



ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board
Municipal Building
134 Newton Sparta Road
MINUTES
December 17, 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:

Eric Olsen (Class II) – Present
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) – Present
Karen Rozek (Alternate) - Present
Paul Messerschmidt (Class IV) – Present

Also Present:

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

Mr. Messerschmidt made an announcement that the Attorney for the Ringo Properties, LLC application had given notice asking that the matter be carried with the necessary extensions of time through January 31, 2025 because their expert witness was not available. Mr. Messerschmidt said the Board would carry the hearing to the January 21, 2025 meeting date without further notice from the applicant.

ADMINISTRATIVE ITEMS:

Approval of Minutes: October 15, 2024

A motion to adopt the minutes of the October 15, 2024 meeting was made by Mr. Karr and seconded by Mr. Olsen. Roll Call: Eric Olsen – yes, Eric Karr – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – abstain, John Carafello – yes, Karen Rozek – yes, Paul Messerschmidt – yes. Motion carried.

RESOLUTIONS:

1.) Canniff, William & Michelle B: 71 L: 3.01 Application # 24-7

A resolution granting “c” variance relief for an accessory structure (garage) and a six-foot fence.

Mr. Ordile asked about the landscaping around the proposed garage. He asked for clarification in the resolution as to where the agreed landscaping was to be planted. There was a discussion on the proposed landscaping. Mr. Briigliodoro said he would clarify the resolution. The Board agreed to table the adoption of the resolution to the January 7, 2025 meeting.

ORDINANCES: None.

COMPLETENESS: None.

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.

Mr. Messerschmidt announced earlier that the applicant requested to carry the hearing to January and the Board agreed to carry it to January 21, 2025 with out further notice.

OLD BUSINESS:

Mr. Ordile asked for an update on the completeness of the Sussex Firearms application. Ms. Howell suggested the Board dismiss the application without prejudice.

A motion to dismiss the application without prejudice was made by Ms. Howell and seconded by Mr. Ordile. Roll Call: Eric Olsen – yes, Eric Karr – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, John Carafello – yes, Sean Degan - yes, Paul Messerschmidt – yes. Motion carried.

NEW BUSINESS:

Mr. Karr said the town had been presented with a cannabis cultivation opportunity. He said initially the State only permitted cannabis cultivation in indoor facilities. He said the Township had been receiving requests for growing cannabis in greenhouses. Mr. Karr said towns have issues with electricity for these indoor growing sites. He said the State has approved outdoor growing because there is not enough cannabis supply. Mr. Karr said 95 Brighton Road is a 200-acre farm, which is adjacent to the Ag Choice composting site and not far from the hemp-growing site in Andover. He said they have a 13-acre field they want to grow cannabis on. He said it would be the first sun grown organic cannabis on the East coast and that Andover cannabis retailers would get the supply first. Mr. Karr said they did discuss odor issues and the site would have 24 hour, seven days a week armed security, which the State has mandated. Ms. Rozek felt the land should be used for organic farming and that it was important for the local businesses to get the supply of cannabis. She felt it would be good for Andover and Sussex County. Mr. Karr said there would be soil testing done. Mr. Carafello expressed a concern about the odor. Ms. Rozek said there is an odor coming from AG Choice. Mr. Karr said the odor only happens during the flowering stage to harvest. Mr. Stoner said the property is in the Industrial Zone and asked if it would be a permitted use on the entire property. Mr. Karr said the Committee was considering capping the grow area. Mr. Carafello suggested a buffer requirement. Mr. Messerschmidt said he would like to see research on the odor with the outdoor growing. There was a discussion on the location of the proposed site. Mr. Olsen asked if the Agriculture Board allows cannabis cultivation on preserved farms. Ms. Rozek said the New Jersey Cannabis Regulatory Commission said it is allowed.

LIAISON REPORTS:

Township Committee – Eric Karr

Mr. Karr said the Township Committee would be appointing a replacement for Mr. Lensak.

Environmental Commission –Eric Olsen

Mr. Olsen said the benches purchased with the Sussex County grant money have been constructed and would be placed near the trails by springtime. He said they are working on historical information for the kiosks. Mr. Olsen said they are applying for a DCA grant for an accessible trail around Hillside Park. He said they are also preparing an application for T-Mobil funding and requested a letter of support from the Land Use Board. Mr. Olsen will send language for the letter to the Board Secretary. Mr. Olsen said they are updating the suggested plant list with alternative planting for non-native plantings. He said the Commission is updating the EIS requirements.

Sustainable Andover – Eric Olsen

Mr. Olsen had nothing new to report.

Economic Development Committee – John Carafello

Mr. Carafello had nothing new to report.

Master Plan – Joseph Ordile

Mr. Ordile said the subcommittee has completed their review of the Master Plan. He said they would like to present the goals and objectives to the Board in January and wanted to schedule the public hearing for February 18, 2025.

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:

- 1.) From David C. Krueger, Environmental Technology Inc.
Re: LOI for 5 Mulford Rd, Block 116, Lot 3

PENDING APPLICATIONS:

- 1.) Sussex Firearms – completeness pending

Mr. Messerschmidt noted the Sussex Firearms applicant had been dismissed without prejudice earlier in the meeting.

UPCOMING MEETINGS: January 7, 2025

Mr. Messerschmidt announced that this would be the Board’s last meeting with Board Attorney Richard Briigliodoro as he is retiring from the Andover Township Land Use Board. Mr. Messerschmidt read a short statement about Mr. Briigliodoro’s law and law enforcement background. Mr. Briigliodoro had served the Board for 15 years and had been an excellent guidance and help to the Board through difficult applications. Mr. Messerschmidt thanked Mr. Briigliodoro for his service. The Board Secretary also thanked Mr. Briigliodoro and said he was one of the best attorney’s she has worked with. Mr. Briigliodoro said it was an honor and

privilege to serve on the Board. Mr. Olsen said as a new board member, it can be intimidating however; Mr. Briadoro has always been supportive and made the Board feel comfortable if they asked questions.

Mr. Messerschmidt thanked the Board for their hard work over the past year.

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,

/s/ Stephanie Pizzulo

Stephanie Pizzulo

Land Use Administrator