

**JULY 23, 2013**

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, July 23, 2013 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, DeBoer, Grau, Slate, Smith, Stefanelli, Valkema, Mmes. Gill, Kanapinski, Attorney Glenn Kienz, Engineer Harold Pellow.  
ABSENT: Mr. VanderGroef.

Board members Smith and Valkema arrived at 7:40 p.m.

**MINUTES**

Mr. Grau made a motion seconded by Mr. Bassani to adopt the minutes of June 25, 2013.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, Bassani, DeBoer, Grau, Stefanelli, Kanapinski.

THOSE OPPOSED: None. MOTION CARRIED.

**RESOLUTIONS**

**VERIZON WIRELESS CELL TOWER APPLICATION**

Mr. Cecchini made a motion seconded by Mr. Grau to adopt the resolution memorializing the Board's decision made on June 25, 2013 granting waiver of site plan to Verizon Wireless for Block 151, Lot 7.01 located on Route 23 and situated immediately behind the Colesville Fire Department, pursuant to N.J.S.A. 40:55D- 1 and N.J.S.A. 40:55D-46.2, subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved. Any deviation from these plans shall be subject to final review and approval by the Construction Official who may, at this time, grant a building permit.
2. 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.
3. 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.
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. Sussex County Planning Board approval.
7. 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: Bono, Cecchini, Bassani, DeBoer, Grau, Stefanelli, Kanapinski.

THOSE OPPOSED: None. MOTION CARRIED.

## **VERIZON WIRELESS CELL TOWER APPLICATION**

Mr. Cecchini made a motion seconded by Mr. Grau to adopt the resolution memorializing the Board's decision made on June 25, 2013 granting waiver of site plan to Verizon Wireless for Block 165, Lot 35 located on Ranger Road and situated immediately behind the Colesville Fire Department, pursuant to N.J.S.A. 40:55D- 1 and N.J.S.A. 40:55D-46.2, subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved. Any deviation from these plans shall be subject to final review and approval by the Construction Official who may, at this time, grant a building permit.
2. 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.
3. 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.
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. Sussex County Planning Board approval.
7. 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: Bono, Cecchini, Bassani, DeBoer, Grau, Stefanelli, Kanapinski.

THOSE OPPOSED: None. MOTION CARRIED.

## **APPLICATIONS**

### **L-9-2009 ABD WANTAGE, INC.**

The applicant obtained Final Major Subdivision approval by Resolution memorialized on July 28, 2009. First and second extensions were granted up to July 28, 2013. The property is known as Block 54, Lots 8.01, 10 & 14 and is located on Lowe Road. The applicant is requesting third extension of the approvals.

The applicant was not present at the meeting therefore the application was carried to the Board's next meeting.

Mr. Cecchini made a motion seconded by Mr. Bono to carry this application to the August 27, 2013 meeting.

ROLL CALL VOTE:

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

THOSE OPPOSED: None. MOTION CARRIED.

### **L-13-04 SAMUEL MAGARINO**

The applicant is requesting waiver of site plan for additional parking. The property is known as Block 2, Lot 53 and is located on Route 23 in the HC zone.

Attorney Thomas Collins and applicant Samuel Magarino appeared before the Board.

Mr. Collins made a brief presentation of the application. The applicant was proposing eight (8) additional spaces on the grass.

Mr. Pellow's report dated July 1, 2013 was reviewed. It was discussed that the new areas proposed for parking were outside of any street right-of-way and sight easement.

Mr. DeBoer stated that if it was approved for one person then it would have to be done for everybody else and that the ordinance would have to be revised. He stated that the Board had just chased another dealer away because he wanted to do the same. It was discussed that the other dealer had not been chased away but that he had been given the option to request a variance. Mr. Smith stated that the ordinance would not have to be redone and that anyone wishing to make a change would have to come to the Board for approval. Mr. Bassani stated that he had visited the site and that he had a concern with spot #1 that almost appeared to be on Rite Aid's property and that it was too close to the road. Mr. Magarino stated that he would make sure that it was further behind the curve line or that the spot was not that important to him. It was discussed that he would move it back.

There were no members of the public wishing to come forward on this application.

Mr. Cecchini made a motion seconded by Mr. Bono to approve this application.

ROLL CALL VOTE:

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

THOSE OPPOSED: None. MOTION CARRIED

#### **L-13-05 GENE & NANCY OSIAS**

The applicant is proposing to construct a 20' x 20' therapy pool room on the south side of the existing dwelling, which requires a side yard setback variance. The property is known as Block 53, Lot 4.04 and is located on Sherman Ridge Road in the R-5 zone.

Attorney James Opfer and applicant Gene Osias appeared before the Board.

Mr. Opfer explained that the applicant wished to construct a therapy pool as his wife has a medical condition for which doctors have recommended pool therapy. A side yard setback variance was required where the distance would be 25.6' and 40' is required under the present 5-acre ordinance.

There were no members of the public wishing to come forward on this application.

Mr. Grau made a motion seconded by Mr. Slate to approve this application.

ROLL CALL VOTE:

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

THOSE OPPOSED: None. MOTION CARRIED

The applicant asked to waive receipt of the resolution prior to building permit. The Board agreed to this request.

#### **L-13-08 NEW CINGULAR WIRELESS PCS, LLC (AT&T)**

The applicant is applying for amendment to Preliminary & Final Major Site Plan. The property is known as Block 44, Lot 24 and is located on Route 23 in the HC zone.

Attorney Judith Fairweather and Engineer Frank Pazden appeared before the Board.

The professionals made a brief presentation of the application. The reason why the

applicant was required to appear in front of the Board was to explain the reason why the compound was built larger than it was approved. The approval was for 900 sq.ft. and the as-built size was 1,264 sq.ft. At the time of building it was apparent that could not lease the space where the compound was to be built so the applicant leased adjoining space and built the compound larger. No variances were needed as the compound is still well within the setbacks.

Other issues were discussed such as the light at the top of the tower, vegetation to be used as screening for the electric box and the crown tower. Mr. Pazden stated that the light was still installed, however it had been turned off. Ms. Fairweather stated that she would check with the FAA to find out if it was required. As far as the vegetation she agreed on working with Mr. Pellow regarding the screening plants, however, she stated the actual planting would probably not happen until late fall.

Mr. Bono made a motion seconded by Mr. Cecchini to approve this application subject to the crown tower, vegetation and the light discussions.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, Grau, Slate, Stefanelli, Gill, Kanapinski, Valkema.

THOSE OPPOSED: None. MOTION CARRIED

### **ADJOURNMENT**

On a motion duly made seconded and carried, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Stella Salazar  
Secretary