



DEPARTMENT OF ENGINEERING AND PLANNING
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Autumn M. Sylvester, P.P.
Division Director

County of Sussex

March 11, 2024

Frank Hunkele
Seegull, LLC
33 Demarest Road
Sparta, NJ 07871

Re: Application: Preliminary Site Plan & Waiver
SCPB#: 37(PSP)23
Applicant: Seegull, LLC
Premise: Block 108, Lot 4.01
Address: 1023 Limecrest Road (CR 669, MM5), Andover Township

Dear Mr. Hunkele:

At the regular meeting of the Sussex County Planning Board held on March 4, 2024, the Resolution approving the waivers for the above application was memorialized. Enclosed is a copy of the resolution, as well as the waiver report. Please note the waiver terms and conditions.

If you have any questions, please contact my supervisor, Autumn Sylvester, Director of Planning at asylvester@sussex.nj.us or (973) 579-0500 X 1336.

Sincerely,

Christy Degeorgis
Planner Trainee, Division of Planning and Economic Development
Sussex County Department of Engineering and Planning
One Spring Street
Newton, NJ 08760

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cdegeorgis@sussex.nj.us

CC: Douwe Dykstra., Applicant Surveyor
Charles Schaffer., Applicant Engineer
Lawrence A. Calli, Esq., Applicant Attorney
Stephanie Pizzulo, Andover Twp. Land Use Administrator
Bill Koppenaal, P.E., County Engineer

RESOLUTION NO. 2024-02

**RESOLUTION APPROVING APPLICATION OF SEEGULL, LLC,
WITH REFERENCE TO BLOCK 108, LOT 4.01, ANDOVER
TOWNSHIP, SUSSEX COUNTY, NEW JERSEY**

WHEREAS, Seegull, LLC (“Applicant”) is owner of premises known as Block 108, Lot 4.01 (County Route 669/Limecrest Road), in Andover Township, Sussex County, New Jersey; and

WHEREAS, Applicant has made application to the Sussex County Planning Board for approval of an access to said property with the access point in the County right-of-way located on County Route 669/Limecrest Road, said application being denoted as Sussex County Planning Board application number 37(PSP)23; and

WHEREAS, a public hearing on said application was heard before the Sussex County Planning Board on February 5, 2024; and

WHEREAS, the Applicant was represented by Larry Calli, Esq.; and

WHEREAS, Owen Dykstra, PE of Dykstra Associates, P.C., was accepted as an expert in civil engineering and testified concerning the proposed site plan of the Applicant; and

WHEREAS, the Applicant has filed a waiver request seeking waivers from: (1) LDS V.E.1c (Minimum Sight Distances); and (2) LDS V.Q.3.d (Curbing), to construct an access to an industrial facility on County Route 669/Limecrest Road; and

WHEREAS, as a result of the testimony offered at the public hearing, which also included testimony of Matthew Sinke, PE, Assistant County Engineer of Sussex County, the Board does hereby make the following findings of fact:

1. The property is a 3.673 acre parcel that is the site of a former mulch plant located on County Route 669/Limecrest Road in Andover Township. The property is in the Township’s General Industrial (G-1) zone district. CR 669 is on the southern border of the subject property. Access to the site is currently unrestricted, with a broad stretch of frontage open to the roadway.
2. The Applicant seeks to redevelop the site by developing a concrete plant in accordance with site plans prepared by Dykstra Associates, P.C., consisting of seven (7) sheets dated October 11, 2023 and last revised January 5, 2024. Applicant’s site plan will create a defined access point onto CR 669. The plans will result in deviations from the County Land Development Standards (“LDS”) at §V.E.1c (Minimum Sight Distances) and §V.Q.3.d (Curbing).

3. Mr. Dykstra testified regarding existing conditions and the site plan. The Applicant proposes to redevelop the property, which is a former mulch plant, with a concrete batch plant. There is currently unrestricted access to the property from CR 669. The Applicant intends to create a defined access point to the property. He testified that the average daily trip (“ADT”) count at this section of CR 669 is 4000 vehicles, with 204 trips being made to the subject property. 126 (63 each way) of these trips would be the AASHTO type SU class trucks such as cement mixers.

4. Mr. Dykstra testified that the Applicant seeks three waivers: (1) from LDS §V.E.1c (Minimum Sight Distances); (2) from LDS §V.Q.3.d (Curbing); and (3) from LDS §V.D.2.c (Sight Triangle Dedication). Sight distance from the proposed access point is acceptable looking to the right along CR 669 for the AASHTO type P and SU class vehicles (632’ provided, 496’ (P) and 628’ (SU) required), but a waiver is requested for left looking vehicles (439’ provided, 496’ (P) and 628’ (SU) required). Type WB class vehicles have deficient sight distance looking to both the left and right (761’ required, where 439’/632’ is provided), so this also is part of the waiver request. The Applicant agrees to install appropriate signage along CR 669 to warn drivers of trucks entering and exiting the subject property. The location for the proposed driveway access point is the most feasible for site circulation and is the most optimal based on existing roadway geometry. The Applicant also proposes to construct less than the 50’ minimum required asphalt tapered shoulder, as the curb is too close to the westerly property line. Mr. Dykstra also testified regarding a sight triangle easement, which would be across the adjacent property to the west, and stated that Applicant will request the easement from the neighboring property owner; if that request is denied the Applicant will request to clear trees and other vegetation in the sight triangle area. If those requests are both denied the Applicant will clear the portion of the sight triangle easement within the right of way and requests a waiver from the Board for clearing and dedication of the portion of the sight triangle easement over the neighboring property to the west.

5. Mr. Sinke testified as to the County Department of Engineering and Planning review of the application. He concurred with Mr. Dykstra’s testimony, and stressed that this application is for waivers only – the Applicant will need

to return to the Board, or Development Review Subcommittee, for site plan approval. He noted that the average daily trip ("ADT") count on CR 669, which is an urban major collector road, at this location is 4,035 vehicles, with peak hourly volume at 267 in the morning and 264 in the evening. With regard to the sight distance he noted that there are only an estimated 15 type WB class truck deliveries per week, which is not enough to make WB class vehicles a part of the design standards. Given the roadway geometry and site circulation requirements the location of the proposed access drive is the best location, and greatly improves the current unrestricted haphazard access to the property. With regard to the requested curbing waiver, Applicant would have to relocate the access driveway to meet this standard and this would result in a decrease in available sight distance. With regard to the requested sight triangle waiver, he recommended that the sight triangle to be located on the adjacent property to the west be shown on the plan and denoted as "to be requested" so the actual area of sight triangle clearing is shown, regardless of the applicant's success in securing permission to clear the sight triangle from the neighboring property owner. Accordingly the requested deviations are justifiable.

6. The Planning Board finds that the waivers from: ((1) from LDS §V.E.1c (Minimum Sight Distances – left looking vehicles: 439' provided, 496' (P) and 628' (SU) required); (2) from LDS §V.Q.3.d (Curbing – less than minimum required 50' tapered asphalt shoulder provided); and (3) LDS §V.D.2.c (Sight Triangle Dedication not to be provided over adjacent property) are justified. The proposed access drive is in the best location for the property as a consequence of roadway geometry and also for on-site circulation. The access drive cannot be relocated without decreasing available sight distance, and strict enforcement of the LDS would be onerous to the Applicant. Accordingly the waivers can be granted without posing a threat to the public health, safety, and welfare; and

NOW, THEREFORE, BE IT RESOLVED, based upon the testimony and exhibits submitted by the Applicant, it is hereby resolved by the Planning Board of the County of Sussex, State of New Jersey, that the application for waivers to permit the construction of a driveway access point County Route 669, as aforementioned, is hereby granted to the Applicant, subject to the following terms and conditions:

1. Applicant shall comply with open conditions of the January 22, 2024 Sussex County Division of Engineering Waiver Request Report, as well as all other County Division of Engineering & Planning Technical Review(s) for this application.

2. Applicant shall obtain all necessary third-party approvals, including but not limited to County Road Opening Permit and County Access Permit, and provide evidence of same to the County Department of Engineering & Planning.

3. Applicant shall request that the owner of adjacent Block 108, Lot 4.02 grant a sight triangle easement over its property to the west of the proposed driveway access point. If this request is denied, then Applicant shall request to cut vegetation in this sight triangle area. If both requests are denied Applicant shall clear the portion of the sight triangle within the County's Right of Way and the requested waiver from granting of the portion of the sight triangle easement over the adjacent private property shall be deemed as granted by the Board.

4. Applicant shall coordinate with the Division of Engineering to install AASHTO W11-10 signage along County Route 669, as may be determined to be warranted upon engineering evaluation.

5. The Applicant shall return to the Board for site plan approval.

Sussex County Planning Board

By: *W. Spring* *J. Shallock*

CERTIFICATION

CONCETTO FORMICA

I, ~~JOSEPH~~ CONCETTO FORMICA, for Sussex County Planning Board, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Planning Board at its March 4, 2024, meeting.

[Signature]

**Sussex County
Division of Engineering
Waiver Request Report**

SCPB Application Number:		37(PSP)23	
Review Date		January 22, 2024	
Applicant Name:		Seegull, LLC	
Block:	108	Lot:	4.01
Municipality:		Andover Township	

Infrastructure Data:

County Route	County Route 669 – Limecrest Road
Mile Post	MP +/- 4.9
Functional Classification	Urban Major Collector – Sussex County Transect 3, (T-3) Sub-Urban Zone
ADT	4,035 (MM 4.67, August 2023)
Peak Hourly Volume	267 (AM), 264 (PM), (MM 4.67, August 2023)
85% Speeds	No available data at this location
Posted Speed	40 MPH
Design Speed	45 MPH
County Bridge	N/A
County Stormwater System	Existing sheet flow from County roadway

Application Data:

Driveway Access	Existing Unapproved paved access - Proposed Commercial Access
Parking Stalls	Proposed 29 Regular Spaces, 2 Handicap Accessible Spaces, 23 Mixer Truck Spaces and 3 Trailer Spaces for a total of 57 spaces.
Existing Right of Way	33.00' wide per Deed Book 1575, Page 76
Zone	GI Zone-General Industrial – 1023 Limecrest Redevelopment Plan
Facility	Proposed Concrete Manufacturing Plant and construction of a 12,000 SF office & maintenance building along with associated parking areas.

Documents Reviewed:

1. Plan set titled "Site Plan for Seegull, LLC Concrete Plant Tax lot 4.01, Block 108, Tax Map Sheet 39, Township of Andover, Sussex County, N.J.". Plan prepared by Dykstra Associates, PC, dated October 11, 2023 revised to January 5, 2024 and consisting of 7 sheets.
2. Plan set titled "Survey of Property prepared for Seegull, LLC Tax Lot 4.01, Block 108, 1023 Limecrest Road, Township of Andover, Sussex County, NJ". Plan prepared by Dykstra Associates, PC, dated March 2, 2022 with no revisions and consisting of 1 sheet.
3. Stormwater Management report for Seegull, LLC Tax Lot 4.01, Block 108, Andover Township, Sussex County, New Jersey." Prepared by Owen Dykstra, PE from Dykstra Associates, PC, dated October 17, 2023, and revised to January 5, 2024.
4. Traffic Analysis Report, Proposed Concrete Batch Plant, Seegull, LLC, Block 108, Tax Lot 4.01, County Route 669, Andover Township, Sussex County New Jersey, prepared by Owen Dykstra, PE from Dykstra Associates, PC, dated January 3, 2024.
5. Response to Engineering review letter dated December 11, 2023, prepared by Owen Dykstra, PE from Dykstra Associates, PC dated January 8, 2024 which included Waiver requests and justifications.

Related County Requirements:

Upon SCPB approval of the application and prior to any work the following related items will be required:

- a) Compliance with open conditions of the December 1, 2023, SC Planning & Technical Report revised to January 19, 2024 as well as any conditions of approval noted herein or as may be applied by the SCPB and documented in a memorializing resolution.
- b) SC Road Opening Permit
- c) SC Access Permit
- d) Evidence of any third party permits and approvals.
- e) Granting of any ROW or Easements as may be required by the project.
- f) Approvals of any off-tract improvements.

Specific Waiver Requests:

Applicant has requested the following waivers:

Access Related:

1. **Waiver from LDS V.E.1c Minimum Sight Distances from the proposed Access:** Applicant is proposing the construction of a commercial access driveway access to accommodate predominately the AASHTO Type SU and Type P vehicle, to service a proposed Concrete plant on Lot 4.01. This proposed access point is located near the southwest corner of the property. Sight distances were measured in the field on March 23, 2022 with representatives from the Sussex County Division of Engineering and Dykstra Associates. The following table indicates the available sight distances from the proposed access.

COUNTY ROUTE 669-LIMECREST ROAD

Movement	Field Measured or Calculated Distance	COS Standard Distance required using the 45 MPH Design Speed	Waiver Required	Stopping Sight Distance (SSD) sufficient for Design Speed (45 MPH SSD = 360 ft)
Driveway Access				
Turn Out Looking Left (P)	439 feet	496 feet	Yes	Yes (439ft > 360ft)
Turn Out Looking Right (P)	632 feet	496 feet	No	Yes (632ft > 360ft)
Turn Out Looking Left (SU)	439 feet	628 Feet	Yes	Yes (439ft > 360ft)
Turn Out Looking Right (SU)	632 feet	628 Feet	No	Yes (632ft > 360ft)
Turn Out Looking Left (WB)	439 feet	761 feet	Yes	Yes (439ft > 360ft)
Turn Out Looking Right (WB)	632 feet	761 feet	Yes	Yes (632ft > 360ft)

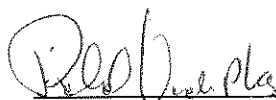

Recommendation: The Sussex County Division of Engineering offers the following for SCPB consideration:

- The County O&S Study for the area include traffic data collection in 2023 which found that Limecrest Road had an ADT of +/- 4,035 VPD.
- The Applicant should be prepared to provide testimony related to the volume and characteristic of traffic proposed to utilize the access onto Limecrest Road, CR 669.
- Through the above reference number 2, the Applicant has provided testimony related to this access and has testified that it is located at the optimal location along the frontage of the property based on the existing conditions of the roadway geometry.
- In the event that this waiver is granted by the SCPB, the applicant shall coordinate with the Division of Engineering to install a AASHTO W11-10 sign(s) at the required distance from the proposed access.
- We would defer the to SCPB's discretionary powers in their evaluation of the merits of the subject waiver request as may be supported during oral testimony by the Applicant.

2. Waiver from LDS V.Q.3.d. Curbing. This application is for a commercial property which would be subject to conformance with the Commercial Access Standards of the Sussex County Land Development Standards. Applicant has requested a waiver from the standard requirement to construct the minimum 50 foot asphalt tapered shoulder from the curb line offset to the existing edge of pavement.

Recommendation: The Sussex County Division of Engineering offers the following for SCPB consideration:

- Access related standards should be considered in light of the design vehicle. The access as proposed has been represented by the Applicant to predominantly service ASSHTO Type "P" and Type "SU" vehicles. The Applicant's professionals should verify this at the SCPB meeting.
- Sussex County standards require a minimum curb line offset of 17' from the centerline of the road. Applicant is proposing a greater offset of 26 feet. Applicant to verify that the proposed curb line serves to appropriately transition into the adjacent roadway shoulders.
- Through the above reference number 2, the Applicant has provided testimony related to this access and has testified that it is located at the optimal location along the frontage of the property based on the existing conditions of the roadway geometry. Furthermore, the end of the curb is too close to the westerly property line to provide for a 50 foot taper. Requiring the 50 foot taper would require moving the access, thereby decreasing the available sight distance to the left.
- Upon review of the plan, the installation of the taper would cross adjoining Lot 4.02.
- We would defer the to SCPB's discretionary powers in their evaluation of the merits of the subject waiver request as may be supported during oral testimony by the Applicant.

	
Reviewed By	Title
Richard Vander Ploeg, Senior Inspector, Road Openings	
Matthew R. Sinke, PE, Sussex County Assistant Engineer	

1-22-24
Date