

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD MEETING HELD
MAY 16, 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 – Absent
CeCe Pattison — Present
Ellsworth Bensley, Jr., – Present
Dolores Blackburn – Present
Eric Olsen – Absent
John O'Connell – Present
Richard Skewes – Present
Suzanne Howell, Chairman – Present
Wayne Grenewicz (Alternate 4) – Present

BOARD PROFESSIONALS:

Richard Brigliadoro, 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 May 2, 2017: A motion to approve was made by John O'Connell and seconded by Dolores Blackburn. There was no discussion. Roll Call: Ken Roberts – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, John O'Connell – yes, Richard Skewes – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

Minutes of the Andover Township Land Use Board Meeting Held April 18, 2017: A motion to approve was made by Ellsworth Bensley, Jr., and seconded by John O'Connell. There was no discussion. Roll Call: Ken Roberts – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, John O'Connell – yes, Richard Skewes – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

Minutes of the Andover Township Land Use Board Executive Session Held April 18, 2017: A motion to approve was made by Ellsworth Bensley, Jr., and seconded by John O'Connell. There

was no discussion. Roll Call: Ken Roberts – yes, Richard Skewes – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, John O'Connell – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

RESOLUTIONS: 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: A motion to adopt the resolution as presented was made by Ken Roberts and seconded by Richard Skewes. There was no discussion. Roll Call: Ken Roberts – yes, Richard Skewes – yes, John O'Connell – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

COMPLETENESS REVIEWS: There were no matters scheduled.

HEARING: A-2-17-1, A.B. Richards, Inc., Preliminary and Final Site Plan, Steep Slope Waiver Application, Block 151 Lot 20: Michael S. Selvaggi, Esq., appeared on behalf of the Applicant. He provided an overview of the application stating the Applicant's request for an approval of a proposed storage yard for storage containers in the C/I Zone. He acknowledged a question about the use being a conditional use and stated he believes the conditional use ordinance deals with the storage of more hazardous or dangerous materials. He stated there is nothing going on the subject property; and the more empty the site is, the more money the company makes. He stated it is in his client's interest to maximize the usage of the containers. He opined that the warehouse and storage use is permitted. Following a discussion and review of §190-54 and §190-54(b), Mr. Brigliadoro agreed stating that the proposed use as represented is permitted in the Commercial/Industrial Zone. He stated the Board would be constituted as a Planning Board.

Allan Arnold, President of AB Richards, Inc., was sworn. He stated AB Richards headquarters is located at East Northport, New York, and the company has three locations. He stated he has owned the company for 35 years and the company serves the tristate area. He stated he chose the subject property because of the location and flat topography of the land. Mr. Arnold stated the company leases storage equipment, mostly containers, to businesses and homeowners that contract for the containers via phone and the internet. The Applicant submitted Exhibit A-1, a product brochure from the company's website describing available container units differentiated by size. The sizes were identified as follows: 1100 cubic feet — 8' x 20' x 8.6'; 2300 cubic feet — 8' x 40' x 8.6'; and 2690 cubic feet — 8' x 40' x 9.6'. Mr. Arnold noted an additional value of the latter container as an ability to house double-stacked pallets. Mr. Arnold stated all the containers were waterproof and weatherproof.

With reference to operations, Mr. Arnold stated containers are shipped using roll back trucks that are dispatched from Medford, New Jersey. He stated he anticipates a site inventory of 200 containers that would be stored and returned to the Andover Township site empty, usually during the company's regular business hours of M-F, 7:00 a.m. - 5:00 p.m. He noted that the hours could expand during peak times. Mr. Arnold stated the containers could be stacked occasionally for a couple of days if necessary. He stated a forklift dispatched from the Medford site could accomplish container stacking.

Further, Mr. Arnold stated materials left in a trailer would be taken to the dump or returned to an impound yard at the Medford site. He presented no equipment or employees would be stationed at the Andover Township site. He confirmed the yard is strictly a storage yard, and there would be no onsite washing of containers or vehicles. With reference to security, Mr. Arnold presented the site would be fenced and monitored by cameras. He stated two employees at the Medford site would monitor the remote cameras. He described the security system noting there is a motion activated component and audio alarms. Mr. Arnold noted he has the ability to monitor the site 24/7. He stated he has had no security issues at other sites. He agreed to provide emergency contact information to the Andover Township Police Department. He also agreed to put contact information on a gate sign in accordance with a recommendation from Ms. Caldwell.

With reference to snow removal, Mr. Arnold noted it would be accomplished manually, and workers would access the top of the trailers utilizing a ladder. Mr. Arnold noted that the different sizing of the containers made the installation of a snow removal structure problematic. He stated snow removal had not presented an issue at other locations.

Denis F. Keenan, P.E., was sworn, qualified, and accepted as an expert witness. He submitted Exhibit A-2, an aerial photograph titled *Aerial Exhibit for Andover Storage Yard, Block 151 Lot 20, Township of Andover, Sussex County, New Jersey*, Sheet 1 of 1, dated 5/16/17. Referencing the exhibit, Mr. Keenan described the existing conditions and surrounding uses. He stated there is an old flea market to east of Rt. 206, residential uses to the north and west, and undeveloped property to the south. He identified a berm separating the property from a residential area at the rear of the property. Referencing site plan Sheet 4 of 10, dated 3/27/17, Mr. Keenan stated the property has 322' of frontage along Stickles Pond Road and is 655' deep. He located the proposed paved driveway off the center of the property at Stickles Pond Road and two stormwater basins at the front of the property. He explained the yard area would be gravel and the perimeter would be fenced. It was noted that the location of fencing in the front yard would require a variance.

Addressing site circulation and signage, Mr. Keenan noted vehicles would access the site via a locked gate that would be set back to allow the gate to open and not interfere with Stickles Pond Road. Following discussion, the Applicant agreed to locate a KNOX box at the gate for emergency service personnel. He explained the proposed "T" shape design of the access way noting the design allows easy movements. Mr. Arnold confirmed that there is usually one delivery at a time. Following discussion, the Applicant agreed to direct truck drivers to utilize Rt. 206 and install a *No Left Turn* sign at the entranceway.

Mr. Keenan also discussed the configuration of containers on site and noted the presented design was conceptual. He confirmed container locations would meet ordinance setback requirements. The Applicant submitted Exhibit A-3, a series of four photos of the containers depicting sizing, sizing differentials, and container signage. The Applicant confirmed that signage would meet the ordinance requirements.

Addressing landscaping and lighting site plan elements, Mr. Keenan referenced Sheet 7 of 10 and agreed to use giant arborvitae along the 6' high chain-link perimeter fencing. He stated three lights are proposed to light the aisles and noted minimal lighting is preferable. He stated lighting would

be set by an automatic timer to avoid the site being continually lit and disturbing the neighborhood. He confirmed the gate would also be automated.

With reference to the request for steep slopes waiver relief, Mr. Keenan referred to site plan Sheet 3 of 10. He identified the slopes on site and the proposed area of disturbance. He stated the bulk of the property is flat. He stated there is 10,000 sq.ft. of 20% - 25% slopes but nothing over 25%. He stated the category is mild and can be looked at as a 4:1 slope, which is walkable and stable. He confirmed the Applicant is requesting relief from the 15% limitation and proposes 6,000 sq.ft. of steep slope disturbance. He confirmed the Applicant would maintain the ridgeline and not disturb the berm and vegetation in an effort to maintain the screening.

With reference to stormwater management, Mr. Keenan located two interconnecting basins at the front of the property. He explained the property drains to the southwest and explained water can run under the containers stored on gravel. He stated the system was designed as if the property were paved. He stated the system meets all stormwater management requirements.

With reference to right-of-way dedication, the Applicant presented the deeds would be revised to include a mandatory NJDEP Stormwater Management and Operations Manual reference requirement. The Applicant presented no utilities or easements are proposed.

The Applicant answered a question about weed control stating it has not been an issue on other sites. Mr. Keenan presented that there is not much soil exposed, as the yard would be covered with 4" of gravel.

Chairman Howell opened the meeting to the public. Mr. Lawrence N. Hubbard was sworn. He expressed concern about run-off noting the property is near the Pequest River. He stated the property was filled in years ago and advised the Applicant to pay attention to the filled areas when excavating. He also suggested additional security measures including email alerts.

Bernd Hefele, Esq., was sworn. He stated that AB Richards was a tenant of his client, Pace Inc., and was a good tenant. He stated he thought the application was a good one.

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

Richard Briigliodoro, Esq., summarized the application. A motion to approve the application subject to the conditions noted below was made by Ken Roberts and seconded by Richard Skewes. Roll Call: Ken Roberts – yes, Richard Skewes – yes, CeCe Pattison – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, John O'Connell – yes, Wayne Grenewicz – no, Suzanne Howell – yes. The motion carried. The conditions noted were: trucks to utilize Rt. 206 and make *Left Turn Only*; Applicant will install additional landscaping along the stormwater basins and add landscaping in accordance with recommendations of the Board Planner and Board Engineer; the Applicant will place contact information on the access gate sign; the Applicant will comply with the Board Engineer's and Board Planner's reports; the Applicant will add the use of Email to security protocols; the Applicant will provide emergency contact information to the Andover Township Police Department, and the Applicant will install a KNOX Box on the gate for the Andover Township Police and Fire Departments.

The Board recessed from 9:10 p.m. -9:15 p.m.

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, Redevelopment Subcommittee:

- **Open Space Committee** — Suzanne Howell stated improvement project bid specs were returned to the Township Engineer for further review.
- **Andover Township Committee** — Dolores Blackburn presented the committee continues to work on issues relative to development and the Andover train station.
- **Environmental Commission** — there were no comments.
- **Sustainable Andover** — there were no comments.
- **Redevelopment Subcommittee** — Mr. Grenewicz suggested a review of zoning that would accommodate business interests. The Board discussed the possibility of conducting a general review of the ordinance as a planning project.

Scheduling: Following discussion, the Board assigned matters A-5-17-1, PITFOA PARTNERSHIP, FINAL SITE PLAN, C VARIANCE, BLOCK 116.02 LOT 2 and A-12-15-1a, Stanhope Sparta Road, LLC, D Variance, Preliminary and Final Site Plan, C Variance, Certificate of Nonconforming Use, Block 153 Lot 24 to the June 20, 2017 agenda for completeness reviews. Mr. Golden advised that the latter matter could be ready for a hearing if materials were submitted. The Board agreed that A-12-15-1a could be heard on June 20, 2017 if deemed complete.

The upcoming meeting dates of June 20, 2017 and July 18, 2017 were confirmed.

VOUCHERS: A motion to approve the vouchers was made by John O'Connell and seconded by Ellsworth Bensley, Jr. There was no discussion. Roll Call: Ken Roberts – yes, Richard Skewes – yes, CeCe Pattison – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, John O'Connell – yes, Wayne Grenewicz – yes, Suzanne Howell – yes. The motion carried.

ADJOURNMENT: Having no further business, a motion to adjourn was made by Ellsworth Bensley, Jr. All were in favor. The meeting concluded at 9.25 p.m.

Minutes respectfully submitted by:

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