

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD MEETING HELD  
APRIL 7, 2015**

**OPEN MEETING:** Chairman Howell called the meeting to order at 7:30 p.m.

**FLAG SALUTE:** Chairman Howell led the flag salute.

**ROLL CALL:**

Ken Roberts – Present  
Vincent DeLuca – Present @ 7:40 p.m.  
Rick Melfi, Vice Chairman – Present  
CeCe Pattison – Present  
Christine Kretzmer — Present  
Dolores Blackburn – Present  
Wayne Grenewicz – Absent  
John O'Connell – Present  
Suzanne Howell, Chairman – Present  
Paul Messerschmidt, Alternate 1 – Present  
Richard Skewes, Alternate 2 – Present

**PROFESSIONALS PRESENT:** Richard Brigliadoro, Esq., and Joseph R. Golden, P.E., P.P., C.M.E.

**OPEN PUBLIC MEETINGS ACT NOTICE:** Chairman Howell 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 Howell 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:** A motion to approve the *Minutes of the Andover Township Land Use Board Meeting Held March 17, 2015* was made by Richard Skewes and seconded by John O'Connell. There was no discussion. Roll Call: CeCe Pattison – yes, John O'Connell – yes, Paul Messerschmidt – yes, Richard Skewes – yes, Suzanne Howell – yes. The motion carried.

**RESOLUTIONS:** *2014 Township of Andover Land Use Board Report on Variance Applications and Amendment Recommendations* – A motion to adopt the resolution was made by Paul Messerschmidt and seconded by John O'Connell. There was no discussion. Roll Call: Ken Roberts – yes, Rick Melfi – yes, CeCe Pattison – yes, Christine Kretzmer – yes, John O'Connell – yes, Paul Messerschmidt – yes, Richard Skewes – yes, Suzanne Howell – yes. The motion carried.

**COMPLETENESS REVIEW: A-12-14-1, Alma Lane Associates, LLC. Minor Subdivision, Block 156 Lots 2 and 2.02:** Referencing his report dated February 22, 2015, Joseph R. Golden, P.E., P.P., C.M.E., reviewed technical completeness items and the Applicant's waiver requests with the Board.

A motion to grant waivers of Minor Subdivision Checklist items 23, 25, 35 and 39 and deem the application complete subject to the provision of signed and sealed soil logs prior to the signing of the deeds was made by John O'Connell and seconded by Paul Messerschmidt. Roll Call: Ken Roberts – yes, Rick Melfi – yes, CeCe Pattison – yes, Christine Kretzmer – yes, Dolores Blackburn – yes, John O'Connell – yes, Paul Messerschmidt – yes, Richard Skewes – yes, Suzanne Howell – yes. The motion carried.

Board member Vincent DeLuca arrived at 7:40 p.m. Alternate 2, Richard Skewes stepped down.

**A-1-15-15, Mroz, Theodore. Minor Subdivision, Block 156 Lots 1, 2.03, 2.04:** Referencing his report dated February 22, 2015, Joseph R. Golden, P.E., P.P., C.M.E., discussed technical completeness items and the Applicant's waiver requests with the Board. Following discussion, a motion to grant waivers of Minor Subdivision checklist items 23, 25, 35 and 39 subject to the provision of signed and sealed soil logs prior to the signing of the deeds was made by Ken Roberts and seconded by John O'Connell. Roll Call: Ken Roberts – yes, Vincent DeLuca – yes, Rick Melfi – yes, CeCe Pattison – yes, Christine Kretzmer – yes, Dolores Blackburn – yes, John O'Connell – yes, Paul Messerschmidt – yes, Suzanne Howell – yes. The motion carried.

**HEARINGS: A-12-14-1, Alma Lane Associates, LLC. Minor Subdivision, Block 156 Lots 2 and 2.02:** Bernd E. Hefele, Esq., appeared on behalf of the Applicant. Kenneth D. Dykstra, PE, PP, PLS, was accepted as an expert witness. Robert Brandon, Realtor, was sworn, qualified, and accepted as a real estate expert.

The Applicant submitted Exhibit A-1, a colored rendering titled *Lot Development Exhibit, Minor Subdivision/Lot Line Adjustment, Block 156 Lots 2 and 2.01, Huntsville Road, Township of Andover, Sussex County, New Jersey, Sheet 1 of 1*, dated 3/3/15 prepared by Mark Gimigliano, P.E.

Mr. Dykstra provided an overview of the existing conditions and the proposed subdivision. He confirmed that no variances were requested. He stated the existing house is served by a well and septic and the proposed house would be served by a well and septic also. He confirmed the subdivision was in a 2-acre zone. Referencing the exhibit, he presented the reconfiguration of the lots. He stated proposed Lot 2 would be 5.706 acres, and proposed building Lot 2.02 would be 5.382 acres. Mr. Dykstra stated the Applicant would eliminate the existing common driveway on proposed Lots 2.02 and 2.03 and add a new driveway to proposed Lots 2.02 and Lot 2, utilizing an easement. He explained this driveway would serve the home proposed on Lot 2; and an additional driveway would be built on Lot 2.02 to serve a proposed dwelling. With reference to the driveway serving proposed Lot 2, he stated the driveway placement allows the driveway to access the front of the house, and the design creates better sight distance and traffic safety than if the driveway were to be located on proposed Lot 2 in its entirety.

Mr. Golden reviewed his report dated February 22, 2015. He noted that multiple driveways are not desirable on rural roads, and he recommended a common driveway. He stated Andover Township did not have a common driveway requirement. Mr. Brandon, previously sworn, presented that potential purchasers prefer stand-alone driveways.

Chairman Howell opened the meeting to the public. No members of the public addressed the Board. The meeting was closed to the public.

A motion to approve the Minor Subdivision subject to the Applicant providing sealed or revised soil logs, an easement agreement with a metes and bounds description for the additional driveway subject to the Board professionals review prior to recording the deeds, and compliance with the engineer's report conditions two, four, five, and six was made by Dolores Blackburn and seconded by Ken Roberts. There was no further discussion. Roll Call: Ken Roberts – yes, Vincent DeLuca – yes, Rick Melfi – yes, CeCe Pattison – yes, Christine Kretzmer – yes, Dolores Blackburn – yes, John O'Connell – yes, Paul Messerschmidt – yes, Suzanne Howell – yes. The motion carried.

Chairman Howell called a recess at 8:30 p.m. The meeting was called to order at 8:35 p.m.

**A-1-15-15, Mroz, Theodore. Minor Subdivision, Block 156 Lots 1, 2.03, 2.04:** Bernd E. Hefe, Esq., appeared on behalf of the Applicant. Kenneth D. Dykstra, PE, PP, PLS, and Robert Brandon, Realtor, were sworn. Mr. Hefe provided an overview of the subdivision stating the Applicant proposes to take two undersized lots and one oversized lot, reconfigure the lot lines, and create three conforming lots. He stated the Applicant received county approval and the county requested access through Huntsville Road. He stated no variances are requested, and the resulting lots would be large for the zone. Exhibit A-1, *Lot Development Exhibit, Minor Subdivision/Lot Line Adjustment, Block 156, Lots 1, 2.03 & 2.04, Greendale Road (C.R. 611) & Huntsville Road, Township of Andover, Sussex County, New Jersey*, dated 3/3/15, Sheet 1 of 1, prepared by Mark Gimigliano, P.E., was submitted.

Referencing Exhibit A-1, Mr. Dykstra detailed the proposed lot areas and explained the driveway and storm water management facility placement. Mr. Golden reviewed his report dated February 22, 2015 and expressed concerns about allowing individual driveways, access to other lots through an easement, directing all access from Huntsville Road, and approving the location of the storm water basin with the understanding it would collect water from other property. Mr. Golden explained that an alternative design scenario, featuring no easement, would create an access point to the county's Greendale Road. He recommended utilization of a common driveway stating that their utilization is standard planning practice. He noted that it is poor planning practice to have a detention basin on another's property. He stated the township is required to enforce detention basin maintenance or perform it. Mr. Hefe affirmed the Applicant's design noting the proposed subdivision is conforming. Following discussion, the Applicant agreed to relocate the storm water basin, provide new drainage calculations, design the basin accordingly, and pave the driveway.

Chairman Howell opened the meeting to the public. Mr. Al Westra was sworn. He stated he owned an adjoining property. He stated his family applied to the county for access to Greendale Road 28 -30 years ago and was denied. He asked what has changed at the county. Mr. Golden stated the county would not allow the access because of the ability to have a common driveway on what is there now. No other members of the public addressed the Board. The meeting was closed to the public.

A motion to approve the minor subdivision designed with separate driveways subject to the engineer's report, provision of the sealed and signed soil logs prior to the perfection of the subdivision; provision of the metes and bounds description of the easements prior to the perfection of the subdivision; relocation of the driveway and detention basin, and the revision of the plan subject to Mr. Golden's approval was made by Paul Messerschmidt and seconded by Ken Roberts. Roll Call: Ken Roberts – yes, Vincent DeLuca – no, Rick Melfi – yes, CeCe Pattison – yes, Christine Kretzmer – no, Dolores Blackburn – yes, John O'Connell – yes, Paul Messerschmidt – yes, Suzanne Howell – yes. The motion carried.

**PUBLIC PORTION:** The meeting was opened to the public. John Kurlander asked about the scheduling of a potential site plan waiver review. Christine Kretzmer recused. Chairman Howell advised the Board meets two times a month and the public portion of the meeting was not the time to present the information. The meeting was closed to the public.

**OLD/NEW BUSINESS:** Board members were reminded to submit their mandatory Financial Disclosure Statements to the Local Finance Board. Board members reported the email system was not working. Ms. Kretzmer announced an upcoming Township event.

**VOUCHERS:** Board members reviewed the vouchers. A motion to recommend payment of the vouchers [March 2017 Land Use Finance Report] to the Township Committee was made by John O'Connell and seconded by CeCe Pattison. There was no discussion. Roll Call: Ken Roberts – yes, Vincent DeLuca – yes, Rick Melfi – yes, CeCe Pattison – yes, Christine Kretzmer – stated she could not vote due to lack of attendance at prior meetings, Dolores Blackburn – yes, John O'Connell – yes, Paul Messerschmidt – yes, Suzanne Howell – yes. The motion carried.

**UPCOMING MEETINGS:** Chairman Howell confirmed the April 21, 2015 and May 5, 2015 hearing dates.

**ADJOURNMENT:** Having no further business, a motion to adjourn was made by John O'Connell. All were in favor. The motion carried. The meeting concluded at 9:55 p.m.

Minutes respectfully submitted by:

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