

FEBRUARY 16, 2016

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, February 16, 2016 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 noticed and posted to the public.

SALUTE TO THE FLAG

Mr. Cecchini invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

ROLL CALL

PRESENT: Ron Bassani, Larry Bono, Paul Grau, Joanne Kanapinski, Jon Morris, Patrick Stefanelli, Ronald Slate, Michael Cecchini, Bill DeBoer, Michael Walther. Also present was Attorney Angela Paternostro-Pfister, and Engineer Harold Pellow.

Absent: Victoria Gill.

MINUTES:

Mr. Grau made a motion seconded by Mr. Slate to approve the January 19, 2016 minutes. A voice vote was unanimously in favor.

RESOLUTIONS:

L-2014-08 Mountain View Manor

Mr. Grau made a motion seconded by Mr. Stefanelli to approve the Resolution for Preliminary and Final Major Site Plan Approval and Variance relief decided on December 15, 2015 Mountain View Manor at Wantage, Block 4.02 Lots 1 & 2, for a 16 two-bedroom dwelling unit, located on Boulder Hills Boulevard.

Now, Therefore, Be It Resolved by the Joint Land Use Board of The Township of Wantage, based upon the above findings of fact and conclusions of law, that the application for preliminary and final major site plan approval and variance relief be and the same is hereby granted subject to the following conditions:

1. The Applicant shall comply with all of the specific recommendations and terms contained in the Township Engineer's original and revised report in connection with this application and as may be required to be amended in accordance with this Resolution. All such recommendations and terms are adopted by reference as though the complete application and modified plans were set forth herein and the same are made a part hereof. Further, the commitments made by the Applicant and its representatives in their recorded testimony and as set forth in the previous findings of fact shall be satisfied;

2. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary;
 3. Certificate that all taxes are paid to date of approval;
 4. The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer.
 5. The terms and conditions of the approval shall be binding upon the Applicant, the Applicant's successors in interest and assigns. Further, each of the terms and conditions of this approval are material elements of the approval based upon the submission of the application and property in its entirety and the non-compliance with any term or condition by the Applicant or his successors or assigns shall be deemed a material default subjecting the application to revocation of this approval. The request to change any single condition, since all conditions are integrally related, shall open the entire application to the Land Use Board for reconsideration, possible re-approval, and new terms and conditions, in addition to these terms and conditions presently existing in this approval.
 6. The applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/or Township, and in all documents filed pertaining to the instant application.
 7. All performance requirements as set forth in the findings of fact and The Township Engineer's Report (revised November 3, 2015) herein shall be satisfied by the Applicant as a condition of this approval whether or not repeated at length in this conditions section of this Resolution. The applicant shall enter into a Developer's Agreement for the completion of the Clark Road Improvements as per the Township Engineer's report and revisions.
 8. The Applicant shall post a \$5000. (Five thousand dollar) escrow to Township of Wantage.
 9. The Applicant shall obtain a Soil Erosion Permit as per provision 6.05 of the township Engineer's Report (revised November 3, 2015).
 10. The Applicant shall attend a pre-construction meeting with the Township Engineer and shall submit an as-built to the Township Engineer for approval prior to the issuance of any CO on the site.
 11. The Applicant shall submit a Drainage Report including all information enumerated and requested in provision 6.07 of the Township Engineer's Report (revised November 3, 2015).
 12. Subject to all other applicable rules, regulations, ordinances and statues of the Township of Wantage, County of Sussex, State of New Jersey.
- Ayes: Grau, Slate, Stefanelli, DeBoer, Cecchini. Nays: None. Abstain: None.

L-2015-11 Sam Magarino III

Mr. DeBoer made a motion, seconded by Mr. Grau to adopt the resolution memorializing the Board's decision of December 15, 2015 granting a 14' x 60' 2400 square foot garage on the front yard of his dwelling, which requires a "C" Variance to Sam Magarino III.

NOW, THEREFORE, BE IT RESOLVED, by the township of Wantage Land Use Board, County of Sussex, and State of New Jersey the Application of Sam Magarino III with respect to Block 12.01, Lot 13.12 as shown on the Tax Map of the township of Wantage requesting a "C" variance to construct a 14' x 60' 2400 square foot pole barn on the front yard of the property proposed be and hereby is granted. This approval is subject to the testimony given and plans submitted with the application as well as the following conditions:

NOW, THEREFORE, BE IT RESOLVED, by the Township of Wantage Land Use Board, County of Sussex, and State of New Jersey that the Application of Sam Magarino, III with respect to Block 12.01, Lot 13.12 as shown on the Tax Map of the Township of Wantage requesting a "C" variance to construct a 14' x 60' accessory structure in the front yard to garage a motor home located in the R-5 Zone be and hereby is granted. This approval is subject to the testimony given and plans submitted with the application as well as the following conditions:

1. The Applicant shall comply with all of the specific recommendations and terms contained in the Township Engineer's original and revised reports in connection with this application and as may be required to be amended in accordance with this Resolution. All such recommendations and terms are adopted by reference as though the complete application and modified plans were set forth herein and the same are made a part hereof. Further, the commitments made by the Applicant and its representatives in their recorded testimony and as set forth in the previous findings of fact shall be satisfied.
2. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary.
3. Certificate that all taxes are paid to date of approval.
4. The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer.
5. The terms and conditions of this approval shall be binding upon the Applicant, the Applicant's successors in interest and assigns. Further, each of the terms and conditions of this approval are material elements of the approval based upon the submission of the application and property in its entirety and the non-compliance with any term or condition by the Applicator or his successors or assigns shall be deemed a material default subjecting the application to revocation of this approval. The request to change any single condition, since all conditions are integrally related, shall open the entire application to the Land Use Board for reconsideration, possible re-approval, and new terms and conditions, in addition to those terms and conditions presently existing in this approval.
6. The Applicant must comply with all representations made, either personally or

through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/or Township, and in all documents filed pertaining to the instant application.

7. The proposed structure shall not be used for any commercial use or purpose and no commercial vehicles will be housed in the proposed structure.

8. Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey

Ayes: Bassani, Grau, Kanapinski, Slate, Stefanelli, DeBoer, Cecchini. Nays: None.

INFORMAL

Martin Van Der Heide III represented RBND, LLC. The owner of RBND, LLC is Mr. Paul Wieble. Mr. Wieble is seeking permission to store new vehicles on the property known as Block 18 Lot 43 located on Route 23 South in the area known as An Area In Need of Re-development – Non Condemnation.

Mr. Wieble presently has cars stored on the property belonging to a local new car dealership that is undergoing construction. Mr. Wieble assured the Board it is not a long-term agreement, as the money he receives from the car dealership does not pay the taxes on the property. Mr. Wieble said a tenth revision of the lease with Ronetco was just signed; the agreement with Ronetco is still in place. He would like permission to park cars until Ronetco finalizes the deal.

Mr. Stefanelli said the Board should not permit a variance but a temporary zoning permit, a variance stays with the property. Mr. Cecchini wondered if it was legal to offer a variance due to the state deeming it an area in need of redevelopment.

Mr. Cecchini requested Mr. Wieble advertise and notice for the March meeting and suggested Mr. Wieble return with Mr. Snouffer of the auto dealership to answer questions regarding the amount of cars in the different locations throughout the Township.

ADJOURNMENT

On a motion duly made by Mr. Bassani seconded by Mr. Morris and carried, the meeting was adjourned.

Respectfully submitted,

Jeanne M. McBride
Secretary