

## **FEBRUARY 19, 2019**

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, February 19, 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.

### **REORGANIZATION**

Ms. Paternostro-Pfister proceeded to administer an Oath of Office to the reappointed and newly appointed members.

Class III	William Gaechter	12/31/2019
Alternate #II	Chuck Meissner	12/31/2019

### **ROLL CALL**

PRESENT: Ron Bassani, Larry Bono, Victoria Gill, Joanne Kanapinski, Chuck Meissner, Debra Millikin, Michael Walther, Michael Cecchini. Absent: Bill DeBoer, Ron Slate. Attorney, Angela Paternostro-Pfister. Engineer, Harold Pellow. Secretary, Jeanne McBride

### **MINUTES**

Mrs. Kanapinski made a motion to adopt the minutes of the January 15, 2019 meeting. Ms. Gill seconded the motion. A voice vote was unanimously in favor.

### **RESOLUTIONS**

Resolutions L-2018-07, Christe Development and L-2017-09, Thomas Hoppel are carried to the March 19, 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 soil operation, Tri-State Garden Supply is proposing to move to this site

Mr. Cecchini stepped down from the dais due to a business conflict. Vice-Chair, Victoria Gill assumed the seat as Chair Person.

Mr. Gaechter and Mr. Bassani stepped down, as Council and Engineer Harold Pellow believe the application is a Use Variance.

Attorney Paternostro-Pfister stated the notice is incorrect as it does not state a Use Variance, she explained the application is not complete as per the Engineer's report.

Mr. Pellow discussed his report:

- It is a major site plan, not a minor.
- The access drive must be shown on the plan to Route 565, which requires a permit from Sussex County.
- The check list needs to be completed for a major site plan,

Ms. Gill stated there is a 70% tax reduction due to wetlands on the property, a site plan will show wetlands. Mr. Meissner believes the property does not have wetlands.

Mr. Meissner feels he qualifies for Soil Removal under the Highway Commercial Land Use Ordinance, section D, because it has the same general characteristics.

Ms. Gill stated a major site plan is needed. Although the business is moving from such close proximity, the current location has a traffic light to allow the trucks to enter onto Route 565.

Mr. Meissner described the property, stating there will not be any changes to the topography, no septic and no additional lighting. The applicant will import sand and compost, mix together and sell.

Discussion regarding wetlands continued with the understanding a site plan would resolve the concern.

Ms. Paternostro-Pfister explained the Board is trying to help, in an informal way.

Mr. Meissner had hoped the town would approve the business use on the land, before he spends the money on the driveway application.

Discussion continued on the wording of the ordinance and its interpretation.

For the application to proceed, Ms. Gill specified a site plan is needed.

Ms. Paternostro-Pfister maintained, importing soil is fundamentally different from soil removal.

Mr. Meissner acknowledged that he was hoping to help a neighborhood business, at minimum cost. He will work towards moving the application in a forward motion.

## Open Public Session

Mr. Emil Conforth of Rt 565 Wantage expressed his appreciation to the Board for posing fair questions and felt they did a great job.

## **GENERAL BUSINESS**

Mr. Cecchini asked for a motion for the Board to go into Executive Session to discuss litigation regarding When Pigs Fly.

Mr. Bassani made a motion to go into Executive Session, Ms. Gill seconded the motion. The board voted unanimously in favor

The minutes will be kept on file in the land use office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

After meeting in closed executive session, on a motion by Mr. Bassani seconded by Mr. Bono, the members of the Land Use Board returned to open session and continued with the regular order of business.

## **ADJOURNMENT**

On a motion duly made by Ms. Gill, seconded by Mr. Bassani and carried, the meeting was adjourned at 8:13 pm.

Respectfully submitted,

Jeanne M McBride, Secretary