

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD MEETING HELD
JUNE 18, 2013**

OPEN MEETING: Chairman O'Connell called the meeting to order at 7:30 p.m.

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

ROLL CALL:

Diana Boyce – Present
Ellsworth Bensley, Jr. – Present
Suzanne Howell – Present
Rick Melfi – Present
CeCe Pattison – Excused
Christine Kretzmer – Excused
Dolores Blackburn – Present and excused @ 7:40 p.m.
Ken Roberts –Excused
John O'Connell – Present
Paul Messerschmidt –Present
Richard Skewes – Present

PROFESSIONALS PRESENT: Board professionals Richard Briigliodoro, Esq., and Joseph Golden, P.E., P.P. were present.

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 rules: No new cases after 9:30 p.m. or testimony after 10:00 p.m. Comments from each member of the public are limited to 5 minutes during the public portion of the meeting. Transcript requests are 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: *Minutes of the Andover Township Land Use Board Meeting Held May 21, 2013:* A motion to approve was made by Suzanne Howell and seconded by Ellsworth Bensley, Jr. There were no corrections or amendments proposed. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Rick Melfi – yes; Dolores Blackburn – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O'Connell – yes. The motion carried.

RESOLUTIONS: There were no resolutions scheduled for review.

COMPLETENESS REVIEWS: A-4-13-1, Van Dyke, C. “D” Variance, Block 111 Lot 14.02 – Jason Dunn, P.P., and William Askin, Esq., were present on behalf of the Applicant. Joseph Golden, P.E., P.P., reviewed his report titled *Completeness II* dated May 26, 2013. He advised the Board that he could not find the submission to be complete. With respect to Applicant waiver requests, Mr. Golden clarified that he would not recommend waivers of technical checklist items 25, 35, 46, 47, 50, and 61. He noted that checklist items 21 and 22 could be waived for completeness only and addressed in the conditions of approval. Mr. Golden also recommended that the Applicant be prepared to discuss parking as well as compliance with the driveway ordinance.

Board members discussed administrative procedure and scheduling. Attorney Askin advised he could not attend the July 16 meeting. There was no further discussion. A motion to deem the matter incomplete was made by Paul Messerschmidt and seconded by Diana Boyce. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Rick Melfi – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O’Connell – yes. The motion carried.

HEARING: A-5-13-1, Sincaglia, J. “C” Variance, Block 109 Lot 1:

Richard Briigliodoro, Esq., reviewed the Applicant’s legal notice and confirmed the Board had jurisdiction to hear the matter. Referencing his report dated May 11, 2013, Joseph Golden, P.E., P.P., provided an overview of the matter and stated he had no problem with the application. Upon inquiry from Mr. Messerschmidt, Mr. Golden confirmed that the steep slope ordinance requirements were met.

Applicant James Sincaglia was sworn. He confirmed the 250 sq.ft. proposed addition would not extend the preexisting encroachment into the front yard setback. He stated his home is the last residence on the street and the expansion would not interfere with any other structures in the neighborhood. He informed the Board that the home is 1200 sq.ft. and is one of the smaller homes in the neighborhood.

Chairman O’Connell opened the meeting to the public. No members of the public addressed the Board on the matter. The meeting was closed to the public.

A motion to approve the application was made by Rick Melfi and seconded by Paul Messerschmidt. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Rick Melfi – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O’Connell – yes. The motion carried.

Applicant Sincaglia requested a waiver of the reading of the resolution. Mr. Briigliodoro explained the law, and the Board granted the request.

PUBLIC PORTION: The meeting was opened to the public. No members of the public addressed the Board. The meeting was closed to the public.

OLD/NEW BUSINESS: Chairman O'Connell reminded Board members to file their ethics forms. Mr. Melfi advised that the rain garden project was completed, and Dale's Market was hiring staff.

VOUCHERS: Board members reviewed the vouchers and June 18, 2013 finance summary. There were no comments. A motion to approve was made by Ellsworth Bensley, Jr., and seconded by Paul Messerschmidt. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Rick Melfi – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O'Connell – yes. The motion carried.

UPCOMING MEETINGS: The Board cancelled the July 2, 2013 meeting and confirmed the July 16, 2013 meeting date.

ADJOURNMENT: Having no further business, a motion to adjourn was made by Ellsworth Bensley, Jr., and seconded by Paul Messerschmidt. All were in favor. The motion carried. The meeting adjourned at 8:25 p.m.

Minutes respectfully submitted by:

/s/Anne-Marie Wilhelm
Anne-Marie Wilhelm
Land Use Administrator