

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

May 4, 2022

7 p.m.

Location: Via GoToMeeting conferencing system

Greg Yannaccone commenced the meeting at 7:03 p.m.

Opening Statement: Adequate notice of this meeting of the Land Use Board of the Borough of Peapack & Gladstone was given to the Courier News on January 16, 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 March 3, 2022. The meeting is a web-based platform providing remote access as the meeting will be open to the public remotely. In the event any member of the public cannot access the public file documents or exhibits, and/or cannot access the Zoom web-based virtual meeting room, they may contact the Board Secretary at snoll@peapackgladstone.org or 201-400-9043.

Flag Salute

Roll Call:

Present:

Mayor Greg Skinner

John Sweeney

Gregory Yannaccone, Chairman

Judy Silacci

David DiSabato

Chris Downing

Matt Sutte, Alternate # 1

Robert Riedel, Alternate # 2

Absent:

Craig Darvin, Alternate # 4

Paul Norbury, Alternate # 3

Joan Dill

Peter Sorge

Also Present:

Roger Thomas, LUB Attorney

William Ryden, Borough Engineer

John Szabo, Borough Planner

Sarah Jane Noll, Clerk/Administrator

Minutes: None

Public Hearing: - *carried without further to July 6, 2022, LUB Meeting*

Application # 2021-007 - Manjit Singh Bajwa – Block 14, Lot 5 – 7 Pottersville Road

Application deemed complete 4-20-22. Tolling time August 18, 2022.

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Board Attorney Roger Thomas announced that the application is being carried to the July 6, 2022@ 7 p.m., LUB Meeting without further notice. Tentatively, the meeting is scheduled to be live at the Borough Municipal building at 1 School Street.

A final decision as to whether the meeting will be live will be made at the June 15, 2022, LUB meeting.

Greg Yannaccone polled the board members. The June 15th meeting will be virtual. Board attorney Roger Thomas will verify that a hi-bred meeting is legal.

Public Hearing

2022 Housing Element and Fair Share Plan Amendment

John Szabo introduced himself and explained the reason for the meeting. This is an amendment to the 2018 Housing Element and known as the 2022 Amendment to the Housing Element. He reviewed the Fair Housing Act (FHA) N.J.S.A. 52:27D-301.

He reviewed the affordable housing obligations and identified the Court Special Master who is appointed by the Court. Fair Share Housing Center is a driving force in the affordable housing. He reviewed the Borough 2016 Affordable Housing Obligation and the numbers at that time. He explained the reason for the changes. He reviewed the amendment to the 2018 affordable housing on August 19, 2020, explaining that very little is changing in the plans. Natirar will be the developer of the 20 family rental units on the Smith property. The Lackawanna property needs rehabilitation which will be limited to a five-year plan of tax abatement rather than the 30-year plan. The FinPro property will have the 5 affordable units and a storage unit facility. The total units are 105. There is a map in the study that shows where the units are located. This plan will have the Borough in compliance until 2025.

Questions of Board members:

- Chris Downing questioned both the FinPro and the Lackawanna Project. Mr. Szabo explained that this plan provides for the rezoning to allow an additional use for FinPro. This is providing opportunities thru zoning and other actions that will facilitate the affordable housing. The zoning for the FinPro is an overlay zone. It remains a highway zone. The State Law permits EV units and advised that concerns can be addressed when the site plan approval is applied for.

- John Sweeney asked if the ordinance is broad enough for the board to restrict hours of operation. Mr. Szabo advised that this can be put in the operation of the facility or limit it as part of the Board's review of site plan. The ordinance is only for the FinPro property and is not spot zoning but rather it is a land use that is specifically permitted on this property.

Public Portion:

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- Peter Weller – Apgar Ave. – Mr. Weller was assured that there will be a site plan application applied for and the owners of all properties within 200' of the subject property will be served notice.

There being no further questions from the public, the public portion was closed.

Judy Silacci moved to adopt the 2022 Housing Element and Fair Share Plan Amendment; John Sweeney seconded the motion was passed by the following roll call vote:

AYES: Greg Yannaccone; Mayor Skinner; Councilman Sweeney; David DiSabato; Judy Silacci; Chris Downing; Matt Sutte and Robert Riedel

NAYS: None

Ordinance Consideration:

1112-2002 Ordinance to Amend Land Development Ordinance for Affordable Housing Zoning with attachment

Board Attorney Roger Thomas explained that this is a referral by the Council and that the Board must find that this ordinance is **Not incompatible with the Master Plan.**

Mr. Szabo commented on the resolution and the redevelopment plan, and that the ordinance codifies the redevelopment plan and creates the overlay zone on the FinPro property. It is the same ordinance that exists today but refers to the redevelopment plan. Because it is an ordinance it does require review by the LUB. It is very consistent with the housing plan. The changes are highlighted in **dark bold.**

Questions of Board members:

David DiSabato questioned the development of the Lackawanna area and the underground parking and infrastructure of the building. Mr. Szabo explained to Mr. Downing that neither the planner nor the engineer made the determination that the Lackawanna area needed redevelopment. Mayor Skinner advised that the sewer system has been upgraded since 1967 when it was installed, and it needs repair.

Mr. Szabo explained that the site plan review will determine that all regulations are met. There was discussion on balconies and verified that they cannot be extended into the setbacks.

Public Portion – The public portion was opened and closed to the public. There was no one in the public with questions.

Mr. Downing asked for further review of the ordinance and questioned the use of the FinPro property. These questions will be answered when the LUB reviews the site plan application. Mayor Skinner explained that there is very little traffic to storage facilities. There will be only one access into the FinPro property. Mr. Downing questioned the height of the building. The front of the building is set at 50' height. Any expansion will be toward the rear of the building. There cannot

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be any commercial or outdoor storage. It will only be residential storage and only inside. There will be no overnight parking. The hours of operation will be discussed during site plan. There will be no picnic tables or bathrooms. The charging station is open to the public. The ordinance allows for signage for the charging station. The hours of operation will be taken out of the ordinance and left blank to be determined during site plan review.

Greg Yannaccone made a motion determining that the ordinance **1112-2002** is not inconsistent with the Master Plan; Greg Skinner seconded the motion which was passed unanimously by the following roll call vote:

AYES: Greg Skinner; John Sweeney; Greg Yannaccone; Matt Sutte; Robert Riedel; Judy Silacci; David DiSabato and Chris Downing.

NAYS: None

R-97-22 – Resolution delineating 219 Main Street and 9-35 Lackawanna Avenue as an Area in Need of Rehabilitation.

John Szabo explained that the resolution has been sent to the LUB for an opportunity to offer recommendations to the resolution; it has not been adopted. Chris Downing suggested that the Council be aware that # 6 is not just based on age.

Future Meeting agendas:

The Board Clerk/Administrator advised of the application to be heard on June 15th. It is a variance application for lot coverage and floor area ratio on Patriot Road. There will not be a meeting on May 18th or June 1st.

Any Other Business:

ADJOURNMENT: By motion of Greg Skinner and seconded by Greg Yannaccone, the meeting was adjourned at 8:45 p.m.

**Sarah Jane Noll
Clerk/Administrator**