

**RESOLUTION
TOWNSHIP OF ANDOVER
LAND USE BOARD
IN THE MATTER OF XTREME RACE CARS, LLC
DECIDED ON APRIL 21, 2015
MEMORIALIZED ON MAY 5, 2015
SITE PLAN WAIVER APPROVAL
APPLICATION NO. A-4-15-1**

WHEREAS, Xtreme Race Cars, LLC (hereinafter “Applicant” or “Xtreme”) has applied to the Andover Township Land Use Board (hereinafter “Land Use Board”) seeking site plan waiver approval; and

WHEREAS, the application was deemed complete by the Land Use Board and a public hearing was held on April 21, 2015; and

WHEREAS, the Applicant was represented by Anthony Scordo, Esq.; and

WHEREAS, it has been determined that the Applicant has complied with all procedural requirements, rules and regulations of the Land Use Board and that all required provisions for procedural compliance have been filed with the Land Use Board.

NOW, THEREFORE, the Land Use Board makes the following findings of fact and conclusions of law, based on the documents, testimony and other evidence comprised in the hearing record. The property which is the subject of this application is known and designated as Block 126, Lot 502 on the Tax Assessment Map of the Township of Andover and is commonly known as 64 Stickles Pond Road, Andover Township, New Jersey.

The Applicant is requesting a site plan waiver in regard to a change of use and occupancy to permit the Applicant to occupy space at this location in order to conduct its business which involves the fabrication of custom, one of a kind high performance automobiles.

Testifying on behalf of the Applicant was Carl Stevens, the owner of Xtreme. Mr. Stevens testified that the Applicant fabricates custom high performance automobiles. The company typically builds to order one car a time, but they will probably have four or five cars in the building in various stages of fabrication. The company does not fuel or oil any of its vehicles onsite.

Mr. Stevens testified that he and his son as well as two additional employees will be on site. The hours of operation are typically Monday-Friday from 8:00am-5:00pm. Mr. Stevens testified that typically there is no work done on the weekends because that is when auto racing occurs at racetracks.

The Applicant will occupy approximately 6,000 square feet of space at this location. Mr. Stevens further testified that they fabricate race cars from the ground up. The chassis' are all built to the specifications of the National Hot Rod Association ("NHRA"). He also testified that the steel is imported from Germany in order to fabricate the race cars.

Mr. Stevens also represented that currently he operates a facility at 566 East 39th Street, Paterson, New Jersey where he occupies 3,000 square feet of space. The Applicant's intent is to relocate the business from Paterson to Andover Township because they need more room for their business.

Mr. Stevens further addressed deliveries to the site. He explained that typical delivery of parts occurs through standard UPS and FedEx trucks, for the most part. He also represented that there would be no noise or sound emissions emanating from the building as a result of his fabrication business that would exceed sound standards or regulations at the property line, nor will any sound emissions disturb adjoining land owners.

The Applicant intends to install a sign identifying the business in conformance with the Andover Township sign ordinance.

Mr. Stevens testified that Xtreme anticipates storing all of its tools, equipment and components inside the building because of the high value of everything that they work with. In addition, there will be no outside storage of vehicles, equipment or materials onsite. In addition, there will be no changes or alterations to the exterior of the building or the site. The Applicant may perform some internal renovations of the building for which he would obtain all appropriate permits from the Andover Township Construction Official's office. In addition, the Applicant represented that there would be no spray painting of vehicles onsite. Finally, Mr. Stevens represented that his company does have a website and that auto parts are sold from the website but the parts are not stored onsite nor are the parts shipped from the site.

Pursuant to Andover Township Code § 131-5, the Land Use Board finds that the site plan requirements should be waived because the proposed improvements will not adversely affect circulation, drainage, and relationship of buildings to each other, landscaping, buffering, lighting and other considerations of site plan review. The Board Engineer further recommends that the Board grant the requested site plan waiver because there will be no changes or alterations to the exterior of the building on the site.

NOW, THEREFORE, BE IT RESOLVED, that the Land Use Board does approve the site plan waiver as described herein. This approval is subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plan submitted and approved.
2. The Applicant represents that all of its representations and stipulations made either by or on behalf of the Applicant to the Andover Township Land Use Board are true and accurate, and acknowledges that the Land

Use Board specifically relied upon the Applicant's stipulations in the Board's granting of this approval. If said representations and stipulations are false, this approval is subject to revocation.

3. This approval is granted strictly in accordance with any recommendation set forth on the record by the Land Use Board throughout the hearing process on April 21, 2015.
4. The granting of this application is subject to and conditioned upon the Applicant obtaining permits from the Construction Code Official's office in regard to any proposed alterations or renovations to the interior of the premises.
5. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within 20 days of said request by the Board Secretary.
6. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Andover, County of Sussex, State of New Jersey or any other agency having jurisdiction hereunder.

The undersigned secretary certified the within resolution was adopted by this Township of Andover Land Use Board on April 21, 2015 and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on May 5, 2015.

Ann Marie Wilhelm, Andover Township
Land Use Administrator/Board Secretary

Suzanne Howell, Chairperson

In favor:

Against:

Abstained:

Board Members Eligible to Vote: Ken Roberts, Vincent DeLuca, Rick Melfi, CeCe Pattison, Dolores Blackburn, Wayne Grenewicz, Paul Messerschmidt, Richard Skewes, Suzanne Howell

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