

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.**

Reorganization meeting.

Attorney Roger Thomas assumed the chair for this portion of the meeting commencing the meeting at 7:00 p.m.

Opening Statement: Pursuant to the Open Public Meetings Act, Adequate notice of 2024 Meeting Dates was published in the Courier News and Bernardsville News on January 20, 2024, and posted with the Municipal Clerk, on the bulletin board at the municipal building and posted at the Peapack and Gladstone post offices”.

Flag Salute

Swearing in of Reappointed and New Members:

Jamie Murphy, Class I – Mayor’s proxy - 2025
John Sweeney, Class III – 2025
Sarah Jane Noll, Class II – 2025
Scott Ross, Alternate # 2
William Hillsinger, Alternate # 3
Thomas Nieberding, Alternate # 4

Roll Call:

Present:

Jamie Murphy, Class I
John Sweeney, Class III
Sarah Jane Noll, Class II
Greg Yannaccone, Class IV
David DiSabato, Class IV
Judy Silacci, Class IV
Chris Downing, Class IV
Robert Riedel, Alternate # 1
Scott Ross, Alternate # 2
William Hillsinger, Alternate # 3
Thomas Nieberding, Alternate # 4

Absent:

Matt Sutte, Class IV
Joan Dill, Class IV

Also Present:

William Ryden, Borough Engineer

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.**

John Szabo, Planner
Roger Thomas, Esq.
Sarah Jane Noll, Clerk/Administrator

Election of Chairman for 2025:

Judy Silacci moved to nominate Greg Yannaccone as Chairman of the Land Use Board for the year 2025; David DiSabato seconded the motion which was passed unanimously by the following roll call vote:

AYES: Jamie Murphy; John Sweeney; Sarah Jane Noll; David DiSabato; Judy Silacci; Chris Downing; Scott Ross; Robert Riedel; Thomas Nieberding and William Hillsinger

NAYS: None

LUB Attorney Thomas turned the meeting over to Chairman Yannaccone.

Election of Vice-Chairman for 2025

Greg Yannaccone nominated David DiSabato as Vice-Chairman for the year 2025; Judy Silacci seconded the motion which was approved by the following roll call vote:

AYES: Jamie Murphy; Greg Yannaccone; John Sweeney; Sarah Jane Noll; Judy Silacci; Chris Downing; Scott Ross; Thomas Nieberding; Robert Riedel and William Hillsinger

NAYS: None

Nominations for Clerk/Secretary:

Greg Yannaccone nominated Sarah Jane Noll as the Clerk/Secretary of the LUB for the year 2025; Judy Silacci seconded the motion which was approved by the following roll call vote:

AYES: Jamie Murphy; Greg Yannaccone; John Sweeney; David DiSabato; Judy Silacci; Chris Downing; Scott Ross; Thomas Nieberding; Robert Riedel; Thomas Nieberding and William Hillsinger

NAYS: None

APPOINTMENT OF THE BOARD SECRETARY OF THE BOARD FOR 2025.

Greg Yannaccone moved to appoint Judy Silacci as the Secretary of the Board for 2025. Sarah Jane Noll seconded the motion which was passed by the following roll call vote:

AYES: Jamie Murphy; Greg Yannaccone; John Sweeney; David DiSabato; Chris Downing; Scott Ross; Sarah Jane Noll; Robert Riedel; Thomas Nieberding and William Hillsinger

NAYS: None

APPOINTMENT OF PROFESSIONALS - RS2025-001;

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.**

Greg Yannaccone moved to adopt the resolution **RS2025-001** appointing the Attorney Roger Thomas, Planner John Szabo, and Engineer William Ryden for the year 2025; David DiSabato seconded the motion which was passed by the following roll call vote:

AYES: Jamie Murphy; Greg Yannaccone; John Sweeney; David DiSabato; Judy Silacci; Chris Downing; Scott Ross; Sarah Jane Noll; Thomas Nieberding; Robert Riedel; and William Hillsinger

NAYS: None

OFFICIAL NEWSPAPERS for 2025 - RS2025-002 & RS2025-003

Greg Yannaccone moved to adopt resolution **RS2025-002** designating the Official newspapers which are the Courier News and Bernardsville News; location for posting of notices and the fee to be paid by any person requesting individual notice of meetings and the resolution **RS2025-003** setting the meeting dates for 2025 and January 2026 and the resolution **RS2025-004** adopting the Open Public Meetings Act; Joan Dill seconded the motion which was passed unanimously by the Board.

Adjourn -

There being no further reorganization business, this portion of the meeting was adjourned at 7:09 p.m. by motion of Joan Dill and seconded by Judy Silacci. The motion passed.

**Regular Meeting
January 15, 2025**

Chairman Yannaccone opened the regular meeting of the Land Use Board at 7:15 p.m.

Opening Statement: Pursuant to the Open Public Meetings Act, Adequate notice of 2024 Meeting Dates was published in the Courier News and Bernardsville News on January 20, 2024, and posted with the Municipal Clerk, on the bulletin board at the municipal building and posted at the Peapack and Gladstone post offices”.

Roll Call

Present:

Jamie Murphy, Mayor’s Proxy 2025

Councilman John Sweeney

Sarah Jane Noll

Greg Yannaccone, Class IV

David DiSabato, Class IV

Judy Silacci, Class IV

Chris Downing, Class IV

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.**

Robert Riedel, Alternate # 1
Scott Ross, Alternate # 2
William Hillsinger, Alternate #3
Thomas Nieberding, Alternate # 4

Absent:

Matt Sutte, Class IV member
Joan Dill, Class IV member

Also Present:

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

Minutes – By motion of David DiSabato and seconded by Judy Silacci, the minutes of December 4, 2024, were approved as read. The motion passed.
Abstain: Jamie Murphy; Robert Riedel; Thomas Nieberding

Public Hearings:

219 Main PG LLC – The hearing scheduled for this date was cancelled with no future hearing date scheduled.

Celebrity Auto Realty Peapack, LLC - Certification for lawfully pre-existing non-conforming uses and structures, relative to property located at 163-165 Main Street, Block 23, Lot 3, Borough of Peapack & Gladstone, Somerset County, New Jersey.

Stephen C. Schepis, Esq. introduced himself and explained the application for the Certification of the non-conforming uses and structures.

The following exhibits were entered into evidence:

Exhibit A-1 – Letter dated 12-27-24 to the Land Use Board from Mr. Schepis
Exhibit A-2 –Aerial views dated April 23, 1951, and November 7, 2024.
Exhibit A-3 – Certification by Mr. Owens.

The Applicant presented Maria Nadal as a fact witness. She testified that she has been a resident of Peapack for many years. She has also been involved with this property for at least five (5) years that began with her involvement in the prior approval of Red Horse Motoring Club of Peapack LLC. She testified that she did research in the Municipal Building as well as from other basic sources. She indicated that the first Ordinances in

BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.

Peapack came into existence in either 1931 or 1932. This property was in the Business District. She presented as part of the Application package, the 1931 Ordinance along with the Zoning Map that shows that this property was in the Business District.

She then presented Ordinance §152 adopted in 1953 which did not change the business use from the 1931 Ordinance. The research was able to establish that there are aerial images and a 1951 Survey that showed four (4) buildings and auto parking including the auto dealership lifts, garage and a house.

As a member of the Somerset Historic Society, she was able to research that this property had been used as a theater in the 1800's and that it presented theatrical shows and dance classes on a stage located within the main structure. She also presented various photos that indicated that there had been a ticket booth that had not been removed, and that the dealership had been a Dodge dealership at one time.

She also produced tax records reflecting the fact that the property was a business use. She also noted that there were records that the house had been rented. Her research further indicated that there had been a gas station that was in existence until 1982 when it was abandoned.

She also presented a series of photos from the site at various stages during the 20th Century indicating that the property continued to be used for purposes of auto sales, auto storage, auto repair, vehicle parking and use of the single-family residence. Regarding the signage, she indicated that the signs remained consistent over the years except that there was a perpendicular sign on the front of the building which had been removed. She believes that the brackets had been retained. However, she noted that the building was painted, and the brackets might have been removed for maintenance purposes. She also indicated that the sign which was the Rob Francis Auto Sign remained on site and was to be replaced by another car dealership sign. She verified that the overall signage on the site continued to equal 111.2 square feet.

She presented a series of photos and tax records indicating that from the 1920's to the present time, the buildings had been in existence and were used for the purposes that she described as being auto sales, auto repairs, auto storage and the single-family residence and outdoor parking of cars. Those documents were made part of the record and were part of the original Application submitted.

Public Portion – A motion was made and seconded to open the meeting to the public. John Kelly of 72 Main Street questioned the use of the house. Mr. Schepes advised that the intent was to preserve the house and use it as a single-family residence. Questions were raised about the type of auto repair activity that was provided on site during its existence and as to whether any auto body work or detailing were part of any prior activities

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.**

by the owner over the years. The Applicant and the attorney for the Applicant indicated that no such activities were included in their request for a Certification of Nonconformity.

Mr. Schepes advised that none of these uses and structures are permitted under the current zoning ordinance, however these uses and structures lawfully exist having lawfully existed on the subject property prior to the zoning ordinance which rendered them non-compliant. As such, these uses and structures described are protected pursuant to N.J.S. 40:55D-68. The Applicant has applied for Certification from the Board confirming that all said uses and structures are lawful and may remain and that the Applicant may continue to use the property in the future in the very same manner as described herein. Moreover, the Applicant proposes to rehabilitate the single-family house on the property as well and use it as a single-family home.

Mr. Schepes also asked that certification be granted for other non-conformities on site:

1. Floor Area Ratio, 18.5% maximum permitted; 27.8% existing and proposed.
2. Multiple principal structures and uses on-site: auto dealership building, repair garage, single-family house. All to remain, whereas not otherwise permitted in the zone.
3. Building Front Yard Setback, 35 feet required, whereas 8.7 feet existing and proposed for the auto dealership building and 6.6 feet for the house.
4. Minimum Side Yard Setback of a building, 10 feet required, 3.1 feet existing and proposed for auto dealership building.
5. Maximum Building Coverage, 15% permitted, whereas 17.8% is existing and proposed.
6. Maximum height of accessory structure auto repair garage building, 15 feet permitted, 20 feet existing and proposed.
7. Signage, maximum square footage permitted is 50 square feet, whereas 105 square feet exists and proposed, inclusive of a hanging and building-mounted signs.
8. No on-site curbing, whereas such curbing is required.
9. No screening/enclosure for trash dumpsters, whereas such screening/enclosure is required.
10. Substandard on-site lighting to remain.
11. Non-standard undelineated parking spaces on gravel to remain, whereas paved, striped parking spaces are required.
12. Undelineated loading areas on gravel to remain as-is, whereas paved, delineated loading area required.

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
AGENDA
January 15, 2025
7:00 P.M.**

The LUB members deliberated on the request.

Greg Yannaccone moved to approve the Certification Request with the conditions discussed; John Sweeney seconded the motion which was approved by the following roll call vote:

AYES: David DiSabato; Greg Yannaccone; Chris Downing; Judy Silacci; Sarah Jane Noll; Jamie Murphy; John Sweeney; Robert Riedel; Scott Ross; William Hillsinger and Thomas Nieberding.

NAYS: None

Resolutions:

Bethel Ridge Corporation & PG Affordable Housing, Inc., Block 20, Lot 1.03 - Preliminary and Final site plan and subdivision

Greg Yannaccone moved to approve the resolution; Sarah Jane Noll seconded the motion which was approved by the following roll call vote:

AYES: Greg Yannaccone; David DiSabato; Sarah Jane Noll; Judy Silacci; Scott Ross; William Hillsinger

NAYS: None

158 ROUTE 206 PG, LLC -BLOCK 20, LOT 1.02 – Preliminary and Final Site Plan.

David DiSabato moved to approve the resolution granting Preliminary and Final site plan; Greg Yannaccone seconded the motion which was approved by the following roll call vote:

AYES: David DiSabato; Judy Silacci; Chris Downing, Sarah Jane Noll; William Hillsinger

NAYS: None

The February meeting was cancelled since there are no applications to be heard.

Chris Downing advised that he is away for the two (2) meetings in March.

ADJOURNMENT: By motion of Judy Silacci and seconded by Sarah Jane Noll, the LUB meeting was adjourned at 8:55 p.m. The motion was passed.

Sarah Jane Noll
Clerk/Secretary