



# ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board  
Municipal Building  
134 Newton Sparta Road  
MINUTES  
July 2, 2024  
7:30 p.m.

**CALL TO ORDER:**

Mr. Messerschmidt called the meeting to order at 7:32 pm.

**PLEDGE OF ALLEGIANCE:**

Mr. Messerschmidt led everyone in a flag salute.

**OPEN PUBLIC MEETINGS ACT NOTICE:**

Mr. Messerschmidt read the following into the record:

This is an open public meeting of the Andover Township Land Use Board to be conducted in-person only at the Municipal Building, located at 134 Newton Sparta Rd., Andover, NJ 07860. 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. No new testimony will be taken after 10:30pm. Adequate notice of this meeting has been provided, with an electronic copy posted on the Andover Township website at [www.andovertwp.org](http://www.andovertwp.org).

**ROLL CALL:**

Michael Lensak (Class I) - Excused  
Eric Olsen (Class II) – Present  
Eric Karr (Class III) – Excused  
Suzanne Howell (Class IV) – Present  
Richard Skewes (Class IV) – Absent  
Joseph Ordile (Class IV) – Present  
Krista Gilchrist (Class IV) – Present  
John Carafello (Class IV) – Present (7:37pm)  
Sean Degan (Alternate) – Excused  
Karen Rozek (Alternate) - Present  
Paul Messerschmidt (Class IV) – Present

**Also Present:**

Richard Briigliodoro, Esq.  
Corey Stoner, PE

Stephanie Pizzulo, Secretary

**ADMINISTRATIVE ITEMS:**

**Approval of Minutes:** May 21, 2024

A motion to approve the minutes of the May 21, 2024 meeting was made by Ms. Howell and seconded by Mr. Ordile. Roll Call: Suzanne Howell – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

**RESOLUTIONS:**

1.) An Ordinance (2024-07) of the Township Committee of the Township of Andover, County of Sussex, and the State of New Jersey to amend the Andover Township Route 206 Redevelopment Plan, specifically to establish a New Abbey Redevelopment Overlay (ARO) Zone for a portion of the redevelopment area.

Mr. Ordile questioned the length of time given for the Board to respond to the Township Committee on the two resolutions and why they were different. Mr. Brigliadoro said if it is an ordinance that deals with a redevelopment zone the Board has 45 days to respond. If it is a regular zoning ordinance, the Board has 35 days.

A motion to approve the resolution for consistency determination for ordinance 2024-07 was made by Ms. Howell and seconded by Ms. Gilchrist. Roll Call: Eric Olsen – yes, Krista Gilchrist – yes, Suzanne Howell – yes, Joseph Ordile – yes, Karen Rozek – yes. Motion carried.

Mr. Carafello arrived and joined the Board on the dais at 7:37 pm.

2.) An Ordinance (2024-06) of the Township Committee of the Township of Andover, County of Sussex, and State of New Jersey adopting an amendment to Chapter 190 of the Zoning Code of the Township of Andover to establish the Route 206 Economic Development ('ECD') Zone.

Mr. Ordile said the Township Committee is sending the ordinance back to the Planner who wrote it and did not know if the Board should approve the resolution. Mr. Brigliadoro said the resolution memorializes the action taken by the Board.

A motion to approve the resolution for consistency determination for ordinance 2024-06 was made by Mr. Olsen and seconded by Mr. Ordile. Roll Call: Eric Olsen – yes, Krista Gilchrist – yes, Suzanne Howell – yes, Joseph Ordile – yes, Karen Rozek – yes. Motion carried.

**ORDINANCES:** None.

**COMPLETENESS:** None.

**HEARINGS:** (All submitted materials can be found under the Land Use section on the Township website [www.andovertwp.org](http://www.andovertwp.org).)

1.) Ringo Properties, LLC      B: 158 L: 6                      Application # 22-5

*The applicant is seeking approval to develop the property for a combination of uses entailing retail, office, warehouse/storage and/or light manufacturing. Bulk variances are also required.*

Mr. Josep O'Neil, Esq. of Garofalo, O'Neill & Ruggiero, LLC was representing the applicant. He said the subject property was on Route 206 and Brighton Road. Mr. Messerschmidt said Mr. Ordile questioned if the notice to the surrounding property owners was proper. The notice was proper and had been sent out on June 18, 2024.

Mr. Briadoro swore in Mr. Kevin Robine, PE with Dykstra Walker Design Group. Mr. Robine gave his qualifications, which were accepted by the Board.

Mr. Robine presented the existing conditions section of the site plan that was submitted with the application, dated July 25, 2023 and revised February 22, 2024. He said the property is known as Block 158, Lot 6, is located at the southeast corner of Brighton Road and Route 206, and is within the Route 206 Redevelopment Zone. He said the total property area is 10.35 acres. The northern portion of the property near Route 206 and Brighton Road had been previously cleared, as there was a garden center there in the past and those improvements have been removed. The remaining area is open space. The southern portions of the site consists of rocky outcrops, ridges and valleys throughout the area, a significant topographical change from the northern to the southern side of the property. He said that with the ridges and valleys, there is a 40-50 foot elevation change, which is primarily wooded. He said there are wetlands that exist on the property along the Brighton Road side of the property connected via a pipe across Brighton Road to a wetland complex to the adjoining Lot 4.01. There is a small isolated section of wetlands located more central to the property which is proposed to be filled in under a General Permit #6 with the DEP. He said they have not received any permit from the DEP for that however; an application would be submitted and would be provided to the Board as a condition of an approval. He said they have a pending freshwater Letter of Interpretation for the wetland locations. They have received verbal confirmation that the wetland limits shown on the plan are consistent with the DEP, and the transition resource value has been confirmed to be an intermediate resource values with 50-foot transition areas. The surrounding properties to the north are residential properties, the County garage, wooded properties and the Simon Peter Sports building.

Mr. Robine said they are proposing the construction of three buildings; one would be a 10,000 square foot retail building and the other two buildings will be flex buildings of 25,000 square feet each. Each flex building would be split into five units and each unit would contain 500 square feet of office space and 4,500 square feet of storage and warehouse space. He said they are proposing an outdoor storage area behind the buildings. They do not have tenants for the buildings however, they envision them to be used by tradesmen, contractors, and for storage of outdoor equipment and vehicles. He felt these flex spaces are in high demand. The buildings and a six-foot high solid PVC fence would screen the outdoor storage area. The storage area

would be more than 200 feet from any adjacent roadway. He said the proposed landscaping would help screen the area. The proposed improvements are the parking areas, with parking in the front of the retail building, and in front of each of the flex buildings, and ancillary parking for employees behind the buildings with 125 spaces proposed onsite. The ordinance requires 149 spaces so they are requesting a variance for parking less than the ordinance requires. He gave the parking requirement breakdown for the retail and flex buildings. He felt the proposed number of spaces was sufficient.

Mr. Robine said access to the property would be via two driveways. There would be a northern access drive near the intersection of Brighton Road and Route 206 and one further back off Brighton Road. He said they are not seeking direct access onto Route 206. He said they are proposing a 6-foot wide walkway along Brighton Road and Route 206. He said there are two additional variances being requested in addition to the parking. One is because the ordinance requires 65% of the parking be in the rear of the buildings and they are providing 21% of the parking in the rear of the buildings. Mr. Robine said the offices in the flex buildings would be in the front and that is where the public would park. The rear of the buildings would have trucks pulling in and out and for a safety reason they wanted to separate those two users. He explained the distance of the parking area from the roadways. The proposed trash and dumpster areas are to the rear of the flex buildings and would be screened from the view of the public. The dumpster enclosure for the retail building would be at the end of the northern access drive. The enclosure will meet the ordinance requirements for screening. Water would be provided via a well, which would be behind the retail building. There would also be a 12' X 12' pump house, which would contain the pump equipment. He said the buildings would need to be sprinkled for fire protection so they are proposing a 30-foot diameter, 20 foot high above ground storage tank located within the fenced area to the west of the retail building. The volume is sufficient for all three buildings. They would be providing two subsurface, standard disposal systems.

Mr. Robine said they are proposing 15 acorn style decorative streetscape lighting fixtures along Route 206 and Brighton Road frontages and elsewhere on the site they are proposing pole and building mounted lighting, which would be an LED shoebox fixture for general illumination levels. The landscaping would consist of shade trees around the perimeter of the property and the road frontages, which would be spaced between the light poles. There are 40 shade trees provided throughout the site, screening in the parking areas with a 4-foot hedgerow. They are proposing foundation plantings at the front and side of the retail building, and along the fronts of the flex buildings and some plantings along the sides of the flex buildings. They would need relief for the screening of the loading area, as it would not be fully screened. He felt with the trees and other plantings, the view of the loading area would be very limited for vehicles passing along Brighton Road. He said they are requesting a variance from the requirement that 10% of the parking lot be green however, they are providing landscape islands so that there are only nine parking spaces in a row before they are interrupted by a landscape island with shade trees. They are trying to keep the rear parking areas open for truck and vehicle movement and are requesting a variance from that requirement. He said the evergreens, fencing, buildings and

the elevation difference on the site would help screen the outdoor storage area. He explained the location of the 6-foot high fence.

Mr. Robine said they are providing three separate stormwater management areas; one along Route 206 with a detention basin, which would be fully planted, one between the two access drives, which is also a detention basin, which would be planted with landscaping, and a porous pavement area within the rear parking area. He explained the basins to the Board.

Mr. Robine said the basins meet the green infrastructure requirements. He explained the stormwater runoff and discharge site from the property. He said they would meet the required reductions.

Mr. Robine explained the disturbance to steep slopes and earthwork. He said the disturbance of the steep slopes are necessary for the construction of the improvements. He said they would be flattening steep slopes so the concerns for soil erosion is mitigated. During the soil removal, the disturbance to the steep slopes will not cause an impact to the adjoining properties and the drainage area will be stable. He said there is a significant amount of earthwork that needs to occur. Mr. Robine said there would be over 158,000 cubic yards of material removed from the site. He said the rock would be processed onsite into gravel or aggregate material and then exported from the site. The owner would offer the processed material for sale to offset the cost of development. He said it could take up to two years to prep the site before construction.

Mr. Robine presented a "Construction Phasing Plan" prepared by his office, dated June 28, 2024, which shows the area of disturbance which was marked and entered as exhibit A-1. He said it shows the disturbance required to get the site to an approximate grade for development. He said they are proposing a construction phasing to allow for the longer-term soil moving on site. They are proposing an 8-foot high construction fence placed about 24 feet from the edge of the right-of-way along Route 206 and Brighton Road. It would be an 8-foot high chain link fence with privacy slats, brown in color and would screen the operations that would be occurring onsite. There would be a gated access off Brighton Road, which would be in the same location as the proposed access drive. They are proposing a secure area within the screened in area for their equipment. Within the secured area, they are proposing a 12' X 40' construction trailer with parking in front of the trailer. Beyond the secure area would be a gated area for the remainder of the property for material processing. They are proposing to fence in the area that would house the subsurface sewer area to keep equipment off it. The isolated freshwater wetland pocket on the northern portion, which is less than one acre of the site, is proposed to be filled in under a DEP General Permit #6 however; since that is not in place, they would stay out of that area. He said they wanted to start the phasing as soon as possible with the commencement of the soil moving process prior to resolution compliance for the preliminary site plan approval.

Mr. Stoner went through his report dated June 17, 2024 and said he had no objections to the parking requirements as Mr. Robine testified to. Mr. Stoner said Mr. Robine did not discuss EV spaces but they did show four EV spaces on the plans. Mr. Stoner said any approval by the

Board would require updated stormwater calculations to be submitted for his review. He asked about the porous pavement area and if the water from the inlets would need to be treated for water quality. Mr. Robine explained the porous pavement area and the water quality. Mr. Stoner said that as a condition of any approval, the porous pavement must stay as porous pavement to which Mr. Robine agreed. Mr. Stoner asked about the impacts of the additional stormwater. Mr. Robine said they would not have a problem with offsite stability from the proposed discharge locations. He said the Route 206 discharge is discharging into a drain that is going to the adjoining property and into a stable stream. Mr. Stoner said the Phasing Plan shows a sizable soil and rock removal operation that would last for two years. He said according to the code, it would require a soil and rock removal permit. Mr. Stoner asked if that needed to be added to the application since, they were asking for preliminary and final site plan approval. Mr. Robine said one of the provisions in the ordinance is an interim temporary use provision. Mr. Stoner said typically soil removal is part of the site plan and felt this was a little larger than what they normally see for soil removal. Mr. Stoner questioned the grading and if that would change the offsite runoff. Mr. Robine said he wanted to show how the site would operate and would seek approval for the interim phasing plan. He said currently the stormwater flows onto the site and discharges into the Route 206 existing stormwater facilities. He said they would be maintaining the drainage patterns as the earthwork progresses. He said they should be providing provisions for temporary sediment basins. Mr. Stoner expressed a concern working around the wetlands and moving forward without having all of the resolution compliance items in play. Mr. Stoner asked if the site could be constructed in phasing as he had a concern, the site could become a flat, cleared piece of land with nothing built on it. Mr. Robine said in order to effectively prep the site for the construction of the buildings, earthwork operations should be done as one phase. He said it is hard to get tenancy for the buildings until there is something to show them. He said they wanted to get the site prepped and the building construction underway as quick as possible. Mr. Stoner had a concern with the work around the wetlands without having the DEP permit. Mr. Robine said he did not anticipate an issue getting the permit.

Mr. O'Neil requested a 5-minutes break to consult with his client.

The Board took a 5-minte break.

Mr. Messerschmidt said the public hearing needed to conclude for the evening due to a personal reason. He said the hearing would be rescheduled for July 16, 2024 and would continue at that time. Mr. Messerschmidt advised the public that there would be no further notice. Mr. O'Neil granted any necessary extensions of time to the Board.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**LIAISON REPORTS:**

***Township Committee*** – Mike Lensak

Mr. Lensak was not present to give a report.

**Environmental Commission** –Eric Olsen

Mr. Olsen had nothing new to report.

**Sustainable Andover** – Eric Olsen

Mr. Olsen said they updated the Buy Local Guide, they are working on the rain garden at Hillside Park and they are working on certification for the Sustainable Jersey Bronze level.

**Economic Development Committee** – John Carafello

Mr. Carafello said the State of New Jersey has a film ready certification for towns and he is looking into getting that certification for Andover. He said the certification looks at catering and lodging facilities in the town.

**Master Plan** – Joseph Ordile

Mr. Ordile said they have a final draft of the goals and objectives of the Master Plan and they are now coming up with the strategies to meet those goals and objectives.

**VOUCHERS:**

Company	Purpose	Amount	Paid By
Harold Pellow Assoc.	Engineering	\$ 71.00	Budget
Harold Pellow Assoc.	Ringo Properties, LLC	\$355.00	Applicant's Escrow
Harold Pellow Assoc.	Ballantine Woods, LLC	\$213.00	Applicant's Escrow
Harold Pellow Assoc.	698 Route 206 South, LLC	\$764.00	Applicant's Escrow
Harold Pellow Assoc.	Seegull, LLC	\$2,191.25	Applicant's Escrow

A motion to pay the bills was made by Ms. Gilchrist and seconded by Mr. Olsen. Roll Call: Suzanne Howell – yes, Joseph Ordile – yes, Krista Gilchrist – yes, John Carafello – yes, Karen Rozek – yes, Paul Messerschmidt – yes. Motion carried.

**PUBLIC PORTION:**

Mr. Messerschmidt read the following into the record:

If a member of the public has a question or comment, please raise your hand and wait to be recognized by the Chairperson to speak. Please come forward when recognized and state your name and address, unless you are a registered covered person under Daniel's Law by the Office of Information Privacy. Please refrain from asking questions or making comments about any pending application before the Board, as the applicant may not be present for cross-examination. The Chairperson has the right to limit the amount of time a person from the public has to ask questions and make comments so all members of the public may have a chance to speak.

Mr. Messerschmidt opened the meeting to the public.

Ms. Julie Grenewicz said she had sent an email to the Township Clerk in May regarding an application before the Board. The Clerk forwarded the email to the Land Use Administrator and Attorney. Ms. Grenewicz said she questioned why the correspondence was not on the agenda and was told it was overlooked. She felt the hearing should have been reopened to hear additional testimony and public input and take a revote on the application.

With nobody else coming forward, the meeting was closed to the public.

**CORRESPONDENCE:**

1.) Letter and Attachments via Email dated 5.16.24 from Wayne & Julie Grenewicz to Andover Township Committee Members

Re: 698 Route 206 South

2.) Letter via Email dated 6.18.24 from Wayne & Julie Grenewicz

Re: 698 Route 206

3.) Email from Wayne Grenewicz dated 6.29.24

Re: Questions regarding 698 Route 206 South

**PENDING APPLICATIONS:**

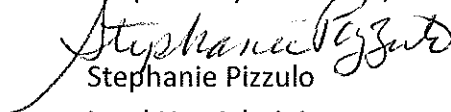
Priority Compacting Repair, LLC – Deemed Incomplete 1.16.24

**UPCOMING MEETINGS:** July 16, 2024, July 30, 2024

**ADJOURNMENT:**

With no further business to come before the Board, a motion to adjourn was made by Ms. Howell. It was seconded by Mr. Olsen and passed with everyone saying aye.

Respectfully submitted,



Stephanie Pizzulo

Land Use Administrator