

Knowlton Township Land Use Board

Minutes

Tuesday, Sept 24, 2024

There was a regular meeting of the Knowlton Township Land Use Board on Tuesday, Sept 24, 2024. Clayton Taylor led the Board in the flag salute at 7:00 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 Zoned 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: Baley, Cuntala, Mathez, O'Neill, Smith, Starrs, Drake, Mezzanotte and Taylor

Absent: Mazza, Werner

Also Present: Attorney Gavan

Approval of Minutes:

The July 23, 2024 Land Use Board minutes were distributed prior to the meeting. A motion to approve the minutes was made by Ms. Cuntala and seconded by Mr. Drake. Chairman Taylor asked for a roll call vote to approve the minutes. In a roll call vote, all were in favor with Mr. Mathez and Mr. Smith abstaining.

Adoption of Resolution:

#24-001 JBar Pocono, LLC, Block 17, Lots 1 and 2

Chairman Taylor asked if everyone had looked over the resolution. He noted some grammatical edits that were found and will be updated. The board had no other questions or comments. Chairman Taylor asked for a motion. Motion was made to adopt by Ms. Mezzanotte and seconded by Mr. Baley. Roll call vote: Baley – yes, Cuntala – yes, Mathez – abstain, O'Neill – yes, Smith – abstain, Starrs – yes, Drake – yes, Mezzanotte – yes, Taylor – yes.

#24-002 Kenneth Jahn, Block 63, Lot 1.05

Chairman Taylor introduced the resolution. Ms. O'Neill made a motion to adopt. Motion was seconded by Mr. Baley. There were no questions from the board. Roll call vote: Baley – yes, Cuntala – yes, Mathez – abstain, O'Neill – yes, Smith – abstain, Starrs – yes, Drake – yes, Mezzanotte – yes, Taylor – yes.

Old Business:

**#23-004 Quiet Valley Printing/Daniel Deroche/Deroche Truck Covers & Tarps
Block 12, Lots 7, 8 and 9**

Chairman Taylor noted the applicant requested to be carried until next month and must be re-noticed.

Public Comment:

Chairman Taylor opened the meeting to the public. With no public in attendance, public comment was closed.

Mr. Baley questioned the Quiet Valley application being on the agenda continually noting to be carried to the next meeting. Chairman Taylor explained they have been requesting to be carried. Attorney Gavan added because we didn't vote to dismiss it. They've been having other issues and he didn't believe it was ever our intent to dismiss. If we had dismissed it then technically they would have to repay. Secretary Apgar noted she has been in contact with their attorney and they are still working on securing the connection to the sewer service area. Mr. Smith asked at what point if we don't agree to carry them could they get an automatic approval. Attorney Gavan said they don't as long as we agree to carry them. If we don't they get 45 days. But we are not going to let that happen that's why we keep them on the agenda. Discussion took place regarding the length of time we have carried, almost a year. Attorney Gavan suggested we notify them next month that the board has carried it and we do not want to carry again. We will dismiss without prejudice. That would mean they have to re-notice and put in a new application fee. The escrows won't change. Or we could waive the application fee if we were so inclined. The governing body would need to approve that. At the least put them on notice that they can't keep carrying. Secretary Apgar explained there was a recent zoom meeting with the applicant's attorney, engineer and Knowlton's sewer engineer to try to work through what they need for compliance with the sewer connection. Chairman Taylor asked the board, being there is movement on this, do we want to put them on notice now or give them another month. It was agreed to give another month before putting them on notice.

Other Business:**Review of Land Development Ordinance Amendments**

The township committee had first reading on this ordinance #2024-07. They had requested the Land Use Board review it for any recommendations or changes prior to second reading. Chairman Taylor explained sections of this ordinance include amendments the zoning officer had requested pertaining to pre-existing non-conforming structures. Attorney Gavan added most towns have adopted this change some time ago. It was confirmed the town's attorney wrote the ordinance. There were no changes requested by the board. Secretary Apgar will advise the Township Committee of the board's approval. She also wanted to make note that section 2 of the ordinance was the post approval inspection fees the board had requested.

Knowlton Township Residential Full Build Out Analysis

Mr. Mathez handed out the memo prepared by the zoning subcommittee. He stated what motivated this is the proposed warehouses across the river. The possibility of nine thousand employees and nineteen thousand daily car trips. Ms. Mezzanotte gave an update on the warehouses. She said she was at a meeting recently where the developer gave an update. Their goal is to be more manufacturing. Technology was discussed as a possibility due to a bill that supports U.S. made technology. That is the objective they are looking at. With that example it would be 6 trucks per week in contrast to warehouses. She feels this could be called an industrial site with possible warehousing.

She said they spoke at the meeting regarding what industries and companies are reaching out to them and it's not warehouses. She does not believe they will build without leases. They are still awaiting permits, so they are not to that point to build. They will need to submit concept plans based on anticipated use. They are not soliciting clients at this point. Mr. Drake brought up the point with manufacturing you would have a lot more employees, but less trips than warehousing. Ms. Mezzanotte feels the original numbers shared with the public in 2022 on employees and road trips were based on worst case scenarios because of infrastructure concerns.

Mr. Mathez noted their analysis came up with a possible additional 500 residences. Discussion then took place on the railroad feasibility and impact. Ms. Mezzanotte also had an update on that. Phase I was approved. She believes it will roll into the next phase. Amtrak is featuring this route. It is high profile, because they want it. The next phase is studies on the infrastructure improvements. Chairman Taylor believes it will take quite some time. Mr. Drake added they have wanted it since 2004. Chairman Taylor asked what impact that would have on commuter traffic from here. He believes it will have a much larger impact on counties in Pennsylvania than here. He also wondered will people want to live in New Jersey and work in Pennsylvania. In most cases they live in PA and work in NJ.

Mr. Mathez then went over his memo which includes 8 items they considered. Changing the maximum yield for minor subdivisions. Creating a list of prohibited vs. permissive landscaping plants for commercial applications (consider drought tolerant and deer resistant). Building envelope distance from the Paulins Kill (make our ordinance consistent with state law). Buildable land vs. total land when determining the number of homes that can be built on a tract (it was decided to get a quote from the planner, Dan Bloch, to determine approximately how many homes this would amount to). Determining language used in Knowlton's Land Use Ordinance referring to lots, tracts and parcels (Attorney Gavan has never had this issue come up in his years – will check on legal definitions). Continuous areas of open space land where possible for habitat (Clayton, Dave and Tara believe there is possibly some language already on this – Adele believes in FPD zone fencing is discussed). Consider changing the minimum lot size to maintain rural character. Options for satisfying low-income housing obligations (work with Township Committee – new plan requirements are forthcoming). Discussion took place about zoning a specific area to high-density residential versus having the units spread throughout the town. Mr. Drake thinks our attitude needs to be forward looking and recognizing there is a severe well-known housing shortage among our population. If you direct it the way you want it to be you are better off. Attorney Gavan noted when you are ready, get a price for a planner because that's who will have to develop it. Ms. Starrs questioned the list, stating items 1-7 are suggested zoning changes. But item #8 is completely different. It was agreed 1-7 should be done first. Attorney Gavan spoke on his findings for item #5. The term parcels are generally used when dealing with tax issues. Lots are land. Tracts are pieces of land. Determining the definition of "buildable land" was discussed. Mr. Smith noted we do not have a "steep slopes" ordinance. Attorney Gavan agreed we need one. Discussion took place regarding some towns kicked these ordinances out because of being sued. It's controversial. It was used in the calculations of buildable land. Attorney Gavan added another way would be to use impervious coverage.

The last topic listed in the sub-committee's memo is regarding trying to find ways to revitalize the village of Columbia. Mr. Drake spoke of it's potential and the years this has been a topic. Chairman Taylor recalled discussions on trying a mixed zone, but there would be septic issues with residential/commercial. Mr. Drake is not sure that all residents would agree to a commercial use in town. Mr. Mathez recalled a small piece of land that was proposed as a small pocket park and the townspeople wanted no part of it. Ms. Starrs recalled another piece of land the town foreclosed on that was beach front. There was a kayaking business interested in it. A number of residents were opposed to that also in fear of traffic and noise.

Chairman Taylor reviewed the memo's decided actions. Mr. Mathez will speak to our planner about getting a proposal on the cost for item #4. Item #6 needs to be checked in our ordinance for the current wording. Item #2 will require a list of accepted species that would be allowed in commercial landscaping. They should also be drought tolerant and deer resistant. Item #5 may not be needed. Item #3 just needs our ordinance to be consistent with the state's law. Mr. Smith questioned if this adjustment would apply to all C-1 streams or just the Paulins Kill. Mr. Mathez said this particular section of the ordinance is referring to the Paulins Kill specifically. But he thinks it makes sense to say the building envelope needs to be 300 feet from every C-1 stream. Mr. Smith disagrees and noted that would be a lot of property in the town. He continued the DEP has restrictions, it doesn't mean you can't, but there are restrictions. But here you are just saying you can't...

Short Term Rental Draft Ordinance

Chairman Taylor then asked about the short-term rental ordinance. Are we going to try to draft one that does what we need without having a police force. Mr. Drake said we really should get a model. He found Monroe County has a template that they issue for municipalities. It brings up a lot of items we have talked about. He also found a vendor application to use for rentals from Stroudsburg. This also has helpful items they request to be provided. Mr. Drake will email these samples to the board. Mr. Mathez asked about code enforcement. Chairman Taylor believes if it is registered it should be checked.

Brief discussion took place about a sample ordinance from the State that secretary Apgar had forwarded to Chairman Taylor questioning if it would pertain to an upcoming application from the Travel Center. It was concerning a Municipal Electric Vehicle Ordinance. Chairman Taylor spoke regarding it possibly coming to the point in New Jersey that anyone with a commercial parking lot should have EV charging stations. He asked do we want to go on and pursue an ordinance. Attorney Gavan said he has not touched this issue in any of his other towns. Ms. Starrs noted a variance is the easiest short-term solution. The consensus was that if it happens then make it an ordinance.

Ms. O'Neill asked Attorney Gavan about the letters he was to send to the truck stops for compliance on outstanding conditions. He apologized for the delay and will get it done. Mr. Drake asked if this will be the official procedure to address non-compliance. Chairman Taylor said not for the future, but for now. For the ones that are already in place. Before this new ordinance takes effect.

The meeting was opened again to the public, there were no public questions. The meeting was then closed to the public.

Bills:

Chairman Taylor asked if everyone looked over the bills. Mr. Drake made a motion to pay. Motion was seconded by Mr. Smith. In a roll call vote all were in favor.

Adjournment:

A motion to adjourn was made by Mr. Smith and seconded by Mr. Baley. In a voice vote all were in favor. The meeting was adjourned at 8:28 P.M.

Respectfully Submitted:



Doreen Apgar,
Board Secretary