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December 16, 2022

MEMORANDUM TO: Andover Township Land Use Board

FROM: Cory L. Stoner, P.E., P.P., C.M.E., Land Use Board Engineer

SUBJECT: COMPLETENESS REVIEW – MINOR SUBDIVISION
Preliminary/Final Site Plan, Variance Application and Minor
Subdivision for BHT Properties Group
Property Located at 248 Stickles Pond Road
Block 151 Lot 21
Andover Township, Sussex County
HPA No. 19-324

Dear Board Members:

The above referenced Applicant is proposing to amend the previous preliminary and final site plan and variance application to include a minor subdivision. This subdivision is being pursued to comply with the request from the State Historic Preservation Office which requested the building on the subject property not be removed. Based on a review of the application items submitted in reference to the minor subdivision only, I offer the following comments:

1. The plans and documents submitted in support of this application included:
 - a. Plan entitled “Minor Subdivision Plat”, prepared by Engineering & Land Planning Associates, Inc., consisting of one (1) sheet, dated October 03, 2022.
 - b. A document entitled, “Minor Subdivision Checklist #2 Waiver Request” prepared by Engineering & Land Planning Associates, Inc. and dated October 3, 2022.
 - c. Land Development Application, checklists, and other supporting documents.
2. **Completeness Comments:** Based on a review of the items submitted in support of this application and a review of the Andover Township Land Use Board Checklist #2 (Minor Subdivision), I have the following comments regarding completeness:
 - a. Checklist #2 – Item 1: The subdivision map is to be at a scale of no less than 1”=50’ and the applicant has submitted a plan at 1”=150’. This scale makes it hard to see many of the details of the site especially the existing building on proposed lot 21.01. The applicant will need to provide a larger scale plan showing the details of lot 21.01 for review.

- b. Checklist #2 – Item 3: There are a number of required items that have not been included on the plan including the name of development and phone number of owner. I believe that these items are minor in nature and can be waived for the sake of hearing the application.
- c. Checklist #2 – Item 4: The name of the development is not included in the title block. I believe that this is minor in nature and can be waived for the sake of hearing the application.
- d. Checklist #2 – Item 7: The Applicant is asking for a wavier from providing details regarding zone boundaries and lots and block numbers on the key map. This information is clearly shown on the cover sheet of the site plan set and I believe can be waived for the sake of hearing the application.
- e. Checklist #2 – Item 12: The location of proposed structures showing setbacks from existing and proposed property lines has not been shown on the minor subdivision plan. The site plan set will need to be updated to reflect the changed to the remainder lot after the minor subdivision.
- f. Checklist #2 – Item 17: Existing and proposed contours have not been shown on the subdivision map. I believe that this is not necessary for the minor subdivision and can be waived.
- g. Checklist #2 – Item 18: Soil Classification data was previously provided with the original application and does not need to be submitted again.
- h. Checklist #2 – Item 20: A copy or all existing protective covenants and deed restriction information was previously provided with the original application and does not need to be submitted again as long as no protective covenants or deed restrictions are being proposed.
- i. Checklist #2 – Item 22: The applicant will need to provide documentation verifying information regarding the minor subdivision has been submitted to the County Planning Board.
- j. Checklist #2 – Item 23: The applicant is currently in the process of obtaining a NJDEP wetlands permit and information regarding wetlands has been previously submitted to the Board.
- k. Checklist #2 – Item 25: Percolation information has been previously submitted for the proposed development. If percolation tests are needed for the proposed lot 21.01, they will need to be submitted at this time.

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- l. Checklist #2 – Item 27: Development plans have been previously submitted with the original application and do not need to be submitted again.
- m. Checklist #2 – Item 28: Stormwater information has previously been submitted. If the minor subdivision changes any of the stormwater information it will need to be reflected in new stormwater calculations.
- n. Checklist #2 – Item 31: Natural features onsite and within 200 feet of the project are hard to distinguish. Wetland buffers and riparian zones should be more clearly shown on the minor subdivision plan.
- o. Checklist #2 – Item 32: Delineation of steep slopes was previously provided with the original application any changes to steep slopes calculation due to the minor subdivision will need to be reflected on the steep slopes plan in the original plan set.
- p. Checklist #2 – Item 33: A sloped disturbance table was previously provided with the original application any changes to steep slopes calculation due to the minor subdivision will need to be reflected on the steep slope calculation table in the original plan set.
- q. Checklist #2 – Item 34: Limit of disturbance for all construction activities was previously provided with the original application and does not need to be submitted again.
- r. Checklist #2 – Item 35: An environmental impact statement was previously submitted but will need to be updated to reflect the minor subdivision and the structures that will remain on both sites.
- s. Checklist #2 – Item 36: Driveway location with sight lines where previously provided with the original application and do not need to be submitted again as long as existing driveways are not being modified.
- t. Checklist #2 – Item 38: The Applicant is requesting a temporary waiver from providing a written confirmation of the proposed lot numbers for the Municipal Tax Assessor. This shall be a condition of any approval.
- u. Checklist #2 – Item 39: A soil erosion and sediment control plan was previously submitted with the original application and will need to be updated to reflect the minor subdivision.

I believe that many of the checklist items listed above can be waived for the purpose of hearing the minor subdivision application. However, for a full review of the minor subdivision and bulk requirements, a 1"=50' plan will need to be submitted. I believe that the minor subdivision portion of the application is incomplete until a plan is provided.

While I believe that this portion of the application is incomplete, I have the following comments:

3. **Zoning Comments:**

- a. The Block 151 Lot 21 property is now located in the Route 206 Redevelopment zone, however, since the application was submitted when the lot was located in C/I, Commercial Industrial Zone District, this amendment will be reviewed by those standards. The Board Attorney to comment. A review of the bulk requirements for the proposed lot and remainder lot are as follows:

Item	Required	Existing Lot 21	Proposed Lot 21	Proposed Lot 21.01
Min. Lot Area	130,000 sf.	100.87 acres	90.77 acres	439,706 sf.
Min. Lot Width	250 ft.	3,771.14 ft.	2,582.07 ft.	1,302.11 ft.
Min. Front Yard Setback	70-100 ft. ⁽¹⁾	16.87 ft. ⁽²⁾ House	135.58 ft.	16.87 ft.
Min. Rear Yard Setback	50 ft.	1,278.49 ft.	1,278.49 ft.	340.74 ft.
Min. Side Yard Setback	30 ft.	455.34 ft.	31.34 ft. Garage	455.34 ft. Dwelling
Max. Structure Lot Coverage	25%	0.3%	0.19%	1.97%
Max. Impervious Coverage	60%	4.4%	3.58%	4.15%
Max. Building Height	2 ½ Stories/ 35 ft.	<35 ft.	<35 ft.	<35 ft.

⁽¹⁾ Where parking is provided in front yard, one-hundred-foot building setback required. Without front yard parking, seventy-foot building setback is required for industry and forty-foot for business.

⁽²⁾ Pre-existing Non-conforming

- b. The above zoning table does not reflect the proposed improvements on Lot 21 and are based on the minor subdivision in the lots current state. The zoning table of the site plan set will need to be updated with the minor subdivision information.
- c. The owner information on the minor subdivision plan is outdated and will need to be updated to the current owner.
- d. There are a number of structures on Lot 21.01 which are to remain. The Applicant should describe each structure before the Board and establish which structures are principal and which are accessory.
- e. Proposed Lot 21.01 will have a front yard setback of 16.87 feet where 70 feet is requires and a variance will be required.
- f. Single family detached housing is not permitted in the commercial/industrial use zone. The creation of Lot 21.01 will require a use variance.

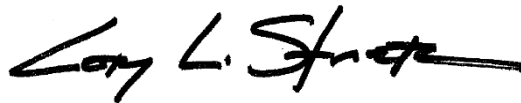
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- g. Per Section 190-11 of the Township Code, a lot used for single-family residential use shall only have one principal structure. Lot 21.01 appears to have three dwellings and a variance will be required.
- h. Per Section 190-13 of the Township Code, no accessory building shall be more than 20 feet tall. The Applicant will need to testify to the heights of the accessory building to remain on Plot 21.01.

4. **Other Comments:**

- a. Due to the ongoing nature of this application, I am considering this minor subdivision another piece of information submitted in support of the application already underway. I do not recommend the Board revisiting all of the testimony given to date in light of the minor subdivision. With that being said, the Applicant will need to describe before the Board the minor subdivision and the existing buildings on the proposed lot to the satisfaction of the Board.
- b. The submission of this subdivision will change many aspects of the site plan set of drawing previously submitted in support of this application. The Applicant will need to update the site plan drawings for the proposed improvements to reflect the minor-subdivision.

Very truly yours,



Cory L. Stoner, P.E., P.P., C.M.E.
HAROLD E. PELLOW & ASSOCIATES, INC.
Andover Township Land Use Board Engineer

CLS:MJM:mjm

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cc: Via Email
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