



# ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board  
Municipal Building  
134 Newton Sparta Road  
MINUTES  
November 1, 2022  
7:30 p.m.

**CALL TO ORDER:**

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

**PLEDGE OF ALLEGIANCE:**

Mr. Messerschmidt led the room 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:**

Eric Karr - Excused  
Eric Olsen – Present  
John Carafello – Excused  
Suzanne Howell – Present  
John O’Connell – Excused  
CeCe Pattison – Excused  
Richard Skewes – Present  
Joseph Ordile – Present  
Joseph Tolerico – Present  
Krista Gilchrist - Present  
Paul Messerschmidt – Present

**Also Present:**

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

**ADMINISTRATIVE ITEMS:**

**Approval of Minutes:** August 30, 2022

A motion to approve the minutes of the August 30, 2022 meeting with the noted corrections was made by Mr. Skewes and seconded by Mr. Tolerico. Roll Call: Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Joseph Tolerico – yes, Paul Messerschmidt – yes. Motion carried.

**RESOLUTIONS:** None.

**COMPLETENESS REVIEWS:** None.

**HEARINGS:**

1.) Larick, John            B:151 L:19    Application # A22-4            Deemed Complete 10.4.22

*The applicant is seeking preliminary and final site plan approval to demolish existing structures on the property and erect a new principal structure and other site improvements including the parking lot and driveways. The improvements are in furtherance of the applicant's vehicle transport business that received use variance approval on March 1, 2022.*

Mr. Michael Selvaggi, Esq. said they were before the Board last year with a bifurcated application for a use variance for the property at 310 Stickle Pond Road. He said at that time the property was in the Business/Airport zone and in June of this year it was put into the Route 206 Redevelopment zone. He said the property is over eight acres and the proposed development would conform to the bulk requirements in the Route 206 Redevelopment zone. The applicant is proposing a 4,100 square foot office with a 7,400 square foot garage with parking for cars and the car carriers. He said they would need relief with respect to steep slopes. He said the slopes towards the rear of the property will act as a buffer and the existing vegetation would remain. Mr. Selvaggi said he takes no exception to the comments in the Board Engineer's report.

Mr. Briadoro swore in Mr. John Larick, president and owner of Larick Towing. Mr. Larick said he had been with the company since 1987. He said it is an auto transport company and no longer provides towing service. He explained the type of cars and customers he serves and said he transports cars up and down the east coast. He said they have 10 car carriers and 3 flatbeds and explained the operation to the Board. He said his office hours of operation are usually 8:00am to 6:00pm Monday through Friday and sometimes a half a day on Saturdays. He said they do not do any work on customer cars except maybe wash them. He said they do not do any major work on their trucks. Mr. Larick explained his security for the property. Mr. Larick explained the process when trucks arrive after hours.

Mr. Stoner asked for additional information on the proposed parking. Mr. Larick said he wanted the extra parking for future expansion and explained the need for the spaces. Mr. Stoner asked how long the lights would be on. Mr. Larick said he would like the parking lot lit for security reasons. Mr. Stoner asked about the loading space. Mr. Larick said he only receives deliveries from FedEx type services.

Mr. Olsen asked for the number of truck trips per day. Mr. Larick said the flatbeds would be in and out throughout the day and there would be one to two carriers per day. Mr. Olsen asked about the idling trucks to which Mr. Larick said they do need to idle while loading and unloading.

Mr. Messerschmidt asked about the cars taken to auction. Mr. Larick explained the process to the Board. Mr. Messerschmidt asked if Mr. Larick would stipulate to no oil changes on the property to which Mr. Larick agreed. Mr. Messerschmidt asked about the washing of trucks. Mr. Larick said they have an account with a truck wash facility for the trucks and explained the washing of the customer's cars.

Mr. Ordile asked if there would be maintenance done in the bays to which Mr. Larick said yes. Mr. Ordile asked how a driver would access the site. Mr. Larick explained the process to the Board.

Mr. Briigliodoro swore in Mr. Daniel Davies, PE owner of Davies Engineering, 615 State Route 94 S., Newton, N.J.

Mr. Davies presented a colorized version of the site plan which was used in support of the use variance which was marked and entered as exhibit A-1. Mr. Davies explained the exhibit and the existing conditions to the Board. He said the property currently contains an east and west access driveway. He said at the time of the use variance application, the applicant agreed to close the eastern driveway. He said they resubmitted plans to the Board dated 8/2/22, which addressed completeness comments and said the property was put into a Redevelopment zone. Mr. Davies explained the existing conditions plan to the Board. He said the property contains 89,000 square feet of impervious coverage, buildings, and a mound in the middle of the property, steep slopes, mature trees, an existing well and septic. He said they are putting in a new septic and will test the well. The existing buildings cannot be used. Mr. Davies explained the steep slopes to the Board. He said they act as a natural buffer for the property. He explained the grade of the property and the proposed site plan to the Board. He explained the wetlands and L.O.I. to the Board. He explained why they did not want to ring the property with fencing. He explained the parking lot and access, the circulation plan, site distance, grading, and steep slopes to the Board. He explained stormwater and wetland buffers both on site and off site. Mr. Daniels explained the existing tree line and proposed vegetation. He explained the proposed lighting and said they would need some lighting for the security cameras. He

explained the site distances plan to the Board. He said the right of way to Old Stickles Pond Road ownership is unclear. He explained the frontage of the property, which has issues such as wetlands and steep slopes.

Mr. Stoner asked about the imported material that is creating the steep slope in the center of the property. Mr. Daniels said the debris was put there and is not a natural steep slope. Mr. Stoner asked if they would need to import material to the site or use what is there. Mr. Daniels said it is an import site and they are proposing to raise the site and noted they did not find any hazardous material only construction debris.

Mr. Stoner explained the Old Stickles Pond Road right of way. He said there is no clarification but felt the County had the rights.

Mr. Selvaggi presented sheet C5 of the plan set with a revision date of 10/8/22 that was marked up by hand by Mr. Davies, which was marked and entered as exhibit A-3.

Mr. Stoner asked about the utilities to which Mr. Davies said they are proposing underground utilities if the groundwater allows for it. Mr. Stoner asked if they are using the existing well to which Mr. Davies said they would if the yield allows for it. Mr. Stoner felt the Board should determine how many lights should be left on for security. Mr. Selvaggi suggested the Board Engineer do an evaluation once the lighting is installed. Mr. Stoner felt some of the shrubs and landscaping were sparse. Mr. Stoner asked about signage. Mr. Davies said they are not proposing building mounted signage but they are proposing a grounded mounted identification sign near the entrance and it would be in compliance with the ordinance. Mr. Stoner asked about the shielding for the lights. Mr. Davies explained what they are proposing.

The Board took a ten-minute break.

Mr. Ordile asked about the E.I.S. and said he did not see a mention of environmental habitats or steep slopes. Mr. Davies said there was nothing found that was considered a threatened or endangered species on the property and they were not disturbing the steep slopes. Mr. Ordile asked about the proposed fencing. Mr. Davies explained that to the Board. Mr. Ordile asked about the existing septic. Mr. Davies said they would crush the tanks, abandon the pipes and dig up the field, move it and bury it elsewhere onsite. Mr. Ordile asked about the security cameras. Mr. Larick said they would be on the building and would be on all of the time. He said the alarm would be on their end. Mr. Ordile asked about the wetlands to which Mr. Davies said they would clean the asphalt out. Mr. Ordile asked about the proposed tree in the back. Mr. Davies said they would supplement what is existing. Mr. Ordile asked what the residents across the street would see. Mr. Davies explained the line of sight.

Ms. Howell asked if the building lights could be put on a motion detector to which Mr. Larick said yes. Mr. Messerschmidt asked if the parking lot lights could be on a motion detector. Mr. Larick expressed a concern with security.

Mr. Messerschmidt asked about the maintenance of Old Stickles Pond Road. Mr. Selvaggi felt a maintenance agreement with the County would be appropriate. He said they would agree to maintain it as it is in Mr. Larick's best interest. Mr. Messerschmidt asked if the applicant engaged Pellow & Associates for the maps for Old Stickles Pond Road to which Mr. Davies said they had not and what he referred to was a public document. Mr. Messerschmidt asked about the flow of stormwater to which Mr. Davies explained the flow of the water. Mr. Messerschmidt suggested adding trees and shrubs. Mr. Davies explained grasses are better for erosion control. Mr. Messerschmidt asked about the mounded area to be disturbed. Mr. Davies explained the size of the mound. Mr. Messerschmidt felt the applicant would need a variance to which Mr. Selvaggi agreed. Mr. Messerschmidt asked if the driveway would need to be widened. Mr. Davies explained the proposed driveway. Mr. Messerschmidt suggested the Andover Township Environmental Commission review the E.I.S. before the Board takes a vote.

Mr. Olsen asked if the existing driveway would be removed to, which Mr. Davies said yes. Mr. Olsen asked if there would be curbing to which Mr. Davies said there would be none. Mr. Olsen asked about the vegetation in the swale area. Mr. Davies said they could add some additional vegetation. Mr. Selvaggi said the proposed impervious coverage is well below what the zone allows. Mr. Olsen suggested the landscape plan should include the Township's suggested native plantings. Mr. Olsen asked if they could collect data about the noise and air ratings as a reference. Mr. Selvaggi said the current location is not comparable to the proposed site. Mr. Stoner asked about the noise of the idling trucks and the loading of the cars. Mr. Larick explained the process and noise.

Mr. Tolerico asked if the buffering would be deciduous to which Mr. Davies said they could do a mix of trees.

Ms. Gilchrist asked about the grade elevation and where the building would sit. Mr. Davies explained the grade. There was a discussion on the site line and proposed fencing. Mr. Stoner noted the Redevelopment Plan allows for a six-foot fence.

Mr. Briadoro swore in Mr. Raymond O'Brien, principle of O'Brien Architects, 101 Route 94, Blairstown, N.J. He said his licenses is current.

Mr. O'Brien said they had made two slight adjustments from the building since they were before the Board with the use variance. He explained those changes. He explained the interior to the Board. He explained the building height to the Board.

Mr. O'Brien reference exhibit A-4, explained the exterior of the building to the Board, and felt it complied with the Redevelopment zone.

Mr. Stoner asked where the HVAC units would be located, to which Mr. O'Brien explained the location would be on the northeast side of the building and would be shielded by fencing. Mr. Stoner asked about the use of the two truck bays. Mr. Larick said they wanted to store the flatbeds inside and it would be used for light maintenance.

Ms. Gilchrist asked about the accent colors of the building to which Mr. O'Brien explained his color choices.

Mr. Messerschmidt asked if there were any green initiatives. Mr. O'Brien said they have not addressed that with the owner. He said they could look at reduced electric fixtures. Mr. Messerschmidt asked if they are proposing solar panels to which Mr. O'Brien said they have not discussed that but the property could support ground mounted arrays. Mr. Messerschmidt asked if they were proposing a generator. Mr. O'Brien said they would consider a generator.

Mr. Brigliadoro swore in Mr. Matthew Flynn, PP. Mr. Flynn testified in the initial hearing and the Board accepted him as a professional planner.

Mr. Flynn explained the property and went over the use and bulk variances with the Board. He felt it is a suitable location for the use. He said the variances are for steep slopes. He went over the positive and negative criteria with the Board. He went over the "C" variances and design waivers with the Board. He felt the proposed use is less intense than what is allowed in the ordinance.

Mr. Flynn presented an aerial photo on his computer of the manmade steep slopes, which was entered as exhibit A-5. Mr. Flynn said he would get printed copies to the Board.

Mr. Flynn said there is no substantial detriment to the public good or the zone plan.

Mr. Stoner asked if the removal of the steep slope area would impact soil erosion to which Mr. Davies said no and explained the runoff to the Board.

Mr. Olsen asked if they knew the origins of the manmade steep slope. Mr. Davies said it probably was a hill at one time and then made larger with debris. Mr. Olsen asked where the material would go. Mr. Davies said it would be distributed onsite.

Mr. Messerschmidt opened the meeting to the public.

Mr. Ken Best of 305 Stickles Pond Road, Andover, NJ asked about the realignment of the access and asked if the growth and guiderail would be removed. Mr. Davies explained the line of site and what would need to be cut down. Mr. Best asked if additional material could be provided behind the line of site to which Mr. Davies said it could. There was a discussion on the line of site.

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

Mr. Selvaggi asked for the hearing to be carried to December 6, 2022 without further notice to the public.

**ORDINANCES:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**LIAISON REPORTS:**

***Township Committee*** – Eric Karr

Mr. Karr was not present to give a report.

***Environmental Commission*** –Eric Olsen

Mr. Olsen had nothing to report.

***Sustainable Andover*** – Eric Olsen

Mr. Olsen said they are working on the winter market.

***Economic Development Committee*** – John Carafello

Mr. Carafello was not present to give a report.

***Zoning Map/ Zone Changes Subcommittee*** – Paul Messerschmidt

Mr. Messerschmidt said the Board received a memo from Pellow & Associates with an estimate for preparing the zoning map for \$7,500.00.

A motion to approve Pellow & Associates to proceed with updating the zoning maps for \$7,500.00 was made by Mr. Skewes and seconded by Ms. Howell. Roll Call: Eric Olsen – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Joseph Tolerico – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

***Master Plan Subcommittee*** – Joseph Ordile

Mr. Ordile said they are meeting next week.

**VOUCHERS:** None.

**CORRESPONDENCE:** 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. When called, please come to the microphone, state your full name, address, and spell your last name for the record. 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 no public present, the meeting was closed to the public.

**UPCOMING MEETINGS:** November 15, 2022, November 29, 2022 (if approved by the board)

The Board decided not to hold a special meeting on November 29, 2022.

**ADJOURNMENT:**

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

Respectfully submitted,

Stephanie Pizzulo  
Land Use Administrator