

11 Park Lake Road Sparta, NJ 07871

P: 973.300.9003 F: 973.300.4003

March 14, 2024

Stephanie Pizzulo, Land Use Administrator Township of Andover 134 Newton Sparta Road Newton, NJ 07860

Re: Transmittal Submission Completeness Review #2

Minor Site Plan Application for 698 Route 206, LLC

698 Route 206 Block 158, Lot 1

Andover Township, Sussex County, New Jersey

Dear Ms. Pizzulo:

CP Engineers, LLC (CP) is transmitting the following documents in response to the Engineering Review memorandum provided by the Andover Township Land Use Board (LUB) Engineer, Cory L. Stoner, P.E., P.P., C.M.E., dated January 12, 2024.

- 15 sets "Minor Site Plan, 698 Route 206 South, LLC, Block 158, Lot 1, Township of Andover, Sussex County, New Jersey" prepared by CP Engineers, LLC, signed and sealed by David A Clark, P.E., last revised March 12, 2024, consisting of two sheets.
- 15 copies (one original and 14 copies) of a revised Minor Site Plan Application for the referenced parcel, dated March 12, 2024.
- 15 copies (one original and 14 copies) of a certification pertaining to construction permits for the referenced parcel, signed and dated March 12, 2024.
- 15 copies of a letter to the Andover Township Land Use Administrator, addressing the completeness items noted in the January 12, 2024 correspondence from Cory L. Stoner, P.E., P.P., C.M.E.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

CP ENGINEERS, LLC

David A. Clark, P.E., C.M.E.

Vice President

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P: 973.300.9003 F: 973.300.4003

March 14, 2024

Stephanie Pizzulo, Land Use Administrator Township of Andover 134 Newton Sparta Road Newton, NJ 07860

Re: Response to Engineering Completeness Review #2

Minor Site Plan Application for 698 Route 206, LLC

698 Route 206 Block 158, Lot 1

Andover Township, Sussex County, New Jersey

Dear Ms. Pizzulo:

CP Engineers, LLC (CP) is in receipt of the Engineering Review memorandum provided by the Andover Township Land Use Board (LUB) Engineer, Cory L. Stoner, P.E., P.P., C.M.E., dated January 12, 2024. We have included detailed responses to each comment issued. They are numbered as they appear in the memorandum, starting with Item #3 – Checklist Review. In additional, the following documents are provided to address the Engineer's comments.

3. Technical Checklists

a. <u>Application and site plans updated to reflect that this is a Minor Site Plan and not a</u> Site Plan Waiver Application.

Comment noted, the plans and application form have been revised.

b. Narrative for the application describing purpose of application, listing the uses of each building on the property and listing all variances and/or design waivers that may be required. The front sheet of site plan submittal includes zoning notes but a written narrative that clearly explains what zoning requirements are to be considered with this application needs to be provided.

The Applicant is coming before the Board to resolve Zoning Violations that have been issued against the Applicant's property for the varying conditions from the 1993 site plan waiver approval granted by Andover Township Planning Board. The Applicant has received various Zoning Violations with the first dating back to August 12, 2022 for the construction of a trash enclosure without a valid Zoning Permit (and may encroach on the rear yard setback) and the addition on the south side of the rear building does not have a valid Zoning Permit and it appears to encroach on the required side yard setback (20').

Stephanie Pizzulo, Land Use Administrator Minor Site Plan Application for 698 Route 206, LLC March 14, 2024 Page 2 of 4



After receipt of the Zoning Violation, the Applicant has removed the trash enclosure to comply with this requirement. Reference to an "addition" on the south side of the rear building is assumed to address a temporary partially enclosed structure on the concrete pavement on the south side of the rear building. The temporary structure has been removed from the south side of the building. The Township has approved a redevelopment plan (Route 206 Redevelopment Plan – March 2022, Amended June 2023) and the subject site falls within the Route 206 Redevelopment Zone (REDEV Zone) of the Plan. The required side yard setback is now 10 feet in the REDEV Zone. Concrete pavement had been installed in lieu of gravel/DGA surface material on the west and south sides of the rear building. Site impervious coverage (buildings, asphalt, gravel/DGA, concrete sidewalks and concrete pavement) has been modified by the applicant since 1993, with the intent of maintaining an equal or lesser amount of impervious coverage for the property. Currently the impervious cover for the lot is less than the impervious cover in 1993 by 0.3% (126 SF).

The Applicant then received three Zoning Violations, dated November 1, 2022, for 1) The addition on the south side of the rear building does not have a valid Zoning Permit and encroaches on the required side yard setback (20'), 2) 20-foot area between garage and property line were to have DGA removed, and 3) The parking behind the garage was to be fenced in by a proposed chain link fence.

With regards to the first zoning violation from November 1, 2022, the temporary structure has been removed.

With regards to the second zoning violation, the Applicant has removed a portion of the gravel/DGA on the south side of the building, particularly from the area along the south property line and also along the west property line. As noted above, the applicant has modified the location of impervious cover on the site resulting in less impervious coverage currently as compared to 1993. This was to provide for the requisite parking and for smooth flow of traffic throughout the site. The applicant is requesting the site plan, as submitted, be approved with the depicted impervious coverage conditions.

With regards to the third zoning violation, portions of fencing had been constructed after the 1993 approval. Stockade fence on the southeast corner of the rear building had fallen into disrepair and was removed. The Applicant is proposing a new section of 6 ft tall wood stockade fence from the southeast corner of the rear building to the south property line. The Applicant is not proposing to install any additional fencing around the rear portion of the rear building. The adjacent property owner currently has wire fencing along the southern and western property lines of the Applicant's property.

The Applicant is seeking Minor Site Plan approval for the varying conditions that exist on site today.

A listing of the variances / design waivers being requested are as follows:



- 1) Route 206 redevelopment plan minimum rear yard setback for accessory structures proposed 5.2' rear yard setback to Trash enclosure structure. Variance requested.
- 2) Route 206 redevelopment plan screening requirements proposed 6' height wood stockade fence for screening. Variance requested.
- 3) §131-37.a. Parking lot paving existing asphalt, concrete and gravel parking to remain. Design waiver requested.
- 4) §131-37.c. Parking space size existing unpainted parking spaces are 9'x18' parking. Design waiver requested.
- 5) §131-37.e off street parking screening existing parking for building a & b cannot be screened. Existing parking for rear Building is screened by front buildings and existing vegetation. Design waiver requested.
- 6) §131-37.i parking area design standards existing parking lot to be maintained as is (no curbing proposed). Design waiver requested.
- 7) §131-37.j. Parking area service aisles existing parking lot to be maintained as is. Design waiver requested.
- 8) §131-38.a. Exterior lighting existing lighting locations are provided. Relief requested for all other requirements. Design waiver requested.
- §131-38c. Exterior light shielding existing lights have been in place since the construction of the buildings and consist of Wall sconces and downcast flood lights. Design waiver requested.
- c. The location of all outdoor storage areas needs to be shown on the plans.

See Plan.

d. Fences and/or screening for outdoor storage areas needs to be shown on the plans.

The applicant is proposing 6' high wood stockade fence from the southeast corner of the rear building to the southern property line to screen outdoor storage view from Route 206.

e. <u>Location of the dumpster pad with details for the trash enclosure needs to be provided.</u>

Acknowledged, an annotation has been added to denote the existing location of the dumpster pad. The Applicant is proposing a 6' high wood stockade fence with gates as an enclosure for the existing dumpster pad location.



f. <u>Limits of the 1993 impervious coverage versus the limits of the current impervious coverage shown on the plan.</u>

The plan set has been revised to include the limits of the 1993 coverage compared to the limits of the current impervious coverage

g. <u>Provide a certification that all construction permits have been issued for all improvements since the 1993 site plan waiver approval.</u>

Acknowledged, the Applicant will be providing a certification.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

CP ENGINEERS, LLC

David A. Clark, P.E., C.M.E.

Vice President

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Certification of David C. Mosner

Re: Minor Site Plan Application For 698 Route 206, LLC Property Located at 689 State Route 206 Block 158 Lot 1 Andover Township, Sussex County

David Mosner, of full age, hereby certifies in lieu of oath or affidavit as follows,

- 1. I am the managing member of 698 Route 206, LLC, the owner of 689 State Route 206 Block 158 Lot 1, Andover Township, Sussex County.
- To the best of my knowledge and belief, all construction permits have been issued, if any were required, for the improvements to the Property since the 1993 site plan waiver approval.

I certify that the foregoing statements made by me are true to the best of my knowledge. I understand that if they are willfully false, I may be subject to punishment.

David C. Mosner

Dated: March 12, 2024

ANDOVER TOWNSHIP LAND USE BOARD

Date Submitted:_____

LAND USE APPLICATION				
Property Address: 698 US 206	Block: <u>158</u> Lot: <u>1</u>			
Project Name: 698 Route 206 South				
1. APPLICANT	2. PROPERTY OWNER			
Name: 698 Route 206 South, LLC / David & Elise Mosner Address: 698 US 206 Phone: 973-383-6144 Fax: Email: tristatedockanddoor@yahoo.com	Name: SAME AS APPLICANT Address: Phone: Fax: Email:			
Interest in Property: PROPERTY OWNER				
Minor Subdivision Preliminary Major Subdivision * Final Major Subdivision Minor Site Plan	Use (d) Variance * Bulk (c) Variance * Appeal (a) Interpretation (b) *			
Preliminary Major Site Plan * Final Major Site Plan * Legal advertisement and notice is required to all process.	Other (informal, Planning Variance, Extension of Approval) Conditional Use * roperty owners within 200 feet.			
4. ATTORNEY (A CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR PARTNESHIP MUST BE REPRESENTED BY A NEW JERSEY ATTORNEY)				
Name: Bruce D. Nimensky, Esq Gray Law Group, LLC				
Address: 727 Route 15 N, Suite 200, Jefferson, NJ 078	49			
Phone: 973-240-7313	Fax: 973-240-7316			
Email. bnimensky@Graylawgroup.com				

5. APPLICANT'S PROFESSIONALS (ENGINEER, PLA	NNER, SURVEYOR, ARCHITECT ETC)		
Name: David A. Clark, PE, CP Engineers, LLC Profession: Engineer Address: 11 Park Lake Road Sparta, NJ 07871 Phone: (973) 300-9003 Email: dave.clark@cpengineers.com Cell: 973-534-5760 Name: Profession: Address:	Name: James D. Sens, PLS, PP, Control Point Associates, Inc. Profession: Surveyor Address: 30 Independence Boulevard, Suite 100 Warren, NJ 07059 Phone: 845-691-7339 Fax: Email: jsens@cpasurvey.com Name: Profession: Address:		
Phone: Fax:	Phone: Fax:		
6. LOCATION OF PROPERTY			
	Block(s): 158		
	Lot(s):		
Zone: Route 206 Redevelopment Zone			
Tax Map Sheet # 13 Nearest Cross Street G	oodale Road		
7. LAND USE			
Existing Land Use: Commercial / Business			
Proposed Land Use: Please describe in detail the project yo No Change in Use. Minor Site Plan being submitte	u are proposing and why you may need a particular variance. ed in response to Zoning Notices of		
Violation from Twp.			
	ures that affect the property. (e.g., septic/ well location, rock lood plains, ridge lines etc) Applicant must be prepared to ith the exception of replacing the former dumpster enclosure fence.		

8. PROPERTY

Number of Existing Lots: 1	Are there existing deed restrictions or easements? No
	Are there proposed deed restrictions or easements?: No
List all existing and proposed non-confor	rming conditions or uses: Rear Yard Setback for Accessory Structure (dumpster enclosure)

9. APPLICATION SUBMISSION MATERIALS

List all plans, reports, photos etc. (use additional sheets if necessary): Minor Site Plan (latest revision 3/6/24), prepared by David A. Clark, PE, CP Engineers, LLC, consisting of two sheets. Cover letter with attachments (prior resolutions). Boundary &

Topographic Survey, Block 158, Lot 1, 698 U.S. Route 206, Township of Andover, Sussex County, NJ, by Control Point Associates, Inc., James D. Sens, PLS.

10. PREVIOUS OR PENDING APPLICATIONS

List all previous or pending applications for this parcel (use additional sheets if necessary): Prior Site Plan Waiver Resolutions of Approval dated, October 15, 1990, November 5, 1990, April 19, 1993 and March 16, 1998.

11. ZONING SCHEDULE (COMPLETE ALL THAT APPLY)

	REQUIRED	EXISTING	PROPOSED
Lot Area	N/A	40,000	No Change
Lot Depth	N/A	200	No Change
Frontage	200	200	No Change
Front Yard Setback	20	30.0	No Change
Left Side Setback	10	19.8	No Change
Right Side Setback	10	83.0	No Change
Rear Yard Setback	20	51.3	No Change
Building Height	50 / 3	< 35 / <2.5	No Change
Maximum Lot Disturbance	N/A	N/A	No Change
Critical Lot Disturbance	N/A	N/A	No Change
Open Space	N/A	N/A	No Change
Parking Setbacks	N/A	N/A	No Change
Parking Spaces	15	18	No Change
Loading Spaces	1	1	No Change

12. OWNER'S AUTHORIZATION FOR SITE INS	PECTION
I hereby give permission for Andover Township Munipremises with respect to the land use application for Lot(s): 1	
Applicant Signature David C. Mosner	Date
13. RELIEF REQUESTED (CHECK ALL THAT A	PPLY)
Zoning Variances	
"A" Administrative Appeal "B" Interpretation "C" Bulk Variance	"D" Use Variance Planning Variance Other
Individual Variance Applications:	
Height variance – The maximum allo structure will stand feet.	wable height in the zone is feet. The proposed
Use Variance – The structure will be a non-permitted use in the	
Expansion of a non-conforming use.	
Other:	
strongly recommends the Buy/Sell (sproperty owners. Applicants are not be modified for individual applicants Buy/Sell letter must be sent at least to completeness by both certified and reference you must be prepared at the hearing Responses must be in writing. The Beauty must give to all property owners with Exceptions from Municipal requirements (N.	racant substandard lots: The Andover Township Land Use Board see addendum) letter be followed in corresponding with abutting required to use the exact wording on the form (the wording may is appropriate); the substance of the form must be followed. The twenty (20) days in advance of your scheduled hearing date for regular mail. Failure to comply will delay a hearing on this matter. It date to offer into evidence the Buy/Sell letter and any response. Buy/Sell letter is in addition to the required statutory notice you min 200 feet as well as those other entities entitled to notice by law. This application is requesting waivers of the Twp. ordinances a noted in the attached transmittal letter dated March 12, 2024 as noted on the project plans.
	provement Standards (R.S.I.S.) (N.J.A.C. 5:21-3.2) requires
application to and approval of the New Jerse	y 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 (Applicant)

Date

David C. Mosner

Print Name

Sworn & Subscribed to before me this

(notary)

Bruce D. Nimensky Attorney-at-Law State of New Jersey

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 (Applicant)

Date

David C. Mosner

Print Name

Sworn & Subscribed to before me this

day of Moral (year

(notary)

Stuce D. Nimensky Attorney-at-Law State of New Jersey

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? O Yes No				
Is this application for a variance to construct a multiple dwelling of twenty-five (25) or more units? O Yes No				
Is this application for approval of a site (or sites) for non-residential purposes? Yes No				
Is the applicant a corporation?				
Is the applicant a limited liability corporation?				
Is the applicant a partnership? 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.				
3/12/2024				
Applicant signature Date				
David C. Mosner				
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 August 23 , $20\frac{23}{}$ shows and discloses the premises in its entirety, described as Block(s) $\frac{158}{}$ Lot(s) $\frac{1}{}$; 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.				
Sworn & Subscribed to before me this				

David C. Mosner

Print Name

__ (notary)

Bruce D. Nimensky Attorney-at-Law State of New Jersey

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: David C. Mosner, Tri-State Dock & Door

Address: 698 US 206 S, Newton, NJ 07860

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.

Sworn & Subscribed to before me this

Signature (Applicant)

Date

David C. Mosner

(notary)

Print Name

Bruce D. Nimensky Attorney-at-Law State of New Jersey

Name of Corporation, Partnership, LLC or LLP:	698	Route	206	South,	LLC
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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	David C. Mosner	140 Lake Illiff Rd. Newton, NJ 07860
2	Elise Mosner	140 Lake Illiff Rd. Newton, NJ 07860
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

Signature (Applicant)

Date

David C. Mosner

Print Name

day of March

___ (notary)

Bruce D. Nimensky Attorney-at-Law State of New Jersey

20 CERTIFICATION OF TAXES PAID (APPENDEX II)

Ms. Daryn Cashin, CTC Andover Township				
134 Newton-Sparta Road				
Newton, NJ 07860				
I hereby certify that the real estate to	axes are paid currer	ntly on:		
Block(s): 158				
Address: 698 Route 206				
Andover Township Tax Collector		Date		
Fee: \$10.00				
Checks or money orders made payab	ole to Andover Tow	nship.		
Please enclose a self-addressed, star	nped envelope.			
Fee Paid:	Date:			

21. REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS (APPENDEX III)

I am requesting a list of property owners within two hundred feet (200') of the following subject property:

Address: 698 Route 206			
Owner: 698 Route 206 South, LLC	C - David Mosner		
Block: 158 Lot: 1			
Requestor's			
Name:			
Address:			
Email:			
Phone:			
Signature	Date		
Face the angulat (Consumts for face and block	de and lat		
Fee: \$10.00 per list (Separate fee for each bloc	ik and lot)		
Please enclose a self-addressed, stamped enve	lope.		
Mr. Jack Marchione, CTA Andover Township			
134 Newton-Sparta Road			
Newton, NJ 07860			
Fee Paid: Da	te:		

22. NOTICE OF HEARING TO NEWSPAPER (APPENDEX IV)

To place the ad call: 844-994-0716 opt 3

Sample Notice of Hearing

PLEASE TAKE NOTICE that the undersigned has made a property known as Block(s),		
In addition, the applicant will request such variances, was or appropriate by the Applicant or the Land Use Board.	ivers, permits, approvals or licenses that are de	emed necessary
This application is now on the calendar for the Andover T	ndover Township Municipal Building, 134 Newt	on-Sparta Road,
Newton, NJ 07860 at 7:30 p.m. When the case is called, yevidence, which you may have regarding the application date designated by the Land Use Board at the public med	. The matter will be heard on the above date or	
The maps, plans, plats and application for which approva and are available for inspection at the Municipal Building		Board Secretary
-		
_		
Notice must be published at least 10 days prior to the m newspaper:	eeting. Publish in the New Jersey Herald or the	e Sunday Herald

23. NOTICE OF HEARING (APPENDEX V)

To property owners within 200 feet of subject parcel to the heard before the Land Use Board

In accordance with the requirements of the Andover Township ordinances and Municipal Land Use Law N.J.S.A. 40:55D-12 of the Revised Statues of New Jersey, you are hereby notified that an application has been filed by the undersigned with the Land Use Board. The application and plans are available for examination in the Land Use Board Office during normal business hours.

Take notice that a public hearing will be conducted be Andover Township Municipal Building, 134 Newton-Sp		on the
ddy 01	20	ct/,5op
Property Involved:		
Street Address:		
Block(s):	Lot(s):	
Present Use:		
Proposed Use:		
Nature of relief or variance requested:		
and any other variances, waivers or approvals deemed	I necessary by the Land Use Bo	pard.
Further take notice that said Land Use Board may at it from time to time, and you are hereby notified that yo concerning such adjournments, postponements or con	ou should make diligent inquiry	
	Applicant	

24. AFFIDAVIT OF SERVICE OF NOTICE (APPENDEX VI)

Andover Township Land Use Board

Affidavit of Service

STATE OF NEW JERSEY:				
COUNTY OF SUSSEX:	SS:			
The undersigned, of full age is the APPLICANT or AGEN ⁻ days prior to the hearing dat known as Block	T and that he/she of te, give personal no , Lot	did on otice to all property ow	ners within 200 feet , with a street	_, at least ten (10) of the property address of
Township, County of Sussex serving the municipality by the registered receipts are a	k, State of New Jer Certified Mail – Re	sey , and all public utilit	y and cable televisio	n companies
Notices were also served up	on utilities, Count	y Planning Department,	N.J.D.O.T. etcif a	pplicable.
Notice was also published in Use Board as required by law not been received from the	w, and Proof of Pul	blication is attached (Ex	hibit "B"). Note: if p	1851
Attached (Exhibit "C") is a coproperty who were served, something Tax Map.				
		Sworn & Subscrib	ed to before me this	
Signature (Applicant)	Date		day of	,20(year)
Print Name		-	((notary)

Notice: Affidavit of Service must be filed with the Land Use Board Secretary at least three (3) days prior to hearing or the matter will not be heard.

25. AFFIDAVIT OF OWNERSHIP STATE OF NEW JERSEY 55 **COUNTY OF SUSSEX** _____ of full age, being duly sworn according to law on oath deposes and says, that the deponent resides at 190 Rd _____, in the municipality _____, in the County of and the State of New Tersey; that Route 206, LLC _____ is the owner in fee of all that certain lot, piece of land situated, lying, and being in the municipality aforesaid, and known and designated as number Block 158, LOT 1 And VET TWO., NJ Owner Signature Sworn & Subscribed to before me this Date 3/12/24 Date 3/12/24 Signature (Applicant) (notary) **Print Name** Bruce D. Nimensky Attorney-at-Law State of New Jersey **Authorization** (If anyone other than above owner is making this application, the following authorization must be executed) To: The Land Use Board:

Date

Owner's Signature

is hereby authorized to make the within application.

26. SAMPLE BUY/SELL LETTER

Adjoining Property Owner
Street Address
Andover, NJ 07860
Re: Block:, Lot:
Dear Adjoining Property Owner:
I own an adjacent to your lot and I am applying to the Andover Township Land Use Board for a variance to construct In this case, our lot is undersized under the current Andover Township ordinances.
The purpose of this letter, in addition to the variance notice which you will be served with, is to inquire whether you have any interest in either: (a) purchasing this lot at its fair market value as a building lot (which assumes the variance has been granted), or (b) selling additional land to us in order to make the lot conforming or more conforming.
You should be aware that in the event you purchase the lot as a building lot at its fair market value, it would have to be merged with your lot and not remain a separate building lot. It is important to emphasize that the price we would be entitled to request would be a building-lot price and not a mere raw acreage.
Nevertheless, the purpose of this letter is to inquire of our as adjoining property owners of your interest in the matter and if you have no interest in buying or selling as described above to let the land use Board know of your position. Would you please indicate on a copy of the letter enclosed your position with respect to this letter, which I will provide to the Land Use Board?
Very truly yours,
Applicant
Via Certified mail, RRR# & Regular Mail cc: Andover Township Land Use Board Secretary
O Lhave and interest. O Lhave no interest.

27. INSTRUCTIONS

NOTICE: These instructions are for informational purposes only. If you are unsure of how to proceed, you should consult with a Land Use Professional.

Step 1: Application Submission

- A. All applications for development, fees and supporting documentation shall be filed with the Land Use Board Secretary at the Andover Township Municipal Building, 134 Newton-Sparta Road, Newton, NJ 07860, Monday through Friday between the hours of 8:00am and 4:00pm and at least twenty-one (21) days prior to the meeting date in order to be added to the agenda for a completeness hearing.
- B. 1 Original and 14 Copies of a Completed Land Use Application. (15 Total) Applications shall be on the forms provided by Andover Township. All information, unless requested to be waived in writing, shall be supplied.
- C. All application fees and escrows are to be in separate checks payable to Andover Township. All escrow accounts are to be brought up to opening balance prior to being put on the agenda.
- B. Signed Escrow Agreement and W-9 tax form.
- C. All required fee and escrow payments as set forth in the fee schedule. Application fees are non-refundable. All checks should be made payable to Andover Township. Separate checks should be submitted for fees and escrow.
- D. Completed application checklist and required submission materials as denoted in the checklists. If an item on the checklist is not applicable, a submission waiver may be requested with justification for such a waiver.
- E. Property owners List request and associated fee
- F. Request a tax search from the Tax Collector. Documentation of taxes paid and current must be provided before the application can be deemed complete.
- G. For any Corporation or Partnership applying for a variance for non-residential purposes or to construct a multi-residential dwelling of 25 or more units, a list of the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class of 10% interest in the partnership and an affidavit verifying its accuracy.
- H. All materials shall be filed with the Land Use Board Secretary 21 days in advance of the target completeness hearing date.

Step 2: Completeness Review (Within 45 days of submission)

- A. Once received; the application will be distributed to Board Professionals and Members.
- B. Board Members and Professionals will review the documentation submitted and check to ensure that all required checklist items have been submitted.
- C. All required documentation should be provided, or waivers may be requested from various checklist submission requirements. If necessary, items have not been submitted, a completeness review report will be sent to the applicant (within 45 days of submission) indicating which items are outstanding. The required outstanding items must be addressed prior to being scheduled for a hearing.
- D. Once all necessary items are submitted, the application will be deemed complete and formally scheduled for a hearing date.

Step 3: Public Notification (a minimum of 10 days prior to hearing)

Notice must be provided (pursuant to N.J.S.A. 40:50D-12) in the official newspaper of the Board (The New Jersey Herald - Daily or Sunday edition) and to property owners within 200 feet of the subject parcel (utilize the list provided by the tax assessor). Please review the following instructions regarding proper notice procedures:

- A. Do not provide notice until you have been formally scheduled for a hearing.
- B. Notice must be provided a minimum of ten (10) days prior to the hearing (not including the date of the meeting) or the application will be rescheduled to a later date, which will require new notice.
- C. Complete the Notice of Hearing
 - 1.) The description of the relief sought must be provided on the form.
- 2.) Copies of the form must be distributed to all persons/entities listed on the Property Owners list either by certified mail or hand delivery in accordance with N.J.S.A. 40:55D-12.
- D. Complete the Affidavit of Service of Notice, sign, notarize, and attach original certified mail receipts.
- E. Complete Public Notice and submit it to the New Jersey Herald daily or Sunday edition.
 - 1.) Legal notices must be published at least ten (10) days prior to the hearing date. Please contact the New Jersey Herald for their submission deadlines.
 - 2.) The description of the relief desired should reflect that of the Notice of Hearing form.
 - 3.) The newspaper will send you an affidavit of proof of publication, which must be submitted to the Land Use Board Secretary.

Step 4: Submit Proof of Notice

Once the application is deemed complete by the Land Use Board, notice must be served at least ten (10) days prior to the hearing to all entitled to notice. The notice must also appear in the New Jersey Herald daily or Sunday edition, at least ten (10) days prior to the hearing.

The applications that require notice are:

- 1. Any Variance
- 2. Any Preliminary Major Subdivision
- 3. Any Site Plan
- 4. Conditional Use Approval
- 5. Any appeal of the Zoning Officer's determination of interpretation
- 6. Any request for Certification of pre-Existing Non-Conforming use to the Land Use Board

In certain situations, another municipality, the Sussex County Planning Department, Utilities, Corporations or other entities may be entitled to notice. Applicants are directed to refer to the provisions in the Municipal Land Use Law, N.J.S.A. 40:55D-12, if unsure.

The following items must be submitted to the Land Use Board Secretary no later than three (3) days prior to the hearing date:

- 1.) A copy of the Notice of Hearing
- 2.) The Affidavit of Service of Notice
- 3.) Original certified mail receipts
- 4.) The affidavit of proof of publication from the New Jersey Herald

Step 5: Prepare the Presentation

The presentation to the Land Use Board should be brief and concise, but present all relevant facts and address the requested variances. Photographs, sketches, witnesses, and/or any other pertinent information may be presented. The burden of proof is on the applicant since he or she is asking for an exception to the ordinance. The Land Use Board is required to consider certain tests in evaluating your application, as specified in the Municipal Land Use Law.

An attorney must represent all applicants or property owners that are incorporated. Any employed professionals and experts for the applicant will be certified that they possess the appropriate New Jersey licenses prior to any testimony at the hearing. The lack of a New Jersey license does not prohibit an individual from testifying but will preclude their ability to be certified as an expert witness by the Board.

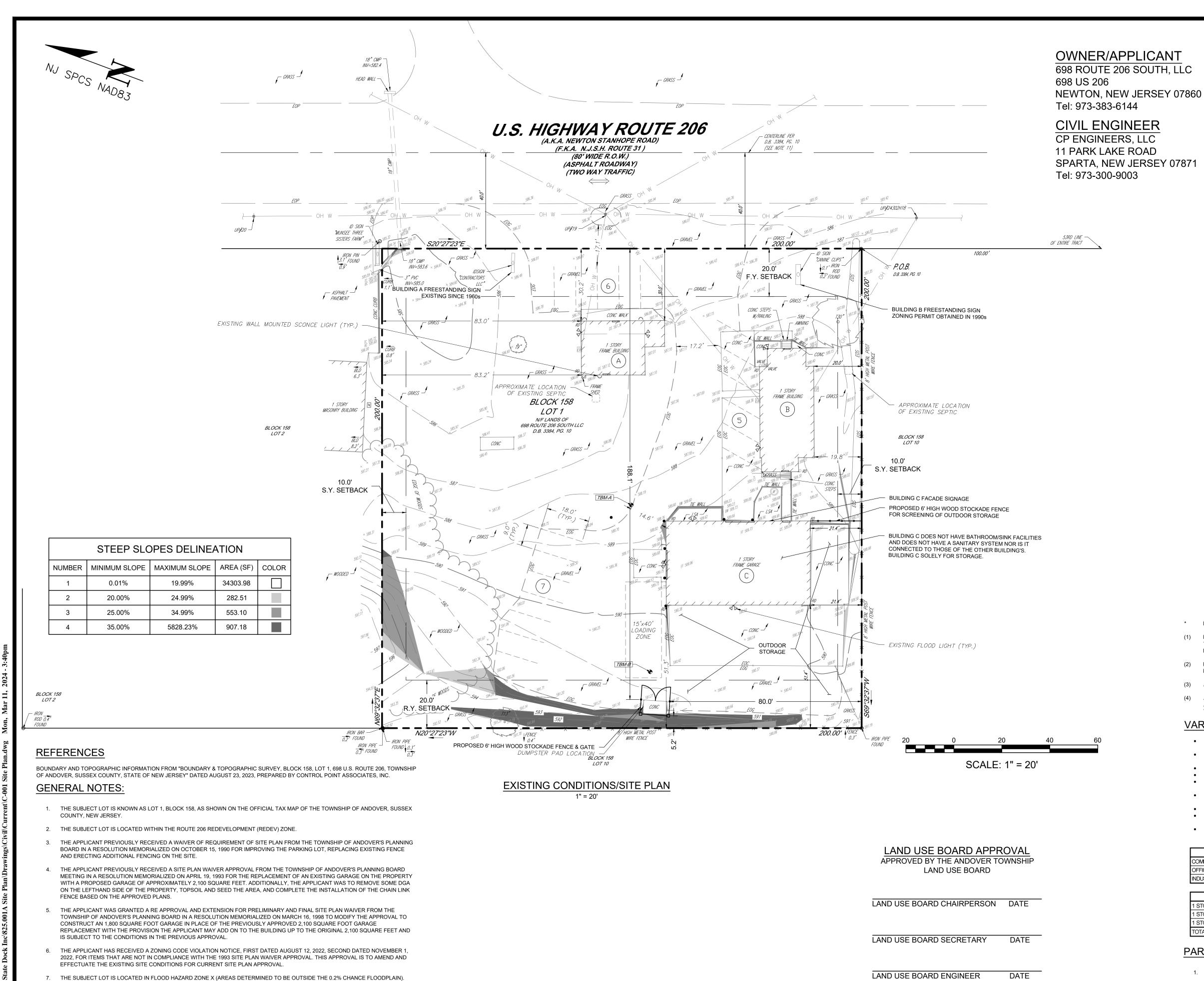
Step 6: Attend the Hearing:

- 1.) An application must be heard by the Land Use Board within 120 days of being deemed complete.
- 2.) The Land Use Board meets on the first and third Tuesday of every month, except holidays in the Andover Township Municipal Building, 134 Newton-Sparta Road, Newton, NJ 07860 at 7:30pm. The meeting is open to the public.

Step 7: After the Hearing:

- a. Resolution: The resolution will be presented and memorialized by the Land Use Board within 45 days of decision. A copy of the resolution will be mailed to the applicant of the applicant's attorney as listed on the application.
- B. Notice of Decision: A notice of Decision will be submitted to the New Jersey Herald for publication by the Land Use Board Secretary within ten (1) days of the memorialization of the resolution.
- C. Appeal Time Period: Any party interested in appealing the decision of the Land Use Board, must do so within forty-five (45) days of the publication of the notice of decision.
- D. Items to submit After the Hearing:

- 1.) Conditions of Approval: Any and all conditions of approval must be satisfied (legal documents, additional information, maps for signature, etc...), which should be submitted to the Board Secretary. Certain items will be reviewed by the Board Professionals and may need to be revised as deemed necessary.
- 2.) Conformance Plans: Four (4) sets of revised plans, which address needed completeness items and comments from the Board Members and Board Professionals, should be submitted to the Board Secretary for signatures.
- 3.) Escrow: Any outstanding escrow and bond payments must be submitted prior to the issue of any permits. Should a positive balance remain in the escrow account after the project is complete and all bills are submitted and paid, a written request for the refund of the remaining escrow must be submitted to the Land Use Board Secretary.
 - 4.) Zoning Permit: A zoning permit application may be submitted once the above items have been completed.
- 5.) Council on Affordable Housing (COAH): A COAH fee may apply for new construction of single-family homes and larger development projects per the Township ordinance. Similarly, a non-residential development Fee is required for applicable commercial development, per the Township ordinance.
- 6.) Building Permits: A building permit may be applied for with the Construction Department after all other requirements have been satisfied. A pre-construction meeting may be necessary and should be scheduled with the Board Engineer.



S. HIGHWAY ROUTE 206 30' ROW GOODALE ROAD -R-2 REDEV R-2 R-2

> ANDOVER TOWNSHIP TAX MAP SHEETS 12 & 13 (2014) SUSSEX COUNTY SEPTIC RECORDS FOR WELL DATA **KEY MAP**

= STRUCTURES

= WELLS

1" = 400'

TOWNSHIE	OF ANDOVER	- BLOCK 158	LOT 1	
ROUTE 206 REDEVEL		•		
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	COMMENTS
MINIMUM LOT AREA (SQUARE FEET)	N/A	40,000(1)	NO CHANGE	
MINIMUM LOT WIDTH (FEET)	100	200	NO CHANGE	CONFORMING
MAXIMUM BUILDING COVERAGE (%)	50	9.7	NO CHANGE	CONFORMING
MAXIMUM IMPERVIOUS SURFACE COVERAGE (%)	75	46.4 ⁽⁴⁾	NO CHANGE	CONFORMING
GROSS DENSITY (UNITS PER A CRE)	N/A	-	-	
MINIMUM FLOOR A REA (SQUA RE FEET)	N/A	-	-	
PRINCIPAL BUILDING				
MINIMUM FRONT YARD SETBACK (FEET)	20	30 ⁽²⁾	NO CHANGE	CONFORMING
MINIMUM SIDE YARD SETBACK (FEET)	10	19.8 ⁽³⁾	NO CHANGE	CONFORMING
MINIMUM REAR YARD SETBACK (FEET)	20	51.3	NO CHANGE	CONFORMING
MAXIMUM BUILDING HEIGHT (FEET/STORIES)	50 / 3	< 35 / < 2.5	NO CHANGE	CONFORMING
ACCESSORY STRUCTURES				
MINIMUM FRONT YARD SETBACK (FEET)	20	N/A	188.1 *	CONFORMING
MINIMUM REAR YARD SETBACK (FEET)	10	N/A	5.2 *	VARIANCE
MINIMUM SIDE YARD SETBACK (FEET)	5	N/A	80.0 *	CONFORMING
MAXIMUM BUILDING HEIGHT (FEET)	20	N/A	N/A	

STRUCTURE COVERAGE (2023)		IMPERVIOUS COVERAGE (2023) (4)	
1 STORY FRAME BUILDING AND FRAME SHED (A)	691 SF	BUILDING AREAS (A,B & C)	3,871 SF
1 STORY FRAME BUILDING (B)	1,071 SF	CONCRETE A REA S	4,252 SF
1 STORY FRAME GARAGE (C)	2,109 SF	GRA VEL MOTOR VEHICLE SURFACE A REAS	10,426 SF
TOTAL	3,871 SF (9.79	%) TOTAL	18,549 SF (46.4%)

- * PROPOSED DUMPSTER ENCLOSURE IS TO REPLACE A PREVIOUS ENCLOSURE THAT WAS REMOVED.
- (1) MEMORIALIZED RESOLUTION DATED APRIL 21, 1993 FOR SITE PLAN WAIVER APPROVAL DEEMED THAT THE PROPERTY WAS LOCATED IN THE B ZONE WHERE THE LOT AREA REQUIREMENT FOR THE ZONE WAS 20,000 SQUARE FEET. THE ZONING ORDINANCE HAS SINCE BEEN AMENDED AND THE MINIMUM REQUIRED LOT AREA IS NOW IN CONFORMANCE WITH THE CURRENT ZONING STANDARDS.
- (2) MEMORIALIZED RESOLUTION DATED APRIL 21, 1993 FOR SITE PLAN WAIVER APPROVAL DEEMED THAT THE PRE-EXISTING FRONT YARD SETBACK DOES NOT REQUIRE A VARIANCE SINCE IT IS A PRE-EXISTING CONDITION AND IS NOT BEING CHANGED BY THE REQUESTED SITE PLAN WAIVER.
- (3) APPROVED SITE PLAN PREPARED BY CHARLES P. PORTER, P.E. DATED MARCH 24,1993 ANNOTATED A 20'± SIDE YARD SETBACK FOR EXISTING BUILDING B.
- (4) APPROVED SITE PLAN PREPARED BY CHARLES P. PORTER, P.E. DATED MARCH 24, 1993 DEPICTED IMPERVIOUS COVER (INCLUSIVE OF BUILDINGS, CONCRETE, AND GRAVEL VEHICULAR SURFACE) WAS 18,675 SF (46.7%) AND CURRENT IMPERVIOUS COVER IS 18,549 SF (46.4%). A REDUCTION OF 126 SF (0.3%) FROM 1993

VARIANCES/DESIGN WAIVERS REQUESTED:

- ROUTE 206 REDEVELOPMENT PLAN MINIMUM REAR YARD SETBACK FOR ACCESSORY STRUCTURES PROPOSED 5.2' REAR YARD SETBACK TO TRASH ENCLOSURE STRUCTURE. VARIANCE REQUESTED. • ROUTE 206 REDEVELOPMENT PLAN SCREENING REQUIREMENTS - PROPOSED 6' HEIGHT WOOD STOCKADE FENCE FOR SCREENING. VARIANCE
- §131-37.A. PARKING LOT PAVING EXISTING ASPHALT, CONCRETE AND GRAVEL PARKING TO REMAIN. DESIGN WAIVER REQUESTED.
- §131-37.C. PARKING SPACE SIZE EXISTING UNPAINTED PARKING SPACES ARE 9'x18' PARKING. DESIGN WAIVER REQUESTED.
- §131-37.E OFFTREET PARKING SCREENING EXISTING PARKING FOR BUILDING A & B CANNOT BE SCREENED. EXISTING PARKING FOR REAR BUILDING IS SCREENED BY FRONT BUILDINGS AND EXISTING VEGETATION. DESIGN WAIVER REQUESTED.
- §131-37.I PARKING AREA DESIGN STANDARDS EXISTING PARKING LOT TO BE MAINTAINED AS IS (NO CURBING PROPOSED). DESIGN WAIVER
- §131-37.J. PARKING AREA SERVICE AISLES EXISTING PARKING LOT TO BE MAINTAINED AS IS. DESIGN WAIVER REQUESTED. • §131-38.A. EXTERIOR LIGHTING - EXISTING LIGHTING LOCATIONS ARE PROVIDED. RELIEF REQUESTED FOR ALL OTHER REQUIREMENTS. DESIGN
- §131-38C. EXTERIOR LIGHT SHIELDING EXISTING LIGHTS HAVE BEEN IN PLACE SINCE THE CONSTRUCTION OF THE BUILDINGS AND CONSIST OF WALL SCONCES AND DOWNCAST FLOOD LIGHTS. DESIGN WAIVER REQUESTED.

PARKING REQUIREMENTS (§190-ARTICLE VII: PARKING AND LOADING REQUIREMENTS)

COMMERCIAL USES: 1/200 SQ FT OF GROSS LEASA	ABLE FLOOR A	REA			
OFFICES: 1/200 SQUARE FEET FOR PROFESSIONAL	. AND BUSINESS	S OFFICES			
INDUSTRIAL USES: 1/500 SQ FT OR 1/EMPLOYEE, W	VHICHEVER IS G	GREATER			
BUILDING	USE	PARKING CALCULATIONS	REQUIRED	EXISTING	PROPOSED
		PARKING CALCULATIONS (691 SF X 1/200 SF) = 3.5 = 4 SPA CES	REQUIRED 4	EXISTING	PROPOSED -

L	BUILDING	USE	PARKING CALCULATIONS	אבעטואבט	EXISTING	PROPUSED
	1 STORY FRAME BUILDING AND FRAME SHED (A)	OFFICE	(691 SF X 1/200 SF) = 3.5 = 4 SPACES	4	6	-
	1 STORY FRAME BUILDING (B)	COMMERICAL	(1,071 SF X 1/200 SF) = 5.4 = 6 SPACES	6	5	-
	1 STORY FRAME GARAGE (C)	INDUSTRIA L	(2,109 SF X 1/500 SF) = 4.2 = 5 SPACES	5	7	-
	TOTAL			15	18	-

PARKING NOTES:

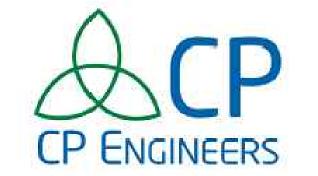
1. §131-37.H. ONE LOADING ZONE AT LEAST 15 FEET BY 40 FEET SHALL BE PROVIDED FOR ALL COMMERCIAL AND INDUSTRIAL USES. LOADING ZONE SHOWN ON PLAN BUT NOT STRIPED IN FIELD.

2. PARKING SPACES SHOWN ON PLAN BUT NOT STRIPED IN FIELD.

(FEET) AN	ID THE VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM 1	988 (FEET).	
				<u>DESIGN</u>
				D.A.C.
				<u>DRAWN</u>
	REVISIONS PER BOARD ENGINEER COMMENTS	S.H.B.	D.A.C.	
30-23	REVISIONS PER BOARD ENGINEER COMMENTS	S.H.B.	D.A.C.	
DATE	DESCRIPTION	BY	CKD.	CHECKED

THE HORIZONTAL DATUM FOR THE PROJECT IS NEW JERSEY STATE PLANE COORDINATE SYSTEM (NORTH AMERICAN DATUM 1983)

LETTER REVISIONS ARE NOT TO BE USED FOR CONSTRUCTION



CP ENGINEERS COA: 24GA28324400 11 PARK LAKE ROAD

SPARTA, N.J. 07871 (973) 300-9003

CPENGINEERS.COM

MINOR SITE PLAN

698 ROUTE 206 SOUTH, LLC **BLOCK 158, LOT 1** TOWNSHIP OF ANDOVER SUSSEX COUNTY, NEW JERSEY

JOB No.: 825.00 DATE: 08-25-23 SHEET

LIC. NO. 24GE03980500

