

DEVELOPMENT APPLICATION
(AMENDED)

Page 1 of 5

TOWN OF HACKETTSTOWN

1. GENERAL INFORMATION

A. Applicant: Name Frank Czigler

Street Address Czig Meister Brewing LLC, 106 Valentine Street

Municipality Hackettstown

Telephone 908-651-5492

B. Applicant Status:

Individual(s) ☒ Partnership ☐ Corporation ☐

Other ☐ Specify _____

C. If Applicant is a Partnership or Corporation, attach a list of the names of persons having a 10% interest or more in said partnership or Corporation.

Check here if list is attached. ☐

D. Applicant relationship to property: Owner ☒ Lessee ☐

Under Contract ☐ Other ☐ Specify _____

E. Property Owner (if other than Applicant):

Name West End Properties LLC c/o Frank Czigler

Street Address 28 Camp Wasigan Road

Municipality Blairstown

Telephone _____

F. Engineer/Land Surveyor:

Name John E. Hansen, PE, E & LP

Street Address 140 West Main Street, High Bridge, NJ 08829

Telephone 908-238-0544

G. Attorney:

Name Michael B. Lavery, Esq., Lavery, Selvaggi, Abromitis & Cohen, P.C.

Street Address 1001 Route 517, Hackettstown, NJ 07840

Municipality Hackettstown

Telephone 908-852-2600

2. TYPE OF APPLICATION - check where appropriate

☐ Minor Site Plan

VARIANCES

☐ Minor Subdivision

☐ Use

AMENDED

☒ Preliminary Major Site Plan

☐ Bulk

☐ Preliminary Major Subdivision

AMENDED

☒ Final Major Site Plan

☐ Interpretation
(appeal from Administrative Officer)

☐ Final Major Subdivision

☐ Conditional Use

(REFER TO SECTION 200 OF
THE LAND USE ORDINANCE)

3. PROPERTY DATA

A. STREET ADDRESS 106 Valentine Street, Hackettstown, NJ

B. BLOCK NUMBER 73 LOT NUMBER 3 & 10

C. The location of the property is approximately _____ feet from
the intersection of Main Street and 106 Valentine Street

D. Existing Use Microbrewery

E. Proposed Use Microbrewery with proposed addition and improvements

F. Zone District CC (Community Commercial)

G. Acreage of Entire Tract to be Subdivided _____

H. Proposed Number of Lots _____

I. Is the property located on a County of Warren Roadway?

Yes

☐

No

☒

J. Is the property located within 200' of a municipal boundary?

Yes

☐

No

☒

K. Was this property subject to a prior development application?

Yes

☒

No

☐

L. Is the property subject to any existing or proposed deed restrictions, easements, rights of way, private roads, or other dedications?

Yes

☒

No

☐

If so, attach all relevant information. Check here if such information is attached.

☐

4. DEVELOPMENT PROPOSAL - Describe the nature of the application being sought, including on-site improvements

See attached.

5. SUBMISSIONS - List all maps, plats, sketches and other exhibits accompanying this application:

Description

Date Prepared

Prepared By

Amended Preliminary & Final Site Plan prepared by E&LP Engineering

Amended Architectural drawings prepared by O'Brien Architects Inc.

6. VARIANCES

Describe any proposed variances requested, detail and/or location, proposed block and lot and the specific section(s) of the Zoning Ordinance of the Town of Hackettstown from which relief is sought and the basis for said relief:

See attached.

7. VERIFICATION AND AUTHORIZATION

I hereby certify that the statements and information contained herein and attached hereto are true and correct.

Applicant / Attorney

Date

9/27/23

I hereby authorize the Applicant reference therein subject application and to proceed for approval of same.

Property Owner(s)

Date

OFFICIAL USE ONLY

8. APPLICATION HISTORY

A. Date Filed: _____

B. Date Complete: _____

C. Fee Paid: _____ Date Paid: _____

B. Notice of Hearing: Date of Publication _____

Date of Mailing _____

Affidavit Received _____

9. DISPOSITION OF APPLICATION

A. _____ Application Denied

B. _____ Application Withdrawn

C. _____ Application Granted

DATE OF DISPOSITION: _____

ADDENDUM TO APPLICATION

Czig Meister Brewing


Block 73 Lots 3 & 10

The property is located within the “CC” Community Commercial Zone and is the site of Applicant’s microbrewery. The Land Use Board previously granted the Applicant site plan approvals and bulk variance relief for parking space, signage, outdoor seating and storage, construction of trash enclosure and other site related improvements as per Resolution Nos. 18-04 and 19-10R. In addition, on April 25, 2023, Resolution No. R22-09 was memorialized granting the Applicant site plan approvals, bulk and D(1) use variance relief for signage on Lot 1, parking and outdoor storage on Lot 10 and D(1) and D(4) for Lot 3 exceeding the allowed maximum floor area. The Applicant is now seeking to amend the previous approval for the proposed addition on Lot 3, Block 73. The prior approval allowed for the construction of a two-story enclosed addition. The Applicant seeks to amend the site plan approval to allow for a two-story addition with an open air deck on the second floor rather than the previously approved enclosed space.

SITE INSPECTION AUTHORIZATION

I, FRANK CIGUER, the undersigned owner of the properties, do hereby authorize Town of Hackettstown officials to enter upon and inspect the property at 106 Valentine Street, Hackettstown, NJ 07840, in conjunction with the application to the Land Use Board of Town of Hackettstown.

Name: FRANK CIGUER

Signature: 

Date: 9/27/23

**CZIG MEISTER BREWING, LLC
BLOCK 73 LOTS 3 & 10**

TOWN OF HACKETTSTOWN

**10% OWNER'S DISCLOSURE STATEMENT
Pursuant to N.J.S.A. 40:55D-48.1**

The following is a list of owner's with a 10% or greater ownership interest of CZIG MEISTER BREWING, LLC:

- Frank Czigler – 26.65% ownership
- Laura Czigler – 26.65% ownership
- Matthew Czigler – 19.10% ownership

**WEST END PROPERTIES, LLC
BLOCK 73 LOTS 3 & 10**

TOWN OF HACKETTSTOWN

**10% OWNER'S DISCLOSURE STATEMENT
Pursuant to N.J.S.A. 40:55D-48.1**

The following is a list of owner's with a 10% or greater ownership interest of WEST END PROPERTIES, LLC:

- Frank Czigler – 26.65% ownership
- Laura Czigler – 26.65% ownership
- Matthew Czigler – 19.10% ownership

CERTIFICATE OF PAID TAXES

TO: Tax Collector of the Town of Hackettstown

PLEASE CERTIFY THAT THE TAXES OF THE PROPERTY LISTED BELOW
HAVE BEEN PAID.

Location: Block 73 Lots 3 & 10

Name of Owners: Czig Meister Brewing

I CERTIFY THAT THE REAL ESTATE TAXES ON THE ABOVE-MENTIONED
PROPERTY HAVE BEEN PAID THROUGH 2023 third quarter.

NEXT TAX PAYMENT DUE: November 1, 2023

Tax Collector of
Town of Hackettstown
Warren County

Dated: September 28, 2023

By: 

WARREN COUNTY PLANNING DEPARTMENT
WAYNE DUMONT, JR. ADMINISTRATION BUILDING
165 COUNTY ROAD 519, SOUTH
BELVIDERE, NEW JERSEY 07823-1949

DAVID K. DECH
PLANNING DIRECTOR



Telephone: (908) 475-6532
Fax: (908) 475-6537
planningdept@co.warren.nj.us

October 4, 2022

Ms. Mary Matusewicz
Hackettstown Land Use Board
215 Stiger Street
Hackettstown, NJ 07840

Re: **Exempt**
Frank Czigler
File No. 22-033-SP

Dear Ms. Matusewicz,

The application for the preliminary/final site plan of Frank Czigler, File No. 22-033-SP, Block 73, Lots 3 & 10, located on Valentine Street has been received by the Warren County Planning Department. It has been determined that, in accordance with N.J.S.A. 40:27-6.6a, the proposed site plan is exempt from review and approval by the Warren County Planning Board.

I am returning one signed copy of the plan set dated 9/8/22 for your files.

Sincerely,

A handwritten signature in black ink, appearing to be "Ryan Conklin", written over a horizontal line.

Ryan Conklin, PP, AICP, GISP
Assistant Director of Planning

RC/tn
Enclosure

cc: Frank Czigler (w/enclosure)
Michael Lavery, Esq.
John E. Hansen, PE
Paul Sterbenz, Municipal Engineer
Richard O'Connor, Building Inspector
Upper Delaware Conservation District

RECEIVED

OCT 11 2022

LAVERY, SELVAGGI, ABROMITIS
& COHEN, P.C.

MEMORIALIZING RESOLUTION OF THE LAND USE BOARD
OF THE TOWN OF HACKETTSTOWN APPROVING AMENDED PRELIMINARY AND
FINAL SITE PLAN AND
USE AND BULK VARIANCES
APPLICATION OF CZIG MEISTER BREWING LLC

LAND USE BOARD
TOWN OF HACKETTSTOWN
APPLICATION #22-09
RESOLUTION # R22-09

WHEREAS, CZIG MEISTER BREWING LLC (hereinafter the "Applicant") filed an application with the Land Use Board of the Town of Hackettstown pertaining to 106 Valentine Street (the "Property") in the Town of Hackettstown; and

WHEREAS, the Property is otherwise known as Lots 3 and 10 in Block 73; and

WHEREAS, the Applicant is the owner of Lots 3 and 10; and

WHEREAS, the Applicant is proposing, from time to time, to access the Property across adjacent Lot 1, with said owner's specific permission for each instance; and

WHEREAS, the Property is situated in the Town of Hackettstown's Community Commercial (CC) district; and

WHEREAS, the CC district allows retail, office, and commercial uses as permitted principal uses; and

WHEREAS, the Applicant had been before the Land Use Board (the "Board") previously in 2018 when they were approved for two outdoor seating areas and other parking and accessory structure updates; and

WHEREAS, the Applicant had been before the Board subsequently in 2019 when they were approved for a third outdoor seating area, reduced the number of parking

stalls on Lot 3, and allowed the use of 20 parking stalls as well as the construction of a trash enclosure on Lot 10 to serve the microbrewery use on Lot 3; and

WHEREAS, the Applicant proposes under this application to construct a building addition, and seeks to increase the total number of seats to 225 as a result of the building addition; and

WHEREAS, because the floor area of the building on Lot 3 currently exceeds the maximum allowable floor area, and the Applicant is proposing to exacerbate the non-conformity due to the building addition, a d(4) variance has been requested; and

WHEREAS, because the Applicant is also seeking for both Lot 3 and Lot 10 to allow outdoor seating areas (Lot 3) and outdoor parking and storage (Lot 10), a d(1) variance has been requested; and

WHEREAS, the Applicant is seeking "D-4" use variance relief from the Land Use Board to develop the Property with an expanded footprint for its brewery that will extend the non-conforming floor area ratio ("FAR") from 44 percent to 60 percent, where a maximum of 25 percent is allowed per LDO section 407D; and

WHEREAS, the Applicant's original proposal to the Board sought a two phase approval which would ultimately reach 486 seats; and

WHEREAS, the Applicant withdrew the request for a phased project and amended the site plan to only have one phase with an increase in the total number of seats to 225.

WHEREAS, the aforementioned public hearing was held at an open public meeting and was noticed, advertised, and held in accordance with the Open Public Meetings Act at two regularly scheduled meetings, the first on January 24, 2023 and the second on February 28, 2023; and

WHEREAS, the Applicant and the public were afforded the opportunity to be heard concerning the application; and

WHEREAS, the Applicant was represented by Michael Selvaggi, Esq. of Lavery, Selvaggi, Abromitis & Cohen, PC at the public hearing; and

WHEREAS, the following documents and plans were submitted by the Applicant:

1. Completed Town Land Development Application.
2. Addendum to Application summarizing the Applicant's proposal.
3. September 15, 2022 Site Inspection Authorization.
4. 10% Ownership Disclosure Statement relative to Czig Meister Brewing LLC.
5. 10% Ownership Disclosure Statement relative to West End Properties LLC.
6. September 13, 2022 Certificate of Paid Taxes issued by Town Tax Collector Patricia Noll.
7. Copy of an application filed with the Warren County Planning Board for the project.
8. Copy of Resolution 18-04, adopted by the Planning Board on April 24, 2018.
9. Copy of Resolution 19-10R, adopted by the Land Use Board on November 26, 2019.
10. Completed Preliminary Major Site Plan Checklist.
11. Completed Final Major Site Plan Checklist.
12. September 22, 2022 Waiver Request justifications Letter issued by Engineering and Land Planning.
13. September 13, 2022 application filed with the Highlands Council for a Highlands Planning Area Exemption.
14. Copy of an application filed with the Hackettstown Historic Preservation Commission.
15. Site plan entitled "Preliminary and Final Major Site Plan - Czig Meister Brewing – Block 73 Lots 3 and 10 - Town of Hackettstown, Warren County, New Jersey," consisting of seven (7) sheets prepared by John E. Hansen,

P.E., of Engineering and Land Planning, dated September 8, 2022.

(Superseded by Submission Item 24 below.)

16. Architectural plans prepared by Raymond E. O'Brien, RA, of O'Brien Architects, Inc. including:

- Sheet A-1 (Existing Conditions) – dated September 23, 2022.
- Sheet A-2 (Floor Plans) – dated September 23, 2022.
- Sheet A-3 (Proposed Elevations) – dated September 23, 2022.

(Superseded by Submission Item 25 below.)

17. Completed Town of Hackettstown Highlands Exemption Determination Application.
18. Title Search documents for Lots 3 and 10 in Block 73.
19. Completed Variance Checklist.
20. January 6, 2023 letter from John E. Hansen, P.E., PP, CME, LEED, of Engineering and Land Planning to the Board summarizing the responses to the reports issued by the Board's professionals on the application.
21. Site plan drawings entitled "Preliminary and Final Major Site Plan – Phase I and Phase II - Czizmeister Brewing – Block 73 Lots 3 and 10 - Town of Hackettstown, Warren County, New Jersey," consisting of eight (8) sheets prepared by John E. Hansen, P.E., of Engineering and Land Planning, dated September 8, 2022, and revised through January 10, 2023

(Superseded by Submission Item 24 below).

22. Architectural plans prepared by Raymond E. O'Brien, RA, of O'Brien Architects, Inc. including:
- Sheet A-1 (Existing Conditions) – dated September 23, 2022, and revised through January 12, 2023.
 - Sheet A-2 (Floor Plans) – dated September 23, 2022 and revised through January 12, 2023.
 - Sheet A-3 (Proposed Elevations) – dated September 23, 2022 and revised through January 12, 2023 **(Superseded by Submission Item 25 below).**
23. February 15, 2023 letter from John E. Hansen, P.E., PP, CME, LEED, of

Engineering and Land Planning to the Board summarizing the changes made to the site plan and architectural plans.

24. Site plan drawings entitled "Preliminary and Final Major Site Plan – Czigmeister Brewing – Block 73 Lots 3 and 10, Town of Hackettstown, Warren County, NJ" consisting of eight (8) sheets, prepared by John E. Hansen, P.E., of Engineering and Land Planning, dated September 8, 2022 and revised through February 14, 2023.
25. Architectural plans prepared by Raymond E. O'Brien, RA, of O'Brien Architects, Inc., including:
 - Sheet A-1 (Existing Conditions) – dated September 23, 2022, and revised through February 13, 2023.
 - Sheet A-2 (Floor Plans) – dated September 23, 2022 and revised through February 13, 2023.
 - Sheet A-3 (Proposed Elevations) – dated September 23, 2022 and revised through February 13, 2023.

WHEREAS, the application was reviewed by Board Engineer, Paul M. Sterbenz, P.E., P.P., Colliers Engineering & Design; and

WHEREAS, the application was reviewed by Board Planner, Daniel Bloch, PP, AICP, Colliers Engineering & Design; and

WHEREAS, the Planning Board Engineer, Paul M. Sterbenz, P.E., P.P., Colliers Engineering & Design issued a completeness report dated October 21, 2022 and issued Technical Reports dated November 18, 2022, January 20, 2023, and February 22, 2023, and said reports are attached hereto and are incorporated herein by reference; and

WHEREAS, Board Planner Daniel Bloch, PP, AICP, Colliers Engineering & Design, prepared and submitted planning reports dated December 8, 2022, January 18, 2023, and February 24, 2023, and said reports are attached hereto and are incorporated herein by reference; and

WHEREAS, The Board reviewed the following exhibits which were received in evidence from the Applicant:

- Exhibit A-1 "Perspective Rendering Along Valentine Street"
- Exhibit A-2 11/12/20 "Easement Agreement for Driveway Access and Other Rights", prepared by Megan Ward, Esquire and recorded on November 12, 2015 at the Warren County Courthouse
- Exhibit A-3 -2-13-23 "Revised Floor Plan", 121 Seats from 128 seats
- Exhibit A-4 "Detailed Site Plan of Lot" – Revision #5 – 11/8/2019

WHEREAS, testimony regarding the application was provided by the Applicant's architect, Ray O'Brien, R.A., of O'Brien Architects, Blairstown, NJ, who was sworn in and qualified as an expert in architecture; and

WHEREAS, testimony regarding the application was provided by the Applicant's engineer and planner, John E. Hansen, P.E., P.P. of E&LP Associates, Inc., Denville, NJ, who was sworn in and qualified as an expert in both civil engineering and in planning; and

WHEREAS, the Hackettstown Land Use Board does hereby make the following findings of fact and conclusions of law based upon the testimony and documentary evidence produced by the Applicant and the Board staff:

1. The Property is located at 106 Valentine Street.
2. The Property is otherwise known as Lots 3 and 10 in Block 73.
3. The Applicant is proposing to access the Property across adjacent Lot 1, for which they have a cross access easement with the owner of the subject lot.
4. The Property is located within the Town of Hackettstown's Community Commercial (CC) zoning district.

5. The Applicant is also seeking a D(1) variance for both Lot 3 and Lot 10 to allow outdoor seating areas (Lot 3) and outdoor storage (Lot 10).
6. The Applicant is also seeking variance relief relative to site signage over and above that allowed by the LDO on Lot 3 and the installation of an advertising billboard sign on a separate lot (Lot 1).
7. The Board granted submission waivers and deemed the application complete at its October 25, 2022 meeting.
8. By eliminating phase 2 of the project, the on-site and off-site parking as proposed will be sufficient for the use.
9. The Applicant presented a revised floor plan which moves the retail for "package goods display" to where the bar was formerly located.
10. The retail location of dry goods (hats, shirts) will remain in its current location.
11. The new bar area will be located in the new addition to the facility.
12. Applicant's architect O'Brien testified that there will be three (3) ADA compliant parking stalls on Lot 3.
13. Applicant's architect O'Brien testified that the outdoor patio which currently contains the first floor beer garden will become an indoor area, to which the Applicant will add HVAC.
14. Applicant's architect O'Brien testified that the current plan will promote noise abatement, as the new expanded structure will serve as a buffer and barrier to mitigate the noise, separating the outdoor tented beer garden activity from the direct proximity of neighbors.
15. The new proposed tented beer garden will be moved and expanded to 40' x 80' and consist of 8 picnic tables that will have seats for 32 patrons.

16. Wood lattice shall be installed on the west side of the building addition where the outdoor patios are proposed.
17. There will be a maximum of 25 entertainment / musical performances per year, for which permits need to be obtained that will include required approval by the owners of Lots 1, 3, and 10.
18. Lot 1 is not owned by the Applicant. Block 73 Lot 1 is owned by Jade Land Co., LLC, who filed a Cross Access Easement Agreement between the subject Block 73 Lot 1 and Block 73 Lot 10, now owned by Applicant.
19. The aforementioned easement is perpetual and runs with the land to allow cross access for "drives and parking"; it also provides to reserve "a 10 foot by 20 foot (200 square feet) easement for sign purposes at the northeast corner of the property adjoining Main Street and the railroad right of way".
20. The easement referenced herein was recorded with the Warren County New Jersey Clerk on November 12, 2015, and was signed by Raymond Rice, Sole Member, Jade Land Co., LLC.; who then owned both parcels.
21. The Applicant has agreed to a Condition of the Board that there be no live music within the two (2) outdoor patios per Board Engineer Sterbenz' 1/20/23 memo, paragraph 1.04h; and that the adjacent sliding door must remain closed for the duration of the live music performances that are held within the building addition.
22. Craft breweries must maintain the same hours as all local bars in the town.
23. On an average busy night, five (5) people are expected to work.
24. 75% of business Applicant's business is wholesale.
25. Deliveries occur when closed to the public.

26. Applicant's off-site 7,000 sq ft facility on Stiger Street serves as storage for the wholesale business.
27. A tractor trailer currently offloads grain and will do so with the same frequency after hours with or without the expansion.
28. Applicant uses two (2) cargo vans for delivery.
29. Per Board Engineer Sterbenz 1/20/23 memo, paragraph 1.07 regarding outdoor storage on Lot 10 the form and aesthetic appearance of all storage structures must be subject to approval of the Board Engineer and Planner.
30. The Applicant agreed that during events, the contents of the containers, including tables, chairs, and barrels will be set up no earlier than one week prior to the event, and will be put back into the containers no later than two weeks after the event.
31. Access from Property Lot 10 to Lot 3 is provided through Lot 1, as they are not contiguous parcels. Lot 1 is linked to the Property through a cross access easement. However, under the current configuration of the agreement, access through Lot 1 shall be limited to the condition, agreed to by the Applicant, that the ramp on Lot 1 leading to Lot 3 shall only be used during festivals and shall be appropriately supervised by Applicant's employees during said events.
32. The Applicant agrees to encourage pedestrians to use Main Street to get to Valentine Street to access the brewery with signage during non-events, thus restricting use of the Lot 1 access ramp.
33. The Applicant agrees to have permits authorized by the owners of Lots 1, 3 and 10 for festivals when pedestrian Lot 1 ramp access is initiated.

34. Expert testimony was provided on the subjects of professional engineering and professional planning by Applicant's witness John E. Hansen, PE, PP of E&LP.
35. Mr. Hansen stated that the following variances are required:
- a. D4 Variance for the request of a maximum of 60 percent floor area ratio.
 - b. D1 Variance for a free standing billboard sign on Lot 1 (6 ft. high monument sign).
 - c. D1 Variance for the principal use of Lot 10 for outdoor storage.
 - d. D1 Variance for outdoor seating on Lot 3.
 - e. C Variances include the following:
 - i. Front yard setback of 16.7 feet proposed for Lot 3.
 - ii. Side yard setback of 23.9 feet proposed for Lot 3.
 - iii. Lot coverage of 98.4% proposed for Lot 3.
 - iv. 77 Parking stalls proposed where 127 stalls are required (2 of which are EV compliant).
 - v. Maximum number of signs, 100 Square foot free standing sign on Lot 1.
 - vi. Minimum sign setback on Lot 1 of 3.2 feet proposed.
 - vii. Loading area on Lot 10.
 - viii. Lot coverage of 75.60% proposed on Lot 10.
36. The existing cross access easement between the Property and Lot 1 also includes the placement of a monument sign to support the Property on Lot 1.
37. The Applicant has proposed a freestanding billboard monument sign with a height of 6 feet on Lot 1 as an accessory use for a property on adjacent Lot 3,

and a D1 variance will be required, as the sign related to a primary use on an adjacent lot.

38. C variances are also required in regard to the Applicant's proposed sign on Lot 1, as there are existing signs on that property that support its primary use, and the 100 square foot sign exceeds the LDO requirement for the CC Zone.
39. Applicant's loading and unloading area will take place on Lot 10 or the alternate location of their storage facility at 308 Stiger Street, which will facilitate safe and orderly traffic flow.
40. As a condition of approval, there will be a maximum of 225 seats allowed for the site plan per approval of Board Engineer.
41. Should the Applicant return to the Board to apply to expand the brewery use on Lot 3 beyond 225 seats, they must complete the parking area on Lot 10 and develop a code compliant pedestrian access way between Lots 3 and 10, and install a garage for storage and eliminate the existing storage containers to the satisfaction of the Board Engineer and the Board Planner.
42. As there will be no off street parking on Lot 3 other than the three (3) handicap stalls, Applicant will improve the parking on Lot 10 to support the brewery patrons.
43. Vehicular deliveries will have access by way of the Dollar General Lot 1 due to the existing cross access easement.
44. As a condition of approval, Applicant agrees to perform work at the terminus of Madison Street to fill potholes and provide a smooth transition between the parking lot surface and the Madison Street pavement. The site plan must be revised to note this improvement work.

45. Applicant will continue to note on its menu, website, and Facebook page the availability of additional parking on Lot 10 adjacent to the Dollar General store.
46. Mr. Hansen testified that the use was suitable for the subject zone.
47. Mr. Hansen testified that the project will benefit the community.
48. Mr. Hansen further opined that the Application would advance purposes "g" and "i" of the Municipal Land Use Law (NJSA 40:55D-2a, NJSA 40:55D-2g, NJSA 40:55D-2i).
49. Mr. Hansen also testified that the site can support the proposed use.
50. In addressing the negative criteria, Mr. Hansen testified that in granting a D1 variance to permit the sign on Lot 1 would not result in a detriment to the public good.
51. Mr. Hansen testified that granting a D1 variance to permit the sign on Lot 1 would not result in a substantial detriment to the Master Plan or Zoning Plan.
52. In addressing the negative criteria, Mr. Hansen testified that in granting a D1 variance to permit accessory parking and storage on Lot 10 for the benefit of Lot 3 would not result in a detriment to the public good.
53. Mr. Hansen testified that granting a D1 variance to permit accessory parking and storage on Lot 10 for the benefit of Lot 3 would not result in a substantial detriment to the Master Plan or Zoning Plan.
54. Mr. Hansen testified that in granting a D4 variance to permit the Applicant to utilize a 0.60 floor area ratio where Hackettstown LDO Section 407D limits the floor area ratio to 0.25 would not result in a detriment to the public good.

55. Mr. Hansen testified that granting a D4 variance to permit the Applicant to utilize a 0.60 floor area ratio where the Hackettstown LDO section 407D limits the floor area ratio to 0.25 would not result in a substantial detriment to the Master Plan or Zoning Plan.
56. Board Engineer Paul Sterbenz testified that the proposed expanded use represents a good use for the community.
57. Board Planner Dan Bloch testified that the expanded use was appropriate for the zone.
58. The Board finds and concludes that granting D-1 Use Variance relief to permit the sign on Lot 1 on the adjacent Property is appropriate for the Zone and will enhance the approved use on Lot 3.
59. The Board further finds and concludes that granting D-1 Use Variance relief to permit the sign on Lot 1 on the adjacent Property would advance purposes "g" and "i" of the Municipal Land Use Law (NJSA 40:55D-2a, NJSA 40:55D-2g and NJSA 40:55D-2i):
 - a. "provid[ing] sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens..."
 - b. "promot[ing] a desirable visual environment through creative development techniques and good civic design and arrangement."
60. The Board further finds and concludes that the subject property is particularly suited for the D1 variance to permit the sign on Lot 1.

61. The Board finds that the benefits of the D-1 Use Variance relief to permit the sign on Lot 1 on the adjacent Property will substantially outweigh any detriment.
62. The Board finds that granting D-1 Use Variance relief to permit the sign on Lot 1 on the adjacent Property will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
63. The Board finds and concludes that granting D-1 Use Variance relief to permit parking and storage on Lot 10 on the Property is appropriate for the Zone and will enhance the approved use on Lot 3.
64. The Board further finds and concludes that granting D-1 Use Variance relief to permit parking and storage on Lot 10 on the Property would advance purposes "g" and "i" of the Municipal Land Use Law (NJSA 40:55D-2a, NJSA 40:55D-2g and NJSA 40:55D-2i):
 - a. "provid[ing] sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens..."
 - b. "promot[ing] a desirable visual environment through creative development techniques and good civic design and arrangement."
65. The Board further finds and concludes that the subject property is particularly suited for the D1 variance to permit parking and storage on Lot 10 on the Property to benefit Lot 3.

66. The Board finds that the benefits of the D-1 Use Variance relief for parking and storage on Lot 10 on the Property for the benefit of Lot 3 will substantially outweigh any detriment.
67. The Board finds that granting D-1 Use Variance relief to permit parking and storage on Lot 10 on the Property for the benefit of Lot 3 will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
68. The Board finds and concludes that granting D-4 variance relief to permit the Applicant to utilize a 0.60 floor area ratio where Hackettstown LDO section 407D limits the floor area ratio to 0.25 is appropriate for the Zone and will enhance the approved use on the Property.
69. The Board further finds and concludes that granting D-4 variance relief to permit the Applicant to utilize a 0.60 floor area ratio where Hackettstown LDO section 407D limits the floor area ratio to 0.25 would advance purposes "g" and "i" of the Municipal Land Use Law (NJSA 40:55D-2a, NJSA 40:55D-2g and NJSA 40:55D-2i):
 - a. "provid[ing] sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens..."
 - b. "promot[ing] a desirable visual environment through creative development techniques and good civic design and arrangement."

70. The Board further finds and concludes that the subject property is particularly suited for a microbrewery that promotes the local economy and serves as a gathering place and attraction for adults in and around our community by utilizing a 0.60 floor area ratio.
71. The Board finds that the benefits of the D-4 variance to permit the Applicant to utilize a 0.60 floor area ratio where Hackettstown LDO section 407D limits the floor area ratio to 0.25 substantially outweighs any detriment.
72. The Board finds that granting D-4 variance relief to permit the Applicant to utilize a 0.60 floor area ratio where Hackettstown LDO section 407D limits the floor area ratio to 0.25 will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Town of Hackettstown on this 28th day of February 2023, that the application of Czig Meister LLC for D1 Use Variances for signs on Lot 1 and for parking and outdoor storage on Lot 10 where there is no primary use on those lots, and the D-1 Variance for outdoor seating and D-4 Floor Area Ratio Variance for the Lot 3 building expansion be approved, subject to the following conditions:

- a. The terms of such approval are to be strictly in accord with the plans and testimony presented to the Board herein, and same are incorporated into this resolution by reference.
- b. The Applicant shall comply with the final technical report of the Board Engineer Paul M. Sterbenz, P.E., P.P., Colliers Engineering & Design,

dated February 22, 2023, which report is attached hereto and is incorporated herein by reference.

- c. The Applicant shall comply with the final report of the Planning Board Planner, Daniel N. Bloch, P.P., dated February 24, 2023, which report is attached hereto and is incorporated herein by reference.
- d. Applicant shall perform work at the terminus of Madison Street to fill potholes and provide a smooth transition between the parking lot surface and the Madison Street pavement, per the approval of the Board Engineer. The site plan shall be revised accordingly to memorialize the work note herein.
- e. Applicant agrees to a condition that should the Applicant return to the Board to expand the brewery beyond 225 seats in capacity, they must complete the parking area in Lot 10 and develop a code compliant pedestrian access way between Lots 3 and 10, and install a garage building for storage and eliminate the existing storage containers to the satisfaction of the Board Engineer and the Board Planner.
- f. Applicant shall continue to note on its menu, website, and Facebook page, and other published materials, where practical, the availability of additional parking on Lot 10 adjacent to the Dollar General store on Lot 1.
- g. Regarding outdoor storage on Lot 10, the form and aesthetic appearance of all storage structures must be subject to approval of the Board Engineer and Planner. The Applicant shall submit a plan to the Board Engineer and Board Planner depicting siding on the container units.

- h. During events, Applicant shall ensure the contents of the containers on Lot 10 will be set up no earlier than one week prior to the event and will be put back into the containers no later than two weeks after the event subject to approval of the Board Engineer and Planner.
- i. The ramp on Lot 1 leading to Lot 3 shall only be used during festivals and shall be appropriately supervised by Applicant's employees during said events.
- j. The Applicant agrees to encourage pedestrians to use Main Street to travel to Valentine Street to access the brewery with signage during non-events, thus restricting use of the Lot 1 access ramp.
- k. The Applicant agrees to have permits authorized by owners of Lots 1, 3 and 10 for festivals when pedestrian Lot 1 ramp access is proposed during a festival.
- l. All fees, assessments, taxes, escrows and other monies due to the Town of Hackettstown shall be paid in full.
- m. The Applicant shall obtain all necessary governmental approvals or waivers thereof from any other governmental agencies with jurisdiction.
- n. No loading and unloading is permitted within the Valentine Street cartway.
- o. No music is permitted on the outdoor patios. All music, other than that beneath the tent, shall occur within the building. The sliding door that lead to the outdoor patios in the building addition shall be closed when music is playing within the building.

p. The architectural plans shall be revised to note that materials and products shall be brought into the building through the overhead doors and depict the elimination of the ramps at the northwest building entrance in favor of steps.

Roll Call Vote: Motion to Approve: Mr. Moore
Second: Mr. Stout

Those in Favor: Moore, Stout, Wolfrum, Campanni, Stead, Graf, Medcraft
DeAngelis

Those Opposed: None

Those Abstained: Lambo

I hereby certify that the above is a true copy of a Resolution adopted by the Land Use Board of the Town of Hackettstown at its regular meeting of April 25, 2023.

x 
Mary Matusewicz, Clerk
Hackettstown Land Use Board

DATE: 9/27/2023

Key
X= Complete (provided)
W= Waiver Requested
WC= Waiver Requested for
Completeness Only
PW= Partial Waiver Requested
N/A= Not Applicable

::::CHECK LIST::::

Details required for AMENDED Preliminary Major Subdivision Plats and AMENDED Preliminary Major Site Plans

Note: See Section 804 of the Hackettstown Land Development Ordinance for further details of submission requirements and procedures.

1. X Application Form(s) and Checklist(s) (20 copies).
2. X Plats or Plans (20 copies) signed and sealed by a N.J. Professional Engineer and folded into eighths with title block revealed.
3. X Protective Covenants, Easements and/or Deed Restrictions (20 copies).
4. X Scale of not less than 1" = 100' on one of four of the following standard sheet sizes (8½" x 13"; 15"x 21"; 24"x 36"; or 30" x 42")
5. X Key map at not more than 1"=1000'.
6. X Title block:
7. X Name of subdivision or development, Town of Hackettstown, Warren County, with each sheet specifically titled with appropriately descriptive words;
8. X Name, title, address and telephone number of subdivider or developer; Name, title, address and license number of the professional or professionals who prepared the plot or plan;
9. X Name, title and address of the owner or owners of record; North arrow;
10. X Scale (written and graphic);
11. X Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet; and
12. X Names and addresses of partners or stockholders as required by Ordinance.
13. X Certification of ownership or authorization to file application.

14. X Approval signature lines.
15. X Acreage to the nearest tenth of an acre (both with and without areas within public rights-of-way).
16. X The names and lot and block numbers of all property owners within 200 feet of the extreme limits of the tract as shown on the most recent tax list prepared by the Clerk of the Planning Board or Clerk of the Zoning Board of Adjustment, as the case may be.
17. X Existing tax sheet number(s) and existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the Town Tax Map, and proposed block and lot numbers as provided by the Town Tax Assessor upon written request.
18. X Tract boundary line (heavy solid line).
19. X Zoning districts, affecting the tract, including district names and all area and bulk requirements, with a comparison to the proposed development.
20. PW The location of natural features such as wetlands and treed areas, both within the tract and within 100 feet of its boundary.
21. X The proposed location of all proposed plantings, with a legend listing the botanical and common names, the sizes at time of planting, the total quantity of each plant, and the location of each plant keyed to the plan or plat.
22. N/A Existing and proposed watercourses with required information:
23. N/A When a stream is proposed for alteration, improvement or relocation or when a drainage structure or fill is proposed over, under, in or along a running stream, a report on the status of review by the State Department of Environmental Protection, Division of Water Resources;
24. N/A Cross-sections of watercourses and/or drainage swales at an appropriate scale showing the extent of flood plain, top of bank, normal water levels and bottom elevations at locations required by the Town Engineer;
25. N/A The location and extent of drainage and conservation easements and stream encroachment lines; and
26. X The location and type of adequate drainage provisions to reasonably reduce and minimize exposure to flood damage.
27. X Existing and proposed contours as required by Ordinance.
28. X Proposals for soil erosion and sediment control as required by N.J.S.A. 4:24-39 et seq.
29. X The location of all existing structures as required by Ordinance.
30. X Size, height and location of all proposed structures and buildings.

31. X All dimensions necessary to confirm conformity to the Ordinance requirements.
32. X The proposed location, direction of illumination, power and type of proposed outdoor lighting, including details and luminaries.
33. X The proposed screening, buffering and landscaping plan, with the information required by Ordinance.
34. X The location and design of any off-street parking area, showing size and location of bays, aisles and barriers.
35. X All means of vehicular access or egress to and from the site onto public streets, with the information required by Ordinance.
36. N/A Plans and computations for any storm drainage systems as required by the Town Engineer.
37. PW The location of existing utility structures on the tract and within 200 feet of its boundaries.
38. X Plans of proposed improvements and utility layouts as required by Ordinance; and required letters from appropriate State and County agencies granting approval for the extension of utility service(s).
39. W Plans, typical cross sections and construction details, horizontal and vertical alignment of the centerline of all proposed streets and of existing streets abutting the tract as required by Ordinance.
40. X A copy of any protective covenants or deed restrictions applying to the land being developed or an indication of them on the submitted plat or plan.
41. X The location and width of all existing and proposed utility easements, the use(s) for which they are intended to be limited, and the manner in which the easements will be controlled.
42. N/A Proposed permanent monuments.
43. WC The proposed number of shifts to be worked, the maximum number of employees on each shift, and the hours of operation.
44. X Five (5) copies of a certificate from the Town Tax Collector indicating that all taxes and assessments are paid to date.
45. X Five (5) copies of the completed application to the Warren County Planning Board, if applicable.
46. X Five (5) copies of the completed application to the Hackettstown Utilities Authority, if applicable.
47. X All preliminary major subdivision and/or preliminary major site plan applications shall be accompanied by a grading plan in accordance with Section 804B.37 of this Ordinance.

48. W All preliminary major subdivision and/or preliminary major site plan applications shall be accompanied by an Environmental Impact Statement in accordance with Section 804 C. of this Ordinance.
49. WC An Historic Impact Statement, if applicable, in accordance with Section 806 E. of this Ordinance. (APPLICATION SUBMITTED TO HPC AND IS PENDING)
50. W A sixty-year title search dated within 6 months of the application date including copies of all deeds, easements, covenants, restrictions and other items affecting title to the property. (PREVIOUSLY SUBMITTED)
51. N/A In the case of any subdivision or site plan submission of a planned development, all of the required information for all of the properties comprising the planned development.
52. X The Board reserves the right to acquire additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. Such information may include, but not be limited to, drainage calculations and traffic analyses, provided however that no application shall be declared incomplete for lack of such additional information.
53. W Highlands Consistency Determination or, in the alternative, documentation per Section 807 of the Land Development Ordinance entitled "Highlands Area Exemption Ordinance" that shows that the application is exempt from the Highlands Act. (PREVIOUSLY SUBMITTED)
54. N/A A "Major Development Stormwater Summary Sheet" shall be submitted when a stormwater management basin is proposed on a project.



Project Civil Engineer

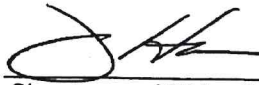
Signature and Title of person who prepared check list.

9/27/2023
Date

::::CHECK LIST::::
Details required for
AMENDED Final Major Subdivision Plats and
AMENDED Final Major Site Plans

Note: See Section 805 of the Hackettstown Land Development Ordinance for further details of submission requirements and procedures.

1. X Application Form(s) and Checklist(s)(20 copies).
2. X Plats or Plans (20 copies) signed and sealed by a N.J.P.L.S. or N.J.P.E., as required, and folded into eighths with title block revealed.
3. X Scale of not less than 1" = 100' on one of four of the following standard sheet sizes (8 1/2" x 13"; 15" x 21"; 24" x 36"; or 30" x 42").
4. X All details stipulated in Subsection 804 B. of the Ordinance.
5. WC All additional details required at the time of preliminary approval.
6. N/A A section or staging plan, if proposed.
7. X Detailed architectural and engineering data as required by Ordinance.
8. X Certification from the Town Tax Collector indicating that all taxes and assessments are paid up-to-date.
9. W Letters directed to the Chairman of the Board and signed by a responsible official of all utility companies, etc., providing service to the tract as required by Ordinance.
10. WC Certification in writing from the applicant to the Board that the applicant has:
 - (a) Installed all improvements in accordance with the requirements of the Ordinance; and/or,
 - (b) Posted a performance guarantee in accordance with Section 902 of the Ordinance.
11. WC A statement from the Town Engineer indicating that all installed improvements have been inspected.
12. X Highlands Consistency Determination or, in the alternative, documentation per Section 807 of the Land Development Ordinance entitled "Highlands Area Exemption Ordinance" that shows that the application is exempt from the Highlands Act. (APPLICATION INCLUDED)
13. N/A A "Major Development Stormwater Summary Sheet" shall be submitted when a stormwater management basin is proposed on a project.

 Project Civil Engineer
Signature and Title of person who prepared check list

Date

September 27, 2023

Town of Hackettstown
Land Use Board
215 West Stiger Street
Hackettstown, NJ 07840

RE: Waiver Request Justifications
Czigmeister Brewing
Block 73, Lot 3 & 10
106 Valentine Street, Hackettstown, NJ

**CIVIL ENGINEERING
ENVIRONMENTAL
SURVEYING
LANDSCAPE ARCHITECTURE**

Amended Preliminary Major Site Plans Application Checklist Waiver Request

Checklist Item	Description	Reason for Waiver
20	The location of natural features such as wetlands and treed areas, both within the tract and within 100 feet of its boundaries.	A partial waiver is requested for this item. All natural features have been shown within the tract.
37	The location of existing utility structures on the tract and within 200 feet of its boundaries.	A partial waiver is requested for this item. All utilities have been shown within the tract, as well as their connections into main lines within N.J.S.H. 57.
39	Plans, typical cross sections and construction details, horizontal and vertical alignment of the centerline of all proposed streets and of existing streets abutting the tract as required by Ordinance.	A waiver is requested for this item. No streets are proposed to be constructed as a part of this project, and no existing streets are to be altered.
43	The proposed shifts to be worked, the maximum number of employees on each shift, and the hours of operation.	A waiver is requested for completeness only of this checklist item. Testimony will be provided by the applicant on the information associated with this checklist item at the time of the public hearing.
48	All preliminary major subdivision and/or preliminary major site plan applications shall be accompanied by an Environmental Impact Statement in accordance with Section 804 C. of this ordinance.	A waiver is requested for this item. No environmental impact is expected, since the proposed addition is to be constructed on an existing asphalt parking lot.



Headquarters

140 West Main Street | High Bridge, NJ 08829
T: 908.238.0544

Clinton | Asbury Park | Denville | Philadelphia

49	An Historic Impact Statement	A waiver for completeness only is requested for this item. The application is pending.
50	A sixty-year title search, dated within 6 months of the application, including all deeds, easements, covenants, etc.	A waiver is requested for this checklist item. This information was previously submitted and the Amended Site Plan design is not materially different than the approved Site Plan.
53	Highlands Consistency Determination	A waiver is requested for this item. This information was previously submitted and approved. The Amended Site Plan design is not materially different than the approved Site Plan.



To create solutions that inspire through the innovation of the natural and built environment.

September 27, 2023

Town of Hackettstown
Land Use Board
215 West Stiger Street
Hackettstown, NJ 07840

RE: Waiver Request Justifications
Czigmeister Brewing
Block 73, Lot 3 & 10
106 Valentine Street, Hackettstown, NJ

**CIVIL ENGINEERING
ENVIRONMENTAL
SURVEYING
LANDSCAPE ARCHITECTURE**

Amended Final Major Site Plans Application Checklist Waiver Request

Checklist Item	Description	Reason for Waiver
5	All additional details required at the time of preliminary approval	A waiver is requested for completeness only. Any items required by the Board as a condition of approval will be provided at the time of resolution compliance.
9	Letters directed to the Chairman of the Board by all utility companies providing service to the property.	A waiver is requested for this item. All utilities are existing and no modifications are proposed.
10	Certification in writing from the applicant that he has installed improvements or posted a performance guarantee	A waiver is requested for completeness of this item because the applicant is filing for simultaneous preliminary and final site plan applications.
11	A statement from the Town Engineer indicating that all installed improvements have been inspected.	A waiver is requested for completeness of this item because the applicant is filing for simultaneous preliminary and final site plan applications.



Headquarters
140 West Main Street | High Bridge, NJ 08829
T: 908.238.0544

Clinton | Asbury Park | Denville | Philadelphia