

April 6, 2010

The regular meeting of the Andover Township Land Use Board was called to order at 7:30 p.m. on Tuesday, April 6, 2010 by the John O'Connell, Chairman.

Present: Members Diana Boyce
 Suzanne Howell
 Gerald Huelbig
 Gail Phoebus
 Rick Melfi
 CeCePattison
 Ellsworth Bensley
 Christine Kretzmer
 John O'Connell
 Paul Messerschmidt, Alt. No. 1

Secretary T. Linda Paolucci

Absent: Rourke Day, Alt. No. 2

Professionals Present: Attorney - Richard Brigliadoro, Esq.
 Engineer - Joseph Golden, P.E.

FLAG SALUTE - RULES - OPEN PUBLIC MEETINGS ACT

OPEN TO THE PUBLIC – The Chairman opened the meeting to the public and read the rules of the act.

Completeness Review – SKYLANDS REALTY LLC, Block 111, Lot 3.02, Site Plan

The following members recused themselves from this application: Chairman O'Connell, Gail Phoebus, Diana Boyce, Joseph Golden, P.E.

Sue Howell stepped in as acting Chairman. Debra Lynn Nicholson, Esq. of Sparta, NJ stated that she is representing the applicant. Michael Kolody, engineer for the applicant went over the items outlined in Bob Guerin's report dated March 19, 2010, who is the engineer representing the Board on this matter. Kolody and Brigliadoro reviewed the items outlined in Guerin's report. Brigliadoro questioned Kolody when he will be in a position to address the items that they just went through. Kolody stated within two weeks. Nicholson asked if they can be deemed conditionally complete for the advertising of a hearing date. Brigliadoro stated that if the Board is in agreement with Nicholson's request, the Board can conditionally deem the applicant complete, subject to the applicant providing the information as represented on the record tonight, and then we can give Ms. Nicholson a hearing date so she will know when she will be on and she can notice and move forward.

With no further questions from the Board, Howell asked for a motion. Huelbig made the motion for completeness. Melfi second it. In favor: Huelbig; Melfi; Pattison; Bensley; Messerschmidt; Howell. Opposed: None. Motion carried.

BODHI MONASTERY, Block 111, Lot 10, Site Plan Waiver – Golden went over the conditions with the Board for his recommendation for granting site plan waiver. Phoebus made a motion to grant the waiver, second by Howell. In favor: Boyce; Howell; Huelbig; Phoebus;

Melfi: Kretzmer; Pattison; Bensley; Messerschmidt; O'Connell. Opposed: None. Motion carried.

PG&S LLC – Block 154, Lot 48, Minor Subdivision & Use Variance – Hearing

Michael Gaus, Esq. of the law firm of Lucas & Gaus of Newton, NJ stated that he is representing the applicants and the application was previously approved for completeness.

He asked that the following witnesses be sworn in: Pauline Vesos of 202 Fredon-Springdale Road, Newton, NJ; Gregory Vesos of 202 Fredon-Springdale Road, Newton, NJ and Bob Tessier, P.P. of Dykstra & Associates, Lawrence Road, Andover, NJ were all sworn in by Brigliadoro, Esq.

Gaus explained to the Board the merits of the application, the front of the property is zoned BP/O Zone with a commercial operation in the front. The purpose is to subdivide the property in order to build a single family residential home in the back that will meet all of the set back requirements but needs a variance for no road frontage.

Bob Tessier of Dykstra & Associates discussed the plans for the subdivision, including landscaping, existing structures, septic design, road design, etc.

The Chairman opened to the public for comment. Albert Bills of 15 Springdale Road, Andover, NJ stated that he had no objection to putting the house on the lot but was concerned about the impervious surfaces and the water table in the neighborhood. Golden asked Tessier if the applicant would be willing to put in a rain garden. Tessier stated that they would.

Oliver Gneineder of 11 Springdale Garden Road was also concerned about the water table.

John Reinhart of 16 Springdale Garden Road stated that he had collected a petition. Brigliadoro stated that the Board could not consider the petition, but the Board secretary could keep it in the file. Reinhart was also concerned about the water table and what would define the driveway.

Doug McIntire of 26 Fredon Road was concerned about ground water problem.

Nick Intersimone of 24 Fredon Road has concerns with a water problem.

The chairman closed the public portion of the meeting. O'Connell questioned if there is anything that could be done with regard to the water problem. Golden recommended a rain garden and vegetated swale to mitigate any new problems. Gaus commented that the applicants are willing to do it subject to Golden's approval.

After much discussion with regard to water run off, plan submittal, applicant obtaining the necessary approvals from the county and state, the chairman asked if there was a motion to approve the minor subdivision and variance requested.

Motion was made by Howell for the variances for the commercial lot, second by Huelbig. In favor: Boyce, Howell, Huelbig, Pattison, Bensley, Messerschmidt, O'Connell. Opposed: None. Recused: Phoebus, Melfi, Kretzmer. Motion carried.

Motion for the variances and minor subdivision was made by Pattison, second by Huelbig. In favor: Boyce, Howell, Huelbig, Pattison, Bensley, Messerschmidt, O'Connell. Opposed: None. Recused: Phoebus, Melfi, Kretzmer. Motion Carried.

ALMA LANE, Block 156, Lots 1 & 2, Preliminary Major Subdivision - Corrective Resolution – Chairman asked for a motion to approve the "Corrective Resolution". Motion was made by Boyce, second by Howell. In favor: Boyce, Howell, Pattison, Bensley, Messerschmidt, O'Connell. Opposed: None. Recused: Melfi, Kretzmer. Motion carried.

AMENDMENT TO THE LAND USE ELEMENT OF THE MUNICIPAL MASTER PLAN – Adoption of the draft amendment to the Master Plan Land Use Element prepared by Charles T. McGroarty, P.E., AICP of Banisch Associates Inc. dated March 22, 2010 – Resolution

The chairman asked for a motion to approve the resolution, Pattison made the motion to approve the resolution. Second by Boyce. In favor: Boyce, Huelbig, Pattison, Bensley, O'Connell. Recused: Melfi, Kretzmer. Motion carried.

2010 PERIODIC REEXAMINATION REPORT OF THE MASTER PLAN & DEVELOPMENT REGULATIONS – Adoption of the draft 2010 Periodic Reexamination Report of the Master Plan and Development Regulations prepared by Charles T. McGroarty, P.E., AICP of Banisch Associates Inc. dated March 22, 2010 – Resolution

The chairman asked for a motion to approve the resolution. Huelbig made the motion to approve, second by Howell. In favor: Boyce, Howell, Huelbig, Pattison, Bensley, O'Connell. Recused: Kretzmer. Opposed: None. Motion carried.

Early Departure of Board Members: Phoebus, Melfi, Kretzmer.

MINUTES – February 2, 2010. Motion was made by Howell to approve the minutes, second by Boyce. In favor: Boyce, Howell, Huelbig, Pattison, Bensley, Messerschmidt, O'Connell. Opposed: None. Motion carried.

VOUCHERS - See Schedule A. A motion was made by Pattison, seconded by Bensley, to approve the vouchers submitted. All in favor: Boyce, Howell, Huelbig, Pattison, Bensley, Messerschmidt, O'Connell. Opposed: None. Motion carried.

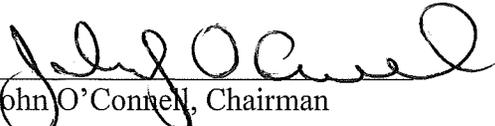
OLD/NEW BUSINESS – The chairman stated that he gave the Historical Revue Committee some documentation that they can use in their research regarding items in the town. Also a subcommittee was set up for review of different areas of industrial zones in the town and a meeting date needs to be set.

MATERIAL RECEIVED, GENERAL INFORMATION - See Schedule A.

RESOLUTIONS – Resolutions adopted during this meeting are made a part of these minutes by referral to the specific file.

ADJOURNMENT – Time 11:36 p.m. A motion was made by Howell, seconded by Huelbig, to adjourn. All in favor. Carried unanimously.

Respectfully submitted,


John O'Connell, Chairman


T. Linda Paolucci, Secretary