

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

April 19, 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
Stephen Neville, Vice-Chairman
Mayor William Muller
Mark Corigliano, Councilman
Susan Rubright
Chris Downing
Kingsley Hill
Joan Dill
David DiSabato
Judy Silacci, Alternate # 1
Peter Sorge, Alternate # 2

Absent:

William Ryden, Borough Engineer
James Heck, Alternate #3
Lisa Saunders, Alternate # 4

Also Present:

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

Public Hearings:

Mazzocchi – Minor Subdivision/Lot Line Adjustment

Block 33, Lots 13.06 & 13.05 – 4 Brady Drive West – Application No. AP-2017-002
Transfer of 4,536 sq. feet of property from lot 13.05 to 13.06. Lot 13.05 is unimproved and restricted from development (settlement agreement). Current zone is RR-5, lots were created under R-2A zone. Two waivers have been requested.

Anand Dash, Esq. was present representing the applicant. He explained the request by the applicant Grace Mazzocchi. He referenced the report prepared by the Board Planner John Szabo. He advised that they are amending the application to include a FAR variance and withdraw the minor subdivision.

Mr. Thomas, Board attorney advised that the mayor and councilman must step down since this is a use variance. Peter Sorge also excused himself for personal reasons; he has worked with the attorney.

Ronald Kennedy, Gladstone Design was sworn in and accepted as an expert witness. Mr. Kennedy proceeded to enter into evidence the following exhibits:

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Exhibit A-1 Aerial Plot

Exhibit A-2 -plot plan for lot 13.06 dated 10-17-05, rev. 11-4-05

He explained that exhibit A- is the Hamilton Farm property. They are focusing on Mrs. Mazzocchi lot. Four houses were built and then construction stopped. 60% of the homes are now completed. The areal is about 4 years old. A-2 was then referred to showing a plot plan for lot 13.06. The house has been built as shown on the plan. All lots comply with the R-2A Zone. This is a small single lot development. The zone was wiped out by the prior planner Richard Coppola. The now RR-5 zone replaced that zone. The house was 4,367 s.f. floor area when it was built. There were some changes to the area which included the improvement of the 580 s.f. above the garage. This increased the FAR (floor area ratio) requiring a FAR variance. They thought to apply for a lot line adjustment but realized the FAR variance needs to be approved. .06 is the FAR allowed and 1.6 is proposed by the applicant. This requires a D-4 variance. The sight can accommodate the additional floor area. There is no increase in the number of bedrooms which are 4; this is just like finishing the basement in a home according to Mr. Kennedy. The area consists of a bathroom; sitting area and stairwell. There is no kitchen. Chairman Yannaccone noted that the AC units are over the setback line and will need variance relief. Mr. Kennedy calculated 5' and this will apply to all three units which are on a concrete pad enclosed by a fence. 15' under the old rules. The house was 17' from the side yard. Ms. Rubright questioned how the AC units were approved when the house was built since they would have been in the old setbacks. For purposes of clarity, a variance will be approved for the units. All members of the board agreed to this. The construction on the room was started prior to getting permits. The applicant was advised not to do that again. Mr. Thomas did not see the purpose of a lot line adjustment rather than the FAR variance. The board members discussed and saw no detriment to the zone plan. Ms. Rubright asked if the work has been inspected. If the variance is granted, a permit will be sought. D-4 variance and a 'C' variance for the AC units on the pad.

Public Portion was opened for questions and/or comments and closed since no one in the public wished to comment or question.

Mr. Thomas will prepare the resolution and with the condition that permits be applied for.

Joan Dill moved to approve the request for the variances with the condition that permits be required; Kingsley Hill seconded the motion which was carried by the following roll call vote:

AYES: David DiSabato; Judy Silacci ; Chris Downing; Stephen Neville; Greg Yannaccone; Joan Dill; Susan Rubright; Kingsley Hill

NAYS: None

Mayor Muller; Councilman Corigliano and Peter Sorge came back into the meeting.

Resolution to be adopted:

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Connolly – Bulk Variance, Side Yard, Lot Coverage & Expansion of Non-conforming Use Block 9, Lot 17.01 - 34 Mendham Road – Members eligible to vote

Joan Dill moved to adopt the resolution approving the variances; Kingsley Hill seconded the motion which was passed by the following roll call vote:

AYES: Susan Rubright; Mayor Muller; Councilman Corigliano; Joan Dill; Kingsley Hill; Chris Downing; and David DiSabato

NAYS: None

Public Notice Resolution – The board discussed the use of two newspapers to be used. It was agreed to use the Bernardsville News and it is to be the Official Newspaper of the Board. The documents distributed to applicants and the website will depict this. Joan Dill moved to make this change; Chris Downing seconded the motion which was passed by the following voice vote.

AYES: Mayor Muller; Councilman Corigliano; Peter Sorge; Susan Rubright; Judy Silacci; David DiSabato; Stephen Neville; Greg Yannaccone; Joan Dill; Kingsley Hill

NAYS: None

Minutes;

The minutes of October 19, 2016 and December 21, 2017 were approved as corrected.

Chairman Greg Yannaccone advised that there will be no meeting on May 3rd.

Executive Session

Kingsley Hill moved to go into executive session to discuss potential litigation; Judy Silacci seconded the motion which was carried by a roll call vote

The Board came back into regular session at 8:27 p.m.

Adjournment of meeting- 8:30 p.m.

Sarah Jane Noll
Assistant to Ruth Spae