

**AUGUST 27, 2013**

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, August 27, 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, DeBoer, Smith, Stefanelli, Valkema, Ms. Gill, Attorney Glenn Kienz, Engineer Harold Pellow.  
ABSENT: Mssrs. Bassani, Grau, Slate, VanderGroef, Ms. Kanapinski.

Board member Stefanelli arrived at 7:32 p.m.

**MINUTES**

Mr. Cecchini made a motion seconded by Mr. Bono to adopt the minutes of July 23, 2013.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, DeBoer, Gill, Valkema, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

**RESOLUTIONS**

**L-13-04 SAMUEL MAGARINO**

Mr. Bono made a motion seconded by Mr. Cecchini to adopt the resolution memorializing the Board's decision of July 23, 2013 granting waiver of site plan approval to Samuel Magarino for Block 2, Lot 53, located at 373 New Jersey State Highway Route 23 in the HC Highway Commercial Zone, pursuant to N.J.S.A. 40:55D-51, and N.J.S.A. 40:55D-70c(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 Board's Engineer.
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 taxes are paid to date of approval.
4. Sussex County Planning Board approval, if required.
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: Bono, Cecchini, DeBoer, Gill, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

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

Mr. Cecchini made a motion seconded by Mr. Bono to adopt the resolution memorializing the Board's decision of July 23, 2013 granting "c" variance relief to Gene and Nancy Osias for Block 53, Lot 4, located at 23 Sherman Ridge Road in the R-5 Residential Zone, pursuant to N.J.S.A. 40:55D-70c, 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. At least seventy-two (72) hours before any construction, a pre-construction meeting shall be held with municipal representatives, the Applicants and their professionals and contractors. The meeting shall be held only after an estimate 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 Applicants shall file with the Board and Construction Official an affidavit verifying that the Applicants are in receipt of all necessary agency approvals other than the municipal agency having land use jurisdiction over the application and shall 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, if required.
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, DeBoer, Gill, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

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

Mr. Cecchini made a motion seconded by Mr. Bono to adopt the resolution memorializing the Board's decision of July 23, 2013 granting use variance and amended preliminary and final major site plan to AT&T for Block 44, Lot 24, located at 743 Route 23 in the HC-Highway Commercial Zone, pursuant to N.J.S.A. 40:55D-70d, N.J.S.A. 40:55D-46 and N.J.S.A. 40:55D-50, subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved, as amended hereby. Any deviation from the terms of this approval shall be subject to final review and approval by the Construction Official.
2. The light which was installed at the top of the telecommunications tower shall not be operated and shall remain unlit, unless it is required to be operated by the FAA.
3. The Applicant shall plant additional vegetation to screen the existing electric box subject to the approval of the Board's Engineer.
4. If it is possible to do so without affecting the operation of the telecommunications tower, the Applicant shall remove the artificial branches from the monopole.
5. 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.
6. Certificate that taxes are paid to date of approval.
7. Sussex County Planning Board approval, if required.
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: Bono, Cecchini, Smith.

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 represented by Attorney Michael Leary of Courter, Kobert & Cohen of Hackensack, N.J. The attorney indicated that the applicant had been in the process of securing other agency approvals that were conditions of the original approval. The applicant, however, has not proceeded to construction due to the poor economic conditions and the current state of the real estate market.

Mr. Smith opened the meeting to the public. Ms. Allison Orsi, a neighboring resident, opposed the granting of the extension. She indicated that she favored open spaces. Mr. Smith indicated that the Board had considered all impact to the neighborhood prior to granting the approval and that the applicant had complied with all requirements prior to preliminary approval of this application back in 2006.

Mr. DeBoer made a motion seconded by Mr. Bono to approve this extension request. The extension would run to July 28, 2014.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, DeBoer, Gill, Valkema, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

**L-13-03A ROLLING HILLS PROPERTIES II, LLC (formerly known as Christian Leone Properties, II, LLC)**

The applicant is requesting amendment of minor subdivision approval to provide for an alternate house position for proposed remainder Lot 5.01 and modifications of other conditions of approval. The property is known as Block 26, Lot 5.01 and is located on Old Route 84 in the RE-5 zone.

Attorney Janet C. Lucas and Engineer Kenneth Dykstra appeared before the Board. The professionals indicated that the original approval was for a shared driveway for properties on both Lot 5.01 and Lot 5.06. The applicant is now requesting approval to change it to two driveways. An optional new alternate location of the house on Lot 5.01 is now being proposed just past the former railroad right-of-way behind Lot 5.06.

Exhibit A-1, a one-page revision with color markings of minor subdivision plans dated August 27, 2013 was introduced. Mr. Pellow's report was reviewed. It was discussed that the two driveways were acceptable. The discussions included: The driveway guide rail, two stormwater management basins, two cross drains under the drive into Lot 5.01, the Road Trust Fund in the amount of \$1800.00 to be deposited prior to the deeds being signed, a revised profile for the driveway into Lot 5.01 to be submitted, the applicant to certify in writing that the debris in the middle of the site had been removed.

The meeting was opened to the public. Mr. Eric Hansen, neighboring property owner, stated that he favored a common driveway and he did not think 178 ft. of road frontage should be approved. Ms. Allison Orsi supported less impervious coverage.

The meeting was closed to the public and opened to the Board. Mr. Bono stated that he would like to see enough turn around/back up for emergency vehicles. The applicant agreed to widen a portion of the road for that purpose. Ms. Gill clarified that each driveway would be 12 ft. wide with a 15 ft. area in between.

Mr. Bono made a motion seconded by Mr. Cecchini to approve this application, subject to Mr. Pellow's report as well as the testimony heard.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, DeBoer, Gill, Valkema, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

**L-13-07 BRET & JOANNE ALEMY**

The applicant is seeking “c” variance approval to construct an addition on an existing two-story frame dwelling. The property is known as Block 14, Lot 1.03 and is located on Clark Road in the RE-5 zone.

Engineer Kenneth Wentink and applicant, Bret Alemy, appeared before the Board. Mr. Wentink indicated that the applicant was requesting a variance to construct an addition that would be 32.7 feet from the side yard where 40 feet would be required. Mr. Pellow’s report dated June 26, 2013 and revised July 26, 2013 was reviewed. It was noted that there would be no additional bedrooms as that could possibly require an increase in the size of the septic system. A new paved back-out area was depicted on Mr. Wentink’s map and it was found to be satisfactory.

The applicant asked to waive receipt of the resolution prior to building.

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

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, DeBoer, Stefanelli, Gill, Valkema, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

**INFORMAL**

**THOMAS ZUMMO**

Mr. Tom Zummo appeared before the Board with his attorney, Ms. Janet C. Lucas, to discuss a zoning permit for a farm market that was denied by the zoning officer. The Board suggested scheduling a subcommittee meeting at Mr. Pellow’s office. A meeting was scheduled for Wednesday, September 18, 2013 at 1:30 p.m.

**RICHARD WINSTOCK**

Richard Winstock of Sussex Skydive, LLC appeared before the Board to ask about change the application to his name as he is now the owner of Sussex Skydive, LLC and to inquire about constructing two 20 x 40 modular offices.

**GLENN BROOK INN**

Prospective buyers for the GlennBrook Inn appeared before the Board to obtain information on what they would be allowed to do in order to restore the property. They indicated that they would have package goods, a bar, and a restaurant on the premises. The Board advised them not to disturb any part of the property outside.

**ADJOURNMENT**

On a motion duly made seconded and carried, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Stella Salazar  
Secretary