

JULY 28, 2015

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, July 28, 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: Bill Gaechter, Victoria Gill, Paul Grau (7.08), Joanne Kanapinski, Michael Cecchini, Bill DeBoer. Also present was Attorney Angela Paternostro-Pfister, and Engineer Harold Pellow.

Absent: Larry Bono, Ronald Bassani, William Semmens, Ronald Slate, Patrick Stefanelli.

MINUTES:

Due to a lack of quorum, the minutes of the June 16, 2015 meeting have been carried over to the August 25, 2015 meeting.

RESOLUTIONS:

L-2015-07 SCOTT BOSE

Mr. Gaechter made a motion, seconded by Mr. DeBoer to adopt the resolution memorializing the Board's decision of April 21, 2015 granting a "C" Variance for an accessory building set back from any lot line, a height variance is also sought. The property is located at 8 Lower Unionville Road know as Block 2, Lot 32 Pursuant to N.J.S.A 40:55D-10(g).

NOW, THEREFORE, BE IT RESOLVED, by the Township of Wantage Land Use Board, County of Sussex, and State of New Jersey the Application of Scott A. Bose with respect to Block 2, Lot 32 as shown on the Tax Map of the Township of Wantage requesting "c" variance for an accessory building set back from any lot line where 10 feet is required and 1.8 feet to the sideline and 3.0 feet to the rear line exists and a height variance where 20 feet is required and 21 feet 4 inches is proposed. The applicant also seeks a height variance where the height of the structure exceeds the permitted height by 16 inches. The property known as Block 2, Lot 32 is located at 8 Lower Unionville Road in the R-5 Zone be and hereby is granted. This approval is subject to the testimony given and plans submitted with the Application as well as the following conditions:

- The Applicant shall comply with all of the specific recommendations contained in the April 7, 2015 Pellow Report and all revisions to same (April 20, 2015). Further, the commitments made by the Applicant and their representatives in their recorded testimony and as set forth in the previous findings of fact shall be satisfied;
- 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;
- Certificate that all taxes are paid to date of approval;
- The Applicant shall obtain a survey of the subject property from a licensed surveyor and shall remit same to the Township Engineer for review;
- The Applicant shall contact the Township Building Inspector to ascertain the need for the Applicant to have a firewall in light of the proximity of the structure to the adjoining properties;
- The Applicant shall obtain an as-built of the property when the addition to the structure is completed and shall remit same to the Township Engineer;
- There shall be no water line/usage to the garage structure, no living quarters in the garage structure, no septic line to the garage structure;

- The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer;
 - All performance requirements as set forth in the findings of fact herein shall be satisfied by the applicant as a condition of this approval whether or not repeated at length in this conditions-section of this Resolution;
 - The Applicant must comply with all representations made, either personally or through any representative acting on her behalf, during the course of her presentation to the Board, and in all documents filed with the instant Application;
 - Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey.
- Ayes: Gaechter, Kanapinski, DeBoer, Cecchini. Nays: None. No Vote: Gill.

L-2015-08 SKYLANDS ANIMAL SANCTUARY

Mr. DeBoer made a motion, seconded by Mrs. Kanapinski, to adopt the resolution memorializing the Board's decision of June 16, 2015 granting a "D" Variance seeking use of the structure and property as a bed and breakfast where same is not a permitted use in the R-5 Zone for the property located on Compton Road, Block 14, Lot 29.01, Block 12.01 Lot 11.01 pursuant to N.J.S.A. 40:55D-70(d).

NOW, THEREFORE, BE IT RESOLVED, by the Township of Wantage Land Use Board, County of Sussex, and State of New Jersey the Application of Skylands Animal Sanctuary & Rescue Inc. with respect to Block 14, Lot 29.01 and Block 12.01, Lot 11.01 as shown on the Tax Map of the Township of Wantage requesting "D" variance seeking use of the structure and property as a bed and breakfast where same is not a permitted use in the R-5 Zone be and hereby is granted. This approval is subject to the testimony given and plans submitted with the Application as well as the following conditions:

- The Applicant shall comply with all of the specific recommendations contained in the May 19, 2015 Pellow Report and all revisions to same (July 20, 2015). Further, the commitments made by the Applicant and their representatives in their recorded testimony and as set forth in the previous findings of fact shall be satisfied;
- 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;
- Certificate that all taxes are paid to date of approval;
- The Applicant shall maintain the shrubbery on the Lewisburg side of the principal dwelling along the stone and masonry wall in line with the face of the wall southwest of the sidewalk to ensure site distance on the road and to pedestrians crossing the road;
- A pedestrian crossing sign, W11-2, be installed, as per the MUTCD 200 Edition, at the cross-walk location as indicated in the plans and discussions with the Board with a breakaway post;
- The Applicant shall contact the Township Building Inspector to ascertain the need for railings on the principal dwelling structure and to address handicap accessibility on the property;
- A parking lot shall be constructed using 6" of dense graded aggregate base and 2" of FA-BC mix #5. The aisle is to be 24' or 25' wide and the stalls to be 10' x 20'. The parking stripes to be Long Life Thermoplastic. The Township Engineer's office is to be notified within 24 hours prior to any work on the parking lot construction and the applicant to obtain Township Engineer approval regarding the parking lot construction materials and construction;
- The terms and conditions of this approval shall be binding upon the applicant, the applicant's successors in interest and assigns. Further, each of the terms and conditions of this approval are material elements of the approval based upon the submission of the application and property in its entirety, and the non-compliance with any term or condition by the applicant or his successors or assigns shall be deemed a material default subjecting the application to revocation of this approval. The request to change any single condition, since all conditions are integrally related, shall open the entire application to the Land Use Board for re-consideration, possible, re-approval and new terms and conditions in addition to those terms and conditions presently existing in

this approval;

- The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer;
 - All performance requirements as set forth in the findings of fact herein shall be satisfied by the applicant as a condition of this approval whether or not repeated at length in this conditions-section of this Resolution;
 - The Applicant must comply with all representations made, either personally or through any representative acting on her behalf, during the course of her presentation to the Board, and in all documents filed with the instant Application;
 - Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey.
- Ayes: Kanapinski, DeBoer, Kanapinski. Nays: None. No Vote: Gaechter, Gill.

L-2008-09 WHEN PIGS FLY

Due to a conflict, Mr. Cecchini stepped down from the dais.

Mr. DeBoer made a motion, seconded by Mrs. Kanapinski to adopt the resolution memorializing the Board's decision of June 16, 2015 granting an extension of preliminary and final site plan approval. The Board concludes that given the issues of the downturn of the economy coupled with the implementation problems with the airport, the request is appropriate and the Board granted the additional extension through June 30, 2018. The property is located on Sussex County Route 565 in the Industrial and Airport Hazard Zone.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Wantage Land Use Board, County of Sussex, and State of New Jersey the Application of When Pigs Fly, LLC with respect to Block 18, Lots 12.08 & 5 as shown on the Tax Map of the Township of Wantage requesting an extension of preliminary and final site plan approval for the property located on Sussex County Route 565 in the Industrial and Airport Hazard Zone be and hereby is granted. This approval is subject to the testimony given, plans submitted, and all prior conditions of approvals together with the Application as well as the following conditions:

- The Applicant shall comply with all terms and conditions of prior approvals, which remain in full force and effect;
 - The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer;
- Ayes: Kanapinski, DeBoer. Nays: None. No Vote: Gaechter, Gill, Cecchini.

APPLICATION:

L-2015-03

"C" Variance for Christopher. T. Wolff

Block 152, Lot 6.10

Located at 61 Snover Road

Notice has been made for a public hearing

Attorney Paternostro-Pfister swore in Engineer Ken Wentink and Christopher Wolff. The lot was incorrect on Mr. Pellow's report, the correct number is lot 6.10. Mr. Pellow's report requested buildings with dimensions to existing property lines shown on the map. He questioned the reason for the 10' garage door, Mr. Wolff explained he has an antique truck he is restoring, he also explained the space over the garage will be used as a living area, as it is level with the first floor of his home. The windows on the plan are below ground, which was an error; the windows will be above ground. Severe sloping in the rear of the house prevents the garage from placing it in any other location on the property. The existing garage will stay as is. There was no public present.

Mr. DeBoer made the motion seconded by Mrs. Gill to approve the application with the condition that a new map be submitted showing the windows above ground, the immediate buildings scaled and shown and the distance from the garage to the existing house on Lot 6.04. Ayes: Gaechter, Gill, Grau, Kanapinski, DeBoer, Cecchini. Nays: None.

Mr. Wolff chose to waive the Resolution.

Residents living on Rose Morrow Road have been complaining of truck traffic after hours from PAC, LLC. The Land Use Board agreed to placing signs prohibiting trucks between 9:00 pm and 6:30 am.

A recent demolition of a home in foreclosure prompted a discussion regarding substandard lots and the need for a variance.

Mr. Grau made a motion to support and recommend to the Governing Body for Ken Nelson to proceed with the preparation of a Redevelopment Plan, seconded by Mrs. Gill. Ayes: Gill, Grau, Kanapinski, DeBoer, Cecchini. Nays: None. No Vote: Gaechter.

Mr. William Semmens submitted his letter of resignation to the Wantage Land Use Board.

ADJOURNMENT

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

Respectfully submitted,

Jeanne M. McBride
Secretary