



ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board
Municipal Building
134 Newton Sparta Road
MINUTES
June 20, 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.

ROLL CALL:

Eric Karr - Excused
Eric Olsen – Present
John Carafello – Present
Suzanne Howell – Present
Richard Skewes – Present
Joseph Ordile – Present
Krista Gilchrist – Present
Sean Degan – Present (7:33pm)
Paul Messerschmidt – Present

Also Present:

Richard Briigliodoro, Esq.
Matthew Morris, PP
Stephanie Pizzulo, Secretary

ADMINISTRATIVE ITEMS: None.

RESOLUTIONS: None.

COMPLETENESS REVIEWS:

1.) Steinwand, Joseph B: 116 L: 24.06 Application #23-5

The applicant wants to build a 1,200 square foot garage in the front yard and extend the driveway to the new garage.

Mr. Morris went over Mr. Stoner's report dated June 13, 2023 and recommended the application be deemed complete.

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

HEARINGS:

1.) Steinwand, Joseph B: 116 L: 24.06 Application #23-5

The applicant wants to build a 1,200 square foot garage in the front yard and extend the driveway to the new garage.

Mr. Brigliadoro swore in Mr. Joseph Steinwand, property owner.

Mr. Brigliadoro swore in Mr. Jason Dunn, PP, LLA of Dykstra Associates, 11 Lawrence Road, Newton NJ. Mr. Dunn gave his qualifications, which were accepted by the Board.

Mr. Dunn presented a colorized version of the plan submitted to the Board which was marked and entered as exhibit A-1. He said the lot is about one acre, has an existing home, a septic, a well, a driveway that services the home, and an attached two-car garage. He said the lot is 200 feet deep and slopes downward away from the road. Mr. Dunn said there is an existing deck and pool in the backyard and a shed in the south corner of the property. He explained the proposed 30'X40' garage and the proposed addition to the existing driveway. He said there is grading that needs to be done and the foundation would be exposed on the house side and would not be seen by the road or the neighbors. The garage is 15.75' from the floor to the peak as shown on the elevation plan.

Mr. Steinwand said he has three vehicles and a boat that he wanted to store inside and only had a two-car garage. He also wanted a workshop space. He said due to the topography there is no other place to put the garage and explained the property to the Board.

Mr. Dunn explained they are seeking variances to construct the garage in the front yard and 20 feet from the right of way line. He said the distance to the travel way is about 40 feet. He said the drop in slope and the existing vegetation would hide most of it. He said there are a few cedar trees and a walnut tree that would be removed to accommodate the garage but the other existing vegetation would remain. Mr. Dunn explained the surrounding properties and the existing buffering. He said behind the property is the Farmstead Golf Course however; the golfers would not be able to see the garage. He said Mr. Steinwand had talked to Mr. Phoebus, owner of the golf course, who would be in favor of the garage in the front as opposed to the backyard. Mr. Dunn said locating the garage in the front yard would have the least amount of impact on the neighboring properties.

Mr. Carafello asked for the difference in height from the top of the road to right below the eaves of the garage. Mr. Dunn said it would be about equal and said the garage would be seen but it would blend in very well.

Mr. Morris went through Mr. Stoner's letter dated June 13, 2023. He said they would need a variance for the garage in the front yard and a variance for the garage being 20 feet from the right of way. He said it is a large garage but it is under the maximum building size. He said there is an existing shed in the southern corner of the property that does not meet the setback and the applicant should request relief for that as well. He said the driveway should be paved.

Mr. Steinwand said he would pave the driveway if that were required. Mr. Dunn said the fence in the rear of the property is an older split rail fence, which is falling down. He said the owner of the Farmstead said they do not know who put the fence up. Mr. Dunn felt the fence should remain. He said the shed in the back corner is about 18.5'X20' and about 10' high. He said it is 3.5 feet from the side yard and 5.2 feet from the rear yard. Mr. Dunn presented a photo of the shed, which was marked and entered as exhibit A-2. He said his surveyor took the photo in March 2023. The shed is brown in color and does not impact the neighbors. Mr. Dunn said they were asking for a C2 variance for the shed.

Mr. Steinwand said the proposed garage would be a light brown color with a green roof; there would be electric but no plumbing. He said the interior would be an open floor plan and the garage doors would face the existing driveway and there would be one exterior light fixture.

Mr. Carafello felt the building would look better if the siding matched the house. Mr. Steinwand said it is a steel building and there was no option for vinyl siding.

Mr. Ordile asked if there would be a need for a retaining wall to which Mr. Dunn said no because the side of the building is after the slope. Mr. Ordile asked about the disturbance area to which Mr. Dunn explained the disturbance. Mr. Ordile asked if the Farmstead knows about

the fence to which Mr. Steinwand said he had discussed the fence with the owner of the golf course.

Mr. Messerschmidt asked if Mr. Steinwand would be storing commercial equipment in the garage. Mr. Steinwand said he would store his commercial vehicle in the garage. Mr. Messerschmidt asked if the pool and deck were there when Mr. Steinwand moved in. Mr. Steinwand said he got permits for the pool and deck. Mr. Messerschmidt asked if the shed could be moved. Mr. Steinwand said it would not be easy to move the shed. There was a discussion on the shed and its location. Mr. Messerschmidt asked if Mr. Steinwand would be storing any hazardous materials to which he said no.

Mr. Olsen asked about the garage slab to which Mr. Steinwand said it would be a 4" concrete slab with a foundation due to the slope. Mr. Olsen asked if the foundation would be compromised if there were runoff from the slope. Mr. Dunn said there is a 15-foot vegetative buffer. He said they could add drainage if needed. Mr. Olsen asked if they were proposing gutters to which Mr. Steinwand said he would put a gutter on the front. Mr. Olsen asked if the fence is on his property. Mr. Steinwand said there are three or four posts on his property.

Ms. Gilchrist asked if the curve on the new portion of the driveway is sufficient to make a turn. Mr. Dunn said he could widen the radius for turns.

Mr. Messerschmidt opened the meeting to the public. With no public being present, the meeting was closed to the public.

Mr. Brigliadoro said the Board could not approve the fence on someone else's property. He said the applicant could remove the fence or he could enter into an agreement with the neighbor to allow the fence to remain where it is. There was a discussion on who might own the fence. Mr. Steinwand said he would enter into an agreement with Mr. Phoebus. There was a discussion on the conditions of the resolution.

A motion to approve the application with a variance for the garage in the front yard and a variance to allow the existing shed to remain where it is was made by Mr. Skewes and seconded by Ms. Howell. Roll Call: Eric Olsen – yes, John Carafello – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

A motion to waive the reading of the resolution so the applicant could proceed at his own risk was made by Ms. Gilchrist and seconded by Mr. Skewes. Roll Call: Eric Olsen – yes, John Carafello – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

ORDINANCES: None.

OLD BUSINESS:

Mr. Messerschmidt said the Board received a letter from Mr. Roger Thomas, Esq. of Dolan & Dolan in the matter of the BHT Properties Group application. He said the letter stated that based on the informal review for a warehouse application on the subject property and the potential that the application would move forward, BHT was requesting the Board hold their application in abeyance until January 31, 2024 or until approval of the warehouse application; whichever is sooner.

A motion to hold the BHT Properties Group application in abeyance until January 31, 2024 was made by Ms. Howell and seconded by Mr. Ordile. Roll Call: Eric Olsen – yes, Suzanne Howell – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

NEW BUSINESS: None.

LIAISON REPORTS:

Township Committee – Eric Karr

Environmental Commission –Eric Olsen

Sustainable Andover – Eric Olsen

Economic Development Committee – John Carafello

Zoning Map/ Zone Changes Subcommittee – Paul Messerschmidt

Master Plan – Joseph Ordile

There were no new reports since the last meeting.

VOUCHERS:

Company	Purpose	Amount	Paid By
Vogel, Chait, Collins & Schneider	BHT Properties Group	\$160.00	Applicant’s Escrow

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

CORRESPONDENCE:

1.) From: Dykstra Walker Design Group

Re: Application submitted to the D.E.P. for Thorlabs, Block 151, Lots 16 & 17

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 no public present, the meeting was closed to the public.

UPCOMING MEETINGS: July 18, 2023, August 1, 2023

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,

Stephanie Pizzulo
Land Use Administrator