

Knowlton Township Land Use Board
Minutes
Tuesday, April 28, 2026

The regular meeting of the Knowlton Township Land Use Board was held on Tuesday, April 28, 2026. Chairman 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 compliance with the "Open Public Meetings Act" (as amended by Public Law 2025, chapter 72) notice of this meeting and the agenda were posted on Knowlton Township's official website and on the bulletin board at the Municipal Building. A moment of silence was held for our Military Personnel serving in harm's way.

Roll call:

Present: Baley, Allen, Mathez, Mazza, Smith, Gaeta, Drake,
Overpeck, Mezzanotte and Taylor.

Absent: O'Neill

Also Present: Attorney Gavan

Approval of Minutes:

The March 24, 2026 minutes were distributed prior to the meeting. Ms. Mezzanotte made a motion to approve. Motion was seconded by Mr. Drake. When asked if there was any discussion on the minutes, Ms. Mezzanotte noted three typographical errors. Chairman Taylor noted one of the items in question could be of importance, so it would be best to delay approving the minutes. The motions to approve were amended to motions to carry. In a voice vote all were in favor with no abstentions.

Executive Session:

Chairman Taylor announced anyone who is not a member of the board, a board professional or the attorney for this session must leave the room. Attorney Gavan read the following resolution to enter into closed session.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Knowlton, Warren County, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Pending Litigation
3. It is anticipated that the minutes of this executive session will be disclosed to the public when the need for confidentiality no longer exists.
4. Action will not be taken after the executive session
5. This Resolution shall take effect immediately.

Date adopted: April 28, 2026

A motion to go into executive session at 7:06 pm, was made by Chairman Taylor and seconded by Ms. Allen. In a voice vote all were in favor with no opposition or abstentions. The board came out of Executive Session with a motion and second and resumed the regular meeting at 8:08 p.m.

Determination of Completeness:

#26-003 George Burdge, Block 65, Lot 2.15

Chairman Taylor confirmed everyone had the completeness review from our engineer. He asked if anyone had any questions. Mr. Mathez asked about the conservation easement mentioned in the report. Chairman Taylor said that would be discussed during the hearing, right now we are only determining completeness. Engineer Nusser's report is recommending we deem the application complete. The general comments and zoning regulations will have to be dealt with during the application hearing. He asked if there was a motion on determination of completeness. Ms. Mezzanotte made a motion to deem it complete. Motion was seconded by Mr. Baley. In a voice vote all were in favor with no opposition or abstentions. Chairman Taylor asked the board if they felt we need our planner to review this application also. This application seems to be mainly engineering issues. Does anyone see the need for a planner also? Attorney Gavan noted you can always change your mind. At this point no one saw a need.

New Business:

#25-001 Christ Baptist Church, Block 5, Lots 21 & 22

Chairman Taylor needed to recuse himself from this application, as there is a possible conflict with himself and the applicant's engineer.

This is a request from the applicant to modify one of the conditions of his approval. Attorney Gavan gave background as to why we asked the applicant to come in. Generally, if you want to amend a condition of a resolution it would involve re-noticing and more expenses. To avoid a lengthy expensive process, he feels the board could give the church approval to put something else there. Pastor Derek Makri handed out packets which included photos of the dead arborvitae. There was also a letter from the church asking for permission to alter item #17 of the resolution approval to install a fence, a letter from their engineer explaining soil conditions and a description with photo sample of the fence they would like to install. The Pastor explained it would be a 6-foot-high wooden fence in compliance with town code. He said it has become cost prohibitive to continue to try and plant in the soil they have. There was a comment from Mr. Smith regarding the lifespan of a wooden fence and expense involved in repairing or replacing. Also, the rules regarding fences, which would need to comply with local ordinances. Mr. Mathez asked what the issue is with the soil. Pastor Makri explained their engineer who did the soil logs wrote "the soil logs show a sandy loam that began just below the topsoil. The sand percentage was well above 80%. This type of soil is very well drained. This means the soil does not typically retain moisture. This extended to the bottom of our excavation of 10 feet". The Pastor said the whole row of arborvitaes died and they were watered s recommended. Mr. Drake asked if this would be an issue with the neighbor. Pastor Makri said not at all. And they will be compliant with the property line and height. Attorney Gavan asked if the board in general feels this is a minor change to meet the terms and spirit of what was originally requested? The consensus was yes. Attorney Gavan then suggested that we submit this packet into the zoning file with a note that the consensus is this will suffice. The secretary will submit a note with the packet from the Pastor stating that the fence is acceptable

Determination of Completeness:

#25-003 15 Simpson Road Project, LLC, Block 14, Lots 1, 2, & 3

Chairman Taylor announced he would need to recuse himself, as his family owns property within 200 feet of this project. Our vice chair is out tonight, so Attorney Gavan will fill in. He referred to the completeness review #3 dated April 23, 2026. He asked if anyone had any questions. Mr. Smith spoke, as part of the application process, they were required to complete checklists D, E and H. In those checklists item #2 requires copies of the plans. Why don't we have that? He feels that makes the application incomplete. Attorney Gavan noted that is the recommendation of our engineer, to deem it incomplete. Mr. Smith noted yes, but he does not mention item #2 in any of his comments. Why did we revert to electronic copies for this site plan? Secretary Apgar confirmed that she had not received paper copies of the most recent submittals. Attorney Gavan thought a possibility was they wanted to get it deemed complete and make all the changes needed before they submitted paper copies. Secretary Apgar noted that their attorney's office has explained the cost involved, especially with the number of copies needed. Attorney Gavan agreed that in his opinion that would be another reason to deem this incomplete, as many of the board members want paper copies. So, with the board's permission he would ask for a motion to deem it incomplete consistent with the April 23rd review letter, as well as the board members' requirement that before they deem it complete paper versions be submitted for their review. The motion was made by Mr. Smith and seconded by Mr. Drake. In a voice vote all were in favor with none opposed or abstained. Attorney Gavan will draft an appropriate resolution on incompleteness with those requirements.

Public Comment:

The public comment section was opened. With no public in attendance, public portion was closed.

Other Business:

Zoning Map Reviews

Chairman Taylor reminded the board that last month he brought up this topic. Historically the Board of Adjustment would submit a yearly report to the Planning Board about any variances that were issued. Now with the land use laws, the Land Use Board should submit this to the Township Committee. Attorney Gavan noted what the BOA did would have gone to both. The only variance that Chairman Taylor saw where we ran into issues was the one on Pine Tree Lane. The lot was small and they are in the FPD zone where setbacks are tied to the amount of impervious coverage on the lot. His addition made his pre-existing inadequate side yard worse. Chairman Taylor thought that being we have several areas down there with these small lots in the FPD zone, why not put them in the AR1 zone. This would keep people from needing to go through these variances. He asked if the board members gave any thought to the list that was spoken about at the last meeting. The lots he included were all existing small lots. Nothing that would be subdividable. He did not include any of the larger lots. Mr. Smith had a concern about whether developers could try and ask to expand the AR1 area between these lots and Route 46, in the fields. If the AR1 zone was nearby it would be easier for them to make the argument to expand the zone line. Chairman Taylor didn't see where they could force the town to do that.

Mr. Drake asked how many cases we've had like this. Chairman Taylor recalled a couple of other additions we've had down there that were before the Planning Board at times. Not many. This was all his thought because we are supposed to generate that report and send it to the committee. Mr. Smith feels we are basing this on one application, and this would be an expense to the town. Maybe we should wait. Ms. Mezzanotte asked if waiting is up to us or should this be presented to the township committee and let them decide. Attorney Gavan noted that generally the annual report is twofold. The Zoning board handled the major change applications. So, if there were a series of use variances for a certain thing, it would be flagged and questioned. They would then recommend that the Planning Board review it and township council be aware of it. The council would make the decision whether to change it or not. Since we are a combined board, excluding class I and class III members, the rest of the board would make a recommendation to the council. Such as: we've seen this type of application we wonder if it's still valid or something we should reconsider. The governing body would decide and if agreed would revert it back to us as the joint board to consider. It was the board consensus that one application might not be worth it. Mr. Mathez thought Mr. Smith made a good point. Chairman Taylor reminded the board we just did a zoning ordinance change for additions on the rear of a house that made it no more non-conforming. Regarding the annual report and there only being one case in the past year, is there a need to submit the report? Attorney Gavan confirmed there is no need. Mr. Gaeta asked to confirm that right now we are only discussing the lots by the river. Chairman Taylor confirmed yes. Discussion took place regarding whether this was worth pursuing. Mr. Mathez feels Mr. Smith is right in his comment. Chairman Taylor noted if the issue comes up more then we can revisit it.

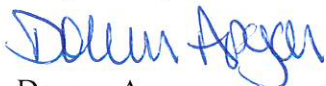
Approval of Bills:

Chairman Taylor asked if everyone had a chance to look over the bills. Ms. Allen made a motion to approve payment of the bills. Motion was seconded by Mr. Gaeta. With no discussion on the bills, in a roll call vote: Allen – yes, Baley – yes, Gaeta – yes, Mathez – yes, Mazza – yes, Overpeck – yes, Smith – yes, Drake – yes, Mezzanotte – yes, Taylor – yes.

Adjournment:

A motion to adjourn was made by Mr. Smith and seconded by Mr. Drake. In a voice vote all were in favor. The meeting was adjourned at 8:30 p.m.

Respectfully Submitted:



Doreen Apgar,
Board Secretary