

APRIL 21, 2015

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, April 21, 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.

SALUTE TO THE FLAG

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

ROLL CALL

PRESENT: Ronald Bassani, Larry Bono, Bill Gaechter, Paul Grau, Joanne Kanapinski, Michael Cecchini, Bill DeBoer, William Semmens. Attorney Angela Paternostro, and Engineer Harold Pellow.

ABSENT: Victoria Gill, Patrick Stefanelli, Ron Slate.

RESOLUTIONS:

L-2014-08 Mountain View Manor at Wantage

Mr. DeBoer made a motion seconded by Mr. Grau to adopt the resolution memorializing the Boards decision of March 17, 2015 granting variance relief pursuant to NJSA 40:55 D-70 [d] and 40:55D-70 [c] to Mountain View Manor at Wantage for Block 4.02, Lots 1 & 2 and Block 4.01, Lot 5, located on Route 23 in the WED Zone subject to the following terms and conditions.

1. The Applicant shall comply with all of the specific recommendations contained in the Pellow Reports October 30, 2014 and November 17, 2014, which are attached as part of the Resolution as Exhibit A;
2. The Applicant shall record a deed restriction, which prohibits any development on Lot 1, other than the proposed underground sanitary sewerage facility.
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 all taxes are paid to date of approval;
5. The applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf, during the course of his presentation to the Board, and in all documents filed with the instant Application;
6. Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey;
7. Subject to the Applicant's receipt of site plan approval and any other required permits.

Roll Call: Bono, Grau, DeBoer, Cecchini, Nays: Kanapinski. Abstain: Semmens.

APPLICATIONS

L-2015-02

**Rubin Hill Properties,
LLC/ Joseph J. Retz, Jr.
147 Libertyville Road
Block 132, Lots 3.20, 3.26, 3.31, 3.32 & 3.33**

D Variance

Mr. Bassani and Mayor Gaechter stepped down from the dais for this application

Mr. Stoner reviewed Mr. Pellow's report; for the purpose of hearing the application, the rest of completeness issues could be waived. This is a variance for four lots; Mr. Retz must come back for a variance for any additional lots he wishes to develop.

Attorney Paternostro-Pfister swore in Mr. Joseph Retz Sr.

Mr. Retz presented to the Board pictures of ongoing projects in Wantage, of single-family homes that are not completed. He did this to prove the point that new single-family homes have not been selling.

Mr. Retz presented the type of home he wishes to build; the plans were marked as exhibit A. One unit is approximately 1400 square feet, the other unit approximately 1000 square feet. The units attach by their garage. The homes will sell as one unit, not two. The homes would contain two separate living areas, two separate electric meters, one well and one septic.

Attorney Paternostro-Pfister swore in Professional Planner Jessica Caldwell, Newton NJ. Ms. Caldwell explained they are before the Board for a D Variance for Use and D 5 Variance for Density.

The Applicant received final approval in 2007 for eight single-family homes, on a cul-de-sac. Ms. Caldwell listed the possible interested tenants; seniors with rentals, owners with adult children, or owner with ageing parents. The traffic impact would be minimal with an increase of seven trips per day verses single-family homes. The population impact would also be minimal due to the small units. The property is on a cul-de sac for minimum impact of surrounding neighbors and there is a buffer of trees surrounding the neighborhood.

Mr. Cecchini asked if the loft in the larger unit would have a half wall, Mr. Retz responded yes. He asked Mr. Retz to explain the landscape plan. Mr. Retz said each unit would have sliding doors where each could place a private patio.

Mr. Cecchini opened the application to the Board for questions. Mr. DeBoer asked if the road would be a private road. Mr. Retz said it would be a Township Road. Mr. DeBoer asked about COAH fees. Mr. Cecchini replied COAH fees do apply.

Mr. Stoner questioned the layout of the subdivision plans. Where will the houses be placed on the lots, including driveways, wells and septic's? He also asked about drainage. Mr. Retz said he might have to include drainage retention wells for roof drainage. Mr. Cecchini stated that each lot might have to be examined individually for drainage.

Mr. Cecchini opened the application to the public.

Attorney Paternostro-Pfister, swore in Mr. Steve Wagner of Lillian Court, Julio Lorente, of Lillian Court and Mr. Minong of Lillian Court.

Mr. Wagner stated his concerns regarding the long term impact of new wells, renters moving in and out, and future real estate values. He is also concerned water runoff from the homes. Mr. Wagner has ongoing issues with runoff onto his property. Mr. Stoner asked if the runoff he is concerned with is water coming from the proposed development property. Mr. Cecchini said Mr. Wagner's water concerns will be addressed by Mr. Pellow, and the development of the lots may help with Mr. Wagner's water issue. Mr. Cecchini also stated that a well must be in place before development begins.

Mr. Lorente expressed his concern that the neighborhood will house low-income homes.

Mr. Minong expresses his concern regarding the short time tenants not having commitment to the home and the area.

Since there was no one else that wished to speak, Mr. Cecchini closed this portion of the meeting to the public.

Mr. Cecchini then opened it up to the Board for discussion.

Mr. Grau said there are similar homes in town, they are rental units that are well kept.

Mr. Cecchini stated certain conditions must be met if approved.

- Each lot is to be reviewed by the Township Engineer for storm run-off, driveway placement and landscape plans.
- The entire road must be upgraded and approved to meet the Township standards, not just in front of the lots.
- A Composite plan for the four duplex lots for drainage and landscape, not just individual lots.
- The building plans must be consistent with the style of plans submitted by Mr. Retz designed by Joel Jenkins, Architect.

A motion was made by Mr. Grau, including all of the conditions stated, seconded by Mr. DeBoer. Roll Call. Ayes: Semmens, Deboer, Grau, Bono, Cecchini. Nays: Kanapinski.

L-2014-10

Dunkin Donuts

Town Center at Wantage

Major site plan application

Notice has been made for a public hearing

Attorney Allyson Kasseta stated that Dunkin Donuts is here for sign variance and the style of the building.

Attorney Paternostro-Pfister swore in Dunkin Donuts representative Karl Cruz, construction manager for Dunkin Donuts.

Mr. Cruz explained to the Board Dunkin Donuts Corporate does not build Colonial style buildings. If one sees one, it was a pre-existing building, usually a bank. The buildings represent their Brand image nationally.

Mr. Cruz presented Exhibit A5; material samples, seating, wall and floor samples. The building will construction will be by Dunkin Donuts Corporate and sold as a franchise. This prototype is the one Dunkin Donuts builds nationally, whenever there is ground up construction.

Mr. Bassani asked if there was any latitude on Wantage Township not getting the 'standard box' type of Dunkin Donuts. Mr. Cruz repeated the building is the Brand image. Dunkin Donuts must take into consideration cost, which is why a prototype was developed. After some discussion, Mr. Cruz offered cedar shake on the outside wall with a fieldstone kneewall and on the monoliths.

The menu board in the back did not need a variance as long as one cannot see it from Route 23. The directional (entrance and exit) would not have the logo so would not be considered signs.

Mr Cecchini opened this portion of the meeting to the public

Mrs. Ann Smolowitz of Route 23 Wantage was sworn in by Attorney Paternostro-Pfister.

Mr. Smolowitz spoke on the need of Commercial business needed along Route 23, and was very happy the Board was able to work through the differences to achieve a Dunkin Donuts.

As there was no one else that wished to speak, Mr. Cecchini closed this portion of the meeting to the public.

Mr. Cecchini then opened the meeting to the Board for discussion.

After some discussion regarding the variances needed for the signs; area for the building sign and height and area for the free standing, the Board agreed they would not be an issue.

Mr. Cecchini stated the only condition the motion would include, if approved, would be a rendering; with the cedar shake, fieldstone and the signage in place.

Mr. Bassani made the motion to approve Dunkin Donuts building and signage with the condition, Mr. Bono seconded the motion. Roll Call. Ayes: Bono, Bassani, Gaechter, Grau, Kanapinski, DeBoer, Cecchini. Nays: None. Abstain: Semmens

L-2015-07

Mr. Scott Bose

C variance

Block 2 Lot 32

8 Lower Unionville Road

Notice has been made for a public hearing.

Mr. Bose is before the Board after a neighbor complained he was renovating his garage without permits. Mr. Bose also included a second floor on the garage. The garage is located one foot eight inches from his property line. Mr. Bose is 16" over the permitted height of the building. Mr. Bose is looking for a height variance for the 16" tonight. The setback variances are pre-existing. There are no changes to the dimensions of the garage itself. A survey from 1983 shows there was a garage in that location

William Askin of the firm Laddy, Clark, and Ryan represents Mr. Bose.

Attorney Paternostro-Pfister swore in Scott Bose, of Lower Unionville Road.

Mr. Bose began renovation on the garage in the summer of 2014; the garage was ruined during Super Storm Sandy. The garage was formally a single story; Mr. Bose added a second floor but did not change the footprint. The second floor will be used for storage, and will not be used for living space. There will be no septic, water or bedrooms in the garage. Mr. Askin presented six pages of drawings, created by Mr. Bose's son, who works for a carpenter. The drawings are not professional.

The photo's include; front dimensions, bird's eye view, front view, left side with entrance stairway, right side and rear of the garage.

Mr. Cecchini inquired on the size of the overhang on the prior garage. Mr. Bose believes it was identical.

The Board is very concerned with the eight-foot sliding door and the deck; if the building is to be used for storage. Mr. Bose told the Board he built the deck for parties/bands. He installed the slider doors for light. The neighbor does not have a problem with the structure. The neighbor has been noticed. Although the building inspector could not attend, he noted that an additional firewall might be required because of the proximity to the lot line.

Mr. Cecchini stated the conditions of approval if approved:

- File a survey to be reviewed Township Engineer.
- Contact the building inspector regarding the fire related issue
- Granting a height variance 21.4 inches
- As built when completed

Mr. Bassani made a motion to approve the application including all of the conditions stated, Mr. DeBoer seconded the motion. Roll Call. Ayes: Bono, Gaechter, Grau, Kanapinski, DeBoer, Semmens, Bassani, Cecchini. Nays: None.

Mr. Cecchini updated the Board on a Concept Meeting with Mr. Weible regarding the property Shoprite has an interest. He stated developers also attended the meeting and are they interested in developing the entire area, not just the Shoprite property. The next step will be applications and site plans.

ADJOURNMENT

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

Respectfully submitted,

Jeanne M. McBride
Secretary