

**Minutes**  
**Knowlton Township Zoning Board of Adjustment**  
**Tuesday, April 5, 2016**

There was the regular meeting of the Knowlton Township Zoning Board of Adjustment on Tuesday, April 5, 2016. 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 regularly scheduled meetings in the Official Newspapers as well as providing said schedule in the Municipal Clerk's Office.

**Roll call: Present:** Peck, Tillman, Melillo, DeVincenzi, Suggs, and  
Alt #1 McGuinness.  
**Absent:** Schad and Alt#2 Trongone  
**Also Present:** Board Attorney Thomas and Board Engineer Rodman.

**Approval of Minutes:**

Mr. Suggs made the motion to adopt the minutes of February 2, 2016. Motion seconded by Ms. Peck. Roll call vote: Suggs-yes, McGuinness-yes, Peck-yes, Melillo-yes, DeVincenzi-yes, and Tillman-yes

**Old Business:**

**#ZB15-001 PMG NJ II LLC, Block 28, Lot 8**

Angelo Camelotto, Esq. was present on behalf of the Applicant. Chairman Tillman apologized for the lack of a Board quorum last month. Attorney Camelotto thanked the Board for the apology and he thanked everyone for tonight's attendance. He stated that they are present this evening for the LED lighting and the reimaging of the signs. He reviewed where the Board left off at the February meeting and the following concerns that were raised: site sign maintenance and temporary banner signs, the diesel spill, and intensity of the LED lighting and reimaging of the signs. He stated that new diesel pumps were installed in the Fall that did not work well and recently brand new diesel pumps have been installed. He stated that they do have someone with them tonight to discuss the diesel spill, they have submitted an LED lighting summary, and he addressed the entrance/exit and Do Not Enter Signs. He also stated that the temporary banner signs have been removed. The following were submitted and marked as an Exhibit:

- A-4 Revised Plans, dated 2-2-16
- A-5 Maser Lighting Report, dated 2-18-16
- A-6 Enter Sign Exhibit

Attorney Camelotto summarized the key points, which was discussed with the Board. He stated that new concrete has been installed and the landscaping has been freshened up. Board Engineer Rodman recommended that as-built drawings be submitted depicting the modifications.

William J. Groeling, was sworn in and he provided his qualifications as Licensed Site Remediation Professional. He then reviewed the surface spill that took place in December and the response that was taken in regards to the spill. He stated that the DEP was notified and they did a well canvas, where they went door to door to residents within 200 feet. He stated that well samples were taken and the results came back within acceptable standards with no diesel compounds found. He stated that 5 ground water

monitoring wells have also been installed. He stated that there needs to be 2 clean readings before they can be cleared. He went on to review the procedure and process. The Board questioned the spill and Board Engineer Rodman then discussed his concern over the catch basin that has collapsed and what testing has been done at that site as he is concerned over what may have leaked into the ground around the catch basin. The Board continued to review the issue with the Applicants and the Applicants agreed to meet with Board Engineer Rodman to review the concerns.

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

Mayor Adele Starrs questioned a letter received by the Township. The Applicants reviewed the letter and it was stated that it seems as if the letter pertains to an older case from 2005. The Applicants continued to discuss the existing monitoring wells and the current spill and the proposal. It was suggested that perhaps there needs to be an attendant to pump the diesel. Board Attorney Thomas stated that he will modify the draft Resolution to include that testing shall be expanded to the catch basin at Walnut Street and Route 46 and will include any remediation. Again it was suggested that the Applicants meet with Board Engineer Rodman to review the concerns.

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

Patrick Lynam acknowledged that he was still under oath. The following was submitted and marked as an Exhibit:

A-7 Rendered Drawing, sheet 2 of 2

Engineer Lynam described the proposed signage and benefits of the LED signs outlined in his 2-18-16 report. He reviewed the light metering test that was already done. He stated that they will have to do another light metering test with the all of the current lighting lit and another lighting test once the new signs are installed.

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

Attorney Camelotto summarized his request and he asked that the Board approve the application and grant the relief requested as discussed and agreed upon during the hearings. Board Attorney Thomas stated that a draft Resolution was prepared and he asked if all of the proposed conditions have been addressed in that draft. He then reviewed the additional modifications that will be made to the draft that address tonight's testimony. Attorney Camelotto asked that the light measurement be plus or minus a half a foot candle. Board Engineer Rodman asked that a plan be submitted showing the location of the pre and post lighting metering tests and the results, so that it is documented. The Board discussed whether they would consider voting on the application and resolution as modified this evening or the Board can come back next month to adopt the Resolution. The Board discussed the existing conditions and the proposal.

Ms. Peck made the motion to approve the variance application and the resolution as amended and discussed this evening. Motion seconded by Mr. Suggs. Roll call vote: Suggs-yes, McGuinness-yes, Peck-yes, Melillo-yes, DeVincenzi-yes, and Tillman-yes .

**Other Business:**

Chairman Tillman asked if the Board Secretary could update the Board on the email that was sent by Hal Bromm in regards to lighted signs at another gas station location. Board Secretary Schemm stated that a question was raised in regards to whether an approval was ever granted for illuminated signs. She stated that there is an existing drawing that does show lit signs; however, it does not appear that lit signs were ever the subject of an application. She stated that it appears that the drawing may depict existing conditions. Both Board Engineer Rodman and Board Attorney Thomas stated that the signs may be pre-existing condition and may have been installed prior to their prohibition. It was stated that the Complainant may have the burden of proof to prove that the signs are not a pre-existing condition and that they are illegal. The Board continued to discuss the process.

**Open to the Public:**

Mayor Starrs thanked the Board for dedicating their time this evening and she reviewed how she came across the Environmental Report. The Board discussed the procedure and it was suggested that Board receive Environmental Reports for all matters in Knowlton in the future.

Mr. Suggs requested that the Environmental Commission further explore DEP cases that are open within the Township. Motion seconded by Ms. McGuinness. Roll call vote: Suggs-yes, McGuinness-yes, Peck-yes, Melillo-yes, DeVincenzi-yes, and Tillman-yes

**Approval of Vouchers:**

Mr. Suggs made the motion to approve the vouchers. Motion seconded by Dr. Melillo. Roll call vote: Suggs-yes, McGuinness-yes, Peck-yes, Melillo-yes, DeVincenzi-yes, and Tillman-yes

**Adjournment:**

In a motion made and seconded the meeting was adjourned.

Respectfully Submitted:

Alfia Schemm  
Board Secretary  
8/17/16