**TOWN OF HACKETTSTOWN**

**MINUTES**

**Land Use Board**

**October 25, 2022 Meeting**

Adequate notice of this regular public meeting has been provided in accordance with the Open Public Meetings Act by posting notice on the bulletin board in the Municipal Building; by publishing in the New Jersey Herald and Daily Record, the official newspapers of the Town of Hackettstown; by posting notice on the website of the Town of Hackettstown; filing said notice with the Town Clerk of Hackettstown; as well as furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act. As advertised, action may be taken at this meeting.

**CALL TO ORDER**

The October 25, 2022 Meeting of the Town of Hackettstown Land Use Board was called to order by Chairman Camporini at 7:00 p.m.

**FLAG SALUTE**

**ATTENDANCE**

**Board Members Present**

Present: Lambo, Wolfrum, Camporini, Stead, Graf, Medcraft, DeAngelis

Also Present: Board Engineer Sterbenz, Board Attorney Zakin

**Board Members Absent**

Absent: Moore, Becker, Stout, Anthony

Also Absent: Board Planner Bloch

**MINUTES**

Mr. Stead made a motion to approve the minutes of the Land Use Board meeting held on September 27, 2022 as submitted. Mr. Wolfrum seconded the motion.

In Favor: Wolfrum, Camporini, Stead, Graf, DeAngelis

Opposed: None

Abstained: Lambo, Medcraft

**COMPLETENESS**

Mr. Lambo stepped down from the dais at this time.

Application #22-09 – Frank Czigler – 106 Valentine Street – B73, L3 & 10 – Preliminary Major Site Plan/Final Major Site Plan/Use Variance/Bulk Variance

Application was presented by Michael Selvaggi, Esquire.

Mr. Selvaggi introduced John Hansen to testify as a professional engineer of the project.

Mr. Hansen testified that the deficiencies stated in Section B. 1 of Mr. Sterbenz’s letter dated October 21, 2022 have been addressed and requested the following waivers:

* A partial waiver for the natural features as there are no natural areas on the tract
* A partial waiver for the location of existing utility structures on the tract, as the utilities have been shown on the map and the applicant will be using the existing utilities
* A waiver for the plans for cross sections and construction details on proposed and existing streets as no modifications will be done on existing streets and there are no proposed new streets in connection with this project
* A waiver for completeness only for the number of employees and shift times as there will be testimony further into the application process regarding this
* A waiver for an environmental impact statement as the site is already developed and there are no environmental issues on the site
* A waiver of the historic impact statement as there is an application pending before the Historic Preservation Commission
* A waiver for completeness only for the Highlands Council Consistency Determination because it is exempt under exemption #4

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

Mr. Sterbenz stated that he was in agreement with the waivers that the applicant has requested and suggested the applicant submit a plan showing the road improvements on Valentine and Madison Streets as well as the alternate access to the parking lot.

Mr. Stead made a motion to grant the requested waivers and deem the application complete. Mr. Graf seconded the motion.

In Favor: Wolfrum, Camporini, Stead, Graf, Medcraft, DeAngelis

Opposed: None

Abstained: None

**PUBLIC HEARING**

Application #22-08 – Carlos Rojas – 224-226 Franklin Street – B69, L5 – Section 68

Application was presented by Michael Selvaggi, Esquire

Mr. Selvaggi introduced Denise Rojas, daughter of the applicant and homeowner, who was sworn in by Board Attorney Zakin.

Ms. Rojas testified that her family purchased the home as a two family residence and that there is only evidence back to 1983 that the home existed as a two family dwelling.

Mr. Selvaggi stated that the application would be withdrawn at this time and the applicant will file a D1 Variance because of the lack of evidence for a Section 68.

Mr. Lambo left the meeting.

Application #22-07 – Karoun Holding, LLC – 200 Grand Avenue – B80, L3 – Use Variance/Interpretation

Application was presented by Michael Selvaggi, Esquire

Witness testimony: Mr. Selvaggi introduced Tim Burke, IEH Laboratories, Seattle Washington, who was sworn in by Board Attorney Zakin, to testify as a representative of the applicant. Karoun Holding LLC, is the property division of IEH Laboratories, and is wholly owned by the same.

Mr. Burke testified to the following:

* The facility contracts with food producers to test samples for pathogens
* IEH Laboratories company was established in 2001
* The company license is ISO 17025 accredited
* The testing methods are approved by the FDA, USDA, etc.
* Testing will be done for local food companies
* Only the first floor will be used for testing
* There will be between five and nineteen employees split into a day shift and a night shift
* Employment will be mostly full time positions
* Samples are brought to the facility in coolers during the mid-mornings or late afternoons
* A vehicle with the company logo will be parked on site
* Sample sizes will be between 150 to 300 grams
* A non-toxic enrichment liquid is used to allow bacteria to grow more rapidly, at which time a PCR (DNA testing) is run on the sample and the results issued to the plant
* Room temperatures will range from 108 to 110 degrees
* Samples will be sterilized with bleach after testing leaving no bacteria remaining when disposed of
* Interior of the building will be recarpeted and repainted
* The existing vault used for banking will remain
* 10x10 rooms will be built to be used to incubate the samples
* Wall mounted heaters will be installed
* No changes will be made to the parking lot
* The existing upstairs tenants will remain in the building
* There will be a fenced in dumpster where the samples will be disposed of and picked up by the trash company three times a week
* Landscaping and lighting will be maintained by the applicant
* Signage will be in compliance with the Town’s requirements

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

Ms. Medcraft inquired about what type of products will be tested in this facility and the process of the testing.

Mr. DeAngelis inquired if the garbage odor from the testing site will affect the homes in the surrounding area.

Mr. Stead inquired if there is a possibility of expansion in the future.

Mr. Camporini inquired about installing a door where the portico is to allow samples to be brought in closer to the parking area.

Mr. Sterbenz inquired if the employees are licensed. Mr. Burke stated that the workers are not licensed but must be trained.

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

Public Questions

Greg Gaertner, 20 Seymour Terrace, Hackettstown, inquired if a private person could bring a sample of food in for testing. Mr. Burke stated that they only sample for food companies and not individuals.

Witness Testimony: Michael Selvaggi, Esquire introduced John Leoncavallo, 388 Washington Road, Suite E, Sayerville, NJ to testify as a professional planner to the project.

Mr. Leoncavallo introduced Exhibit A1-10-25-11 titled, Planning Exhibits for Karoun Holdings pages 1 through 7.

Page 1 is labeled Tax Map

Page 2 is labeled Aerial Map

Page 3 is labeled Land Use Map

Page 4 is labeled Zoning Map

Page 5 is labeled View of the Site looking West dated September 27, 2022

Page 6 is labeled View of the Site looking East dated September 27, 2022

Page 7 is labeled View of the Site Looking Top-Down dated September 27, 2022

Mr. Leoncavallo stated the site is located in a single family office district zone and the requested use can fall under the existing office use. The business use will provide consulting sampling and food safety training.

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

Mr. Stead inquired where the garbage enclosure will be located on the site. Mr. Selvaggi stated that the applicant will consult with the disposal company to determine the best location within the lot.

Mr. Sterbenz recommended that the Board approve the Use Variance but feels that this application requires a site plan approval with a drawing addressing the following: Dumpster location, lighting, sidewalks, signage, buffering, delivery vehicle parking and how samples will be brought into the facility, and building entry point for delivery.

Mr. Graf made a motion to approve the Use Variance for this application with the condition that the applicant return to the Land Use Board with a Minor Site Plan Application. Ms. Medcraft seconded the motion.

In Favor: Wolfrum, Camporini, Stead, Graf, Medcraft, DeAngelis

Opposed: None

Abstained: None

Mr. Stead made a motion to go into executive session at 9:08 PM. Mr. Wolfrum seconded the motion.

In Favor: Wolfrum, Camporini, Stead, Graf, Medcraft, DeAngelis

Opposed: None

Abstained: None

Mr. Stead made a motion to exit executive session at 9:10 PM. Mr. Graf seconded the motion.

In Favor: Wolfrum, Camporini, Stead, Graf, Medcraft, DeAngelis

Opposed: None

Abstained: None

Mr. Camporini stated that no formal action was taken during executive session.

Mr. Stead made a motion to adjourn this meeting at 9:11 PM. Mr. DeAngelis seconded the motion.

All were in favor.

Respectfully submitted

Mary Matusewicz

Clerk