

Knowlton Township Planning Board

Minutes

Tuesday, February 28, 2023

There was a regular meeting of the Knowlton Township Planning Board on Tuesday, February 28, 2023. Clayton Taylor led the Board in the flag salute at 7:30 p.m. He 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 NJ Herald and Express Times-NJ Zone Edition, as well as providing said schedule in the Municipal Clerk's Office and the Township Website. A moment of silence was held for our Military Personnel serving in harm's way.

Roll call:

Present: Taylor, Bromm, Mazza, Drake, Cuntala, Smith, Glynn, Mathez, Constantino, and Prosser
Absent: Tironi
Also Present: Attorney Gavan, Marcie Robison from French & Parrello and Austin Bejin from Colliers Engineering

Appointment of Board Secretary:

Mr. Taylor made a motion to nominate Ms. Apgar as board secretary, motion seconded by Ms. Cuntala. Voice vote: all in favor.

Approval of Minutes:

A motion was made to adopt the minutes of January 24, 2023. Motion seconded by Mr. Taylor with the addition of Ms. Cuntala's name being added to the list of reappointed members sworn in. Roll call vote: Bromm – abstain, Mazza -yes, Drake – yes, Cuntala – yes, Smith – yes, Glynn -yes, Mathez – yes, Constantino – abstain, Prosser- yes, Taylor – yes.

New Business:

#22-004 Diamond Communications, LLC, Block 43.01, Lot 2

Attorney Christopher Quinn was present on behalf of the applicant. He reminded everyone the proposed site is an 8.4-acre farm in the FPD zone. The applicants are proposing to construct a 155-foot monopole. Engineer Joshua Cottrell was present and distributed aerial maps showing setbacks and distances from the proposed tower to Route 80 being 183 feet and adjoining properties: 4 Brands Road being 385 feet, 8 Brands Rd being 658 feet and 10 Brands Rd being 823 feet. He also went over a letter from the monopole's manufacturer explaining the design of the tower with regards to wind speeds, ice and in the event of failure. Public questions were asked by Patty Tirone and Jaime Tirone including possible violations to the right to farm act. The next witness, Melissa Cooke went over site determination and results on other towers being viable. She also explained she had a conversation with DEP representative Nancy Lawrence to see if the DEP would be agreeable to leasing land to Diamond/Verizon to construct a new monopole. The representatives reply was it is not in line with DEP's mission, but for an official response they would need to go through the DEP application process. Ms. Cooke stated that was then done. Public question from Jaime Tirone regarding using the Route 80 overlook as a possible site.

Environmental Specialist, Christopher Lanna was sworn in. He was asked if besides the leasing issues were there any environmental concerns regarding the DEP locations. He stated one site was not checked out because it was maxed out. Another location looked at is in a wetlands transition area which covers the base of the tower and so from an environmental point you could not get a permit to put a site there. He stated any permits you could apply for would ask if you have an alternative site, if yes, then why would you build here. He stated none of the sites he was asked to check on provided viable options. Public questions from Patty and Jaime Tirone regarding studies on the dangers to animals and environmental factors involved with the proposed site.

Stephanie Koles, RF Engineer, was the next witness who showed maps of the Columbia and Mt. Herman sites depicting the current coverage areas and maps then including the proposed site showing the site satisfies the gap in coverage. It was discussed that Dish has no current coverage in the area. Also, in choosing a site it must satisfy the gap but not interfere with other existing sites. This site also has good topography. The water tower site was too far east. There were board questions on using a site to the North or South and what piqued interest in this proposed site. Ms. Koles stated Verizon was experiencing performance issues with subscribers in this area. There was a public question on whether the Route 80 scenic overlook area was checked as a usable location. Ms. Koles stated it was not. Other questions included overlap of tower coverage. Members of the board requested Ms. Koles have Verizon check on the coverage and viability of the Route 80 overlook area and come back with maps. Attorney Quinn stated Verizon invested 3 years on the proposed site selection, but they will come back with the requested data. More public questions were asked on dangers to farm animals and crops, home values and violating the right to farm act. Attorney Quinn requested a five-minute recess after which he stated they would like to carry to the next meeting and supply the information the public asked them to look at regarding the Route 80 scenic overlook. He would also have their last witness, the planner, speak and at the request of the board, get an answer from the DEP on the wetland site decision in writing.

#22-005 Thunderstone Inc, Block 48, Lot 1

Richard Wenner, Esq. was present on behalf of the Applicant. Jack Gabay one of the principals of the company was sworn in. He stated the proposed use is a retail store not wholesale. There are trailers on site not for storage but to move merchandise from one store to another. Any storage would be kept in the shed. The 2 story buildings first floor will be used only, upstairs will not be used it is attic space. Board members asked about the number of trucks and a summons that was issued from the zoning officer. Mr. Yemel was sworn in and stated the summons was regarding trucks not parked in a designated parking area and they have been moved. He also stated there would be no more than 2 trailers on site with a tractor and a straight truck. There will be 7 parking spaces. Professionals asked about the original plans including the second story being used as an office. The applicants stated they are not intending to utilize the upstairs right now as there is no need; they may come back at some point with another application. The store hours are by appointment.

Mr. Finelli was the next witness. He went over revised designs including additional landscaping as buffers for the truck parking and storage shed. Parking lot repairs which included closing off the eastern and western entrance points. There will be just one ingress and egress location. Mr. Wenner then went over a comment from the board's planner regarding the septic. He stated it would remain in as is condition, there are no plans to change it, but as a condition of approval they will reach out to Warren County Health Department to provide information so the board is confident the system can handle the proposed use. Mr. Finelli then went over the existing lighting saying it was very dim and Mr. Gabay is fine with it. There are no proposed changes to the existing lighting. The intention is to blend in with the landscape and there will be no nighttime use. He also spoke on the flood line and elevation of the property saying there are no improvements being made so there would be no impact and therefore no DEP permits would be required. There was a board question regarding the type of pavement being used in the trailer parking area. The engineer stated it would be gravel pavement, not blacktop pavement. The board also asked about the fenced in areas surface. Mr. Gabay stated it is grass and will be used as a garden and will not be used for storage. Also questioned was the thickness of the gravel for the trailer parking.

The applicant's planner, James Kyle, was sworn in and gave his qualifications. He reviewed the planning issues. He explained the C1 zone permitted uses, went over the one existing non-conforming condition (set-back to Walnut Rd.) and the parking waiver. He stated they will utilize 7 parking spaces and do not intend at this point to expand the parking area. Lighting was gone over and he feels the existing lighting is adequate for safety and it meets the owners needs. Large evergreens will be used as buffering on the sides and front. The board asked about using the trees as buffering by the trailer parking area. Mr. Gabay explained concerns of his neighbor (on the southeasterly side) regarding blocking his view of Route 46. There were board questions on the hours of operation, type of trees intended to be used and the number and frequency of trailers coming in to be off-loaded. Mr. Sadalm from Thunderstone was sworn in and confirmed the number of trucks and trailers on site were as depicted in the drawing and Mr. Wenner stated that would be enforceable by the zoning officer. Trailers are to be off loaded using a forklift. Existing lighting is soffit type and shines downward towards the sidewalk. Business hours are 10:00AM to 4:00PM. Chairman Taylor requested the applicants get a current certification of taxes paid. There was no public comment.

Attorney Gavin asked for a motion to approve subject to waivers including parking, lighting, DOT approval on closing off entrance points, trees, flood plain line, gravel paved area, no usage of second floor, storage area usage, number of trucks/trailers and proof of taxes paid. The Board Engineer asked to include checking with the Warren County Health Department on the septic and edit the proposed use to a retail store. A motion was made by Mr. Mathez and seconded by Mr. Smith. Roll Call Vote: Bromm-yes, Mazza-abstain, Drake-abstain, Cuntala-yes, Smith-yes, Glynn-yes, Mathez-yes, Constantino-yes, Prosser-yes, Taylor-yes.

Other:

Lighting Ordinance

The Board discussed correspondence received from the zoning officer, some members received and will forward a copy to the rest of the board.

Public Comment:

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

Other Business:

Discussion took place regarding a letter from the Warren County Mosquito commission regarding removing excess surface water. Chairman Taylor explained this was an informative letter and he believes this is done every year in drainage ditches that need to be cleaned.

Bills:

Ms. Cuntala made the motion to approve the vouchers. Motion seconded by Mr. Bromm. Roll call vote: Bromm-Yes, Mazza-Yes, Drake-Yes, Cuntala-Yes, Smith-Yes, Glynn-Yes, Mathez-Yes, Constantino-yes, Prosser-yes, and Taylor-Yes

Adjournment:

A motion was made by Mr. Smith and seconded by Ms. Cuntala. The meeting was adjourned at 10:22 p.m.

Respectfully Submitted:

Doreen Apgar
Board Secretary