



ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board
Municipal Building
134 Newton Sparta Road
Minutes
July 16, 2024
7:30 p.m.

CALL TO ORDER:

Mr. Messerschmidt called the meeting to order at 7:30pm.

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.

ROLL CALL:

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

Also Present:

Richard Briigliadoro, Esq.

Thomas Knutelsky, PE
Stephanie Pizzulo, Secretary

ADMINISTRATIVE ITEMS:

Approval of Minutes: June 18, 2024

A motion to approve the minutes of the June 18, 2024, meeting was made by Ms. Howell and seconded by Mr. Ordile. Roll Call: Eric Karr – yes, Suzanne Howell – yes, Joseph Ordile – yes, Krista Gilchrist – yes. Motion carried.

RESOLUTIONS: None.

ORDINANCES: None.

COMPLETENESS:

1.) Priority Compactor Repair, LLC B: 161 L: 5.02 A23-11

The applicant operates a disposal facility business. It is proposing to use this site for empty dumpster storage and repairs to dumpsters. The property will not be used to store trash or debris or to park vehicles or dumpsters that have trash or debris in them.

Mr. Messerschmidt said the Completeness Review Subcommittee met with the Board Engineer and is recommending the application for completeness; however, there are a few items the Board Engineer will go over. Mr. Knutelsky referred to Mr. Stoner's report dated July 15, 2024. He said Mr. Stoner's original report dated January, 2024 found a number of incomplete items. A majority of those items had been provided, however there are remaining open issues. Mr. Knutelsky said the one items that remains as an open issue is the impervious surfaces on site and how they might have occurred and changed over the course of the years since 1997. He said the applicant referred to their OPRA request where no information was provided so Mr. Stoner was recommending a temporary waiver for completeness and the applicant provide testimony on the impervious coverage. Mr. Knutelsky said Mr. Stoner's report indicates that everything else is complete. He said the report requires the applicant provide testimony that the proposed uses on site are conducive of the zone in which this proposal is being made and that it is either a permitted use or a conditional use meeting all conditions.

A motion to deem the application complete was made by Ms. Gilchrist and seconded by Mr. Karr. Roll Call: Eric Karr – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

The Board Secretary said she had received an email from Mr. Selvaggi, attorney for the applicant, advising he was not available for a hearing on August 6, 2024 and was requesting August 20th or September 3rd. The Board scheduled a hearing date for September 3, 2024.

2.) Perona Realty, LLC B: 69 L: 8,10 &11 Application # 24-2

The applicant is seeking an amended Preliminary and Final Site Plan and Variance approval for the construction of a number of additions on the building, expansion of the parking lot, lighting and landscaping improvements.

Mr. Knutelsky referred to Mr. Stoner's report dated July 14, 2024, where items were reviewed for completeness. Mr. Knutelsky said there were four items of incompleteness. The first was a Letter of Interpretation from the NJDEP. The applicant did show wetland limits on the plans from GIS information from the DEP website. He said Mr. Stoner did not have objections to how that is shown however, he is asking for information from a specialist to ensure that the wetlands and the buffers that are being proposed are adequate as part of this development with the need for a DEP LOI as a condition of any approving resolution. Mr. Knutelsky said stormwater calculations are the second issue. He said there were some changes to the site during Covid where there was expansion of the gravel parking lot areas and Mr. Stoner wanted to make sure the additions of impervious coverage as well as the new building additions that are being added in different portions of the site are accounted for in terms of stormwater management and he is looking for testimony provided and a stormwater report provided within 10 days of the scheduled hearing. He said the third element was the Environmental Impact Statement. He said Mr. Stoner's report indicates that since it is an already developed site that an EIS would not be necessary for the proposed disturbances, so he is recommending a full waiver of the EIS requirement. He said the site is well developed and landscaped and took no issues with a landscape plan developed under his review as a condition of any approval. He said testimony would still be required to discuss landscaping but having a full landscape plan before the Board would not be required. Mr. Stoner's report recommended the application be deemed complete. Mr. Messerschmidt said the Completeness Review Committee felt there was sufficient information to deem the application complete.

A motion to deem the application complete was made by Ms. Howell and seconded by Mr. Skewes. Roll Call: Eric Karr – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

The Board scheduled the hearing for August 6, 2024.

HEARINGS: (All submitted materials can be found under the Land Use section on the Township website 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. This application is being requested to be carried to a future date and will not be heard on July 16, 2024.

Mr. Messerschmidt said the Board had received correspondence from the applicant asking to carry the meeting to a future date. He said the letter granted an extension to the Board through August 31, 2024, to act on the application and asked that the hearing be carried to August 20, 2024.

A motion to carry the hearing to August 20, 2024, was made by Mr. Karr and seconded by Ms. Gilchrist. Roll Call: Eric Karr – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krist Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

OLD BUSINESS:

Mr. Ordile said the Board had discussed a subcommittee to consider the growing of cannabis in a greenhouse. Mr. Messerschmidt said the Board should have a copy of the State guidelines and suggested continuing the discussion when Mr. Stoner was present.

NEW BUSINESS:

Mr. Messerschmidt suggested the Board investigate purchasing lapel microphones for the person giving testimony. The Board Chair and Secretary will investigate the cost of the microphones.

LIAISON REPORTS:

Township Committee – Mike Lensak

Mr. Karr said the Township Committee had discussed the ARO and ECD zones. He said he spoke to Mr. Stoner who felt there is a need to add a Hamlet Zone. He said the Committee passed the ARO Zone but tabled the ECD zone for further commentary. He said the Committee will consider a Hamlet Zone.

Environmental Commission –Eric Olsen

Mr. Olsen was not present to give a report.

Sustainable Andover – Eric Olsen

Mr. Olsen was not present to give a report.

Economic Development Committee – John Carafello

Mr. Carafello was not present to give a report.

Master Plan – Joseph Ordile

Mr. Ordile said the subcommittee has a draft of the Land Use Element and is moving on to the Circulation Element.

VOUCHERS: None.

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. Wayne Grenewicz advised that the Zoom link did not work.

Mr. Jim Kessler said he could help with the remote microphone inquiry.

Mr. Justin Choka asked if the Board had looked into the cannabis ordinance with reference to growing in greenhouses. Mr. Messerschmidt said the Board would look at the State regulations and would put a subcommittee together.

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

CORRESPONDENCE:

1.) From: Mr. John E. Ursin, Esq.
Re: 662 Route 206 South, Andover

2.) From: Mr. Robert C. Garafalo, Esq.
Re: Ringo Properties, LLC

PENDING APPLICATIONS:

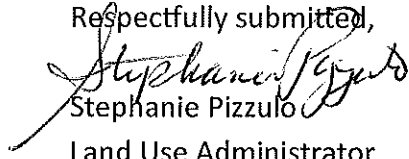
UPCOMING MEETINGS: July 30, 2024, August 6, 2024
The Board had nothing scheduled for July 30, 2024.

A motion to cancel the July 30, 2024, meeting was made by Ms. Howell and seconded by Mr. Karr. Roll Call: Eric Karr – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

ADJOURNMENT:

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Stephanie Pizzulo". The signature is written in black ink and is positioned over the printed name.

Stephanie Pizzulo

Land Use Administrator