



ANDOVER TOWNSHIP

SUSSEX COUNTY • NEW JERSEY

Land Use Board
Municipal Building
134 Newton Sparta Road
RE-ORGANIZATION and REGULAR MEETING MINUTES
January 16, 2024
7:30 p.m.

CALL TO ORDER:

The Board Secretary called the meeting to order at 7:30pm.

FLAG SALUTE:

The Board Secretary led everyone in a flag salute.

OPEN PUBLIC MEETINGS ACT NOTICE:

The Board Secretary read the following in to 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.

BOARD MEMBER APOINTMENTS: Administration of the *Oath of Allegiance and Office*

Mr. Briigliodoro swore in Mr. Michael Lensak, Class I, Ms. Krista Gilchrist, Class IV, Ms. Suzanne Howell, Class IV, Mr. Eric Olsen, Class II, and Mr. Eric Karr, Class III as Board Members.

ROLL CALL:

Michael Lensak (Class I) - Present
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) - Absent

Sean Degan (Alternate) – Present
Paul Messerschmidt (Class IV) – Present

Also Present:

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

ELECTION AND APPOINTMENTS:

Election of Chairperson:

A motion to appoint Mr. Paul Messerschmidt as Board Chair for the year 2024 was made by Ms. Howell and seconded by Mr. Olsen. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Mr. Messerschmidt chaired the meeting from this point forward.

Election of Vice Chair:

A motion to appoint Ms. Suzanne Howell as Board Vice-Chair for the year 2024 was made by Mr. Ordile and seconded by Mr. Karr. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Election of Secretary:

A motion to appoint Mrs. Stephanie Pizzulo as Board Secretary for the year 2024 was made by Ms. Howell and seconded by Mr. Olsen. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Appointment to Subcommittee(s):

Master Plan Subcommittee:

Mr. Ordile, Mr. Olsen, Mr. Karr and Ms. Gilchrist will remain on the subcommittee.

Zoning Map/ Definitions Subcommittee:

Ms. Gilchrist, Mr. Messerschmidt and the Board Secretary will remain on the subcommittee.

Completeness Review Subcommittee:

Mr. Ordile, Ms. Gilchrist, Ms. Howell and Mr. Messerschmidt will remain on the subcommittee.

Appointment of Board Attorney:

A motion to appoint Mr. Briadoro, Esq. of Weiner Law Group, as Board Attorney for the year 2024 was made by Ms. Howell and seconded by Ms. Gilchrist. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Appointment of Board Engineer/Planner:

A motion to appoint Mr. Cory Stoner, PE, PP of Harold Pellow Associates as Board Engineer and Board Planner for the year 2024 was made by Mr. Olsen and seconded by Mr. Ordile. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Appointment of Conflict Attorney:

A motion to appoint Mr. Thomas Molica, Esq. of Vogel Chait, Collins & Schneider as conflict attorney for the year 2024 was made by Mr. Olsen and seconded by Mr. Karr. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Adoption of Professional Appointments Resolution:

A motion to adopt the resolution for the Board Professional appointments was made by Mr. Ordile and seconded by Ms. Gilchrist. Roll Call: Michael Lensak – abstain, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Designation of Meeting Dates and Times – Adoption of Meeting Notices Resolution:

Mr. Messerschmidt said there are four months with a fifth Tuesday. He said Ms. Howell had suggested adding those date to the official meeting dates and noticing them. Mr. Messerschmidt said if the meetings were not needed, they would be canceled.

A motion to approve the Designation of Meeting Dates and Times resolution with the added meeting dates was made by Mr. Skewes and seconded by Mr. Karr. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

Designation of Official Newspaper:

A motion to designate the New Jersey Herald as the official newspaper of the Board for the year 2024 was made by Ms. Gilchrist and seconded by Ms. Howell. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – yes, Suzanne Howell -yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

ADJOURNMENT:

With no further reorganization business to come before the Board, a motion to adjourn the reorganization meeting at 7:50 pm was made by Ms. Howell. It was seconded by Mr. Olsen and passed with everyone saying aye.

REGULAR MEETING:

CALL TO ORDER:

Mr. Messerschmidt called the meeting to order at 7:50pm.

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.

ROLL CALL:

Michael Lensak (Class I) - Present
Eric Olsen (Class II) – Present
Eric Karr (Class III) – Present
Suzanne Howell (Vice Chair) – Present
Richard Skewes (Class IV) – Present
Joseph Ordile (Class IV) – Present
Krista Gilchrist (Class IV) – Present
John Carafello (Class IV) - Absent
Sean Degan (Alternate) – Present
Paul Messerschmidt (Chair) – Present

Also Present:

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

ADMINISTRATIVE ITEMS:

Approval of Minutes: December 5, 2023.

A motion to approve the minutes of the December 5, 2024 meeting was made by Mr. Olsen and seconded by Ms. Gilchrist. 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.

RESOLUTIONS:

1.) Puff City, LLC B:134, L: 17.06 Application # 23-2
Preliminary and Final Site Plan Approval with “c” Variance Relief and Design Waiver Relief

Mr. Ordile said there was no mention of EV parking in the Puff City resolution and it was part of the Munsee Three Sisters resolution. There was a discussion on the EV Make Ready parking space requirements. Mr. Brigliadoro said it is a State requirement and could be added to the resolution. Mr. Stoner suggested the Township consider adopting the State electric vehicle model ordinance.

A motion to approve the resolution in the matter of Puff City, LLC with the added condition of the requirement to add an EV make ready parking space was made by Ms. Howell and seconded by Mr. Skewes. Roll Call: Eric Olsen – yes, Suzanne Howell – yes, Eric Karr – yes, Richard Skewes – yes, Joseph Ordile – yes, Krista Gilchrist – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

2.) Stephen DePinho B: 71, L: 3.29 Application # 23-6
Approval of a Single-family Dwelling with “c” Variance Relief

A motion to approve the resolution in the matter of Stephen DePinho was made by Mr. Ordile and seconded by Ms. Howell. Roll Call: Suzanne Howell – yes, Eric Olsen – yes, Joseph Ordile – yes, Sean Degan – yes, Paul Messerschmidt – yes. Motion carried.

3.) Andover Munsee Realty, LLC B: 134 L: 26 Application # 23-9
Preliminary and Final Site Plan Approval, “d” Use Variance Approval, Pre-Existing Non-Conforming Use Approval, “c” Variance Relief and Design Waiver Relief

A motion to approve the resolution in the matter of Andover Munsee Realty, LLC was made by Mr. Olsen and seconded by Ms. Gilchrist. 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.

COMPLETENESS REVIEWS:

1.) Priority Compactor Repair, LLC B: 161 L: 5.02 Application # 23-11

Mr. Stoner went over his report dated January 12, 2024. He said the application was for a minor site plan approval to permit a dumpster storage and repair facility. He said he needed clarification of the use. He said the applicant should provide a narrative that describes the application, an environmental impact statement, information on signs, information on lighting,

information on the proposed dumpsters, information on trash enclosures, details of any expansion of impervious surface, and architectural plans for the proposed structure. Based on those items, Mr. Stoner felt the application should be deemed incomplete.

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

2.) 698 Route 206 South, LLC B:158 L: 1 Application # 23-8

Mr. Stoner went over his second completeness report for this application. He said the plans were updated however; they did not address the items the Completeness Review Committee had determined were needed. Mr. Stoner went over the items that still need to be provided and felt the application was still incomplete.

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

The Board took a five-minute break.

HEARINGS:

1.) Open Space Plan

Mr. Messerschmidt introduced the formal hearing for the Open Space Plan and said it was prepared with the help of H2M Associates, Mr. Olsen and Ms. Howell. He explained that the Open Space Plan is a guiding document to plan for the current and future needs for recreation and open space. He discussed the inventory of open space, the needs assessment based on public input, and the recommendations and implementations. He explained the goals and said the plan reflects the feedback from the public. He explained the Open Space Plan process to the Board.

Mr. Olsen said they developed a public information website with a survey for the public. He said there were 166 participates which is about 3% of the population. He said the survey showed the parks and recreational facilities were heavily used. He said the most visited parks are the Kittatinny State Park and Hillside Park. Mr. Olsen said the parks were used for walking, running and hiking. He said the public also enjoys nature watching, biking and sports. He said the facility improvements needed are restrooms, more benches and interpretive signs. He said an important goal is environmental protection. He said the public was in favor of creating greenway linkages, protecting habitat, resource based recreation such as hiking, hunting and fishing and protecting the water resources. Mr. Olsen explained the existing conditions analysis. He said the town has a lot of biking and nature trails

and the town needs to maintain them and add additional trails. He said the goals are to protect and restore environmentally sensitive areas, enhance and expand the trail system, and ensure all park facilities are in a state of good repair and maintained. He explained the future strategies and said there is a lot of farmland in Andover and much of it is not preserved. He said the residents wanted improved signage. He said the residents wanted connection with the neighboring town's trail systems.

Mr. Messerschmidt explained the next steps in the process. He said they are looking for suggestions and comments. He said once the Plan is adopted it becomes part of the Master Plan.

Mr. Messerschmidt opened the meeting to the public.

Mr. Wayne Grenewicz asked if the 166 respondents were individual people or households to which Mr. Olsen said 166 people. There was a discussion on the percentage of the residents that participated. Mr. Grenewicz said the town could potentially spend a lot of money based on maybe 1.5% of the population. Mr. Stoner asked if the town Open Space Tax could be used to purchase property to which Mr. Olsen said yes.

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

Mr. Briigliodoro explained the Open Space Plan adoption process to the Board.

A motion to adopt the Open Space and Recreation Plan as an element of the Master Plan was made by Ms. Howell and seconded by Mr. Karr. Roll Call: Michael Lensak – yes, Eric Olsen – yes, Eric Karr – 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. Ordile asked for a list of all of the approved variances in 2023. Mr. Briigliodoro will prepare the year-end report for the next meeting.

NEW BUSINESS: None.

LIAISON REPORTS:

Township Committee

Mr. Lensak had nothing to report.

Environmental Commission

Mr. Olsen said the town had purchased eight benches for the Lake Iliff and Andover Loop Trail. He said the Commission is looking at the EIS ordinance and will make recommendations to the Land Use Board.

Sustainable Andover

Mr. Olsen said the Winter Market would be on February 25, 2024.

Economic Development Committee

Mr. Carafello was not present to give a report.

Zoning Map/ Zone Changes Subcommittee

Mr. Messerschmidt said the Board would be receiving the proposed color version of the Zoning Map for review.

Master Plan Subcommittee

Mr. Ordile said the survey was ready to be distributed on February 5th. He said he has reached out to the various groups in town to participate in the survey.

VOUCHERS:

Company	Purpose	Amount	Paid By
Weiner Law Group	Legal	\$1,872.00	Budget
Weiner Law Group	Puff City Property, LLC	\$736.00	Applicant’s Escrow
Weiner Law Group	Pat Barone	\$80.00	Applicant’s Escrow
Weiner Law Group	Stephen DePinho	\$912.00	Applicant’s Escrow
Weiner Law Group	Andover Munsee Realty, LLC	\$2,896.00	Applicant’s Escrow

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

CORRESPONDENCE:

- 1.) From: Roger Thomas, Esq.
Re: BHT Properties Group

Mr. Messerschmidt said the letter stated Mr. Thomas had been in communication with Mr. Selvaggi, Esq. regarding a potential application for a warehouse and they are continuing to work on the application. Mr. Thomas had asked for the BHT Properties Group application to be carried to the end of May 2024.

A motion to carry the BHT Properties Group application to the end of May 2024 was made by Ms. Gilchrist and seconded by Mr. Skewes. 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.

PUBLIC PORTION:

Mr. Messerschmidt opened the meeting to the public and 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. 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. Wayne Grenewicz, a resident of Andover asked about a pending application. Mr. Messerschmidt said the Board could not discuss a pending application without the applicant present. Mr. Stoner said the Board deemed the application incomplete and when he did his correspondence to the applicant's attorney he put a 60 day request for the information because it goes back to a zoning violation.

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

UPCOMING MEETINGS: February 6, 2024, February 20, 2023

ADJOURNMENT:

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

Respectfully submitted,

Stephanie Pizzulo
Land Use Administrator