

**BOROUGH OF PEAPACK & GLADSTONE  
LAND USE BOARD**

**October 4, 2023**

Chairman Greg Yannaccone called the meeting to order at 7:00 p.m.

**Opening Statement:** Pursuant to the Open Public Meetings Act, Adequate notice of the 2023 Meeting Dates was published in the Courier News and Bernardsville News on January 24, 2023, and posted with the Municipal Clerk, on the bulletin board at the municipal building and posted at the Peapack and Gladstone post offices.

**Salute to Flag**

Roll Call

**Present:**

Mayor Mark Corigliano  
John Sweeney, Councilman  
Sarah Jane Noll, Class II  
Greg Yannaccone, Class IV  
Judy Silacci, Class IV  
Joan Dill, Class IV  
Chris Downing, Class IV  
Matt Sutte, Class IV  
David DiSabato, Class IV  
Robert Riedel, Alternate # 1  
Craig Darwin, Alternate # 2  
Scott Ross, Alternate # 3  
William Hillsinger, Alternate #4

**Absent: None**

**Also Present:**

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

**Pledge of Allegiance**

**Minutes:** The minutes of the September 6, 2023 LUB meeting were approved as read by a motion of Joan Dill and seconded by Judy Silacci. The motion passed.

**1. Resolution to be adopted:**

**LUB 2023-006 - Essex Hunt Club**

By motion of Judy Silacci and seconded by John Sweeney, the resolution was approved by the following roll call vote:

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**AYES:** Mark Corigliano; John Sweeney; Greg Yannaccone; Judy Silacci; Joan Dill; Chris Downing; Robert Riedel; and Sarah Jane Noll

**NAYS:** None

Scott Ross recused himself from participating in the following application. He is conflicted.

**Request for Site Plan Waiver:**

**Application # 2023-007 - Waiver of Site plan request. 219 Main PG, LLC – Block 22, Lot 13.**

Nicole Magdziak, Esq. of Day Pitney Law Firm was present representing the client 219 Main PG, LLC.

Ms. Magdziak explained the reason for the application. The existing building is set up for a single tenant and they are seeking approval for multiple tenants. There will be no new building or development but only to beautify the site and repair the building. Chairman Yannaccone asked the Board members to hold questioning until Ms. Magdziak has finished her opening statement.

According to Ms. Magdziak, this application is not meant to supersede any prior approvals.

The following exhibits were entered into evidence:

**Exhibit A-1** – PowerPoint presentation consisting of 18 sheets – Application for Site Plan Waiver dated 10-4-23. Four (4) copies of Exhibit A-1 will be provided to the Secretary for the professionals and the file.

Anthony Melillo was called as the first witness. Mr. Melillo was sworn in. His place of business is at 27 U.S. 202, Far Hills, NJ. He has applied for a waiver of site plan for the property. He testified that the property currently includes an existing building that has been on the site for many years and is located on a property that is part of a Redevelopment Plan. He is seeking the waiver since the proposed modifications will not impact the footprint of the building. They propose to repave the existing parking area, install foundation plantings, install a garden wall, replace pole lights to assure that they are more compliant with current regulations and to repair and add Belgian block curbing where needed. The building was used for many years to sell machinery and equipment. He testified that the existing building is set up so that only one (1) unit exists at 14,472 sq. Ft. He is proposing to reconfigure the interior of the building to accommodate nine (9) units. The front of the building is proposed to consist of Units 1-6 ranging from approximately 744 sq. ft. to 855 sq. ft. Access will be from the front of the stores. There will be three (3) units in the rear with side access as well as access to the middle unit

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through a corridor along the front of the building. Those units will range from approximately 1,400 sq. ft. to 1,840 sq. ft. He testified that all tenants of the units would be for permitted uses. Mr. Melillo advised that this proposal is part of an overall Redevelopment Plan involving the Lackawanna Tract ("Lackawanna Village"). This would include 40 residences, of which 17 would be Affordable Housing. He noted that there have been delays because of the anticipated change in the NJDEP Rules modifications. He advised that the NJDEP Flood Rules indicate that no building is authorized in the floodway and in addition, if tied into a site plan application, all buildings within a floodway would be required to be removed. Only commercial parking is allowed within the floodway. If a site plan was required, then the NJDEP Flood Rules would be triggered, which would create major problems for the future development of Lackawanna Village. With a site plan waiver, the NJDEP Flood Rules would not come into play. Using two (2) photos, he described the proposed changes which included large, recessed entries, and large multi-paned windows which will be done in an historical manner. Board Attorney Roger Thomas explained that notification to the neighbors is not required. This is a general overview and not a change of what was originally approved. Mr. Szabo, LUB Planner cited Section 23-27.2b in the ordinance which allows the LUB to decide if site plan can be waived and if the proposed change is substantial enough to warrant site plan approval.

Mr. Melillo continued his testimony listing the three (3) parcels that comprise the entire zone. He indicated that if he was able to obtain the site plan waiver, he would agree that there would be movement with regard to two (2) Affordable units and a group home at 291 Main Street and that this would result in the production of 30% of the Affordable Housing where only 8% of the project is being developed by the internal modifications of the existing building at 10 Lackawanna Ave. He represented to the Board that if he was able to obtain site plan waiver, the following timeline is one that he could reasonably expect the Borough to rely upon. They included the filing of the Floor Hazard Area ("FHA") /Letter of Interpretation ("LOI") applications on or before December 31, 2023. He would also apply for a construction permit and, if required, a site plan waiver, for 217 Main Street by February 1, 2024, and hopefully receive permits for the FHA and LOI by June 1, 2024. He also hoped to obtain Lackawanna Village approval from the NJDEP Land Use Section by September 1, 2024, and finally Lackawanna Village Land Use Approval thereafter.

The Board Professionals and members felt that a phasing plan is necessary and asked who will approve the phasing plan and when. It was decided that the LUB would approve the Phasing Plan which will be hooked to the issuance of the Certificate of Occupancy. The approval of the waiver of site plan will be subject to the applicant completing two (2) Affordable Housing units and the group homes at 291 Main Street six (6) months after the issuance of the fifth Temporary Certificate of Occupancy (TCO) for the proposed stores at 10 Lackawanna Ave. A Phasing Plan will be submitted to the Borough Representatives on or before December 31, 2023, for the total Lackawanna project. The LUB will recommend to the Construction Official to authorize a Building Permit to be issued

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immediately upon the action taken by the LUB on October 4, 2023, and prior to the Memorialization of this action. The applicant was advised that any actions that he may take shall be in accordance with the Resolution of Memorialization and any deviations from the Conditions of Approval shall be taken at the sole and complete risk of the developer and shall be remediated by the developer.

The applicant had no other witnesses and concluded their presentation.

**Public Portion** – was opened by motion and a second and closed by a motion and a second since there was no one in the public wishing to comment.

Engineer William Ryden reminded that a ‘Lot Development Plan’ must be approved prior to the issuance of the building permit.

By motion of Joan Dill and seconded by John Sweeney, the Site Plan Waiver request was approved subject to the conditions discussed by the LUB. The following vote was taken.

**AYES:** Joan Dill; Judy Silacci; John Sweeney; Mark Corigliano; Greg Yannaccone; Sarah Jane Noll; Chris Downing; Matte Sutte; David DiSabato.

**NAYS:** None

LUB Attorney Roger Thomas introduced Matt Lynch, Esq. from Dolan and Dolan who may at times be present at the LUB when Mr. Thomas is not available.

**OTHER BUSINESS:**

The next meeting of the LUB will be on November 1, 2023, and it will be virtual since it will be held for the adoption of the resolution for this application only. There are no applications presently before the LUB according to the Clerk/Secretary.

**Adjourn**

By a motion of Joan Dill and seconded by Judy Silacci, the LUB meeting was adjourned at 8:55 P.M. The motion passed.

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Sarah Jane Noll  
Clerk/Secretary