

**Borough of Peapack & Gladstone
Land Use Board**

February 1, 2017

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 19, 2017 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.

Salute to the Flag

Roll Call:

Present:

Greg Yannaccone, Chairman
Mayor William Muller
Susan Rubright
Stephen Neville, Vice-Chairman
Mark Corigliano, Councilman
Joan Dill
David DiSabato
Chris Downing
Peter Sorge, Alternate # 2
James Heck, Alternate #3
Lisa Saunders, Alternate # 4

Absent:

Judy Silacci, Alternate # 1
Kingsley Hill
William Ryden, Borough Engineer

Also Present:

Roger Thomas, Esq. Board attorney
John Szabo, Borough Planner

Public Hearing

This meeting was noticed in the newspaper and to the property owners requesting reconsideration of condition # 2 in the resolution memorialized December 7, 2016 regarding Bolio & Bolio.

Mr. William Gold was present representing the Bolio family. He thanked the Borough for hearing this request. He explained his objection to condition # 2. He reviewed his conversation with the Construction Code Official James Fania. Mr. Fania had asked for a code analysis from a NJ architect. Mr. Gold advised that a code analysis is not required by law. The Bolio family hired an architect who did go out and inspect the structures except for the one which does need a certificate of occupancy. Mr. Gold asked that the board accept the architect's testimony and not require the safety issues. Mark Corigliano reminded Mr. Gold that he had been at the hearing and that he was also allowed to review the resolution before it was adopted. Condition # 2 was a CCO would be issued by the construction official. Mr. Gold advised that Mr. Fania told him that he would do a walk

BOROUGH OF PEAPACK & GLADSTONE

LAND USE BOARD

February 1, 2017

through along with 3 other code officials requiring 2 days of inspections. Mr. Gold objected to 2 other officials doing the inspections as Mr. Fania is requiring. Mr. Gold reminded Mr. Corigliano that the council had introduced an ordinance that would require inspections for rentals and that the ordinance was defeated. Mr. Corigliano advised Mr. Gold that it has been re-introduced and approved. Mr. Corigliano reminded Mr. Gold that this condition # 2 was put in the resolution because of the condition of this property. The official is not being unreasonable to request other inspections. The issue of hiring an architect was not a condition of this board. It was suggested that Mr. Gold should have reached out to Mr. Thomas regarding hiring an architect before he did so. Mr. Thomas advised that Mr. Gold wants the resolution to be modified to accept a safety standard by the architect. Susan Rubright advised of her concern for both aesthetics and safety. Mr. Thomas advised of his conversation with both Mr. Fania and Mr. Gold. Mr. Fania is concerned with the commercial building which had been converted to a residence and that the conversion was prior to 1978 which was the passage of the uniform construction code. Mr. Fania would be satisfied to visually inspect the property if a member of the family is willing to certify that the conversion took place prior to 1978. Mr. Thomas does not think that Mr. Fania's condition is unreasonable. Mr. Fania wants to be able to determine that this structure is suitable for human habitation. He can do visual inspections of the structures. Mr. Corigliano being the liaison to that department was aware of what Mr. Fania has requested and he explained that a visual inspection will take two days because the officials are all part time. The request of the applicant is to have the board accept the testimony of Mr. O'Brien, the architect, rather than require the visual inspections by the township officials and that the issues in the architect's report will be addressed by the issuance of the proper permits and inspections before the closing. Everything must be hard wired and permits required. Susan Rubright commented that the board has the report so they could waive the architect's testimony and the board agreed. Chairman Yannaccone pointed out that the board is not here to hear the whole case. The report prepared by the architect Mr. O'Brien, dated 1-18-17 was entered into evidence as Exhibit A-21.

Public Portion was opened. Since no one in the public had any questions the public portion was closed.

Mark Corigliano moved to deny the request of the applicant, William Muller seconded the motion. Mr. Thomas advised that Mr. Fania and his staff would do visual inspections. Mr. Thomas will call Mr. Fania to have him make this a priority. The motion was passed by the following roll call vote:

AYES: Yannaccone; Neville; Rubright; Muller; Corigliano; DiSabato; Heck

NAYS: None

Executive Session – A special joint meeting with Borough Council and the Land Use Board had been scheduled to discuss settlement negotiations and pending litigation.

Mr. Yannaccone recused himself and left the meeting.

Joan Dill moved to go into executive Session for purposes of litigation; James Heck seconded the motion which was passed unanimously by the Board at 7:52 p.m.

BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
February 1, 2017

The board came out of executive session at 9:10 p.m.

Adjournment of meeting- A motion was made and passed to adjourn the Land Use Board meeting at 9:10

Sarah Jane Noll
Assistant to Ruth Spae