

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

ORDINANCE NO. 2025-15

**AN ORDINANCE AMENDING CHAPTER 190 OF THE ZONING CODE OF THE
TOWNSHIP OF ANDOVER TO AMEND THE ROUTE 206 ECD ZONE**

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, Chapter 190 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; and

WHEREAS, the Township Committee adopted the Route 206 Redevelopment Plan via Ordinance 2022-13 on June 2, 2022 along with subsequent amendments in November 2022 and June 2023; and

WHEREAS, in April 2023, the Township Land Use Board adopted a Master Plan Reexamination Report, which among other things, recommended the Route 206 Redevelopment Plan be incorporated into the Master Plan and ordinances; and

WHEREAS, the Township Committee adopted the Route 206 ECD Zone implementing the Redevelopment Plan via Ordinance 2024-06 on July 18, 2024; and

WHEREAS, the Township Committee finds that it is in the public interest to amend the 206 ECD Zone to add additional principal permitted uses of a Data Center and Utility Services;

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 with new items to be added underlined.

SECTION 1. Section 190-4 Definitions shall be amended to add the following definitions:

DATA CENTER

A building, a dedicated space within a building, or a group of buildings used to house computer systems and associated components of a group of networked computer servers typically used by organizations for the remote storage, processing, or distribution of data.

SECTION 2. Section 190-45.2 Route 206 Economic Development Zone (ECD Zone) Permitted Uses shall be amended as follows:

A. Permitted Uses

- (1) Mixed-uses, multiple principal uses and multiple principal structures are permitted. The following uses are permitted in the Route 206 ECD Zone.
 - a. Banks and fiduciary institutions
 - b. Cannabis Marketplace Class 5 Retailer (Exclusively Permitted on Area 1 Properties South of Fredon Springdale Road/County Route 618 and All Area 2 Properties – see maps on pages 11 and 12)
 - c. Commercial recreation
 - d. Data center
 - e. Fast-food establishments
 - f. Flex-space buildings
 - g. Greenhouses and nurseries
 - h. Health clubs and spas
 - i. Hotels and motels
 - j. Licensed Child-Care Centers
 - k. Medical offices
 - l. Professional, business and administrative offices
 - m. Public parks, playgrounds, conservation areas and municipal/public facilities
 - n. Research laboratories
 - o. Restaurants and banquet facilities
 - p. Retail sales and services
 - q. Sports facilities
 - r. Farm stands
 - s. Single-family detached dwellings in existence on September 2, 2021 in accordance with the R-1 requirements
 - t. Shopping centers
 - u. Studios for the instruction of the arts, dancing, music, language or photography
 - v. Wholesale establishments, warehouses and storehouses except those set forth in Section 190-54, which are conditional uses.
 - w. Site preparation, soil movement, cut and fill in conjunction with an approved site plan for a permitted principal use following completion of site preparation.

SECTION 3. Section 190-45.2 Route 206 Economic Development Zone (ECD Zone) Accessory Uses shall be amended as follows:

A. Permitted Accessory Uses and Structures

- (1) Permitted accessory uses and structures which are customarily incidental to permitted principal uses.
- (2) Electrical Substations as an accessory use to a Data Center.

SECTION 4. 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 5. 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 6. This Ordinance may be renumbered for codification purposes.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on August 7, 2025. A public hearing regarding same will be held at a hybrid meeting scheduled for September 18, 2025, beginning at 7:00PM, to be held both in person and virtually via Zoom, which details for accessing the meeting are as follows:

Join Zoom Meeting

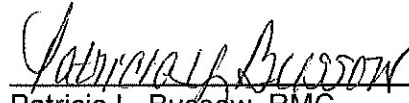
<https://us02web.zoom.us/j/87254161139?pwd=clpxquJenStqV2UdGflzG1fTO4q9kD.1>

Webinar ID: 872 5416 1139

Passcode: 275014

Phone: +1 305 224 1968

All persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.



Patricia L. Bussow, RMC
Administrator/Municipal Clerk

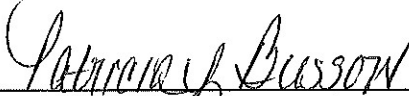
**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

ORDINANCE #2025-15

**AN ORDINANCE AMENDING CHAPTER 190 OF THE ZONING CODE OF THE
TOWNSHIP OF ANDOVER TO AMEND THE ROUTE 206 ECD ZONE**

NOTICE OF FINAL ADOPTION

PUBLIC NOTICE is hereby given that the foregoing Ordinance was adopted at a public hearing held at a Hybrid Meeting of the Township Committee of the Township of Andover on September 18, 2025. Said Hybrid Meeting was held virtually via Zoom and in person at the Municipal Building, 134 Newton Sparta Road, Newton, NJ 07860, at which time all persons were given the opportunity to be heard concerning same. This Ordinance shall take effect immediately upon publication, as required by law.



Patricia L. Bussow, RMC
Administrator/Municipal Clerk