

TOWN OF HACKETTSTOWN

1. GENERAL INFORMATION

A. Applicant: Name Livestock Co-Op Auction c/o Mike TorettaStreet Address 224 West Stiger StreetMunicipality Hackettstown

Telephone _____

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 Livestock Auction MarketStreet Address 225 West Stiger StreetMunicipality Hackettstown

Telephone _____

F. Engineer/Land Surveyor:

Name John E. Hansen, PE, E& LPStreet Address 140 West Main St., High Bridge, NJ 08829Telephone 908-238-0544

G. Attorney:

Name Michael S. Selvaggi, Esq., Lavery, Selvaggi, Abromitis & Cohen, PC

Street Address 1001 Rt 517

Municipality Hackettstown

Telephone 908-852-2600

2. TYPE OF APPLICATION - check where appropriate

☐ Minor Site Plan

VARIANCES

☐ Minor Subdivision

☒ Use

☒ Preliminary Major Site Plan

☐ Bulk

☐ Preliminary Major Subdivision

☒ 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 224 West Stiger St.

B. BLOCK NUMBER 41 LOT NUMBER 24

C. The location of the property is approximately _____ feet from
the intersection of _____ and Stiger Street

D. Existing Use Office buildings

E. Proposed Use Livestock auctions

F. Zone District LM

G. Acreage of Entire Tract to be Subdivided N/A

H. Proposed Number of Lots N/A

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

Variance Plan

E&LP

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.

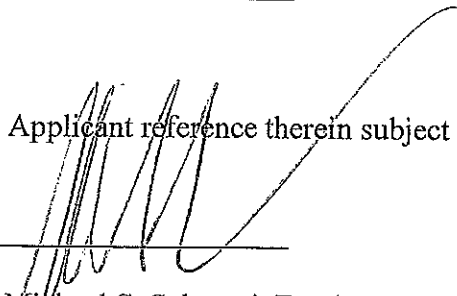
Applicant

Date

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

Property Owner(s)

5/19/2020
Date


Michael S. Selvaggi, Esq./
attorney for Applicant/Owner

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: _____

LIVESTOCK CO-OP AUCTION C/O MIKE TORETTA

BLOCK 41 LOT 24, LM ZONE

224 WEST STIGER STREET

ADDENDUM TO APPLICATION

The Applicant seeks use variance and preliminary and final site plan approval for the conversion of an existing office buildings into an animal processing operation that will be accessory to the long-standing farmer's auction that operates on the opposite side of the street. The property is in the LM (Limited Manufacturing) zone. Plans include the addition of an animal holding area and improvements to the parking and landscaping.

Applicant seeks a use variance for the proposed use. Animal processing facilities are not permitted in the zone. However, the Applicant will demonstrate that the property is particularly suited for the use by demonstrating its satisfaction of the positive and negative criteria.

The facility will provide a sanitary approach to animal processing that people are otherwise trying to do at home. The facility will be regulated by the FDA. Therefore, it promotes public safety, which is purpose a of the Municipal Land Use Law. Since the facility will operate in connection with the existing farmer's auction across the street, the use variance will ensure that this

type of facility is in an appropriate location, thereby minimizing impacts to residential and commercial areas, which is purpose g. Finally, the use will afford the auction the money needed to rehabilitate its existing facility and the property in question which helps promote a desirable visual environment as set forth in purpose i.

The use will not be a substantial detriment to the public good since it is regulated by the FDA. It will also not substantially impair the intent or purpose of the Master Plan. The 2018 Master Plan Re-Examination Report set forth a goal of improving upon the commercial vitality of the Town and to promote new development of non-residential uses in appropriate locations so that the local economy remains strong. This use introduces a new type of regulated development that will promote a type of business not found in the area and will help contribute to the local economy.

To: Jennifer Hoffman

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 41 Lot 24

Name of Owners: Livestock Auction Market

I CERTIFY THAT THE REAL ESTATE TAXES ON THE ABOVE MENTIONED PROPERTY HAVE BEEN PAID THROUGH 2020 2nd quarter

NEXT TAX PAYMENT DUE: 8-1-20

Tax Collector of
Town of Hackettstown
Warren County

Dated: 5-15-20

By:

Patricia H. Hove

LIVESTOCK CO-OP AUCTION

BLOCK 41 LOT 24

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 LIVESTOCK CO-OP AUCTION:

We do not have any owners with a 10% or greater ownership.

We are a cooperative with members who elect a board of seven directors.

To: Jennifer Hoffman

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 41 Lot 24

Name of Owners: Livestock Auction Market

I CERTIFY THAT THE REAL ESTATE TAXES ON THE ABOVE MENTIONED PROPERTY HAVE BEEN PAID THROUGH 2020 2nd quarter

NEXT TAX PAYMENT DUE: 8-1-20

Tax Collector of
Town of Hackettstown
Warren County

Dated: 5-15-20

By: Patricia H. Hove

April 15, 2020

RE: Checklist Waiver Requests
Block 41 Lot 24
224 West Stiger Street
Town of Hackettstown
Warren County, NJ
E&LP Project #0119373

CIVIL ENGINEERING
ENVIRONMENTAL
SURVEYING
LANDSCAPE ARCHITECTURE
GEOTECHNICAL

This document shall serve as an addendum to the Preliminary and Final Site Plan application with a variance for the above referenced site. The following key applies to the completed checklist:

- ✓ =Complete (information provided)
- W =Waiver Requested (information not provided)
- PW=Partial Waiver Requested (some information not provided in checklist item)
- WC=Waiver Requested for Completeness Only (information to be provided in future)
- N/A= Not applicable

Variance Checklist (items not noted below have been addressed through information provided, or are not applicable (N/A))

PW= A partial waiver is requested for not providing all information within 100 feet of the property boundary such as parking areas, utilities, wetlands culverts, drain pipes, trees, etc. The information provided on and adjacent to the site should be adequate for review of the project, given the limited scope of improvements proposed.

W= A waiver is requested for delineation of the floodplain for the adjacent stream. No additional structures are proposed and the existing structures are not for dwelling purposes. The anticipated state regulated riparian buffer has been shown.

W= A waiver is requested for marshes, ponds and land subject to flooding with the tract and within 100 feet. Given the limited scope of improvements proposed for the project, it is our opinion that this information is not necessary for review of the project.

WC= A waiver for completeness purposes is requested for the Highlands Consistency Determination. The application is included with the site plan application documents. We understand that the municipal engineer will review the Highlands Consistency Determination application during his completeness review of all application documents.

Celebrating

2000-2020
*Expertise
Innovation
Solutions*



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

Clinton | Asbury Park | Denville | Philadelphia

March 25, 2020

RE: Proposal for Professional Services

Block 174 Lot 2, 125 Castle Rock Road

Township of Jefferson, Morris County, NJ

E&LP Proposal #20118

Page 2

Initial _____

Preliminary Major Site Plan Checklist (items not noted below have been addressed through information provided or are not applicable)

PW= A partial waiver is requested for not providing all natural features within 100 feet of the property boundary such as wetlands and treed areas. The information provided should be adequate for review of the project, given existing improvements already on site and the limited site construction proposed.

W= A waiver is requested for cross sections of water courses or drainage swales. No site work is proposed near these features and a minor decrease in impervious coverage is proposed.

W= A waiver is requested for providing drainage and/or conservation easements, and stream encroachment lines. No site work is proposed near the stream. The anticipated state regulated riparian buffer has been provided on the plan.

W= A waiver is requested for providing adequate drainage provisions. The existing site parking lot improvements are proposed to remain and continue to drain as is. A slight decrease in impervious coverage is proposed.

W= A waiver is requested for providing stormwater management or drainage computations. The existing site parking lot improvements are proposed to remain and continue to drain as is. A slight decrease in impervious coverage is proposed.

PW= A partial waiver is requested for providing all utility structures within 200 feet of the tract. The utilities serving the subject structure and mains in the public road have been shown.

PW= A partial waiver is requested for utility layouts. The proposed service connections to the subject structure have been shown on the plans.

PW= A partial waiver is requested for providing cross sections or profiles of the existing street (Stiger Street). The roadway has been shown on plan view which should be sufficient given the scope of the project.

WC= A waiver is requested for completeness purposes only for providing information on hours of operation, shifts, employees, etc. This information will be provided in testimony at a public hearing, once scheduled.

WC= A waiver is requested for completeness only for providing completed applications to HMUA. We request that this information be provided as a condition of any approval of the Board.



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

March 25, 2020

RE: Proposal for Professional Services

Block 174 Lot 2, 125 Castle Rock Road

Township of Jefferson, Morris County, NJ

E&LP Proposal #20118

Page 3

Initial _____

WC= A waiver is requested for completeness only for providing additional information requested by the Board. If requested, our office will consult with our client and provide as necessary.

WC= A waiver for completeness purposes is requested for the Highlands Consistency Determination. The application is included with the site plan application documents. We understand that the municipal engineer will review the Highlands Consistency Determination application during his completeness review of all application documents.

Final Major Site Plan Checklist (items not noted below have been addressed through information provided or are not applicable)

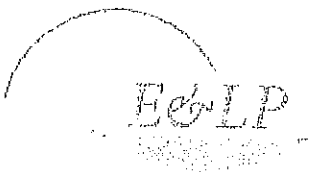
WC= A waiver for completeness purposes is requested for providing additional details required at the time of preliminary approval. The applicant is seeking simultaneous approval for Preliminary and Final Site Plan.

WC= A waiver for completeness purposes only is requested for utility capacity confirmation letters. We anticipate that adequate capacity exists and will provide confirmation as a condition of any approval.

WC= A waiver for completeness purposes is requested for providing confirmation of improvements installed or bonded as required at the time of preliminary approval. The applicant is seeking simultaneous approval for Preliminary and Final Site Plan.

WC= A waiver for completeness purposes is requested for providing a statement from the Town Engineer that all installed improvements have been inspected. The applicant is seeking simultaneous approval for Preliminary and Final Site Plan.

WC= A waiver for completeness purposes is requested for the Highlands Consistency Determination. The application is included with the site plan application documents. We understand that the municipal engineer will review the Highlands Consistency Determination application during his completeness review of all application documents.



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innovation of the natural and built environment.*

::::CHECK LIST::::
Details required for
Variance Applications

Note: See Section 802 C. of the Hackettstown Land Development Ordinance for further details of submission requirements and procedures.

- ☒ Application Form(s) and Checklist(s)(20 copies).
- ☒ 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.
- ☒ 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").
- ☒ Key map at less than 1"=1000'.
- ☒ Title block:
 - ☒ Name of subdivision or development, Town of Hackettstown, Warren County, with each sheet specifically titled with appropriately descriptive words;
 - ☒ 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;
 - ☒ Name, title and address of the owner or owners of record;
 - ☒ North arrow;
 - ☒ Scale (written and graphic);
 - ☒ Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet; and
- ☒ Names and addresses of partners or stockholders as required by Ordinance.
- ☒ Acreage figures (both with and without areas within public rights-of-way).
- ☒ Approval signature lines.
- ☒ 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.

✓ Tract boundary line (heavy solid line).

PW The location of existing and proposed property lines (with bearings and distances), streets, structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features such as wetlands and treed areas, both within the tract and within one hundred feet (100') of its boundary.

N/A The location and width of all existing and proposed utility easements, the use(s) for which they are intended, and the manner in which the easements will be controlled.

✓ Zoning districts affecting the tract, including district names and all area and bulk requirements, with a comparison to the proposed development.

✓ Proposed buffer and landscaped areas.

W Delineation of flood plains, including both floodway and flood fringe areas. Contours as shown on the U.S.G.S. topographic sheets.

W Marshes, ponds and land subject to flooding within the tract and within one hundred feet (100') thereof.

✓ The names of all adjacent property owners as they appear 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.

✓ Five (5) copies of a certification from the Town Tax Collector indicating that all taxes and assessments are paid to date.

N/A Concerning subdivisions only, existing and proposed monuments.

N/A Road right-of-way dedication and improvement, as applicable.

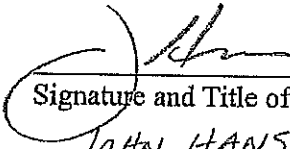
N/A Sight triangle easements, as applicable.

W Deed descriptions (including metes and bounds), easements, covenants, restrictions, and roadway dedications.

✓ 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.

WC 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.

N/A A "Major Development Stormwater Summary Sheet" shall be submitted when a stormwater management basin is proposed on a project.


Signature and Title of person who prepared check list

JOHN HANSEN, PROJECT ENGINEER

4/14/2020
Date

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

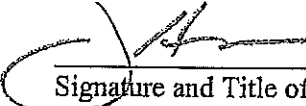
Note: See Section 804 of the Hackettstown Land Development Ordinance for further details of submission requirements and procedures.

- ☒ Application Form(s) and Checklist(s) (20 copies).
- ☒ Plats or Plans (20 copies) signed and sealed by a N.J. Professional Engineer and folded into eighths with title block revealed.
- ☒ Protective Covenants, Easements and/or Deed Restrictions (20 copies).
- ☒ 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"
- ☒ Key map at not more than 1"=1000'.
- ☒ Title block:
- ☒ Name of subdivision or development, Town of Hackettstown, Warren County, with each sheet specifically titled with appropriately descriptive words;
- ☒ 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;
- ☒ Name, title and address of the owner or owners of record; North arrow;
- ☒ Scale (written and graphic);
- ☒ Date of original preparation and of each subsequent revision thereof and a list of specific revisions entered on each sheet; and
- ☒ Names and addresses of partners or stockholders as required by Ordinance.
- ☒ Certification of ownership or authorization to file application.

- ☒ Approval signature lines.
- ☒ Acreage to the nearest tenth of an acre (both with and without areas within public rights-of-way).
- ☒ 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.
- ☒ 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.
- ☒ Tract boundary line (heavy solid line).
- ☒ Zoning districts, affecting the tract, including district names and all area and bulk requirements, with a comparison to the proposed development.
- ☒ PW The location of natural features such as wetlands and treed areas, both within the tract and within 100 feet of its boundary.
- ☒ 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.
- ☒ Existing and proposed watercourses with required information:
 - ☒ 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;
 - ☒ W 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;
 - ☒ W The location and extent of drainage and conservation easements and stream encroachment lines; and
 - ☒ W The location and type of adequate drainage provisions to reasonably reduce and minimize exposure to flood damage.
- ☒ Existing and proposed contours as required by Ordinance.
- ☒ Proposals for soil erosion and sediment control as required by N.J.S.A. 4:24-39 et seq.
- ☒ The location of all existing structures as required by Ordinance.
- ☒ Size, height and location of all proposed structures and buildings.

- ☒ All dimensions necessary to confirm conformity to the Ordinance requirements.
- ☒ The proposed location, direction of illumination, power and type of proposed outdoor lighting, including details and luminaries.
- ☒ The proposed screening, buffering and landscaping plan, with the information required by Ordinance.
- ☒ The location and design of any off-street parking area, showing size and location of bays, aisles and barriers.
- ☒ All means of vehicular access or egress to and from the site onto public streets, with the information required by Ordinance.
- W Plans and computations for any storm drainage systems as required by the Town Engineer.
- PW The location of existing utility structures on the tract and within 200 feet of its boundaries.
- PW 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).
- PW 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.
- N/A 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.
- N/A 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.
- N/A Proposed permanent monuments.
- WC The proposed number of shifts to be worked, the maximum number of employees on each shift, and the hours of operation.
- ☒ Five (5) copies of a certificate from the Town Tax Collector indicating that all taxes and assessments are paid to date.
- ☒ Five (5) copies of the completed application to the Warren County Planning Board, if applicable.
- WC Five (5) copies of the completed application to the Hackettstown Utilities Authority, if applicable.
- ☒ 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.

- 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.
- N/A An Historic Impact Statement, if applicable, in accordance with Section 806 E. of this Ordinance.
- ✓ 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.
- 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.
- WC 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.
- WC 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.
- N/A A "Major Development Stormwater Summary Sheet" shall be submitted when a stormwater management basin is proposed on a project.


Signature and Title of person who prepared check list.

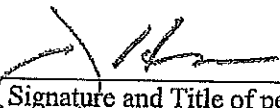
JOHN HANSEN, PROJECT ENGINEER

4/14/2020
Date

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

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

- ☒ Application Form(s) and Checklist(s) (20 copies).
- ☒ 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.
- ☒ 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").
- ☒ All details stipulated in Subsection 804 B. of the Ordinance.
- WC All additional details required at the time of preliminary approval.
- N/A A section or staging plan, if proposed.
- ☒ Detailed architectural and engineering data as required by Ordinance.
- ☒ Certification from the Town Tax Collector indicating that all taxes and assessments are paid up-to-date.
- WC 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.
- 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.
- WC A statement from the Town Engineer indicating that all installed improvements have been inspected.
- WC 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.
- N/A A "Major Development Stormwater Summary Sheet" shall be submitted when a stormwater management basin is proposed on a project.


Signature and Title of person who prepared check list
JOHN HANSEN, PROJECT
ENGINEER

4/14/2020
Date

Town of Hackettstown
Highlands Exemption Determination Application



215 Stiger Street
Hackettstown, NJ 07840
(908) 852-3130

The purpose of this application is to determine whether or not a proposed project is exempt from the provisions of the Highlands Water Protection and Planning Act (see note below).

Instructions for Completing Form

1. Complete page 1.
2. Review the seven exemptions eligible for municipal determinations (see pages 2-3) to determine which may be applicable to the proposed project. Applicants need only qualify for one of the exemptions, although more than one may apply. Below each exemption is a list of documentation that is required to determine whether the exemption applies.
3. Initial as indicated by the applicable exemption.
4. Sign the application form.
5. Submit completed application along with all supporting documentation to the municipal office at the address above.

Important Note

This application will be evaluated by the municipality to determine whether a proposed activity, improvement or development project involving lands within the Highlands Region is exempt from the provisions of the Highlands Water Protection and Planning Act (N.J.S.A. 13:20-1 et seq., "Highlands Act"). Any proposal that is exempt from the Highlands Act is also exempt from the Highlands Water Protection and Planning Act Rules ("Highlands Rules," N.J.A.C. 7:38-1 et seq.) and any Highlands Area land use ordinance adopted by the municipality pursuant to approval of its Petition for Plan Conformance by the Highlands Water Protection and Planning Council ("Highlands Council"). The municipality has been authorized and certified by the Highlands Council to issue Highlands Exemption Determinations, pursuant to a July 19, 2012 Memorandum of Understanding (MOU) between the Highlands Council and the New Jersey Department of Environmental Protection (NJDEP). The local ordinance effectuating this delegation of authority is Ordinance #2016 -07, "Town of Hackettstown Highlands Area Exemption Ordinance," adopted December 8, 2016.

Please note that all references to professional preparers indicated in this application shall be construed to include any and all qualified individuals licensed, certified, or otherwise eligible and authorized to complete such work, in accordance with the applicable laws and legal requirements of the State of New Jersey including but not limited to the MLUL (N.J.S.A. 40:55D-1 et seq) and Title 13 of the New Jersey Administrative Code, Law and Public Safety.

Please note that this application only addresses whether or not your project is exempt from Highlands regulations (as listed above). Certification that a project is exempt from the Highlands Act does not relieve one from other regulatory requirements that may apply, including the need to apply for any other permits, whether under municipal, state or other jurisdictional authority. Please also note that in accordance with the MOU, Ordinance #2016 -07 requires that the municipal Exemption Designee retain Highlands Council certification to exercise the authority to issue Municipal Exemption Determinations. In the event of personnel changes or other extenuating circumstances that leave the municipality without the services of a certified municipal Exemption Designee, applicants seeking a Highlands Act Exemption Determination may apply to the NJDEP for projects located in the Preservation Area or to the Highlands Council for projects located in the Planning Area.

**Town of Hackettstown
Highlands Exemption Determination Application**

215 Stiger Street
Hackettstown, NJ 07840
(908) 852-3130



Receipt Stamp - Municipal Use Only

Date: 4/13/2020

Application #:

Applicant Name: Livestock CO-OP Auction

Property Information

Street Address: 224 Stiger Street, Hackettstown, NJ 07840

Block(s) & Lot(s): Block 41, Lot 24

Date Lot Created:

☒ Prior to August 10, 2004

If after August 10, 2004:

Located in:

☒ Planning Area

☐ Preservation Area

☐ Planning and Preservation Area

Existing Uses:

Commercial and Office

Property Owner Information

☐ Same as Applicant

Owner Name:

Livestock Auction Market c/o Mike Toretta

Owner Address:

PO Box 47, Hackettstown, NJ 07840

Applicant Information

Applicant Address: PO Box 47, Hackettstown, NJ 07840

Phone #: 908-892-6063

Fax #:

email: hackettstownlivestock225@gmail.com

Engineer, Attorney or Other Principal Contact Information

Name:

John Hansen, PE

Address:

140 West Main Street, High Bridge, NJ 08829

Phone #: 908-238-0544 x119

Fax #:

email: jhansen@elp-inc.com

Project Information

Brief Project
Description
(Attach
Additional as
Necessary):

The property was developed prior to the adoption of the Highlands Act, many years ago. The existing southernmost structure is the subject of the application. This structure is currently a poultry building. The application requests a change in use of this structure from its current use to an Animal Processing Facility. Only minor site improvements are proposed which consist of ADA parking and access upgrades, a fence enclosure for temporary animal storage, minor landscaping enhancements, public water and sewer connections, and minor lighting enhancements. The land disturbance proposed will be less than 5,000 SF. The project, if approved, will result in a decrease in impervious coverage.

Exemption 1: *For the construction of a single-family dwelling for an individual's own use or the use of an immediate family member, on a lot owned by the individual on August 10, 2004, or on a lot for which the individual entered into a binding contract of sale to purchase on or before May 17, 2004.*

☐ I hereby certify that the single-family dwelling proposed for construction on the subject lot is intended for my own use or the use of the following immediate family member (as defined by Ordinance No. 2016-07).

Applicant Initial:

Name of Family Member:

Relationship of Family Member:

Lot Legally Owned by the Applicant on August 10, 2004:

☐ Copy of a deed, closing or settlement statement, title policy, tax record, mortgage statement, or any other official document showing that the lot was legally owned by the applicant as of August 10, 2004 and indicating the street address and the lot and block as designated by the municipal tax mapping, the municipality, and county in which the lot is located.

☐ I hereby affirm that the metes and bounds of the subject property have not been altered from those lawfully existing as of August 10, 2004.

Applicant Initial:

Lot Under Contract of Sale to Applicant as of May 17, 2004:

☐ Copy of the binding contract of sale executed by the seller and the applicant on or before May 17, 2004 for the lot on which the house is to be constructed.

☐ I hereby affirm that the metes and bounds of the subject property have not been altered from those lawfully existing as of the date of the executed contract of sale.

Applicant Initial:

Exemption 2: *For the construction of a single-family dwelling on a lot that lawfully existed as of August 10, 2004, provided that construction does not result in the ultimate disturbance of 1 or more acres of land or a cumulative increase in impervious surface by 1/4 acre or more.*

☐ A copy of the recorded deed or plat showing that the lot was created on or before August 10, 2004.

☐ A property survey certified by a licensed New Jersey professional indicating the property boundary lines and overall lot size, showing what structures currently exist on the lot, if any.

☐ A parcel plan certified by a qualified licensed New Jersey professional showing all existing and proposed development, including all structures, grading, clearing, impervious surface and disturbance, areas of existing disturbance to be restored (if any), and including calculations demonstrating that impervious surfaces and areas of disturbance are within the 1/4 acre and 1 acre limit as prescribed.

☐ A metes and bounds description by a qualified licensed New Jersey professional showing the area of the lot to be disturbed, limited to less than one acre.

☐ I hereby affirm that the metes and bounds of the subject property have not been altered from those lawfully existing as of August 10, 2004.

Applicant Initial:

Exemption 4: *For the reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surfaces* on the site, provided that the reconstruction does not increase the lawfully existing impervious surface by 1/4 acre or more.*

**The date of lawfully existing impervious surface is August 10, 2004 in the Preservation Area and March 8, 2012 in the Planning Area.*

☒ A parcel plan certified by a qualified licensed New Jersey professional showing all existing property improvements, including all structures, grading, clearing, impervious surfaces and limits of disturbance, existing on the site as of August 10, 2004 for the Preservation Area or March 8, 2012 for the Planning Area; and all proposed development, including all structures, impervious surfaces, grading, clearing limits, and limits of disturbance. Also include calculated values for existing and proposed impervious surfaces for the project/activity.

☒ A copy of any official documentation indicating the original date of construction of the existing buildings and/or structures or otherwise establishing the lawfulness of their existence, inclusive of existing impervious surfaces.

Exemption 5: For any improvement to a single family dwelling in existence as of August 10, 2004, including but not limited to an addition, garage, shed, driveway, porch, deck, patio, swimming pool, or septic system. (Such improvements include only those that maintain the use as a single family dwelling; the exemption does not apply to or permit the creation of multiple dwelling units.)

☐ A copy of any official documentation proving the single family dwelling was in existence on August 10, 2004.

☐ A description of the proposed improvements.

☐ I hereby affirm that the subject property was in existence as of August 10, 2004 and that all proposed improvements are intended and will continue to be used for single family dwelling purposes.

Applicant Initial:

Exemption 6: For any improvement, for non-residential purposes, to a place of worship owned by a non-profit entity, society or association, or association organized primarily for religious purposes, or a public or private school, or a hospital, in existence on August 10, 2004, including, but not limited to new structures, an addition to an existing building or structure, a site improvement, or a sanitary facility.

☐ A copy of any official documentation indicating that the place of worship, public or private school, or hospital was in existence on August 10, 2004.

☐ For improvements to a place of worship, documentation showing that the entity, society or association, or association organized primarily for religious purposes has non-profit status.

☐ A site plan plan certified by a qualified licensed New Jersey professional showing all existing property improvements, including all structures, grading, clearing, impervious surface and limits of disturbance, existing on the site on August 10, 2004; and all proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading.

Exemption 7: For any activity conducted by a landowner in accordance with an approved woodland management plan issued pursuant to Section 3 of the Farmland Assessment Act, N.J.S.A. 54:4-23.3 or the normal harvesting of forest products in accordance with a forest management plan approved by the State Forester.

☐ A brief description of the total area of woodlands that is the subject of the approved woodland management plan and indication of the length of time that the area has been in woodland management (may be submitted in this form).

☐ A brief description of the activities for which the exemption is claimed (may be submitted in this form).

For a private landowner with an approved woodlot management plan:

☐ A copy of the applicant's tax bill showing that the site has farmland assessment tax status under the New Jersey Farmland Assessment Act, N.J.S.A. 54:4-23.1 et seq. if applicable.

☐ A copy of the approved woodland management plan.

For a forest management plan approved by the State Forester:

☐ A copy of the forest management plan approved by the State Forester.

Exemption 8: For the construction or extension of trails with non-impervious surfaces on publicly owned lands or on privately owned lands where a conservation or recreational use easement has been established.

☐ A site plan certified by the appropriate qualified licensed New Jersey professional showing the proposed trail construction with details including the location and width of existing and proposed trails and those off-site trails to which they connect, if any.

☐ A written description of the non-impervious materials to be used.

☐ For privately owned property, a copy of a deed for the property, including the language establishing the conservation or recreational use easement on the property.

I, the undersigned, hereby certify that the information given herein is correct to the best of my knowledge.

Applicant Signature:

Date: 5/19/2020

I, the undersigned, hereby grant permission for the submission of this application for the property reference herein.

Owner Signature:

Date: 5/19/2020

Municipal Use Only
Exemption Review Worksheet

Information
Submitted:

Project
Summary:

Exemption
Review:

Comments:

As the Certified Municipal Exemption Designee, I hereby
certify the following finding for this application

Date:

Signature: