

FEBRUARY 21, 2017

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, February 21, 2017 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: Larry Bono, William Gaechter, Victoria Gill, Paul Grau, Joanne Kanapinski, John Morris, Ron Slate, Patrick Stefanelli, Bill DeBoer, Michael Walther, Michael Cecchini.

Absent: None. Also present, Angela Paternostro-Pfister Esq. and Engineer Harold Pellow

MINUTES:

Mrs. Gill made a motion seconded by Mr. DeBoer to approve the January 17, 2017 minutes; a voice vote was unanimously in favor.

APPLICATION

L-2003A-1

LGR Enterprises, LLC

Extension of Preliminary Major Subdivision Approval

Block 135, Lot 6.01

Sherman Ridge Road

Adjourned until the March 21, 2017 meeting.

L-2014-05

Martin Vander Hyde RENEWAL

The applicant is proposing to subdivide a 35.382-acre lot into one 14.437-acre lot to be known as Lot 5.13 and a remaining lot of 20.945 acres know as lot 5.09. The property is located on Lowe Road in the R-5 Zone and is known as block 52, lot 5.09. Notice has been made for a public hearing.

Due to a neighbor conflict Mrs. Kanapinski stepped down for the application.

Martin Van Der Heide, Attorney for the applicant came before to the board to refile the application that was approved in December 2014. There had been a previous subdivision

with a right-of-way between lots 5.11 and 5.12. In 2014 the exact application was approved but never recorded. A variance was granted on lot 5.13 for having only a 50-foot right-of-way. They are seeking re-approval under the same terms and conditions as 2014.

Mr. Cecchini asked if there have been any changes to the property since 2014, Mr. Van Der Heide stated there were none. Mr. Van Der Heide stated the Road Trust Fund in the amount of \$2500.00 will be paid. Mr. Van Der Heide said he would provide a subdivision deed and a revised easement agreement.

There being no comments or questions Mr. Slate made the motion seconded by Mr. Grau to approval the renewal of the lot subdivision. Ayes: Bono, Gaechter, Gill, Grau, Morris, Slate, Stefanelli, DeBoer, Walther, Cecchini. Nays: None.

Due to an advertising issue, the Havens application will be heard at 9:30 pm.

Mrs. Kanapinski resumed her chair on the dais, Mr. Cecchini, Mr. Morris and Mr. Gaechter stepped down for Joe Maggio, LLC application.

L-2016-05

Joe Maggio, LLC

10 Grandview Lane

Block 15 Lot 8

The applicant wishes to apply for a “D” Variance and site plan approval.

This application has been carried from the January 24, 2017 meeting. No new notice is needed.

Paul Abramo, representing the Lake Windsor Association began his cross examination asking Mr. Dunn if there have been any revisions or updates since his original report. Mr. Dunn replied no. Mr. Dunn disagreed with Mr. Abramo’s statement that Mr. Maggio’s business is a commercial industrial business. Mr. Abramo and Mr. Dunn disagreed on the number of variances needed. Mr. Abramo asked what is stored in storage building number one. Ms. Rubright objected due to the fact this information has been covered numerous times. Ms. Paternostro- Pfister asked Mr. Abramo not to cover any information Mr. Davie already covered. Mr. Abramo stated his questions will not be the same as Mr. Davie. Mr. Dunn answering Mr. Abramo’s question, he stated presently does not know what materials are kept in building number one, in September, there were three roll off containers in the building. Mr. Maggio and Mr. Dykstra explained the physical aspects of the site to Mr. Dunn as well as the general contracting business. Mr. Dunn and Mr. Abramo continued discussing the height of the building, substantial detriment to the land and neighbors. Mr. Abramo, asked Mr. Dunn about the positive criteria, Mr. Dunn said it has to support some of the goals of the Master Plan. Mr. Abramo discussed the goals in the NJ Municipal Land Use Law Book, Mr. Dunn met three of the goals, in his report. Mr. Abramo discussed additional sites that are zoned for the Mr. Maggio’s type of business. Mr. Dunn stated he only has to provide suitability for this site, not examine the suitability of the whole town.

Mr. Abramo discussed how many of Mr. Maggio's employees reside in town and the support of the other business within the Township by Mr. Maggio's employees. Mr. Abramo discussed the positive criteria and questioned Mr. Dunn on the goals used in his report.

Goal a. "to encourage municipal action to guide appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare."

Goal g "to provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens."

Goal o. "to promote the maximum practical recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs."

Mr. Abramo discussed the offsite recycling as well as other locations in the industrial zone that are approved zones for Mr. Maggio's business.

Mr. Abramo questioned Mr. Dunn on the Master Plan and his contribution to the Master Plan.

Mr. Abramo discussed the negative criteria, the industrial zone, and business within the RE-5 zone. Mr. Abramo asked Mr. Dunn if the activities of Mr. Maggio's business could be done on another site in a permitted zone. Mr. Abramo discussed the proposed fence and the road trust fund, in his opinion not having to with the variance, but with the site plan.

Ms. Rubright stated conditions could be to limit the number of vehicles and the amount of times the vehicles would visit the site.

Mr. Abramo discussed the number of times a day the trucks come in and out, the weight of the trucks, and the noise of the trucks when loaded. He then discussed conditional uses and permitted uses in the RE-5 zone and the benefit of moving the business to the industrial zone. Mr. Abramo and Mr. Dunn discussed the ridge line and the trees acting as a buffer. Mr. Abramo stated the leaves would only be on the trees half of the year. As discussion continued between Mr. Dunn and Mr. Abramo regarding the environmental impact statement, Ms. Paternostro-Pfister explained to Mr. Abramo a waiver of the environmental impact statement was requested in the checklist

Mr. Cecchini, Mr. Morris, and Mr. Gaechter resumed their chair at the dais.

L-2017-01

Havens

Block 1.02 Lot 13, located on Route 284. The applicant is proposing to subdivide a lot (13.08 using the Open Space/Agricultural Preservation Option which has a density of 1 housing unit per 5 acres for the entire tract.) A variance may be needed, as the 1.5-acre lot is based on a Cluster Option, which this is not. Variances were granted for Lots 13.01 and 13.02 when they were subdivided in 2009. Notice has been made for a public hearing.

Mr. Kenneth Wentink represented the Havens family. The Havens own a 99-acre farm in farmland preservation. Ms. Paternostro- Pfister agreed with Mr. Pellow, a variance is needed. A subdivision was granted a few years ago, for a residence. The property meets the constraints. The Havens has applied for a driveway permit from the DOT. A 20'x20' back-out area is required as per the ordinance. Mr. Pellow stated \$1650.00 Road Trust Fund is due for one new lot. Discussion continued regarding exceptions in the Farmland Preservation. All Housing Element and Fair Share Plan fees must be paid. There being no one from the public, Mr. Cecchini opened the application to the Board for any questions or comments. Mr. Cecchini stated the rest of the property is farmed so he does not have issue with the sub-sized lot. The lot is staying within the family.

Mr. Grau made a motion seconded by Mr. Bono to approve the application. Ayes: Larry Bono, William Gaechter, Victoria Gill, Paul Grau, Joanne Kanapinski, John Morris, Ron Slate, Patrick Stefanelli, Michael Cecchini.

Nays:

DISCUSSION

Mr. Morris discussed forming a sub-committee to evaluate ordinances including the number of auto dealerships. Mrs. Kanapinski, Ms. Gill, Mr. Morris and Mr. Stefanelli all agreed to be part of the sub-committee. Mr. DeBoer agreed to act as a liaison regarding the laws of car dealership.

Mr. DeBoer had questions regarding affordable housing and what criteria meets the quota.

ADJOURNMENT

On a motion duly made by Mr. Morris, seconded by Mr. Grau and carried, the meeting adjourned at 9:53 p.m.

Respectfully submitted,

Jeanne M. McBride
Secretary

