

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD MEETING HELD  
JULY 16, 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 –Excused  
CeCe Pattison – Excused  
Christine Kretzmer –Late @ 7:50 p.m.  
Dolores Blackburn – Present.  
Ken Roberts – Present  
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 June 18, 2013:* A motion to approve was made by Ellsworth Bensley, Jr., and seconded by Suzanne Howell. There was no discussion. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O'Connell – yes. The motion carried.

**RESOLUTIONS:** A-5-13-1, Sincaglia, J. “C” Variance, Block 109 Lot 1: Board members reviewed the resolution. There were no comments. A motion to adopt the resolution was made by Diana Boyce and seconded by Ellsworth Bensley, Jr. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O’Connell – yes. The motion carried.

**COMPLETENESS REVIEWS: A-4-13-1, Van Dyke, C. “D” Variance, Block 111 Lot 14.02** – Joseph Golden, P.E., P.P., presented his July 13, 2013 completeness report and stated that based upon his review of the additional materials submitted in the matter, he would recommend the Board deem the matter complete. There was no further discussion of completeness. Mr. Golden noted he would not prepare an additional report prior to the hearing. A motion to deem the application complete based on the engineer’s report of July 13, 2013 was made by Diana Boyce and seconded by Suzanne Howell. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O’Connell – yes. The motion carried.

Board members discussed scheduling the matter. A motion to assign the matter a hearing date of August 20, 2013 was made by Ellsworth Bensley, Jr., and seconded by Suzanne Howell. All were in favor. The motion carried.

**HEARING:** There were no matters scheduled.

**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:** Diana Boyce reported new businesses openings along Newton-Sparta Road. Ellsworth Bensley, Jr., announced that Dale’s Market had opened. The writer presented that not all Board requirements for said matter were satisfied. Board members discussed the issue and agreed that the secretary would forward an advisory memo and copy of Mr. Golden’s report to the Township Committee. A motion to direct the preparation and forwarding of the memo to the Township Committee was made by Paul Messerschmidt and seconded by Suzanne Howell. Roll Call: Diana Boyce – abstain with comment that she believed the issue was within the Board’s jurisdiction; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Christine Kretzmer – abstain with the comment that she had not heard all the facts; Dolores Blackburn – yes; Ken Roberts – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O’Connell – yes. The motion carried.

The writer presented training on access to the website’s restricted area. Mr. Golden recommended a review of primo.pdf software to assist resolution adjustments to be made when posting plan sets.

**VOUCHERS:** Board members reviewed the vouchers and July 16, 2013 finance summary. There were no comments. A motion to approve a payment recommendation to the Township

Committee was made by Ellsworth Bensley, Jr., and seconded by Paul Messerschmidt. Roll Call: Diana Boyce – yes; Ellsworth Bensley, Jr., – yes; Suzanne Howell – yes; Christine Kretzmer – yes; Dolores Blackburn – yes; Ken Roberts – yes; Paul Messerschmidt – yes; Richard Skewes – yes; John O’Connell – yes. The motion carried.

**UPCOMING MEETINGS:** The Board cancelled the August 6, 2013 meeting via a motion made by Suzanne Howell and seconded by Ellsworth Bensley, Jr. All were in favor. The motion carried. Chairman O’Connell confirmed the August 20, 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