**TOWN OF HACKETTSTOWN**

**LAND USE BOARD MEETING**

**MAY 25, 2021**

**MINUTES**

**CALL TO ORDER**

The May 25, 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, Wolfrum, Camporini, Stead, Walling, Anthony, Graf

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

**Board Members Absent**

Stout, Lambo

**MINUTES – APRIL 27, 2021 REGULAR LAND USE BOARD MEETING**

Mr. Stead made a motion to approve the minutes of the April 27, 2021 Regular Land Use Board meeting as submitted; Mr. Moore seconded the motion.

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

Oppose: None

Abstain: None

Mr. Becker made a motion to approve the minutes of the April 29, 2021 Special Land Use Board meeting as submitted; Mr. Stead seconded the motion.

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

Oppose: None

Abstain: None

**RESOLUTIONS**

Application #21-04 – LCTW, LLC – B129, L16.01 – Site Plan/Bulk Variance

Board Attorney Mennen informed the Commission that the Attorney for the Michael Lavery, Esquire, attorney for the applicant, requested more time to review the proposed resolution and that it be placed on the June 15, 2021 Special Meeting agenda.

**PUBLIC HEARING**

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

The applicant was represented by Michael Selvaggi, Esquire.

Keith DeHaan, 9534 North Myrtle Court, Kansas City, Missouri was sworn in by Board Attorney Mennen.

Mr. DeHaan testified as an expert in the field of slaughterhouse operations to the following:

* The proposed application is classified as a very small plant
* The facility would be regulated by numerous agencies, such as the USDA, OSHA and the EPA
* The business will not be overwhelming to the Community
* Processing cannot be done without USDA supervision, which includes inspection of the facility, inspection of the animals, inspection of the processing activity throughout the day
* Humane guidelines require that the brain be rendered unconscious prior to slaughter
* The waste will be in a protected, refrigerated area until the rendering company picks it up
* The area is cleaned throughout the day and fully sanitized at the end of the day
* The drains have screens in them to keep large debris out, a secondary rotary screen filters the solids out of the wastewater, then the rest of the wastewater goes into the municipal drainage system. This is regulated by Federal law, but this will be administered through the Town, which would require a discharge permit through the Town.
* The employee protective clothing needs to be professionally cleaned
* USDA regulates the removal and disposal of the byproduct waste
* The rendering company picks up the waste as often as can be arranged
* Building would need to be upgraded in order to operate
* All areas within the building will be insulated to cool it and help soundproof the building
* No noise will be heard from fifty feet away from outside of the building
* No odors will be emitted from the building
* The butcher/retail side of the business will be regulated by the local Health Department and can operate outside of USDA hours
* The location of this facility is very common with small plants like the one proposed

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

Mr. Moore stated that in previous testimony from Mr. Simreen, he stated no stunning would be used. Mr. DeHaan stated that under religious harvest, laws do not allow stunning prior to bleeding, however the USDA requires the animal to be stunned. Mr. DeHaan went on to explain the process used when animals are slaughtered under religious harvest.

Ms. Walling inquired about previous testimony that no waste would be entering into the municipal sewer system. Mr. Selvaggi explained that Mr. DeHaan’s testimony should be used to clarify the issues she is inquiring about. Mr. DeHaan confirmed that only wastewater, which includes water, a small amount of diluted cleaning agents and residual blood would be going into the sewer system.

Mr. Graff inquired if the stunning of the animal is dictated by the customer’s preference. Mr. DeHaan stated it is.

Mr. Camporini asked if the facility Mr. DeHaan referred to in his report could only support lamb. Mr. DeHaan stated that it could support small stock but would not to be able to process beef with the plans that are currently available.

Mr. Camporini inquired how this facility would add more value to our area. Mr. DeHaan stated that more production could come to the area if this facility is approved.

Mr. Camporini asked what caused the meat shortage. Mr. DeHaan stated there has been an increase demand of local meats, COVID cut down the supply of meat, and people buy their meat directly from farmers, but feels this would continue to be a sustainable business because people will want to continue to buy from local farmers.

Mr. Camporini inquired about the wall preference in the building. Mr. DeHaan stated that insulated IMP panels are used.

Board Planner Bloch inquired about what Mr. DeHaan felt needed to change about the proposed design that was submitted. Mr. DeHaan stated that the rails would need to be higher if cattle were to be processed, that the biproduct storage unit be refrigerated and not frozen and should be located on an outside wall and not inside of the building.

Mr. Camporini asked if anyone from the public had any questions at this time.

Jennifer Daly inquired about the cost it would take to get this building ready to operate in order to make a profit. Mr. DeHaan estimated that it would be within the million dollar range to get the operation up and running.

Remo Caputo inquired about the following:

* If Mr. DeHaan has analyzed this particular operation to an extent
* If Mr. DeHaan has heard Mr. Simreen’s testimony
* The location of the facility
* Contamination precautions because the facility is next to a river/stream
* If the redesign of the building would increase the size of the plant
* If the facility requires an outdoor pen

Lynn Taylor inquired about the NJ Packer and Stocker regulations and what this facility would be labeled as. Mr. DeHaan said he would describe it as a meat harvest facility.

Ms. Taylor inquired about the pre inspection of the animal. Mr. DeHaan stated that the inspection is done to see if the animal can walk to the facility and if they have freedom of motion.

Ms. Taylor asked how a sick animal would affect the production line. Mr. DeHaan stated that if a sick animal is harvested, it goes into a suspect hold, which is on the premises, until test results come back and if it is not harvested, it will go back to the owner of the animal.

Ms. Taylor inquired what method would be used for stunning. Mr. DeHaan stated that electricity can be used.

Ms. Taylor inquired about pest control at the facility. Mr. DeHaan stated that a pest control company written plan must be in place.

Ms. Taylor inquired about the length of time an animal can be on the trailer and if Mr. DeHaan recommends shade or fans during hot days. Mr. DeHaan stated that an animal can stand in a trailer for up to ten hours and that shade is recommended on hot days during the waiting period for the animals.

There being no further testimony, Board Attorney Mennen stated that this application will be carried to the Land Use Board meeting to be held on June 22, 2021 at 7:00 PM to be held via zoom and no additional notice will be required.

Ms. Daly inquired about the history of when the Land Use Law went into effect to allow the Livestock Auction to operate as long as no slaughter is permitted. It was agreed that this question should be deferred to the Town Council.

**Application #20-12 – Allentown SMSA/All North Hackettstown d/b/a Verizon Wireless – Block 45, Lot 2.01 – Major Site Plan**

The applicant was represented by James Mitchell, Esquire

Andrew Miller, Advantaged Engineers, 7151 Columbia Gateway Drive, Suite A, Columbia MD, 21046 presented the revised plan showing how the compound was reconfigured to allow ground equipment for additional carries to be installed without requiring future carriers require a variance.

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

Mr. Anthony inquired about the possibility of using natural gas instead of an above ground tank and if the transfer switch and generator would be shared with the two additional carriers and if not, if a cost sharing agreement can be done.

Mr. Miller stated that because of the cost factor, propane is being used over natural gas. Mr. Miller stated that Verizon designs their generators for internal Verizon requirements that may not meet other carrier needs and that many other carriers use.

Mr. Camporini inquired if Verizon would consider using a DC Generator. Mr. Miller stated that a DC Generator will operate at a minimum capacity as compared to an AC Generator.

Discussion was held to only allow for one propane tank be installed at the site.

Town Planner Bloch inquired if the area is an adequate size to provide for two additional carriers. Mr. Miller stated that it is adequate.

Mr. Bloch asked if a generator is needed from another carrier, if the compound could be expanded to the West without the need for a variance. Mr. Miller stated that the compound could be extended.

Mr. Anthony inquired if the resolution could mandate a maximum size pad for future carriers.

Mr. Sterbenz stated that carriers two and three will go through the Zoning Officer and if it is within the enclosure, they will be able to get a permit, and if not, they will need to reappear before the Land Use Board.

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

Andrew Petersohn, Radio Frequency Engineer, presented Exhibit A-10 titled the Updated Hypothetical Calculations for 5G dated May 8, 2021 and explained the differences of 4G that was presented at a previous meeting to 5G.

Mr. Sherman inquired about why a health effects study has not been done.

Mr. Camporini asked if anyone from the public would like to speak at this time. No one wished to speak at this time.

William Masters, Jr., 19 Ironwood Drive, Morris Plains, NJ was sworn in by Board Attorney Mennen as the Planning Consultant for the applicant.

Mr. Masters testified that the applicant has adhered to the Town ordinance and the location that was chosen gives the best service to the area.

Mr. Camporini asked if any Board Members had any questions at this time. No Board Members had any questions.

Mr. Camporini asked if anyone from the public had any questions at this time. No one from the public had any questions.

Mr. Sterbenz referenced his report after reviewing the revised site plan and asked the Board to condition their approval on the following conditions to be addressed by the applicant: Item 9B, which requires the change of the type of variety of trees, Item 11, to indicate the color of the monopole and 15 which addresses the conditions that should go into the resolution.

Mr. Anthony made a motion to approve the application, subject to Board Engineer Sterbenz’s conditions 9B, 11 and 15 being met as well as installing only one propane tank on site; Mr. Moore seconded the motion.

In favor: Moore, Wolfrum, Camporini, Stead, Walling, Anthony, Graf

Opposed: None

Abstain: Sherman, Becker

**NEW BUSINESS**

Discussion was held regarding holding a special meeting on June 15, 2021 at 7:00 PM via zoom.

Mr. Moore made a motion to adjourn this meeting at 10:17 PM; Mr. Anthony seconded the motion.

All were in favor.

Respectfully submitted,

Mary Matusewicz

Board Secretary