

A REGULAR MEETING OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY WAS HELD ON MONDAY, FEBRUARY 25, 2019 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: Messrs. Walter, Conrads, Morgan, Mrs. Brothman and Mrs. Smith

ABSENT: Mr. Pearson and Mrs. Daschko.

ALSO PRESENT: Tom Prol, Attorney
Cory Stoner, Engineer

The meeting was called to order with a salute to the flag and in accordance with the Open Public Meetings Act by advertising notice of the meeting in the N.J. Herald and by posting copy of notice in the Borough Hall.

AUDIENCE PARTICIPATION: None.

CORRESPONDENCE: None.

FORMAL APPLICATION HEARINGS:

APPLICATION #:	PZ – WSP – Daniel Weldon – 01-2019 (continued from 1/28/19 mtg)
TYPE:	Waiver of Site Plan
APPLICANT:	Daniel Weldon
BUSINESS NAME:	SLABS
ADDRESS:	139 Main Street, Andover NJ 07821
BLOCK/LOT/ZONE:	Block 23 Lot 1 Zone: C1
PREVIOUS USE:	44 years selling slabs
PROPOSED USE:	Display slabs

The meeting is a continuation of the meeting held on 1/28/19. Mr. Weldon was sworn in by the Board Attorney. Mr. Weldon began his testimony by explaining that he chose to take his original request in another direction.

His first request to amend the existing signage by adding a roof top over the sign he intends to install. The purpose of this is to protect the sign from the elements. The roof top on the existing sign would extend about 18 inches on each side and be constructed of a corrugated metal. He also would like to add some kind of lighting to it that would a string light strip which would plug into the building. The applicant stated that he will create a hole for the lighting to pass through so it plugs into the building to eliminate any kind of tripping hazard. His second request is to have only one wood slab outdoors attached horizontally on the brick face of the porch with eyebolts and a chain. The wood slab for display will be approximately 11x28x2. Mr. Weldon was told that if approved a construction permit would be required and at which time the construction official would determine that the submitted plan and final completed work comply to the approval granted. After some consideration and finding no public comment the following motion was made:

A MOTION was made by Mayor Morgan, seconded by Mrs. Smith to approve the request to amend the sign to include a roof top and to approve one slab to be displayed horizontally

outdoors along the brick face of the porch and secured as described in his testimony. Upon roll call the following votes were cast: AYES: Walter, Morgan, Smith, Brothman, Conrads. NAYS: None. ABSTAIN: None. Motion carried.

APPLICATION #: PZ – WSP – 04-2019 - King (Kingautore LLC) – Gristmill Plaza
TYPE: Waiver of Site Plan
APPLICANT: Timothy & Michele King
BUSINESS NAME: Old Crow’s Coffee House
ADDRESS: 5 Lenape Road – Unit #5 – Andover, NJ 07821
BLOCK/LOT/ZONE: Block 24 Lot 47 Zone: C1 – unit 5
PREVIOUS USE: Vacant Café
PROPOSED USE: Café

Timothy and Michele King appeared before the planning board with their attorney F. William Lavigne and were sworn to the following testimony. Timothy King explained that they will be occupying the location in the Gristmill Plaza which was formally known as the gristmill café/unit #5. Mr. King continued to report that he and his wife intend to serve breakfast, lunch and dinner, but will do a soft opening to work out the “kinks” so that breakfast and lunch operate smoothly. The hours of operation would be 6 a.m. to 11 p.m. seven days a week. The business name will be Old Crow’s Coffeehouse Café and Roaster. They intend to install a roaster in the kitchen as one in the public area may be a hazard. They will roast coffee for sale as well as imported teas during normal business hours for retail and café use. Mr. King continued to testify that the majority of their sales are expected to be to go and are expecting to have been 20-30 seats available for those who would like to stay. He continued to say that the business hours will vary during the evening hours and on weekends during various days of month as they consider offering entertainment via an open mic and singer songwriter events. In addition, they will offer text order system where the consumer can pre order their food or beverage and have it ready to pick up. They will offer retail items in limited quantity with items relating to coffee, tea and music. Some items may be mugs, infusers, towels, aprons, etc. They will employ between 4-10 people for various positions. As for signage, Mr. King testified that he would like to have signage in the following areas: one on the lighted fire house sign, one on the existing pole on Route 206, one on the existing pole on Route 517, a large placard signs above the entry to the café, and two lighted signs. The two lighted signs are existing and currently say Dr. Moskowicz and SALT Studio. The matter was opened to the public and closed without comment.

A MOTION was made by Mrs. Smith, seconded by Mr. Conrads to approve the application as presented. Upon roll call the following votes were cast: AYES: Walter, Morgan, Smith, Brothman, Conrads. NAYS: None. ABSTAIN: None. Motion carried.

APPLICATION #: PZ – 02-2019 – SGP Century LLC - Gristmill Plaza – Site Plan
TYPE: Site Plan building subdivision request
APPLICANT: Carmen Pio Costa
BUSINESS NAME: Gristmill Plaza
ADDRESS: 5 Lenape Road, Andover NJ 07821
BLOCK/LOT/ZONE: Block 24 Lot 47 Zone: C1
PREVIOUS USE: Multi-Unit Complex
PROPOSED USE: same

Mr. Carmen Pio Costa, owner and manager of the complex referenced in the application appeared before the planning board with his attorney, Matthew C. Moench of Moench Law LLC and Engineer Frank Mattarazzo, of Mattarazzo Engineering, LLC. Mr. Pio Costa was sworn in by the board attorney and professional licensure of testifying professionals was confirmed. The testimony began with Mr. Pio Costa presenting a plan which was included in his submission of the layout and proposed new units. The applicant explained that he wanted to create three new units on the first floor which would reconfigure the inside of the existing building so that ten (10) uses would be housed, but making use all twelve (12) units. The units to include the proposed three new units are as follows:

1. US Post Office Retail 3,275 SF (Floor 1) – **UNIT #1**
2. Open Box Shoppe Retail **15,000** SF (Floor 1) – **UNIT #2**
3. Vacant Retail 4,000 SF (Floor 1) – **UNIT #2A**
4. Vacant Warehouse 5,000 SF (Floor 1) – **UNIT #2B**
5. Vacant Retail 2,400 SF (Floor 1) – **UNIT #2C**
6. Vacant Retail 700 SF (Floor 1) – **UNIT #3**
7. Hot Locks Salon Retail 600 SF (Floor 1) – **UNIT #4**
8. Kingautore Café Restaurant 1,040 SF (Floor 1) – **UNIT #5**
9. Green Connection Warehouse 1,550 SF (Floor 2) – **UNIT #6&7**
10. The Missing Peace Therapist 1,673 SF (Floor 2) – **UNIT #8&9**

The proposed layout was entered into record, but during the discussion the applicant agreed that he would provide an updated detailed layout plan of the premises, to include both floors as a condition of his approval. The approval of the forthcoming plan by the Borough Zoning officer shall be a necessary condition of approval and operation. As the conversation progressed about the three new proposed units the applicant talked about a gym potentially utilizing one of the new units. It was asked if there some kind of buffer for the noise between the units, Mr. Pio Costa stated there is none, but he would construct the walls in a way to ensure that there is some kind of insulation to buffer the sound. The construction official will ensure compliance upon his inspection. The testimony moved toward the parking spaces available and Mr. Mattarazzo, the professional engineer for the applicant testified that the uses in the existing building will require 142 parking spaces as per the Borough Code. Per the parking plan, there are 96 parking spaces existing and 14 new spaces proposed, bringing the total number of spaces to 110. The applicant then provided evidence on record along with a lease agreement with the Andover Borough Fire Department showing that the applicant does have sufficient parking available if those spaces are included. The applicant is required to maintain that agreement in place in order to conform with the code and continue operations as approved. The lighting provided in the parking lot was also explored. There are a few lights out that Mr. Pio Costa assured the planning board he would be repairing. It was at this time that the signage for the property was addressed. The applicant provided photos of three signs that are in existing locations. The conversation was extensive pertaining to the signs including a request by the applicant to utilize existing poles on both Route 206 and Route 517. Additionally, the applicant requested to add slats to a third sign in front of the fire department. In sum, there are three signs – 1 on Route 206, 1 on Route 517 and 1 in front of the Fire Department on Route 206. The two

signs on Route 206 will require a demonstration of a rental or license since they are located on another property. There was some conversation about the water usage. Mr. Pio Costa testified that he will not be adding any water hook-ups and that all bathrooms in the location are functioning. He was asked about the septic work that seemed to be done last month and he confirmed that he did have some lines cleaned out and that he is required to file the DEP as there is a NJPDES permit on that site. He stated that he would provide a copy of the NJPDES permit as part of the condition. The matter was opened to the public and closed without comment.

A MOTION was made by Mr. Conrads, seconded by Mayor Morgan to approve the application as per the conditions as read pertaining to a new detailed plan submission to include three new units and all floors of building, compliance with construction code and testimony pertaining to the construction of walls, repaired lighting in the parking lot, approved signage at three locations, parking compliance to maintain lease agreement to meet necessary parking spaces, and that which is customary for purpose of resolution. Upon roll call the following votes were cast: AYES: Walter, Morgan, Smith, Brothman, Conrads. NAYS: None. ABSTAIN: None. Motion carried.

OLD BUSINESS:

The board reviewed the prepared ordinance amendment #134-38 accessory uses as discussed at the meeting held in January. There was some concern expressed that prior to any adoption, it should be confirmed that the amendment applies to all residential properties within the Borough. It was discussed that the final review for continuity would be done by the borough attorney should it be passed to the governing body for review.

A MOTION was made by Mayor Morgan, seconded by Mr. Conrads to approve the ordinance amendment as presented and forward to the governing body for final review. Upon roll call the following votes were cast: AYES: Walter, Morgan, Smith, Brothman, Conrads. NAYS: None. ABSTAIN: None. Motion carried.

NEW BUSINESS:

A MOTION was made by Mayor Morgan, seconded by Mr. Conrads to approve the Attorney Annual Update of NJDA 40:55D-70.1 for 2015 Recommendations. Upon roll call the following votes were cast: AYES: Walter, Morgan, Smith, Brothman, Conrads. NAYS: None. ABSTAIN: None. Motion carried.

RESOLUTIONS:

A MOTION was made by Mayor Morgan, seconded by Mrs. Brothman to memorialize a resolution for #PZ-WSP-ReStyle Boutique - 04-2018 decided on August 20, 2018. Upon roll call the following votes were cast: AYES: Walter, Morgan, Brothman, Conrads. NAYS: None. ABSTAIN: Smith. Motion carried.

AUDIENCE PARTICIPATION: None.

ANY OTHER BUSINESS: None.

A MOTION was made by Mr. Conrads, seconded by Mr. Walter to adjourn the meeting. AYES: All in favor. NAYS: None. Motion carried.

Beth Brothman
Board Secretary