

# **Land Use Board Minutes**

**October 20, 2020**

A regularly scheduled hybrid public meeting, in person and by way of Zoom, of the Wantage Township Land Use Board was held on Tuesday, October 20, 2020. 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**

Board Chairman Bill DeBoer invited all persons present to participate in the Pledge of Allegiance.

## **ROLL CALL**

PRESENT: Ron Bassani, Larry Bono, Victoria Gill, Joanne Kanapinski (virtual), Joseph Konopinski, Jon Morris, Michael Walther, Bill DeBoer. Alternates: Joseph Greenaway, George Unverzagt, Justin Dudzinski. Absent: Chuck Meissner. Also present, Attorney, Ursula Leo. Engineer, Harold Pellow. Secretary, Jeanne McBride

## **EXECUTIVE SESSION**

Mr. DeBoer ask for a motion to go into Executive Session to discuss Attorney/Client advice. Ms. Gill made the motion seconded by Mr. Walther; the board unanimously agreed.

## **MINUTES**

Mr. Greenaway made the motion seconded by Mr. Konopinski to approve the September 15, 2020 minutes. Yes, Carried.

## **APPLICATIONS**

### **L-2019-04**

#### **Town Center at Wantage, Inc**

Block 4.01 Lot 1.07, 1.08, 1.09, 1.10 4

The applicant is seeking a D (1) use variance to permit the development of 60 multi-family residential units within two apartment buildings, (30) units per building on a 5.63-acre site. The property is located in the WED Zone, the application is the first phase of a bifurcated application - which is to seek a D (1) use variance.

Mr. Kevin Coakley represented The Town Center at Wantage and Mr. John Maione.

Mr. Bono, Mr. Dudzinski, Mr. Morris and Mr. Bassani stepped down for the application.

Attorney Kevin Coakley presented a recap of the application. The application is a bifurcated application, this first part is for a Use variance. If the Use variance is approved, they will be back for site plan approval.

After the September 15, 2020 meeting Mr. Maione listened to what the Board and the fire department suggested and developed a new concept plan. He reduced the number of buildings to two buildings, by eliminating the building along Route 23. Mr. Coakley introduced Exhibit P1, the revised site plan. The nature of the building is the same, the roof was changed to accommodate a third floor. The number of apartments increased from twenty to thirty per building. The building's height will be the same height as the existing two-story buildings. The roof will change. The apartments have the same interior as the two-story apartments. The buildings have three entrances; two side and one front entrance. Near the front entrance there will be an elevator.

Exhibit P-2 shows the interior of an existing apartment.

Mr. Maione said he met with the Fire Department and designed easier access for fire trucks. The apartments have 10-foot ceilings. All buildings will be the same height, the proposed building will have three floors instead of two. The roofline is different from the two-story buildings. The proposed buildings will have flat roofs. A proposed community center will have an area for residents to work; it will include TV's for conference meetings, desks and meeting rooms. Mr. Maione gave background information on the residents:

- The average household income is \$75,000.00,
- Credit checks are performed on all applicants.
- During the pandemic every tenant paid their rent.
- Of the current residents, 30% originated from Wantage Township.

Exhibit P3 is a view of the outside of the proposed building. The mailboxes are inside the building.

Mr. DeBoer opened the application to the public for any questions for Mr. Maione or Mr. Coakley, there being none, he closed it to the public and opened it to the Board.

Mr. Greenaway asked if the Community Center was part of tonight's variance. Mr. Maione replied no.

Ms. Leo explained; the applicant can offer, and the Board can ask for features, such as a community center or other reasonable conditions to alleviate detrimental effects.

Ms. Gill discussed the building, apartment ceiling height, and the roof line. Ms. Gill asked Mr. Maione if he would build the Community Center now, and would he consider allowing Wantage residents use of the office space, for a cost. Mr. Maione responded he has been trying to market office space for over a year and has not had any luck. He also stated he cannot afford to construct the Community Center without the additional apartments. Discussion turned to condo-flats similar to the buildings in Sparta. Mr. Maione said he cannot afford to build condos, Ryan Homes can bundle and sell mortgages, he would lose money. Discussion regarding the concept plan and the parking

lot continued. Mr. DeBoer wondered if there were many fender benders, Mr. Maione replied no.

Ms. Kanapinski asked if they have future plans for the empty space on the site plan, wondering if they would be back before the board for more apartments. Mr. Maione replied he would not be back for more apartments.

Mr. DeBoer opened the meeting to the public.

Alex Rubin Chief the Wantage Fire Department discussed building height, fire load, water supply and the possibility of a more efficient way of accessing the water. Ms. Leo swore in Mr. Rubin as the discussion turned to dry hydrants and the proposed site plan.

Larry Bono of Beemer Road, asked if the air conditioning units are stored on top of the roof. Mr. Maione replied no.

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

Mr. Ken Nelson Professional Planner was sworn in at the September meeting stated his testimony does not change regarding the criteria. Mr. Nelson amended the negative criteria.

- The impairment to the Master Plan does not change, it is still sixty (60) units.
- The traffic issue does not change.
- The changes that were made were all good; three buildings down to two, the building closest to Route 23 was eliminated. The only view of the buildings would be a side view, from Route 23.
- Emergency vehicle access has been improved.
- Three story buildings will have elevators.
- Landscaping along Route 23 will soften the look.
- The five-acre site does not have a negative impact on the Master Plan.

Mr. Greenaway asked what the size of the detention basin is, and stated the detention basin reduces the acreage that is included in the site. Discussion continued regarding the detention basin maintenance and vegetation.

Mr. DeBoer opened this section of the application to the public for questions of Mr. Nelson.

Justin Dudzinski of Wantage discussed the traffic study and the timing of the study. He said morning traffic is backed up due to parents waiting for the school bus. Mr. Nelson replied fewer than ten children get on the bus. The study was done during peak commuting hours.

Mr. DeBoer opened the application to the public for any comments or questions on the application.

Kathy Gorman of Fernwood Road, was sworn in. She said the Board has not discussed how this will affect the WED Zone. She wondered if this would set precedent. She believes the apartments were a bad idea from the beginning, stating Wantage paid a lot of

money for the Master Plan. She believes, with the proper advertising, after Shop Rite is built, we can attract other business.

Ms. Leo asked Mr. Coakley if he wished to make any closing statements.

Mr. Coakley said the apartments are well suited for residential and not well suited for commercial. There is also quite a bit of property left in the zone that has yet to be developed.

Mr. DeBoer opened the application to the Board for any final comments.

Ms. Gill thanked the professionals for their time and testimony. A lot of thought and time went into her questions.

Ms. Leo reviewed the conditions of the Use variance; the number of buildings, stories and apartments in the buildings, a community center, fire access and the merged lots, are all things that can be considered when making the decision.

Mr. DeBoer made the motion seconded by Mr. Greenaway to approve the Use variance.

Ayes: DeBoer, Greenaway.

Nays: Gill, Kanapinski, Konopinski, Walther, Unverzagt.

The application failed by a five to two vote.

Mr. DeBoer opened the meeting to the public.

Ms. Gorman said thank you.

## **ADJOURNMENT**

On a motion duly made by Mr. Morris, seconded by Mr. Walther and carried, the meeting was adjourned at 8:15 PM.

Respectfully submitted,  
Jeanne M McBride, Secretary