

**Minutes**  
**Knowlton Township Zoning Board of Adjustment**  
**Tuesday, September 6, 2022**

There was a regular meeting of the Knowlton Township Zoning Board of Adjustment on Tuesday, September 6, 2022. Chairman Tillman led the Board in the pledge of allegiance and 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.

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

**Approval of Minutes:**

The July 5, 2022 minutes were distributed prior to the meeting. A correction was noted that the meeting was held in person and not via Zoom. Ms. O’Neill made the motion to approve the minutes. Motion seconded by Mr. Werner. Roll call vote: O’Neill-yes, Walsh-yes, Lund-yes, Mezzanotte-yes, DeVincenzi-yes, Werner-yes, Peck-Abstain, and Tillman-yes.

**Old Business:**

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

Lawrence Cohen, Esq. was present on behalf of the Applicant. He noted where the Board left off at the last hearing and he stated that the Applicant has concluded their presentation; however, he believes that the hearing is to be opened to the public. Mr. Bromm stated that there are several people present to make a statement and he also has photos to present. The hearing was then opened to the public.

Hal Bromm was sworn in and he submitted 9 photographs which were marked as Exhibits:

- O-1 Photo dated 8-30-20
- O-2 Photo dated 8-30-20
- O-3 Photo dated 8-30-20
- O-4 Photo dated 2-22-21
- O-5 Photo dated 2-22-21
- O-6 Photo dated 2-22-21
- O-7 Photo dated 2-22-21
- O-8 Photo dated 2-22-21
- O-9 Photo dated 4-4-21

Mr. Bromm stated that he took the photographs and he went on to describe each of the photographs depicting glare/illumination from canopy lighting, LED signs, wall mounted lights, unshielded lights, high intensity pole mounted flood lights, concrete barriers, parked idling truck, removal of the berm, exposed landscaping, and the rear wall building expansion. Mr. Cohen stated that he has no objections to the photos; however, he had several questions. Mr. Cohen asked if Mr. Bromm was aware that a new lighting plan was submitted that reduces the height and intensity of the lighting, which was also reviewed by the Board Engineer. Mr. Bromm questioned the procedure in notifying interested individuals of the proposed changes. The hearing procedure was discussed and Mr. Cohen stated that there also is a proposal to remove concrete/cement blocks. Mr. Cohen stated that he has no further questions of Mr. Bromm.

Karen Strom was sworn in and she made a statement on behalf of the Historic Commission regarding the history of the area/property and the negative impacts to the residents in the Delaware Village Historic District. Mr. Cohen asked Ms. Strom if she was aware of the removal of the propane tank and the current/proposed improvements made to the "truck stop".

Candice Nattland was sworn in and she continued the Historic Commission statement regarding the negative impacts of the expansion (decades of zoning/variance violation/complaints, high intensity lighting, late night noise, noxious fumes, removal of trees and soil, and the negative visual impact) to the residents of the Village and NJ oldest post office. She stated that the Applicant has violated prior approvals. Mr. Cohen stated that the Applicant is a new owner and he asked if she was aware of the proposed changes to the plan.

Tom Drake was sworn in and he continued with the Historic Commission statement regarding the prior approvals and the concerns/impacts over the increased proposed lighting and LED signage.

Hal Bromm acknowledged that he was still under oath and he provided the final portion of the Historic Commission statement regarding the rural character of the Township and the Township zoning. He stated that the proposed changes are not appropriate for the Community. He urged the Board to deny the variance and expansion request. Mr. Cohen had several questions/comments regarding his client's proposal. The Historic Commission Statement was then submitted and marked as an Exhibit:

O-10 Full Statement by the Historic Commission, dated 9-6-22

Robert McNinch was sworn in and he commented on the current township lighting ordinance, his review of the submission, and the variance requests. Mr. Cohen asked if Mr. McNinch is aware of the proposed modifications being offered by the Applicant. Mr. Bromm concluded his statement thanking the Board for their time.

Sara Scott was sworn in and she stated her concerns over the impact to the quality of life for the Village residents, the intrusive lighting, removal of trees, no buffer of light and sounds, the disturbance of idling of trucks (sound and exhaust), overnight parking and idling, concerns over the impact to property values, and the detrimental impact on the quality of life for the Village residents. Mr. Cohen asked if the site has been approved. Ms. Scott stated that improvements should not be detrimental to the quality of life. She also commented on the lack of the 800 number to call for complaints.

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

Mr. Keenan then addressed some of the comments made by Mr. McNinch, his review of the submission, the township ordinance, and the lighting modifications being proposed/recommended. He stated that he feels that the recommended proposed changes, that have previously been discussed and agreed to, will address the concerns raised today. Ms. O'Neill also commented on the to no illuminated canopy banding, the wall packs, and the pole lighting.

Mr. Bloch commented on the variances for the signage. Mr. Cohen stated that they are requesting one additional sign; however, there are other variances being requested for the proposed signage. He went on to review the signs and the relief being requested for signage, which was discussed with the Board at great length. The Board went back to review Mr. Bloch's January report and the signage variances. Mr. Cohen stated that they

agree to fill in the cut in the berm and the revisions to the landscaping plan. Ms. Peck also questioned the reinstatement of the telephone number for complaints. The Applicant stated that there are signs are placed on the poles.

Mr. Akrsu acknowledged that he was still under oath and he stated that the complaint signs are already installed. Ms. O'Neill then reviewed a list of items, that she believes was agreed to, which were discussed again. She also commented on the 10 hour parking and the 2010 Resolution and the compromised berm, with the removal of mature landscaping which was a huge barrier for the residents of the Village.

Mr. Cohen stated that the Applicant has agreed to replant landscaping and the lighting is being reduced to hopefully acceptable standards. He thanked the Board for their time as the application has been going on for quite some time. He summarized the application and he stated that the lighting, signage, and landscaping will be improved and the site has been cleaned up. He reviewed the frontage of the property and the need for the additional sign. The Board discussed that the Applicant should be a good neighbor. They went on to discuss the improvements, conditions of an approval, and a possible procedure. Mr. Thomas suggested that he prepare a Resolution listing/capturing all of the possible conditions, for everyone to review, prior to the next meeting. Ms. O'Neill stated that she is not sure if she agrees with that premise because she may not want to grant all of the variances. The Board agreed that they need to move forward and that it is a good idea to have Mr. Thomas prepare a draft Resolution. Mr. Cohen agreed to an extension of time.

Mr. Werner made the motion to authorize Mr. Thomas to prepare a Resolution listing the conditions for the October 4th meeting. Motion seconded by Ms. Lund. Roll call: O'Neill-no, Walsh-yes, Lund-yes, Mezzanotte-yes, DeVincenzi-yes, Werner-yes, and Tillman-yes. Ms. Peck abstaining as she has not heard all of the testimony.

**New Business:**

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

John Caleca, Esq. was present on behalf of the Applicant. John Minton was also present and he was sworn in. He stated that he has owned the Log Cabin for six years and he would like to construct a permanent open air pavilion to replace an existing tent. He stated that the restaurant/bar is open 4 days a week Thursday-Sunday. He addressed the seating capacity of the tent and the seating capacity for the proposed pavilion. The Board questioned the parking capacity. The following was submitted and marked as an Exhibit:

**A-1 Photo of Shady Grove Park**

The Board went to review the proposed seating plan for the pavilion, which will have electricity and plumbing. Mr. Minton spoke about the limitation on parking and the kitchen. He stated that the pavilion will be seasonal. The Applicant and the Board discussed the existing parking, additional parking that is being taken up by the tent and the stockpile of soil, the site plan, and the seating capacity. Mr. Minton spoke about his business and the impact to restaurants due to COVID. The Board also discussed the extension of the outdoor seating NJ executive order.

Mr. Keenan questioned the size of the pavilion, the proposed seating, the limited parking and septic system. Mr. Minton stated that he may utilize the extra pavilion

space in other recreational ways. Mr. Bloch asked if live entertainment is being proposed under the pavilion. It was noted that Knowlton permits outdoor music.

The hearing was opened to the public for questions of Mr. Minton. With there being none, the hearing was closed to the public.

Michael Finelli, P.E. was sworn in and he provided his qualifications. The following were submitted and marked as Exhibits:

A-2 Existing Conditions for the Log Cabin Inn, dated 9-6-22

A-3 Proposed Conditions for the Log Cabin Inn, dated 9-6-22

Mr. Finelli described the Exhibits: the existing site conditions and proposed site conditions and the phasing of the project. The pedestrian circulation from the parking lot to the pavilion was reviewed. Mr. Finelli reviewed the deficiency in the number of parking spaces and he stated that they will have to reevaluate the site/parking. Mr. Keenan commented on his 6/27/22 report: flood hazard line/flood plain, DEP permitting, and stormwater. Mr. Bloch questioned the parking in the right of way and the loss of parking spaces. The Board also discussed the proposed ornamental festoon lighting, with no additional lighting being proposed and if illumination levels could be provided.

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

It was announced that this matter is being carried to the Board's October 4, 2022 meeting without further public notice.

Mr. Minton asked if there is anything else that needs to be addressed as he frustrated with the process. Mr. Thomas suggested that the professionals interact, prior to the next meeting, so that revisions can be done so that the Board can better understand the proposal/project.

**Approval of Vouchers:**

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

**Other:**

**Zoning Officer Memo**

Deferred

**Adjournment:**

In a motion made and seconded the meeting was adjourned at 10:55 p.m.

Respectfully Submitted:

Alfia Schemm  
Board Secretary  
9/29/22