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June 9, 2023

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
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 Applicant is seeking preliminary and final site plan approval for the renovation of the former In and Out Deli for a cannabis dispensary on the Block 155 Lot 5.01 property located at 474-476 State Route 206. Based on a review of the application and documents submitted in support of this application, 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 eight (8) sheets and dated February 1, 2023.
 - b. Architectural Plan Entitled, “Alteration/Addition for: Feels of Green 471 Route 206 Andover Township, NJ 07860”, 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. Land Development Application, checklists, and other supporting documents.
2. The Applicant is proposing the renovation of the existing 1,434 square foot commercial building to create 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 to remain.

3. **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 #1 (General Requirements), Checklist #5 (Preliminary Site Plan) and Checklist #6 (Final Site Plan), I have the following comments regarding completeness:

Checklist #5 – Preliminary Site Plan:

- a. #9 – Zone data box showing: zone districts, required and proposed lot area, lot width, building height, structure lot coverage, floor area ratio, setbacks, parking, impervious surface and any other applicable zoning requirements:

The site is in the Route 206 Redevelopment Zone and the zoning table will need to be updated to reflect the requirements in the zone.

- b. #13 – Location of all structures (principal and accessory structures, driveways, parking areas, etc.) on, and within 200 feet of the existing tract boundaries with dimensions to existing property lines:

The location of structures within 200 feet of the tract boundaries have not been provided. Since this is an existing developed site, I have no objection to waiving this item for the sake of hearing this application.

- c. #14 – Lot width at street line of lot created; road frontage of remainder portion; cartway width; and right-of-way width and name of road on which property fronts:

Information regarding the width of the Route 206 right-of-way has not been submitted. This information should be provided and along with a survey.

- d. #15 – Location and size of existing and proposed utilities on-site and within 200 feet of the site with easement or right-of-way (if any), including: a. Sanitary sewers or septic systems b. Storm drains with grate and invert information c. public water, water mains and wells d. Gas e. Telephone f. Electricity g. Cable TV:

The plan shows that existing septic system will be replaced and that the plans are being prepared by others. An application for the proposed septic system has supposedly been submitted to the Sussex County Health Department. A copy of the septic plan and application have not been provided. The plan also shows an existing well west of the dwelling on the subject property. The Applicant will need to provided 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.

- e. #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:

Contours with 200 feet of the subject property have not been submitted. Since this is an existing developed site and minimum disturbance is proposed, I have no objection to waiving this item for the sake of hearing this application.

- f. #18 – Soil classification data as mapped by the USDA Soil Conservation Service in Soil Survey of Sussex County:

The Applicant is asking for a waiver. Because the project will disturb less than 5,000 square feet of soil a soil erosion and sediment control permit will not be required and soil classification data is not necessary. I have no objection to waiving this item.

- g. #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:

No deed or easement information has been submitted with this application. This information will need to be submitted.

- h. #21 – An electronic copy of plans in .DWG format or a compatible format: I have not received a digital copy of the files:

The files can be submitted as a condition of any approval granted and can be temporary waived.

- i. #22 – Copies of applications to Sussex County Planning Board, Sussex County Soil Conservation District and/or NJDOT, if applicable:

A copy of any application sent to Sussex County Planning Board and/or an application to NJDOT if applicable should be submitted as a condition of any approval granted. I have no issue with temporary waiving this item for the sake of hearing this application.

- j. #23 – When wetlands are present, a letter of interpretation, letter of exemption or a copy of any application made to the NJDEP needs to be provided:

The applicant is requesting a waiver from providing this information. However, there is a category-one stream with wetlands associated both directly north and south of the subject property. Because the proposed improvements may take place inside of freshwater wetlands buffer, an L.O.I. or a letter from a certified

wetlands specialist needs to be provided.

- k. #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.....:

A copy of the application material submitted to the Sussex County Health Department for the proposed septic needs to be submitted.

- l. #30 – Natural features on site, and within 200 feet of the site:

Natural features within 200 feet of the site have not been provided. Since this is an existing developed site, I have no objection to waiving this item for the sake of hearing this application.

- m. #31 – Delineation of steep slopes at the following categories: (i) 20% to 24.99%, (ii) 25% to 34.99%, 35% or greater:

The Applicant is requesting a waiver. Since the property is previously developed and will require minimal grading, I have no objection to waiving this item for the sake of hearing the application.

- n. #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.

The Applicant is requesting a waiver. Since the property is previously developed and require minimal grading, I have no objection to waiving this item for the sake of hearing the application.

- o. #34 - Environmental Impact Statement, applicability determined per Ordinance 131-12, contents as described in 131-13:

An Environmental Impact Statement has not been submitted. The Environmental Impact Statement should address the following items required under Section 131-13:

- i. Surface and groundwater quality
- ii. Soil capabilities and limitations
- iii. Slope stabilities
- iv. Architectural design and relation to adjacent structures
- v. Land use aesthetics
- vi. Sewage volume
- vii. Water table elevation

- viii. Location of aquifers
- ix. Depth and capacity of all wells within 500 feet
- x. Expected groundwater yields
- xi. Volume and peak flow rates of stormwater runoff now existing and that to be generated by new improvements, which shall include volumes and rates for ten, twenty-five and one hundred year storm frequencies having durations producing maximum flow rates before and after the proposed development.
- xii. Changes of runoff rates and volumes to be caused by changes in land use and the time of concentration.

While there will be minimal new disturbance on the subject property, some form of EIS should be provided due to the close proximity to environmentally sensitive area.

- p. #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:

The Applicant is requesting a waiver from providing this information since they are proposing to maintain the current access to this site. I have no problem temporarily waiving this item for the sake of hearing this application. Any approval that may be granted by the Board, however, should be conditioned on an approval or consent letter from the NJDOT being provided to prove that the current access driveways is acceptable for the new development use.

- q. #41 – Signage, including location of signs and appropriate detail such as size, height, materials and lighting:

No information regarding sign sizes, lighting or number have been submitted other than what is shown on the building elevation view. Sign details including dimensions, sizes, locations and quantities will need to be submitted for review.

- r. #44 – Earthwork summary and estimate of off-site borrow or export:

The Applicant is requesting a waiver from providing this item. Since there is minimal disturbance being proposed with the site improvements, I have no objection to waving this item for the sake of hearing this application.

- s. #46 – Lighting Plan including the fixture types, pole types, mounting heights, direction, shielding, wattage, isolux patterns, time of operation and footing details:

Details regarding fixture style and type and information regarding them of

operation have not been provided. This information will need to be provided for review by the Board.

t. #47 – Fire protection plans and details...:

No fire protection information has been submitted. Information regarding whether fire protection will be needed for this building should be provided by the project architect.

u. #50 – Provisions for solid waste handling including dumpster location and details (screening, fencing, etc.):

No information regarding solid waste handling has been provided or shown on the plans. A designated location for solid waste will need to be provided.

v. #52 – Preliminary architectural plans and elevations depicting dimensioned floor plans and building height, rooftop mechanical unit screening, and general materials and colors:

An architectural rendering and plan have been reviewed but no building elevation have been submitted with this application. Information regarding the height of the building, rooftop mechanical equipment and other architectural elements should be provided

Note: If mechanical equipment will not be located on the roof the location of such equipment needs to be shown on the site plan.

w. #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:

A letter stating why each completeness waiver being requested should be granted has not been provided. The Applicant will need to explain why each waiver should be granted with the Board.

x. #61 – Locate any public or private well, including block and lot, within 500 feet of the property line:

This information has not been submitted. If the proposed building will be using an existing well, I have no objection to waiving this item for the sake of hearing the application.

Checklist #6 – Final Site Plan:

- a. #9 – Zone data box showing: zone districts, required and proposed lot area, lot width, building height, structure lot coverage, floor area ratio, setbacks, parking, impervious surface and any other applicable zoning requirements:

See comment regarding Checklist #5 – Item #9 above.

- b. #13 – Location of all structures (principal and accessory structures, driveways, parking areas, etc.) on, and within 200 feet of the existing tract boundaries with dimensions to existing property lines:

See comment regarding Checklist #5 – Item #13 above.

- c. #14 – Lot width at street line of lot created; road frontage of remainder portion; cartway width; and right-of-way width and name of road on which property fronts:

See comment regarding Checklist #5 – Item #14 above.

- d. #15 – Location and size of existing and proposed utilities on-site and within 200 feet of the site with easement or right-of-way (if any), including: a. Sanitary sewers or septic systems b. Storm drains with grate and invert information c. public water, water mains and wells d. Gas e. Telephone f. Electricity g. Cable TV:

See comment regarding Checklist #5 – Item #15 above.

- e. #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:

See comment regarding Checklist #5 – Item #17 above.

- f. #18 – Soil classification data as mapped by the USDA Soil Conservation Service in Soil Survey of Sussex County:

See comment regarding Checklist #5 – Item #18 above.

- g. #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:

See comment regarding Checklist #5 – Item #20 above.

- h. #21 – An electronic copy of plans in .DWG format or a compatible format: I

have not received a digital copy of the files.

See comment regarding Checklist #5 – Item #21 above.

- i. #22 – Copies of applications to Sussex County Planning Board, Sussex County Soil Conservation District and/or NJDOT, if applicable.

See comment regarding Checklist #5 – Item #22 above.

- j. #23 – When wetlands are present, a letter of interpretation, letter of exemption or a copy of any application made to the NJDEP needs to be provided.

See comment regarding Checklist #5 – Item #23 above.

- k. #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.....:

See comment regarding Checklist #5 – Item #25 above.

- l. #30 – Natural features on site, and within 200 feet of the site:

See comment regarding Checklist #5 – Item #30 above.

- m. #31 – Delineation of steep slopes at the following categories: (i) 20% to 24.99%, (ii) 25% to 34.99%, 35% or greater:

See comment regarding Checklist #5 – Item #31 above.

- n. #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.

See comment regarding Checklist #5 – Item #32 above.

- o. #34 - Environmental Impact Statement, applicability determined per Ordinance 131-12, contents as described in 131-13:

See comment regarding Checklist #5 – Item #34 above.

- p. #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.

See comment regarding Checklist #5 – Item #35 above.

- q. #40 – Signage, including location of signs and appropriate detail such as size, height, materials and lighting:

See comment regarding Checklist #5 – Item #41 above.

- r. #43 – Earthwork summary and estimate of off-site borrow or export:
See comment regarding Checklist #5 – Item #44 above.

- s. #45 – Lighting Plan including the fixture types, pole types, mounting heights, direction, shielding, wattage, isolux patterns, time of operation and footing details.

See comment regarding Checklist #5 – Item #46 above.

- t. #46 – Fire protection plans and details...

See comment regarding Checklist #5 – Item #47 above.

- u. #49 – Provisions for solid waste handling including dumpster location and details:

See comment regarding Checklist #5 – Item #50 above.

- y. #51 – Preliminary architectural plans and elevations depicting dimensioned floor plans and building height, rooftop mechanical unit screening, and general materials and colors:

See comment regarding Checklist #5 – Item #52 above.

- z. #59 – Copies of all permits issued by other agencies having Jurisdiction:

As a condition of any approval, all other agency permits will be required.

- aa. #64 – 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:

See comment regarding Checklist #5 – Item #60 above.

As shown above, there are a number of items that I believe are needed. These items, in my opinion, are items that the Board will need to make a full and complete review of this application.

Andover Township Land Use Board
RE: Preliminary and Final Site Plan Application for
Feels of Green, LLC
June 9, 2023

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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
Richard Briigliodoro, Esq. – Land Use Board Attorney
Stephanie Pizzulo – Land Use Board Secretary
John Ursin, Esq. – Applicant’s Attorney
Matt Ryan, PE – Applicant’s Engineer