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+ APPROVED BY THE SUPREME COURT OF NEW
JERSEY AS A FAMILY LAW MEDIATOR

December 15, 2022

Via Electronic Mail

spizzulo@andoverwp.org

Chairman Paul Messerschmidt and Board Members
Andover Township Land Use Board
134 Newton Sparta Road
Newton, New Jersey 07860

**RE: Andover Township Land Use Board
Applicant: BHT Properties Group
Property: 248 Stickles Pond Road, Block 151, Lot 21**

Dear Chairman Messerschmidt and Board Members:

As you know, this matter is listed for a continued hearing on December 20, 2022 at 7:30 P.M. You also are aware that I recently had knee replacement surgery on December 2nd. Unfortunately, things are progressing slower than I had anticipated in regard to rehabilitation. However, I do plan on attending and having available to testify Mr. Michael Kovacs. He will be in a position to testify regarding his field notes as requested by the Board. I also will have Mr. Christopher Nusser available to testify specifically with regard to the Subdivision Plan that has been previously submitted to the Board.

I received a phone call during my rehabilitation from Mr. Mullica asking the status of the geological report. I have on numerous occasions reached out to Mr. Frank Getchell who is the geological scientist who has been retained by the Applicant and was also an individual who Mr. Cory Stoner felt was well-respected in the area of hydrogeology. I hope to have significant update with regard to the status of the report at the meeting of December 20th.

We are in the process of finalizing all of the elements of the amended EIS. Therefore, we will not be dealing with that issue on the 20th of December. I would hope that we are in a

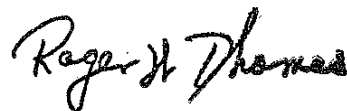
position to be able to present that at the January meeting. Of course, Mr. Nusser will be available to testify in regard to the amended EIS.

Finally, at the meeting of December 20th I would anticipate that Mr. Nusser will be able to testify with regard to the updated site line exhibit that he has prepared.

Finally, I anticipate being able to be present at the meeting from 7:30 P.M. until the standard closing time of 10:30 P.M. However, I should inform you that the knee surgery has presented me with certain physical limitations and therefore I will make every effort to complete the meeting. However, if circumstances arise that I am physically unable to continue, I will certainly advise the Board during the course of the hearing.

Very truly yours,

DOLAN AND DOLAN, P.A.



Roger W. Thomas

RWT:mcw
cc:

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Michael Kovacs (via email: mkovacs@ecolsciences.com)
Christopher Nusser (via email: chris@elp-inc.com)

430 4/22/22 Andover
550 Swain
700 cardinal field sparrows

crow
mourning dove
turkey vulture
Canada warbler
bluejay

golden-crowned
kinglet
parula

steep shrike
white throated
white eye
white throated sparrow

red breasted nuthatch
red winged blackbird
red eye

gray winged junco
American gold finch
white eye
warbler
kinglet

golden-crowned
kinglet

one side of pond
fill next to runway

olden shrike steep
sharp-shinned hawk
redstart - clear

lots of algae in pond
sparrowhawk
swamp sparrow

red winged blackbird
red bellied woodpecker
1' + water

crow
downy woodpecker
junco
titmouse

lots of mt. blue
white throated
white throated sparrow

golden-crowned
kinglet

golden-crowned
kinglet

Blackberry ✓
drying Red Bark
hard maple
lots of deadfalls
deciduous
dense shrub
honey suckle
pruned
~~black~~ tulip tree
butter sweet
Red and green
field
Red and green
strong lateral deep
thrust very mobile
open from
~~Red and green~~
Red and green
Red and green
on Abbeys side

small ponded w/
potholes w/ water
just morning
lots of wisps
in wetland and
upland
weepers from base
of slope
Flag G-21
Red and green
Blackberry
Nobis 615
small pond w/
along edge of
field
over the nose
Green Snow
Red and green ✓
~~Red and green~~
~~Red and green~~
Green Red and green

autumn alive along
edge of grassy
field
burgeoning
stony soils

tree suckers
white yew

rows of tall
olives
lots of imbricines

wind from / on
leaves of grass
call of site
woods just
off wake

lots of pink
in
woods

Narrow little pond

stinking water
Phycis
Dilsea
autumn

stumped, seen
Hansel
SIA

stark damped
area
mugwort

cutting along road
edge seed canygrass

Salmonid dent

Tree of Hamman
SIA
Falcon

Purple hazelnut ✓
Wax

beaver group ✓

Morning glories ✓
house finch
lots of myrtle
along railway

some specimens
stand at tree
of beeches next
to outcrop

growing up outcrop

growing on outcrop
granite
barberry
suecia maple
trillium
C. canadensis

white oak

black oak ✓
maple ✓

yellow pine ✓
white pine ✓
mallee ✓
bottom covered
w/ algae

Amcrows
 Song sparrow
 Field sparrow
 Towhee
 Wild thrush
 Turkey vulture
 White-eyed vireo
 Yellow warbler
 Goldfinch
 Yellow warbler
 Blue jay
 Blue jay
 Great crested flycatcher
 Yellow rump warbler
 Chickadee
 Blue jay
 Yellow throated
 Catbird
 Cowbird
 Brewer's sparrow
 Ruby crowned kinglet
 Cardinal
 Wood thrush
 Red wing blackbird
 Mourning dove
 House wren
 Parula warbler
 Blue jay
 White throated
 Catbird
 Sided warbler
 White throated sparrow

5/5/22 Auburn
 10 AM
 12:30
 Northern waterthrush ✓
 Catbird
 Red-tail
 Warbler
 Turkey vulture
 Blue jay
 Chickadee
 Blue jay
 White throated ✓
 Amcrows
 Red bellied woodpecker ✓
 Parula warbler ✓
 Blue jay ✓
 Oriole
 Blue jay
 Warbler
 Field sparrow
 Great crested flycatcher
 Catbird

5/13/22 Andover

Arrive 8:40 am
Leave at 1:30 pm

light breeze
Cloudy 65% RH

Scarlet tanager

Blue jay

great blue heron
black and white warbler ✓

goldfinch

titmouse

great crested flycatcher

stonewater culvert

decaying into
water

lots of gravel

water stems on

tree 8"

trash

lots of mosquitos
around
surround by field

Northern juncos

Big flock with lots
of noise

still lots of water

feeding hummingbirds
nearby warblers ✓

lots of acorns

newly hatched

green frog ✓

water thrush ✓

10 new

red bellied woodpecker
downy woodpecker

normal water

10 new with
caterpillars

wood thrush
siskin

wood thrush
no nest ✓

chickadee ✓

gray thrush ✓

yellow warbler ✓

Park Swimmers
cove ponds

Jefferson salamander
lots of green frog

Rare tadpoles

upper little pond
abundant

and 10:40 AM

Spinkling

~~very light breeze~~

concord

Chumline ✓

swampy woods by
park entrance
of winter way

Concord

FW Woodchuck
yellow rumped
warbler

house Finch

Red oak

Swainson's
white oak

4 Redback salamanders
Full & Sparrow

~~5/27/22
5:00 AM
AM found leafhoppers
in three suits down
with
soft green plants
couple inches high~~

5/27/22 ^{Monday}
5:11 AM Andover
8:10 AM 68°F
Tadpole bucket
Dried water
Candied leaves
Candied leaves 2:20pm
Am goldfinch
Great Crested Flycatcher
Wood Thrush
Field Sparrow
Chipping Sparrow
White-throated Sparrow
Chipping Sparrow
Starling
Hairy Woodpecker
Downy Woodpecker
Downy Woodpecker
Water level in
Pond very
low some
significantly
low a lot of
open frog

Red-eyed Vireo

< 1' deep
water

Wood Thrush ✓

Chimney Swift ✓
Red-eyed ✓

Woodfory tail ✓
Gadfly ✓

Round noise heard
lots of ^{beak sounds}

End of 20 am

Swarming white of
Cater silive, night

yellow bellied ✓
cuckoo

Brown Thrasher

Turkey Vulture

Green-winged Warbler

Green Frog ✓
Water Bug ✓

Red-eyed Vireo ✓
Wood Thrush ✓

Chimney Swift ✓
Red-eyed ✓

6/17/22 Dolan - BHT - Anderson (IF)
wildlife/plants inventory 8:32 - 1:38

- field sp. |||
- song sp. |||
- BV |||
- re. crow |||
- junco |||
- cardinal |||
- cowbird |||
- robin |||
- TV |||
- scarlet |
- goldfinch |||
- blue jay |
- Cooper's |
- re. fly |
- towhee |||
- redtail |||
- kingbird |
- red shoulder |||
- Am. crow |
- c. yellow |
- tree sp. |
- ovenbird |
- wren |
- warb. |
- C. grackle |||
- * deer
- house wren |
- chipping sp. |
- sparrow |
- fish crow |||
- Titmouse |||
- wood |
- * re. towhee |
- * re. fly |
- j. wren |
- E. wren |
- phoebe |
- thrasher |
- RWB |||
- catbird |
- * chickadee |
- prairie warbler |
- blue warbler |
- vireo |||
- flicker |

- field |
- orchard grass |
- sweet fern |
- re. grass |
- white clover |
- re. |
- autumn olive |
- poison ivy |
- wild rose |
- common |
- c. milkweed |
- red clover |
- yellow |
- field sp. |
- horse |
- wild |
- c. |
- V. |
- Indian hemp |
- spotted |
- Bedford pink |
- pink |
- English |
- hop |
- yellow |
- field |
- cow |
- rough |
- white |
- re. |
- white |
- c. |
- bull |
- blue |
- re. |
- bee |
- Dandy |

