

April 21, 2010

The regular meeting of the Andover Township Land Use Board was called to order at 7:30 p.m. on Tuesday, April 21, 2010 by the John O’Connell, Chairman.

Present: Members Diana Boyce  
Suzanne Howell  
Gerald Huelbig  
Ellsworth Bensley  
Christine Kretzmer  
John O’Connell

Secretary T. Linda Paolucci

Absent: Gail Phoebus  
Rick Melfi  
CeCe Pattison  
Paul Messerschmidt  
Rourke Day, Alt. 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 – Sussex & Warren Holding, Block 1, Lot 5.03** – The Chairman announced that the applicant has requested to be carried to May 4<sup>th</sup> 2010 meeting.

**MASTER PLAN CONSISTENCY – Board Review of Ordinance 2010-05 with regard to Amending Chapter 190 Entitled “Zoning” to Establish a New Zone District To Be Known as The “General Industrial” Zone District and to Revise Certain Development Standards in Chapter 131 Entitled “Site Plan Review” and in Chapter 190 in Regard to the New General Industrial Zone District” to determine if it is consistent with the Master Plan.**

Brigliadoro, Esq. explained to the Board and the public that under the Municipal Land Use Law whenever the Township Committee wants to adopt a zoning ordinance by statute one of the things that needs to be done is that they have to refer that ordinance, after it is introduced, to the Planning Board. Once it is forwarded to the Planning Board, by statute it is the Planning Board’s obligation to provide a response to the township committee within thirty-five days of receiving it, indicating whether or not the Planning Board finds the ordinance to be consistent, or inconsistent with the Master Plan. As the Board is well aware, the Board held a public hearing in regard to amendments to the Master Plan and was adopted by resolution and memorialized on April 6 and as part of that Master Plan Amendment there were certain suggestions for changes to the industrial zoning in the township. This ordinance seeks to place some standards and regulations with regard to zoning in industrial districts in the township. The Board will review the ordinance and will make a recommendation to the Township Committee finding whether or not it is consistent or inconsistent with the Master Plan. Any members of the public that are

interested in this matter further, this matter will be on the Township Committee's agenda for a public hearing on April 26<sup>th</sup>, so if anybody is interested in this ordinance you can attend the Township Committee meeting on April 26<sup>th</sup> where you will have an opportunity to address the Township Committee with regard to that ordinance he stated.

Chairman O'Connell asked the Board members if they had any comments or questions. With no comments from the Board the chairman asked for a motion finding the ordinance to be consistent. Brigliadoro asked the chairman if the Board would authorize him as the Board's attorney to prepare a letter to the township committee indicating that the planning board has reviewed this ordinance and has found it to be consistent with the master plan as recently amended. Huelbig moved to make this be part of the motion, second by Bensley. In favor: Boyce, Huelbig, Bensley, O'Connell. Abstained: Howell. Recused: Kretzmer. Opposed: None. Motion carried.

The Chairman excused Boyce from the rest of the meeting for her early departure.

**RESOLUTION - BODHI MONASTERY, Block 111, Lot 10, Site Plan Waiver –** Motion to adopt the resolution by Howell, second by Huelbig. In favor: Howell, Huelbig, Kretzmer, Bensley, O'Connell. Opposed: None. Motion carried.

**RESOLUTION - PG&S LLC – Block 154, Lot 48, Minor Subdivision & Use Variance.** Motion was made by Huelbig to approve the resolution, second by Howell. In favor: Howell, Huelbig, Bensley, O'Connell. Recused: Kretzmer. Opposed: None. Motion carried.

**MINUTES –** March 2, 2010. Motion was made by Howell to approve the minutes, second by Kretzmer. In favor: Howell, Kretzmer, Bensley, O'Connell. Opposed: None. Motion carried.

**PUBLIC PORTION –** No one from the public stepped forward and the public portion was closed.

**OLD/NEW BUSINESS –** The chairman stated that the Subcommittee that was formed gathered information and had meeting, but other members of the Board felt it best to save the report until more members of the Board were present.

Howell stated that she and Boyce were gathering information from the research documents that they were given in order to put together a list of the most pertinent historic sites within the township.

Chairman O'Connell informed the Board members of a "monthly chairman meeting" between chairman of different boards of the township. He stated that one of the discussions involved Andover Day and they are looking for volunteers for Andover Day.

Kretzmer stated that she wanted to thank everyone that came out to help with the detention basin planting and trash pick up throughout the town. Over 100 people showed up and they planted 1,100 trees and did two detention basins on Ballantine Road, one on Liberty Trail and one in Perona Estates.

Chairman O'Connell stated that another subcommittee would need to be formed in order to interview for another conflict attorney.

Howell had a question as to the status of the WaWa application. O'Connell answered that the Board's attorney will be looking into it.

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

**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 7:58 p.m. A motion was made by Howell, seconded by Huelbig, to adjourn. All in favor. Carried unanimously.

Respectfully submitted,

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John O'Connell, Chairman

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T. Linda Paolucci, Secretary