

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD SPECIAL MEETING
HELD JUNE 7, 2011**

CALL TO ORDER: OPEN MEETING: Chairman O'Connell called the meeting to order at 7:30 p.m. at the Hillside House, 146 Lake Iliff Road, Andover, New Jersey.

FLAG SALUTE: Chairman O'Connell led the flag salute.

ROLL CALL:

Diana Boyce – Present
Sue Howell – Present
Gerald Huelbig – Present
Gail Phoebus – Present
Ellsworth Bensley – Present
CeCe Pattison – Present
Christine Kretzmer – Present
Rick Melfi – Present
Paul Messerschmidt (Alt.1) – Excused
Ken Roberts (Alt. 2) – Present
Chairman John O'Connell – Present

PROFESSIONALS PRESENT: Richard Briigliodoro, Esq., and Joseph Golden, P.E., P.P.

OPEN PUBLIC MEETINGS ACT NOTICE: Chairman O'Connell read the following statement: This is an open public meeting of the Andover Township Land Use Board. Notice of this meeting was given in accordance with the Open Public Meetings Act, Chapter 231, Public Law 85. The rules are generally as stated on the agenda.

RULES: Chairman O'Connell read the following statement: No new cases after 9:30 p.m. or testimony after 10:00 p.m. Comments from the public are limited to 5 minutes per item. Transcript requests to be in writing with check for 100% of costs. Material for the meeting is to be filed fourteen days before the next meeting once it has been heard for completeness. Individuals or members of a partnership must be present at the meeting or be represented by an Attorney. Testimony is under oath. False testimony constitutes perjury.

MINUTES: There were no minutes scheduled for review.

RESOLUTIONS: TOWNSHIP OF ANDOVER LAND USE BOARD IN THE MATTER OF THE 2011 PERIODIC REEXAMINATION REPORT OF THE MASTER PLAN AND DEVELOPMENT REGULATIONS — A motion to approve was made by CeCe Pattison was seconded by Rick Melfi. Roll Call: Boyce – yes; Howell – yes; Huelbig – yes; Phoebus – yes; Melfi – yes; Kretzmer – abstain; Pattison – yes; Bensley – yes; Roberts – yes; John O'Connell – yes. The motion carried.

HEARINGS: Completeness Review in the matter of LUB-5-11-01, Megna, Chris, "C" Variance, Block 144 Lot 17: Joseph Golden, P.E., P.P., provided an overview of the matter and discussed his attached *Completeness/Substantive Report I – May 24, 2011* with the Board. Secretary Wilhelm confirmed that administrative completeness requirements were satisfied. Board members discussed waiver requests. Mr. Golden recommended the Board grant the waivers. A motion to deem the application complete was made by Bensley and seconded by Howell. Roll Call: Boyce – yes; Howell – yes; Huelbig – yes; Phoebus – yes; Melfi – yes; Kretzmer – yes; Pattison – yes; Bensley – yes; O'Connell – yes. The motion carried. The matter was assigned a hearing date of June 21, 2011.

UPCOMING MEETINGS: Chairman O'Connell announced the Special Meeting of 6/14/11 scheduled to hear the matter of Cambridge Pavers, Inc., /Limecrest Quarry Developers, LLC.

PUBLIC PORTION: Chairman O'Connell opened the meeting to the public.

Mr. Gremezcy addressed the Board and inquired if he could place an additional use on a property. Brigliadoro explained the Board's function and advised that the Board could not give an advisory opinion. He referred Mr. Gremezcy to the Zoning Officer.

No other public addressed the Board. Chairman O'Connell closed the meeting to the public.

VOUCHERS: Board members reviewed vouchers. A motion to recommend the payment of the vouchers to the Township Committee was made by Mr. Bensley and seconded by Mr. Huelbig. All were in favor. The motion carried.

OLD/NEW BUSINESS:

Committee Referrals:

- ORDINANCE NO. 2011-06, AN ORDINANCE AMENDING CHAPTER 190 ENTITLED "ZONING" OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AMEND ARTICLE V, "USE AND BULK REGULATIONS," SECTION 190-38, "MOUNT LAUREL ZONE" TO MODIFY CERTAIN CONTROLS AND STANDARDS GOVERNING THE DEVELOPMENT OF AFFORDABLE HOUSING

Board members reviewed the ordinance and confirmed the matter's consistency with the Master Plan. A motion to recommend the adoption of the ordinance to the Township Committee was made by Melfi and seconded by Phoebus. All were in favor. The motion carried.

- RESOLUTION #R2011-87, A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER TO DESIGNATE LOT 35 IN BLOCK 153 OTHERWISE KNOWN AS 350 ROUTE 206 IN ANDOVER TOWNSHIP AS AN “AREA IN NEED OF REHABILITATION” PURSUANT TO THE CRITERIA ESTABLISHED BY THE “REDEVELOPMENT AND HOUSING LAW” (N.J.S.A. 40A:12A-1 ET SEQ.)

Board members reviewed the resolution for Master Plan consistency. There was no other discussion. A motion to recommend the adoption of the resolution to the Township Committee was made by Melfi and seconded by Howell. All were in favor. The motion carried.

Chairman O’Connell noted that no members of the public were present to comment on the Committee referrals.

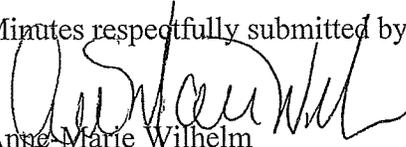
Planning Review:

- Planner’s Report Re: Andover Township Code §190-32.3. Regulations for Development within Steep Slope Areas.

Joseph Golden, P.E., P.P., presented an overview of the matter stating that the suggestions made in his report were made in an effort to resolve problematic areas in the ordinance. Board members agreed that more time was necessary to review and discuss the issues. The matter was continued to the July 5, 2011 meeting.

ADJOURNMENT: Having no further business, a motion to adjourn was made by Bensley. All were in favor. The meeting was adjourned at 9:45 p.m.

Minutes respectfully submitted by:


Anne-Marie Wilhelm
Land Use Administrator

Municipal/Civil Engineering
Land Surveying
Site Plan Development
Septic System Design
Environmental Services

Golden & Moran Engineering
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Andover Township

Completeness/Substantive Report I – May 24, 2011

Side Yard Variance
5 Irving Place
Block 144, Lot 17
Application No. Unknown

Chris Megna

GME No. AND-11-150

We are in receipt of the following information in support of the above referenced application:

- Variance Exhibit created by Joseph M Marchese Architect, dated 4/28/11, last revised 5/3/11 consisting of three (3) sheets.
- Completed variance application, no checklists or other administrative documents.

The applicant proposes a ±360 square foot addition to an existing three-bedroom ±818 square foot single-family dwelling. The addition appears to be for an expanded kitchen and dining area. No additional bedrooms are proposed.

The parcel is located in the R-0.5 Single Family Residential district. The bulk of the addition is proposed within the required setbacks. An elevated covered side entrance is proposed to allow access to the addition via a proposed "Mud" room. The existing side setback is 17.5', whereas the proposed covered entrance would reduce the side setback to ±12.5' where 15' is required. Our office recommends side variance relief be evaluated for a side setback of 12.0' to allow room for construction.

The applicant requires a c(1) variance by reason of exceptional narrowness of the existing lot. The lot is substandard in that the existing lot width is 75' where 120' is required. The architect proposes an addition that maintains the line of the existing dwelling. The side variance can be avoided by recessing the addition; however recessing the addition would block existing windows and compromise the character of the dwelling.

Although the side entry encroaches ±2.5' into the side setback, adequate light and open space is maintained by keeping the entrance open with a wood post rail. The architect's plan maintains visual consistency with the neighborhood while enhancing the aesthetic character of the dwelling.

Based on the narrowness of the existing lot and the location of the lawfully existing dwelling, the strict application of the ordinance would make it difficult to maintain a side entrance that meets code. The total encroachment, including the steps, is approximately 30 square feet. In my opinion, the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and ordinance.

Comments Regarding Completeness

1. The Board secretary should comment on the administrative completeness of the application including the items identified in Checklist #1.
2. The list of property owners within 200' is not shown on the plans. *Our office has no engineering objection to granting this waiver based on the nature of the application.*
3. A key map is not provided. *Our office has no engineering objection to granting this waiver based on the nature of the application.*
4. Location of structures within 200'. *Our office has no engineering objection to granting this waiver based on the nature of the application.*
5. Location of the following existing items are not shown; Utilities, railroad tracks, bridges, culverts, driveways, sidewalks, existing and proposed contours, soil classification, slope identification, survey monumentation, deed restrictions, NJDEP Letter of Interpretation, percolation testing, Natural features, description of surrounding area, and a CD containing copies of the plans in CAD format. *Our office has no engineering objection to granting this waiver based on the nature of the application.*

Based on our review of the proposed application for a side yard variance, our site visit, and the minor nature of the proposed variance, our office recommends the application be deemed **complete**.

The architect provided the proposed layout on a survey prepared for Harry W. Wills dated October 26, 1979. Our office recommends an as built drawing prepared by a licensed land surveyor be submitted to the construction code official to ensure compliance with any relief the Board may consider.

Please feel free to contact me if you have any questions or require additional information.

Respectfully Submitted,

Joseph Golden

Joseph R. Golden, PE, PP, CME
Land Use Board Engineer

CC: Anne-Marie Wilhelm, Board Secretary (via email),
Richard Briigliodoro, Esq. (via email),
Joseph Marchese, Architect (via email)
Jim Cutler, Construction Official (via email)