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July 20, 2020

Land Use Board
Town of Hackettstown
215 Stiger Street
Hackettstown, NJ 07840

Re: Completeness Review
Use Variance and Site Plan Application
Livestock Co-Op Auction c/o Michael Toretta
Lot 24, Block 41
224 West Stiger Street, Hackettstown, NJ
MC Project No. HKP-183

Dear Board Members:

Pursuant to your request, we have reviewed, from a completeness standpoint, plans, applications, and other documents filed by the Livestock Co-Op Auction in support of an application for use variance and preliminary and final major site plan approvals to convert an existing office building into an animal processing operation at 224 West Stiger Street.

The following documents were submitted by the applicant in support of this application:

1. Completed Town Development Application.
2. Addendum to Application describing the applicant's proposal.
3. Certificate of Paid Taxes issued by Tax Collector Patricia Noll of the Town of Hackettstown, dated May 15, 2020, for Lot 24 in Block 41.
4. 10% Owner's Disclosure Statement for Lot 24 in Block 41.
5. Completed Variance Checklist.
6. Completed Preliminary Major Site Plan Checklist.
7. Completed Final Major Site Plan Checklist.
8. April 15, 2020 document entitled "Checklist Waiver Requests - Block 41, Lot 24 - 224 West Stiger Street, Town of Hackettstown, Warren County, NJ" summarizing the reasons for various submission waiver requests, prepared by E & LP.
9. Completed Town of Hackettstown Highlands Exemption Determination Application.
10. Site Plan entitled "Site Plan - Hackettstown Farm Auction - 224 West Stiger Street, Block 41 Lot 24 - Town of Hackettstown, Warren County, New Jersey" consisting of two (2) sheets, prepared by John E. Hansen, P.E., of E & LP, dated April 13, 2020.

Lot 24 in Block 41 is located on the west side of West Stiger Street between Charles Street and Beatty Street in the Town. The property contains 2.66 ± acres and is situated in the Town's LM (Limited Manufacturing) District where a variety of commercial and industrial uses are permitted. Livestock auctions are a principal permitted use provided that no slaughterhouse operations are included and animals are not kept on-site in excess of seven (7) days.



The site is currently developed. Three (3) buildings are currently located on-site including two (2) office buildings and a poultry building. In addition, paved and gravel parking areas and driveways exist within the site. The westerly portion of the property abuts the Trout Brook and is wooded.

The applicant is seeking preliminary and final major site plan approvals to convert an existing one-story office building along West Stiger Street to an animal processing facility, which will include a fenced animal holding pen. Parking, access, and lighting improvements are also proposed as part of the project. The animal processing facility will operate in connection with the livestock auction on Lot 27 in Block 41.02, which is located on the east side of Stiger Street.

Because animal processing facilities are not a permitted principal use in the LM District, the applicant is also seeking approval for a use variance.

We have the following comments on the completeness of the application:

A. Completeness Comments

Variance Checklist

1. Based upon a review of the submission package vs. the variance checklist, the following deficiencies were identified:
 - a. A sixty-year title search within six (6) months of the application date was not furnished.
 - b. Floodplain information from the FIRM for the Town of Hackettstown is not shown on the site plan.
 - c. Wetland areas on-site are not shown on the site plan.
 - d. A signed and sealed copy of the survey referenced in General Note 2 on Sheet 1 of 2 of the site plan was not furnished.

The above deficiencies must be addressed by the applicant unless waived by the Board.

2. The applicant has requested that the following checklist items either be waived or partially waived by the Board:
 - a. The depiction of features within 100 feet of the property boundary.
 - b. The depiction of the flood hazard area within the site.
 - c. The depiction of marshes, ponds, and lands subject to flooding within the tract and within 100 feet of the property boundary.
 - d. The submission of a Consistency Determination from the Highlands Council.

The Board must obtain testimony from the applicant and its professionals to justify the waiver requests.

3. The applicant has indicated that the following checklist list items are “not applicable”:



- a. The location and width of utility easements.
- b. The depiction of existing and proposed monuments.
- c. The depiction of right-of-way dedications.
- d. The depiction of sight triangle easements.
- e. The Major Development Stormwater Summary Sheet.

I agree that the above noted checklist items are not applicable to this application.

Preliminary and Major Site Plan Checklist

1. Based upon a review of the submission package vs. the Preliminary Major Site Plan Checklist, the following deficiencies were identified:
 - a. The furnishing of protective covenants, easements and restrictions.
 - b. The listing of all property owners within 200 feet on the site plan.
 - c. The inclusion of a soil erosion and sediment control plan in the site plan set.
 - d. The submission of a copy of an application filed with the Warren County Planning Board for the project.

The above deficiencies must be addressed by the applicant unless waived by the Board.

2. The applicant has requested that the following checklist items either be waived or partially waived by the Board:
 - a. The depiction of features within 100 feet of the site boundary.
 - b. The submission of watercourse information on Trout Brook.
 - c. Plans and computations for storm drainage systems.
 - d. The location of utility structures on the tract and within 200 feet of its boundaries.
 - e. Utility improvements and plans.
 - f. Information on the number of shifts to be worked, the maximum number of employees, and the hours of operation.
 - g. The submission of a copy of an application filed with the HMUA for the project.
 - h. The submission of an Environmental Impact Statement (EIS).
 - i. The submission of a Highlands Consistency Determination.

The Board must obtain testimony from the applicant and its professional representatives to justify the various submission waiver requests.

3. The applicant has indicated that the following checklist items are “not applicable”:
 - a. Stream alteration plan.
 - b. Protective covenants or deed restrictions.
 - c. Location and width of utility easements.



- d. The depiction of permanent monuments.
- e. The submission of an Historic Impact Statement.
- f. The submission of a Major Development Stormwater Summary Sheet.

I agree with the “not applicable” designations made by the applicant with respect to 3a, 3c, 3d, 3e and 3f above. Item 3b, protective covenants and deed restrictions, is applicable and should be provided through the submission of the 60 year title search.

Final Major Site Plan Checklist

1. Based upon a review of the submission package vs. the Final Major Site Plan Checklist, the following deficiency was identified:

- a. The submission of a floor plan for the animal processing building.

The applicant must address the above deficiency unless waived by the Board.

2. The applicant has requested that the following checklist items either be waived or partially waived by the Board:

- a. All additional details required at the time of preliminary approval.
- b. The submission of utility letters.
- c. The submission of a letter indicating either that the improvements have been installed or a performance guarantee has been posted.
- d. The submission of a statement from the municipal engineer indicating that all installed improvements have been inspected.
- e. The submission of a Highlands Consistency Determination letter.

The applicant and its professional representatives must provide testimony to justify the various submission waiver requests.

3. The applicant has indicated that the following checklist items are “not applicable”.

- a. The submission of a section or staging plan.
- b. The submission of a Major Development Stormwater Summary Sheet.

I agree that the above noted items are not applicable to this application.

Completeness Summary

We recommend that the Board deem the application to be incomplete due to the deficiencies outlined above and for any submission waiver requests that are rejected by the Board.



Conclusion

If any Board member has questions on this review letter, please do not hesitate to call us.

We will be participating in the meeting on Tuesday, July 28, 2020.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'p. sterbenz'.

Paul M. Sterbenz, P.E., PP
Land Use Board Engineer

A handwritten signature in blue ink, appearing to read 'adam wisniewski'.

Adam T. Wisniewski, P.E.

PMS:dc

cc: Shannon Drylie, Board Clerk
William Mennen, Esq., Land Use Board Attorney
Daniel Bloch, P.P., AICP, Board Planner
Michael Selvaggi, Esq.

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