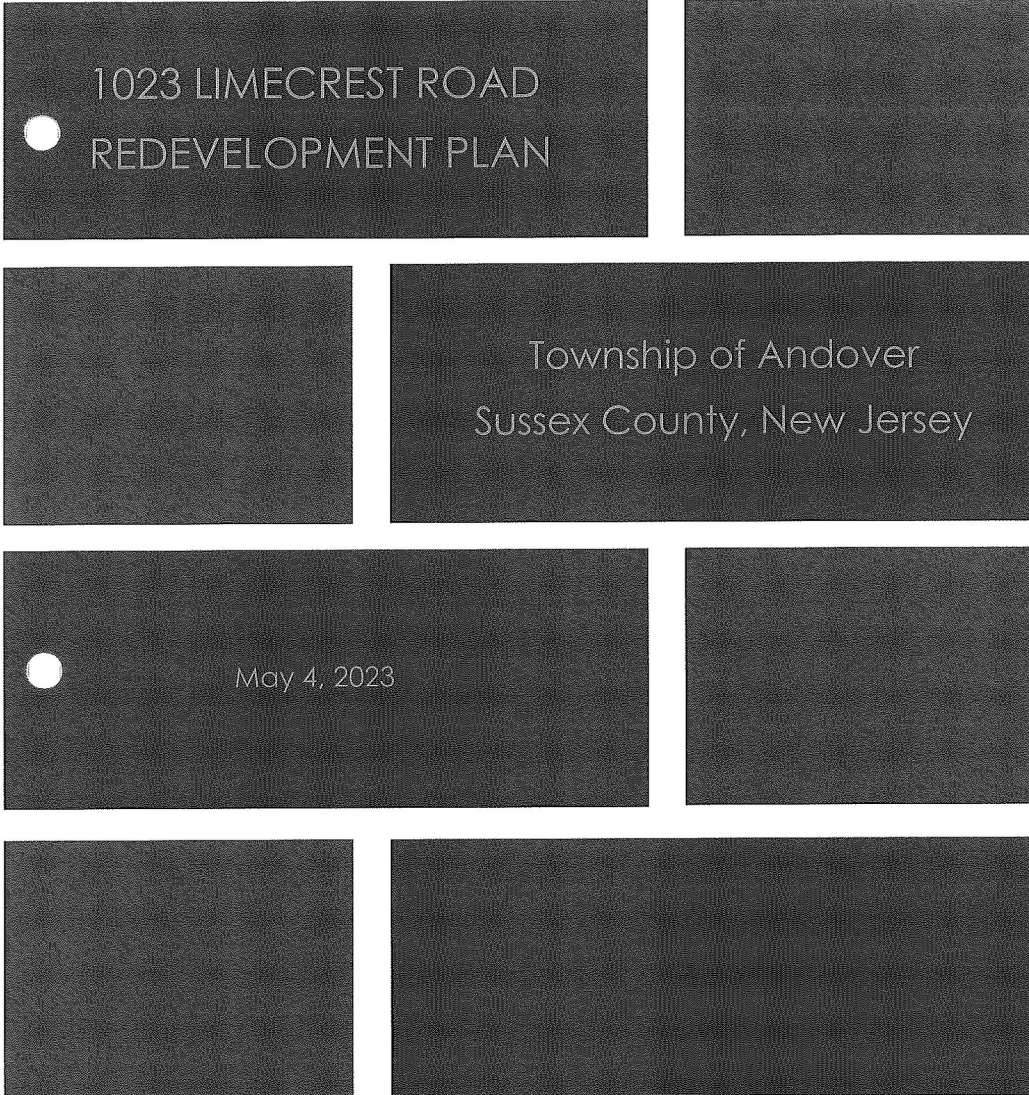



ZONING

190 Attachment 10

Township of Andover

1023 Limecrest Road Redevelopment Zone
[Added 5-4-2023 by Ord. No. 2023-06]




Jessica Caldwell, P.P., A.I.C.P., Special Projects Planner, P.P. #5944
The original of this document was signed and sealed in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

 **J Caldwell
& Associates, LLC**
Community Planning Consultants
145 Spring Street, Suite E
Newton, New Jersey 07860

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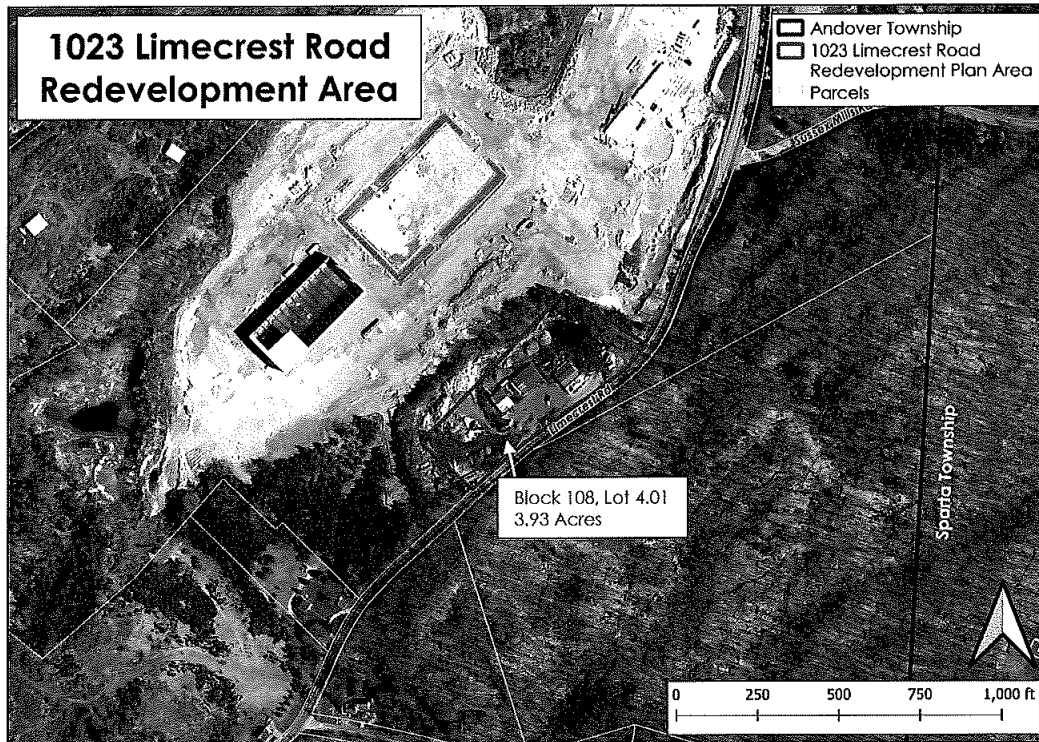
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INTRODUCTION

The 1023 Limecrest Road Redevelopment Plan (the "Plan") governs the Non-Condensation Area in Need of Redevelopment (the "Plan Area") designated by Resolution 2022-106 adopted by the Township Committee of the Township of Andover on August 4, 2022, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), including Block 108, Lot 4.01 on Limecrest Road (the "Plan Area"). This Plan is proposed to execute the redevelopment of the Area, shown below.



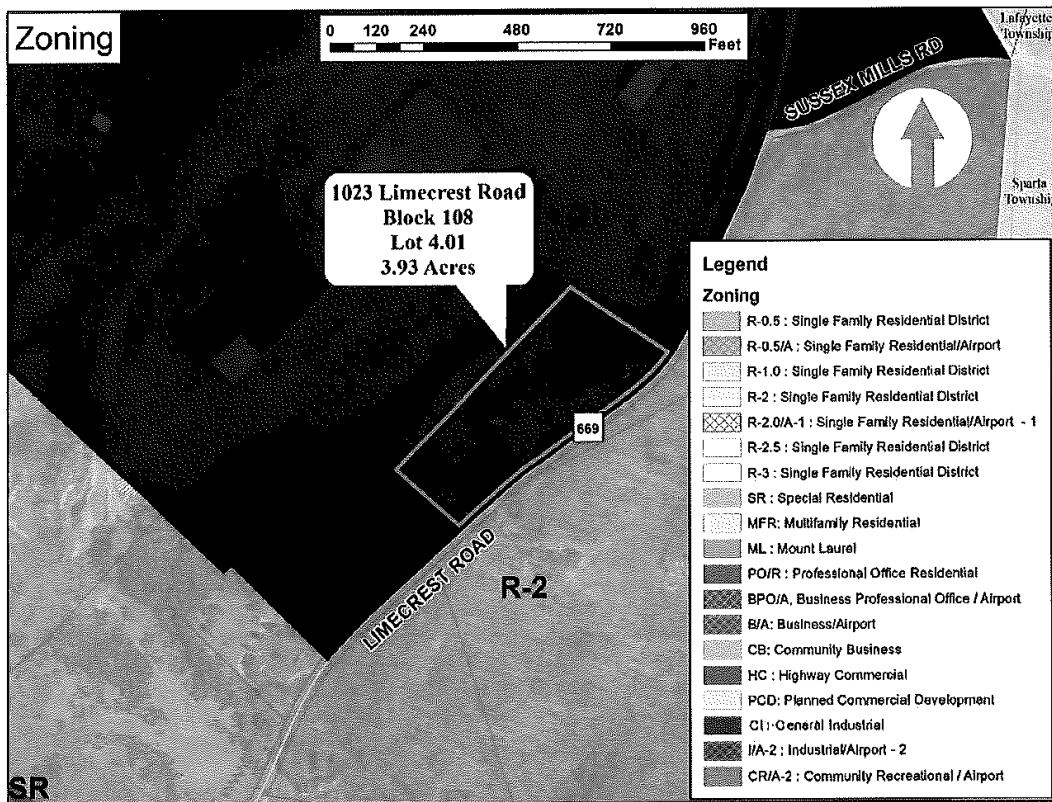
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1023 Limecrest Road Redevelopment Plan

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PLAN CONTEXT

The Redevelopment Plan Area covers 1023 Limecrest Road (Block 108, Lot 4.01), which is approximately 3.93 acres and includes one (1) tax lot in Andover Township, Sussex County. The 1023 Limecrest Redevelopment Plan supersedes the current General Industrial (GI) Zone underlying the Plan Area but incorporates the uses of the GI Zone into the Plan. The Plan Area is surrounded to the north, east and west by GI Zoned properties. The Plan Area has frontage on Limecrest Road. Across Limecrest Road to the south is R-2 Single-Family Residential Zoning.



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PURPOSE

This Redevelopment Plan is designed to serve as the zoning for the Plan Area by providing guidelines for new construction in the Plan Area and establishing permitted land uses and bulk standards. The Plan permits all uses which are permitted in the GI General Industrial Zone and proposes to add a concrete batch plant as a permitted use.

The goals of this Redevelopment Plan are as follows:

1. To provide for the coordinated and orderly development of this underutilized parcel in a manner consistent with the Andover Master Plan, Sussex County Master Plan, and State Development and Redevelopment Plan;
2. To promote the revitalization of this underutilized site with viable land uses;
3. To create economic development opportunities that will generate private sector investment, produce new jobs, and increase tax ratables;
4. To promote redevelopment that is appropriate for the redevelopment area's unique location, the surrounding land uses, and proximity to the local and regional transportation network;
5. To ensure compliance with all applicable state and local regulations;
6. To provide a workforce population;
7. To provide for a variety of commercial and industrial land uses; and
8. To provide market niche industrial uses including clean industry which complies with applicable NJDEP regulations.

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DEFINITIONS

The following definitions apply to this Redevelopment Plan. Where terms are not identified, definitions in the Township Zoning Ordinance shall prevail. Where conflicts exist between this Plan and the Township Zoning Ordinance, this Plan shall prevail.

Accessory Use or Structure – A use or structure subordinate to the principal use of a building or structure on the same lot and/or separate lot(s) within the redevelopment area and serving a purpose customarily incidental to the use of the principal building.

Aisle – the traveled way by which cars enter and depart parking spaces.

Application for development – The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, cluster development, conditional use, zoning variance or direction of the issuance of a permit pursuant to N.J.S.A. 40:55D-34 or -36.

Building – A combination of materials to form a construction adapted to permanent, temporary, or continuous occupancy and having a roof.

Building Height – The vertical distance measured from the main elevation of the finished grade along the front of the building to the highest point of the roof; flat roofs, to the main height level; between the eaves and the ridge, for gable and hipped roofs and to the deck line for mansard roofs. Building Height shall not include roof-mounted mechanical equipment or other rooftop structures, provided those equipment or structures do not exceed twenty-five (25) feet in height as measured from the top of the roofline, or as other stipulated herein.

Building, Principal – A structure in which is conducted the principal use of the site on which it is situated.

Concrete Mix Types:

Central Mix: A process where concrete ingredients are mixed at the Concrete Batch Plant site and the contents are then transferred to either an open bed dump truck or an agitator truck for transport to the job site.

Ready Mix: A process where concrete is batched for delivery from a central plant with specific ingredients tailored to a specific need by the contractor and delivered by agitator trucks.

Transit Mix (Truck Mix): A process where concrete materials are batched at a central plant and are completely mixed by truck in transit.

Shrink Mix: A process where concrete is partially mixed at the plant to reduce or shrink the volume of the mixture and the mix is completed in transit or at the job site.

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Concrete Batch Plant – A facility which stores raw materials, conveys, measures and discharges concrete mix constituents into trucks for transport to a job site. The types of concrete batch plants include a variety of mix types such as transit-mixed, ready-mixed, shrink-mixed and central-mixed facilities.

Development – The division of a parcel of land into 2 or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or any mining, excavation of landfill, and any use or change in use of any building or other structure or land or extension of use of land, for which permission may be required; redevelopment.

Lot – A designated parcel, tract, or area of land established by plat or otherwise permitted by law and to be used, developed, or built upon as a unit.

Lot Area – The total horizontal area included within lot lines, but not including any part of a street or railroad right-of-way.

Lot Coverage – The area of a lot covered by any impervious surface.

Office – A place for the transaction of business where reports are prepared, records are kept and services are rendered, but where no retail sales are offered and where no manufacturing, assembly, or fabricating takes place.

Printing or Publishing Establishment – A facility in which printed items such as books, newspapers, periodicals or other printed items are produced by mechanical means for distribution and sale. Printing establishments include 3D printing and industrial printing in plastic, metal and similar materials.

~~**Redeveloper** – A party that has an enforceable legal interest in the properties within the redevelopment area (except a redeveloper shall not need such an enforceable legal interest with respect to Block 108, Lot 4.01) and has been designated as redeveloper pursuant to the LRHL. This definition of redeveloper set forth in the LRHL is also incorporated as if fully set forth herein.~~ Means any person, firm, corporation or public body that shall enter into or propose to enter into a contract with a municipality or other redevelopment, or any part thereof, under the provisions of N.J.S.A. 40A:12A-3, or for any construction or other work forming part of a redevelopment.

Setback – The closest distance measured perpendicular to the street line or lot line and the plane established by the farthest projection of a building nearest to the street line or lot line.

Sign – Any object, device, display, mural or structure, or a part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination or projected images. This definition shall specifically include any building or part of a building, including walls and facades used for such purposes and shall further include banners, pennants, flags and similar attention attracting devices that convey a message.

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Street Line – The edge of the existing street right-of-way at the time of adoption of this redevelopment plan, forming the dividing line between the street and lot.

Structure – A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

~~**Truck Terminal** – A facility for the fueling, loading, and unloading of trucks, where storage of cargo is incidental to the primary function of motor freight shipment, and where minor maintenance and repair of these types of vehicles are performed. A facility which has less than 2,000 square feet of building area per loading dock shall be considered a truck terminal and not a warehouse distribution facility as defined herein.~~

Warehouse Distribution Facility – Any establishment, including climate-controlled establishments (cold storage, refrigerated storage), primarily used for indoor short-term or long-term storage, loading, unloading and/or distribution of goods, products, or materials, and which shall be permitted to include accessory sorting, consolidation, repacking and value-added services. Such facilities shall be permitted to include accessory parking and storage of trucks and trailers, and accessory maintenance of trucks owned by the facility. This definition shall be interpreted to include the following specialized warehouse land use categories (LUC) established by the Institute of Transportation Engineers (ITE):

1. LUC 150 Warehousing.
2. ~~LUC 154 High-Cube Transload and Short-Term Storage Warehouse (with or without drive-through railroad siding for rail to truck or truck to rail transfer);~~
3. ~~LUC 155 High-Cube Fulfillment Center Warehouse;~~
4. ~~LUC 156 High-Cube Parcel Hub Warehouse; and~~
5. ~~LUC 157 High-Cube Cold Storage Warehouse.~~

~~This definition shall not include truck terminals, which is defined above.~~

Wholesale Establishments – Any facility, including climate-controlled facilities, engaged in selling merchandise to retailers; to industrial, commercial institutional or professional business users; to other wholesalers; or acting as agents or brokers buying merchandise for, or selling merchandise to, such individuals or companies and not directly to the public.

PLAN CONSISTENCY REVIEW

Andover Township Master Plan Consistency

The Redevelopment Law requires that the Redevelopment Plan define the Plan's relationship to local master plan goals and objectives such as appropriate land uses, population densities, improvements to traffic, public utilities, recreational and community facilities, and other improvements. The Redevelopment Law also requires that the Redevelopment Plan be substantially consistent with the municipal master plan or designed to effectuate the master plan.

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The Township's Master Plan was adopted by the Andover Township Land Use Board on December 7, 1992, and a Master Plan amendment was adopted in October 2005. The 1992 Master Plan was then updated in July 2007, December 2008, and July 2011 to enhance and further the goals and objectives of the Township's changing land use and housing needs.

The following Master Plan goals and objectives relate to the Redevelopment Area and further enhance the Land Use Goals of the Township of Andover's Master Plan.

- To establish development densities and intensities at levels that do not exceed the carrying capacity of the natural environment and available infrastructure, both existing and planned.
- To provide a future land use pattern that serves the needs of the community for housing, community services, and a safe and healthful environment.
- To promote cooperation with neighboring municipalities in the region to advance consistent development and open space goals, policies and plans.
- To promote the goals and objectives of Andover Township through the incorporation of local policies and strategies that respond to the basic premises, intent, and purposes of the State Development and Redevelopment Plan and the Sussex County Strategic Growth Plan.
- To provide for a reasonable balance among various land uses that respect and reflect upon the interaction and synergy of community life.
- To offer flexibility in developing techniques that recognize new approaches and technologies which are responsive to evolving demographic, economic and environmental needs.
- ~~To provide for a reasonable balance among various land uses that respect and reflect upon the interaction and synergy of community life.~~

The 2011 Reexamination Report also recommended that the Township continue its analysis of the industrial zones subsequent to the Master Plan Reexamination Report and Land Use Plan Element, which were both adopted in March 2010, with the conclusion that certain areas are suitable for a broader range of uses apart from those presently permitted in the industrial districts. This conclusion is based in part on the underutilization of certain properties in the industrial districts and in part upon the recognition that such underutilized areas and buildings, designed for industrial uses are well suited to accommodate a broader range of industrial and related uses not currently permitted.

This Redevelopment Plan is consistent with the Township's Master Plan.

Local, Regional, and State Plan Consistency

The relationship of the Redevelopment Plan with surrounding communities' master plans is also reviewed to determine whether any significant relationship exists. Its relationship to the State Development and Redevelopment Plan must also be reviewed. Andover

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Township shares municipal borders with the Town of Newton, Hampton Township, Lafayette Township, Sparta Township, Andover Borough, and Fredon Township. The Plan Area is closest to Sparta Township and Lafayette Township and therefore, the master plans for both Sparta and Lafayette Townships are reviewed.

Sparta Township Master Plan Consistency

The Plan Area is located along Limecrest Road and is approximately a quarter of a mile from the Sparta Township municipal border. The Master Plan identifies both a RR Rural Residential (5-Acre) Zone District and also an Economic Development Zone District. The Economic Development Zone District permits industrial and light manufacturing-type uses. The area of Sparta Township closest to the Plan Area is primarily forested with a small area that contains some deteriorating structures. There is also a quarry in the Economic Development District, which is a similar use to those permitted in this Redevelopment Plan. The proposed Redevelopment Plan is not inconsistent with the Master Plan of Sparta Township.

Lafayette Township Master Plan Consistency

The Plan Area is located along Limecrest Road and is approximately a quarter of a mile from the Lafayette Township municipal border. The Lafayette Master Plan identifies Light Industrial, Extractive Industries and Golf Course Zones adjacent to Andover Township near the Plan Area. The Light Industrial and Extractive Industries permit industrial type uses and quarrying operations similar to the scale and impact of uses permitted in the GI Zone within the Plan Area. As proposed the Redevelopment Plan is not inconsistent with the Master Plan of Lafayette Township.

Sussex County Strategic Growth Plan Consistency

The Sussex County Strategic Growth Plan (SGP) divides the County into six (6) "landscapes," and the Redevelopment Plan Area is classified as "Rural/Agriculture" which are primarily areas of low-density residential development, active and fallow farmlands and small commercial service groupings (often configured as strips along highway frontages), natural resource development (quarries), golf courses, and ski areas. Large areas of land are preserved as agricultural properties or open space. The road network in this landscape is generally two-lane County and older municipal streets with scattered direct access to homes and businesses. The Rural/Agriculture landscape contemplates commercial uses and due to the historical use of this property as a light industrial/commercial use, and the relative lack of development around the subject area, the proposal is not inconsistent with the Rural/Agricultural landscape referenced in the SGP. Additionally, the Redevelopment Plan Area is approximately 2.5 miles from a Job Creation Zone identified in the SGP in Sparta Township.

The SGP also focuses on providing incentives to develop along major corridors, like Limecrest Road, in lieu of developing in areas which are not as readily accessible. This Redevelopment Plan is consistent with the SGP because it is complementary to the nearby Job Creation Zone and is along a major transportation corridor in the County, which is designated by the SGP as an area for job creating businesses.

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The Township falls within the Environmentally Sensitive Planning Area (PA2) of the State Development and Redevelopment Plan. Development and redevelopment in this zone should be planned and located to maintain or enhance the cultural and scenic qualities and with minimum impacts on environmental resources. Due to the historical use of this property as a light industrial/commercial use, and the relative lack of development around the subject area, the proposal is not inconsistent with the goals of PA2 to protect scenic corridors and minimizing impacts on environmental resources.

In conclusion, this Redevelopment Plan is consistent with the State Development and Redevelopment Plan, Sussex County Strategic Growth Plan and Master Plan of the Township of Sparta.

APPLICATION OF REGULATIONS

1023 Limecrest Road Redevelopment Zone

The Township will accept proposals from Redevelopers for the Plan Area based on developer interest and ability to implement the Redevelopment Plan. The Redeveloper will acquire, or work with the Township to acquire, all or portions of the Plan Area to redevelop the Area according to the following land use regulations:

Permitted, Accessory, and Conditional Uses

Permitted Uses

The following uses are permitted in the 1023 Limecrest Road Redevelopment Zone, which include multiple principal uses and structures.

1. Concrete batch plant;
2. Agriculture, farm and horticulture (§ 190-42);
3. Construction business office and construction equipment and material storage;
4. Greenhouses and nurseries;
5. Light manufacturing, fabricating and assembly plants;
6. Printing and publishing establishments; and
7. Wholesale establishments, warehouses and storehouses, except those set forth in § 190-54 which are conditional uses.

Accessory Uses & Structures

The following uses are permitted accessory uses and structures in the 1023 Limecrest Road Redevelopment Zone, which include multiple accessory uses and structures.

1. Any use or structure that is customarily incidental to a concrete batch plant, such as mixers, cement batchers, aggregate batchers, conveyors, radial stackers, aggregate bins, cement bins, heaters, chillers, storage silos, control, parking of trucks and/or automobiles, equipment and concrete truck maintenance, storage of equipment (indoor or outdoor), truck wash, and fuel storage;
2. Cafeteria and similar services for use by employees;
3. Fences and walls;
4. Off-street parking;

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5. Electric Vehicle Service Equipment (EVSE);
6. Private garages;
7. Signs;
8. Green infrastructure;
9. Uses customarily incidental to principal use;
10. Storage silos, bins and/or hoppers for containment of raw materials for concrete and asphalt product and production facilities subject to the standards set forth in § 190-55.2; and
11. Administrative offices located either within the principal building or as a separate building for concrete and asphalt product and production facilities subject to the standards set forth in § 190-55.2.

Conditional Uses

The following uses are permitted as conditional uses in the 1023 Limecrest Road Redevelopment Zone.

1. Essential services (§ 190-46);
2. Warehousing, storing and wholesaling of certain materials (§ 190-54); and
3. Gasoline service stations (§ 190-52).

Prohibited Uses

1. Any use not expressly permitted shall be prohibited.
2. Cleaning products associated with any permitted use shall not be considered a prohibited or hazardous use.

Area and Bulk Requirements

The following regulatory controls apply to properties located within the 1023 Limecrest Road Redevelopment Zone:

Principal Structure Requirements	
Minimum Front Yard Setback	30 ft.
Minimum Side Yard Setback	10 ft.
Minimum Rear Yard Setback	10 ft.
Maximum Building Height	35 ft. 2 ½ stories
Accessory Structure Requirements	
Maximum Building Height	50 ft. ¹ 100 ft. ²
Minimum Front Yard Setback	15 ft.
Minimum Side Yard Setback	3 ft.
Minimum Rear Yard Setback	3 ft.
Principal and Accessory, Combined	
Maximum Building Coverage	30%
Maximum Lot Coverage	90%

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Raw Materials (outdoor storage of aggregates, etc.)	
Maximum Height	35 ft.
¹ Applies to conveyors, mixers, and the like.	
² Applies to storage silos.	

Standards for the 1023 Limecrest Road Redevelopment Zone

The 1023 Limecrest Road Redevelopment Zone shall be subject to the standards of this Plan for building design, parking, lighting, landscaping and other site plan standards. Where conflicts exist, this Plan supersedes the Andover Township Zoning Ordinance.

Design Standards

1. Site Access.
 - a. Number of Access Drives Required.
 - i. Two-way access: one (1) access drive;
 - ii. One-way access: two (2) access drives.
 - b. The maximum driveway width shall be fifty (50) feet.
2. Building Standards. The design of all buildings and landscaping within the redevelopment zone shall consider the site's location and proximity to the roadway and other uses. A three-dimensional rendering and a colored elevation rendering shall be submitted during the site plan application process. This should provide a rendered depiction of the proposed building along with the proposed color palette for building materials.
3. Buffering.
 - a. The frontage buffer shall be a minimum of fifteen (15) feet wide along Limecrest Road and shall contain a mix of landscape materials including evergreen and deciduous trees and shrubs.
 - b. No structures shall be permitted within the frontage buffer except for access drives, signs, utilities, and walls or fences. Any such structures shall be designed to minimize impact to the buffer.
 - c. Landscaping shall not impede sight triangle easements.
4. Loading. All loading shall be within the confines of the site.
5. Fences/Walls.
 - a. A security fence shall be permitted, which shall consist of black vinyl clad chain link fencing not to exceed 8 feet in height.
 - b. Gates at access points shall be permitted.
 - c. No fence shall contain barbed or razor wire.
 - d. There shall be no height limitation on retaining walls; however, walls over four (4) feet shall be designed by a licensed professional engineer.
 - e. There shall be no setback requirement for fences and walls, provided that fences and walls shall not impede safe sight distance or encroach upon neighboring properties.
6. Lighting.

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- a. All free-standing site lighting fixtures shall be no higher than 35–40-feet above grade including light foundations.
 - b. Light fixtures shall have a maximum illumination of 1.0 foot-candles at all property lines.
 - c. Light fixtures shall utilize metal halide, LED or other white light source, which shall be downward facing to minimize light pollution. Flood lights are prohibited.
7. Refuse and Recycling. All refuse and recycling storage shall be fully enclosed and screened within the building or, if outside, within a minimum 6' high enclosure and/or contained in a ~~trailer court and/or~~ loading area. The above shall be interpreted to include trash compactors.
8. Green Infrastructure and Sustainability. Green infrastructure and sustainable measures, such as roof-mounted solar panels, rain gardens, ENERGY STAR lighting fixtures, and other similar practices, are encouraged and permitted accessory uses within the zone.
9. Utilities.
 - a. A stormwater management plan and engineer's report shall be prepared for review and approval by the municipal engineer. Such plan shall comply with the new NJDEP stormwater management rules and regulations, which went into effect in March 2021, including any relief and/or exemptions thereto.
 - b. Onsite well and septic to be required if public water and sewer utilities are not available.
 - c. The designated Redeveloper shall operate and maintain any newly installed sanitary, storm water and water utilities including connections, subject to the terms of a redevelopment agreement and limited to utilities internal to the site.
 - d. All mechanical equipment serving the buildings shall be screened from public view if located within 50 feet of the Limecrest Road Street Line.
 - e. All mechanical equipment, generators, HVAC equipment, and similar equipment shall be acoustically buffered such that any noise generated shall be within the applicable standards as defined by the State of New Jersey.
 - f. Mechanical equipment on the ground shall be exempt from bulk requirements.

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10. Signage. All signs, as set forth below, may be internally illuminated, externally illuminated, or halo-lit.

Sign Type	Number of Signs Permitted	Maximum Area	Maximum Height (from proposed ground surface)	Additional Requirements
Ground signage	One (1)	200 sq. ft.	14 ft.	-
Building signage	One (1)	20% of façade area, or 20 sq. ft., whichever is less.	-	No building sign shall have any dimension that exceeds 20 ft.
Directional signage	-	10 sq. ft.	10 ft.	Permitted to facilitate wayfinding.

11. Public Improvements. Public improvements within all roadway rights-of-way within the Redevelopment Area, except for the top course of any roadway, shall be completed prior to the issuance of a final certificate of completion for a project or phase of a project as applicable.
12. Remediation. The designated Redeveloper of the Redevelopment Area shall be responsible for all environmental regulatory compliance in accordance with NJDEP requirements upon property acquired by the Redeveloper.
13. Affordable Housing. The project shall be subject to a redevelopment agreement and subject to the Statewide Non-Residential Development Fee, if applicable, and/or any exemptions thereto.
14. Americans with Disabilities Act (ADA). Provision of access and parking facilities for handicapped persons shall be in accordance with the requirements of the Barrier-Free Subcode of the New Jersey Uniform Construction Code N J A.C 5:23-7.13 and 5:23-7.14 and the Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities.
15. Performance Standards. Development shall comply with municipal and outside agency performance standards such as odor control, dust control, noise, vibration, heat, and the like.

Parking Standards.

1. Minimum parking setback.
 - a. From Limecrest Road setback: 15 feet.
 - b. From all other property lines: 5 feet.
2. Minimum number of off-street parking spaces.
 - a. Concrete batch plant: 1 space per employee.
 - b. All other uses: Pursuant to § 190, Article VII Parking and Loading Requirements.
3. Vehicle parking stall dimensions.
 - a. Standard parking stalls: 8.5 feet wide by 18 feet deep.
 - b. Handicapped-designated parking stalls: Pursuant to the Americans with Disabilities Act (ADA).
 - c. Minimum drive aisle width: 24 feet (two-way).

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4. Electric vehicle service equipment (EVSE) parking: All development shall provide EVSE parking spaces pursuant to P.L. 2021, c. 171 signed into law on July 9, 2021.

Submittal Requirements

Redeveloper(s) shall submit a site plan application to the Township Land Use Board for a proposed redevelopment within the Plan Area. The site plan approval process will occur as per the Land Use Board's site plan review requirements.

LEGAL PROVISIONS

The Validity of the Plan

If any section, subsection, paragraph, division, subdivision, clause or provision of this Plan is deemed by a court of competent jurisdiction to be invalid, such adjunction will only apply to the particular section, subsection, paragraph, division, subdivision, clause, provision in question, and the balance of the Plan will be adjudged valid and effective.

Zoning Map Revisions

Upon final adoption of this Redevelopment Plan by the Township Council, the Zoning Map of the Township of Andover is hereby amended and must be revised to show the boundaries of the 1023 Limecrest Road Redevelopment Area and identify the district as the "1023 Limecrest Road Redevelopment Area". All provisions of this Plan will supersede all provisions of the Andover Zoning Ordinance for the Plan Area. Any zoning-related issue that is not addressed herein will refer to the Andover Zoning Ordinance for guidance. No variance from the requirements herein will be cognizable by the Zoning Board of Adjustment. The Land Use Board, acting as the Planning Board, will have the authority to grant deviations from the requirements of this Plan, as provided herein.

Amendments to the 1023 Limecrest Road Redevelopment Area Plan

The 1023 Limecrest Road Redevelopment Area Plan may be amended from time to time in compliance with the requirements of the Local Redevelopment & Housing Law.

As development occurs within the Area, development priorities and market demands may change. This Plan should have the adaptability to meet the changing needs of market demand, the Township of Andover and its citizens. Amendments may be required in order to accommodate these changes.

Variations in Site Plan Design

Modifications from standards that are expressly stated to be "mandatory" under the Land Use Regulations of this Plan, may be approved by the Planning Board only by formal grant of a deviation as provided.

The Land Use Board may grant deviations from the regulations contained within the Plan, where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structure, or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk, or design objective or regulation adopted pursuant to this Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and

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undue hardship upon, the owner of such property. The Land Use Board may also grant a deviation from the regulations within this Plan related to a specific piece of property where the purposes of this Plan would be advanced by such deviation from the strict application of the requirements of this plan, and the benefits of granting the deviation would outweigh any detriments. The Land Use Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan.

An application requesting deviation from the requirements of this Plan must provide a public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12a. & b.

No deviations may be granted which will result in permitting:

1. A use or principal structure not permitted in this Plan [N.J.S.A. 40:55D-70. d(1)].
2. An expansion of a nonconforming use [N.J.S.A. 40:55D-70.d(2)]; and
3. An increase in the permitted residential density greater than permitted by the Plan [N.J.S.A. 40:55D-70.d(5)].
4. An increase in height of a principal structure which exceeds by ten (10) feet or ten (10%) percent the maximum height permitted in this Plan [N.J.S.A. 40:55D-70.d(6)]

Deviations from conditional use standards may be granted by the Land Use Board pursuant to the standards of N.J.S.A. 40:55D-70.d(3). Any party seeking a deviation from this Plan which cannot be granted by the Land Use Board as set forth above may apply to the Governing Body to request an amendment to this Plan or request a property specific plan within the Redevelopment Area.

ACQUISITION PLAN

There is no property acquisition by the Township anticipated by this Plan.

RELOCATION PLAN

Because there is no property acquisition by the Township anticipated for this Plan, no Relocation Plan pursuant to Section 7 of the Local Redevelopment and Housing Law is necessary.

ANDOVER CODE

1023 Limecrest Road Redevelopment Plan

May 4, 2023

APPENDIX A CONCEPT PLAN

ZONING

