



# ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board  
Municipal Building  
134 Newton Sparta Road  
MINUTES  
May 16, 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](http://www.andovertwp.org).

**ROLL CALL:**

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

**Also Present:**

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

**ADMINISTRATIVE ITEMS:**

**Approval of Minutes:** May 2, 2023

A motion to approve the minutes of the May 2, 2023 meeting as amended was made by Ms. Howell and seconded by Mr. Olsen. Roll Call: Eric Olsen – yes, Suzanne Howell – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

**RESOLUTIONS:**

1.) Adoption of 2023 Master Plan Reexamination Report

A motion to approve the resolution to memorialize the adoption of the 2023 Master Plan Reexamination Report, as amended was made by Mr. Ordile and seconded by Mr. Olsen. Roll Call: Eric Karr – yes, Eric Olsen – yes, John Carafello – yes, Suzanne Howell – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

**COMPLETENESS REVIEWS:** None.

**HEARINGS:**

1.) BHT Properties Group B:151 L:21 A21-2

*An application for Preliminary and Final Major Site Plan approval and variances to permit the applicant to regrade the lot and utilize the property for storage of construction vehicles and construction equipment and materials. In addition, the applicant will install a pedestrian walkway, commercial office building and provide all necessary subsurface and surface stormwater facilities and provide other site features. The runway will be maintained and used for access. The application was amended for a minor subdivision to comply with the request of the State Historic Preservation Office (SHPO), which requested that the buildings on the site not be removed.*

This matter to be carried, without further notice, to June 20, 2023, pending an announcement by the Board Chair and approval by the Board.

Mr. Messerschmidt said the Board received a letter from the Attorney for the Applicant, dated May 10, 2023, requesting the Board carry the matter to the June 20, 2023 meeting date. The letter granted an extension of time through the end of July 2023. Mr. Messerschmidt said the request to carry the hearing was based on an informal review being presented to the Board on May 30, 2023. He said the BHT hearing would not be proceeding this evening.

A motion to carry the hearing to June 20, 2023 without further notice was made by Ms. Howell and seconded by Ms. Gilchrist. Roll Call: Eric Olsen – yes, Suzanne Howell – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

Mr. Messerschmidt said a potential applicant had requested a special meeting before the full Board on May 30, 2023.

A motion to hold a special meeting on May 30, 2023 was made by Ms. Howell and seconded by Ms. Gilchrist. Roll Call: Eric Karr – yes, Eric Olsen – yes, Suzanne Howell – yes, John Carafello – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

**ORDINANCES:** None.

**OLD BUSINESS:**

Mr. Stoner gave an update on applications that had been previously deemed incomplete by the Board.

**NEW BUSINESS:**

1.) Hospitality Zone District Overlay

Mr. Stoner asked that Mr. Bryant Avondoglio from Perona Farms be allowed to participate in the discussion since the proposed overlay would affect his property. Mr. Stoner said Perona Farms, Farmstead Golf Course and other properties identified in the proposed overlay are located in the R-2 zone, which means everything they do is a use variance. He said anything done outdoors, on these properties, is an expansion of a non-conforming use. He said certain changes might still require site plan approval as the R-2 zone is very limited in uses related to the hospitality industry.

Mr. Briadoro said use variances become very burdensome to the property owners. Mr. Avondoglio said they have always been a non-conforming use and the document is a starting point in the conversation. Mr. Avondoglio felt the overlay should be expanded to other hospitality businesses in town. Mr. Carafello said the town wants businesses to expand and keep current. He said the town did not want businesses to be discouraged from growth.

Mr. Stoner recommended the overlay be handled during the Master Plan process. Mr. Olsen and Mr. Karr agreed. Mr. Stoner suggested a general development plan be considered as well. Mr. Stoner suggested revising the site plan waiver process. Mr. Messerschmidt felt the hospitality overlay would attract more businesses. Mr. Karr felt these types of businesses add value to the R-2 zone. Mr. Messerschmidt said the overlay needs to respect the surrounding neighborhood.

Mr. Ordile asked if the accessory documents that, the Board discusses, could be made available to the public. Mr. Briadoro said all of the applications and Board Professional's reports could be on the website. He said the Board might not want to post draft documents because it is a work product of the Board and not a public document at that time. There was a discussion on what should be posted on the website. The Board agreed to post any public documents to the agenda.

Mr. Ordile asked about redevelopment plans and expressed a concern that the Township Committee members had not seen the questions, which were sent to the Planner. There was a discussion on the questions being provided to the Township Committee. Mr. Karr explained the redevelopment plan process at the Township Committee level. He explained the benefits of redevelopment plans. Mr. Briigliodoro explained the redevelopment and master plan consistency process.

Mr. Ordile asked if a redevelopment plan could choose which parts of the ordinance to put into the plan. Mr. Karr said the redevelopment plan is the rezoning of the property. Mr. Briigliodoro said the redevelopment plan becomes the zoning for a particular piece of property. Mr. Karr felt the redevelopment plan is a tool to improve the town.

**VOUCHERS:**

<b>Company</b>	<b>Purpose</b>	<b>Amount</b>	<b>Paid By</b>
Weiner Law Group	Legal	\$1,664.00	Budget
Weiner Law Group	Puff City Property, LLC	\$64.00	Applicant’s Escrow
Weiner Law Group	Pat Barone	\$179.40	Applicant’s Escrow
Weiner Law Group	Grow Equity Ventures – TRC	\$240.00	Applicant’s Escrow
Harold Pellow & Assoc.	Engineering	\$207.00	Budget
Harold Pellow & Assoc.	Puff City Property, LLC	\$444.00	Applicant’s Escrow
Harold Pellow & Assoc.	Pat Barone	\$643.25	Applicant’s Escrow
J. Caldwell & Assoc.	1023 Limecrest Redevelopment	\$130.00	Applicant’s Escrow

A motion to approve the vouchers as presented was made by Ms. Howell and seconded by Mr. Karr. Roll Call: Eric Karr – yes, Eric Olsen – yes, Suzanne Howell – yes, John Carafello – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Paul Messerschmidt – yes. Motion carried.

**CORRESPONDENCE:**

1.) From: Mr. Roger Thomas, Esq.

Re: BHT Properties group – Request to carry hearing to June 20, 2023

**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. Messerschmidt opened the meeting to the public.

Ms. Alice Romano, a resident of Andover, asked if the meeting was being live streamed to, which Mr. Messerschmidt said yes. Ms. Romano asked if the resolution for the 1023 Limecrest Road redevelopment had been passed and approved the project to move forward. Mr. Ordile said the redevelopment plan was approved at the Township Committee meeting. Ms. Romano asked about the size of the sign and felt the sign could be smaller if the trucks on Limecrest Road would slow down. Mr. Briadoro said the redevelopment plan was approved however; no application has proceeded before the Board yet. He said when the time comes for a hearing, and then she could ask questions or make statements at that time.

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

Mr. Messerschmidt said the Board received a letter of resignation from Mr. John O'Connell. Mr. Messerschmidt said the Board was losing a very valuable member with years of experience. He said Mr. O'Connell was on the Board over 20 years. Mr. Carafello said Mr. O'Connell was on the Township Committee and was Mayor of the town.

**UPCOMING MEETINGS:** May 30, 2023, June 13, 2023, June 20, 2023

**ADJOURNMENT:**

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

Respectfully submitted,

Stephanie Pizzulo  
Land Use Administrator