

**TOWNSHIP OF ANDOVER
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE #2023-11

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO AMEND THE ANDOVER TOWNSHIP ROUTE 206 REDEVELOPMENT PLAN TO INCLUDE AN ADDITIONAL PERMITTED USE ENTITLED “WHOLSESALE ESTABLISHMENTS, WAREHOUSES AND STOREHOUSES EXCEPT THOSE SET FORTH IN 190-54 WHICH ARE CONDITIONAL USES”

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment or areas in need of rehabilitation, as such terms are defined in the Act; and

WHEREAS, on September 2, 2021, the Township of Andover (the “Township”), designated property identified as an area covering 812 acres and 43 tax lots in the Township along US Route 206 and Stickles Pond Road, with specific tax lot and blocks identified in Attachment A, as an area in need of redevelopment in accordance with the Act (the “Redevelopment Area”); and

WHEREAS, the Township Committee referred the development of a redevelopment plan for the Redevelopment Area to the Township’s Land Use Board, which developed and reviewed a redevelopment plan entitled, “Route 206 Redevelopment Plan,” prepared by J Caldwell & Associates, LLC, dated March 2022 (see Attachment A); and

WHEREAS, the Township Committee adopted the Route 206 Redevelopment Plan via Ordinance 2022-13 on June 2, 2022; and

WHEREAS, the Township Committee on October 20, 2022 adopted Ordinance 2022-18, amending the Route 206 Redevelopment Plan to permit Class 5 Cannabis Retailer Licenses as a permitted use; and

WHEREAS, the Township Committee wishes to establish that the development of wholesale establishments, warehouses, and storehouses is and always was intended to be designated by the Route 206 Redevelopment Plan as a permitted use within the Redevelopment Area; and

WHEREAS, the Township Committee wishes to establish that the warehousing and storing of certain materials, as set forth in §190-54 of the Township Municipal Code, is and always was intended to be designated by the Route 206 Redevelopment Plan as a conditional use within the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey, as follows:

SECTION 1. The Route 206 Redevelopment Plan and specific amendments (Attachment A) are hereby incorporated into the Township’s Zoning Ordinance, Chapter 190, as adjusted, and entitled “Route 206 Redevelopment Zone/Andover Hamlet Overlay Zone”.

SECTION 2. The development of wholesale establishments, warehouses, and storehouses shall be a permitted use within the Route 206 Redevelopment Zone/Andover Hamlet Overlay Zone.

SECTION 3. The warehousing and storing of certain materials, as set forth in §190-54 of the Township Municipal Code, shall be a conditional use within the Route 206 Redevelopment Zone/Andover Hamlet Overlay Zone.

SECTION 4. All other elements of the Route 206 Redevelopment Plan which have been incorporated into the Township Municipal Code shall remain in full force & effect.

SECTION 5. All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance may be renumbered for codification purposes.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

ATTEST:

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
STATE OF NEW JERSEY**

Patricia L. Bussow, RMC/CMR, Municipal Clerk

By: _____
Thomas D. Walsh, Mayor

ATTACHMENT A

ROUTE 206 REDEVELOPMENT PLAN
Amended June 2023

DRAFT