

**Minutes
Knowlton Township Zoning Board of Adjustment
Tuesday, December 5, 2017**

The regular meeting of the Knowlton Township Zoning Board of Adjustment was held on Tuesday, December 5, 2017. Vice Chairman Suggs 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: DeVincenzi, Schad, O'Neill (Alt #2), Suggs, Winschuh, Peck, McGuinness (Alt #1) and Melillo
Absent: Tillman
Also Present: Board Engineer Rodman and Board Attorney Thomas.

Approval of Minutes:

The November 7, 2017 minutes were distributed prior to the meeting. Dr. Melillo made the motion to adopt the minutes. Motion seconded by Ms. Peck. Roll call vote: Melillo-Yes, Schad-Yes, O'Neill-Yes, Suggs-Yes, Peck-Yes, DeVincenzi-Yes, McGuinness-Yes, and Winschuh-Abstain.

Memorializing Resolution:

#ZB17-007 Frank & Jeanne DeGroot, Block 62, Lot 12-Appeal/Interpretation

Board Attorney Thomas reviewed some additional Resolution modifications that were suggested earlier today.

Ms. Schad made the motion to adopt the Resolution as amended this evening. Motion seconded by Ms. McGuinness. Roll call vote: Melillo-Yes, Schad-Yes, Suggs-Yes, Peck-Yes, McGuinness-Yes, Winschuh-Abstain, DeVincenzi-Yes. Not eligible: O'Neill-Alternate #2.

#ZB17-008 Delaware Gap Realty, LLC, Block 51, Lot 1.01-Completeness

Ms. McGuinness made the motion to adopt the Completeness Resolution. Motion seconded by Ms. Schad. Roll call vote: Melillo-Yes, Schad-Yes, Suggs-Yes, Peck-Yes, McGuinness-Yes, Winschuh-Abstain, DeVincenzi-Yes. Not eligible: O'Neill-Alternate #2.

Completeness

#ZB17-006 PMG NJ II LLC, Block 28, Lots 7, 8, 9 & 10

Jason Tuvel, Esq. was present on behalf of the Applicant. Attorney Tuvel and Jeffrey Martell reviewed the completeness items outlined in Board Engineer Rodman's December 1, 2017 completeness report, along with possible waiver items, and non-applicable items. Board Engineer Rodman recommended that this matter be deemed complete and the waivers be granted for completeness. Board Attorney Thomas reviewed the completeness procedure for the Public and the waivers and non-applicable items.

Dr. Melillo made the motion to deem the Application complete as outlined by Board Attorney Thomas. Motion seconded by Ms. Peck. Roll call vote: Melillo-Yes, Schad-Yes, Suggs-Yes, Peck-Yes, McGuinness-Yes, Winschuh-Yes, DeVincenzi-Yes. Not eligible: O'Neill-Alternate #2.

New Business:

#ZB17-006 PMG NJ II LLC, Block 28, Lots 7, 8, 9 & 10a

Jason Tuvel, Esq. was present and he went on to summarize the application and the experts he plans on presenting throughout the hearing. Jeffrey Martell was sworn in and he provided his qualifications and experience as an Engineer. The following was submitted and marked as an Exhibit:

A-1 Aerial Image, dated 11-27-17

Mr. Martell described the Exhibit. The following was submitted and marked as an Exhibit:

A-2 Rendered Site Plan-Sheet C-4, dated 11-3-17

Mr. Martell went on to describe the proposal to demolish and upgrade the site, which was discussed with the Board. The following topics were addressed: upgrade of the fueling pump/area; the new convenience store with no tables for seating; parking; the kiosks for employees/attendants; onsite circulation and ingress/egress; mountable curbs; DOT traffic/expert; loading zone; trash enclosure; septic system/package treatment facility; the proposed fuel tank fields; no tractor trailer parking or facilities for tractor trailer drivers, besides the convenience store; the diesel attendant; the canopy, the stormwater management system; double wall tanks and the state of the art safety monitoring measures; flood safeguards; retaining wall; drainage/grading design; topography; disturbed area and plantings/landscaping; operation of convenience store; deliveries of fuel and other retail deliveries; employees; lighting; signage; headlight spillage and screening; spill preventive plan and containment area; and compliance to the various standards of the Township Ordinance. Board Engineer Rodman questioned the variances that may be required. Attorney Tuvel stated that their Planner will address the variances. The following was submitted and marked as an Exhibit:

A-3 Perspective View, dated 11-30-17

Mr. Martell described the proposed architectural materials to be used and the signage. Board Attorney Thomas asked if the design could be modified. Several Board Members suggested that the Applicant contact Mr. Bromm of the Historical Commission. The following was submitted and marked as an Exhibit:

A-4 Rendered Signage Exhibit, dated 12-4-17

Mr. Martell described the Signage Exhibit. The signage was discussed and the restriction of temporary road advertisement signs. Also lighting/illumination of the signs was discussed.

It was suggested that a Planner review the proposal. Board Planner Layton has a conflict and it was agreed to have the Township Zoning Officer, Eric Snyder, who is also a Planner, review the application and provide a report.

The hearing was opened to the public for questions.

Jaime Murray asked if the project requires an air pollution permit. Mr. Martell stated that there will need to be a DEP registration/permit. Board Engineer Rodman addressed prior reports referenced in his report. The Applicant's agreed to review the issues and respond accordingly.

Roger Smith questioned unattended fueling, the width of the driveway opening, landscape screening, tractor trailers on Walnut Road, fueling locations, recessed lighting, and drainage, which were addressed by the Applicants.

John Milesky questioned the environmental issues with the site, Walnut Road access, and the oil-water separator, which was addressed. The Board requested that the DEP application be submitted. Mr. Milesky had a CD of information and Attorney Tuvel stated that they will have their LSRP present to address the issues.

Janice Smith questioned the traffic circulation, which the Applicant's addressed.

Paul Bartos also questioned the traffic circulation. The Applicants stated that they will take a look at the options.

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

The Board continued to discuss the proposal and some of the issues. Attorney Tuval outlined/summarized the issues that were brought up this evening that they would address at the next meeting. The next meeting date was discussed and it was announced that this hearing is being carried to the next meeting, scheduled for January 30th, 2018, without further public notice.

Public Comment:

The meeting was opened to the public.

Frank DeGroot updated the Board on the status of the fence at 38 Auble Road and he commented on the Commercial Activity. Board Attorney Thomas stated that the Board does not have any enforcement power.

Jeannie DeGroot asked what will happen to the non-compliant fence if the house is sold.

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

Approval of Vouchers:

Dr. Melillo made the motion to approve the vouchers. Motion seconded by Ms. Peck. Roll call vote: Melillo-Yes, Schad-Yes, Suggs-Yes, Peck-Yes, McGuinness-Yes, Winschuh-Yes, DeVincenzi-Yes. Not eligible: O'Neill-Alternate #2.

Adjournment:

In a motion made and seconded the meeting adjourned at 9:58 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary
1/24/18