

July 20, 2010

The regular meeting of the Andover Township Land Use Board was called to order at 7:30 p.m. on Tuesday, July 20, 2010 by the John O’Connell, Chairman.

Present Members: Diana Boyce  
Suzanne Howell  
Gail Phoebus  
Christine Kretzmer  
Ellsworth Bensley  
Paul Messerschmidt, Alt. 1  
John O’Connell

Secretary T. Linda Paolucci

Absent: Gerald Huelbig  
Rick Melfi  
CeCe Pattison

Professionals Present: Engineer - Joseph Golden, P.E.  
Michael Hanifan, Esq.

Professionals Absent: Attorney - Richard Brigliadoro, Esq.

**FLAG SALUTE - RULES - OPEN PUBLIC MEETINGS ACT**

**OPEN TO THE PUBLIC** – The Chairman opened the meeting to the public and read the rules of the act.

**MINUTES**

**May 4, 2010** – Motion was made by Phoebus to approve the minutes, second by Howell. In favor: Boyce, Howell, Phoebus, Kretzmer, Bensley, Messerschmidt, O’Connell. Opposed: None. Motion carried.

**May 18, 2010** – Motion was made by Phoebus, second by Bensley to approve the minutes. In favor: Howell, Phoebus, Kretzmer, Bensley, Messerschmidt, O’Connell. Opposed: None. Motion carried.

**June 15, 2010** - Motion was made by Boyce to approve the minutes, second by Howell. In favor: Boyce, Howell, Kretzmer, Bensley, Messerschmidt, O’Connell. Opposed: None. Motion carried.

**VOUCHERS** - See Schedule A. A motion was made by Phoebus, seconded by Bensley to approve the vouchers submitted. In favor: Boyce, Howell, Phoebus, Kretzmer, Bensley, Messerschmidt, O’Connell. Opposed: None. Motion carried.

Phoebus recused herself from the hearing and left the meeting at 7:39 p.m.

### **COMPLETENESS HEARING**

**SUSSEX & WARREN HOLDING LLC – Block 1, Lot 5.02, Route 206** – Site Plan & Use Variance – Truck Repair Facility – Robert Tessier, P.P. Planner for Dykstra Engineering of Andover Township and the applicant, Mohammad Sarfaraz of SMA Raza were sworn in by Board attorney, Michael Hanifan, Esq.

Tessier stated that the property is located in the Planned Commercial Development Zone and was previously planned as a shopping center but with the present constraints it can no longer be built as such. He continued that the applicant will clean up the site, which was previously disturbed but is concerned about the empty above ground tanks. Tessier described the condition of the existing building and property.

Golden asked Tessier to explain the exact use variance that the applicant is applying for as different statements have been made by the applicant and the application cannot be evaluated as to use without stating exactly what the site will be used for. He also asked that the applicant provide information with regard to the condition of the property and how it will be treated.

Tessier answered that he will be providing the Board with a “Planners Report” for completeness purposes. He continued that the applicant is interested in repairing and storing their own trucks on site.

Tessier commented that the applicant was present this evening in order to discuss the items that are still necessary in order for the Board consideration for completeness. After further discussion with regard to information that still needs to be submitted such as lighting, circulation, treatment of buildings, permits, landscaping, truck access, DEP regulations applicability, waiver requests, etc. the Chairman asked for a motion to find the application incomplete.

Howell made a motion to find the application incomplete, second by Boyce. In favor: Boyce, Howell, Kretzmer, Bensley, Messerschmidt, O’Connell. Opposed: None. Motion carried.

**PUBLIC PORTION** – No one from the public stepped forward and the public portion was closed

**OLD/NEW BUSINESS** – Golden gave the Board an update on the status of the WaWa project and stated that WaWa has received written confirmation of conditional approval from the Department of Environmental Protection subject to County approval.

After discussion amongst the Board members, motion was made by Bensley second by Howell to cancel the meeting of August 3<sup>rd</sup> for summer hours. All in favor: Aye. Motion carried unanimously.

**MATERIAL RECEIVED, GENERAL INFORMATION** - See Schedule A

**ADJOURNMENT** – Time 8:38 p.m. A motion was made by Howell, seconded by Bensley to adjourn. All in favor. Carried unanimously.

Respectfully submitted,

---

John O’Connell, Chairman

---

T. Linda Paolucci, Secretary