

MARCH 17, 2009

A regularly scheduled meeting of the Wantage Township Land Use Board was held on Tuesday, March 17, 2009 at the Wantage Township Municipal Building. The meeting was held in compliance with the provisions of the Open Public Meetings Act, P.L. 1975, Chapter 231. It was properly advertised and noticed to the public.

ROLL CALL

PRESENT: Mssrs. Bono, Cecchini, DeBoer, Gaechter, Grau, Slate, Smith, Vander Berg. Mmes. Gill and Kanapinski. Engineer Harold Pellow, Attorney Glenn Kienz.

ABSENT: Ms. Mylecraine, Mssrs. Cillaroto and Vander Groef.

MINUTES

Mr. Cecchini made a motion seconded by Mr. Grau to correct the minutes of January 20, 2009. The name of application # L-7-2008 will be revised to say "Estate of Ralph W. Havens".

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, DeBoer, Gaechter, Grau, Slate, Vander Berg, Gill, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the minutes of February 17, 2009, with corrections.

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Gaechter, Grau, Vander Berg, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

RESOLUTIONS

L-7-2008 ESTATE OF RALPH W. HAVENS

Mr. Grau made a motion seconded by Mr. Cecchini to correct the resolution of Estate of Ralph W. Havens. It was discussed that the prior resolution that was adopted on February 17, 2009 was listed as "Ralph W. Havens" and it should read "Estate of Ralph W. Havens".

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Gaechter, Grau, Vander Berg, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-12-2008 LEWISBURG ROAD ACQUISITIONS, LLC

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the resolution memorializing the Board's decision of February 17, 2009 to grant Extension of Minor Subdivision approval to Lewisburg Road Acquisitions, LLC. for Block 17, Lot 1, located at the intersection of Roy Road and Lewisburg Road, in the RE-5 Residential Environs Zoning District, pursuant to N.J.S.A. 40:55D-47(f), subject to the following terms and conditions:

1. The extension granted herein shall expire on July 21, 2009.
2. All terms and conditions of the Board's aforementioned minor subdivision approval unless amended herein, shall remain in full force and effect.
3. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Wantage, County of Sussex, State of New Jersey, or any other jurisdiction.

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Gaechter, Grau, Vander Berg, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-13-2008 PIDGEON HILL FARMS, LLC

Mr. Cecchini made a motion seconded by Mr. Grau to adopt the resolution memorializing the Board's decision of February 17, 2009 to grant Extension of Minor Subdivision approval to Pidgeon Hill Farms, LLC. for Block 120, Lot 2, located on Pidgeon Hill Road, in the RE-5 Residential Environs Zoning District, pursuant to N.J.S.A. 40:55D-47(f), subject to the following terms and conditions:

1. The extension granted herein shall expire on July 21, 2009.
2. All terms and conditions of the Board's aforementioned minor subdivision approval unless amended herein, shall remain in full force and effect.
3. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Wantage, County of Sussex, State of New Jersey, or any other jurisdiction.

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Gaechter, Grau, Vander Berg, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

APPLICATIONS

L-1-2009 RICHARD S. & GAIL S. HAVENS

The applicant is seeking to subdivide two 1.5-acre lots using the Open Space / Agricultural Preservation Option 3 which is the Cluster Option. The total tract size is 102.658 acres. The property is known as Blk. 1.02, Lot 13 and is located on Route 284 in the RE-5 zone.

Attorney Robert Morgenstern and Mr. Richard Havens appeared before the Board.

Mr. Havens indicated that the reason why he wanted to do this subdivision was to allow his family members to build homes there.

Mr. Kienz indicated that he had a telephone conference with Mr. Morgenstern and Mr. Pellow and discussed this application. This application is for a subdivision with some variances that resulted from farmland being set aside for agricultural preservation. Variances required are: Lot depth, 20,000 sq. ft of non-constrained land, lot size. It was discussed that no variance was needed on the existing house setback.

Mr. Pellow's report was reviewed. County approval is needed. Road Trust Fund fees of \$1,650.00 per lot apply.

There was no one from the public present on this application.

Mr. Cecchini stated that the Board appreciates the Open Space Preservation.

Mr. Grau made a motion seconded by Mr. Bono to approve this application subject to Mr. Pellow's report and subject to County approval.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, DeBoer, Gaechter, Grau, Slate, Vander Berg, Gill, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-3-2009 HOPE EVANGELICAL FREE CHURCH

The applicant is proposing a 200-seat church. The property is known as Blk. 2, Lot 51.01 and is located on Route 565 in the HC zone.

Attorney James Opfer, Engineer Richard Wostbrock, and church trustee, Mr. Charles Blessing appeared before the Board.

Mr. Kienz indicated that this project is a conditional use and a variance should be obtained for that reason. The application will be rescheduled and the applicant will notice accordingly. It was discussed that an informal review of the application will take place and that Mr. Pellow's report will be reviewed for completeness at tonight's meeting.

Mr. Wostbrock and Mr. Opfer made a brief presentation of the application. Mr. Pellow's report was reviewed and discussed.

Mr. Pellow's report was reviewed. Mr. Pellow's landscape architect will review the plans when submitted. The application to the County was submitted on Feb. 24, 2009. The application was deemed complete.

Zoning , parking , septic system, lighting, refuse disposal, loading, soil erosion, potable water, the modular block wall, drainage were discussed.

It was discussed that there is a contaminated site across the street. Mr. Blessing stated that he had done some research on the issue and that there were two options: the only way they will know if the drinking water is contaminated is to install a well and if the water is contaminated carbon filters carbon filters can be installed to remedy. He added that in the fifteen 15 years since they have been remediating that site, it has never failed

Someone from the public asked if that area was prone to flooding. The professionals indicated that it is not a flood area. Mr. Opfer indicated they are preparing a conservation easement to cover that area where there is some wetland.

Mr. Grau made a motion seconded by Mr. Bono to deem this application complete.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, DeBoer, Gaechter, Grau, Slate, Vander Berg, Gill, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

This application was carried to the April 28, 2009 meeting. The applicant will renote.

A discussion followed regarding the applicant applying for preliminary site plan now and later addressing the final. Mr. Kienz stated he would prepare and bring with him a resolution at the April 28, 2009 meeting to save the applicant some time.

GENERAL

Mr. Eric Turnquist appeared with his attorney Ms. Joanne Sorrentino of Lucas & Gaus to request a special meeting date for his application to be heard. A special public meeting was set for Tuesday, March 31, 2009 at 7:30 p.m. The property is known as Blk. 17, Lots 3, 25 & 27. The applicant will notice.

Maggie Kolicko asked information about the COAH application. Mr. Smith stated that it is currently in Trenton.

Ms. Kolicko asked if it was possible to have a report on CJS. Mr. Kienz stated that he could not do a public report at this time. However, he did say that the judge wants additional findings on the traffic study and how the Board came up with the money figures. Ms. Kolicko asked if Lower Unionville would be included into the capital improvements within the next ten (10) years. Mr. Pellow indicated it is expected to happen in the next five (5) years.

A member of the public asked how to go about putting up a windmill. It was discussed that it is a recommendation for preliminary review on the master plan. It was suggested

to the member of the public that he look at the Frankford Township ordinance because we might go with that. He the asked what is the ordinance on solar panels.

Friendly's canvas sign was discussed. Mr. Pellow stated that it was allowed.

ADJOURNMENT

On a motion duly made seconded and carried, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Stella Salazar
Secretary