noted that there are 33 people including the Board members and professionals in attendance at the meeting this evening. She reviewed the procedures for public hearings. There were no questions from the public concerning the procedures. Mr. Downing questioned if the application has been deemed complete. This will be addressed at the start of the hearing.

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**Application #2020-003 – Block 33, Lots 11, 11.01 & 13 – P-G
Residential Developers LLC.**

Douglas Janacek, Esq. was present along with the following witnesses:
Rob Morcello, P.E. and Ronald Kennedy, P.E.

Board Engineer Ryden advised Chairwoman Rubright that the application is incomplete pending a waiver from Checklist item # 18 requiring cross-sections and profiles of abutting roads. It was his opinion that the waiver request is valid and that it can be granted for purposes of determining administrative completeness.

Mr. Thomas determined that Peter Sorge does have a conflict and should not hear the application. Toll Bros. is part of the application according to the applicants' attorney Mr. Janacek. Mr. Sorge left the meeting.

A motion to grant the waiver request from Checklist item #18 for cross-sections and profiles was made by Susan Rubright and seconded by Mark Corigliano. The motion was passed with the following roll call vote:

AYES: Susan Rubright, Mark Corigliano, Kingsley Hill, David DiSabato, Judy Silacci, Joan Dill, Matt Sutte, Gregg Skinner and Chris Downing.

NAYS: None

Mark Corigliano asked the applicant if he wished to adjourn the hearing tonight since three (3) reports from the Borough Professionals had just been received. Mr. Janacek advised that the reports have been reviewed and that his client wishes to continue with the hearing.

Mr. Janacek summarized the previous approval of 2006 which included 14 affordable housing units and 54 Market Value units totaling 68 and no longer age restricted. Ronald Kennedy, Engineer/Planner of Gladstone Design and Stuart Johnson, Architect were introduced as his witnesses for this night's meeting.

Mr. Kennedy was sworn in by Roger Thomas, Esq. and accepted as an expert witness. He has appeared before the board on numerous occasions.

Entered into evidence were the following exhibit:

A-1 Aerial dated 1-20-21 - An aerial of the general area in town. The property in question is outlined in yellow. Mr. Kennedy explained the surrounding properties on the 2-year-old aerial. The access road and the detention basin have been constructed. The evergreens which were planted several years ago were shown in green. He pointed out the houses that have been removed and showed the connector road on the Old Brady Drive which connects to the cul-de-sac and serves as an emergency access to the site.

A-2 Environmental constraints dated 1-20-21 – There are a series of constraints and conservation easements which were the result of the 2006 approval. There are DEP conservation easements encompassing the wetlands, transition, and riparian buffers.

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The Riparian zone is represented in Purple and the uplands represented in a salmon color. There are steep slopes which resulted from the cuts and fills when the Pfizer turn around was constructed.

A-3 – Rendering used in original application dated 2-15-2006 – This represents the 2006 approval and conformity with the proposed layout. The Pfizer coming into the property will be reconstructed with a lower and upper road network. Proposed in 2006 are 68 duplex houses with a connector road and a small loop road plus two houses. All the entitlements were put in. Permits from DEP and Somerset/Union Soil Erosion and phased bonds have been obtained. A developers’ agreement had been approved by the Borough. The work had been started and then the 2008 market for age restricted housing fell apart. The DEP has approved the wetlands, transition buffers and the transition buffer averaging plans. The walking trails have been approved and reapproved. All approvals received from 2006 have been kept current to allow the building of the project. They are requesting that the affordable units be allowed to be built on this site. The units are smaller, and the landscaping features have been addressed. The road network, and the enhanced landscaping is all the same.

A-4 – Rendered site plan dated 1-20-21. – This is the same layout with a different color scheme. Roads A & B and the detention basin are in the same location. There is no change to the access road or the emergency access. The rezoning and the discussion with the Council in 2018 allows the affordable housing units on the site. The plan was to have 68 duplex units, and 14 affordable units in the Northeast corner. Mr. Kennedy reviewed the 4-way access into the site from north and south from Route 206. It will accommodate the traffic coming from these additional 14 units. Roger Thomas asked for clarification as to the proposed 66 units in addition to 2 single family. Mr. Kennedy explained that in 2006, the two existing lots 11 and 11.01(1 acre lots) had a house on each with their own separate septic systems and were outside of the Wastewater Management Plan and therefore could not be connected to the public sewer system. They would have to use a septic system for each. Since that time, the Borough has had a chance to update and amend the Wastewater Management Plan and now, the lots are part of the Wastewater Management Plan. Mr. Ryden has suggested that they can now be tied into the public sewer system and his recommendation is to eliminate the two separate lots and make the property part of the whole Condominium Association which they agree to. The setback in the ordinance is 150’ however the ordinance does allow a variance to be granted if each unit is in the same footprint of the previous units. The structures have been removed so they are asking for variances which he will address. There will be 33 duplex buildings which will total 68 market rates for sale units plus the 14 affordable units. He testified that everything is generally the same which includes the road network, the 66 units which are smaller, the grading including the cuts and fill and retaining walls, the stormwater management, limits of disturbance, tree removal is slightly less (1/2 acre less of tree disturbance), the paved emergency access with a gate at either end. Each of the units will have 2 car garages with a driveway to the road. The units will have walkout lower level with 2 stories in the front. As agreed in 2006, the buffers and landscaping have been enhanced and all improvements comply with the RSIS Standards. They have agreed to install sidewalks in front of the buildings on the east side of Roads A & B and tie into the walking trail which will loop

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through the conservation easement and wetland areas. They comply with zoning except for units # 27 & 28 and 36, 37 & 38. He reviewed the proposed enhancements on the plan:

- The impervious coverage has been reduced from 16.3% to 14.88%
- Additional open space has been provided by reducing the building footprints.
- The western property line of Hamilton Farms has been enhanced by the addition of fencing and screening down to the cul-de-sac.
- Additional testing will be performed as per Princeton Hydro and in compliance with the comments of Dr. Seuss in 2006 regarding Stormwater Management.
- Agreements with the Fire Department include the installation of sprinkler and fire suppression systems; the installation of mailboxes, paving the emergency road, installation of Knox Boxes on both gates and the locations of the fire hydrants which have been approved.
- The 911 police coordinator has explained the correct house numbering system.

Exhibit -A-5 – Rendered plan of the Northeast corner of the cul-de-sac dated 1-20-21. Mr. Kennedy described the 14 affordable units on that cul-de-sac. Visitor parking is on the inside of the loop. Parking in front of garage for one unit, the other unit does not have a garage. They are designed to look like a townhouse development.

A-6 – Western property line – landscape exhibits dated 1-20-21. Mr. Kennedy described the landscape buffer that has been agreed to by the Hamilton Cottage residents. The details will be worked out with the neighbors.

A-7 – Rear yard setback variance dated 1-20-21. It shows the two buildings # 27 and # 28. The setbacks are the same as in 2006. They are requesting variances for the setbacks and buffers. They are shown as 27’ from the property line. This is the same as 2006.

Mr. Kennedy reviewed the reports from the Board’s professionals. Starting with Mr. Ryden’s report, the applicant has agreed to merge the lots and provide the letter from the DOT to the board. Comment #11 in Mr. Ryden’s report was addressed and they agreed to the change to the cul-de-sac putting the parking to the side. Other items addressed were as follows:

- Will obtain new treatment works approval.
- Will enter into a bulk sewer agreement with the Borough.
- Do have water, gas and electric which has been brought in.
- Like to be allowed to come in off Brady Drive with bulk construction and as they finish the work on the Pfizer interchange, they be allowed to use this access. This was a condition in the original resolution – they would like the same.
- Showed the Temporary sales office which will be removed 3 months after the last sale. They use that as a display area.
- Construction trailer off Road A. is shown. As they get to the final buildout it will be removed.

The applicant has no problems with the Princeton Hydro Review which included stormwater comments. The transition area waivers have been updated in 2017 and 2018 and will be provided to Jack Szczepanski of Princeton Hydro and Mr. Ryden.

Chairwoman Rubright asked that all approvals be submitted to the board and reviewed by the members. They are asking not to do an updated E.I.S.

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Mr. Kennedy concluded his testimony. At the request of Mr. Janacek, Mr. Kennedy elaborated on the support of the C-2 variances and concluded that the benefits outweigh any detriments.

Board questioned the witness:

Mr. Corigliano asked for discussion on the 24' width of the road and the proposed parallel parking. Mr. Kennedy advised that they are following the RSIS standards. Mr. Corigliano questioned the Hamilton Farms comments regarding the fencing that is following the tree line; the combining of the three lots into one; and the wastewater for the two homes. As per the request of Mr. Corigliano, Mr. Kennedy addressed the comments in the letter received by the Environmental Commission. They are still planning to do all the enhancements addressed in the 2006 approval. Mr. Kennedy addressed the request to provide a walking path into town and advised that his client does not contemplate constructing a bridge over Route 206. Not something that is contemplated. The loop road was looked at in the 2006 application and it is not feasible. They are not enclosing anything with fencing that would prohibit animals from moving through that environment. Mr. Kennedy will review his plan to see where the 4 affordable units can store their trash containers since they do not have a garage.

David DiSabato asked Mr. Kennedy to explain the addition of road 'C'. Mr. Kennedy explained they need to meet certain criteria according to the RSIS and that the elevation change limits the configuration of the road network. Mr. Kennedy pointed out the things that are preventing the walking path from this development to the town which included the need for easements through Pfizer; linkage to the property next to FinPro; the lack of a right of way along Route 206; and the lack of access across Route 206. According to Mr. Kennedy, this takes a long-term Master Plan of collecting easements and rights over land.

Mr. Downing questioned where the project drains into the Peapack Brook and if there was any remediation done upstream after the flooding of the Catholic Church; the ability of the road to handle school buses; the positioning of the Belgium block and the proposed speed limit.

Joan Dill asked if the connector road could have parallel parking installed. Mr. Kennedy advised that it could, but it would be a longer walk. Robert Riedel questioned the list of trees and suggested that the root systems of the trees to be planted along the sidewalks be reviewed.

Kingsley Hill discussed the walking path.

William Ryden addressed # 13 in his report asking for clarification on the completion of the access road that it is **'to be completed by others'**. Mr. Kennedy will change the note on the plans.

Mr. Ryden also asked about the use of Brady Drive during construction and if there is a trigger point when the use of the drive ceases. Mr. Kennedy will investigate this; it was in

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the resolution from 2006. The parking spaces of ½ per unit will be shown on the plans. There was discussion on the number of parking spaces. It was agreed to provide 20 spaces.

Mr. Kennedy explained to Mr. DiSabato that the parking spaces are designed as per RSIS Standards and that standard is ½ parking space per unit and not all the affordable units have garages. Mr. Kennedy will try and add some parallel parking spaces. This may help to downplay the intensity that concerned Mr. DiSabato.

Susan Rubright questioned the designated spots for the affordable units. Every unit will have its own driveway. They all have one space in front of the unit; some have a garage plus a parking space; it depends on the number of bedrooms. There will be one Homeowners' Association. The affordable units are rentals. They will have a company who is managing affordable units and the people occupying the rentals will be members of the Homeowners' Association.

Mr. Corigliano pointed out there is a garbage room provided by the architect for those units without garages which he feels may not be large enough to contain the two large containers that the County just introduced as part of their new recycling program. Mr. Kennedy agreed to look into this.

Mr. Szabo advised that Mr. Kennedy has addressed some of his concerns with respect to sidewalks but, parking is his other concern which he will discuss after the public questions.

PUBLIC PORTION - A motion to open the hearing to the public for questions of the witness was made and seconded.

John Kappler – Environmental Commission Chairman questioned the elevation changes on Road 'C' shown on Sheet 10 of 49. There was discussion on his suggested changes to the road system which would minimize tree elimination. Roger Thomas suggested that the Borough Engineer William Ryden comment on this at the next hearing. Mr. Kappler then reminded the Board that the pedestrian safety issue and access to the town was an issue in 2006 and still needs to be addressed and asked if the applicant has approached any property owners on the east side of Route 206 regarding access for pedestrians. He questioned the need for the fencing.

David DiSabato questioned the zoning requirements for a playground. Mr. Kennedy explained that since this is a high-end age targeted community and is not attractive to young families, the applicant is not proposing a tot lot. Mr. Kennedy did explain that the zoning does allow for a pool, but this size unit does not allow for a club house and pool. Councilman Corigliano advised that this community is not targeted to young families.

Mr. Kennedy advised Kingsley Hill that a bridge over Route 206 would require a lot of time and money.

Mr. Kennedy advised Mr. Peter Pogany of Brady Drive West that Fowler Road would be used if there were an emergent situation.

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John Kappler stated that an EIS needs to be done. Mr. Kennedy advised that they provide a letter but not do an entire study. Chairwoman Rubright asked Mr. Kappler to provide the applicant and the Board with a list of those items in the EIS that need to be upgraded.

Because of the time, the public hearing for this application was carried to February 17th without further notice.

The Public questions of the witness will be started on the 17th of February.

Roger Thomas advised the board of the discussion of the 4 planners who submitted an RFP which included Beth McManus; Van Cleef; Ricci Planning and John Szabo.

The Board members agreed to schedule an executive session at 6 p.m. on February 3, 2021 and a separate meeting at 7 p.m. for the regular meeting.

The executive session at 6 p.m. would include Beth McManus for ½ hour and John Szabo from 6:30 to 7 p.m. Roger Thomas will advise Ms. McManus and Mr. Szabo of the meeting.

Adjourn – A motion to adjourn the meeting at 10:10 p.m. was made and seconded.

The next meeting of the Board is February 3, 2021

Sarah Jane Noll
Administrator/Secretary