

## **JANUARY 28, 2014**

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, January 28, 2014 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.

### **ROLL CALL**

PRESENT: Mssrs. DeBoer, Bassani, Grau, Slate, Semmens, Cecchini. Ms. Gill.  
Attorney Glenn Kienz, Engineer Harold Pellow.

ABSENT: Mssrs. Bono, Stefanelli, VanderGroef, Valkema, Cillaroto. Ms. Kanapinski.

### **REORGANIZATION**

Mr. Kienz proceeded to administer the oath of office to the newly appointed members.

Mr. Grau made a motion seconded by Mr. Slate to nominate Mr. Michael Cecchini as Chairman of the Land Use Board for 2014. A voice vote was unanimously in favor.

Mr. DeBoer made a motion seconded by Ms. Gill to nominate Mr. Ronald Slate as Vice Chairman of the Land Use Board for 2014. A voice vote was unanimously in favor.

Mr. Cecchini made a motion seconded by Mr. Grau to nominate Mr. Harold Pellow and the firm Harold Pellow & Associates as Engineer of the Land Use Board and Planner for 2014. A voice vote was unanimously in favor.

Mr. Grau made a motion seconded by Mr. Slate to nominate Mr. Glenn Kienz and the firm Weiner Lesniak as Attorney for the Land Use Board for 2014. A voice vote was unanimously in favor.

Mr. Grau made a motion seconded by Mr. DeBoer to nominate Ms. Stella Salazar as Secretary of the Land Use Board for 2014. A voice vote was unanimously in favor.

Mr. Cecchini made a motion seconded by Mr. Grau to name the New Jersey Herald and the Sunday Herald as the official newspapers of the Land Use Board for 2014. A voice vote was unanimously in favor.

The meeting dates for the Board were designated as work session, if necessary, on the third Tuesday and regular meetings on the fourth Tuesday of each month in 2014. The dates are as follows: January 28, February 18 and 25, March 18 and 25, April 15 and 22, May 20 and 27 June 17 and 24, July 15 and 22, August 19 and 26, September 16 and 23, October 21 and 28, November 18 and 25, December 16 and 23 and January 20 and 27, 2015.

Mr. Grau made a motion seconded by Mr. Slate to approve the aforementioned dates. A voice vote was unanimously in favor.

Mr. Cecchini assumed the seat as Chairman of the Land Use Board for the year 2014. Mr. Cecchini stated that he wanted to institute the salute to the Flag as part of the Land Use Board public meetings.

### **SALUTE TO THE FLAG**

Mr. Cecchini invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

## **MINUTES**

Mr DeBoer made a motion seconded by Mr. Slate to adopt the minutes of November 26, 2013.

ROLL CALL VOTE:

THOSE IN FAVOR: DeBoer, Bassani, Grau, Slate, Gill, Cecchini.

THOSE OPPOSED: None. MOTION CARRIED.

## **RESOLUTIONS**

None.

## **APPLICATIONS**

### **L-9-2008 WHEN PIGS FLY**

The applicant is seeking an extension or a reapproval of preliminary and final site plan approval granted January 27, 2009 and memorialized on February 17, 2009. The last extension will expire on February 17, 2014. The property is known as Block 18, Lots 12.08 and 5 and is located on Route 565 in the Industrial and Airport Hazard Zone.

Mr. Cecchini stepped down.

Mr. William Gennaro appeared before the Board. The Board discussed granting him the last approval to expire on June 15, 2015.

Mr. DeBoer made a motion seconded by Ms. Gill to approve the extension request.

ROLL CALL VOTE:

THOSE IN FAVOR: DeBoer, Bassani, Grau, Slate, Gill.

THOSE OPPOSED: None. MOTION CARRIED.

### **L-13-13 WANTAGE STONE**

The applicant is requesting amendment of site plan to expand the hours of operation. The property is known as Block 11, Lot 5 and is located on Route 23 in the PCD zone.  
Continued public hearing.

Attorney William Hinkes, Engineer Allen Campbell, Principal Paul Bicsak and Manager Terrance Bauman appeared before the Board.

Exhibit A1 entitled "Noise Evaluation for Wantage Stone, LLC" prepared by Robert L. Campbell Associates, dated December 2013 was introduced by Engineer Campbell. Mr. Campbell elaborated on some specifics about the report referring to the different times when the evaluation took place.

It was discussed that the site's hours had started at 4:00 a.m. since October 2013 following temporary permission from the Land Use Board. Mr. Campbell indicated that loading occurred between 4:00 a.m. and 7:00 a.m., the quarry's normal operating hours were from 7:00 a.m. to 4:00 p.m. and loading for the next day occurred from 4:00 p.m. to 6:00 p.m. It was also discussed that the truck entrance on Route 23 was across from the masonry supply and that there were apartments over the deli.

Mr. Pellow's report dated January 27, 2014 was reviewed. Mr. Pellow stated that he had made an on-site inspection of the new crushing and screening equipment which was in operation. He stated that there were spray bars over most of the conveyor belts which were in operation and the mist given off appeared to be dust, but it was not. He stated that there was a portable mist machine that was spraying over one of the belts where there was dust and that that portable machine could be operated over any operation where dust could be an issue. He added that the drill rig had a dust collector to prevent the dust from escaping. Mr. Pellow stated that he had checked the sound with Mr. Campbell over one

month prior and that it was not a problem. He added that Mr. Campbell's report corresponded to what he observed. Mr. Pellow stated that he had met with the operators, Mr. Campbell and Engineer Owen Dykstra. At that time, the owner showed him the equipment that they were bringing in to control the dust. He stated that they had made significant improvements in that area and that a determined had to be made on how the system would operate when in full production. He suggested possibly the Board members could observe the operation. He added that the owner also informed him that the current phase would be completed by the end of July or August and the area would be restore by end September.

The meeting was opened to the Board for comments and questions. Mr. Cecchini asked how long would the applicant like the 4:00 a.m. starting time to continue to. Mr. Hinkes indicated that the applicant would like to continue the early start until completion. Mr. Pellow added that just for this phase the permit could be granted until August 2014 and that new approvals would be needed for the new phase. Referring to the Hamburg quarry, Mr. Bauman stated that they opened at 4:00 a.m. Mr. Cecchini confirmed that he did check with Hardyston and that they did start at 4:00 a.m. by Resolution. Mr. Bassani asked how long did the noise study take. Mr. Campbell stated that it started in November and that it had taken place in three locations, one of them approximately 900 + from the restaurant.

The meeting was opened to the public for comments and questions. Ms. Ann Smulewicz stated that she wanted to correct the record. She indicated that testing had been going on all summer. She stated that she lives on the upper level and that she could see the lights and she could hear the noise. However it was the dust that bothered her, not the lights and the noise. Mr. Cecchini asked where would the next phase be, Mr. Bauman stated it would be further southwest.

Ms. Kathy Gorman stated that she was out on the road at 5:00 a.m. and that she had had bad experiences with the trucks.

Mr. Bassani made a motion seconded by Mr. Slate to approve this application.

ROLL CALL VOTE:

THOSE IN FAVOR: Bassani, Slate, Gill, DeBoer, Grau, Cecchini.

THOSE OPPOSED: None. MOTION CARRIED.

### **L-14-01 PAK, LLC**

The applicant is requesting amendment of site plan to expand the afternoon hours of operation. Final site plan was originally granted February 10, 1994. The property is known as Block 23, Lot 5 and is located on Rose Morrow Road in the R-5 zone. Notice has been made for a public hearing.

Attorney Martin Van Der Heide, Engineer Kenneth Wentink, and applicant, Paul Wiebel, appeared before the Board.

The professionals made a brief presentation of the application and stated that this was a request for extended afternoon hours until 9:00 p.m. to accommodate the trucks that come from other areas and cannot make it to the site before 6:00 p.m. It was discussed that the site today receives about 100 trucks per day and under 100 trucks going forward. However they would like to be able to receive about five (5) trucks in the evening in order to unload.

Mr. James Ferlauto of 35 Rose Morrow Road stated that he had no issues with the neighbor. However, he said that hearing about more trucks raised a concern about fumes and noise. Ms. Pat Lettieri of 48 Rose Morrow Road directly across from the entrance to the site stated that the owner had cut down on lighting and that he had tried to do whatever was best for the community. She realized that it was a non-conforming use in a residential area. However, she was concerned about the increased hours. Mr. Ken Politsky stated that there were heavy trucks before the resolution was passed and that

there were trucks at 2:00 a.m. He stated that he kept calling the police and that situation kept getting worse.

A discussion followed regarding some truck drivers making a left turn out of the site. Mr. Wiebel stated that drivers received a map showing they should only travel between the site and Route 284. New traffic signs to be placed warning drivers not to make a left turn out of the site and not to park on the side of the road were discussed. The applicant stated that he would pay for the new signs to be installed. Mr. Cecchini asked if there were gates on the property and if so, were they locked? Mr. Wiebel stated that there were gates and that Homeland Security required the gates to be locked. Mr. Grau asked what time were the trucks allowed to come in and Mr. Wiebel replied that it was 7:00 a.m.

Mr. Slate made a motion seconded by Mr. Grau to allow trucks to come into the site between 6:00 p.m. and 9:00 p.m. limited to: 1. No more than 5 trucks per day, at that time (bet. 6:00 p.m. and 9:00 p.m.) 2. New traffic pattern signs installed in conformance with Mr. Harold Pellow for no left turn and no parking on the side of the road, and 3. any change in tenancy to require Board approval if for a different use other than warehousing and manufacturing.

ROLL CALL VOTE:

THOSE IN FAVOR: DeBoer, Bassani, Grau, Slate, Gill, Cecchini.

THOSE OPPOSED: None. MOTION CARRIED.

## **DISCUSSION**

### **Kearny Drive Access**

Mr. Harold Pellow discussed granting access permit to Mr. Ross Oricchio for Kearny Drive. He stated that there was a 50 ft. strip adjoining the property that could be used as access to a new house to be built near the abandoned railroad track as it would be more suitable for a new home. Mr. Pellow indicated that the applicant would have to file a driveway application. The Board members agreed with Mr. Pellow's findings.

## **INFORMAL**

### **Joseph Retz, Sr.**

Mr. Retz addressed the Board regarding building senior duplex housing on his property. The Board suggested getting everything together and scheduling a Subcommittee meeting in February.

## **GENERAL BUSINESS**

Ms. Smulewicz stated that she had attended a Freeholders' meeting and that Mr. Cecchini was praised for his work at the County level.

## **ADJOURNMENT**

On a motion duly made seconded and carried, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Stella Salazar  
Secretary