

April 16, 2019

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, April 16, 2019 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.

ROLL CALL

PRESENT: Ron Bassani, Larry Bono, Bill DeBoer, Bill Gaechter, Victoria Gill, Joanne Kanapinski, Joe Konopinski, Chuck Meissner, Ron Slate, Michael Walther, Michael Cecchini. Attorney, William Hinkes. Engineer, Harold Pellow. Secretary, Jeanne McBride

MINUTES

Ms. Gill made a motion to adopt the minutes of the March 19, 2019 meeting. Mrs. Kanapinski seconded the motion. A voice vote was unanimously in favor.

PRESENTATION:

Mr. Cecchini asked for the Boards input on the Open Space and Recreation Plan in connection with the Master Plan.

Bob Hill of the Colesville section asked for an explanation of the plan. Mr. Bassani gave a brief description of the plan, explaining there was a presentation at the last meeting of the Land Use Board. Discussion ensued.

Mr. John Nuss of Beemer Road, questioned the purchase of additional properties. He does not want additional property off the tax rolls. Ms. Gill explained it was the voter's decision to continue with the Open Space fund. Discussion ensued regarding taxes, open space and parks.

Mr. Cecchini closed the discussion to the public.

A motion was made by Mayor Bassani seconded by Ms. Gill to approve the Open Space Plan and Recreation Plan as part of the Master Plan.

Ayes: Bassani, Bono, DeBoer, Gaechter, Gill, Kanapinski, Konopinski, Slate, Walther, Cecchini.

RESOLUTIONS

Resolution L-2018-07, Christe Development is carried to the May 21, 2019 meeting.

APPLICATIONS

L-2019-01

Chuck Meissner

Block 117, Lot 34

Located on Route 565

The lot is located in the Highway Commercial Zone

The operation of Tri-State Garden Supply is proposing to move to this site.

Mr. Cecchini stepped down from the application due to a conflict. Ms. Gill assumed the chair as chairperson.

Mr. Dykstra was sworn in, as he is the engineer and planner.

Mr. Hinkes explained the application is for an Interpretation and a “D” variance
Mr. Dykstra discussed the soil removal operations currently permitted in the Highway Commercial Zone and compared it to the soil operation application, explaining the similarities. Mr. Meissner’s application will have less impact to the ground. Mr. Pellow believes topsoil processing is different from soil mining.

Mr. Hinkes asked for a motion for the application to be heard as a Use Variance, Mr. DeBoer made the motion seconded by Mrs. Kanapinski.

Roll call: Ayes: Bassani, Bono, DeBoer, Gaechter, Gill, Kanapinski, Konopinski, Slate, Walther. Nays: None.

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

Exhibit A1 is a colorized version of the site plan submitted to the board.

Mr. Dykstra described the property and the surrounding properties on Route 565, the driveway, the area to be utilized for the soil operation, the forthcoming building, well, portable toilets, hours of operation, 6:30 am – 6:00 pm, during daylight only. The lighting and signage will be installed in accordance with our ordinance and approved by the Township Engineer.

Mr. Dykstra listed the positive criteria:

- Site well suited
- Sits back from Rt 565
- Cedar buffers
- On the main corridor

- Adequate site distances for tractor trailers
- Same zone where the business is presently located

The sand comes from soil mining operation within a few miles of the processing plant.

Mr. Dykstra sees no detriment locating the operation of the soil business in this location; surrounding properties include a large commercial operation near the property, roofing business and a automobile business. There is a buffer between the business and the residential homes located in the rear of the proposed site. There is no substantial impact on the Master Plan, nor is there a drainage impact.

Mr. Meisner is still awaiting final approval from Sussex County Soil Conservation.

Mr. Pellow found the application complete.

Mr. Dykstra asked for a waiver for the lighting plan and for the environmental impact statement; the dust and noise will be controlled, there have been no issues at the current place of operation.

The owner of the business was unable to attend the meeting due to a death in the family, Mr. Meissner and Mr. Dykstra described the business operation.

- approximately 20 trucks a day
- 3 tractor trailers
- 3 triaxles
- 1 single loader
- 3 front ended loaders for onsite use
- topsoil mixer
- conveyer,
- water truck

Mr. Hinkes said a developer's agreement is not needed.

Equipment will not be stored on the access drive. There will be open loop, the trailers can drive around, the trucks will not need to back up.

The existing millings will be capped.

The proposed sign has not yet been designed, nor has the landscaping around the sign, but will conform to the ordinance.

The building will be two or three bays with an office.

Ms. Gill opened the application to the Board, for any questions.

Mrs. Kanapinski asked if the trailers would be located in the same area as the parking spaces, Mr. Dykstra replied yes.

Ms. Gill open the application to the public.

Mr. Hinkes swore in Mr. Emil Conforth of 197 Route 565.

Mr. Conforth stated he opposes the operation, it is a dirty, dusty, noisy business; truck beepers, brakes and slamming. He discussed the material source, and, as a realtor, the impact of that type of business on residential homes. Mr. Conforth lives an equal distance from the present location and the proposed location.

Ms. Gill stated there have been no complaints over the last twenty years on the existing business, which must be considered in this application.

Mr. Pellow explained the driveway will be paved 300 feet, which will prevent the dirt from being brought out onto the road.

Tom Zummo of 73 Lewisburg Road, was sworn in by Mr. Hinkes.

Mr. Zummo discussed wetland delineation, Mr. Dykstra explained the applicant's surveyor delineated the wetlands, there will be a 50-foot buffer near any wetlands. Discussion ensued

Mr. Juchniewicz of 316 Route 565 asked for clarification of the proposed site.

Ms. Gill closed the application to the public and opened it to the Board.

Ms. Gill asked where the sand comes from and was told Mr. Zummo's soil operation and an additional site local site.

The operational days were confirmed as Monday through Saturday, with Saturday working a half day.

Discussion ensued regarding the wetlands and the taxes. Mr. Hinkes suggested the Board request the applicant hire a wetland professional.

Ms. Gill reopened the application to the public

Mr. Bassani was sworn in and stated he discussed the taxes with the Tax Assessor. Ms. Lockburner explained the applicant is receiving a tax break due to wetlands. This was before the tenure of Ms. Lockburner, she was unaware of how this occurred. Discussion ensued. The Board agreed; the applicant should hire a wetland professional to investigate.

Mr. Conforth presented a GIS map showing wetlands, as exhibit 0-01 and discussed his opinion regarding the property.

Mr. Bassani stated he feels the taxpayers are already overburdened, there have been no complaints regarding this business, it has had no negative impacts on Wantage Township. Discussion ensued regarding the different zones, and the new soil ordinance.

Mr. Nuss feels Mr. Bassani should not have commented. Mr. Hinkes said he has the right to share his opinion as a citizen.

Mr. Cecchini said the business is currently housed on his property, he has never had an issue and regards him as a model tenant.

Mr. Conforth said he is thinking of the overall impact on Wantage Township.

Mr. Hinkes asked the Board to make a motion determining if the applicant has met the burden for the criteria of a "D" Variance.

Mr. DeBoer made the motion seconded by Mrs. Kanapinski, agreeing the criteria for a "D" Variance has been met. Ayes: Bono, DeBoer, Gill, Kanapinski, Konopinski, Slate, Walther. Nays: None

Mr. Hinkes asked the Board for a motion on the application.

Mr. Bono made the motion, seconded by Mr. DeBoer to approve the application with the conditions listed by Mr. Hinkes. Ayes: Bono, DeBoer, Gill, Kanapinski, Konopinski, Slate, Walther. Nays: None.

Conditions: hours 6:30 am – 6:00 pm, Saturday 1/2 day, no bulk variances, one year timeframe to build permanent building, driveway must be paved 300 feet from Route 565, the cedar trees are to remain in place, the sign must be landscaped, the soil importation, exportation and lighting must be in accordance with our ordinances, there is a COAH payment contribution, millings must be capped, back up beepers, should be at lowest volume, maintenance manual, the applicant must come back with confident proof of a fifty-foot buffer for the wetlands, before final approval.

Mr. Cecchini assumed the Chairman Chair, Mr. Bassani and Mr. Meissner returned to the dais.

GENERAL BUSINESS

Ms. Gill initiated the discussion regarding the length of time and the unexpected obstacles hampering the completion of the bridge on Route 23.

Mr. Bassani discussed his meeting with Senator Gottheimer.

Mr. Cecchini opened the meeting to the public for any general discussion they may have.

Mr. John Diffley, Pidgeon Hill Road, discussed his concerns regarding his neighbor and the work that has been performed in his yard. Soil conservation and the DEP are investigating and have issued a stop work order. Mr. Cecchini explained the Land Use Board is not an enforcement agency and advised Mr. Diffley to bring his concerns to the proper agency.

Ms. Gorman agreed with the Boards decision on Mr. Meissner application.

ADJOURNMENT

On a motion duly made by Mr. Bassani, seconded by Ms. Gill and carried, the meeting was adjourned at 9:05 pm.

Respectfully submitted,

Jeanne M McBride, Secretary