

October 19, 2010

The regular meeting of the Andover Township Land Use Board was called to order at 7:35 p.m. on Tuesday, October 19, 2010 by the John O’Connell, Chairman.

Present Members: Diana Boyce
Sue Howell
Gerald Huelbig
Christine Kretzmer
Ellsworth Bensley
Paul Messerschmidt, Alt. 1
John O’Connell

Secretary T. Linda Paolucci

Absent: Gail Phoebus
Rick Melfi
CeCe Pattison

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

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.

EXTENSION REQUEST

PG&S LLC, Block 154, Lot 48, 202 Fredon-Springdale Road – Request for Extension of time for Meeting Conditions of Approval –

Applicant Pauline Vezos and Mr. Vezos were sworn in and Pauline Vezos explained to the Board that the reason why she is requesting an extension of time for complying with the resolution is that after obtaining the approval from the Board she started getting things together in order to obtain the approval from the DEP and is waiting to hear back from the State for determination of a Letter of Interpretation with regard to her property.

Motion was made to grant the extension request for one year running from October 9, 2010 to October 29, 2011 by Huelbig, second by Bensley. All in favor: Boyce, Howell, Huelbig, Kretzmer, Bensley, Messerschmidt, O’Connell. Opposed: None. Motion carried.

HEARING

ANDOVER ANIMAL HOSPITAL, Block 106, Lot 17.02, 234 Newton-Sparta Road – Use Variance application.

Michael Selveggi, Esq. of Courter Kobert and Cohen, Hackettstown, NJ stated that he is representing the applicants. Selveggi informed the Board that his client has decided to proceed only on the use variance right now and if approved will be back before the Board for site plan approval.

Brigliadoro, Esq. explained to the Board that this is a bifurcated application and if the use variance is approved, the applicant will proceed with the site plan application.

The applicant Dr. Harvey E. Hummel was sworn in by Brigliadoro and discussed his present practice and the reasons for his desire to bring his practice as a veterinarian to Andover Township. Hummel spoke of the benefits of the new location by using state-of-the-art equipment and updating the interior of the building for his new office space for improvement and enhancement of patient care. Hummel stated that there would be eight employees and two doctors.

There was further discussion and testimony regarding noise control, no outside kennels, parking, proposed hours, overnight boarding, deliveries, disposal of medical waste and size of animals being treated.

James Glasson, a licensed professional engineer was sworn in and testified on behalf of the applicant with regard to the existing conditions and an overview of the site. He indicated that the applicants propose to remodel the existing building for use as an animal hospital with the removal of a small section in the southeast corner of the building and constructing a second floor addition (928 sq. feet) along the east side of the building. There was further discussion with regard to septic system, 20 parking spaces, parking lot overlaid with new pavement and restriping, lighting and landscaping. Glasson reviewed with the Board the bulk requirements for the existing and proposed commercial improvements within the CB Zone.

John A. Madden, Jr. PP, a licensed professional planner in the State of New Jersey with Maser Consulting was sworn in and testified on behalf of the applicant. Madden testified that in accordance with the zoning regulations animal hospitals and kennels are conditionally permitted uses. He continued that in this instance a portion of the proposed future development will be in the CB Zone where animal hospitals and kennels are not permitted uses. He further stated that the closest residence would be approximately 275 feet away and that many of the uses in the surrounding area are more retail in nature. Madden also stated that this site is suitable for the proposed use and that the proposed animal hospital would be a state of the art facility that would benefit approximately 30% of the Andover resident client base. There was further discussion with regard to regulation and control of appointment scheduling, adequacy of on-site parking, location of the building, site constraints and topography of the site. In his testimony, he concluded that it is appropriate to grant both d variance relief for the proposed use and ancillary "c" variance relief in regard to the 928 square feet building addition.

The Chairman asked if any of the Board members had any questions, Huelbig had a question with regard to use of the silo. Golden had a question with regard to the design waivers and was told that he could give some informal guidance to the applicant, which he did, and stated that with regard to the parking aisle he did not believe that the smaller access driveway or the aisle would make any difference as long as there was adequate site distance. These issues would be discussed further at the time of the site plan hearing.

With no members of the public coming forward, the Chairman asked for motion from the Board.

Motion was made to approve the use variance by Bensley, second by Howell. In favor: Boyce, Howell, Huelbig, Kretzmer, Bensley, Messerschmidt, O'Connell. Opposed: None. Motion carried.

PUBLIC PORTION – With no one stepping forward from the public, the Chairman announced that the public portion of the meeting is now closed.

MINUTES

Minutes of October 5, 2010 – Motion was made by Howell to adopt the minutes as presented, second by Bensley. All in favor: Aye. Opposed: None. Motion carried.

VOUCHERS – Motion to approve the vouchers by Howell, second by Bensley. In favor: Aye. Opposed: None. Motion carried.

OLD BUSINESS/NEW BUSINESS – Briigliodoro stated that he is making a public service announcement about a public notice with regard to the commercial shooting preserve license of Hudson Farm which indicates that the Division of Fish and Wildlife is seeking written public comment on the issuance of the commercial shooting preserve license and will take into consideration public opinion and is seeking written and public comment on the issue of the license until the date of October 27, 2010. Briigliodoro further read the information with regard to written comment. He further stated that someone from the public attended a township committee meeting and it was indicated that this notice should come to this Board so that the announcement could be made in case anyone attending tonight would be interested.

The chair asked whether or not the Board was to take any action at all. Briigliodoro stated “No” the Board has no jurisdiction on this and it has nothing to do with this Board.

MATERIAL RECEIVED, GENERAL INFORMATION - See Schedule A

ADJOURNMENT – Time 9:14 p.m. A motion was made by Messerschmidt, second by Bensley to adjourn. All in favor. Carried unanimously.

Respectfully submitted,

John O’Connell, Chairman

T. Linda Paolucci, Secretary