

MARCH 17, 2015

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, March 17, 2015 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: William Gaechter, Victoria Gill, Paul Grau, Joanne Kanapinski, Ronald Slate, Patrick Stefanelli, Michael Cecchini, William DeBoer, William Semmens. Attorney Angela Paternostro, and Engineer Harold Pellow.
ABSENT: Larry Bono, Ronald Bassani.

SALUTE TO THE FLAG

Mr. Cecchini invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

Minutes

Mr. Grau made the motion to approve the minutes from the February 17, 2015 meeting. Mr. Slate seconded the motion.
Ayes: Gaechter, Gill, Grau, Kanapinski, Slate Stefanelli, Deboer, Semmens and Cecchini. Nays: None. Absent: Bono, Bassani

L-2015-01 United Methodist Church will be carried over March 24, 2015 meeting. No further notice is necessary.

L 2015-02 Rubin Hill Properties will be carried over to March 24, 2015 meeting. No further notice necessary

APPLICATIONS

L 2014-08 and L-2015-09

Mountain View Manor
Boulder Hill Blvd
Blocks 4.02 Lots 1 and 2
Block 4.01 Lot 5
Lot 2 Use Variance and bulk variance for setback for a 20 unit 2 story apartment building
Lot 5 Use Variance

Mr. Gaechter and Mr. Semmens stepped down from the dais.

The application was carried over to allow site visits by the Board, which took place over the past month.

Attorney Allyson Kassetta spoke on behalf of Mountain View Manor.

Ms. Kassetta sent new notices for tonight's meeting,

With the approval, the applicant hopes to begin construction on a 20 unit building this year, with an anticipated completion by spring 2016.

When the time comes to start building on Lot 5, depending on economic conditions the applicant may consider mixed use buildings.

Mr. Cecchini opened the meeting to the board for questions and comments,

Mr. DeBoer stated he was happy he did go on the site walk, the application became clear,

Mr. Cecchini agreed.

Mr. Cecchini opened to this portion of the meeting to the public, there being no comments, Mr. Cecchini closed this portion to the public.

Bill DeBoer made the motion to approve the Use Variance on Blocks 4.02 Lots 1 and 2 and Block 4.01 Lot 5 from WED to Residential zone.

Pat Stefanelli seconded the motion.

Roll Call: Ayes: Gill, Grau, Kanapinski, Slate, Stefanelli, Deboer, and Cecchini. Nays: None. Absent: Bono, Bassani.

Butchko L-2015-04

C Variance

Keith & Debra Butchko

Rear yard set back

33 Woodland Road

Addition

Notice has been made for a public hearing.

Attorney Paternostro- Pfister swore in Keith Butchko and Debra Butchko

The application was deemed incomplete; it was carried over to the March 24, 2015 meeting. No new notice is necessary

L-2012-011 Wantage Stone

Route 23 and Blair Road

Block 11 Lot 5

Site plan for quarrying and Soil Removal for Wantage Stone LLC

Notice has been made for a public hearing

William Hincks Attorney

Attorney Paternostro-Pfister swore in Owen Dykstra, Branchville, NJ, Engineer,

Attorney Paternostro-Pfister swore in Terrance Bowman

Attorney Paternostro-Pfister swore in Alan Campbell, Newton, NJ, Engineer

Since this will be a 29 year project the Board would like to cover questions that may pertain to the ordinance.

Exhibit A1 is the conceptual sight development plans.

Exhibit A2 is a bird's eye view looking west.

The Applicant is proposing a Soil Mining and Rock Quarrying Plan for the balance of Lot 5, Block 11.

Area I A portion of the Bicsak property approved under the original application and since revised, 13.29 acres.

Area IIA Area west and ease of the power lines, 16.40 acres.

Area IIB Area west of the power lines, 13.36 acres.

Area IIIA Large area west of the power lines and north of Blair Road, 19.72 acres.

Area IIIB Large area west of the power lines and north of Area IIIA, 25.83 acres.

Wantage Stone, LLC, 115 River Road Suite 104, Edgewater, NJ 07020, is the contractor doing the soil and rock removal.

The plan indicates 17 million tons of material to be removed in Phases I, II, and III. The plan indicates Phase I will take 1 year, Phases IIA and IIB 5 years, and Phases IIIA & IIIB 12 years. The plan states 4000, tons per day will be removed or 160 truckloads per day, plus local hauls or 400 trips per day.

Mr. Pellow does not recommend that Phase III be approved at this time, the time frame is so far off and things could change.

The Board as well as the Attorney and Engineer for Wantage Stone both agreed the liability limits are too low. Out of prudence Wantage Stone, LLC., has set the limits at \$1,000,000.00, \$3,000,000.00. Mr. Cecchini and Mr. Pellow agreed the Board will revisit the fees that Wantage Township requires for liability limits.

An application is in progress for a Letter of Interpretation (LOI) for all wetland areas. This is needed prior to any approval.

Soil Eroision by water and wind – A permit will be required from the Soil conservation District. Wind is a major issue with quarrying. The applicant uses a “Dust Boss” to help control the dust, which has been an ongoing issue with the neighbor. The “Dust Boss” sprays a mist of water on the belt to prevent the quarry dust from blowing away. Additional spray bars were installed last fall.

Surface Water Drainage – The future retention basins to be constructed in the rock floor currently have no discharge piping and are being designed to allow slow seepage into the rock fractures. Sediment may accumulate over time and prevent seepage. Runoff should not be drained into solid stone areas. The basins should account for this future condition.

Soil Fertility – This new phase will stockpile topsoil so it does not leave the area and will be respread over the 5 acre area when mining is completed. It is important to re-establish a grass cover. The applicant is requesting to increase the area of disturbance to approximately 10 acres. The threshold of disturbance is ideal when the existing topography designs where you start the next bench. The Applicant is seeking permission to work on an area by area basis. Area 2A is 13 acres and area 2B is 10.4 acres. Mr. Cecchini and Mr. Pellow both agreed, as long as enough topsoil is left to re-establish the grass.

Lateral Support of Abutting Streets and Land - The proposed 130 foot cut it has been reduced to 100 feet for safety and aesthetics.

Public Health & Safety - The entire project will be fenced in.

Land Values and Uses - A 3D plan is provided Mr. Pellow suggests the Board review the plan.

Effects of Tree Removal - The trees on the entire berm will be removed. Mr. Pellow suggests increasing the bond for tree replacement and continued maintenance of access roads. The new trees will be small but will grow over time. Exhibit A1 shows smaller roads for access for maintenance of the berms, sheet 4 shows access roads for each bench. These roads are not only for construction but for continued maintenance as well as JC P&L access roads.

Effects on Water Resources such as Streams and Wetlands – All of the wetlands will stay.

Effects of Truck Traffic – The amount of trucks going in and out will not change.

The hours of operation as per the ordinance are from 7:00 AM to 5:00 PM Monday through Saturday. No operations shall be conducted on Sunday. Permission has been given to continue to load the scales Monday through Saturday 4:00 AM – 6:00 AM. This is subject to annual review.

Mr. Cecchini and Mr. Hincks both agreed that this is not an agreement for 29 years. This agreement is subject to annual review.

There has been communication with the County Planning Board but a formal application has not been filed.

The Mr. Pellow stated the bond rate is too low. Mr. Cecchini agreed that revisiting the bond rate will be a conditional of approval

The maximum height of any structure is 40 feet and the applicant will comply. The Resolution should contain what equipment is on sight.

A developers agreement will be needed when the site is further developed.

The Board will not approve any of the future layouts, as this will change many times over the next 29 years.

The site is designed to be independent of Rachel Builders, an agreement is still possible.

Mr. Cecchini opened the meeting to the public.

Kathy Gorman of Fernwood Road, questioned the hours of operations. Mrs. Gorman is concerned with the truck traffic and car traffic. She stated one should not diminish the amount of commuters at 5:00 am. She cannot report illegal truck activity, because the license plates are dirty. Mrs. Gorman has also been delayed because of stone being swept off of the road.

Ann Smilowitz 108 Route 23, offered her comments regarding dust. She feels the dust boss is not working the way it has been explained. She also stated the blasting is very disturbing. She inquired as to who was running the quarry, Mr. Hincks stated Eastern Concrete is the subcontractor. Mr. Hincks also stated if there is a complaint, she could knock on the door at the quarry. Mr. Cecchini explained that the noise and dust will be diminished within a year or two, these operations will be winding down and they will be moving the operations further from her property.

Mr. Cecchini closed the meeting to the public.

The relief the Applicant is seeking:

- Sight Plan approval
- Continued variance of 4:00 AM – 6:00 AM scale loading, subject to annual review.

Mr. Grau made the motion to approve application L-2012-11 Wantage Stone, LLC with all of the conditions of approval; the low bonding, increase the liability insurance, and the Developers Agreements, Mr. Pellow's report and the relief the applicant sought. Mr. Slate seconded the motion. Roll Call: Ayes: Gaechter, Gill, Grau, Kanapinski, Slate Stefanelli, DeBoer, Semmens and Cecchini. Nays: None. Absent: Bono, Bassani.

L-2015-05 - Preliminary & Final Major Subdivision for Bicsak Brothers Realty LLC

Block 11, Lot 5

Located on NJ State Highway 23 & Blair Road

Notice has been made for a public hearing.

Angela Paternostro-Pfister stated the notice was for 7:00 PM, the hearing was taking place at 8:57 PM.

Alan Campbell Professional Engineer, Professional Planner, Branchville, NJ

Owen Dykstra Professional Engineer, Newton, NJ

Mr. Collins, Morristown NJ, Attorney, appeared before the Board for Bicsak Brothers Reality. Mr. Collins requested to amend the application and asks the front lot be referred to as Lot 5. The plans have called it 5A.

Exhibit A1 is sheet 2, the site plan for the Wantage Stone application, the three-lot subdivision.

Exhibit A2 is the two-lot subdivision.

The green shading is the property located on Route 23.

The red shading is the property behind the power lines, and behind the green shaded area. The yellow shaded property located on Blair Road and continues to be quarried.

The applicant wishes to develop the green shaded 53 acre lot for commercial and mixed used development.

Mr. Pellow stated a road must be shown on the map, for the red shaded area before development of the green shaded area. Access to the yellow shaded area will be obtained from Blair Road.

Mr. Dykstra suggested the Board approve the application as two phases the second phase being the development of the red shaded area.

Discussion then took place regarding the red shaded land locked property. As long as a road is shown on a map that allows the board to grant a three-lot subdivision, the road can be moved once development starts. Not all properties in planned developments have road frontage.

Mr. Cecchini opened the meeting to the public.

Ann Smilowitz, 108 Route 23, Wantage, was concerned with the water availability on the property. She was reassured to hear the expectation is to get water from public potable water.

Mr. Cecchini closed this portion of the meeting to the public.

Mr. Cecchini opened the discussion to the board. The consensus of the board is to develop the property in phases, so development may begin sooner rather than later.

Mr. Gaechter made the motion to approve to approve development as three lots.

Mr. Stefanelli seconded the motion.

Ayes: Gaechter, Gill, Grau, Kanapinski, Slate, Stefanelli, DeBoer, Semmens, Cecchini.

Nays: None. Absent: Bono, Bassani.

ADJOURNMENT

On a motion duly made by Mr. Grau, seconded by Ms. Gill and carried, the meeting was adjourned.

Respectfully submitted,

Jeanne M. McBride
Secretary