

CALL TO ORDER: AT 7:02 P.M. by Chairman Loury
OPEN PUBLIC MEETING LAW STATEMENT OF COMPLIANCE

ROLL CALL: Chairman Loury, Mayor William J. Chegwidden, Councilwoman Vasquez, Brian Bosworth, Christopher Fleischman, Barbara Chiappa and Michelle Anne Molde

EXCUSED: Peter Rathjens, Marc Harris, Roshan Patel and Lawrence Biehler

OTHERS PRESENT: Alan Zakin, Board Attorney; Christopher Borinski, Board Engineer; Jessica Dykstra, Board Planner and Desi Ruffo, Board Secretary

Motion by Mayor Chegwidden and seconded by C. Fleishman to approve the March 4, 2025 meeting minutes as presented.
YEA - 7 NAY - 0 ABSENT - 4 ABSTAIN - 0

Motion by Mayor Chegwidden and seconded by M. Molde to approve the bills as presented.
YEA - 7 NAY - 0 ABSENT - 4 ABSTAIN - 0

Board Secretary Desi Ruffo provided an update to the board on the outstanding escrow account balances.

OLD BUSINESS: Wharton Developments A (Block: 903, Lots: 2 and 2.03)
Preconstruction Landscape and Maintenance Plan Update

Chris Borinski informed the Board that the applicant has removed the silt fence and submitted a plan indicating that, once construction begins, the site will be cleared and grass will be maintained along the driveway and road frontage.

Discussion ensued among Board members regarding the current condition of the site.

Alan Zakin, Esq. confirmed that a condition of the extension of approval requires the applicant to develop a landscaping plan that ensures a well-maintained and aesthetically pleasing façade, visible to the public throughout both the pre-construction and construction phases.

Chairman Loury confirmed that the intent of the Board was for the area to undergo immediate cleaning and ongoing maintenance.

Mayor Chegwidden informed the Board that an ordinance was introduced at the Mayor and Council meeting and once signed, the applicant will have 18 months to commence the project, or the PILOT will be forfeited. It is expected that the ordinance will apply to the subject property. He requested that Board Engineer Chris Borinski contact the applicant's engineer to confirm when property maintenance and cleanup will begin and to provide an update to the Board.

NEW BUSINESS: Costco 315-325 Route 15 (Block 402, Lots 1 & 4)
Site Plan - Non-Material Amendment

Chairman Loury asked for the reasoning behind adding the item to the agenda as a non-material amendment.

Alan Zakin, Esq. clarified that the term was used to confirm the proceeding is not a plenary hearing, but rather an administrative discussion. He confirmed that if the Board hears the matter and determines the application to be material, formal notice would be required, and the matter would need to return before the Board for formal consideration.

John Harter, Licensed Traffic Engineer (TPD – Melville, New York), stated that Costco has expressed interest in a traffic study due to congestion at the northern main access point, where traffic occasionally backs up to the fuel facility. The proposal includes the addition of a third exit lane (right-turn only) at the signalized intersection. Mr. Harter noted that the traffic signal will be upgraded as part of the project, and the application to the New Jersey Department of Transportation (NJDOT) was deemed complete as of April 30th. The NJDOT review process is expected to take approximately 90 days. Based on the current timeline, approval is anticipated in fall 2026, with construction projected to begin in spring 2027.

John Harter, PE (Continued): As part of the proposal, parking spaces will be reconfigured to accommodate the new right-turn-only exit lane; however, the site will remain in compliance with the previously approved total of 627 parking spaces. He also stated that the State's project includes the installation of sidewalks along the site frontage, and the applicant has received preliminary plans from NJDOT.

Mayor Chegwidden reminded the applicant that, in accordance with the municipal ordinance, the sidewalk is owned and maintained by the property owner.

Miracles Amodio, Facility Manager (Costco Wholesale – Wharton, New Jersey), informed the Board that a preliminary one-month preconstruction phone call has neither occurred nor been scheduled. As a result, a June start is not anticipated for the fuel station gas canopy expansion. She stated that the corporate office is aware of the current traffic flow issues and reported that gas station sales are down by 33% due to the sinkhole emergency.

Mayor Chegwidden stated that local roadway construction projects have been postponed until the sinkhole is repaired. He also noted that the New Jersey Department of Transportation (NJDOT) has marked the opposite side of the intersection for future widening.

Kestra Kelly, Professional Engineer (BL Companies – King of Prussia, Pennsylvania), stated that a pre-application meeting was held to consult with the Board professionals to determine the proper protocol. She emphasized that great care was taken to ensure compliance with the intent of the original approval and noted that the existing access to the fuel facility will remain unchanged.

Chairman Loury asked why the proposal was deemed as a non-material amendment.

Jessica Dykstra, Board Planner, stated that the proposal was reviewed and determined to result in a net-zero change in parking, with no change in use and no variances required. She explained that the primary modification involved egress, which falls under the jurisdiction of the New Jersey Department of Transportation (NJDOT) as the approving agency. Ms. Dykstra noted that, had the applicant appeared before the Board for formal site plan approval, there would be no significant changes necessitating variances related to zoning, use, or parking. She noted that this appearance was primarily a courtesy to the Board and intended to ensure that the project files are up to date and that the plans accurately reflect existing site conditions.

Alan Zakin, Esq. stated that the applicant was not required to appear before the Board, as the changes could have been approved administratively. However, in the interest of transparency, the item was placed on the agenda as a non-material amendment to allow for public input in the event of any comments or concerns.

OPENED TO THE PUBLIC
CLOSED TO THE PUBLIC

Motion by Mayor Chegwidden and seconded by B. Bosworth to approve the non-material amendment.

YEA - 4 NAY - 3 ABSENT - 4 ABSTAIN - 0

REVIEW: Housing Element and Fair Share Plan

Board Planner, Jessica Dykstra presented the draft Housing Element and Fair Share Plan to the Board. A discussion followed among Board members regarding affordable housing requirements. The Housing Element portion is mandated by the Fair Housing Act and the Municipal Land Use Law, and the plan is intended to address the municipality's affordable housing obligation. The Board had no objections to the plan. The plan will be presented to the Mayor and Council on June 16th.

CLOSED SESSION:

Chairman Loury requested a motion to introduce resolution R-05-25 for a closed session to discuss litigation:
Glass/Paramus, LLC v. Borough of Wharton Planning Board and Wharton 15 Developers, LLC.

Motion by B. Chiappa and seconded by C. Fleischman to approve the resolution for a closed session.
Motion by Mayor Chegwiddden and seconded by B. Bosworth to return to open session.

Motion by C. Fleischman and seconded by B. Chiappa to authorize Board Attorney Alan Zakin to take action as discussed during the closed session.

YEA - 7 NAY - 0 ABSENT - 4 ABSTAIN - 0

ADJOURNMENT AT 8:37 P.M.

Respectfully submitted,



Desi Ruffo
Planning Board Secretary