

WANTAGE TOWNSHIP LAND USE BOARD

RESOLUTION AND ANNUAL REPORT REQUIRED BY N.J.S.A. 40:55D-70.1

WHEREAS, the Wantage Township Land Use Board exercises the powers of a Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-25(c); and

WHEREAS, pursuant to the requirements of N.J.S.A. 40:55D-70.1, the Board has reviewed its decisions during calendar year 2025 on applications and appeals for variances cognizable by a Zoning Board of Adjustment and has set forth herein a report on its findings with respect to such applications; and

WHEREAS, the Board hereby reports that the following applications for zoning variance requests were acted upon by the Board acting as a Board of Adjustment in 2025:

- **#L-2025-01 / Main Land Sussex Co., LLC / March 21, 2025 / Block 7, Lots 12 & 13.02**

The Applicant, Main Land Sussex Co., LLC, owner of Block 7, Lots 12 and 13, known as 205 Route 23, Wantage, filed an application with the Board seeking approval of a Site Plan Waiver with Use “d” Variance Relief to convert a portion of a multi-tenanted outside retail shopping center to a self-storage facility (SSSF), a use not permitted in the HC zone per §14-9.1. The Board granted the application because it was determined that the property was particularly suited for the non-conforming use, the non-conforming use would only occupy the vacant portions of the property, and as such, the conversion to the non-conforming use would not result in any material modifications to the existing building or site.

- **#L-2024-05 / Bicsak Brothers Realty, LLC / May 20, 2025 / Block 11, Lot 5**

The Applicant, Bicsak Brothers Realty, LLC, owner of Block 11, Lot 5, known as 80 Route 23, Wantage, filed an application with the Board seeking approval of an Amended Site Plan with Use “d” Variance approval to relocate the area where the parking of a new car dealership inventory exists. The property, previously known as the “Wantage Stone” site is the subject of three previous approvals to reduce the existing quarry operations, implements sequential restoration of three area, transition the property for commercial development use, temporary storage, and parking restoration. Additionally, the 2015 and 2017 approvals received an extension in 2021 to permit temporary storage and parking. This application proposed a relocation of the area previously approved as parking for the car dealership inventory in order to proceed with the development for commercial use.

- **#L-2024-07 / Allgau Investments, LLC / May 20, 2025 / Block 117, Lot 32.03**

The Applicant, Allgau Investments, LLC, filed an application with the Board regarding a Use Variance to permit two principal uses on the same lot to wit: a single-family residence and a garage to be used for storage of landscaping equipment, vehicles and supplies. The Board granted the variance because the proposed use is permitted under the Zoning Ordinance, the property is oversized,

the garage is fully compliant with all bulk requirements, and the property is particularly suited to have the second permitted use on it.

- **#L-2024-11 / Solar Landscaping Realty, LLC / May 20, 2025 / Block 7, Lot 19**

The Applicant, Solar Landscaping Realty, LLC, filed an application with the Board regarding a Minor Site Plan, Use Variance and Conditional Use Variance Relief to install roof top solar panels on top of the existing self-service storage buildings to supply electrical power to the grid. A “d(1)” use variance pursuant to N.J.S.A. 40:55D-70d(1) was required to permit two principal uses on the same lot and a “d(3)” conditional use variance pursuant to N.J.S.A. 40:55D-70d(3) was required because major solar systems are permitted conditional uses in the HC zone, but the proposal failed to meet frontage, setback, and fence enclosure conditions, as well as, failing to adopt a decommissioning plan or locate a major solar system area in an NJDEP regulated area. In favor of approving the “d(1)” use variance, the Board determined that the solar panels had no visual impact, the ground equipment was minor in size, and the overall, the use will not intensify nor interfere with the primary use of the property. In favor of approving the “d(3)” conditional use variance, the Board determined that the deviation can be accommodated because the panels are not ground mounted, the buildings lack of frontage is inconsequential, and the lease requires decommissioning via removal when the lease ends or the solar panels cease to operate.

- **#L-2025-05 / Mark Smolen / August 19, 2025 / Block 12.03, Lot 1**

The Applicant, Mark Smolen, filed an application with the Board regarding Bulk Variance relief for non-compliance of a 200-foot proposed lot depth in the R-5 zone. The Board granted the relief because it was determined that there as significant hardship in complying with the ordinances and that the lot was of sufficient size to permit the construction of the house.

- **#L-2025-10 / Carl Miller and Stephanie Nyborg / September 16, 2025 / Block 113, Lot 1.17**

Applicants, Carl Miller and Stephanie Nyborg, filed an application with the Board seeking approval of a “d(1)” Use variance to permit an addition that would be classified as an in-law suite, a use prohibited in the R-5 zone. The Board granted the variance because it was determined that “intergenerational housing” is beneficial to the community, and in particular, mixed-types of housing benefit residential housing stock in Wantage, and because in-law suites are common to properties on Armstrong Road.

- **#L-2025-07 / Slate/Timplex / September 16, 2025 / Block 165, Lots 30.02, 32, 33**

Applicants, Marilyn Slate and Timplex Corporation, filed an application with the Board regarding minor subdivision and “d(2)” variance approval for a pre-existing non-conforming use, whereas the approved minor subdivision made the three lots more compliant. A “d(2)” variance is required when the reduction of a property intensifies an existing non-conforming use and, in this case, the non-conforming use is the pre-existing condition of two residences located upon lot 32. The Board approved of the variance because the proposed subdivision would minimize the nonconformities of

lots 30.02, 32, and 33 by removing encroachments over lot lines, therefore making the approval appropriate per *Razberry's*.

- **#L-2024-09 / When Pigs Fly, LLC / November 18, 2025 / Block 18, Lot 12.08**

The Applicant, When Pigs Fly, LLC, was denied “d” variance approval for self-storage in airport hangars, a use not permitted in the Airport Hazard District zone, and a use restricted by a 2009 resolution. The Board denied the variance application because the Board determined that insufficient testimony was provided to support self-storage as an “inherently beneficial” use given that the property was particularly suited for airplanes and aeronautically related items. The Board also determined that the proposed use, in this setting, posed a significant safety risk to pilots, other leaseholders, and the airport accessway. The Board therefore denied the variance because the detriment to safety significantly outweighed the proposed use or any alleged “economic hardship.”

WHEREAS, the Board has also studied the need for possible zoning ordinance amendments or revisions and has no recommendations in that regard.

NOW THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Wantage January 20, 2026, that this Resolution shall serve as the report required pursuant to N.J.S.A. 40:44D-70.1 of the Board’s findings on zoning ordinance provisions that were the subject of variance requests before the Board in 2025 where the Board acted as a Zoning Board of Adjustment and the Board’s recommendations for zoning ordinance amendment or revision; and

FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to send copies of this resolution to the governing body of the Township.

I HEREBY CERTIFY that this is a true copy of a resolution of the Land Use Board of the Township of Wantage duly adopted at a regular public meeting held on January 20, 2026.

BOARD ACTION APPROVING RESOLUTION

Name	Motion	Second	Ayes	Nays	Abstain	Absent
Gill, Victoria (Chairperson)			X			
Bassani, Ron	X		X			
Konopinski, Joe		X	X			
Vander Groef, Justin			X			
Bono, Larry			X			
Kanapinski, Joanne			X			
Darmstatter, Chris			X			
Walther, Mike			X			
Morris, Jon			X			
Unverzagt, George (Alt. #1)			X			
Greenaway, Joseph (Alt. #2)						X
Albinson, Keith (Alt. #3)			X			
Space, Hunter (Alt. #4)			X			

David L. Eise

Chairman

WANTAGE TOWNSHIP LAND USE BOARD

Michelle Buskiewicz

Secretary

WANTAGE TOWNSHIP LAND USE BOARD

Dated: January 20, 2026

*Prepared by: David Burton Brady, Esq.
Brady & Correale, L.L.P.*