



ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board
Municipal Building
134 Newton Sparta Road
MINUTES
February 7, 2023
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.

OATH OF OFFICE:

Mr. Brigliadoro swore in Mr. Carafello as the Class III Board Member.

ROLL CALL:

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

Also Present:

Richard Brigliadoro, Esq.

Matthew Morris, PP
Stephanie Pizzulo, Secretary

ADMINISTRATIVE ITEMS:

Approval of Minutes: None.

RESOLUTIONS:

1.) Resolution to Appoint Jessica Caldwell, P.P., A.I.C.P. LEED GA of J. Caldwell Associates, LLC to prepare a preliminary investigation study, to appear at a public hearing and to comply with all of the requirements of the Local Redevelopment and Housing Law pursuant to N.J.S.A 40A:12A-1 ET. SEQ.

A motion to approve the resolution appointing Ms. Caldwell to prepare the study was made by Mr. Skewes and seconded by Mr. Karr. Roll Call: Eric Karr – yes, Eric Olsen – yes, John Carafello – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – no, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

COMPLETENESS REVIEWS:

1.) Braen Supply Incorporated B: 108.01 L:1 Application # A23-1

Mr. Messerschmidt said the Board received a letter from Mr. Stoner asking the Board to postpone the application since it was administratively incomplete due to missing items from the application packet.

Ms. Howell questioned the name on the application and said it did not match the other documentation. Mr. Messerschmidt said that would be addressed in the Board Engineer's report.

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

HEARINGS: None.

ORDINANCES: None.

OLD BUSINESS:

Mr. Ordile asked about posting the recordings on the Township website. Mr. Briigliodoro said the agendas and minutes are posted on the website and if anyone wanted a copy of the recording, they could obtain it through an OPRA request. The Board discussed the possibility of posting the recordings. The Board discussed the OPRA process. The Board took a roll call to determine if they were in favor of posting the recordings on the website. Roll Call: Eric Karr – no, Eric Olsen – yes, John Carafello – no, Suzanne Howell – no, Richard Skewes – no, Richard Skewes – no, Joseph Ordile – yes, Krista Gilchrist – no, Sean Degan – no, Paul Messerschmidt – no.

Mr. Ordile said he spoke to Mr. Stoner earlier in the day and if Mr. Stoner did attend the meeting, they would have a conversation about the TRC meeting.

Ms. Howell asked if the Land Use Board application could be revised. The Board Secretary said she would get some samples and send them out to the Board for their consideration.

NEW BUSINESS:

Mr. Ordile asked if a redevelopment plan is always required after a redevelopment study. Mr. Briigliodoro explained the process to the Board. There was a lengthy discussion on how the redevelopment study and redevelopment plan takes place.

Mr. Ordile asked about the resolution voted on earlier in the meeting. There was a discussion on the process to hire a planner to do the studies. Mr. Ordile asked for the status of the redevelopment study for the property located at Block 108, Lot 4.01. Mr. Briigliodoro said the questions being asked are not within the jurisdiction of the Board.

LIAISON REPORTS:

Township Committee – Eric Karr

Mr. Karr said the Township Committee has had their first budget meeting. He said they discussed the Land Use budget and the maintenance of the Township roads.

Environmental Commission –Eric Olsen

Mr. Olsen said he did not have an update on the status of the Environmental Commission.

Sustainable Andover – Eric Olsen

Mr. Olsen said they are working on the Winter Market and had an event at Sheridan’s to try to get new membership.

Economic Development Committee – John Carafello

Mr. Carafello said the Township is getting applications and there have been acquisitions of land. He felt it was the actions of the Land Use Board that helped this process. He felt Andover is getting the reputation that it is open for business.

Zoning Map/ Zone Changes Subcommittee – Paul Messerschmidt

Mr. Messerschmidt said the Board could work on the definitions this evening if they wanted to. He said the Board Engineer has an updated zoning map.

Master Plan Subcommittee – Joseph Ordile

Mr. Ordile said the Board had received a copy of the draft re-exam report.

Mr. Morris went over the re-examination report process with the Board.

VOUCHERS: None.

CORRESPONDENCE: None.

PUBLIC PORTION:

Mr. Messerschmidt opened the meeting to the public. He 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.

Chief Vincent Mann of 21 Hemlock Ave., Andover, NJ said he owned Three Sisters Medicinal farm and gave a background of the operation. He said he had applied to the State for a micro retail, cannabis license, which was awarded to him in September. He said they received a letter of support from the Township. He said he submitted an application to the town for a local license. The Township issued a resolution of approval with a cover letter. He said the cover letter said the license was approved but that he would need to go before the Land Use Board as well. He felt the resolution was the license and approval from the Township. Mr. Brigliadoro said the Zoning Officer's decision was that they need to come before the Land Use Board with an application. He said Mr. Mann could either submit an application or appeal the Zoning Officer's decision. He said since there was nothing filed before the Board, there was nothing the Board could do. Mr. Mann explained that they are proposing to move the operation to a piece of property in the Commercial/Residential zone and he said he understood that would have to come before the Board. He felt the use they have at the current location was the same as the cannabis since the hemp is also federally regulated.

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

UPCOMING MEETINGS: February 21, 2023, March 7, 2023

ADJOURNMENT:

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

Respectfully submitted,

Stephanie Pizzulo
Land Use Administrator