

ANDOVER TOWNSHIP LAND USE BOARD

Date Submitted: 1-19-24
Application # A24-2

LAND USE APPLICATION

Property Address: 1023 Limecrest Road Block: 108 Lot: 4.01
Project Name: Sparta Redi-Mix Concrete Plant

1. APPLICANT 2. PROPERTY OWNER

Name: <u>Seegull, LLC c/o Calli Law, LLC</u>	Name: <u>Same as applicant</u>
Address: <u>170 Kinnelon Road Suite 6</u> <u>Kinnelon, NJ 07405</u>	Address: _____
Phone: <u>(973) 291-8102</u> Fax: <u>(973) 763-9065</u>	Phone: _____ Fax: _____
Email: <u>larry@callilawllc.com</u>	Email: _____
Interest in Property: _____	

3 TYPE OF APPLICATION (CHECK ALL THAT APPLY)

- | | |
|---|--|
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Use (d) Variance * |
| <input type="checkbox"/> Preliminary Major Subdivision * | <input type="checkbox"/> Bulk (c) Variance * |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Appeal (a) |
| <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Interpretation (b) * |
| <input checked="" type="checkbox"/> Preliminary Major Site Plan * | <input type="checkbox"/> Other (informal, Planning Variance,
Extension of Approval) |
| <input checked="" type="checkbox"/> Final Major Site Plan | <input type="checkbox"/> Conditional Use * |

* Legal advertisement and notice is required to all property owners within 200 feet.

4. ATTORNEY (A CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR PARTNESHIP MUST BE REPRESENTED BY A NEW JERSEY ATTORNEY)

Name: Lawrence A. Calli, Esq.
Address: 170 Kinnelon Road Suite 6, Kinnelon, NJ 07405
Phone: (973) 291-8102 Fax: (973) 763-9065
Email: larry@callilawllc.com

5. APPLICANT'S PROFESSIONALS (ENGINEER, PLANNER, SURVEYOR, ARCHITECT ETC...)

Name: <u>Dykstra Associates, PC</u> Profession: <u>Engineer</u> Address: <u>11 Lawrence Road</u> <u>Newton, NJ 07860</u> Phone: <u>(973) 579-2177</u> Fax: _____ Email: <u>owen@edykstra.com</u>	Name: _____ Profession: _____ Address: _____ _____ Phone: _____ Fax: _____ Email: _____
Name: <u>Charles Schaffer</u> Profession: <u>Architect</u> Address: <u>288 Newton Sparta Road</u> <u>Newton, NJ 07860</u> Phone: <u>(973) 383-7355</u> Fax: _____ Email: <u>charles@schafferarchitects.com</u>	Name: _____ Profession: _____ Address: _____ _____ Phone: _____ Fax: _____ Email: _____

6. LOCATION OF PROPERTY

Street Address: 1023 Limecrest Road Block(s): 108
Tract Area: 3.67 acres Lot(s): 4.01
Zone: 1023 Limecrest Road Redevelopment Zone
Tax Map Sheet # 39 Nearest Cross Street Sussex Mills Road

7. LAND USE

Existing Land Use: Industrial: wood mulch processing and distribution company.

Proposed Land Use: Please describe in detail the project you are proposing and why you may need a particular variance.
Remove existing improvements. Construction of a redi-mix concrete facility with all associated improvements including: office/maintenance building, plant building, concrete wash settling basin, aggregate storage area, paved drives/parking, sidewalks, septic, well, and stormwater management.

Describe the current condition of the property and any features that affect the property. (e.g., septic/ well location, rock outcrop, wetlands, mature trees, lake shore, steep slopes, flood plains, ridge lines etc....) Applicant must be prepared to explain hardship reason to the Board. Existing lot is in condition of an abandoned commercial mulch facility. There is an office/garage building on site along with open-air garages and equipment.

8. PROPERTY

Number of Existing Lots: 1 Are there existing deed restrictions or easements? No

Number of proposed lots: 1 Are there proposed deed restrictions or easements?: Yes (Sight Triangle)

List all existing and proposed non-conforming conditions or uses: N/A

9. APPLICATION SUBMISSION MATERIALS

List all plans, reports, photos etc. (use additional sheets if necessary): Site Plan, building plans & elevations, plant elevations, facility & operations statement, septic permit, stormwater management report, checklists & waiver requests, SCPB application, Andover SESC application, wetland statement.

10. PREVIOUS OR PENDING APPLICATIONS

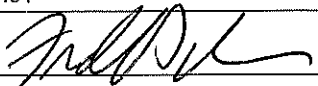
List all previous or pending applications for this parcel (use additional sheets if necessary): This parcel was the subject of an "Area in Need of Redevelopment" and as a result a development zone was formed.

11. ZONING SCHEDULE (COMPLETE ALL THAT APPLY)

	REQUIRED	EXISTING	PROPOSED
Lot Area	N/A	3.67 ac.	3.42 ac.
Lot Depth	N/A		
Frontage	N/A	677.33'	675.91'
Front Yard Setback	30' (15')*	39.8'	91.4' (160.5')
Left Side Setback	10' (3')	265.4'	511.1' (295.1')
Right Side Setback	10' (3')	133.1	34.3' (282.2')
Rear Yard Setback	10' (3')	55.0'	11.0' (3.0')
Building Height	50'	<50'	42.1'
Maximum Lot Disturbance	90%	91.5%	70.5%
Critical Lot Disturbance	N/A		
Open Space	N/A		
Parking Setbacks	15'	<15'	16.7'
Parking Spaces	35	N/A	54 w/ 2 EV Ready = 56
Loading Spaces	1	N/A	1

12. OWNER'S AUTHORIZATION FOR SITE INSPECTION

I hereby give permission for Andover Township Municipal agencies and their agents to come upon and inspect these premises with respect to the land use application for premises known as Block(s): 108, Lot(s): 4.01 in Andover Township, New Jersey.


Applicant Signature

10/17/23
Date

13. RELIEF REQUESTED (CHECK ALL THAT APPLY)

Zoning Variances

"A" Administrative Appeal

"B" Interpretation

"C" Bulk Variance

"D" Use Variance

Planning Variance

Other _____

Individual Variance Applications:

Height variance – The maximum allowable height in the zone is _____ feet. The proposed structure will stand _____ feet.

Use Variance – The structure will be designed for use as a _____, a non-permitted use in the _____ zone.

Planning Variance (N.J.S.A. 40:55D-35 & 36)

Conditional Use variance

Expansion of a non-conforming use.

Other: _____

Substandard Lot Case:

Notice to all applications regarding vacant substandard lots: The Andover Township Land Use Board strongly recommends the Buy/Sell (see addendum) letter be followed in corresponding with abutting property owners. Applicants are not required to use the exact wording on the form (the wording may be modified for individual applicants is appropriate); the substance of the form must be followed. The Buy/Sell letter must be sent at least twenty (20) days in advance of your scheduled hearing date for completeness by both certified and regular mail. Failure to comply will delay a hearing on this matter. You must be prepared at the hearing date to offer into evidence the Buy/Sell letter and any response. Responses must be in writing. The Buy/Sell letter is in addition to the required statutory notice you must give to all property owners within 200 feet as well as those other entities entitled to notice by law.

Exceptions from Municipal requirements (N.J.S.A. 40:55D-51)

Exceptions from New Jersey Residential Site Improvement Standards (R.S.I.S) (N.J.A.C. 5:21-3.1)

Waivers from New Jersey Residential Site Improvement Standards (R.S.I.S.) (N.J.A.C. 5:21-3.2) requires application to and approval of the New Jersey Site Improvement Advisory Board.

For any type of the above relief requested, a separate exhibit should be attached stating the factual basis, legal theory, and/or previous granted relief.

14. SIGNATURE OF APPLICANT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant, or that I am an officer of the Corporate applicant and authorized to sign the application for the Corporation, or a general partner of the partnership application.

[Signature] 10/17/2023
Signature (Applicant) Date

FRANK HUNKELE
Print Name

Sworn & Subscribed to before me this

17th day of OCTOBER, 2023 (year)

[Signature] (notary)

JUDITH A. DEVANTOY
Notary Public, State of New Jersey
My Commission Expires 9/3/2027

15. CONSENT OF OWNER

I certify that I am the Owner of the property which is the subject of this application, herby consent to the making of this application and the approval of the plans submitted here within. I further consent to the inspection of this property in connection with this application as deemed necessary by the Land Use Board and its professionals. I further consent that all fees must be paid in accordance the Land Use Board application, and in the event the applicant does not pay all appropriate fees, including application and escrow fees, the landowner consents to have any unpaid balance placed as an added assessment against the property at issue, to be collected by the Township Tax Collector's Office.

[Signature] 10/17/2023
Signature (Applicant) Date

FRANK HUNKELE
Print Name

Sworn & Subscribed to before me this

17th day of OCTOBER, 2023 (year)

[Signature] (notary)

JUDITH A. DEVANTOY
Notary Public, State of New Jersey
My Commission Expires 9/3/2027


16. DISCLOSURE STATEMENT

Pursuant to N.J.S.A. 40:55D-48.1 & 48.2, please answer the following questions:

- Is this application to subdivide a parcel of land into six (6) or more lots? Yes No
- Is this application for a variance to construct a multiple dwelling of twenty-five (25) or more units? Yes No
- Is this application for approval of a site (or sites) for non-residential purposes? Yes No
- Is the applicant a corporation? Yes No
- Is the applicant a limited liability corporation? Yes No
- Is the applicant a partnership? Yes No

Pursuant to N.J.S.A 40:55D-48.1 a corporation or partnership applying to a planning board or board of adjustment or to the governing body of a municipality for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be.

List the names and addresses of all stockholders or individual partners owning at least 10% in stock of any class or at least 10% of the interest in partnership (whichever is applicable) on Appendix attached.


Applicant signature

10/17/2023
Date

17. SURVEY WAIVER CERTIFICATION

As of the date of this application, I hereby certify that the survey submitted with this application, under the date of 10/17, 2023 shows and discloses the premises in its entirety, described as Block(s) 108 Lot(s) 4.01; and I further certify that no buildings, fences, or other facilities have been constructed, installed, or otherwise located on the premises after the date of the survey with the exception of the structures shown.

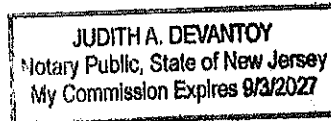

Signature (Applicant) 10/17/2023 Date

FRANK HUNKELE
Print Name

Sworn & Subscribed to before me this

17th day of OCTOBER, 2023 (year)

 (notary)



18 ESCROW AGREEMENT

As Applicant, I understand that monies associated with this application have been deposited in an escrow account in accordance with Andover Township's Ordinances. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of the submitted materials, any communications with the Board's or Township's Professionals as chargeable time. Sums not expended in the review process will be refunded. If additional sums are necessary, I understand that I will be notified of any additional amount and shall replenish the escrow account within 20 days of notification. Additionally, until such funds are fully replenished, no further consideration, review, processing of any pending application shall be permitted by the Land Use Board, nor shall any further inspections be performed by or on behalf of the Township until such additional escrow has been deposited. Failure to post sufficient escrow funds to cover costs incurred or anticipated shall toll the period for action by the approving authority, as required by N.J.S.A 40:55D.1 et. seq. and particularly N.J.S.A.40:55D.51 and N.J.S.A. 40:55D.73 thereby barring an applicant from seeking a default approval under N.J.S.A. 40:55D-10.4.

The written notice referred to in this paragraph shall be sent to:

Name: Seegull, LLC c/o Frank Hunkele

Address: 33 Demarest Rd Sparta NJ 07871

Unless otherwise shown, receipt shall be presumed to have occurred three (3) days after mailing. The notice required under this paragraph shall be in the form of a letter requesting the additional sums.

After a period of forty-five (45) days from the notice from the Township, the applicant's failure to deposit the additional funds shall be grounds for denial of the application or for the dismissal of the application without prejudice. In the event the Board approves the application, the obligation to pay for professional plan reviews by depositing the funds in escrow shall be a condition of the approval granted by the Board. If the escrow funds are depleted, after the application is filed or granted, the applicant, shall pay additional funds upon demand within the aforementioned (20) day period. The failure to pay, the demanded funds may also result in a voiding of any prior approvals upon due notice to the applicant by the Board. In addition to the foregoing, the applicant hereby agrees that in the event the reasonable and necessary amounts charged by the professionals for review of the application are not paid, the outstanding fees shall be placed as an added assessment against the property at issue, to be collected by the Township Tax Collector's office.

[Signature]
Signature (Applicant) 10/17/23
Date

FRANK HUNKELE
Print Name

Sworn & Subscribed to before me this
17th day of OCTOBER, 2023 (year)

[Signature] (notary)

JUDITH A. DEVANTOY
Notary Public, State of New Jersey
My Commission Expires 9/3/2027

19 OWNERSHIP DISCLOSURE STATEMENT (APPENDIX I)

Name of Corporation, Partnership, LLC or LLP: Seegull, LLC

Listed below are the names and addresses of all owner of 10% or more of the stock/interest* in the above referenced corporation, partnership, limited liability corporation (LLC) or limited liability partnership (LLP):

	NAME	ADDRESS
1	FRANK HUNKELE	33 DEMAREST RD SPARTA
2	DETELE BARBA	33 DEMAREST RD SPARTA
3		
4		
5		
6		
7		
8		
9		
10		

*If a corporation or a partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, and this requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10% ownership criterion established have been listed.

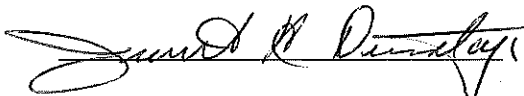
Sworn & Subscribed to before me this

 10/17/2023
 Signature (Applicant) Date

17th day of OCTOBER, 2023 (year)

FRANK HUNKELE

 Print Name

 (notary)

JUDITH A. DEVANTOY
 Notary Public, State of New Jersey
 My Commission Expires 9/3/2027

20 CERTIFICATION OF TAXES PAID (APPENDIX II)

Ms. Daryn Cashin, CTC
Andover Township
134 Newton-Sparta Road
Newton, NJ 07860

I hereby certify that the real estate taxes are paid currently on:

Block(s): 108

Lot(s): 4.01

Address: 1023 Limecrest Road

Andover Township Tax Collector

Date

Fee: \$10.00

Checks or money orders made payable to Andover Township.

Please enclose a self-addressed, stamped envelope.

Fee Paid: _____

Date: _____