

**MINUTES OF THE HARDYSTON TOWNSHIP JOINT LAND USE BOARD MEETING
HELD JUNE 8, 2026**

CALL THE MEETING TO ORDER: Chairman Hickerson called the meeting to order at 7:15 p.m., read the Statement of Compliance inserted below, and led the Flag salute.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Brian Kaminski – Present	Joshua Raff – Present
Carl Miller – Present	William Hickerson – Present
Jim Homa – Present	Vally Cicerale – Present
Sally Goodson – Present	Ed Zinck – Present
James Caiazzo – Present	Savas Savidis – Absent
Carl Paladino – Present	Michael Davina – Present

BOARD CONSULTANTS PRESENT: Richard L. Schneider, Esq., and Michael G. Vreeland, P.E, P.P

APPROVAL OF MINUTES: Minutes of the Hardyston Township Joint Land Use Board Meeting Held May 11, 2026 – A motion to approve was made by Carl Miller and seconded by Vally Cicerale. Roll Call: Brian Kaminski – yes, Carl Miller – yes, Sally Goodson – yes, James Caiazzo – yes, Carl Paladino – yes, Bill Hickerson – yes, Vally Cicerale – yes, Ed Zinck – yes, Michael Davina – yes. The motion carried.

RESOLUTION: LB-3-26-1, Metropolitan YMCA of the Oranges, Inc. Lot Consolidation; Amended Preliminary and Final Site Plan, Block 67 Lots 2.08 and 2.11: A motion to approve was made by Brian Kaminski and seconded by Sally Goodson. Roll Call: Brian Kaminski – yes, Carl Miller – yes, Sally Goodson – yes, Ed Zinck – yes, James Caiazzo – yes, Vally Cicerale – yes, Michael Davina – yes, Bill Hickerson – yes. The motion carried.

HEARINGS: LB-5-26-3, Church of the Immaculate Conception, Minor Subdivision-Immaculate Conception Cemetery, Block 62 Lot 19: Michael Davina recused. Cynthia M. Collins, Esq., appeared on behalf of the Applicant. She stated the purpose of the application is to unmerge two contiguous lots that were merged back in 2002/2003. She stated the Church bought Lot 18.14, which is the Park Drive parcel, anticipating need for additional space in the cemetery. Ms. Collins presented that the Church now wants to place the Park Drive parcel on the market as the parish needs the money, and there is a declining need for burial space as many are opting for cremation.

Board members reviewed completeness items and recommendations to deem the application complete were presented by the writer and Mr. Vreeland. A motion to deem the application complete was made by Carl Miller and seconded by Jim Homa. Roll Call: Brian Kaminski – yes, Carl Miller – yes, Jim Homa – yes, Sally Goodson – yes, Ed Zinck – yes, James Caiazzo – yes, Vally Cicerale – yes, Carl Paladino – yes, Bill Hickerson – yes. The motion carried.

Thomas F. Graham, P.E., was sworn, qualified, and accepted as an expert witness. He submitted Exhibit A-1, a marked plan sheet titled *Minor Subdivision Plat, Minor Subdivision Plan, IMMACULATE CONCEPTION, Block 62 Lot 19, #174 North Church Road, Township of Hardyston, Sussex County, New Jersey, Sheet 3 of 3, dated 3/2/26*. He explained proposed parcel identified as Block 62 Lot 19 would contain 4.976 acres, and proposed Block 62 Lot 18.14 would contain 3.238 acres with frontage on Park Drive. He stated both lots conform and no variances are required. Mr. Graham further noted that Lot 19 included a right-of-way dedication to the county for roadway improvements and maintenance totaling .347 acres. He stated that with regard to impact on the county road, he expected a letter of no further interest from the county.

Mr. Frank Elmo, Immaculate Conception Parish representative, was sworn. He confirmed that Lot 18.14 would be given to a realtor for sale.

No members of the public addressed the Board on the matter.

A motion to approve the Minor Subdivision was made by Carl Miller and seconded by Brian

Kaminski. Roll Call: Brian Kaminski – yes, Carl Miller – yes, Jim Homa – yes, Sally Goodson – yes, Ed Zinck – yes, James Caiazzo – yes, Vally Cicerales – yes, Carl Paladino – yes, Bill Hickerson – yes. The motion carried.

LB-5-26-1, Aqua New Jersey, Inc., Wallkill Well #4, Water Treatment Facility Improvements, Amended Preliminary and Final Site Plan, “D” Variance, “c” Variance, Block 67.18 Lot 1.01: Board members Miller and Kaminski recused.

Board members reviewed affirmative technical and administrative completeness recommendations. A motion to deem the application complete granting all completeness waiver requests was made by Jim Homa and seconded by Sally Goodson. Roll Call: Jim Homa – yes, Sally Goodson – yes, Ed Zinck – yes, James Caiazzo – yes, Vally Cicerales – yes, Michael Savina – yes, Bill Hickerson – yes. The motion carried.

Richard T. Wells, Esq., appeared on behalf of the Applicant. He provided an overview of the project stating the Applicant proposes a 97sqft utility enclosure for existing wellhouse #4 that will include PFAS treatment facilities. He stated the current water quality is compliant, and PFAS treatment will be required by the state in the future. He identified the following variances: minimum lot area – 10 acres is required and 6.87 acres exists; front yard setback where 46.1 ft is proposed and 35.3 ft exists (100 ft. is required,) and a rear yard setback where 93.5ft for the enclosure is proposed and 80.1 ft exists (100 ft. is required.) Mr. Wells confirmed that several variances are pre-existing nonconformities. He submitted a witness and exhibit list noting five exhibits that were identified as follows: A-1: Witness & Exhibit List; A-2: Aerial Overview of Project Site; A-3: Hardyston/Wallkill Distribution Map; A-4: Site Plan Sheet C200; and A-5: Excerpt from Page 1 of Site Photo report, with Utility Enclosure Example.

Applicant’s witness Elias Bakhsh, Engineering Manager, Aqua New Jersey, Inc., was sworn, qualified, and accepted as an expert. He provided an overview of site operations stating an operator, driving a pick-up truck) would be onsite once a day. He stated the filtration system proposed aims to satisfy future state requirements. He noted the proposed system would create no noise or sound vibration, and he confirmed there is no additional lighting planned. He stated the alarmed facility would be monitored remotely, locked, and secure. The Board suggested video surveillance, and the applicant agreed to add cameras to the facility. Mr. Bakhsh stated the facility would require minimal maintenance with air filter and media change-outs every 16-18 months. He explained the whole tank is exchanged and everything is enclosed in the tank.

Applicant’s witness Joseph M. Lakner, PE, Senior Project Manager, Suburban Consulting Engineers, was sworn, qualified, and accepted as an expert. Mr. Lakner reviewed site conditions noting technical compliance with the ordinance was impossible due to the property’s constraints. He stated the site was chosen due to the existing well and utilities. He noted wetlands were avoided and the site is placed optimally for connection and compliance. He stated no new grading is proposed and the project will add 98 sf of impervious coverage to the parcel. He confirmed there is no additional lighting proposed, and the enclosure is the absolute minimum size that is compliant with OSHA standards. He noted the enclosure is heated and dehumidified. The Mr. Lakner described the prefabricated enclosure as a galvanized metal, power-coated insulated form that is prefabricated and quick to assemble. He stated the 112" enclosure would sit on a 2ft. slab. Mr. Lakner stated there is no access path to it and the change-outs would be managed using an off-road forklift. He noted the electric pump is below grade and no noise is heard from the pump. A generator is onsite and is run monthly for about an hour and in emergencies.

Mr. Vreeland confirmed he had no issues to present.

Alexandra H. Hanel, PE., P.P., CME, was sworn, qualified, and accepted as an expert. She reviewed the variances and discussed reasons why they should be granted. Ms. Hanel presented the system has 389 water connections and the state requires treatment to remove PFAS. She stated the treatment system must be located in an easement area, which limits flexibility. She opined that the site of the existing well house is particularly suited and advances the purposes of zoning by enhancing the public good. She stated the use intends to protect the water supply and distribution system without any substantial detriment. Ms. Hanel noted the site is well-buffered and the operation will not add significant traffic or noise. She stated the applicant has met the positive criteria and the project poses no detriment to the Master Plan.

No members of the public addressed the Board on the matter.

Board members discussed the appearance of the enclosure. The Applicant agreed to a faded green color for the enclosure.

A motion to approve the application subject to the standard conditions and the coloring of the enclosure being a faded green was made by Vally Cicerale and seconded by Sally Goodson. Roll Call: Jim Homa – yes, Sally Goodson – yes, Ed Zinck – yes, James Caiazzo – yes, Vally Cicerale – yes, Michael Savina – yes, Bill Hickerson – yes. The motion carried.

Further, the Board waived the reading of the resolution advising the Applicant that they could proceed to zoning at their own risk. The motion to waive the reading of the resolution was made by Jim Homa and seconded by Vally Cicerale. All were in favor. The motion carried.

ORDINANCE REFERRAL: Ordinance #2026-12 AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING ORDINANCES 2022-12 AND 2025-10, AND AMENDING AND SUPPLEMENTING THE ZONING CODE OF THE TOWNSHIP OF HARDYSTON TO DESIGNATE DATA CENTERS AS A PROHIBITED USE IN ALL ZONES WITHIN THE TOWNSHIP

Board members reviewed the ordinance. The Board’s professionals reviewed the history of the ordinance and opined that in view of the current environment, as it relates to utilities and conservation of natural resources, the prohibition of data centers is not inconsistent with the Master Plan. A motion to find the ordinance not inconsistent with the Hardyston Township Master Plan was made by Jim Homa and seconded by Jim Homa. Roll Call: Brian Kaminski – yes, Carl Miller – yes, Jim Homa – yes, Sally Goodson – yes, Ed Zinck – yes, James Caiazzo – yes, Vally Cicerale – yes, Carl Paladino – yes, Bill Hickerson – yes.

PUBLIC COMMENT: Chairman Hickerson opened the meeting to the public. Laurel Schnurr asked about the motion finding the ordinance not inconsistent with the Master Plan. Mr. Schneider explained the referral process. No other members of the public addressed the Board. Chairman Hickerson closed the meeting to the public.

OLD BUSINESS: There were no comments.

NEW BUSINESS: Board members confirmed their respective availability for the July meeting.

DISCUSSION: There was no discussion.

BILLS: A motion to pay the bills was made by Jim Homa and seconded by Carl Miller. All were in favor. The motion carried.

ADJOURNMENT: A motion to adjourn was made by Carl Miller and seconded by Jim Homa. All were in favor. The meeting concluded at 8:05 p.m.

Respectfully submitted,

Anne-Marie Wilhelm

Anne-Marie Wilhelm
Land Use Administrator