

APRIL 18, 2017

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, April 18, 2017 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. Slate invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

ROLL CALL

PRESENT: William Gaechter, Victoria Gill, Paul Grau, Joanne Kanapinski, Jon Morris, Ron Slate, Bill DeBoer, Michael Walther.

Absent: Larry Bono, Patrick Stefanelli, Michael Cecchini. Also, present, Angela Paternostro-Pfister Esq. and Engineer Harold Pellow

MINUTES

Mr. DeBoer made the motion seconded by Mr. Grau to approve the March 21, 2017 minutes. A Voice vote was unanimously in favor.

RESOLUTIONS

L-2017-02 Minor Subdivision for Merle Tackema

Block 52, Lot 5.09

36 Lowe Road

Mr. Grau made a motion seconded by Ms. Gill to adopt the resolution memorializing the Board's decision of February 21, 2017 granting a minor subdivision to Merle Tackema for Block 52, Lots 5.09, 5.13 located on Lowe Road, in the RE-5 Zone, pursuant to N.J.S.A 40:55D subject to the following terms and conditions:

1. The Applicant shall comply with all specific recommendations and terms contained in Mr. Harold Pellow's original and revised reports in connection with this application and as may be required to be amended in accordance with this Resolution. All such recommendations and terms are adopted by reference as though the complete application and modified plans were set forth herein and the same are made a part hereof. Further, the commitments made by the Applicant and its representatives in their recorded testimony and as set forth in the previous findings of fact shall be satisfied;
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 all taxes are paid to date of approval;

4. 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 here by 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;
5. 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 reconsideration, possible re-approval, and new terms and conditions, in addition to those terms and conditions presently existing in this approval;
6. The Applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/ or Township, and in all documents filed pertaining to the instant application;
7. The Applicant shall submit to the Township Engineer and Board Attorney, for his/her review and approval as to form, the Deeds prior to final execution of same so there is full conformance with all items of the Pellow Report;
8. The Applicant shall pay the \$2,500 Road Trust Fund fee prior to the signature and filing of any Deeds;
9. All conditions of the prior application of this subject property as per the February 24, 2015 Resolution (Application #L-14-05) shall remain in full force and effect;
10. Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey.

Roll Call Vote:

Ayes: Gaechter, Gill, Grau, Morris, Slate DeBoer Walther

Nays: None. MOTION CARRIED

L-2013-01 Minor Subdivision for Richard S. Havens

Block 1.02, Lot 13

Route 284

Mr. Grau made the motion seconded by Ms. Gill to adopt the resolution memorializing the Board's decision of February 21, 2017 granting a minor subdivision using Open Space/Agricultural Preservation Option, a variance was determined to be necessary, for Block 1.02, Lots 13, 13.03, located on Route 284 in the Re-5 Zone, pursuant to N.J.S.A 40:55 D subject to the following terms and conditions:

1. The Applicant shall comply with all of the specific recommendations contained in Mr. Pellow's Report dated January 24, 2017. Further, the commitments made by the

applicant and their representatives in their recorded testimony and as set forth in the previous finding of fact shall be satisfied;

2. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty days of said request by the Board's Secretary;
3. 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;
4. The Applicant shall comply with all requirements of the regulations of the township of Wantage and this conditional approval. Such compliance shall also be binding upon the applicant's agents, servants, successors, and assigns;
5. 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 the re-consideration, possible re-approval and new terms and conditions in addition to those terms and conditions presenting existing in this approval;
6. 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;
7. Certificate that all taxes are paid to date of approval;
8. The Applicant shall pay \$1,650 to the road Trust fund prior to the signing of any Deeds in connection with the subject property;
9. The applicant shall meet any and all COAH requirements applicable at the appropriate time subject to review and approval of the township Planner;
10. The applicant shall submit to the township Engineer and township Planning Board attorney, for his and her review and approval as to form, the Deeds that will effectuate the subdivision. The deed shall specifically refer to the resolution. The Applicant shall record the Subdivision deed within 190 days of the memorializing Resolution being adopted. Failure to do so shall render this approval null and void;
11. Prior to the issuance of any construction permit, the applicant shall file with the Board and Construction Official an affidavit verifying the Applicant is in receipt of all necessary agency approvals other than the municipal agency having land use jurisdiction over the application and supply a copy of any approvals received;
12. The applicant must obtain approval from the Sussex County Planning Board;
13. 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;
14. Subject to all other applicable rules, regulations, ordinances, and statutes for the township of Wantage, County of Sussex, State of New Jersey.

Roll Call Vote:

Ayes: Gaechter, Gill, Grau, Kanapinsik, Morris, Slate DeBoer Walther

Nays: None. MOTION CARRIED

L-2003A-1 LGR Enterprises, LLC

Extension of Preliminary Major Subdivision Approval

Block 135 Lot 6.01

Sherman Ridge Road

Mr. DeBoer made the motion seconded by Mr. Grau to adopt the resolution memorializing the Board's decision of March 21, 2017 to grant an extension of a major subdivision approval extended four (4) years, March 27, 2021, Block 135, Lot 6.01 located on Sherman Ridge Road in the Re-5 Zone, pursuant to N.J.S.A 40:55D.

BE IT FURTHER RESOLVED, by the Land Use Board that all terms and conditions of the approval granted to the Applicant by Resolution of the Board memorialized on April 24, 2012 shall remain in full force and effect. The extension granted shall expire on March 27, 2021.

Roll Call Vote:

Ayes: Gill, Grau, Kanapinsik, Morris, Slate DeBoer Walther

Nays: None. MOTION CARRIED

ADJOURNMENT

On a motion duly made by Mrs. Gill, seconded by Mr. DeBoer and carried, the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Jeanne M. McBride
Secretary