**TOWN OF HACKETTSTOWN**

**LAND USE BOARD MEETING**

**APRIL 27, 2021**

**MINUTES**

**CALL TO ORDER**

the April 27, 2021 Meeting of the Town of Hackettstown Land Use Board Meeting held via Zoom, was called to order by Chairman Al Camporini at 7:00 PM.

**ANNOUNCEMENT OF PROPER NOTICE**

**ATTENDANCE**

**Board Members Present**

Sherman, Moore, Becker, Stout, Wolfrum, Camporini, Stead, Anthony, Graf

Also Present: Board Attorney Mennen, Town Engineer Sterbenz and Town Planner Bloch

**Board Members Absent**

Lambo, Walling

**MINUTES – MARCH 23, 2021 LAND USE BOARD MEETING**

Mr. Becker made a motion to approve the minutes of the March 23, 2021 Land Use Board meeting as submitted; Mr. Moore seconded the motion.

In Favor: Sherman, Moore, Becker, Stout, Wolfrum, Camporini, Stead, Anthony, Graf

Oppose: None

Abstain: None

**RESOLUTIONS**

**Application #20-15 – Section 68 – Jhankhariya – Block 3.04, Lot 22**

Mr. Wolfrum made a motion to approve the Section 68 Certification Resolution of Approval; Mr. Stead seconded the motion.

In Favor: Sherman, Moore, Stout, Wolfrum, Camporini, Stead, Anthony, Graf

Oppose: None

Abstain: Becker

**Application 21-01 – Section 68 – DesPres – Block 31, Lot 2**

Mr. Moore made a motion to approve the Section 68 Certification Resolution of Approval; Mr. Stout seconded the motion.

In Favor: Sherman, Moore, Stout, Wolfrum, Camporini, Stead, Anthony, Graf

Oppose: None

Abstain: Becker

**2016 Mountain Hackettstown, LLC – Extension of Time – Block 125, Lot 9.01**

Mr. Stout made a motion to approve the Extension of Time Resolution; Mr. Moore seconded the motion.

In favor: Sherman, Moore, Stout, Wolfrum, Camporini, stead, Anthony, Graf

Oppose: None

Abstain: Becker

**Jade Hackettstown Associates, LLC – Extension of Time – Block 12, Lot 18.02**

Mr. Stout made a motion to approve the Extension of Time Resolution; Mr. Moore seconded the motion.

In Favor: Sherman, Moore, stout, Wolfrum, Camporini, stead, Anthony, Graf

Oppose: None

Abstain: Becker

**PUBLIC HEARING**

**Application #20-08 – Livestock Co-Op Auction – Preliminary & Final Major Site Plan**

**The applicant was represented by Michael Selvaggi, Esquire**

Richard Gardner, 170 Anderson Road, Asbury NJ

Mr. Gardner was sworn in by Board Attorney Mennen as a representative of the Livestock Auction House

Mr. Selvaggi questioned Mr. Gardner, who testified to the following:

* He is one of seven representatives of the Co-Op
* The Co-Op Auction has been in existence since 1941
* The auction market provides animals, hay, straw and firewood
* Sellers and Purchasers must pay an annual membership fee of $25.00
* The Auction Market operates only on Tuesdays from 10:30 AM until approximately 5:30 PM
* Additional revenue is made by a percentage the Board of Directors assigns to each livestock species
* Due to COVID-19, meat supplies were down, which makes the Auction Market feel that having a slaughterhouse and retail store would benefit the market and the public.
* The existing poultry house is currently being used for poultry but will be moved across the street in order to continue to accommodate the poultry sales
* Animals are housed in the auction house overnight, with water, hay and feed if requested
* There is a lot of space to house the animals in the auction house overnight
* Hours will not be extended if the slaughterhouse is a success

Mr. Camporini asked if the Board Members had any questions at this time.

Mr. Camporini asked how many people are employed at the auction market. Mr. Gardner stated is one full time manager and between twelve and fifteen part time employees. Mr. Camporini inquired as to who would make repairs to the building that will be leased for the slaughterhouse. Mr. Gardner stated that the leaser would maintain the facility as far as cleanliness and repairs will be worked out in the lease. Mr. Camporini questioned Mr. Gardner about the loss of money if the leaser brings in animals from private farmers. Mr. Gardner understands this will happen at some level because of the processing demand.

Mr. Graf inquired as to why Mr. Gardner does not use Mr. Simreen as his processor for the animals he owns. Mr. Gardener stated that his processor is closer. Mr. Graf inquired if Mr. Garder has confidence in Mr. Simreen’s operation. Mr. Garder stated that he and the Board of Directors have confidence in Mr. Simreen’s operation.

Mr. Camporini inquired as to how many animals Mr. Gardner feels could be processed in the proposed facility during a forty hour week and how often a rendering truck would come. Mr. Gardner is uncertain of the number of animals but stated the truck will probably come every other day.

Mr. Camporini opened the meeting to the public for questions.

Remo Caputo, Attorney, Broadway St., Denville, NJ, inquired about revenue sharing, retail sales, the involvement of the auction house regarding how the slaughterhouse operation is run, if the auction house will profit from any money received from the leaser and why this location was chosen to run the slaughterhouse.

Mr. Gardner stated the following to Mr. Caputo’s questions:

* Money for the Auction Market will only be made through the lease
* Mr. Simreen will profit from the retail sales
* The lessee will sign an agreement as to how the outside of the building will be managed
* Money received from the lease will go back into the auction market funds
* Because the auction market is located in same area

Diego Pinillos, 450 Grand Avenue, Hackettstown, NJ inquired about the transport of animals from the auction house to the slaughterhouse. Mr. Gardner stated that Mr. Simreen will truck the animals across to the facility.

Lynn Taylor, Zellars Road, Long Valley NJ, Centenary University employee, questioned how well Mr. Gardner knows Mr. Simreen’s animal care and how well he runs his facilities.

Mr. Selvaggi objected to this question.

Ms. Taylor asked Mr. Gardner if the auction market looked into anyone else to lease and run this type of operation. Mr. Garder stated no.

Jennifer Daly, 402 Grand Avenue, Hackettstown, NJ inquired if the environmental impact statement will give details about the impact of trailering animals across the street. Mr. Gardner was not able to answer the question.

Mr. Caputo asked Mr. Garder to commit to the fact that the auction market will not run more than one day per week if the slaughterhouse is approved. Mr. Garder agreed.

Mr. Camporini asked if the Board Members had any other questions at this time.

Mr. Mennen inquired about the action deadline Mr. Sterbenz stated the deadline should be extended through June 1, 2021 and that this public hearing will be carried to the regular meeting date to be held via zoom on May 25, 2021 at 7:00 PM and no new notice is required.

 **Allentown SMSA/All North Hackettstown d/b/a/ Verizon Wireless, B 45, L 2.01**

**Application presented by James Mitchell, Attorney for the applicant**

Mr. Mitchell presented the application requesting a 30 foot by 50 foot fenced/landscaped enclosure for a wireless facility.

Andrew Miller, Advantaged Engineers, 7151 Columbia Gateway Drive, Suite A, Columbia MD, 21046, was sworn in by Board Attorney Mennen to testify as the Civil Engineer for this project.

Mr. Miller testified to the following:

* The compound will contain a 150 tall foot monopole
* There will be a backup generator with a fuel tank
* Equipment to run the current carrier as well as two additional carriers will be installed
* The structure is being designed by the Prevailing Town Code
* Cabinets will be the size of a residential refrigerator and will have small a/c units to keep the equipment cool and will be on a concrete pad.
* Barbed wire will be used to surround the compound
* Tower will have anti-climbing provisions
* Signs will be only place on the gates to the compound
* The tower color will be a matte galvanized steel to eliminate reflections
* No clearing will be needed to install the compound
* The site will be maintained once or twice a month by a field tech
* There will be an alarm system on the cabinets, but it alerts at the Verizon switch only
* The tower is inspected every three years
* Access to the compound will be off of Bilby Road
* The generator will be placed in a quiet enclosure to minimize noise
* LED lighting for maintenance will be used, however it is on a timer and will not remain on for a long period of time
* No Bulk variances are needed for this site
* There is no health or safety impact of this facility on the community

Mr. Camporini asked the Board Members if they had any questions.

Mr. Anthony inquired if the multi gang meter will be inside the fencing. Mr. Miller stated the meter will be placed inside of the compound for security reasons. Mr. Anthony inquired if there are any provisions in place for extra coax for local government use. Mr. Miller stated that there will be additional capacity other than the three carriers, so it is capable.

Mr. Sherman inquired about the upgrading from 4G to 5G without permitting. Mr. Mitchell answered that no approval is needed for upgrades unless a variance is required.

Mr. Stout inquired if this would be a national security issue which would not allow the Board to have jurisdiction over the placement of the tower. Mr. Mitchell stated that according to the Town’s wireless ordinance, the Board can suggest where a tower is placed, and the application submitted is in compliance with the ordinance.

Mr. Bloch inquired about the additional equipment that may be needed for additional carriers, if there is adequate space to hold the equipment needed and if it will be within the 30 foot setback. Mr. Miller stated there will be outdoor cabinets and possibly generators and the space could be adjusted to avoid encroaching the setback.

Mr. Sterbenz requested that the plan show all carriers be accommodated in the enclosure as to not have to modify the plan at a later date. Mr. Sterbenz also suggested a solid fence be installed around the compound rather than a chain link fence. Mr. Miller agreed.

Mr. Camporini inquired about the type of fuel the generator will use and how long it will be able to run on that fuel. Mr. Miller stated it is a 500 gallon tank and it runs on propane.

Mr. Camporini asked if anyone from the public had any questions. There were no questions from the public at this time.

Andrew Petersohn, DBM Engineering, Fairview Village, PA was sworn in by Mr. Mennen to testify as an engineer specializing in radio frequency. Mr. Petersohn explained that the tower is needed in this area in order to provide coverage and adequate capacity. Mr. Petersohn presented the following maps to show current and proposed coverage:

* Exhibit A1 – Verizon Existing Reliable Coverage
* Exhibit A2 – Verizon Proposed Reliable Coverage
* Exhibit A3 – Planned Reliable Coverage
* Exhibit A4 – Verizon Existing Best Server Coverage
* Exhibit A5 – Verizon Proposed Best Server Coverage
* Exhibit A6 – Verizon Planned Best Server Coverage

Mr. Petersohn stated that the height of the tower is the lowest they could go to get the best coverage.

Mr. Petersohn also presented the following:

* Electromagnet Exposure Analysis, which shows compliance with the FCC guidelines for human exposure to electromagnetic emissions
* Non-Interference Certification indicates that Verizon wireless is licensed by the FCC
* FAA Notice Criteria Tool Screening which takes information given to look for potential air navigation
* Corrected RF Design Study

Mr. Camporini asked if the Board Members had any questions.

Mr. Stout inquired if this would take care of the dead spot on Willow Grove Street. Mr. Petersohn said it would improve service in that area immensely.

Mr. Moore inquired about the light not being required on the tower and how that might be a problem with the helicopters landing at the hospital. Mr. Petersohn said it will be registered with the FAA and the pilots are aware of where the towers are.

Mr. Sherman inquired whether the signal strengths and the health and safety model is for 4G only. Mr. Petersohn said it was design for 4G. Mr. Sherman asked if an analysis can be run on 5G so more information can be obtained about a 5G upgrade.

Mr. Bloch inquired about the height standard and how it is determined and what the required height would be to achieve service area requirements. Mr. Petersohn stated that propagation models are used. Mr. Bloch inquired if any other sites were looked at and why this particular site was chosen. Mr. Petersohn chose to defer this question to the Site Acquisition Specialist, but stated the hospital rooftop was looked at. Mr. Bloch asked if propagation mapping was done for the hospital sight. Mr. Peterson responded that it was and presented the reliable coverage map for the hospital for review to the Board, marked as Exhibit A7. Mr. Peterson also presented Exhibit A8 showing the Verizon Reliable Coverage at 137 for the hospital rooftop and Exhibit A9 showing the Verizon Reliable Coverage at 127 for the hospital rooftop.

Mr. Bloch inquired if there is any alternative technology that could replace the need for a tower. Mr. Peterson replied there is not. Mr. Bloch inquired if there are existing towers in Mount Olive Township and if it was considered to put one in that municipality. Mr. Petersohn stated that he did not believe there are, and if a tower were installed, it would not provide the needed coverage.

Mr. Graf inquired how the three towers in surrounding municipalities provide more coverage than the towers in Hackettstown. Mr. Petersohn explained that the heights of the towers restrict lines of sight.

Mr. Camporini asked if the public had any questions. There were no questions at this time.

Mr. Sherman requested that the applicant provide information relating to compliance, signal strength and penetration at the next meeting.

Mr. Mennen stated that the public hearing for this application be carried to the May 25, 2021 Regular Land Use Board Meeting to be held at 7:00 PM via zoom, and that no new notice is required.

Mr. Camporini asked if anyone from the public would like to speak at this time.

Paul Couvrette, Nader Group, asked if he could present a concept plan for potential development. The Board agreed that this request needs to be requested in advance and placed on an agenda to be heard.

Lynn Taylor asked the Board if the requested photographs of Mr. Simreen’s facilities have been received and if not, is the Board is still interested in seeing the photos. Mr. Sterbenz stated that there has been no resubmission of any data regarding the Auction Market at this time.

ADJOURNMENT

There being no further business, Mr. Moore made a motion to adjourn this meeting at 10:25 PM; Mr. Sherman seconded the motion.

All were in favor.

Respectfully submitted,

Mary Matusewicz

Board Clerk