

Amendment to Andover Township 2007 Periodic Reexamination Report of the
Master Plan and Developments Regulations
May 20, 2008

I. INTRODUCTION

This amendment to the Andover Township 2007 Periodic Reexamination Report of the Master Plan and Development Regulations (2007 Reexamination Report) adopted by the Township's Land Use Board on December 18, 2007, proposes to rezone certain properties having frontage on the south side of Newton Sparta Road (also known as County Route 616) situated between Yates Avenue and Stickles Pond Road within the R-1.0/Single-Family Residential zone district and those properties on the north side of said roadway west of Club Road currently zoned CB-Community Business to a new zone to be known as the Professional Office/Residential Zone District (PO/R).

The 2007 Reexamination Report recommended that the properties known as Lots 12, 13, 14, 14.01, 16, 17, 19, 22, 23, and 24.02 in Block 124 on the south side of Newton Sparta Road be rezoned from R-1.0/Single-Family Residential to CB-Community Business thus matching the zoning in place on the road's north side and in so doing, create a commercial node along the County road in proximity to the Town of Newton. The Land Use Board continues to favor the creation of such a commercial node however; after further consideration and analysis of the area in question, the Board has determined that certain principal and conditional uses, particularly retail sales and auto-related uses such as service stations and repair shops which are permitted in the Community Business zone district, are not appropriate for the area in question due to the proximity of established single-family residential neighborhoods.

II. NEW PROFESSIONAL OFFICE / RESIDENTIAL ZONE DISTRICT

This Amendment to the 2007 Reexamination Report recommends Chapter 190 entitled "Zoning" of the Andover Township Code be modified to incorporate the proposed Professional Office/Residential Zone District (PO/R) and to include definitions for medical and professional, business and administrative offices. The PO/R zone will permit a range of professional and medical offices and financial institutions among the principal uses while also permitting improvements to existing residential dwellings on the south side of Newton Sparta Road as a conditional use. The recommended lot area and bulk standards for the proposed PO/R zone district are as follows:

A. Principal permitted uses

1. Office buildings, including business, professional, medical and administrative
2. Home offices
3. Child care centers licensed by the Department of Human Services pursuant to N.J.S.A. 30:5B-1 et seq.
4. Essential services
5. Places of worship and religious institutions
6. Financial institutions

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B. Permitted accessory uses

1. Fences and walls in accordance with Article XII of Chapter 190
2. Off-street parking
3. Private garages
4. Signs in accordance with Article XI of Chapter 190
5. Uses customarily related to and incidental to the principal use

C. Permitted conditional uses

1. Expansion of existing single-family detached residential dwellings, provided that any such expansion shall maintain the character and single-family use of the existing dwelling and conform to the setback requirements of the PO/R zone district.
2. Banks with drive-through windows and/or automatic teller machines (ATM's), provided that a landscaped buffer with a minimum depth of fifty (50) feet is provided between any drive-through lane or ATM and the closest residential use or residential zone district boundary.

D. Lot area and bulk standards:

The recommended lot area and bulk standards shall be as follows:

1. Minimum lot area: One acre (43,560 square feet)
2. Minimum lot width: 150 feet
3. Principal building setbacks:
 - Front yard: 50 feet
 - Side yard: 20 feet (each side)
 - Rear yard: 50 feet
4. Accessory buildings and structures:
 - Side yard: 20 feet
 - Rear yard: 30 feet
 - Side and rear yard: 20 feet for parking areas, driveways and traffic aisles
5. Maximum building height: 2 ½ stories / 35 feet
6. Maximum structure lot coverage: 20 percent
7. Maximum impervious surface coverage: 60 percent

III. DESCRIPTION OF AREA

The new PO/R zone district will encompass approximately 11 acres on the south side of Newton Sparta Road comprising lots 12, 13, 14, 14.01, 16, 17, 19, 22, 23, and 24.02 in Block 124. All but Lot 24.02, a corner parcel on the southwest quadrant of the Newton-Sparta Road and Yates Avenue intersection, are residential in character with detached single-family dwellings. Lot 24.02 contains a converted residential structure housing the offices of the Sussex County Association of Realtors. On the north side of Newton Sparta

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Road the new PO/R zone district will include approximately 11.5 acres consisting of the following properties:

- Block 111; lots 1, 3.01, 3.02, 5.02
- Block 111.02; lots 28.01, 29

In Block 111, Lot 1 is the location of the Redeemer Lutheran Church. Lot 3.01 contains an office complex known as The Wharf occupied by a financial institution, an insurance agency and an Armed Forces Career Center. Lot 3.02 is developed with the Drake's Pond Professional Building with medical-related offices. Lot 5.02 contains the Newton/Sparta Professional Centre complex, with doctors' offices and out-patient surgery facilities. Block 111.02, Lot 28.01 contains Manor Plaza, a medical office complex. Manor Professional Park is located on Lot 29, containing medical offices and labs.

IV. NEW DEFINITIONS

The Land Use Board further recommends Chapter 190, §190-4 entitled "Definitions" are modified to include the following definitions:

Medical Offices – An office or offices for the practice of general or specialized medicine and/or therapeutic services by licensed or State-certified practitioners.

Professional, Business, and Administrative Offices – An office or offices for those professional, scientific and technical services, including, but not limited to, the practice of law, real estate and appraisal services, accounting, architecture, landscape architecture, engineering, land use planning, interior design, land surveying, graphic design, computer systems design and consulting, marketing and sales management services, administrative management, human resources consulting, environmental consulting services and advertising and public relations services.

E. CONCLUSIONS

As indicated in the 2007 Reexamination Report, the increased traffic volumes along Newton-Sparta Road has diminished the quality of this area for residential use. The Sussex County Strategic Growth Plan includes this roadway among the proposed transportation improvement projects and describes the roadway as follows:

Newton-Sparta Road is one of the most heavily traveled highways in Sussex County, connecting two of the largest population and commercial centers in the County. Traffic volumes continue to increase on this heavily traveled highway as do safety concerns. In order to address these issues, the County has undertaken a Local Scoping effort to determine the need for and develop improvements to Newton-Sparta Road such as signal

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upgrades, traffic signal coordination, left turn lanes, and possible common
left turn lanes in commercial areas.¹

It is the finding of the Land Use Board that the proposed Professional Office/Residential zone district provides a more appropriate range of commercial uses in proximity to the adjacent residential neighborhoods than the current Commercial/Business zone. So, too, will the PO/R zone allow for a transition of existing homes to nonresidential uses while allowing those existing homes to be improved without the burden of nonconforming use status.

¹ **Sussex County Strategic Growth Plan**, February 2005, Appendix E: County Transportation Projects, page 332.