

APRIL 24, 2012

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, April 24, 2012 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.

ROLL CALL

PRESENT: Mssrs. Bono, Cecchini, Bassani, Gaechter, Grau, Slate, Smith, Stefanelli.
Mmes. Gill, Kanapinski. Attorney Glenn Kienz, Engineer Harold Pellow.
ABSENT: Mr. VanderGroef.

MINUTES

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the minutes of March 27, 2012.

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Gaechter, Grau, Stefanelli, Gill, Kanapinski, Smith.
THOSE OPPOSED: None. MOTION CARRIED.

RESOLUTIONS

L-1-2003A LGR ENTERPRISES, LLC

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the resolution memorializing the Board's decision of March 27, 2012 to grant extension of preliminary major subdivision approval to LGR Enterprises, Inc. for Block 135, Lot 6.01, located on Sherman Ridge Road, in the R-1 Zone, pursuant to N.J.S.A. 40:55D-22 and N.J.S.A. 40:55D-47(f), subject to the following terms and conditions:

1. The extension granted herein shall expire on March 27, 2017.
2. All terms and conditions of the Board's aforementioned Resolutions for major 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, Stefanelli, Gill, Kanapinski, Smith.
THOSE OPPOSED: None. MOTION CARRIED.

L-11-2006 CHRISTIAN LEONE PROPERTIES I, LLC

Mr. Cecchini made a motion seconded by Mr. Grau to adopt the resolution memorializing the Board's decision of March 27, 2012 to grant subdivision approval to Christian Leone Properties I, LLC for Block 26, Lot 4 located on Old Route 84, in the RE-5 Zone, pursuant to N.J.S.A. 40:55D-47, subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved by Kenneth Dykstra except as amended by the Board at its hearings.
2. Applicant shall comply with all the specific recommendations contained in Mr. Pellow's report last revised February 21, 2012.
3. All previous approvals shall remain in full force and effect and Applicant shall be required to meet all preexisting conditions of any other Resolutions that were adopted as part of the overall development scheme on the various parcels which are part of this application and as are reflected in the Developer's Agreement between the Township of Wantage and Christian Leone Properties III and Christian Leone Properties I, LLC.

4. Applicant shall plant a staggered row of evergreens a minimum of eight (8) trees between their property and that owned by Mr. Kuchta subject to final review and approval of the Board Engineer.
5. Pre-construction Meeting at least seventy-two (72) hours before any construction, a pre-construction meeting shall be held with municipal representatives, the Developer and its engineers and contractors. The meeting shall be held only after the Engineer's opinion of probable cost has been submitted to the municipality for computation of engineering and inspection fees posted, the form of which is to be approved by the Municipal Engineer.
6. Prior to the issuance of any construction permit, the Applicant shall file with the Board and Construction Official an affidavit verifying that the Applicant is in receipt of all necessary agency approvals other than the municipal agency having land use jurisdiction over the application and supply a copy of any approvals received.
7. The Deed recorded memorializing this subdivision shall specifically refer to this Resolution and shall be subject to the review and approval of the Board Engineer and Board Attorney. The Applicant shall record the Subdivision Deed within 190 days of the memorializing Resolution being adopted. Failure to do so shall render this approval null and void.
8. 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.
9. Certificate that taxes are paid to date of approval.
10. Sussex County Planning Board approval.
11. 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, Grau, Stefanelli, Gill, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED

L-12-06 BEEMERVILLE CEMETERY ASSOCIATION

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the resolution memorializing the Board's decision of March 27, 2012 to grant minor subdivision approval to Beemerville Cemetery Association for Block 160, Lot 12, located on Lusscroft Road in the R-5 Zone, pursuant to N.J.S.A. 40:55D-47, subject to the following terms and conditions:

1. The subdivision of this parcel shall be implemented in accordance with the plans submitted and approved and as reflected on plans entitled Proposed Subdivision of Tax Lot 12, Block 160 owned by Space Farms, Inc. prepared Edward P. Brands, L.S. dated June 3, 2011.
2. Applicant shall obtain Sussex County Planning Board approval, if required.
3. 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.
4. Certificate that taxes are paid to date of approval.
5. 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, Stefanelli, Gill, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-12-08 TRI-STATE PUMP & SEPTIC SUPPLY, LLC

It was discussed that the applicant's name would have to be corrected and that a pre-construction meeting should be added to the conditions of approval.

Mr. Cecchini made a motion seconded by Mr. Grau to adopt the resolution, with corrections, memorializing the Board's decision to grant preliminary amended site plan approval with "c" variance to Tri-State Pump & Septic for Block 14, Lot 15.01, located on State Highway Route 23, in the HC Zone, pursuant to N.J.S.A. 40:55D-46 and N.J.S.A. 40:55D-70(c), subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved except as amended at the hearing.
2. Applicant shall adhere to all the specific recommendations contained in the March 19, 2012 report of Harold E. Pellow.
3. Applicant shall obtain all other agency approvals as are necessary.
4. Applicant shall only be permitted to have a temporary sign along the road.
5. Pre-construction Meeting at least seventy-two (72) hours before any construction, a pre-construction meeting shall be held with municipal representatives, the Developer and its engineers and contractors. The meeting shall be held only after the Engineer's opinion of probable cost has been submitted to the municipality for computation of engineering and inspection fees posted, the form of which is to be approved by the Municipal Engineer.
6. 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.
7. No use or occupancy of the building shall be permitted until the Applicant has obtained final site plan approval from the Wantage Township Land Use Board.
8. Certificate that taxes are paid to date of approval.
9. Sussex County Planning Board approval, if necessary.
10. 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, Stefanelli, Gill, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-12-09 HOPE EVANGELICAL FREE CHURCH

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the resolution memorializing the Board's decision made on March 27, 2012 granting final major site plan approval to Hope Evangelical Free Church for Block 2, Lot 51.01, located on Sussex County Route 565 in the HC Zone, pursuant to N.J.S.A. 40:55D-50, subject to the following terms and conditions:

1. Completion of the project shall be in accordance with the specific plans including the final as built entitled "Final As Built for Hope Evangelical Free Church Lot 51.01, Block 2, 1574 Route 565, Township of Wantage, County of Sussex, New Jersey dated February 10, 2012".
2. Applicant shall post a performance guarantee in the amount of \$77,087.29 plus 120 percent (120%) of that bond amount to equal a total performance guarantee amount of \$92,505.35 in a form deemed acceptable to the Township Attorney.
3. Applicant shall provide evidence of soil conservation certificate subject to the review and approval of the Board Engineer.
4. Sussex County Planning Board approval, if required.
5. The Applicant shall provide evidence in the Construction Department file that all rollback taxes are appropriately addressed.
6. 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.

7. Certificate that taxes are paid to date of approval.
8. 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, Stefanelli, Gill, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-12-10 MICHAEL & RENEE HENDERSON

Mr. Grau made a motion seconded by Ms. Kanapinski to adopt the resolution memorializing the Board's decision of March 27, 2012 granting minor subdivision approval to Mike & Renee Henderson for Block 138, Lots 10.07 and 10.08, located on Skytop Road in the R-1 Zone pursuant to N.J.S.A. 40:55D-47, subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved and as depicted on a plan entitled Minor Subdivision/Lot Line Adjustment for Lots 10.07 and 10.08 in Block 138 Skytop Road, Wantage Township, Sussex County, New Jersey prepared by Eric R. Smart Associates, Land Surveying dated February 10, 2012, last revised March 22, 2012.
2. Sussex County Planning Board approval.
3. Applicants shall be responsible for any COAH fees that may be applicable at the time a building permit is sought.
4. 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.
5. Certificate that taxes are paid to date of approval.
6. 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, Stefanelli, Gill, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

PLANNER CONTRACT RESOLUTION

Mr. Grau made a motion seconded by Mr. Cecchini to adopt the resolution memorializing the Board's decision of April 24, 2012 to accept the contract for the Planner to the Land Use Board for the remainder of 2012.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, Bassani, Gaechter, Grau, Slate, Stefanelli, Gill, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

OLD BUSINESS

A site walk was scheduled for the property known as Block 26, Lot 5.01 located on Old Route 84. This property is the subject of the application of Christian Leone Properties II, LLC designated as L-12-03. The site walk was scheduled for Friday, April 27, 2012 at 1:00 p.m.

NEW BUSINESS

A subcommittee meeting was scheduled for Thursday, May 17, 2012 at 9:00 a.m. with the Bicsak group.

INFORMAL

Mr. Louis Kosco appeared before the Board to inquire about the requirements to start his business at a location on Route 23. He was advised to come in with a site plan application.

ADJOURNMENT

On a motion duly made seconded and carried, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Stella Salazar
Secretary