

**CALL TO ORDER: AT 7:01 P.M. by Vice Chairman Peter Rathjens  
OPEN PUBLIC MEETING LAW STATEMENT OF COMPLIANCE**

**ROLL CALL:** Peter Rathjens, Mayor William J. Chegwidden, Councilwoman Vasquez, Marc Harris, Brian Bosworth, Christopher Fleischman, and Barbara Chiappa

**EXCUSED:** Chairman Loury, Michelle Molde, Roshan Patel and Lawrence Biehler

**OTHERS PRESENT:** Alan Zakin, Board Attorney; Christopher Borinski, Board Engineer; Alison Kopsco, Board Planner Representative and Desi Ruffo, Board Secretary

Motion by Mayor Chegwidden and seconded by Christopher Fleishman to approve the May 13, 2025 meeting minutes as presented. YEA - 5 NAY - 0 ABSENT - 4 ABSTAIN – 2

Motion by Mayor Chegwidden and seconded by Marc Harris 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.

Motion by Mayor Chegwidden and seconded by Marc Harris to adjourn the application for:

Randolph Foreign Car, Inc. 285 South Main Street (Block: 2004, Lots: 1 & 2)

Minor Subdivision, Site Plan, Use and Bulk Variance to the July 1<sup>st</sup> meeting.

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

**RESOLUTION:**

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

John Harter, Licensed Traffic Engineer for Costco (TPD – Melville, New York), was in attendance and had no comments.

The Board members and Board professionals reviewed the draft Resolution of Approval as submitted. There were no revisions. A motion was made by Mayor Chegwidden, seconded by Barbara Chiappa, to approve the Resolution as presented.

YEA - 5 NAY - 0 ABSENT - 4 ABSTAIN – 2

2. R-06-25: Adopting Housing Element and Fair Share Plan

Board Planner Representative, Alison Kopsco, J. Caldwell & Associates, LLC. introduced Resolution: R-06-25, the Housing Element and Fair Share Plan. The Housing Element is mandated by the Fair Housing Act and the Municipal Land Use Law, and that the plan is intended to address the municipality's affordable housing obligation. She reviewed the affordable housing obligations and deadlines as submitted in the plan. The plan was endorsed by the Mayor and Council at the June 16th meeting, pending approval – with no revisions by the board at the subject June 17 meeting.

Alan Zakin, Esq., informed the Board that the court reduced the Borough's affordable housing requirement by two units, which is reflected in the revised plan.

A motion was made by Christopher Fleishman, seconded by Barbara Chiappa, to approve both the Housing Element and Fair Share Plan and the resolution as presented.

YEA - 6 NAY - 0 ABSENT - 4 ABSTAIN – 1

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

*Alan Zakin, Esq.* clarified to the board, that this was not a plenary hearing, but rather a non-material administrative amendment to the applicant's approval.

**Pete Wolfson, ESQ. (Day Pitney: Parsippany, New Jersey)**

The proposed redevelopment is located at 5 Harry Shupe Boulevard. Site plan approval was initially granted in 2023. In March 2025, the applicant received a one-year extension of the approval. Significant progress has been made on the project, and the applicant is actively working with the Board professionals. A modification to the conditions of the original approval is being proposed.

The applicant revised the previously submitted plan titled "Pre-Construction Landscape Maintenance Exhibit" to clearly demarcate the areas subject to New Jersey Department of Environmental Protection (NJDEP) constraints, which are not to be disturbed, so that they conform with the Conservation Easement.

The Applicant has also requested a field change regarding Condition No. 29 of the Original Approval, which requires all gas meters to be mounted on the rear of the building. The gas meters are proposed to be located on both the side of the building and on free-standing walls in two locations. The first location is at the rear of the northeast building corner. The second location is the northwest side of the building with meters on the building side facing North Main Street and on a freestanding wall at the rear of the northwest building corner. These additional walls are necessary to accommodate the number of gas meters, as the original site plan provided insufficient space on the building itself. Based on feedback from Board professionals, the landscaping plan was further revised to include additional evergreen plantings around the gas meters to ensure they will be effectively screened. The proposed evergreen plantings will be 6 to 7 feet tall and provide screening.

**Sameh Wali, PE (Dynamic Engineering: Chester, New Jersey)**

Exhibit: *Landscape Plan A dated 01/28/22, Revised 06/12/25*

The Applicant has begun the bi-weekly mowing, with the most recent mowing completed yesterday.

The proposed revised plan is currently in the pre-construction phase and includes the following, in conformance with conditions "c" and "d" of the applicant's Extension of Approval Resolution through January 10, 2026:

1. Bi-weekly mowing of the area highlighted in green along North Main Street and Harry Shupe Parkway;
2. Installation of temporary boxwood bushes at the western corner of the property;
3. Clearing of the interior area following the first grass cutting; and
4. Removal of the existing silt fence, already completed.

Prior to the start of construction, the plan provides for the installation of a construction fence along the entire project perimeter, as well as a geotextile fabric construction fence along North Main Street. During the construction phase, the temporary boxwood plantings installed in the pre-construction phase will be removed, as the limits of disturbance will extend slightly beyond the existing curb line.

After engaging with the Mechanical Engineer to fully design the proposed building, it was determined that the originally proposed meter location would not properly accommodate the required equipment. The proposed remedy consists of the applicant building freestanding walls, including the gas meters and piping, which will be approximately 7-feet in height and will be located approximately 118 to 160 feet from the North Main Street sidewalk right-of-way. Due to the building's siting and the distance from the sidewalk, these walls will generally not be visible from any right-of-way.

In response to the Board Engineer's letter dated June 9, 2025, revisions were made to the plan to include additional buffering. The revised plan, as presented, addresses all comments provided by the Board Engineer.

*P. Rathjens*: asked for clarification regarding protection from the equipment, noting that it may be considered an attractive nuisance. He also inquired about the length of the proposed wall.

*S. Wali*: responded that no fencing is proposed; the wall is approximately 25 feet long.

*Peter Wolfson, ESQ*: agreed on behalf of the Applicant to add fencing around the walls, subject to approval by the Board professionals and allowing adequate access to the utilities.

*C. Borinski*: asked if the applicant had an idea of the clearance required from the utility company.

**Jack Raker, AIA** (Minno Wasko: Lambertville, New Jersey): Noted that it is unclear what specific clearance is required around the meters; however, there must be an 18-inch clearance between each meter. The meters are commonly located in open public areas and are designed to be tamper-resistant. Any fencing installed will need to comply with applicable utility codes and must remain unlocked.

Board professionals will prepare a letter to the Applicant to memorialize these field changes which will, together with the subject minutes, serve as a record of these approved field changes to the Applicant's site plan. The applicant will be required to submit a revised Site Plan, reflecting the subject amendments, subject to the Board Engineers approval.

*A. Zakin, Esq.*, asked the Board Engineer if he was satisfied with the Preconstruction Landscape and Maintenance Plan. Chris, the Board Engineer, responded that he was satisfied.

A motion was made by Marc Harris, seconded by Chris Fleischman, to approve the non-material administrative amendment to the approval.

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

**CLOSED SESSION:**

Vice Chairman, Peter Rathjens requested a motion to introduce resolution R-07-25 for a closed session to discuss litigation: *Glass/Paramus, LLC v. Borough of Wharton Planning Board and Wharton 15 Developers, LLC*.

Motion by Chris Fleischman, seconded by Barbara Chiappa to approve the resolution for a closed session.

Motion by Marc Harris and seconded by Chris Fleischman to return to open session. No action taken.

**ADJOURNMENT AT 8:21 P.M.**

**Respectfully submitted,**



**Desi Ruffo**  
Planning Board Secretary