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September 15, 2023

MEMORANDUM TO: Andover Township Land Use Board

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

SUBJECT: ENGINEERING REVIEW
Preliminary & Final Site Plan Application
Feels of Green, LLC
Property Located at 474-476 State Route 206
Block 155 Lot 5.01
Andover Township, Sussex County
HPA No. 23-228

Dear Board Members:

The above referenced application is for the renovation of an existing commercial building located on the Block 155 Lot 5.01 property located in the Route 206 Redevelopment District for the purpose of creating a cannabis dispensary. Based on a review of the information submitted, I offer the following comments:

1. The plans and documents submitted in support of this application included:
 - a. Plans entitled, “Preliminary/Final Major Site Plan for Feels of Green Proposed Dispensary, Block 155 Lot 5.01, Township of Andover, Sussex County, New Jersey”, prepared by Colliers Engineering & Design, consisting of nine (9) sheets, dated February 1, 2023 and last revised July 19, 2023.
 - b. Architectural Plan entitled, “Proposed Floor Plan Scheme ‘C’ ”, prepared by J.A. Mihalik Architect, LLC., consisting of one (1) sheet, dated December 9, 2022 and last revised December 13, 2022.
 - c. Architectural rendering entitled, “Renovation of: Feels of Green, PR01: Proposed, 474 Route 206, Township of Andover, NJ”, prepared by J.A. Mihalik Architect, LLC., consisting of one (1) sheet and dated February 10, 2023.
 - d. Architectural elevations entitled, “Proposed Elevations”, prepared by J.A. Mihalik Architect, LLC., consisting of one (1) sheet, dated November 22, 2022 and last revised July 19, 2023.
 - e. A plan entitled, “Property Survey of Lot 5.01 Block 155 in the Township of Andover, County of Sussex, New Jersey”, prepared by G. L. Worley & Associates LLC, consisting of one (1) sheet and dated January 19, 2023.

- f. A plan entitled, “Partial Topographic Plan”, prepared by RWC Surveying, consisting of one (1) sheet, dated April 1, 2023 and last updated July 6, 2023.
- g. Plans entitled, “On-Site Sewage Disposal System”, prepared by Houser Engineering, LLC, consisting of two (2) sheet and dated April 5, 2023.
- h. Land Development Application, checklists, and other supporting documents.

2. **Zoning Comments:**

- a. The Applicant is proposing the renovate and expand the existing 1,434 square foot commercial building for the purpose of creating a 1,529 square foot cannabis dispensary. Various site improvements including lighting, landscape, retaining walls and parking lot improvements are also proposed. There is an existing dwelling on the subject property that will remain.
- b. The Block 155 Lot 5.01 property is located in the Route 206 Redevelopment Zone. Per the Route 206 Redevelopment plan, a review of the proposed bulk requirements as they pertain to the commercial building on the subject property are as follows:

Item	Required	Existing	Proposed	Variance
Min. Lot Area	N/A	4.4955 Ac.	No Change	No
Min. Lot Width	100 ft.	212.46 ft.	No Change	No
Min. Front Yard Setback	20 ft.	38.05 ft.	29 ft. +/-	No
Min. Rear Yard Setback	20 ft.	>20 ft.	No Change	No
Min. Side Yard Setback	10 ft.	72 ft.	No Change	No
Max. Building Coverage	50%	3%	3%	No
Max. Impervious Coverage	75%	2%	No Change	No
Max. Building Height	3 Stories/ 50 ft.	1 story/ <50 ft.	No Change	No

- c. The existing and proposed retail building meets the bulk requirements of the redevelopment zone and will not require any variances from these requirements.
- d. The proposed use of a Class 5 Cannabis Retailer is permitted use in this portion of the Route 206 Redevelopment Zone.
- e. It is unknown when the existing commercial building was constructed on the property and whether a variance was granted to permit two principal uses on the property. Regardless, the Route 206 Redevelopment Zone permits multiple principal uses and structures on one property. Since retail sales, Class 5 Cannabis Retail and single family dwellings that existed as of September 2, 2021 are all

permitted uses for this property, no variances are required for multiple principal uses and structures on this property.

3. **Site Plan Layout & Parking:**

- a. The plan shows seven (7) parking spaces for customers and four (4) parking spaces for employees. Per the Route 206 Redevelopment Plan, retail space requires 1 parking space per 350 square feet. With a gross floor area of 1,529 square feet, the proposed building requires five (5) parking spaces. The number of parking spaces proposed meets this requirement.
- b. While the parking on the site meets the required number of spaces for a retail establishment per the Code, cannabis retail establishments are known to have the potential for high turnover and considerable amounts of vehicle traffic. The Applicant should be prepared to provide testimony regarding traffic that is generated by this proposed use and verify that the parking proposed is satisfactory.
- c. Per the Route 206 Redevelopment Plan, a minimum of 65% of the off-street parking shall be located in the side and rear of the building. With only 33% of the parking being located in the side and rear yard areas, a variance will be required for not meeting the minimum requirement.
- d. Per Section 131-37H. of the Township Code, a loading space shall be 15 feet by 40 feet. Due to the location of the trash enclosure this area requirement is not met and a design waiver will be required.
- e. Per Section 131-37I. of the Township Code, all parking areas are to be curbed. The Applicant is proposing curb stops with no curbing. A design waiver will be required for not enclosing all parking areas with curb.
- f. Per the Route 206 Redevelopment Plan, fence and wall shall not exceed six feet in height. The wall behind the proposed building will be 8 foot in height and will require a variance.
- g. Per the Route 206 Redevelopment Plan, sidewalks must be provided along all street frontages. Due to the configuration of the existing driveway, no areas for sidewalk are available and a variance will be required.
- h. The Route 206 Redevelopment Plan requires all loading areas to be screened. No screening is proposed and a variance will be required.
- i. The masonry wall will have a brick pattern. The pattern and color to be used for the masonry wall should be visually appealing and be similar to the proposed building. This will need to be reviewed with the Board.

- j. The plans show an area of existing parking lot in front of the building to be milled and paved and shows other areas to be repaired as needed. The overall parking lot is in disrepair and should be repaved and restriped as part of this project.

4. **Utilities:**

- a. The septic system that exists on the property today for the commercial building will be abandoned in place and a new septic system constructed. Approvals from the Sussex County Health Department will be required for the new septic system.
- b. The plan shows an existing well west of the dwelling on the subject property. The Applicant will need to provide information regarding where the commercial building gets water from, how many wells are onsite and if the dwelling and the commercial property share a well.
- c. The architectural plan shows a condenser on the roof. From a review of the architectural elevations, the unit will be screened by a parapet from view from the front but may be seen from each side of the building. Additional roof screening should be provided.

5. **Lighting & Landscaping:**

- a. The planting plan consists of evergreen plantings and one deciduous tree. The Applicant should consider planting a mixture of evergreen and deciduous shrubs, perennials and grasses on the site to help make the site more visually appealing.
- b. The Amur Maple proposed is a small tree or large shrub which grows to a maximum of 20 feet. The code requires a minimum of one shade tree with a 2.5 inch caliper. At least one shade tree should be provided.
- c. Per the Route 206 Redevelopment Plan, the perimeter edge of the parking lot shall be planted with an evergreen hedge. No hedge is proposed and a variance will be required.
- d. Foundation planting should be proposed on the south side of the building that consist of a mix of evergreen and deciduous shrubs as highlighted in the Redevelopment Plan.
- e. A note on the Landscape Plan stated that Ivy will be planted along the face of the proposed wall. The Landscape Plan needs to provide a quantity of plants to be planted for review.
- f. The proposed lighting intensities meet the requirement of the Township code.
- g. All lights should be shielded to prevent glare and off-site light pollution.

6. **Architectural Plans:**


- a. The architectural plans and elevations have been submitted. The Applicant should be prepared to review the architectural drawings in detail with the Board. The testimony provided should include a detailed review of building materials, colors and any other details that would be beneficial for the Board to consider in their review.
- b. The architectural plans illustrate various sections of the inside of this retail building. The Applicant should be prepared to review the floor plans in detail and provide considerable testimony regarding how the site will function in terms of security, sales, checkout, inventory and receiving.

7. **Other Comments:**

- a. A single façade sign totaling no more than 15% of the front façade is permitted. The proposed façade sign meets the requirement.
- b. The plans show a façade sign as well as two cannabis warning signs. Section 190-88 of the Township Code permits signs for policing and parking purposes as long as they don't exceed two square feet. One cannabis warning sign is four square feet and a variance will be required.
- c. The plans do not illustrate that any free standing sign will be proposed with this application. If a freestanding sign is to be installed, details regarding the sign will need to be provided for review by the Board.
- d. The Applicant should be prepared to provide a full review of the operations of the cannabis retail facility. This review should include regulatory requirements, security, retail procedures, deliveries, emergency management, disposal of cannabis products, and other items to provide the Board with a complete review of what can be expected once this facility is operational.
- e. Wetlands: A compliance letter submitted by the Applicant's engineer states that a wetlands General Permit #24 will be submitted to the NJDEP for work associated with the improvements proposed with this project. Any approval granted by the Board should be conditioned on NJDEP permits and/or approvals being obtained prior to the start of any work activities.
- f. Flood Hazard Area: The proposed improvements that are proposed with this project will result in disturbance within a riparian zone associated with the Pequest River. The work as proposed should fall under a flood hazard area permit-by-rule and will not require NJDEP Flood Hazard Area permits.

- g. Other Approvals that will be required include but may not be limited to:
- i. Andover Township Construction Department
 - ii. Andover Township Fire Subcode Official
 - iii. Andover Township Soil Erosion & Sediment Control
 - iv. Sussex County Health Department – Septic
 - v. Sussex County Planning Board
 - vi. NJDOT (*Or letter of no interest*)

Very truly yours,



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

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cc: Via Email
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