

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, MARCH 21, 2022 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: J. Smith (7:05 pm), R. Smith, Daschko, Morgan, Walter, Breitz (7:18 pm), Lane, DiRenzo, and Brothman

ABSENT: None.

ALSO, PRESENT: Jonathan Frodella, Attorney

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

MINUTES:

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the minute of the meeting held on February 28, 2022. Upon roll call the following votes were cast: AYES: Daschko, Morgan, Brothman, R. Smith, J. Smith. NAYS: None. ABSTAIN: Breitz, DiRenzo, Walter and Lane. Motion carried.

AUDIENCE PARTICIPATION: None.

CORRESPONDENCE: None.

FORMAL APPLICATIONS:

APPLICATION #: PZ-01-2022 – Khoslu – Smokey Bear Showcase – waiver of site plan
APPLICANT: Shiva Kohslu – Smokey Bear Showcase LLC
ADDRESS: 128 Main Street, Andover NJ 07821
BLOCK/LOT/ZONE: Block 11 Lot 701 Zone: C1
PREVIOUS USE: Active Gas Station with vacant convenience store
PROPOSED USED: Convenience Store

Attorney Adam Taxin who works with the office of Joseph Horn introduced his clients Shiva Khoslu and Sebastian Palacio who are co-owners of the company. They were sworn in and testified to the following: Mr. Khoslu presented an overview of the business marked Exhibit A-1 entitled S and A Smoke and Convenience. This item presented an overview of the business as wanted to “reopen the US GAS Mart”. With this they presented a floor plan of the store marked Exhibit A-2. In all, Mr. Khoslu and Mr. Palacio testified that they would have a total of two employees and require one parking spot on the far right side of the property “near the antique store”. The store set up will be similar as before, but more modernized. They will be selling prepackaged and prepared foods and will require approval of a food handlers license with the store to be inspected by the Sussex County Health Department. There will be no on site cooking. They will operate from 6 a.m. to 10 p.m., sell lottery and only be using the signage on the building.

Mr. Palacio requested a propane tank exchange box and ice machine outside of the store. The use was determined to be ancillary with a convenience store use and these conveniences were also a part of the former store.

The co-owners were also seeking a smoke shop use. Stating that they wanted it to be 80% convenience and 20% basic tobacco. The board explained that they were gathered to discuss the use of the convenience store and that any other use would require an amendment to the site plan on file. No approval for a smoke shop would be granted on this evening.

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the convenience store use. Upon roll call the following votes were cast: AYES: Daschko, Morgan, Brothman, R. Smith, J. Smith, Breitz, DiRenzo, Walter and Lane. NAYS: None. ABSTAIN: None. Motion carried.

OLD BUSINESS:

The planning board reviewed ordinance #2022-6 – Property Maintenance (Leaves) as introduced by the governing body on 3/14/2022.

A MOTION was made by Mrs. Daschko, seconded by Mr. Lane to approve the following ordinance #2022-6 entitled “**AN ORDINANCE AMENDING CHAPTER 104 (PROPERTY MAINTENANCE) OF THE CODE OF THE BOROUGH ANDOVER TO PROHIBIT THE DEPOSITING OF MATERIALS ON ANY STREETS OR HIGHWAY**”. Upon roll call the following votes were cast: AYES: Daschko, Morgan, Brothman, R. Smith, J. Smith, Breitz, DiRenzo, Walter and Lane. NAYS: None. ABSTAIN: None. Motion carried.

NEW BUSINESS: None.

AUDIENCE PARTICIPATION: None.

RESOLUTIONS: None.

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

Beth Brothman
Board Secretary