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April 30, 2021

Via Hand Delivery Electronic Mail

spizzulo@andovertp.org

Stephanie Pizzulo, Administrator
Andover Township Land Use Board
134 Newton Sparta Road
Newton, New Jersey 07860

RE: Andover Township Land Use Board
Applicant: BHT Properties Group
Owner: Public Service Electric & Gas
Property: 248 Stickles Pond Road, Block 151, Lot 21

Dear Ms. Pizzulo:

This office represents BHT Properties Group in connection with an Application to the Andover Township Land Use Board. I am attaching the following items:

1. Application Fee. A payment is provided in the amount of \$500.00 for preliminary and final site plan approval.
2. Escrow Fee. We would ask that the existing escrow for the Application for BHT Properties Group be maintained and processed with the current proposal. If any replenishment is required, please advise.
3. Amended Checklist #5 – General Checklist. The checklist has been amended to reflect the change in proposed use.

During the completeness review, there was discussion that the Application would be deemed “incomplete” due to additional information which being requested as to the Environmental Impact Statement. The evaluation of completeness is to be based upon the Applicant addressing the items set forth in the Checklist #5 – General Checklist. The Land Use Board, during a

substantive hearing, may request additional or supplemental information in regard to the submission. The Completeness Review is to be based upon the submission of documentation in accordance with the applicable checklist. An Environmental Impact Statement as submitted as set forth in New Jersey Zoning & Land Use Administration, § 14-3.1,

If an environmental impact statement is required to be submitted and if the Applicant submits an obviously inadequate Environmental Impact Statement, the Application nevertheless cannot be ruled incomplete. Completeness does not relate to the quality or sufficiency of the submission but only to the fact of the submission in accordance with the checklist.

Applicant submitted an Environmental Impact Statement.

In the instant case, the Environmental Impact Statement was comprehensive however, the Board Engineer has requested additional information. Completeness should not be denied based upon the concerns related to the adequacy of the Environmental Impact Statement. The Board will have an opportunity to evaluate the statement as submitted and request additional information, if deemed necessary or appropriate.

My client would ask that the matter be scheduled for the next regular meeting for both a completeness determination and a substantive hearing.

Please advise if anything further is needed and if Notice of Hearing may now be provided.

Very truly yours,

DOLAN AND DOLAN, P.A.



William T. Haggerty

WTH:jmm
Enclosures

cc: Ram Adar (via email: ram@bhtpropertiesgroup.com)
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ANDOVER CODE

Checklist #5 – Preliminary Site Plan – Conditional Use

Applicant: _____
 Block _____ Lot _____

File No. _____

This checklist is for general reference only. Further information may be required by the reviewing authority. The following designations are to be used when completing the checklist:

√ - provided; NA – not applicable; W – waiver requested.

The applicant shall provide a written statement justifying the waiver request or why a checklist item is not applicable.

Item No.	Application Requirements	Applicant	Board
1.	Sixteen copies of preliminary site plan clearly drawn, certified and sealed by New Jersey licensed land surveyor at a scale not smaller than 1 inch equals 30 feet showing metes and bounds of entire tract.		
2.	Sheet Sizes; 11" x 17", 24" x 36", 30" x 42". Folded to show title block.		
3.	The plans should contain the following: A. Name of Development B. Name, address and phone number of Owner C. Name, address and phone number of Applicant D. Date of Preparation E. Block and Lot(s) to be developed F. Name & Address, signature, seal, and license number of person(s) preparing the map G. Graphic and written scale, north arrow and reference meridian H. Revision box & date of each revision		
4.	Title block stating type of application, name of development, name of municipality, block and lot and street location.		
5.	Names of property owners within 200 feet of subject property, their block and lot designation, per the most recent tax record. Include a copy of the certified list of property owners obtained from the tax assessor.		
6.	Any municipal limits within 200' of the development and the names of the adjoining municipalities.		
7.	Key map showing location of entire tract and 500' outside of the perimeter of the subject property with portion being subdivided delineated, and including the following: a. Block and lot of subject premises and adjoining properties b. Adjoining street(s), their name(s), and R.O.W. width(s) c. Scale of not less than one inch equals 400 feet; North arrow d. Delineated zone districts with designation		

17.	Existing and proposed contours within 200 feet at ten-foot intervals for slopes at or over twenty-five percent grade and at two-foot intervals for less than twenty-five percent grade. Provide spot elevations and top and bottom of wall elevations.		
18.	Soil classification data as mapped by the USDA Soil Conservation Service in Soil Survey of Sussex County.		
19.	Location and description of monuments, whether set or to be set.		
20.	A copy of all existing protective covenants or deed restrictions affecting the property and a statement as to whether such deeds or covenants are of record. Include a copy of the original deed documents.		
21.	An electronic copy of plans in .DWG format or a compatible format.		
22.	Copies of applications to Sussex County Planning Board, Sussex County Soil Conservation District, and/or NJDOT, if applicable.		
23.	One of the following:		
	(a) A letter of interpretation from the N.J.D.E.P. indicating the absence of freshwater wetlands, or indicating the presence and verifying delineation of the boundaries of freshwater wetlands, or		
	(b) A letter of exemption from the N.J.D.E.P. certifying that the proposed activity is exempt from the Freshwater Wetlands Protection Act, and regulations promulgated thereunder, or,		
	(c) A copy of any application made to the N.J.D.E.P. for any permit concerning a proposed regulated activity in or around freshwater wetlands		
Note:	The Land Use Board may waive the above requirements upon receipt of a letter by a certified wetland scientist that no wetlands exist on site, in close proximity to the subject property, on adjacent properties, on contiguous property owned by the Applicant, or on large properties, if the area of disturbance resulting from the project is clearly outside the limits of disturbance, all subject to approval by the Land Use Board Engineer.		
24.	Depict critical areas and historic preservation districts.		
25.	Percolation or permeability test(s) results witnessed by the Sussex County Health Department along with a certification by the engineer that each lot can support septic systems in accordance with NJAC 7:9A. The following shall be included:		
	A. Two (2) soil logs per lot		
	B. Permeability results for one of the test holes.		
	C. Location of test holes		
	D. Approximate location of primary disposal bed.		
26.	Plats involving a corner lot or lots, the required sight triangle easements.		
27.	Plans and computations for any storm drainage systems according to the Residential Site Improvement Standard, including drainage area map and the following:		
	A. The size, profile and direction of flow of all existing and proposed storm sewer lines within or adjacent to the tract and the location of each catch basin, inlet, manhole, culvert and headwall with the invert elevations of each.		
	B. The location and extent of any proposed dry wells, ground water recharge basins, detention basins or other water or soil conservation devices.		
28.	For residential development compliance with the New Residential Construction Off-Site Conditions Disclosure Act.		

29.	When a stream is proposed for alteration, improvement, or relocation, or when a drainage structure or fill is proposed over, under, in or along a running stream, and when the N.J.D.E.P. does not have jurisdiction, the following information shall be submitted:		
	A. Acreage of the drainage basin of any water course running through the property.		
	B. Delineation of the floodway, flood hazard area, and stream encroachment line, within the subject tract.		
	C. Hydraulic and hydrologic calculations supporting the determination of the floodway, flood hazard area and stream encroachment line including stream profiles, cross-sections of the affected stream.		
	All information and calculations submitted shall be in accordance with the requirements of the N.J.D.E.P.		
30.	Natural features on site, and within 200 feet of the site:		
	A. Cliffs ,rock outcroppings and wooded areas		
	B. Flood hazard area delineation based on NJDEP and FEMA mapping		
	C. Freshwater Wetlands, Transition Areas and vernal pools		
	D. Natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines		
	E. Aquifer recharge areas, including safe sustained ground water yield		
	F. Areas in which construction is precluded due to presence of stream corridors and/or steep slopes		
	G. All areas to be disturbed by grading or construction		
31.	Delineation of steep slopes at the following categories: (i) 20% to 24.99% (ii) 25% to 34.99% (iii) 35% or greater		
32.	Slope disturbance table setting forth (a) the existing areas of steep slopes, in square feet in each of the categories set in item # 32; (b) the proposed areas of steep slope disturbance, in square feet, in each of the aforesaid categories; and (c) the percentage of steep slope disturbance in each of the aforesaid categories.		
33.	Limits of disturbance for all construction activities		
34.	Environmental Impact Statement, applicability determined per Ordinance §131-12, contents as described in §131-13.		
35.	Existing and proposed driveway locations with sight distance profiles. Sight distances shall conform to AASHTO sight design standards, or applicable Municipal Ordinance, based on posted speed limits. A design speed of 50 MPH shall be used if there is no posted limit.		
36.	Tree permitting plan in accordance with Ordinance Chapter 170		
37.	Plan and Profile of existing and proposed roadways including:		
	A. Location of edge of pavement, traffic striping and centerline		
	B. Roadway Names		
	C. Roadway and Right-of-Way width		
	D. Curbs, sidewalks and Guide Rail		
	E. Drainage and Sanitary Sewer structures and piping (water mains?)		
	F. All utilities including feasible connection points		
	G. Horizontal and Vertical Alignment annotation		
	H. Low and high points along profile		
	I. Plan view at a scale not less then 1" = 50'		
	J. Profile view at a scale of 1" = 50' horizontal and 1" = 5' vertical		

38.	For public sewer and water, public or private utility letter verifying hook-up availability		
39.	Roadway cross sections every fifty feet along the centerline alignment		
40.	Circulation plans including existing and proposed streets, curbs, aisles, lanes, driveways, fire lanes, parking spaces, loading areas, walks, etc., indicating dimensions and material types.		
41.	Signage, including location of signs and appropriate detail such as size, height, materials and lighting.		
42.	Soil erosion and sediment control plan (see Ordinance Chapter. 136)		
43.	Sketch of any anticipated future road systems for preliminary plats that cover only a portion of the site thereof. Include all locations considered suitable for future connections to other adjoining tracts.		
44.	Earthwork summary and estimate of off-site borrow or export material.		
45.	Landscape Plan including the types, quantity, size and location of all proposed plantings. The scientific and common names shall be included. Include buffering plan showing berms, fences and construction details.		
46.	Lighting Plan including the fixture types, pole types, mounting heights, direction, shielding, wattage, isolux patterns, time of operation and footing details. The Lighting Plan shall also show the minimum required footcandle isolux patterns superimposed on the proposed development plan to ensure proper lighting distribution.		
47.	Fire Protection Plans and Details including the proposed units, available water supply, storage tanks, watermain size, flow and hydrant/tank locations. (see Ordinance §159-7E)		
48.	Location of material storage, equipment storage, storage trailers, stockpiles, waste material (stumps, rocks, construction debris, etc.)		
49.	Location of model home, temporary sales office, construction office, temporary parking, landscaping, lighting, fencing, sanitary facilities and signs.		
50.	Provisions for solid waste handling including dumpster location and details (screening, fencing, etc.)		
51.	Compliance with A.D.A. requirements.		
52.	Preliminary architectural plans and elevations depicting dimensioned floor plans and building height, rooftop mechanical unit screening, and general materials and colors.		
53.	Off-Site or Public Improvements Plan at a scale sufficient to allow a thorough engineering review.		
54.	Organization documents, including:		
	A. Article of Incorporation for any Homeowners Assoc., Condominium Association, or other organization to maintain the common open space or community facilities.		
	B. By-Laws and Membership Rules and Regulations of any such organization, defining its rights.		
	C. A copy of the Master Deed detailing the rights and privileges of individual owners of common property.		
	D. A copy of all materials submitted to the Dept. of Community Affairs as required by the N.J. Planned Real Estate Development Full Disclosure Act. Regulations and evidence of the status of acceptance of and/or approval by the Dept. of Community Affairs.		
	E. Covenants or easements restricting the use of the common open space element.		
	F. Covenants or agreements requiring homeowners or residents to pay the organization for the maintenance of the common open space and/or community facilities. This shall include a proposed schedule of membership fees for at least the first three years of operation.		
55.	Copies of the proposed developers agreement, if any		
56.	Construction details		
57.	The first floor elevation of any existing and proposed building(s)		

58.	Written description of proposed use of land and buildings, including number of employees, hours of operation, truck traffic, emission of noise, glare, air and water pollution, safety hazards, and description of industrial processes.		
59.	If applicant plans to warehouse, store, wholesale or sell any materials listed in Ordinance § 190-54, describe in detail the proposed use, storage and estimated annual quantities and answer all pertinent details as described in Ordinance § 131-8C(24).		
60.	Three copies of the appropriate application form(s), completely filled in. If any item is not applicable to the Applicant, it should so be indicated on the application form(s). If completeness waivers are sought, explain, in writing, why waivers should be granted.		
61.	Locate any public or private well, including block and lot, within 500 feet of the property line.		