

**TOWN OF HACKETTSTOWN  
REGULARLY SCHEDULED MEETING  
October 27, 2020  
7:00 P.M. VIA ZOOM MEETINGS**

**MINUTES**

Adequate notice of the time, place and manner of this remote public Land Use Board Meeting, being conducted via teleconference, including the means by which the public may observe and participate, has been provided in accordance with the Open Public Meetings Act by: (1) posting said notice on the municipal building bulletin board and front window of the municipal building; (2) emailing said notice to the press and all others who have requested it; (3) posting on the official Town website; or (4) transmission to residents via nixle notification.

**CALL TO ORDER**

The October 27, 2020 Town of Hackettstown Land Use Board Meeting was called to order by Chairman Camporini at 7:01 p.m.

**ANNOUNCEMENT OF PROPER NOTICE**

**FLAG SALUTE**

**ATTENDANCE**

**Board Members Present**

Sherman; Moore; Tierney; Stout; Lambo; Walling; Becker; Wolfrum; Camporini; Stead

**Board Members Absent**

Bristow

**Also Present**

Mennen; Sterbenz

**MINUTES**

September 22, 2020 Land Use Board Meeting

Motion to approve the Minutes of the September 22, 2020 Land Use Board Meeting made by Becker, seconded by Lambo.

**In Favor:** Sherman; Stout; Walling; Wolfrum; Camporini; Stead; Lambo; Becker

**Oppose:** None

**Abstain:** Moore; Tierney

Mr. Sterbenz addressed the Board and the public explaining the administrative process for Land Use Board applications.

**RESOLUTIONS**

Saltzman, App. #20-11, Block 95, Lot 2 – Section 68 Certification

Motion to approve the Section 68 Certification Resolution of Approval made by Stead, seconded by Stout.

**In Favor:** Walling; Becker; Wolfrum; Camporini; Sherman; Stead; Stout

**Oppose:** None

**Abstain:** Moore; Tierney; Lambo

**COMPLETENESS**

**PK Petroleum, App #20-10, Block 125, Lot 25.01 – Preliminary & Final Major Site Plan/Bulk Variance**

Mr. Sterbenz stated the information regarding this application was submitted late the previous week, and it was reviewed. Mr. Sterbenz stated the application involves the redevelopment of an existing gas station at 17 Route 57, which would include the addition of a convenience store, while removing the maintenance garage space, and adding a canopy over gasoline dispensing facilities. Mr. Sterbenz added there are jurisdictional issues and a D3 variance must be applied for due to non-compliance with section 601C of the LDO, as well as d1 variance for the proposed convenience store. Mr. Sterbenz recommended the application be deemed incomplete due to the lack of information on the plans and in the application on the variances and the lack of submission of a title report.

The motion to grant certain submission waivers but still deem the application incomplete was made by Stout, with the second being Moore:

**Preliminary Site Plan waivers:**

- a. Location of natural features within one hundred (100) feet of the site boundary.
- b. Submission of a drainage plan.
- c. The location of existing structures within two hundred (200) feet of the site boundary.
- d. Plans, cross-sections, and details for Route 57.
- e. The submission of an environmental impact statement

**Final Major Site Plan waivers:**

- a. Submission of letters from utility companies indicating that service shall be provided to the development

**Variance waivers:**

- a. The depiction of physical features within one hundred (100) feet of the site boundary.
- b. The depiction of sight triangle easements

**In Favor:** Walling; Sherman; Tierney; Becker; Wolfrum; Camporini; Stead; Stout, Moore

**Oppose:** None

**Abstain:** Lambo

**All-North Hackettstown Allentown SMSA Ltd Partnership d/b/a Verizon Wireless, App #20-12, Block 45, Lot 2.01 – Minor Site Plan/Variance**

Mr. Sterbenz stated the application is for a site plan and use variance for the installation of a one hundred fifty (150) foot tall monopole with twelve (12) communication antennas to be attached at a height of one hundred fifty (150) feet along with equipment cabinets to be placed on a thirty (30) foot by fifty (50) foot concrete pad.

Mr. Sterbenz added that on May 23, 2000 a storage yard was approved by the Planning Board on the property, and in August 2002 the approval was later modified. The storage yard is not a permitted use in the HF District.

Mr. Sterbenz stated wireless telecommunications are conditionally permitted in the HF District, subject to compliance with the requirements in Section 601K4 and 5 of the LDO. There is a use variance being applied for as several of the conditional use requirements are not being complied with.

Mr. Sterbenz stated regarding the site plan application that the following must be provided:

1. A preliminary major site plan and final major site plan checklists must be submitted with any requested submission waivers, along with application and escrow fees associated with these applications.
2. Certification from the Town Tax Collector indicating tax payments are current through the third quarter.
3. An application filed with the Warren County Planning Board must be furnished.
4. An Environmental Impact Statement must be provided

Mr. Sterbenz added the completeness review of the site plan application will be evaluated once the appropriate checklists are submitted to the Board.

Mr. Sterbenz stated regarding the variance application, buffer and landscaped areas are not indicated on the plan; and a certification from the Town Tax Collector indicating tax payments are current through the third quarter must be furnished. Mr. Sterbenz stated waivers were requested from the variance submission for:

1. Names and addresses of partners or stockholders as required by ordinance.
2. Submission of certification from the Town Tax Collector.
3. Submission of a Municipal Highlands Exemption Determination Application (no longer necessary per Mr. Sterbenz as the Highlands Council issued an exemption)

Mr. Sterbenz recommended the Board reject the waiver request for certification from the Tax Collector.

The applicant indicated the following requirements are not applicable:

1. Location of existing and proposed utility easement.
2. Proposed buffer and landscaped areas.
3. Delineation of flood plains.
4. Depiction of right of ways.
5. Depiction of sight triangle easements.
6. Submission of deed descriptions.
7. Submission of a Major Development Stormwater Summary Sheet.

Mr. Sterbenz did not agree that the checklist item Buffer and Landscaped areas is not applicable, and that is why it is listed as a deficiency.

Mr. Sterbenz stated that based upon the deficiencies outlined that the application be deemed incomplete.

Motion to deem the application incomplete based on Mr. Sterbenz report dated October 20, 2020 made by Moore, with the second being Stead.

**In Favor:** Sherman; Tierney; Walling; Becker; Wolfrum; Stout; Camporini; Stead; Moore

**Oppose:** None

**Abstain:** Lambo

Mr. Sterbenz advised the Board that he has reviewed many monopole applications over the years, including ones with Verizon equipment. However, since his last Verizon review, Maser Consulting is now doing telecommunications engineering for Verizon. The work is not being conducted out of Mr. Sterbenz's office; however, he is bringing it to the Board's attention as they may want to get other professionals to sit in on the public hearing for this application.

Mr. Mennen stated this would be up to the Board to think about.

**Livestock Co-Op Auction, App #20-08, Block 41, Lot 24 – Preliminary & Final Major Site Plan**

Mr. Sterbenz stated the application was discussed at the July 27, 2020 meeting extensively, and there were eight items that were deficient:

1. Flood Plain information and wetlands information - addressed.
2. Property owners within 200 feet - deficient.
3. Impervious coverage footprint - addressed.
4. Soil erosion and sediments control plan - deficient
5. Warren County Planning Department Application – deficient.
6. HMUA application for sewer and water connection - deficient
7. Elevation of floor plan – addressed.
8. Operational statement – addressed

Mr. Selvaggi answered all items can be turned around within a week, except for the copy of the HMUA application as that will be problematic, and the applicant is asking for a waiver for completeness. Mr. Sterbenz stated he does not have a problem with this item being waived for completeness purposes, however, it will be a condition of approval. Mr. Sterbenz advised the Board of a moratorium due to the recent paving of Stiger Street.

The motion to deem the application incomplete based on the deficiencies listed and granting a waiver for the submission of the HMUA application, was made by Sherman, with the second being Wolfrum.

**In Favor:** Moore; Stout; Walling; Becker; Wolfrum; Camporini; Stead; Sherman.

**Oppose:** None

**Abstain:** Lambo; Tierney

Mr. Selvaggi asked the Board to carry the notice provided to the next meeting scheduled for November 24, 2020. Mr. Sherman made the motion to carry the notice to the November 24, 2020 Meeting, seconded by Stout.

**In Favor:** Sherman; Moore; Stout; Walling; Becker; Wolfrum; Camporini; Stead

**Oppose:** None

**Abstain:** Lambo; Tierney

**PUBLIC COMMENT**

The meeting was opened to the public for comment at 8:19 p.m.

Jennifer Daly, Resident, had a complaint regarding accessing the meeting tonight.

Leisha Stout, Resident, had no problem getting on the meeting, and stated they received notice of the application and does not have a problem with the application as they do not have facilities to bring their animals to for processing. Chairman Camporini stated this is not the time to make statements, and there will be time afforded at the Public Hearing for questions of the applicants and their professionals, or to make statements.

Greg Lynch, President, Valley View Woods Association asked if plans would be available on the website for agenda items. Mr. Mennen answered yes. Mr. Lynch stated he is hoping the capacity of the project; containment of liquid waste; animal processing protocols; transport of the animals from the auction site; and whether or not outside animals will be received at the site, will all be addressed at the public hearing. Mr. Mennen stated the applicant representatives have already signed off from this meeting, however, they will be able to testify at the public hearing regarding the questions raised.

Diego Pinillos, Resident, asked if the application will only be on the agenda for completeness next month. Mr. Camporini answered it may be deemed complete at the November meeting, and then move on to the public hearing. Mr. Camporini added the Board has rules that there is no new testimony presented after 10:00 p.m. Mr. Mennen added the applicant's attorney expects and hopes to be heard next month. Mr. Pinillos asked if the documentation will be available prior to the meeting. Mr. Mennen responded all documents will be made available by the Board Secretary.

Remo Caputo, neighboring property owner, stated an EIS should be provided as the Trout Brook is fifteen to twenty feet off the proposed building. Chairman Camporini said the Board can at any time ask for additional documentation or make it a condition of approval.

Jennifer Daly, Resident, asked how the public will be afforded the opportunity to participate in the public hearing, and how will the Board make sure everyone is heard. Mr. Mennen answered the Board wants everyone to be able to express their sentiments and ask their questions. Mr. Mennen added the Chairman continuously asks if there are any further questions from the public during the meeting, and prior to the meeting in November there will be discussion regarding procedures and guidelines to move things along such as time limits, repetitive comments and questions, etc. Mr. Sterbenz added he has been involved in Planning and Zoning Board Zoom Meetings, and several of them have had a lot of public interest. Mr. Sterbenz stated the Board Secretary can go down the list of participants and ask each one if there are any questions, or the participants can raise their hand.

The Board Clerk stated there was a group chat question asking if there was a chance the public hearing would be held in person. Mr. Mennen answered the municipal building is closed to the public, therefore there cannot be an in person public hearing at this time.

Jennifer Daly asked why a slot is being left open on the Agenda. Mr. Mennen answered it is procedural to pencil in applications for time slots so the applicant's professionals can plan accordingly. Mr. Mennen added the applicant has several items that need to be dealt with prior to the meeting, and only if all matters are addressed will the applicant be formally on the Agenda.

Mr. Lambo recommended the public be reminded when questions are to be asked, and when comments are to be made.

Chairman Camporini asked if there were any other public comments on what was covered by the Board tonight. There being none, the meeting was closed to the public at 8:52 p.m.

Chairman Camporini asked if any Board Members had any further business.

Mr. Lambo stated the Council disapproved the Phase II Redevelopment Plan for Jade at the Council meeting as there was a question regarding the resolution which may come back to the Board for clarification.

Mr. Sherman asked if he could contact the Business Administrator regarding the advertisement for professional services to the Town, as he requested to do last year as well. The Board Members had no objection.

### **CORRESPONDENCE**

The New Jersey Planner – January/February 2020; March/April 2020; May/June 2020; July/August 2020  
Warren County Planning Department re: Moudro Conditional Approval, Block 45, Lots 1.01 & 2

### **ADJOURNMENT**

There being no further business, the October 22, 2020 Land Use Board Meeting was adjourned by a motion from Mr. Moore, seconded by Mr. Stout. All members present in favor of adjournment at 8:59 p.m.

Respectfully submitted,  
Shannon Drylie  
Land Use Board Clerk

**Motion to approve:** Lambo

**Second:** Becker

**In Favor:** Sherman; Moore; Tierney; Stout; Walling; Wolfrum; Camporini; Stead; Becker; Lambo

**Opposed:** None

**Abstained:** None