

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD MEETING HELD  
APRIL 18, 2017**

**OPEN MEETING:** Chairman Howell called the meeting to order at 7:30 p.m. and led the flag salute.

**OPEN PUBLIC MEETINGS ACT NOTICE:** Chairman Howell read the following statement: This is an open public meeting of the Andover Township Land Use Board. Notice of this meeting was given in accordance with the Open Public Meetings Act, Chapter 231, Public Law 85.

**ROLL CALL:**

Ken Roberts – Present  
Paul Messerschmidt, Vice Chairman – Present  
CeCe Pattison – Absent  
Ellsworth Bensley, Jr., – Present  
Dolores Blackburn – Present  
Eric Olsen – Present  
John O'Connell – Present  
Richard Skewes – Present  
Suzanne Howell, Chairman – Present  
Wayne Grenewicz (Alternate 4) – Present @7:35 p.m.

**BOARD PROFESSIONALS:**

Richard Briigliadoro, Esq. – Present  
Joseph R. Golden, P.E., P.P., C.M.E. – Present  
Jessica C. Caldwell, PP, AICP, LEED GA – Present

**MINUTES:** *Minutes of the Andover Township Land Use Board Meeting Held April 4, 2017*— A motion to approve was made by Richard Skewes and seconded by Ken Roberts. There was no discussion. Roll Call: Ken Roberts – yes, Paul Messerschmidt – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, Eric Olsen – yes, Richard Skewes – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

**RESOLUTIONS:** There were no resolutions scheduled.

**COMPLETENESS REVIEWS:** No matters were scheduled.

**HEARING: A-3-17-1, Pace Glass, Inc., Preliminary and Final Site Plan, Steep Slope Variance Application, C Variances, D Variances, Block 108 Lot 4.02, Block 1.01 Lot 1.01.** Dolores Blackburn, Ellsworth Bensley, Jr., and Eric Olsen recused. Richard Briigliodoro, Esq., reviewed notice and confirmed the Board had jurisdiction. He confirmed the Board would be constituted as a Zoning Board of Adjustment.

Bernd E. Hefele, Esq., appeared on behalf of the Applicant and provided an overview of the application. He stated the property is located in the Industrial Zone, and the proposed use is permitted. He opined the proposed use is less intensive than the previous approved use. He acknowledged a potential for rail access to the site and noted the subject application identifies trucking as the transport mode for all delivery of materials.

Applicant's witness, owner Michael Mahoney, Chief Operating Officer, Pace Glass, Inc., was sworn. He defined the proposed use as an operation for the separation and redistribution of glass. He stated the recycling process would produce 90% glass product and 10% metal, aluminum, and plastics. He noted the process was a dry mechanical one with no water or chemicals involved. Mr. Mahoney noted operations would require a minimum of fifty employees over three eight-hour shift periods defined as follows: 7:00 a.m. – 3:00 p.m., 3:00 p.m. – 10:00 p.m., and 10:00 p.m. – 7:00 a.m. He stated truck traffic would include 150 trips in and 150 trips out over a ten-hour period during the day.

Discussing the project's build-out, Mr. Mahoney stated the development would be phased with the initial building being used for sorting. He stated the staging would be dependent on receipt of equipment from Europe.

Applicant's witness Thomas F. Graham, P.E., was sworn, qualified, and accepted as an expert witness. He submitted the following exhibits:

- Exhibit A-1, a colored rendering titled *Existing Conditions Exhibit, Preliminary Site Plan, Pace Glass Recycling, Block 108, Lot 4.02(Andover Township) Block 1.01, Lot 1.01 (Lafayette Township), Limecrest Road (Sussex County Route 679) Sussex County, New Jersey, Sheet 1 of 1, dated 4/18/17*, prepared by Thomas F. Graham, P.E.;
- Exhibit A-2, a colored rendering titled *Slope Map Exhibit, Preliminary Site Plan, Pace Glass Recycling, Block 108, Lot 4.02(Andover Township) Block 1.01, Lot 1.01 (Lafayette Township), Limecrest Road (Sussex County Route 679) Sussex County, New Jersey, Sheet 1 of 1, dated 4/18/17*, prepared by Thomas F. Graham, P.E.;
- Exhibit A-3, a series of four photographs on one sheet titled *Planning Exhibits for Pace Glass, Inc., ~ Limecrest Road, Township of Andover, NJ*, page 2, prepared by John McDonough, LA, PP, AICP. The photographs are titled 1. View of interior of site, 2. View of interior of site, panning right from prior, 3. View of interior of site, and 4. View of interior of site, panning right from prior; and

- Exhibit A-4, a colorized site layout plan overlaid on an aerial photograph titled *Overall Site Layout Plan, Preliminary Site Plan, Pace Glass Recycling, Block 108, Lot 4.02(Andover Township) Block 1.01, Lot 1.01 (Lafayette Township), Limecrest Road (Sussex County Route 679) Sussex County, New Jersey, Sheet 1 of 1, dated 4/17/17, prepared by Thomas F. Graham, P.E.*

Referencing the exhibits, Mr. Graham presented the existing conditions and identified the proposed 37-acre area of disturbance. He confirmed all development would take place on the Andover Township portion of the property. He identified the access point as the driveway directly across from the quarry driveway and noted this driveway provides the maximum site distance along Limecrest Road in both directions.

With reference to steep slope requirements, Mr. Graham identified rock outcrops created by prior activity on the site and explained the prior slope waiver approval. He stated all the slope areas need variance relief due to prior mining activity. He noted the subject application would entail less disturbance than the prior use.

Mr. Graham located the proposed outdoor storage on the plan sheet and explained the design allows the buildings to be further setback. He stated this setback would mitigate the visual impact of the large structures. Mr. Graham discussed landscaping as well and noted plantings along Limecrest Road at the berms would further mitigate visual impacts. He identified three off-site residential structures to the west, south, and east of the property and an industrial property to the north.

Further, Mr. Graham discussed parking and noted 71 parking spaces are proposed where the ordinance requires 275 parking spaces. He stated the parking was sized to accommodate twice the number of employees and truck drivers per shift plus seven extra spaces. He stated additional parking could be found if needed in the future.

Mr. Graham presented the stormwater management plan noting the application satisfied requirements for water quality, quantity, and infiltration. He explained two bio-retention basins, designed to meet NJDEP criteria, are proposed to meet the ground water recharge requirement. He stated manufactured treatment devices, i.e., filters, would remove pollutants. He identified the drainage areas and noted the run-off toward Limecrest Road would be reduced. Mr. Graham stated that using multiple strategies allows the Applicant to exceed NJDEP requirements.

With reference to NJDEP requirements, Mr. Graham confirmed the Applicant is staying out of the Flood Hazard Area. He identified two NJDEP permits needed to develop the site: a GP-6 for partial filling of an isolated wetland; and a GP-11 for transition area disturbance associated with stormwater output in an area of disturbance. He stated the preparation of the operations and maintenance manual was pending. Mr. Hefele opined the system was overdesigned.

With regard to water, Mr. Graham presented there is a quantity of water needed for the employees that totals less than 800 gallons per day. He stated it is known that the aquifer has

sufficient capacity and has been pumped at a rate of 100-500 gallons per minute. Mr. Hefele agreed to provide the study that was submitted as part of a prior application.

Addressing sanitation, water, and phasing, Mr. Hefele added that no bathrooms or offices are proposed in the first phase of development. He explained that as onsite operations commence, the rest of the site would be under construction. He presented subsequent development is dependent on the installation of machinery that takes from six months to one year to arrive from Europe. He stated the first building would serve for preprocessing operations and portable sanitation would be available. Following discussion, the Applicant agreed to limit the timeframe for portable sanitation to 18 months.

Discussing fire protection, Mr. Graham identified the proposed water tanks on the plan. With regard to lighting, Mr. Graham stated no lighting is proposed at the property line, and the proposed lighting is within ordinance requirements.

With regard to paving, Mr. Graham acknowledged a recommendation for porous paving. He explained that porous pavement is not practical in this climate. He stated the area where the porous pavement was suggested is very small and the Applicant would like to standardize pavement throughout the site. He also noted that the stormwater management design included standard pavement and the design already exceeds NJDEP requirements.

With regard to trash disposal, Mr. Graham identified a screened dumpster between buildings. He presented the ten-yard dumpster would address waste generated by employees. He confirmed the site would not be a waste generating site.

With regard to landscaping, Mr. Graham noted plantings would be placed along the berms to further reduce any visual impacts and chosen in accordance with Best Management Practices.

Mr. Graham noted the Applicant would meet Mr. Golden's requests and had no objections to anything presented in his engineering report. Mr. Golden noted that striping and integrated ADA parking and a contained gas pump should be put on the revised plan. Mr. Golden also noted an approval could be subject to performance bonds and a restoration bond. With regard to the posting of a restoration bond, Mr. Hefele noted the Applicant had already begun cleaning up the site. He stated the application was a redevelopment of a moonscape.

Applicant's witness, Randall K. Slinkard, was sworn, qualified, and accepted as an expert in environmental regulatory compliance. Mr. Slinkard presented he was retired and had focused his career on glass recycling facilities. He explained operations and stated there is not a lot of airborne dust in the baghouse, and there is no issue with outside dust. He noted that employees could wear masks on a voluntary basis. He confirmed OSHA requirements would be met. Mr. Slinkard further stated that the collected dust byproduct would be marketed.

With regard to noise, he noted the building is located in a depressed area with some trees, vegetation, and a distance to the property line. He stated the Applicant would meet ordinance requirements.

With regard to runoff, he stated it would be addressed by the stormwater management filter mechanisms.

Applicant's witness Craig W. Peregoy, P.E., was sworn, qualified, and accepted as an expert in traffic. Mr. Peregoy stated the subject application presented one-half the amount of traffic as the previously approved application. He discussed the traffic study submitted and concluded there would be little or no negative impact on traffic caused by the Applicant. The Applicant confirmed that truck cuing would not be an issue as there is a staging area for the trucks to use without impacting Limecrest Road. It was noted that all trucks would be routed from Route 15, and there would be no staging or parking on Limecrest Road. Mr. Hefele confirmed that the Applicant would honor the prior approval's egress restriction limiting exiting trucks to make a *Left Turn Only*.

The Board recessed from 9:00 p.m. – to 9:10 p.m.

Applicant's witness, John McDonough, LA, PP, AICP, was sworn, qualified, and accepted as an expert witness. Mr. McDonough submitted Exhibit A-5, three sheets titled *Planning Exhibits for Pace Glass, Inc., ~Limecrest Road, Township of Andover, NJ*, prepared by John McDonough, LA, PP, AICP. Referencing Page 1, an aerial photo of the site, Mr. McDonough identified adjoining properties, municipalities, and uses in the surrounding area. He presented the topography, location of buildings 150' above the site, and 1500' of buffering creates a bowl effect that mitigates visual impact of the overall massing of the structures that exceed the ordinance maximums. He noted the 77-acre site is more than 26 times the amount of space required by the use for the zone. Referencing Page 2 of Exhibit 5 — comprised of four photographs prepared by John McDonough, LA, PP, AICP titled 1. View of interior of site, 2. View of interior of site, panning right from prior, 3. View of interior of site, and 4. View of interior of site, panning right from prior, Mr. McDonough described the surrounding properties and opined that the subject property is ideally suited for the project. He stated there is a nice pattern and comingling of industrial, residential, and other uses. He stated the activation of the proposed industrial use on site would continue this pattern. He noted the use is much more benign than the prior approved use. Board Planner Caldwell discussed the elevations and noted the slopes on the perimeter of the site provide a mitigating effect.

Further, Mr. McDonough discussed the proposed variances. With reference to the D (6) height variances for Building 1 – proposed at 56.7' and Building 2 – proposed at 69.88', he stated they could be granted. He noted the prior application's eight silos were higher. He explained that recycling was inherent to the economic element of the Township Master Plan and the NJ State Plan. He presented the application represents an efficient use of land noting minimal tree and groundwork are proposed. He stated there is no proposed over intensification of use.

With reference to the relief sought for parking, Mr. McDonough noted the proposed 75 spaces would meet the demand. With reference to the relief sought to allow storage in the front yard, Mr. McDonough stated the yard would be buffered by proposed plantings and the berm. He stated this design would also permit the buildings to be set back further from the road. Mr. Golden stated a landscape maintenance bond for a three-year period could be suggested. Mr. Hefele stated the Applicant had no objection to the posting of a landscape bond.

With reference to the variances requested relative to steep slope requirements, Mr. McDonough stated the slopes were previously disturbed, and there would be no substantial environmental degradation. Mr. McDonough also presented signage noting the unlit proposed sign is 700 sq.ft. and entered Exhibit A-6, a colored rendering of the sign that will be facing the southbound direction on Limecrest Road. He stated the sign promotes the clear and safe identification of the site without creating a visual nuisance or anything overly distracting. He noted the sign fits in with the overall zone plan noting the site, if divided 26 times to accommodate multiple uses, would generate multiple signs and a larger visual impact.

Mr. McDonough presented that overall, the project is a net positive. He stated that the proposal is consistent with the Master Plan and is good for neighborhood. He stated traffic, dust, water, noise, and aesthetic concerns were addressed. Mr. McDonough stated it is a good project from a planning perspective with no substantial impairment or detriment to the zone plan. He underscored the economic benefit to be accrued from reactivating the site. He stated all tests have been met to grant the variances.

Board member Paul Messerschmidt questioned if employees from the Applicant's other sites would be transferred to the proposed project. Mr. Mahoney responded that the subject site would employ new persons. Mr. Messerschmidt asked if the Applicant experienced litigation or enforcement actions. Mr. Mahoney stated there has been no litigation or enforcement action. He stated the Jersey City Fire Department currently wants access to certain areas of the Jersey City site. Mr. Hefele noted the subject site is better matched for what is intended. He stated the site in Jersey City would be scaled down. With reference to traffic, Mr. Messerschmidt asked what percentage of trucks would be coming from Rt. 15. The Applicant confirmed all trucks would routed from Rt. 15 and the prior approved egress limiting trucks to a *Left Turn Only* would remain in effect. Mr. Messerschmidt asked about the size of the stormwater filters. Mr. Graham provided the stormwater management system details and confirmed the plan is in accordance with Best Management practices. Mr. Graham stated the filter replacement schedule is included in the operations manual filed with the NJDEP and is required compliance protocol.

Mr. David Kolstad and Mr. Peter Spinney of the Andover Township Environmental Commission were sworn. Mr. Spinney asked about operations, the covering of product to avoid potential contaminated run-off issues, and truck washing that may produce run-off. Mr. Mahoney explained operations and noted the Applicant does not intend to wash trucks on the property. He stated the proposed stormwater management system would handle debris. Mr. Golden provided an overview of Andover Township's stormwater management compliance operations.

Chairman Howell opened the meeting to the public. Kevin O'Leary was sworn. He stated he was the Chair of the Lafayette Planning Board. He asked about the rail access. Mr. Hefele confirmed the use of rail access is not part of the subject application. He stated the work being done on the Lafayette portion of the property is an effort to clean up that lot.

No other members of the public addressed the Board. Chairman Howell closed the meeting to the public.

A motion to approve the application subject to conditions as noted below was made by Paul Messerschmidt and seconded by Ken Roberts. Roll Call: Ken Roberts – yes, Richard Skewes – yes, Paul Messerschmidt – yes, John O'Connell – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried. Conditions of approval were noted as follow: egress limited to *Left Turn Only*; NJDEP approval as needed, including but not limited to the GP6 and GP11 Permits; 18-month limit on portable sanitation facilities; submission of a Stormwater Management and Maintenance Plan in accordance with the NJDEP; submission of an as-built survey; landscape bonding; posting of inspection escrow; spill containment for any fueling facilities, compliance with noise standards, no cuing of trucks on Limecrest Road, and compliance with the Board Planner and Board Engineer's Report.

The Board recessed from 10:30 p.m. – 10:35 p.m. Jessica C. Caldwell, PP, AICP, LEED GA was excused.

**PUBLIC PORTION:** Chairman Howell opened the meeting to the public for general comments and inquiries. No members of the public addressed the Board. The meeting was closed to the public.

**OLD/NEW BUSINESS: Liaison Reports — Open Space Committee, Township Committee, Environmental Commission, Sustainable Andover:**

- **Open Space Committee** — the Township Engineer is preparing the bids for the projects discussed.
- **Andover Township Committee** — Dolores Blackburn presented the budget passed.
- **Environmental Commission** — Eric Olsen stated the Commission spent a lot of time on the report for the evening's application. Board members acknowledged the effort and complimented the report.
- **Sustainable Andover** — Mr. Olsen stated the group met with the Economic Development Commission and they will jointly work on the preparation of a "Buy Local Guide," that will serve as a business directory. He stated it would be available electronically.

The upcoming meeting dates of May 2, 2017 and May 16, 2017 were confirmed.

**VOUCHERS:** A motion to approve the vouchers was made by John O'Connell and seconded by Paul Messerschmidt. Roll Call: Ken Roberts – yes, Richard Skewes – yes, Paul Messerschmidt – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, Eric Olsen – yes, John O'Connell – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

**EXECUTIVE SESSION:** Mr. Golden presented he would like to discuss a personal issue with the Board. A motion to enter executive session was made by John O'Connell and seconded by Suzanne Howell. All were in favor. The Board entered executive session at 10:40 p.m. The meeting resumed at 11:04 p.m.

**ADJOURNMENT:** Having no further business, a motion to adjourn was made by John O'Connell. All were in favor. The meeting concluded at 11:05 p.m.

Minutes respectfully submitted by:

*/s/Anne-Marie Wilhelm*  
Anne-Marie Wilhelm  
Land Use Administrator