

**BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
May 3, 2023**

Chairman Greg Yannaccone called the meeting to order at 7:05 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.

Roll Call

Present:

Councilman John Sweeney
Officer Thomas Scanlon
Greg Yannaccone, Class IV
David DiSabato, Class IV
Judy Silacci, Class IV
Joan Dill, Class IV
Chris Downing, Class IV
Matt Sutte
Robert Riedel, Alternate # 1
Scott Ross, Alternate # 3

Absent:

Mayor Mark Corigliano
William Hillsinger, Alternate #4
Craig Darvin, Alternate # 2
John Szabo, Planner

Also Present:

William Ryden, Borough Engineer
Roger Thomas, Esq.
David Novak, Representing Borough Planner
Sarah Jane Noll, Clerk/Administrator

Presentation – Partnering with the Highland Council – Benjamin Spinelli, Executive Director of the Highland Council was present and made a presentation. Mr. Spinelli explained that conformance with the Highlands’ Master Plan is mandatory. He referred to both Chester Township and Chester Borough explaining the different needs of both municipalities and how they were met. The Highlands Act was adopted on August 10, 2004 as the result of overdevelopment threatening the water supply, natural habitats, and historic and cultural resources. 70% of New Jersey drinking water comes from the highlands. The Core element of the Highlands is to protect the water. There is a Regional Master Plan which provides a regional analysis, identifies Goals, Policies, and Objectives (GPOs) and defines programs to implement the GPOs. The Land Use Capability Zones map shows the important aspects of the Highlands in Peapack &

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Gladstone. He advised that there are few conflicts with existing zoning, and most can be resolved. There is Grant Funding with no match required to do an analysis of the Borough which will bring the Borough into conformance with the Highlands Master Plan. This can help to coordinate with DEP, DOT, DCA, etc. Mr. Spinelli discussed the funding available which includes Open Space & Trails Plan, Municipal Center and Trail Feasibility Plan, Circulation Plan, Economic Development Plan and in Roxbury Township, the Stabilization Plan for the Musconetcong Streambank.

There is no Preservation Area in the Borough, the Borough is in the Planning Area which must conform to the Highlands Master Plan. A municipality can opt out at any time and does not have to pay any of the grant money back.

The Board members had some questions of Mr. Spinelli. Councilman Sweeney explained that Mr. Spinelli had made a presentation to the Council, and it was decided that the Land Use Board should be familiar with the Highlands Council. Chairman Yannaccone thanked Mr. Spinelli for his presentation.

John Sweeney stepped down.

Public Hearing:

#2023-001 – Jeanne TenBarge – 10 Barre LLC, DBA XBarre- Block 8, Lot 23 – 168 Main Street, PO Box 416, Peapack, NJ 07977

Jeanne TenBarge was sworn in and advised the Land Use Board of where her property is located. Ms. TenBarge read the Legal notice which included a request for the amendment to 'd 3' variance and the preliminary and final approval approved by the Land Use Board in March of 2015.

Ms. TenBarge explained that she would like to extend the hours of operation which had been previously granted from 5:45 a.m. to noon Monday through Friday with a maximum of four (4) classes per day to allow additional hours from 5:45 a.m. until 8:30 p.m. Monday through Friday and from 7:30 a.m. to noon on Saturday and Sunday. Ms. TenBarge agreed to only four (4) classes per day.

Roger Thomas, Esq. explained the prior approval and conditions to the Land Use Board and advised that the applicant must furnish positive and negative criteria of the expansion since it is a 'd' variance request.

Ms. TenBarge testified that everything about her studio is positive and includes both mental and physical benefits to her clients who live in town and the surrounding towns. The clients bring business to this community by patronizing the local businesses. There is no negative to this business. The reason for her request is to provide an opportunity for

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residents and others to take advantage of her services not only in the morning but also in the evening.

She testified that the offsite parking is still to be located at the funeral home; the lighting is the same that was approved in 2015 and there are no noise complaints. Her classes are limited to 8 clients and will not exceed that number. She employs one (1) or two (2) other people including herself. There are no activities outside. She did have classes outside during Covid. She was asked if clients park on the street. She advised the Land Use Board Members that she has told her clients about the parking restrictions, and that they are to park at the funeral home. She indicated that it is difficult for her to see where clients are parking when she is teaching classes. She was advised that since it is her business, she is responsible for the parking. She agreed to reinforce the parking issue. The sandwich sign has been removed.

Public Portion

The following members of the public were sworn in by Board Attorney Roger Thomas.

Jess Golumbeski residing at 48 Mendham Road, Far Hills, commented as a client of 5 years of the benefit of this studio to her and confirmed that Ms. TenBarge constantly reminds the clients of the parking restrictions.

Anna Walz residing at 12 Highland testified to the benefit of these classes to her and advised that she parks at the funeral home and sometimes at the park. Mr. Thomas explained that Ms. TenBarge is asking for something that is not permitted and that she agreed to have her clients park at the Funeral Home.

John Kelly residing at 17 Main Street, an abutting neighbor, testified that there are never ten (10) cars in the front and that the business is conforming. He does not observe any problems with parking and the lights don't bother him. He encouraged the Board to grant the modification.

Several other members of the public spoke of the benefits to the community that this business provides and their individual attendance at the classes and their parking habits.

Anthony Melillo of 185 Main Street, Peapack advised that he has no problem with the use but asked if the variance runs with the land and if so, if Ms. TenBarge were to sell the property will it continue as an exercise studio. Mr. Thomas answered that the use goes with the land and can continue with this use.

Public Portion was closed to questions of the applicant.

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Mr. Thomas advised the Board on what conditions they would impose if they do approve the request. He explained that this is a 'd' variance, five (5) affirmative votes are required to approve.

1. Continue with 8 clients per class and no more than four (4) classes per day. Hours extended to 8:30 p.m. Monday through Friday and to noon on Saturday and Sunday.
2. The size of the building used for business purposes is 700 sq. ft.
3. The applicant shall continue to maintain its license arrangement with the Funeral Home to provide for off street parking for the site.
4. Lighting shall be focused downward as was the prior condition.
5. No outdoor classes
6. No sandwich board or any other signage that is not previously authorized by the prior approval.

A motion to approve the requested amendment to the 'd 3' variance approval of March 2015, was made by Joan Dill and seconded by Judy Silacci and approved by the following roll call vote:

AYES: Greg Yannaccone; David DiSabato; Chris Downing; Matt Sutte; Joan Dill and Judy Silacci and Robert Riedel.

NAYS: None

Minutes – A motion to approve the minutes of April 19, 2023, was made by Judy Silacci; seconded by Joan Dill. The motion passed.

Resolution:

Request to Extend Protection for Site Plan & Variance Application – P-G

Residential Developers, LLC by LUB Resolution Adopted April 7, 2021. Block 33, Lots 11, 11.01 & 13.

A motion to approve the resolution granting an extension of protection for site plan and variances to P-G Residential Developers, LLC was made by Joan Dill and seconded by Judy Silacci and approved by the following roll call vote:

AYES: Thomas Scanlon, Greg Yannaccone, David DiSabato, Judy Silacci, Joan Dill, Chris Downing, Matt Sutte, Robert Riedel, Scott Ross.

NAYS: None

Adjourn

By a motion of Joan Dill and seconded by July Silacci the LUB meeting was adjourned at 8 p.m. The motion passed.

Sarah Jane Noll
Clerk/Secretary