

OCTOBER 22, 2013

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, October 22, 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, Slate, Smith, Stefanelli and Valkema, Mmes. Gill and Kanapinski, Attorney Glenn Kienz, Engineer Harold Pellow.

ABSENT: Mssrs. DeBoer, Grau and VanderGroef.

Board member Valkema arrived at 7:35 p.m. Board member Gill arrived at 8:00 p.m.

MINUTES

Mr. Cecchini made a motion seconded by Mr. Slate to adopt the minutes of September 24, 2013.

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Bassani, Slate, Stefanelli, Kanapinski, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

RESOLUTIONS

There were no resolutions to be adopted at this meeting.

APPLICATIONS

L-13-09 STANLEY TABAKA AND LINDA SUCHANA

The applicant is proposing to operate a motor vehicle and trailer sales business. The property is known as Block 117, Lot 31 and is located on Route 565 in the HC zone.

Board member Bassani stepped down on this application.

Attorney Robert Morgenstern, Professional Planner Mr. Wayne McCabe and the applicant, Stanley Tabaka, appeared before the Board. Mr. Tabaka stated there would be no repairs to the motor vehicles done on the premises. However there would be detailing and general cleaning of the vehicles. There would be no freestanding sign but there would be two signs on the building. Exhibit A-16, a picture of the façade of the building showing the measurements of the two signs, was introduced. Mr. Tabaka added that the canopy would be back on. Mr. McCabe evaluated the application regarding variances and the ordinance. He stated that four variances would be needed, as follows: 1. Variance for lot area, 2. Variance for front yard, 3. Variance for rear yard and 4. Variance for the change of use. Mr. Kienz stated and confirmed that the variances for front yard and rear yard were not required as the conditions were pre-existing. Mr. McCabe elaborated on the intensity of the use and stated that the intended use was consistent with the Highway Commercial zone, with the Master Plan and with the zoning ordinance. He stated that there would be no major changes, that the applicant would rehabilitate the site, that the parking lot would be seal coated, and that the trailer area would be paved. He stated that the plan conformed to the general site plan ordinances.

There were no members of the public wishing to come forward on this application. The meeting was closed to the public and opened to the Board. Mr. Smith stated that grassy area Southwest to the existing buildings should be listed as residential use only. Ms. Kanapinski asked whether or not the patio out back was staying. Mr. Pellow commented that the applicant would clean up the site and would landscape. Mr. Pellow also stated that the intensity of the lighting would be checked by someone from this office.

Mr. Cecchini made a motion seconded by Mr. Slate to approve this application subject to Mr. Pellow's report and subject to the residential grass area. The applicant asked to have the resolution waived prior to construction.

ROLL CALL VOTE:

THOSE IN FAVOR: Cecchini, Slate, Stefanelli, Kanapinski, Valkema, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-13-10 ROYAL BUICK GMC

The applicant is requesting waiver of site plan to allow parking of nine (9) vehicles on a grassy area. The property is known as Block 2, Lot 52.02 and is located on Route 23 in the HC zone.

The applicant requested to have this application carried to the November 26, 2013 meeting. The Board unanimously agreed to grant this request.

L-13-03 EUGENE & MARGARET MOROZOV

The applicant is proposing a lot line adjustment with his neighbor to eliminate a driveway and small shed encroachment. A setback variance for the small shed on Lot 1.21 is required. The property is known as Block 13, Lots 1.21 & 4 and is located on Armstrong Road in the R-5 zone.

Attorney Christopher Erd and the applicant, Margaret Morozov, appeared before the Board. Mr. Erd indicated that the application originally was under the name of Eugene and Margaret Morozov. However, Mr. Morozov had since passed away and the applicant was now Mrs. Morozov.

As noted in Mr. Pellow's report, it was discussed that both lots will have the same areas after lot line adjustment as they had before lot line adjustment. 7,091 square feet will be subdivided from Lot 4 to be conveyed to Lot 1.21 and 7,091 square feet will be subdivided from Lot 1.21 to be conveyed to Lot 4. Both lots would meet area and dimensional requirements for the R-5 zone except Lot 4, which would have 4.35 acres, and 5.00 acres is required. It was noted that Lot 4 was subdivided prior to the 5-acre zoning. It appeared that the small shed on Lot 1.21 would need a setback variance, as 10 feet is required and the proposed distance had been shown as 6.9 feet. However, it was discussed that the shed would not need a variance as it was already existing. There was a discussion regarding Item 4.11 of the report having to do with the location of the septic system for Lot 4. Mr. Erd indicated that they were not able to find the next door neighbor's septic system and that their well was located in the front yard therefore they assumed their septic was located in their backyard and they did not think it was anywhere near the proposed lot line. It was discussed that the approval would be subject to the septic's location.

Mr. Bono made a motion seconded by Mr. Slate to approve this application with a variance for the shed and subject to Mr. Pellow's report.

ROLL CALL VOTE:

THOSE IN FAVOR: Bono, Cecchini, Bassani, Slate, Stefanelli, Kanapinski, Valkema, Smith.

THOSE OPPOSED: None. MOTION CARRIED.

L-13-13 WANTAGE STONE

The applicant is requesting amendment of site plan to expand the hours of operation. The Property is known as Block 11, Lot 5 and is located on Route 23 in the PCD zone.

Attorney William Hinkes, Attorney Thomas Collins, Engineer Allen Campbell, principal Paul Bicsak, and site manager, Terrance Baumann, appeared before the Board.

The applicant is requesting to amend the site plan approval to expand the hours of operation from 7:00 a.m. to 4:00 p.m. Monday through Saturday to 4:00 a.m. to 7:00 p.m. Monday through Saturday. Mr. Campbell introduced Exhibit A-1, Site Conditions October 2013 and described the operations taking place as of the present time. Mr. Campbell stated that several businesses in the area are already open at 4:00 a.m. and that site is thousands of feet in the back from other residential areas and about 300 feet from the nearest restaurant. The applicant testified that Hamburg Quarry loads at the other quarry and allows trucks to be on the road before 7:00 a.m. The professionals stated that the main reason for this request was to be able to have the trucks out of the site before peak hours which would place them at the G.W. Bridge earlier to avoid traffic. They added that this will make it a safer operation since there would be less traffic on Route 23. Mr. Campbell indicated that sound tests had been performed at 4:00 a.m., 5:00 a.m., 5:30 a.m. and mid-day. Mr. Smith asked if they could submit the data in writing. The applicant agreed to do so. Mr. Baumann testified that starting at 4:00 a.m. would allow approximately 50 trucks leave the site and that crushing operations would not take place until 7:00 a.m. Approximately thirty (30) of those trucks would be loaded between 4:00 and 7:00 a.m. Mr. Bicsak stated that Rachel Manor used to start at 4:00 a.m.

Mr. Smith asked if loading of the trucks took place in a continuous flow. The applicant confirmed that it did and that there was no backing up involved.

The application was open to the public. Mr. Kevin Kennedy, owner of a car repair site and Mr. James Acciardi, owner of a car lot, both in the neighboring area stated that the dust situation was such that they had to continuously pay someone to come and clean the windows and the cars. Mr. Smith stated that he did not know where to point the finger since there were several business operations in the area and it was difficult to know exactly where the dust was coming from depending on the direction the wind was blowing. The applicant agreed to check on this and to work on dust control.

The Board discussed granting the applicant a 30-day trial allowing the applicant to start operations at 4:00 a.m. six days per week subject to the applicant performing additional sound testing and submitting data in writing. The application was carried to the November 26, 2013 meeting at which time the information will be reviewed.

Mr. Slate made a motion seconded by Ms. Gill to grant the approval subject to the conditions discussed above.

ROLL CALL VOTE:

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

THOSE OPPOSED: None. MOTION CARRIED

INFORMAL

KEVIN KENNEDY

Mr. Kennedy inquired about the site plan needed to park cars for his auto repair business. The Board asked him to have a plan drawn showing the amount of car spaces he wished to have and to return to the Board for another informal meeting.

JOHN SUCHOSKI

Mr. Suchoski inquired about a property that he is looking to purchase. He wishes to utilize the site to park paving vehicles and machines. The Board agreed to do a site walk on Friday, November 1, 2013 at 4:00 p.m. to give him guidance.

GENERAL BUSINESS

A subcommittee meeting was scheduled for Tuesday, November 12, 2013 at 9:00 a.m. at Mr. Pellow's office to discuss rezoning and to prepare for the meeting of November 26, 2013.

Mr. Kienz informed the Board that he received a call from Sussex Borough regarding the proposed Shop Rite. It was discussed there may be some building for Wantage Township.

ADJOURNMENT

On a motion duly made seconded and carried, the meeting was adjourned at 9:52 p.m.

Respectfully submitted,

Stella Salazar
Secretary