

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, SEPTEMBER 19, 2022 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: Morgan, Smith, Walter, Lane, DiRenzo (7:06 pm), Daschko and Brothman

ABSENT: Breitz

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 Mayor Morgan, seconded by Mr. Lane to approve the minute of the meeting held on June 20, 2022. Upon roll call the following votes were cast: AYES: Morgan, Brothman, Walter, Daschko and Lane. NAYS: None. ABSTAIN: Smith, DiRenzo. Motion carried.

AUDIENCE PARTICIPATION: None.

CORRESPONDENCE:

Dykstra Associates, Inc dated 8/23/22 re: Treatment Works Approval (TWA) Application to NJDEP

FORMAL APPLICATIONS: None.

OLD BUSINESS: None.

NEW BUSINESS:

Confirmation of Attorney Representation

The Board, had been advised by Board Attorney, Jonathan Frodella in July/August that he had submitted his resignation with the firm Laddey, Clark & Ryan. Shortly thereafter the Board Secretary was advised by Ursula Leo of Laddey, Clark & Ryan that the firm was no longer representing land use boards as of 12/31/22, but would honor the professional service agreement through that date. After careful consideration the Planning board made the following decision:

A MOTION was made by Mr. Smith, seconded by Mr. Lane to pass the following resolution **“ACCEPTING WITHDRAWAL OF REPRESENTATION BY LADDEY, CLARK & RYAN, LLP AND APPOINTING JONATHAN N. FRODELLA, ESQ. AS ATTORNEY FOR THE ANDOVER BOROUGH PLANNING/ZONING BOARD.”** ppoint Jonathan Frodella as Board Attorney through 12/31/22. Upon roll call the following votes were cast: AYES: Morgan, Brothman, Walter, DiRenzo, Daschko, Smith, and Lane. NAYS: None. ABSTAIN: None. Motion carried.

BE IT RESOLVED by the members of the Planning/Zoning Board of the Borough of Andover, Sussex County, New Jersey as follows:

1. Withdrawal of representation of the Andover Borough Planning/Zoning Board by Laddey, Clark & Ryan, LLP is accepted, and said representation is terminated effective immediately. Notice of the termination of representation shall be sent by the Clerk of Andover Borough to Laddey, Clark & Ryan, LLP.

2. Jonathan N. Frodella, Esq. is hereby appointed as attorney for the Andover Borough Planning/Zoning Board, effective immediately and through December 31, 2022. The terms of his retainage shall be consistent with the terms set forth in Professional Services Agreement between Laddey, Clark & Ryan, LLP and the Andover Borough Planning/Zoning Board for the year 2022. Notice hereof shall be sent by the Clerk of Andover Borough to Jonathan N. Frodella, Esq. This appointment is subject to the requirement that Mr. Frodella shall present to the Andover Borough Clerk a Professional Services Agreement in acceptable form which shall be executed by Mr. Frodella and the appropriate official of the Borough of Andover.
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Mayor Morgan discussed the potential of a zoning change to permit Cannabis Manufacturing within the Borough limits. This would require an ordinance formally permitted Class 2 – Manufacturing within the zone desired. The discussion was focused on Block 1 Lot 1, a property owned by the Borough of Andover through a land purchase, not foreclosure. The Mayor expressed a concern that such a use could affect the water usage significantly and more research would have to be done.

AUDIENCE PARTICIPATION: None.

RESOLUTION:

A MOTION was made by Mayor Morgan, seconded by Mr. Lane to memorialize a Resolution for application PZ 03-2022 for Selvin A. Perez dba Vinny & Son Pizza for Waiver of Site Plan at 184 Main St, Andover NJ 07821 – block 24 lot 24 - Zone C1 – decided on June 20, 2022. Upon roll call the following votes were cast: AYES: Morgan, Brothman, Walter, Daschko, Smith, and Lane. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

A MOTION to adjourn was made by Mayor Morgan, seconded by Mr. Lane. Upon roll call the following votes were cast: AYES: All in favor. NAYS: None. Motion carried.

Beth Brothman
Board Secretary