

BOROUGH OF PEAPACK & GLADSTONE

LAND USE BOARD

September 18, 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
Mark Corigliano, Class I
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:

John Sweeney
Joan Dill, Class IV
Matt Sutte, Class IV
Robert Riedel, Alternate # 1
Craig Darvin, Alternate # 2
William Ryden, P.E. LUB Engineer

Also Present:

Matthew Lynch, Esq. Substituting for Roger Thomas, Esq.
John Szabo, LUB Planner

Minutes: A motion approving the LUB minutes of June 19, 2024, was made by Judy Silacci and seconded by David DiSabato. The motion passed.

Abstained: Greg Yannaccone, Chris Downing and Joan Dill

Resolutions for Adoption:

- **# 2024-007 - Andrew Tucker** – Block 8, Lots 2 & 2.12 – 57 Willow Ave.
William Hillsinger moved to adopt the resolution; David DiSabato seconded the motion which was passed by the following roll call vote:

AYES: Mark Corigliano; Sarah Jane Noll; Judy Silacci; David DiSabato; Chris Downing; Scott Ross and William Hillsinger

NAYS: None

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- **#2024-004 – Tim Peters –** Block 23, Lot 16 – 87 Main Street

Sarah Jane Noll moved to adopt the resolution; Judy Silacci seconded the motion which was passed by the following roll call vote:

AYES: Mark Corigliano; Sarah Jane Noll; Judy Silacci; David DiSabato; Robert Scott Ross and William Hillsinger

NAYS: *None*

Public hearings:

#2024-008 – Timothy Ryan – Block 26, Lot 14 – 30 Willow Ave. – R-18 Zone. Variance for proposed front porch which encroaches into the front yard setback. 50’ setback required; 28.6’ exists and 19.5’ is proposed.

Daniella Fischetti, Timothy Ryan’s wife, was sworn in and testified.

The following exhibit was entered into evidence:

A-1 – site plan

Displaying a photo of their house, Ms. Fischetti explained the reasoning behind the application for a wrap around porch. The front of the house is presently 28.6’ setback from the road right of way. Evidence indicates that there was a porch on the house at some point in time. She investigated the history of the house and determined when different additions were constructed. She listed reasons for the porch on a house and assured the LUB that no trees are to be removed. She pointed out that most of the neighboring homes have front porches which are within the 50’ front setback.

John Szabo, Borough Planner advised the LUB that he had no objection to the variances being sought. He asked that in keeping with the historical character of the porch and area, that it never be enclosed. Screens would be allowed. When asked, Ms. Fischetti advised that they have no intention of taking down the dogwood trees. If they need to be removed, they will be replaced in kind.

Public Portion.

Laura Atkins – 32 Willow Ave. Peapack, New Jersey stated that she is in support of the variance being sought.

Public Portion Closed

Motion to approve.

David DiSabato moved to approve the variance with the conditions; Judy Silacci seconded the motion which was passed by the following roll call vote:

AYES: Greg Yannaccone, David DiSabato; Chris Downing; Judy Silacci; Sarah Jane Noll; William Hillsinger; Scott Ross and Mark Corigliano

NAYS: *None.*

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#2024-010 – Borough of Peapack & Gladstone – Block 8, Lot 16 – 5 Willow Ave. – R-18 Zone. minor subdivision with front and rear yard variance request. John DeLuca, Esq. was present representing the Borough of Peapack & Gladstone. Mark Corigliano recused himself from hearing the application.

Mr. DeLuca advised that this is an application for a minor subdivision and variance of Block 8, Lot 16 which is owned by the Borough of Peapack & Gladstone. The property is in the R-18 Zone – Single family residential. They are proposing to subdivide the existing lot into Lot 16.01 for public use and Lot 16.02 for a single-family home. The following exhibits were entered into evidence:

Exhibit # A-1 – subdivision plat

Exhibit # A-2 - An application package which was handed out.

Mr. DeLuca advised that the property was the site of a historic schoolhouse in the 1800s and in the early 1900s it became a private residence. The Peapack-Gladstone Woman's Club purchased the property in 1945 and renamed it "Sara Gluck Kay Memorial Building". Sarah Kay was the founder of the Borough's library. In 2002 the Borough of Peapack & Gladstone purchased the property for the intended site for the Borough Library. In 2005 the building was demolished.

Robert Cigol, P.L.S. of DMS Associates, Inc. was called as a witness and was sworn in and testified. Mr. Cogol is a Licensed land surveyor.

Mr. Cigol explained that the lot at the deepest part is 92.2'. They are asking for a variance for both the front and rear setbacks. He feels that the proposed subdivision is not detrimental to the public good and will not impair the purpose of the Zone Plan. He added that the deed restriction on 16.01 will not be disturbed. The lot is a conforming lot.

John Szabo referenced his report dated 9-12-24 and advised that he has no objection to the subdivision with variances. The lot consists of 20,158 s.f. (0.46 acres). In the future, any changes to the property would require approval by the Land Use Board. He explained that the side setback conforms, and a Principal Building envelope is being proposed. There are street trees. The side setback conforms. The Borough is exempt from regulations; however, it was determined by the Governing Body that having this subdivision approved is the appropriate thing to do.

Open Public Portion questions

Isabel Corbin – residing at 241 A. Main Street questioned the reason for the sale of the property.

Mark DeFaro – residing at 16 Willow questioned the elimination of the open space. There is a small portion of the existing lot being kept as open space.

Open Public Portion to testimony:

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Richard Brooten of 3 Willow Ave, Block 8, Lot 17 – Mr. Brooten was sworn in and testified. The following exhibits were entered into evidence:

Exhibits W - 1 thru W - 6 - photos of the area. Mr. Brooten testified that the proposed subdivision would affect he and his wife’s quality of life. His view from his deck will be affected. He asked the LUB to consider imposing a 25’ side yard setback so that the proposed house will not block his view and trees would not have to be removed for the construction of a home. There was discussion and Mr. Cogol studied the proposed subdivision. The LUB decided to increase the side yard setback to 30’ and reduce the rear yard to 25’. The plot plan will be amended to reflect this and include a 15’ Shade Tree easement. If the trees are ever removed, they will have to be replaced.

Donna Brooten – 3 Willow Ave. was sworn in and thanked the Board for their consideration and decision.

Motion to approve:

Sarah Jane Noll moved to approve the subdivision and variances with the changes that were discussed; Greg Yannaccone seconded the motion which was passed by the following roll call vote:

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

NAYS: None

Slope Ordinance:

Isabel Corbin representing the Environmental Commission of the Borough was present and introduced herself to the LUB. Chairman Greg Yannaccone explained the procedure and the development of this ordinance. He did advise the Board that if they decided to forward it to the Mayor and Council for consideration, he would attend the Council meeting with Ms. Corbin to explain the ordinance.

Greg Yannaccone moved to forward the ordinance to the Mayor and Council for consideration; David DiSabato seconded the motion which was passed unanimously.

The Clerk/Administrator reviewed the schedule for the upcoming meetings. Bethal Ridge is scheduled to be heard on October 2, 2024.

Upon questioning by Chris Downing, Roger Thomas, LUB Attorney will have to determine whether John Sweeney and Mark Corigliano can hear the Bethal Ridge application.

Other Business: None

Adjourn – By motion of Greg Yannaccone and seconded Judy Silacci, the meeting was adjourned at 8:33 p.m. The motion passed.

**Sarah Jane Noll
Clerk/Administrator**