

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

December 4, 2024

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 2024 Meeting Dates was published in the Courier News and Bernardsville News on April 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

Roll Call:

Greg Yannaccone, Class IV
Sarah Jane Noll, Class II
Judy Silacci, Class IV
David DiSabato, Class IV a
Chris Downing, Class IV
Scott Ross, Alternate # 3
William Hillsinger, Alternate # 4

Absent:

Mark Corigliano, Class I
John Sweeney
Joan Dill, Class IV
Matt Sutte, Class IV
Robert Riedel, Alternate # 1
Craig Darvin, Alternate # 2
Sean Walsh, Princeton Hydro

Also Present:

Roger Thomas, Esq.
John Szabo, LUB Planner
William Ryden, P.E. LUB Engineer

Minutes: A motion approving the LUB minutes of November 20, 2024, was made by Judy Silacci and seconded Hillsinger. The motion passed.

Abstained: Greg Yannaccone

Public hearings:

#2024-005 – Block 20, lot 1.02 – 15 Apgar Ave., Bethel Ridge Corp.- Major Preliminary & Final Subdivision and Site Plan. Luke S. Pontier, Esq. was present representing the applicant. Tolling – 12-31-24

There was a court Reporter Gina Lamm present representing the applicant.

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Mr. Pontier reviewed the application and any updates since the October public hearing. A report dated October 2, 2024, from the Borough Environmental Commission had been received along with a report from the Borough Fire Department dated October 9, 2024.

Gary Dean, Traffic Engineer of 181 W. High Street, Somerville NJ was called as the next witness. Mr. Dean was accepted as an expert in his field.

Traffic Impact Analysis report dated September 13, 2024, and prepared by Mr. Dean was discussed. He explained the preparation of the report and the evaluation that was done. He explained that affordable housing has lower calculations. He concluded his testimony that, based on his review, safe and efficient access and circulation can be provided to/from the site with reasonable and prudent driver behavior. Consequently, from a traffic engineering perspective, the site is particularly well suited for the proposed development and will have no detrimental impact on traffic conditions on the roads surrounding the site.

Questions of the witness by the Board

Chris Downing questioned the parking spaces being provided. Two (2) Electric Vehicle (E.V.) spaces will be provided. He questioned that the study was conducted in February when there is very little outdoor activity. He questioned the safety of pedestrians on the road. David DiSabato questioned if there will be school children walking along the road. Mr. Dean stated that the road should be kept as narrow as possible. The RSIS does not require the widening of Apgar Ave. It is the opinion of Mr. Dean that Apgar Ave. is safe for this project. A 25-mph speed is the lowest speed limit according to statute. Mr. Szabo commented that there is no connection between Hillcrest and Apgar Ave. and that the imposition of cost generators could be challenged. Residents of the group home do not drive. There were no further questions of the witness.

Public Portion

A motion to open the meeting to questions of the witness was made and seconded. The motion passed.

Owen Duff, 4 Apgar Ave. questioned why the report was done in February. This was explained by Mr. Dean. Mr. Duff questioned the numbers in the report. Mr. Dean advised that there were people out there and video recordings showing each turning movement every 15 minutes.

Rebecca Trelstad, 7 Apgar Ave. questioned the traffic. Mr. Dean explained the hours that the study was conducted.

The board members, Mr. Thomas and Mr. Szabo, questioned the witness about the peak hours and why these were used. Mr. Dean explained that this is a low volume street, however the development will have an effect. There will be 140 trips during a 24-hour period. Low volumes at low speeds. Mr. Dean would not recommend the construction of sidewalks down to Pottersville Road. Curbing would affect the stormwater runoff which

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would then involve the NJDEP. Mr. Hillsinger suggested that this discussion is not the subject of the Land Use Board.

Peter Weller, 13 Apgar Ave. discussed the condition of Apgar Ave.

John Kappler, 25 Holland Ave. asked if the conflict has been analyzed? Mr. Dean advised that he has no concern for the safety of anyone walking on the road. He is not in favor of putting in sidewalks when there is no compelling need for it and that sidewalks are not needed.

Thomas Malnick, 1 Apgar Ave. asked what the width of a road into this project would be if it were in another location. Mr. Dean responded that RSIS would need to be 24' or wider.

Jean Nolan questioned if the cars entering the site had been counted. The answer was affirmative. Mr. Dean commented that in his opinion, the road is not dangerous.

John Kappler questioned if the installation of a sidewalk would be beneficial. Mr. Dean commented that this had not been evaluated.

There were no further questions of the witness. The Public Portion was closed.

Ronald Kennedy, P.E and PP was the next witness called and he was reminded that he was still under oath. Mr. Kennedy was accepted as an expert Planning witness.

The following exhibit was entered into evidence:

Exhibit A-6: Rendered site plan dated December 4, 2024 - Mr. Kennedy noted that the one-bedroom (1) units needed to be larger and have been moved five (5) feet closer to the park. There is a total of 4 1-bedroom units. There is no change in the 50' sideyard setback towards Pottersville Road. No variances are necessary.

Mr. Kennedy advised that his office had met with the abutting property owner, Mr. Weller, who was concerned about a black walnut tree on his property. There was an agreement that the applicant would change the species that they were planting on their site to protect the black walnut tree. He also noted that they met with the Corbin family and agreed to relocate landscaping in regulated areas to protect the Corbins' view corridor and provide additional evergreens. They will provide six (6) street trees along the extension of Apgar Avenue. A Developer's Agreement would be part of any approval.

Mr. Kennedy addressed clarification of waste dumpsters. They will be using smaller bins in the recycling area which are picked up by the County. There will be 10 bins for the 20 units. They will have to be rolled out. There will be a large, enclosed area containing garbage and recycling bins.

The Park will be utilized by the residents of these units.

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Drainage that affects Corbin was discussed using Exhibit A-6. The applicant has agreed to create a swale on the other side of the tennis courts, subject to Green Acres' agreement and an agreement with the Borough.

Mr. Kennedy acknowledged receiving the letter from the Fire department. He explained that the water main is only 4" and is 6" on Pottersville Road. He noted that the replacement of those water mains would be a substantial cost and would adversely affect the ability of this project to proceed. He opined that the project has sufficient water available for domestic purposes and for fire safety, utilizing the existing water lines. John Szabo explained that this is an inclusionary site.

Mr. Kennedy reviewed the deficiencies in lot size, lot width, lot depth, and minimum front yard regarding Lot 1.06 and the lot size deficiency and minimum lot width deficiency for Lot 1.07. He indicated in his testimony and the testimony of Mr. Dean that the traffic issues will not adversely affect the viability of Apgar Avenue and that the development is in keeping with the village neighborhood character of the area.

The Board members questioned Mr. Kennedy.

Open Public Portion for questions of the witness:

The public portion for questions of the witness was opened and closed since there was no one in the public wishing to question the witness.

Open Public Portion for Comments:

The Open Public portion was opened for comments regarding the proposed project. Residents commenting were sworn in. Rebecca Trelstad and John Kappler had concerns about busing school children and the installation of a walkway.

Since there were no other people wanting to comment, the public portion was closed.

The applicants' Attorney made his closing argument and reiterated that the property is zoned for the affordable housing, and it is a permitted use.

Roger Thomas advised the LUB members that the matter is completed and that this is a 100% affordable housing project meeting the Borough's obligations.

A motion approving the preliminary and final major site plan and subdivision with conditions was made by Scott Ross and seconded by Greg Yannaccone by the following roll call vote:

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

NAYS: Chris Downing

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It was noted that improvements to Apgar Avenue as concerned by the citizens of the area be discussed at the Council level.

Other Business: None

Adjourn – By motion of Greg Yannaccone and seconded Judy Silacci, the meeting was adjourned at 10:10 p.m. The motion passed.

**Sarah Jane Noll
Clerk/Administrator**