

Minutes
Knowlton Township Zoning Board of Adjustment
Tuesday, October 3, 2017

The regular meeting of the Knowlton Township Zoning Board of Adjustment was held on Tuesday, October 3, 2017. Chairman Tillman led the Board in the pledge of allegiance. Board Secretary Schemm announced that adequate notice of the meeting has been provided in accordance with the "Open Public Meetings Act" by publishing notice of all regularly scheduled meetings in the Official Newspapers as well as providing said schedule in the Municipal Clerk's Office.

Roll call: Present: Tillman, DeVincenzi, Schad, Wunschuh, O'Neill (Alt #2), Suggs, and Melillo
Absent: Peck and McGuinness (Alt #1)
Also Present: Board Engineer Rodman and Alternate Board Attorney Born.

Approval of Minutes:

The August 1, 2017 minutes were distributed prior to the meeting. Dr. Melillo made the motion to adopt the minutes. Motion seconded by Ms. O'Neill. Roll call vote: Melillo-Yes, Schad-Yes, Wunschuh-Yes, DeVincenzi-Yes, O'Neill-Yes, Suggs-Abstain, and Tillman-Yes.

Memorializing Resolution:

#ZB17-004 Christina Gotty, Block 62, Lot 12

The Board reviewed that only the Board Members who voted in favor of the approval are eligible to vote on the Resolution.

Dr. Melillo made the motion to approve the Resolution. Motion seconded by Mr. Wunschuh. Roll call vote: Melillo-Yes, Schad-Abstain, Wunschuh-Yes, DeVincenzi-Yes, O'Neill-Abstain, Suggs-Abstain, and Tillman-Abstain.

New Business:

#ZB17-005 PMG NJ II LLC, Block 28, Lots 7, 8, 9 & 10

Board Engineer Rodman reviewed that the Board has received two applications for the same site. He suggested that the Board hear the Oil/Water Separator Amended Site Plan application first and then deal with the completeness determination for the second application submitted, for Variance and Site Plan approval, designated as ZB17-006.

Jason Tuvell, Esq. was present on behalf of the Applicant. He stated that he is present to address the amendment to the site plan that was approved by the Board on 4-5-16. He stated that they are proposing to install an Oil/Water Separator and they have obtained DOT approval.

Zachary Chaplin was sworn in and he provided his qualifications and experience as an Engineer. He then displayed the submitted plans and he described the proposal. He stated that there are no waivers or variances required. The Applicant's then went on to address Board Engineer Rodman's 9/15/17 report, which was reviewed and discussed with the Board. The Board discussed the status of the prior spill and the present proposal. The Applicant's reviewed that the proposal has been sized for the project and is a preventive device, which will be helpful to the Township. The calculations, the maintenance schedule and possible sensor were discussed. The three possible conditions of an approval were outlined as: the requested drainage calculations, possible sensors, and the submission of maintenance records every 6 months. Attorney Tuvell stated that they normally are able to obtain a building permit and do not require Board approval.

The hearing was opened to the public.

Gary Kowalski questioned the size of the tank and the maintenance, which was addressed by the Applicants. He also stated his concern over spills.

Jeff Milesky, was sworn in and he reviewed his employment experience with Parsippany Township and oil/water separators. He stated his concerns with the impacts of flooding and the impact to local wells, which was discussed with the Board and the Applicant's.

Attorney Tuval stated that they will comply with all required regulatory agency approvals along with all Board conditions. He stated that they are not addressing the future more comprehensive second application at this time. The Board continued to review and discuss the proposal, possible options, and whether there is any connection with the present proposal and the second application that has been submitted. The Applicant's stated that the present proposal is better than what exists at the site today and he thinks the proposed conditions are fair. The Board continued to discuss the application.

Mr. Milesky provided some additional comments in regards to the proposal.

With there being no further public comments, the hearing was closed to the public.

The Board continued to discuss the proposal, the time frame for installation, and the monitoring of the maintenance. The conditions of an approval were re-reviewed: the drainage calculations, possible sensor, and the submission of a status maintenance report to the Zoning Officer and the Township Engineer.

Mr. Suggs made the motion to approve the application, as discussed and agreed upon this evening. Motion seconded by Mr. Wunschuh. Roll call vote: Melillo-Yes, Schad-Yes, Wunschuh-Yes, Suggs-Yes, DeVincenzi-Yes, O'Neill-Yes, and Tillman-Yes. .

Completeness:

#ZB17-005 PMG NJ II LLC, Block 28, Lots 7, 8, 9 & 10

Jason Tuvel, Esq. was present on behalf of the Applicant. Also present Engineer Zachary Chaplin. The Applicants then reviewed Board Engineer Rodman's 10/3/17 report. Attorney Tuvel stated that they will provide: #1,#3,#4, #5, #6, #7, #8 and #9, at least 10 days prior to the meeting. They are requesting a waiver of #2. Board Engineer Rodman stated that the requested variances need to be clarified. The Board discussed the scheduling and it was agreed that the Applicant can either come to the November meeting to just address completeness or they can appear at the Board's December meeting.

Mr. Suggs made the motion to grant the one waiver and to deem the application incomplete as discussed this evening. Motion seconded by Dr. Melillo. Roll call vote: Melillo-Yes, Schad-Yes, Wunschuh-Yes, Suggs-Yes, DeVincenzi-Yes, O'Neill-Yes, and Tillman-Yes.

Open to the Public:

Paul Bartos asked about suggesting a recommendation in regards to tree removal. The Board suggested that he contact the Governing Body.

Frank DeGroot was present and he stated that they have made their application for an appeal/interpretation. Jeanne DeGroot also commented on their application. Board Secretary Schemm stated that the application was received and it will be placed on an agenda as long as notice is provided. She stated that their Attorney should take care of that matter and provide them guidance. Attorney Born stated that she will also address the matter with Board Attorney Thomas. The DeGroots stated their concerns with the process. Board Secretary Schemm stated the application will be placed on the agenda once notice is provided.

Barbara Bartos stated their concerns and frustration with the process. The Board stated that they are unable to discuss the application until it is before the Board at a noticed hearing.

With there being no further public comment, the meeting was closed to the public.

Approval of Vouchers:

Mr. Suggs made the motion to approve the vouchers. Motion seconded by Dr. Melillo. Roll call vote: Melillo-Yes, Wunschuh-Yes, Suggs-Yes, DeVincenzi-Yes, Schad-Yes, O'Neill-Yes, and Tillman-Yes

Adjournment:

In a motion made and seconded the meeting adjourned. .

Respectfully Submitted:

Alfia Schemm
Board Secretary
11/3/17