



ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board
Municipal Building
134 Newton Sparta Road
MINUTES
October 29, 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. The Township cannot guarantee the reliability of internet service and the ability of a member of the public to join the meeting. In the event that the live stream meeting is unavailable, the in-person meeting will proceed as scheduled.

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) - Present
Sean Degan (Alternate) – Absent
Karen Rozek (Alternate) - Excused
Paul Messerschmidt (Class IV) – Present

Also Present:

Richard Briigliodoro, Esq.
Cory Stoner, PE
Stephanie Pizzulo, Secretary

ADMINISTRATIVE ITEMS:

Approval of Minutes: October 1, 2024.

A motion to approve the minutes of the October 1, 2024 meeting was made by Ms. Howell and seconded by Mr. Skewes. Roll Call: Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, John Carafello – yes, Paul Messerschmidt – yes. Motion carried.

RESOLUTIONS: None.

ORDINANCES: None.

COMPLETENESS: None.

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

1.) Canniff, William & Michelle B: 71 L: 3.01 Application # 24-07
The applicant seeks to construct a two (2) car garage/pole bar and continue the 6' fence in the side yard.

Mr. Messerschmidt said the Board needed to postpone the hearing in the matter of William and Michelle Canniff to November 19, 2024 at 7:30pm in the municipal building without further notice.

2.) National Land Development B: 151 L: 21 Application # 24-08
The applicant seeks to construct an industrial building with existing single-family residence to be renovated into a three-bedroom house.

Mr. Michael Selvaggi, Esq. of the firm Lavery, Selvaggi & Cohen was representing the applicant. He said the property is located at 238 Stickles Pond Road, Block 151, Lot 21 and is in the Route 206 Redevelopment zone. He said the applicant had appeared before the Board in May of 2023 with a concept plan and at that point, the Board had given direction on what it was looking for. He said the applicant was able to find an end user and they have returned with an industrial building, which is a permitted use in the zone. Mr. Selvaggi said the application conforms with most of the bulk requirements however, they would be seeking some design waivers and a few bulk variances.

Mr. Briadoro swore in Mr. Joseph Marley, President of National Land Developers.

Mr. Stoner said the application was deemed complete subject to a narrative of the variances and waivers requested and why they should be granted. Mr. Selvaggi said Mr. Mc Donough, PP would provide testimony to that. Mr. Stoner asked about fire protection details, holding tanks and standpipes to which Mr. Selvaggi said Mr. O'Brien, architect, for the project, would testify to that. Mr. Stoner asked about the private wells with 500 feet to which Mr. Selvaggi said Mr. Davies, PE would testify to that. Mr. Stoner asked about a written description of alternatives to which Mr. Selvaggi said there were some alternatives and Mr. Davies would address that. Mr. Stoner asked about a color rendering of the proposed building to which Mr. Selvaggi said they would present one during testimony. Mr. Stoner asked about a narrative of the proposed intended operation to which Mr. Selvaggi said Mr. Marley would testify to that. Mr. Stoner said there was a brief narrative in a letter dated August 22, 2024 to which Mr. Selvaggi said they would expand on that letter. Mr. Stoner said they have or will through testimony, address the items of completeness.

Mr. Marley said the applicant is the contract purchaser of the property and the end user is a group out of California called Lecangs Group, LLC. He said they would have no hazardous waste only metal and wood furniture, outdoor patio furniture and television mounting brackets. He said they met with a subcommittee and the Township expressed a concern with an Amazon type operation. He said his company looked for an operation that had the least number of trucks possible in this industry. Mr. Marley said he brought the company to meet with some of the Township Officials. He said they do not have a ton of employees; they do not have many trucks coming and going, and the commodity they will store is not hazardous. He said when fully operational, they would have 100 employees. He said on an average basis they would have 80 truck trips. He said the company does not have their own trucks so they would not sit and idle. He said some of the trucks are UPS and Fed Ex. Mr. Marley said the anticipated hours of operation would be 8:30 to 5:30 and they do not typically work on the weekends except during the holidays there may be Saturday activity until 12 noon. He said the waste produced would be boxes and pallets, which would go into a compactor. Items are shipped in from the port or other areas and would be stored at this location until they are sent to a supercenter. Customers do not come to the site and nothing is shipped to the consumer. Mr. Marley said this type of operation typically has just one shift. Mr. Selvaggi said they are seeking a variance for the number of parking spaces where the ordinance requires about 1,800 spaces and they are proposing 150. Mr. Marley felt 150 is more than sufficient and said because of technology, 100 employees would be the maximum.

Mr. Stoner asked why there are 130 bays and 40 trucks proposed. Mr. Marley said sometimes there would be a truck overnight waiting for a shipment to come in. He said trucks would not idle because there is nothing that needs refrigeration. Mr. Stoner asked if a trailer could be left to be loaded while the truck takes another trailer away. Mr. Marley said sometimes there are

trailers that sit but since they do not own their own trucks economically, it makes sense not having the truck sitting overnight. Mr. Stoner asked about the staff to which Mr. Marley said they would have office, warehouse, maintenance and management staff.

Mr. Messerschmidt asked about the types of trucks. Mr. Marley said most of the trucks would be tractor-trailers because they are large boxes going to supercenters throughout the northeast. Mr. Messerschmidt asked about the number of employees to which Mr. Marley said 100 employees when it is fully operational. He said if it is not fully operational it would be between 50 to 60 employees. Mr. Messerschmidt said there would be 50 to 60 employees coming in and leaving at the same time and asked how many would be local to which Mr. Marley said he did not know.

Ms. Gilchrist asked if Mr. Marley would be agreeable to no van trailers backed into the bays and used as storage to which Mr. Marley agreed. He said the facility is large enough that they would not need that. Mr. Marley said the reason for the number of bays is so the product does not have to be moved through the entire facility to get it to the truck. Ms. Gilchrist asked if the applicant would be agreeable that any user could not be a direct-to-consumer operation without returning to the Board. Mr. Stoner felt if the type of use is specified then it could control the issue. Mr. Briigliodoro said the ordinance says what type of use is permitted. Mr. Stoner suggested a condition that it is a single user and would not be used as a trucking terminal to which Mr. Selvaggi agreed.

Mr. Ordile asked about the agreement between the end user and the applicant. Mr. Marley said they have a contract on the property with a deposit and that contract that allows him to sell it to another party. Mr. Marley said National Land Developers would have all rights to the property. He said if the application were approved, they would have a closing, National Land Developers would own it for a short period and then it is signed over to the new owner. He said the end user will own the property and they will construct the building. Mr. Ordile asked if the end user has agreed to the design of the site to which Mr. Marley said yes. Mr. Ordile asked if the end user has any other warehouses to which Mr. Marley said they have been operational for 14 years. He said they have 4.5 million square feet of warehouse space in 16 locations. He said they have 700 partners they work with and a majority is office furniture. Mr. Ordile asked how far this location would service. Mr. Marley said it would service inside and outside of New Jersey. Mr. Ordile asked if the trucks were owned by the end user, to which Mr. Marley said no. Mr. Ordile asked if the trucks or cabs would be staying on the property overnight to which Mr. Marley said they could sometimes stay overnight. Mr. Ordile asked if drivers would be sleeping in their cab to which Mr. Marley said they would not be allowed to do that. Mr. Ordile asked if they would agree to that as a condition to which Mr. Marley agreed. Mr. Ordile asked if the operator could encourage the truck drivers to only use the bays on the back of the building. Mr. Marley said there are more bays in the back however, how they put the racking systems in would dictate where the truck parks. He explained the bigger equipment

and the number of bays allows them to spread things out. He said they tried to do everything they could to reduce noise issues. He said the end user wanted a place where they felt part of the community. Mr. Selvaggi said the ordinance requires a change of use to return to the Board for approvals.

Mr. Karr said the trailers are only making money if they are on the road so the Board could have a high degree that trailers would not remain overnight to which Mr. Marley said he could not say it would never happen. Mr. Karr asked if there would be UPS and Fed Ex deliveries for the office to which Mr. Marley said yes.

Mr. Messerschmidt said he has seen properties like this where the property owner owns some of the trailers. Mr. Marley said the end user does not own the trailers. He said it is not currently in their business plan. Mr. Messerschmidt asked if the trucks are washed onsite to which Mr. Marley said no.

Mr. Messerschmidt opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

Mr. Briadoro swore in Mr. Raymond O'Brien, architect for the Applicant. Mr. O'Brien said he was with O'Brien Architects and gave his qualifications, which were accepted by the Board.

Mr. O'Brien said the proposed building is 651,545 square feet with 4,400 square feet of office space. He said they have 53 dock bays in the front and 77 in the back for 130 docks. He said they have two roof accesses, which was a comment from the Fire Marshall, and he explained the location of the accesses and said they are OSHA compliant. He said there are 10 roof drains with a separate overflow, which is 2 or 3 feet away in case of a snow buildup. The water is discharge down onto the site. He said a building of this size needs fire suppression and they have two areas, a fire suppression room on the left and one on the right side of the building. He said the suppression system is designed to handle about 40,000 square feet of area. He said they would have about 6 smoke and 6 heat detectors within that area that would trigger an alarm for the suppression water in that area. He said there would be areas under the slab for water storage tanks, which would hold approximately 5,000 to 10,000 gallons of water each. He said they are proposing 12 tanks at this time. He explained the racking system, number of suppression heads and the width of the aisles. He said the design of the system is tailored to the use. He said the warehousing of furniture is dealing mostly with cardboard boxes and pallets. He explained they are in a Group 2 for retail and in terms of suppression design. Mr. O'Brien said they are proposing a ground mounted sign with a height of 5' and 8'6" wide. He said it has a decorative cap and an illuminated strip around the parameter. The light would be coming down over the sign and would be a low-grade LED fixture. Mr. O'Brien said the height of the building is 47 feet above the finished floor and from the average grade, the building is 49' 6" to the coping line of the roof. He said the building has a flat roof, which is designed to

handle ponding of water and would be reinforced to receive solar panels in the future. He explained the heating and cooling of a warehouse of this size and said all of the stored material is of a low hazard grade. He said in the back would be an area for a generator and a compactor. He said they would like to enclose that area for sound with a masonry type of material and would use the same material and colors as the main building. He said because of the building's overall height, they are proposing a concrete structural panel to clad the outside of the building, which is prefabricated and delivered to the site. The panel would be about 12 to 14 feet wide. He said they also have the ability to do a tilt up wall, which would be poured onsite and lifted into place. He said the panels would have a 2-4 hours fire rating and would be a complete fire enclosure.

Mr. O'Brien said every storage facility has a different racking system based on their needs. The racking system has a certain width and depth. He said the aisle is about 12 or 14 feet in width. He explained how material would be transported up and down the aisles. He explained how the items would be transported to the bays and said having all of the proposed bays is a strategic design for moving the product internally within the building. He explained the exists which are determined by the building code.

Mr. O'Brien submitted a color rendering of the front left corner of the proposed building a prospective view taken at ground level, which was marked and entered as Exhibit A-1. He said they would work with the color pallet that is in the Redevelopment Plan. The applicant is trying to soften the look of the building. There would be no signage on the building at this time and if the end user wanted signage on the building, it would have to go through Zoning or Board approval. Mr. O'Brien said if certain HVAC equipment has to be on the roof, it would be in the center of the overall footprint and if those units are more than seven or 8 feet in height it would have screening around it and would not be seen from anywhere but from the sky.

Mr. Stoner asked if the generator would be screened from the road. Mr. O'Brien said the generator would be screen with similar martial as the building and the same color so it blends in and would be attached to the sidewall. He said the screening would have doors, which would be opaque and would meet decibel levels. Mr. Stoner asked about the size of the generator. Mr. O'Brien said he would assume the generator would be diesel unit and would have to handle the lighting, water use, and any type of pump use, sanitary drainage, compactor, office area, and the electrical room. He said he did not think it would have to run any type of equipment and should be about 25kw or 30kw. Mr. Stoner asked for the generator specs before any construction permit is issued.

Mr. Ordile asked who approves the fire suppression system. Mr. O'Brien said it is a permitting approval. Mr. Ordile asked for clarification on the architectural plans, which Mr. O'Brien explained. Mr. Ordile asked how far up the building the lighting would be mounted. Mr. O'Brien said the lights on the outside of the building would be down lighting and the depiction

on the plans is incorrect. Mr. Ordile asked about the overnight truck parking and asked if there would be lockers or showers in the facility to which Mr. O'Brien said no. Mr. O'Brien said the end user has not designated any type of shower or overnight use. Mr. O'Brien explained the access to the men's and women's rooms and the lounge. Mr. Ordile asked about the storage area. Mr. O'Brien said he could not say what products would be stored in which areas. He said the racking would be about 40' and would work hand in hand with the suppression system. He said forklifts must be able to pass by on another.

Ms. Gilchrist asked if there would be adequate space for equipment. Mr. O'Brien said there would be a storage area for the forklifts and some type of charging station. He said he did not know how many forklifts they would need. Ms. Gilchrist asked if the bays would be numbered to which Mr. O'Brien said yes. He said identification signage would not be on the building.

Mr. Messerschmidt asked for details on the compactor. Mr. O'Brien presented a color rendering of the proposed Sebright Compactor which was marked and entered as exhibit A-2. Mr. Messerschmidt asked if Mr. O'Brien was involved in the renovation design of the existing houses to which he said no. Mr. Selvaggi said they were waiting on the State Historic Preservation Office (SHPO) to see if there was historic value to the structures. Mr. Messerschmidt said some of those buildings are falling down. Mr. Selvaggi said if SHPO allows them to take them down, then they would remove them. Mr. Stoner asked for clarification on the intent of the existing structures. Mr. Marley said he went through all of the buildings and they are in bad shape. He said one is in decent shape and the end user thought it would be good to have the manager live onsite if the structure must remain. He said he would like to get rid of all of the structures except the one that could be renovated. Mr. Stoner asked for clarification. There was a discussion on which houses would be removed and how to handle any approval by the Board.

Mr. Carafello asked what the clear interior height would be to which Mr. O'Brien said 41'. Mr. Carafello asked if they needed fire walls or fire tunnels to which Mr. O'Brien said no because the entire building would have fire suppression.

Mr. Ordile asked what would be on the freestanding sign. Mr. O'Brien said the artwork would be presented by the user and would be submitted to the Zoning Officer. He said he was showing the square footage of the sign. Mr. Ordile said there was a Phase I done with SHPO by the previous applicant.

Mr. Messerschmidt opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

Mr. Brigliadoro swore in Mr. Daniel Davies, PE with Davies Engineering. Mr. Davies gave his qualifications, which were accepted by the Board.

Mr. Davies presented a color rendering of the site entitled "Presentation Exhibit, Sheet P-1" which was marked and entered as Exhibit A-3. He said it is recently submitted revision #1 dated 10.18.24 and explained the revisions, the riparian buffers and the floodplain of the Pequest River and Stickles Pond. He said he had received updated information and had made the revisions to the plans. He explained the drainage location of the floodwaters and the location of the riparian buffers. He explained that SHPO puts the onus on the developer to prove or disprove the historical nature of a structure. He said they are proposing to keep the one structure closest to the road as the other structures are in bad condition. He said he indicated all of the wells he could find surrounding the property. He said the closest well to their proposed well is approximately 1,200 feet to a well located on Bernard Drive. The closest septic to the proposed septic is about 950 feet near Mt. Nebo Drive. The existing residences have two wells and some form of a septic and if the structures are demolished, they would be abandoned in place and the wells decommissioned. To the north is Abbey property, to the west there is a shipping container yard, and to the east is Stickles Pond. Mr. Davies explained the existing roads and said the County Planning Board had no comments. He said that currently there is about 3.4 % impervious coverage on the property consisting of the runway and the existing buildings. He explained the SHPO process and said there is nothing on the register that confirms the buildings are historical.

Mr. Davies explained the topography of the property and said there are no formal stormwater facilities on the property, although Stickles Pond does have discharge for some in street stormwater. He said about 16% of the property is occupied with steep slopes, there is an asphalt runway and a grass runway, there are five driveways onto the property and explained their locations. All driveways would be closed and vacated and they are proposing a new driveway entrance. They moved the driveway down so it was not directly across from the residential properties so there would be no lights or truck movements in front of a residential house. Mr. Davies said the property is impacted by environmental constraints such as the Pequest River, Stickles Pond, wetlands and wetland buffers, which would all be respected to the greatest extent possible. He said wetland E buffer is pre-disturbed and they are disturbing a pre-disturbed area however, they are decreasing the amount of impervious coverage. He said their drive aisle would be 80 feet wide with a grass strip. He said wetland E has to go through permitting with the DEP and they are still waiting on their LOI. He said there are areas classified as mining areas and explained the soils on the property. Mr. Davies said there are no bulk variance conditions for the proposed development. He said some of the design waivers are the parking space size, parking aisle size. He explained the parking area as 9 X 18 parking spaces, 24' wide drive aisles, mass parking lot with sheet flow to stormwater management. They are not proposing curbing. The basins are designed to collect 100% of impervious coverage. He explained the infiltration into the ground. Everything onsite was designed to the future storm and explained that to the Board. He said they meet the best practices for water quality, quantity and recharge and explained the new stormwater requirements. They are proposing 150 parking spaces where 1,800 are required. He explained why they are proposing 150 when

there are only 100 employees. They are proposing four EV compliant spaces and their location would be determined by the end user's needs. He explained the impervious coverage and said the building is 651,440 square feet, explained building coverage and impervious coverage and said they are significantly less than what is permitted in the zone.

Mr. Davies explained the overall site plan and said the entrance is 70 feet wide, which allows for trucks to turn left into the property. All trucks exiting the site will turn right with signs posted saying no left turn. There would be security measures identifying trucks making a left out of the property, security is on every light pole, with smart phone technology. He said they would not have roaming security guards or guard shacks. No gates on the property except the one slide gate.

The Board took a ten-minute break.

Mr. Davies presented a photo of a slide gate, which was marked and entered as exhibit A-4. He explained the gate to the Board. He explained the site circulation and said passenger vehicles would not be going through truck movement areas and he explained the truck movements.

Mr. Davies presented a pavement detail entitled "Heavy Duty Asphalt Pavement Detail" which was marked and entered as exhibit A-5. He explained the pavement detail and said it would be able to handle the truckloads. Mr. Davies presented a sheet entitled "Concrete Loading Pad & Typical Contraction/Expansion Joint layout Detail" which was marked and entered as exhibit A-6. The apron would be an eighth inch thick reinforced, concrete pad.

Mr. Davies explained the steep slopes and said they are impacting the mound around the historical area and the western part of the proposed building. He explained the impact to the slopes. Mr. Davies explained the compactor, said it is 6'x20', the hopper sits on top of it and the compactor is self-enclosed, and would be fed from inside the building. He explained the 40-yard dumpster and said it takes about 45 to 60 seconds to compact everything inside of the unit. The noise is about 80 decibels. The compactor would be located in the back corner of the building and would be in its own enclosure for sound dampening. Mr. Davies presented two sheets entitled "Sebright Heavy Weights High Performance Stationary Compactors" which was marked and entered as exhibit A-7.

Mr. Davies presented three sheets entitled "Keystone Retaining Wall Details" which were marked and entered as exhibit A-8 sheet 1, A-8 sheet 2 and A-8 sheet 3. He explained the retaining wall location and the grading of the property.

Mr. Davies presented a photo of the proposed wall, which was marked and entered as exhibit A-9. He said it depicts the highest part of the proposed wall at 6 feet. He said the walls would have specific calculations and engineering details.

Mr. Davies presented three sheets entitled "Small-Scale Surface Infiltration Basins" which was marked and entered as exhibit A-10. He said they would not have curbing with sheet flow into the basins. He explained the basins to the Board. They are proposing green infrastructure and said they comply with the State requirements for stormwater quantity, quality and groundwater. He said they still need to do some infield testing. There are 11 basins and explained the roof top drainage, and how the basin functions. They are sizing the basins to the future storm and nothing would come out of them.

Mr. Davies explained the lighting schedule and said they are proposing light poles and building mounted lighting. He said they are revising the plan to remove some of the proposed lighting to lessen the look of runway lighting. The poles are 32 feet in height to maximize the foot-candle spread and have less fixtures. The one at the entrance will have shields. Mr. Davies said the landscaping would be 249 trees and berms and a tree line separating the employee service area from the loading area. He said they could add more trees if needed.

Mr. Davies presented three sheets entitled "Site Line Exhibit" SL-1, SL-2, SL-3, which were marked and entered as exhibit A-11 sheet 1, A-11 sheet 2 and A-11 sheet 3. He explained the site lines to the Board. He felt only the top of the building would be seen from the residence across Stickle Pond except from 3 Bernard Drive, which because of the significant elevation of the property, they would be able to see the top five feet of the building. He said the existing vegetation would mask the bulk of the building.

Mr. Davies said the building would be 50 feet in height with everything located behind the building, which would buffer any noise. He felt sound would not be an issue. He said the compactor would run about one minute a couple of times per week and is picked up two or three times per month. They would follow the State's noise requirements. He said any of their sounds that would be slightly higher are not continuous or long term. The trucks would turn off their back up beepers.

Mr. Davies said construction would be in a single phase and would take about 18 months. They are planning on starting construction in 2025. He said the proposed septic system is sized on 800 gallons per day and the well is located in the back corner and would serve only for potable water; not for fire suppression. There are water tank for fire suppression. Electric is coming off a pole and going underground.

Mr. Stoner went over his report and noted that Mr. Davies had addressed his concerns. Mr. Stoner asked about the walls inside of the basins to which Mr. Davies said they are engineered to create chambers, which have the same storage capacity but remove the safety concerns. Mr. Stoner felt the system would work. Mr. Stoner agreed with the reduced lighting along the old runway. Mr. Stoner went over the waivers from the Route 206 Redevelopment Plan with

regards to the landscaping. Mr. Davies said they are using the existing vegetation and supplementing with additional landscaping. He said they have a hedgerow between the service road and the loading dock. Mr. Stoner noted the east side parking area would need a waiver for the spacing of the trees. Mr. Davies said they could add trees to that area but would still need a waiver for the number of trees required.

Mr. Carafello asked for the difference from the top of the berm to the finished floor level. Mr. Davies said the building is slightly higher so there would be no groundwater getting into the building. He explained the berm and tree planting and said it would be about 24 feet in height of screening.

Mr. Messerschmidt asked about the driveway for the residence. Mr. Davies said if SHPO requires the one house to stay, it would have its own driveway. Mr. Messerschmidt asked Mr. Davies to go over the Environmental Impact Statement. Mr. Davies said they went over the existing conditions, the description of the development, the vegetation, noise, groundwater and infiltration, the well and septic, refuse disposal, the noise impact, and construction. He said they met with the fire and police and they had no particular comments that were not addressed by the architect. He said they are protecting all wetlands and streams to the greatest extent they could, the only thing they are disturbing are the steep slopes. Mr. Messerschmidt asked about endangered or protected species. Mr. Davies said at this time the endangered and threatened species are part of the LOI process. He said nothing has come through the DEP review process that indicates there are threatened or endangered species within the development area. He said if that comes up, they would have to modify their plans accordingly. Mr. Messerschmidt asked if Mr. Davies had reviewed any of the environmental reports provided by the previous applicant to which Mr. Davies said he did read a lot of the information and felt their application was very different from the previous one. Mr. Messerschmidt felt this application would have a similar impact during the construction process. He said some of the species would be affected during their nesting. He asked about the vernal pools. Mr. Davies said the vernal pools are within the wetland areas, which they are respecting. Mr. Messerschmidt felt they did not address the noise impact to the animals or birds on the property. Mr. Messerschmidt said there was no information on the air quality from the 80 diesel trucks on the site. Mr. Davies said they did not calculate that.

Ms. Gilchrist asked about the bump out near the existing structures on the property to which Mr. Davies explained the area and said they could remove that if the Board wanted them to. There was a discussion on the bypass to keep the cars and trucks separated. Ms. Gilchrist asked if there should be interior site directional signage for the truck drivers. Mr. Davies said they do not know what the end user wants so they kept it simple but could add signage.

Mr. Ordile asked about the accessory structures. Mr. Davies said aside from the residence and the main building, all other structures would be removed if permitted by SHPO. Mr. Ordile

asked when the construction would start to which Mr. Marley said in 2025. Mr. Ordile asked about the cutting of trees during certain times of the year due to the nesting of the Indiana Bat to which Mr. Marley said he was aware of that. Mr. Ordile asked about the sand and gravel areas, which were identified as wetlands in the previous application. Mr. Davies said there current application is under review by the DEP for vegetation and soil types. He explained the classification criteria for wetlands. He felt some of the areas are not wetlands and said they are working through that with the DEP. Mr. Stoner explained when the application would have to come back to the Board for an amendment. Mr. Ordile asked about the site line from the residence closest to the driveway entrance and asked if the driveway could be moved. Mr. Davies said they did look at that site line and said they could look into moving it down so long as they can maintain the current site distance coming out of the driveway. Mr. Ordile asked how the truck drivers know which bay to go to prior to arriving on site. Mr. Davies said they assumed the drivers are advised prior to arriving. Mr. Davies said there is full circulation around the site thus avoiding backing up. Mr. Ordile asked about the location of the freestanding street sign. Mr. Davies said it would be outside of the site line at about 30 from the property line. Mr. Ordile asked about the basins. Mr. Davies explained the materials they would use, and how the basins would work. He said there would be no outflow. Mr. Ordile felt a fence around the existing structures would make them look worse than it does now. Mr. Davies said it is a liability to leave them unfenced. Mr. Marley explained the SHPO process. Mr. Ordile asked if landscaping could be added where the existing driveways will be removed to which Mr. Davies said yes. Mr. Ordile asked about security to which Mr. Davies said there would be pole-mounted security on the light poles. Mr. Ordile asked about dust control during construction. Mr. Davies said that would be addressed in the soil erosion sediment control application.

Mr. Messerschmidt asked if the applicant would keep logs of trucks making a left out of the site and submit it to the Township to which Mr. Selvaggi said yes. Mr. Messerschmidt asked if the evergreen trees could be planted prior to the construction to which Mr. Marley agreed. Mr. Messerschmitt opened the meeting to the public.

Mr. Briadoro swore in Mr. Neal Hubbard. Mr. Hubbard said the previous application had identified some vernal pools and asked that Mr. Davies look at that again. Mr. Hubbard asked if there was data on the depth of the water table in the area. Mr. Davies said the testing showed water at a depth of about 9.5 feet deep. He indicated the locations he tested.

Mr. Briadoro swore in Mr. Elam Alexander who asked about the location on the proposed driveway. Mr. Davies explained the location and said the house across Stickles Pond Rd would not likely see headlights because of the elevation. Mr. Alexander asked about the interior site lighting and wanted to know if it would shine across Stickles Pond Road. Mr. Davies explained where the lights would be located.

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

Mr. Briigliodoro swore in Mr. Corey Chase, PE, principal with Dynamic Traffic. Mr. Chase gave his qualifications, which were accepted by the Board. Mr. Chase said he prepared the report. He said he consulted with Mr. Davies on the access and overall circulation of the site to make sure there is proper access to the employee parking stalls as well as the truck loading bays. He said they prepared a traffic impact study with a revision date of 10.16.24, which provides a pre and post development analysis along the adjacent roadway network and the detrimental impacts because of the proposed development. He said they already have a tenant secured so they have information on truck trips and employee counts and ran their analysis on actual numbers. He explained the peak hours, hours of operation, the 100 employees and 160 truck trips per day. He explained the traffic counts, which were done in July of 2024 and the impacts of the proposed development. He said they looked at signal modifications at the intersection. He said the request for the retiming of the signal must come from the Township and they would work with Mr. Stoner to make that request. He said they are proposing taking 4 seconds of green time from the Route 206 side and add it to the Stickles Pond Road side. He said they separated the employee traffic from the truck activity area and made sure there was sufficient parking for seasonal added employees. All trucks will turn right out of the property and there would be a security system to monitor that.

Mr. Messerschmidt asked how many dates the traffic count was done to which Mr. Chase said one day. Mr. Messerschmidt asked about the traffic during the school year. Mr. Chase said they consulted the seasonal adjustment factor published by the DOT which showed very little differential. Mr. Messerschmidt asked about the traffic before 7:00am. Mr. Chase said the hours of operation start at 8:30am. He said that at 6:30am to 7:00am there is more traffic however; the end user is operating outside of that peak influence. Mr. Messerschmidt asked where the trucks would wait if they arrive prior to 8:30am. Mr. Chase said there are no gates precluding them from entering the site so they could stack on the site and would not be sitting on Stickles Pond Road. Mr. Chase explained the level of service calculations. Mr. Messerschmidt felt there are more cars on the road than 10 years ago. Mr. Messerschmidt felt 100 employees leaving at the same time would be a major impact to Stickles Pond Road. Mr. Chase said they assumed 100 vehicles would leave at the same time and calculated that in the analysis. Mr. Messerschmidt said cars would sit at the light for two or three cycles. Mr. Chase said not all the employees would actually leave the site at the same time. There was a discussion on the variations in the traffic leaving the site. Mr. Messerschmidt felt there would be an impact to the traffic.

Mr. Ordile asked what the likelihood the DOT would make the change to the light. Mr. Chase explained the traffic signal at the intersection and said the request must come from the Township. He felt it has a high likelihood since it would not have a great effect on the Route 206 side. There was a discussion on how the signal would be retimed. Mr. Ordile asked if the

applicant would agree to a drill test on Stickles Pond Road. Mr. Chase said they are amenable to that.

Mr. Messerschmidt asked Mr. Karr if he felt the Township Committee would be amenable to requesting the change to the signal to which Mr. Karr said yes.

Mr. Messerschmidt opened the meeting to the public.

Mr. Elam Alexander said he uses that intersection and sits in traffic on his way home and wanted to know what effect the 4-second change to the signal would have on local residents. Mr. Chase said the signal at the intersection is need based and the 4 seconds that are added would only happen when the traffic calls for it. He said it would not have a significant impact to the Route 206 side. Mr. Stoner asked if this is just an afternoon situation to which Mr. Chase said yes.

Mr. Briadoro swore in Ms. Linda Hubbard who said she had a concern with the traffic going from Yates to Newton Sparta Road. She felt traffic going down Stickles Pond Road in that direction would be a problem. Mr. Chase said it would only be employee traffic and not truck traffic and would have a limited impact on the traffic.

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

Mr. Briadoro swore in Mr. John Mc Donough, PP. Mr. Mc Donough gave his qualifications, which were accepted by the Board. Mr. Mc Donough presented a series of four aerial photos of the site taken by John McDonough on October 24, 2024, which were marked and entered as exhibit A-12. He said the property is very large and was the former airport which is closed and which has a runway. He said there is some slope disturbance, which is the core relief they are seeking. He felt the development would respect the natural openness of the land and the redevelopment plan. He said they are in the Route 206 Redevelopment Plan, which sparks development along Route 206. He said it sparks economic development along 206 by taking a site such as this, reversing the stagnation, revitalizing it and putting it back to a functional use. The application substantially conforms to the use controls, it is a permitted use, and they are complying with all of the bulk controls, the overall building height, building coverage, and building setbacks on all sides. The applicant is seeking relief for the slope disturbance. The site will be stabilized in accordance with the erosion control standards so there would be no negative impact associated with the steep slope disturbance. He felt there was good rational for why 150 parking spaces works for the site and it is consistent with industry standards for this type of land use. The parking stall size of 9 X 18 as opposed to the 10 X 20 is appropriate for the commercial development where the staff know where they are to park. With regard to the parking lot curbing, they want a sheet flow to the infiltration basin so they do not want the barrier of a curb. They are seeking relief from a parking lot hedge however they have natural

landscaping around the perimeter of the property which could be supplemented. They did not want a formal hedge given the beauty and naturalness of the land. The Applicant will work with the Board Professionals to come up with a plan for the street trees. Mr. Mc Donough said they are asking for some relief since they have a limited capacity and will work in some plantings on the interior of the site, keeping the perimeter in its natural state. They are seeking relief from the decorative street light requirement due to the disconnect with the industrial zone. They are looking for site lighting to be at 32 feet in height where 25 feet is the maximum allowed which would create fewer lights on the property. The lights will give more cast and would be downward directed, back shielded so they do not cause objectionable glare on neighboring properties and be Dark Sky compliant. He felt the benefits outweigh the detriments. Mr. Mc Donough said it is a permitted use as a logistic facility with excellent connectivity to the regional road network; Route 206 and Route 80, it is the redevelopment of a previously developed land and puts it back into productive use. This will be a class A institutional building which would be a modern building and nicely landscaped with a nice clean look that would enhance the image and identity of the site. He felt all of the relief could be granted without a negative impact. He felt the site would flow, function and operate safely and efficiently. The departure from the zone plan is not substantial. The applicant has met its burden that the benefits would substantially outweigh the detriments and approval is warranted.

Ms. Gilchrist asked if the size of the building is overdevelopment for the lot. Mr. McDonough said no and felt it was a balance of the public need and demand. He said the applicant has done a good job and the site would function.

Mr. Messerschmidt opened the meeting to the public. With nobody coming forward. The meeting was closed to the public.

Mr. Ordile asked if the existing buildings are removed would the applicant revegetate that area to which Mr. Marley said yes.

Mr. Messerschmidt asked what is to be done with the existing garage type structures on the property. Mr. Davies said they are old hangers, which would be removed, and the ones in the SHPO area would be removed if permitted by SHPO. Mr. Messerschmidt asked if there are any future buildings for the property. Mr. Marley said they were not sure at this time.

Mr. Messerschmidt opened the meeting for comments. Mr. Elam Alexander asked what would prevent someone from speeding around the curve by the proposed driveway while a truck is making a left hand turn into the driveway. Mr. Davies said when they met with the Police Department they agreed to formalize police presence on the road by adding a gravel area for police cars to park at. Mr. Marley said the police department requested that and they would comply.

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

Mr. Briigliodoro said the applicant was seeking preliminary and final site plan approval, variances for the steep slope disturbance and the number of parking spaces. He said they are asking for design waivers for parking stall size, curbing not provided along the parking lots, the drive aisle width, no evergreen hedge throughout the parameter edge of the parking lot, the landscaping of the parking lot with shade trees every 10 spaces, and the height of the light pole. He went over the noted conditions. Mr. Briigliodoro asked how often the applicant would need to submit the truck-turning log. Mr. Karr felt it was not necessary. The Board agree that applicant would just maintain a log. Mr. Stoner went over some additional conditions. The applicant was agreeable to the noted conditions.

A motion to approve the application with the requested design waivers and the noted conditions was made by Mr. Karr and seconded by Ms. Howell. Roll Call: Eric Karr – yes, Suzanne Howell – yes, Richard Skewes – no, Joseph Ordile – yes, Krista Gilchrist – yes, John Carafello – yes, Paul Messerschmidt – yes. Motion carried.

OLD BUSINESS: None.

NEW BUSINESS: None.

LIAISON REPORTS:

Township Committee – Mike Lensak

Environmental Commission –Eric Olsen

Sustainable Andover – Eric Olsen

Economic Development Committee – John Carafello

Master Plan – Joseph Ordile

The Board carried the liaison reports to the following meeting date.

VOUCHERS: None.

PUBLIC PORTION:

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

CORRESPONDENCE: None.

PENDING APPLICATIONS:

- 1.) Ringo Properties, LLC – Hearing Continuation 11.19.24
- 2.) Sussex Firearms, LLC – Needs to be deemed complete

UPCOMING MEETINGS: November 19, 2024, December 3, 2024

Mr. Messerschmidt announced that Mr. Briadoro would be retiring from the Board at the end of the year.

ADJOURNMENT:

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

Respectfully submitted,

/s/ Stephanie Pizzulo

Stephanie Pizzulo

Land Use Administrator