

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

June 16, 2021

Peter Sorge called the meeting to order at 7:00 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 Land Use Board will hold a regular meeting by web-based platform providing remote access as the meeting will be open to the public remotely. Details for public participation were 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

Mark Corigliano, Councilman

Greg Skinner

Peter Sorge

David DiSabato

Joan Dill

Chris Downing

Judy Silacci

Matt Sutte, Alternate #1

Robert Riedel, Alternate # 2

Craig Darvin, Alternate # 4

Absent:

Paul Norbury, Alternate # 3

Kingsley Hill

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Also Present:

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

Swear in New Member – Roger Thomas, Esq. swore in Greg Yannaccone for a term to 12-31-21.

Minutes: The minutes of March 3, 2021 were approved as read.

Resolution:

Site Plan Waiver – **Block 12, Lot 12 – Application # 2021-003 – 260 Main Street**
– Parking sufficient for use of Dental Office.

Judy Silacci moved to adopt the resolution granting approval; Joan Dill seconded the motion which was approved by the following roll call vote:

AYES: Greg Skinner; Peter Sorge; David DiSabato; Chris Downing; Matt Sutte; Judy Silacci; Joan Dill; Robert Riedel and Craig Darwin.

NAYS: None

Peter Sorge recused himself from hearing the next application and David DiSabato chaired the meeting

Public Hearing:

Application # 2021-002 – **Block 21, Lot 3.01 – 17 Mendham Gladstone LP – Amended Preliminary & Final site Plan – 17 Mendham Road, Gladstone – Application incomplete until Board acts on the checklist waiver requests as per W. Ryden report 5-23-21. Somerset Co. report dated 6-8-21 is attached.**

Nicole Magdziak, Esq. introduced herself. She reviewed the prior approvals for the property. During the years 2001 and 2004 conditions on how the property is used. 2001 site plan with 2 tenants variance relief for floor area ratio and a parking variance. These variances are unchanged currently. 4 tenants with the same parking standards. Seeking to modify condition # 5 to a Day Care Center which is permitted in the VN zone. Limited on the useable space. Parking testimony will be presented.

Completeness review by William Ryden who advised that the waivers can be granted. Does not need to have the engineer justify the request. Administrative completeness.

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- Item #9 - Trees, water courses and other features within 100 feet of the P.Q. have not been shown.
 - Item #10 - Utilities and lighting coverage not shown.
 - Item #13 - Stormwater facilities not shown.
 - Item #14 - Features and existing conditions within 100 feet of the P.Q. have not been shown.
 - Item #18 - Cross sections and profiles of abutting roads have not been provided.
 - Item #20 - A landscaping plan has not been provided.
 - Item #21 - Soil erosion control plan not provided.
 - Item #22 - An Environmental Impact Assessment has not been provided.
-

Joan Dill moved to deem the application complete; Greg Skinner seconded the motion which was approved unanimously by the Board.

APPLICATION DEEMED COMPLETE.

Anthony Melillo 27 Route 202, Far Hills, NJ was sworn in. He is the Manager partner of 17 Mendham. He gave his background and relationship to the applicant. He reviewed the history of this property which was originally a hay barn. The following exhibits were entered into evidence:

Exhibit A-1 photo montage of 3 photos. He reviewed each of the photos. A front view of the building. A rear view of the building. He reviewed this application allowing for a wellness center and other amenities. 11 families have committed as of this date. DCF will license this facility. The floor plans do not need to be marked because they were part of the submission. Two story building; designated child care and amenity use. There are 2 main entrances. Foyer and entry off of the back and also the front. There are proposed: Lactation; massage; fitness room; classrooms 2,3 & 4 on first floor. 2nd floor consists of offices and parent amenities. Want 60 families. The hours will be 8 a.m. to 6 p.m. Monday through Friday. 68 children is the max. at any one time. Hire 15 full and part-time. 10 on site at any given time. The expanded program would include weekends and evenings for babysitting. Need this approval. Deliveries of standard packaging from UPS and Amazon is expected. Current sign monument will be used.

Questions of the board – The Board members questioned the ages of the children which will be from 6 weeks to 3 – 3.5 years. There are very few child day care in the area. Greg Yannaccone asked about the wellness component. He explained the wellness which is massage and workout that parent would be interested in using. Other location as 60 memberships of which 45 children are on site at any given time. Of the 45 children, 2-3 with a max. of 5 are on the site. 10 parking spaces dedicated to the office use; 10 spaces dedicated to the employees. 33 spaces available. 13 available throughout the day. Mr. Yannaccone reminded that the wellness is for the adults and asked if this then is another use separate of the child care. John Szabo's opinion is that it is allowable. The operator is very confident that there is adequate parking spaces. The other location is in Middletown, R.I. The operator was not present. Mr. Melillo testified on her behalf.

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Other questions of the Board were about the parking lot adequacy; the baby-sitting hours; outdoor play area; the fencing and monitoring of the facility. Food preparation was questioned however it was made clear that there would be no food preparation on site

Public Portion – closed – no one in the public with question.

Ronald Kennedy was sworn in 265 Main Street, Gladstone. Engineering testimony. Accepted as an expert witness.

Exhibit A-2 – 6-16-21 Aerial Map showing the site which he reviewed with the board. 37,000 s.f. property. He described the uses of the adjacent properties which consisted of offices and residential homes. Mixed use in the VN Zone. No steep slopes. No riparian buffers close to the property and no flood plan.

Exhibit A-3 – part of the submission dated June 16, 2021. It was a rendering of the property color coded. He described the parking area and entrances into the day care. Reducing lot coverage by taking a stone area and removing the stone and planting. There is a proposed play area behind the building which is enclosed up to the front corner of the building. 4' high cedar fence will be around the perimeter. The parking area will all be paved. There is a proposed rain garden which will address the stormwater. No change to the drainage. 8,691 total floor area. Variance for FAR and lot coverage – no change. 65% is allowed, reducing down to 52.7%. Ordinance says parking and FAR should not be required. Extensive landscaping is proposed. Lighting consists of 2 light poles with shoebox lights from the previous site plan approval and newer shoe box lights are being swapped for the flood lights that were there on the front; rear and south. There is no spillage of lights off the site. He reviewed Mr. Ryden's report dated 5-25-21. A traffic report was prepared by Gary Deen which Mr. Kennedy addressed. He addressed Mr. Szabo's 6-9-21 report. Will provide details about screening for the refuse area. His testimony was included.

Board questions – The drop off of children was questioned and the board was reminded that this is not a nursery school but rather a day care. It is not structured. Mr. Corigliano suggested that employee parking be accommodated across the street in the Bank parking lot.

Public Portion – no one in the public wished to question the witness.

Nicole Magdziak, Esq. had no other witnesses. She requested approval of the use of child care for this area and that the applicant be allowed to proceed with the fit out of the building.

John Szabo explained that it is approval of a mixed use which is a new application condition # 5 has to be modified because of this new application. Roger Thomas agreed with Mr. Szabo, and it is a new application in the sense of the use. A new preliminary and final site plan.

Minor preliminary and final site plan and amendment to 2001 approval, condition # 5 which restricts the use to 2 tenants. W. Ryden has no further issues nor does John Szabo. Everything has been addressed.

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Conditions:

1. Parking - condition of using the bank for employee parking
2. Day care within certain units – 68 children
3. Hours of operation 8 – 6 p.m.
4. Babysitting in evenings and weekends should be limited on x for weekdays and x on weekends. This was discussed by the board. DD suggested that the tenant come back once it is fully formed. Limit approval to daycare during the day; not the babysitting. – Anthony chimed in and asked for babysitting from 6 p.m. to 8:30 p.m. DD felt that the operator should present some testimony. He is not comfortable with babysitting hours. She can come back. With the exception of an emergency.
5. Members only and amenities are for the use of the members only.
6. Satisfy the Somerset/Union Soil Erosion District.
7. Age base 6 weeks to 4 years are the boundaries. This is the DCF approval.

Greg Yannaccone suggested that they can come back and explain to the satisfaction of the board that the babysitting is an amendment to the prior approval with no new fees.

Matt Sutte advised that the day care in R.I. is not like what they are proposing here. Joan Dill moved to approve the minor preliminary and final site plan without babysitting services; Judy Silacci seconded the motion which was passed by the following roll call vote:

AYES: Greg Skinner; Mark Corigliano; David DiSabato; Joan Dill; Judy Silacci; Chris Downing; Robert Riedel; Craig Darvin; Greg Yannaccone and Matt Sutte
NAYS: none

The LUB had no objection to the applicant proceeding with the construction as per the request of Nicole Magdziak, Esq. The Zoning Official will be so advised.

ADJOURNMENT – There being no further business, the meeting was adjourned at 9:25 p.m.

Sarah Jane Noll
Clerk/Administrator