

Minutes
Knowlton Township Zoning Board of Adjustment
Tuesday, January 4, 2022

There was the reorganization and regular meeting of the Knowlton Township Zoning Board of Adjustment on Tuesday, January 4, 2022, held via Zoom. Attorney Roger Thomas led the Board in the pledge of allegiance. He 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.

Swearing in of New/Reappointed Members:

Attorney Thomas administered the oath of office to Mr. Walsh, Mr. Tillman, Ms. O’Neill, and Ms. Mezzanotte.

Roll call: Present: Tillman, Walsh, DeVincenzi, Lund, Werner, O’Neill and Mezzanotte
Absent: Peck
Also Present: Attorney Thomas, Engineer Keenan, and Planner Bloch.

Reorganization:

Election of Chairman

Attorney Thomas called for a nomination for Chairman. Ms. O’Neill made the motion to nominate Mr. Tillman as Chairman. Motion seconded by Mr. Werner. Attorney Thomas asked if there were any other nominations. With there being no further nominations, the nominations were closed. Roll call vote: O’Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-yes, and Tillman-yes

Election of Vice-Chairman:

Chairman Tillman called for a nomination for Vice-Chairman. Ms. DeVincenzi made the motion to nominate Ms. O’Neill as Vice Chairman. Motion seconded by Ms. Lund. Roll call vote: O’Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-yes, and Tillman-yes

Appointment of Board Attorney, Board Planner, Board Engineer

Ms. O’Neill made the motion adopt the Board Attorney Roger Thomas, Board Planner Dan Bloch, and Board Engineers French and Parrello. Motion seconded by Mr. Werner. Roll call vote: O’Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-yes, and Tillman-yes

Appointment of Board Secretary

Ms. O’Neill made the motion to appoint Alfia Schemm as the Board Secretary . Motion seconded by Ms. DeVincenzi. Roll call vote: O’Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-yes, and Tillman-yes

Designation of Meeting Date, Time and Place

Ms. Lund made the motion to adopt the meeting Date, Time, and Place as distributed. Motion seconded by Ms. O’Neill. Voice vote: O’Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-yes, and Tillman-yes

Designation of Official Newspapers:

Mr. Werner made the motion to designate the official newspaper (NJ Herald) and the NJ Herald and Express Times-NJ Zone edition as the Newspapers to receive notice of meetings, the same as the Governing Body. Motion seconded by Ms. O'Neill. Voice vote: O'Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-yes, and Tillman-yes

Approval of Minutes:

The December 7, 2021 minutes were distributed prior to the meeting. Ms. Lund made the motion to approve the minutes. Motion seconded by Ms. O'Neill. Roll call vote: O'Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-abstain, and Tillman-abstain.

Adoption of Resolution

#ZB21-003 John Minton, Block 48, Lot 13

Ms. O'Neill questioned whether the Board had suggested getting a colored rendering of the proposal. It was noted that the checklist item pertains to photographs.

Ms. O'Neill made the motion to adopt the Resolution. Motion seconded by Ms. Lund. Roll call vote: O'Neill-yes, Werner-yes, Walsh-yes, DeVincenzi-yes, Lund-yes, Mezzanotte-abstain, and Tillman-abstain.

Old Business:

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

Lawrence Cohen, Esq. was present on behalf of the Applicant and he reviewed where they left off at the Board's October meeting.

Oktay Top was sworn in and he described the following photographs, that were submitted, displayed, and marked as Exhibits:

- A-1 Two Photographs-Building 2019
- A-2 Photograph-Building 2020
- A-3 Photograph-Canopy 2020
- A-4 Photograph-Roof Sign 2020
- A-5 Photograph-Entrance Diner 2021
- A-6 Photograph-Free Standing Sign 2021
- A-7 Photograph-Renovated Bathroom 2020
- A-8 Photograph-Dining Room 2020
- A-9 Photograph- Dining Room 2021
- A-10 Photograph-Convenience Store 2021
- A-11 Photograph-Convenience Store 2021
- A-12 Photograph-Convenience Store 2019
- A-13 Photograph-Older Photo of Building
- A-14 Photograph-Convenience Store

The Board asked if they could receive additional photographs of the existing exterior of the building. Mr. Top stated that he purchased the property in 2021 and he hired a contractor, who then obtained permits, and a certificate of occupancy. Mr. Cohen stated that they will provide the permit information to the Board. Mr. Top then went on to address the signage, DEP violations, and well tests results. The following were submitted and marked as Exhibits:

- A-15 Well test results April 28, 2021
- A-16 Well test results December 29, 2021

Ms. O'Neill asked if the Board could get a copy of documentation pertaining to the repairs that were made. Mr. Top continued to address the COVID back log. Mr. Tillman stated his concern over whether the site was in full compliance when it was purchased and the significant changes that were made. Mr. Cohen stated that they have provided the prior Resolutions and they are prepared to address improvements/expansion and they will notice for a "D" variance. Ms. O'Neill questioned the permits that were obtained and whether they applied/received a zoning permit. She asked that the Zoning Officer be present for the next hearing. She stated her concern over the disturbance of the berm/landscaping. Mr. Top stated that he can submit photographs of before and after. Ms. O'Neill referenced a DEP letter. Mr. Cohen stated that he is not aware of the letter and the letter can be redistributed. Mr. Cohen then referenced the DEP agreement regarding the soil removal. Ms. O'Neill suggested that the Applicants review the prior resolutions. Mr. Werner asked that the Board receive a written timeline of when the property was purchased and what/when the improvements were made. Mr. Top noted that the site was closed for many months as they waited for materials. Mr. Werner asked if the Board can get a power point presentation. Ms. O'Neill cited Exhibit H and she asked if the parking can revert back to 4 hours since the berm, which created a buffer, has been destroyed. The Board discussed getting additional aerial views of the site. Ms. Mezzanotte stated that she is aware of historical photographs of the property. Mr. Thomas stated that any additional information will have to be submitted to the Board Secretary so that it distributed. Mr. Top addressed the water testing.

The hearing was opened to the public:

Hal Bromm stated that he also has some photographs. Mr. Thomas state that the photographs can be submitted to the Board Secretary, so that they can be circulated, and then they can be shared on the screen. Mr. Bromm then asked when members of the public will be able to provide testimony and he also questioned the status of the hotline. Mr. Thomas addressed the procedure and he suggested that the hotline be restored as it was a prior condition. Mr. Bromm stated that there was a zoning violation issued by the Zoning Officer.

Sarah Scott questioned the lighting violations and the installation of the lighting, which was addressed by the Applicants. It was suggested that the intensity of the lighting be reduced or shut off while this matter is being addressed. Mr. Cohen stated that safety is a concern.

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

Jasvinder Arjani was sworn in and he provided his qualifications as a Professional Architect. Shan-Pei Fanchiang was sworn in and he provided his qualifications as a Professional Engineer.

Mr. Arjani went on to describe the existing site conditions, the uses in the neighborhood, the site conditions: one story building(the truck stop amenities, restaurant, and convenience store) storage shed, car fueling canopy with kiosk and 2 dispensers, truck fueling canopy with 4 islands and 5 dispensers, air and vacuum, trash enclosure, and 5 area lights. He then described the existing signage, the lot coverage, the car and truck parking spaces, the curb cuts off of Route 46, the drainage, and the berm.

He went on to display the site plan drawing, dated October 20, 2021 and he addressed the prior resolutions/conditions/approvals, existing site conditions that may need approvals, and the proposed new improvements. He reviewed the numerous matters that need to be addressed, which was discussed at great length. He stated that one of the two heads on the area lighting, can be turned off, to address the immediate lighting concern. He continued to discuss the lighting and he stated that they will provide additional information for the next meeting. He also addressed the existing and proposed signage. Ms. O'Neill asked when the convenience store was approved, which Mr. Cohen addressed. Mr. Arjani then reviewed the existing variance conditions and the requested variances. Mr. Cohen stated that they will defer planning testimony until the next meeting. The Board continued to question Mr. Arjani.

The hearing was open to the public.

Hal Bromm had a question on the truck circulation and Mr. Top stated that the circulation is designed for safety and Mr. Arjani stated that he thought the circulation was a condition of a prior approval. Mr. Bromm questioned the parking, prior resolutions, aerial photographs, and the expansion of the convenience store.

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

It was announced that the hearing is being carried to the Board's February 1st meeting. Mr. Cohen stated that they will renote and they will be providing the information that was agreed to and discussed this evening. Mr. Arjani stated that he is not sure if they can comply with a resubmission for February. Mr. Cohen agreed to grant an extension of time to April of 2022 and he stated that they will see where they are for the next meeting. Mr. Thomas announced that this matter is being carried to the Board's February 1st meeting via Zoom. Mr. Cohen stated that they will need to provide notice in regards to the "D" variance.

Other Business:

Zoning Officer Memo

Deferred until next month.

Annual Report for 2021

Deferred until next month.

Approval of Vouchers:

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

Adjournment:

In a motion made and seconded the meeting was adjourned at 10:36 p.m.

Respectfully Submitted:

Alfia Schemm

Board Secretary 1/31/22