

**MINUTES OF THE ANDOVER TOWNSHIP LAND USE BOARD MEETING HELD
FEBRUARY 20, 2018**

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, and Public Law 85.

ROLL CALL:

Ken Roberts – Present
Paul Messerschmidt, Vice Chairman – Present
CeCe Pattison – Present
Ellsworth Bensley, Jr., – Present
Dolores Blackburn – Present
Eric Olsen – Present
John O'Connell – Present
Richard Skewes (Alternate 2) – Present
Suzanne Howell, Chairman – Present
Mildred Di Iorio (Alternate 1) – Absent
Steve Kepreos (Alternate 2) – Absent

PROFESSIONALS PRESENT: Richard Briigliodoro, Esq., Jessica C. Caldwell, PP, AICP, LEED GA, and Joseph R. Golden, P.E., P.P., C.M.E.

MINUTES: A motion to adopt the *Minutes of the Andover Township Land Use Board Reorganization Meeting Held January 16, 2018* was made by Ellsworth Bensley, Jr., and seconded by Richard Skewes. There was no discussion. Roll Call: Paul Messerschmidt – yes, Ellsworth Bensley, Jr., – yes, Eric Olsen – yes, John O'Connell – yes, Richard Skewes – yes, Suzanne Howell – yes. The motion carried.

A motion to adopt the *Minutes of the Andover Township Land Use Board Meeting Held January 16, 2018* was made by Paul Messerschmidt and seconded by John O'Connell. There was no discussion. Roll Call: Paul Messerschmidt – yes, Ellsworth Bensley, Jr., – yes, Eric Olsen – yes, John O'Connell – yes, Richard Skewes – yes, Suzanne Howell – yes. The motion carried.

RESOLUTIONS: A motion to approve and adopt the *RESOLUTION Township of Andover Land Use Board Report on Variance Applications and Amendment Recommendations* with a change — pg. 2 last sentence — recommends to recommended — was made by John O'Connell and seconded by Ken Roberts. Roll Call: Ken Roberts – yes, Richard Skewes – yes, Paul Messerschmidt – yes, CeCe Pattison – yes, Ellsworth Bensley, Jr., – yes, Dolores Blackburn – yes, Eric Olsen – yes, John O'Connell – yes, Suzanne Howell – yes. The motion carried.

COMPLETENESS REVIEW: A-1-18-1, Pace Glass, Inc., Amended Preliminary and Final Site Plan, “D” Variance, “C” Variance, Andover Township Block 108 Lot 4.02, Lafayette Township Block 1.01 Lot 1.01: Board members reviewed Board Engineer Golden’s 2/11/18 report. Joseph R. Golden, P.E., P.P., C.M.E., recommended the matter be deemed complete. A motion to deem the application complete was made by John O’Connell and seconded by Ken Roberts. All were in favor. The motion carried.

HEARINGS: A-1-18-1, Pace Glass, Inc., Amended Preliminary and Final Site Plan, “D” Variance, “C” Variance, Andover Township Block 108 Lot 4.02, Lafayette Township Block 1.01 Lot 1.01: Richard Brigliadoro, Esq., reviewed noticed and confirmed the Board had jurisdiction to hear the matter. Bernd E. Hefele, Esq., appeared on behalf of the Applicant. Mr. Hefele provided an overview stating the Applicant received Preliminary and Final Site Plan approval on 4/18/17. He stated that the Applicant subsequently received NJDEP and Sussex County approval, and the project has been included in the Sussex County Solid Waste Management Plan Amendment. He stated that the Applicant requests an approval of modifications to the height variances from 56.75’ to 60’ on Building Two and 69.88’ to 70’ on Building One. He explained the variances were triggered by architectural adjustments made due to equipment requirements and a change from a cloth stretch building design to a steel building design. Mr. Hefele confirmed the building footprints would remain the same.

Further, Mr. Hefele reviewed the prior resolution with the Board. He read the prior resolution’s legal justifications for the granting of the variances. He presented that the reasons to grant the current request are the same as those utilized in the approval of the prior application.

Mr. Hefele addressed the request for approval of temporary outside storage. He explained the Applicant’s need to operate during its transition from a Jersey City location to the subject property. He explained that Jersey City has required the scaling down of that operation. He confirmed the Jersey City operation would continue until the Andover Township site was up and running.

Thomas F. Graham, P.E., was sworn and accepted by the Board as an expert witness. Mr. Graham reviewed plan sheet one of one, *Temporary Outdoor Storage Plan*, dated 2/8/18, with the Board. He identified 2.1 acres designated for the operation’s temporary storage. He explained 5 x 5 x 5 round bales of material, stacked three-high, would be contained in the unlit area. Mr. Graham stated the area would be secured by a gate that would tie into a berm. He stated the location was selected due to the topography and the proposed construction of a berm that would serve to retain surface water run-off and divert it to a detention basin. Following discussion, the Applicant agreed to install the required stormwater management features on the northern side of the tract located 100’ S of Inlet 32 prior to increasing product in the temporary storage area. Mr. Hefele stated the bales are encased in plastic and completely sealed and impervious. He stated the glass comes from municipalities is 85% clean and is not washed. Mr. Graham noted that no changes to the ground would take place until build-out. He noted grading would require bringing in controlled fill.

Michael Mahoney, Chief Operating Officer, was sworn. He stated site fill could contain 20%-30% glass fill and described the mixing of glass with aggregate to make fill using glass. He explained the bales weigh up to one ton apiece and would be stacked using a pyramid configuration. He stated the bales are moved with machinery that grabs them in a way that prevents breakage. Mr. Hefele confirmed that repairs to the bales would not take place on site. He stated if a repair was necessary, the bale would be removed. Mr. Mahoney noted the plastic does not break down, but if the integrity were compromised, the bale would be removed. Board members discussed the duration of time temporary storage would be permitted and agreed on a 10/1/19 sunset date.

Mr. Golden discussed inspections and inspection escrows. Mr. Hefele suggested a \$10,000 escrow balance that would be replenished as needed. Mr. Hefele confirmed a Developer's Agreement was in place. Mr. Graham confirmed the Soil Conservation Permit had not been issued.

Chairman Howell opened the meeting to the public. No members of the public addressed the Board. The meeting was closed to the public.

A motion to approve the application for amended site plan approval, two D6 Variances, and the Temporary Storage subject to a 10/1/19 limit on the temporary storage was made by Ken Roberts and seconded by John O'Connell. Roll Call: Ken Roberts – yes, Richard Skewes – yes, Paul Messerschmidt – yes, CeCe Pattison – yes, John O'Connell – yes, Suzanne Howell – yes. The motion carried.

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

PUBLIC PORTION: Chairman Howell opened the meeting to the public. 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, Sustainable Andover:

- **Open Space Committee** — Suzanne Howell presented the group may merge with the Environmental Commission. Richard Brigliadoro, Esq., agreed to review any potential appointment issues.
- **Andover Township Committee** — Ms. Blackburn presented the Committee was busy working on the budget.
- **Sustainable Andover** — Mr. Olsen confirmed the 2/25/18 Winter Market date stating the event would be held at The Barn from 11:00 a.m. – 3:00 p.m.

VOUCHERS: There were no vouchers scheduled.

ADJOURNMENT: A motion to adjourn was made by Ellsworth Bensley, Jr. All were in favor. The motion carried. The meeting concluded at 8:10 p.m.

Minutes respectfully submitted by:

/s/Anne-Marie Wilhelm

Anne-Marie Wilhelm

Land

Use

Administrator/tmp/pubdoc7755472758681828934.docx