

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

March 15, 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 23, 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
Susan Rubright
Stephen Neville, Vice-Chairman
Mark Corigliano, Councilman
Chris Downing
Kingsley Hill
Mayor William Muller
David DiSabato
Judy Silacci, Alternate # 1
Peter Sorge, Alternate # 2
James Heck, Alternate #3
Lisa Saunders, Alternate # 4

Absent:

William Ryden, Borough Engineer
Joan Dill

Also Present:

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

Public Hearings:

Connolly – Bulk Variance, Side Yard, Lot Coverage & Expansion of Non-conforming Use

Block 9, Lot 17.01 - 34 Mendham Road Application No. AP-2016-011. Seeking relief to construct a patio and expand gravel-parking area. R-11 Residence Zone

This application was carried to the April 5th meeting because of an error in the notices.

HF Cottages – Minor Subdivision Lot Line Adjustment with Waiver Requests

Block 33, Lot(s) 13.11 & 13.12 - 14 & 16 Brady Drive West. Application No. AP-2017-001. Proposal to reconfigure (2) adjacent lots.

Nicole Magdziak, Esq. from Pitney Hardin LLP introduced herself as the representative of the applicant.

BOROUGH OF PEAPACK & GLADSTONE

LAND USE BOARD

March 15, 2017

- Mark Corigliano and Mayor Muller both recused themselves because the application included a ‘use variance’.

William Ryden’s report of 2/22, 2017 listed the checklist items for completeness. Susan Rubright moved to approve the requested checklist items and deemed the application complete; Kingsley Hill seconded the motion which was approved unanimously by the Board.

The attorney introduced Robert Moschello of Gladstone Design in Peapack who was accepted as an expert witness by the Land Use Board. Exhibit **A-1** an aerial of the subdivision was entered into evidence by Mr. Moschello. He explained that this property was part of the Hamilton Golf Course subdivision consisting of 18 single family lots to support the golf course. It is now 17 lots with 4 houses occupied; the remaining homes are currently under construction. Foundations were required to have been in place by the end of 2016. This has been done and all are under various forms of construction. **Exhibit A-2** – the minor subdivision dated 3-15-17 subdivision plan was entered into evidence. The plat showed Lot 13.11 where the completed house was located and the variance is occurring and lot 13.12 is under construction. He referred to John Szabo’s report of March 9th. and reviewed the requested variances and proposed lot coverage and the zoning requirements for the RR-5 Zone. His testimony was concluded.

The board members questioned Mr. Moschello. He explained the reason for the variances which would allow them to get the c. of o. The house did not get bigger. The width of the driveway did increase to 14’ wide with curbing. Susan Rubright wanted it noted that lot 13.12 was being made smaller voluntarily by the owners and that this should be noticed in the resolution. It is a self-created hardship. Mr. Moschello explained that the property is not sold but is under construction. The lot line adjustment is not necessary but it helps to make the lots conforming. The ‘D’ variance is created because of the FAR which was changed when the zoning was changed.

Mr. Szabo, Land Use Board Planner, explained that this subdivision was not considered when the R-2A zone was changed to RR-5. He did suggest that the resolution be filed with the deed for this lot. Mr. Thomas explained that all the lots have been made non-conforming when the zoning changed. This subdivision was approved back in 2004-2005 per Mr. Thomas. The board members questioned why they are applying for a lot line adjustment when a variance for lot coverage would suffice. It was suggested that the applicant voluntarily withdrawn the ‘d’ variance and the lot line adjustment and amend the application requesting a ‘c’ variance only. The board could approve the ‘c’ variance with their interpretation that a ‘d’ variance is not needed because it was approved under R-2A and is pre-existing. Only a lot coverage variance is needed.

Public Portion was opened and closed since no one in the public had questions of the witness.

Kingsley Hill moved to approved the variance for lot coverage; Steve Neville seconded the motion which was carried by the following roll call vote:

BOROUGH OF PEAPACK & GLADSTONE

LAND USE BOARD

March 15, 2017

AYES: Steve Downing; Judy Silacci; Susan Rubright; Kingsley Hill; Peter Sorge; Lisa Saunders; Stephen Neville and Greg Yannaccone.

NAYS: None

- Mayor Muller and Councilman Corigliano came back into the meeting.

RESOLUTION TO BE MEMORIALIZED:

Bolio & Bolio amended resolution

Block 28, Lot 15, - Main St Request to amend Condition #2 of Prior Approval – February 1, 2017

Motion to Memorialize Resolution Regarding Reconsideration of Condition No. 2 of Board's December 7, 2016 decision, L.U.B. Application No. 2016-005, was made by Mayor Muller and seconded by Councilman Corigliano and was passed by the following roll call vote. There were some minor changes to the resolution suggested:

AYES: Greg Yannaccone, Stephen Neville, Susan Rubright, Mayor Muller, Mark Corigliano, Peter Sorge and Lisa Saunders

NAYS: None

Minutes:

The January 18, 2016 minutes were approved with the correction to the Secretary of the Board not the assistant to the Secretary and the minutes of the February 1st minutes also approved with corrections.

OTHER BUSINESS:

The Land Use Board affirmed the February 14, 2017 letter written by Beth Davisson regarding the Local Government Stewardship Grant Application.

Chairman Greg Yannaccone explained that the 2017 Contract between Roger Thomas and the Borough Land Use Board does not need action; that was taken at the reorganization meeting. This is just the signing of the contract.

EXECUTIVE SESSION: Affordable Housing. To discuss litigation.

Councilman Mark Corigliano moved to go into closed session regarding litigation; Kingsley Hill seconded the motion which was approved unanimously by the Board present.

The board came back into regulation session.

Adjournment of meeting- A motion was made and passed to adjourn the Land Use Board meeting at 9:15 p.m.

BOROUGH OF PEAPACK & GLADSTONE
LAND USE BOARD
March 15, 2017

Sarah Jane Noll
Assistant to Ruth Spae