

Minutes
Knowlton Township Zoning Board of Adjustment
Tuesday, October 5, 2021

There was the regular meeting of the Knowlton Township Zoning Board of Adjustment on Tuesday, October 5, 2021, held via Zoom. Chairman Tillman led the Board in the pledge of allegiance. Board Secretary Alfia Schemm announced that adequate notice of the meeting has been provided in accordance with the "Open Public Meetings Act" by publishing notice of all meetings in the Official Newspapers as well as providing said schedule in the Municipal Clerk's Office.

Roll call: Present: Tillman, Melillo, Werner, Lund, DeVincenzi, and O'Neill
Absent: Walsh and Peck
Also Present: Board Attorney Thomas, Board Engineer Brownwell, and Board Planner Bloch

Approval of Minutes:

The September 7, 2021 minutes were distributed prior to the meeting.

Ms. O'Neill made the motion to approve the minutes. Motion seconded by Mr. Werner. Roll call vote: O'Neill-yes, Werner-yes, Melillo-abstain, DeVincenzi-yes, Peck-yes, Lund-yes, and Tillman-yes

New Business:

#ZB21-001 AT Truck Stop Inc, Block 55, Lot 16

Lawrence Cohen, Esq. was present on behalf of the Applicant and he gave an overview of the submission. He stated that neither their Engineer or Planner are available this evening. He summarized the application for signage, lighting, installation of a propane gas tank, and outdoor seating area. He stated that there has been extensive renovations and improvements made to the site. He stated that they recently received an October 4 Engineer's report regarding the deficiencies in the submitted EIS. The following documents were marked as Exhibits:

- A - Resolution - dated 1-27-85
- B - Resolution - dated 6-25-85
- C - Resolution - dated revision 9-4-90
- D - Resolution - dated revision 9-10-90
- E - Resolution - dated revision 8-10-92
- F - Resolution - dated revision 1-07-93
- G - Resolution - dated revision 1-8-97
- H - Resolution - dated revision 3-25-11

He went on to address the remediation of the site and the soil contamination. He stated that the site remediation has been completed. The following was marked as an Exhibit:

- I - Letter of 7-23-21 from Attorney Cohen with attachments

He went on to review the settlement agreement, signed on 9-7-21, for the soil movement, which was marked as an Exhibit:

- J - DEP Settlement Agreement signed on 9-7-21

He went on to state that photos have also been submitted. Mr. Thomas stated that the photos were just recently received and he cannot confirm that they have been posted on the Township Website. He stated that the Board can share their screen when the photos are to be presented by the Applicant. Mr. Cohen then addressed the convenience store and if additional approvals will be needed.

Mr. Tillman and Ms. O'Neill performed a site visit and Mr. Tillman questioned the approval and additional lighting, the removal of the berm and mature landscaping, the addition of the walkway, other improvements, and the additional signage. The Board discussed getting an analysis of what exists (approved and or not approved), what is permitted, and what is being requested. The Board also discussed any expansions and the unapproved mini mart/convenience store. Mr. Cohen stated that there has been no expansion since his client has purchased the property and he does not know if there was any formal approvals. Mr. Bloch shared the screen and displayed the photo of the building. Ms. O'Neill questioned the signage posted in the men's room in the mart regarding the contaminated water. Mr. Cohen stated that he will research it. Ms. O'Neill stated that it appears that there were no permits issued for all of the work that was done and it was noted in the Zoning Officer's violation letter. Mr. Cohen stated that he knows that Construction permits were issued. Mr. Thomas asked if that information could be supplied to the Board. Ms. DeVincenzi asked if the transfer of the deed details the uses. Mr. Thomas stated that he does not know if the deed would address the uses. Mr. Werner asked when the details of the violations will be addressed. Mr. Thomas stated that the details will need to be addressed by the Applicant. It was noted that all documents need to be submitted at least 10 days prior to the meeting.

The hearing was opened to the public for questions of Mr. Cohen.

Hal Bromm thanked Mr. Tillman and Ms. O'Neill for doing a site visit and he urged everyone to do a site visit. He questioned the documents that should be posted on the Township Website. Ms. Schemm stated that all of the documents, have been posted for the past several months, on the Knowlton Website Home Page in the right hand column. Mr. Bromm questioned whether the water contamination is addressed in the EIS. Mr. Cohen stated that he is not sure. Ms. O'Neill stated it appears that the water has been contaminated for several years. Mr. Bromm questioned the posting of the telephone hot line for the idling of trucks and he also questioned the installation of the barrier blocks.

Sarah Scott stated that most of her questions were addressed by Mr. Bromm.

Frank Van Horn commented about setting precedents.

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

The Board then discussed the scheduling of the next meeting. Mr. Thomas announced that this matter is being carried to the Board's November 2nd meeting, via Zoom, without further notice. Mr. Werner suggested that the Board Secretary review the meeting dates on the website. Ms. Schemm stated that she will review them with the Webmaster.

Open to the Public:

The meeting was opened to the public for non-agenda items. With there being no public comment, the meeting was closed to the public.

Other Business:

Zoning Officer Memo

Mr. Thomas stated that he will reach out to the Zoning Officer and report back to the Board at the next meeting.

Approval of Vouchers:

Ms. O'Neill made the motion to approve the vouchers . Motion seconded by Mr. Werner. Roll call vote: Roll call vote: O'Neill-yes, Werner-yes, Melillo-yes, DeVincenzi-yes, Lund-yes, and Tillman-yes

Adjournment:

In a motion made and seconded the meeting was adjourned at 8:57 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary
12/7/21