

**TOWNSHIP OF ROCKAWAY
BOARD OF ADJUSTMENT
MINUTES FOR REGULAR MEETING
March 1, 2022**

This meeting of the Rockaway Township Board was called to order by Mr. Jason Smolinski at 7:32pm in the Council Meeting Room of the Rockaway Township Municipal Building, 65 Mount Hope Road, Rockaway Township, New Jersey.

Announcement was made that this meeting was being held pursuant to the New Jersey Open Public Meetings Act. Notice had been properly posted and filed with the Municipal Clerk of the Township of Rockaway, mailed to all those persons requesting notification, and provided in writing to The Citizen of Morris County and The Daily Record on December 8, 2021. Notice to the paper was made via email. Formal action may be taken.

ATTENDANCE:

- Present: Mr. Smolinski, Mr. Loftus, Mr. Scherwa, Mr. Nicastro, Mr. Tahan, Ms. Royek, Ms. Platts
- Also Present: Mr. Deus, Mr. Bell, Mr. Novak, Mr. Sarker (Boswell Engineering) & Mr. Masol (French & Parrello Associates)
- Absent: Mr. Lusardi, Ms. Garcia & Ms. Lucas

FLAG SALUTE

APPROVAL OF MINUTES: None

CORRESPONDENCE: There were no correspondence.

OPEN TO THE PUBLIC: There was no one present from the public.

RESOLUTIONS: There were no resolutions.

Public Hearing: **BOA #22-01
Veenstra
22 Sunnyside Lane
Block 40308 Lot 13
"C" Variance**

The homeowner, Ms. Randy Lynn Veenstra presented to the board along with her attorney, Robyn Ann Valle, Architect, Liz Leeds and Engineer, Rich Kimble. Ms. Veenstra explained how she grew up in Green Pond and wanted to have her forever home for her family in Green Pond. The applicant has requested variance relief from Section 54-30.29E.(9) which establishes a maximum impervious coverage of 25% for the R-13 District, which equates to allowable coverage 1,187 square feet for the subject site. The applicant has proposed an impervious coverage of 37.2% which equates to approximately 1,776 square feet of coverage. The applicant has requested variance relief for Section 54-30.8A.(4) which establishes that accessory buildings shall be 3 feet from any side and rear property line.

Liz Leeds, Architect explained that the house was in state of disrepair. The best situation is to demolish the house and build a new energy efficient house. The lot area is undersized lot. The new house will be

constructed to fit into Green Pond Community. Approval from the Green Pond Corporation was granted. And they will comply with all of Green Pond restrictions. Any trees that are removed will be replaced. There will be grass in the front and back of the house. The upstairs office will be used strictly as a home office for the couple and it will not be a bedroom. The loft in the garage will only be used for seasonal storage, there will be no plumbing installed. There will be parking for 3 cars in the driveway. The asphalt driveway will be removed and will be replaced with pervious pavers. The impervious coverage is 61.4% and will be going to 37.2%. It was also discussed that Gutters & Downspouts will be directed away from the neighbors' properties.

Rich Kimble, Engineer explained that all demo work will be done by his company. No change in grade of the property, there will be no run off on this property due to removing asphalt and installing pervious pavers.

Meeting was opened to the public, no one from the public spoke, meeting closed to the public.

Ms. Valle explained that the new house and garage will benefit the neighborhood. They are taking down an older house and putting up a brand new one. The impervious coverage will be decreasing. There will be no substantial detriment to the public good.

Mr. Nicastro made a motion to approve, seconded by Mr. Loftus, with approvals by Mr. Smolinski, Mr. Scherwa, Mr. Tahan, Ms. Royek & Mr. Deus. Abstain by Ms. Platts.

BOA #22-02
Cohen
223 White Meadow Road
Block 21002 Lot 15
"C's" Variance

The homeowner, Mitchell Cohen presented to the board along with his attorney, Jason Rittie and Engineer Thomas Graham from Dykstra Walker Design Group. Mr. Cohen had approvals in 2007 to build but had to delay due to the fact that he did a 3-year tour in Iraq. When he returned in 2010, he moved to California for 7 years. He is coming back to the board for approvals to build a house for his daughter. This house is smaller than the original house that was approved in 2007. The applicant has requested variance relief from Section 54-30.10I(4) which establishes that on slopes 25% or greater, vegetation shall not be stripped from more than 15% of the slopes, Section 54-30.12B.(2) which establishes a maximum driveway width of 22 feet, whereas the applicant has proposed a driveway width of 24 feet, Section 54-30.12B.(3)(b) which establishes a maximum slope of 12.5% whereas the applicant has proposed a slope of 15% and Section 54-30.8E.(2) which establishes that all fences and walls be set-back from any property line a distance that is not less than one-half the height of the fence or wall. The retaining wall nearest the southerly property line has a height 9.6 feet.

The application was deemed complete by Mr. Tahan, seconded by Ms. Platts with unanimous approval.

Mr. Rittie explained that the house Mr. Cohen is proposing to build is smaller than the house that was approved in 2007. The foundation will contain a one-car garage, office and mechanical room. The first floor will contain a kitchen, living room, two bedrooms, 2 bathrooms, a closet and a deck. The second floor will consist of an attic space. Mr. Novak asked the applicant that the office was for personal use and not for outside business and that was confirmed with the applicant, personal use only.

The meeting was open to the public.

Mr. Joseph Caravaglia 221 White Meadow Road.

Mr. Caravaglia asked the applicant if the attic was only being used as storage why is it a dormer roof and big windows? Mr. Cohen explained so they can walk around in the attic and the windows were just for light upstairs.

Meeting closed to the public.

Mr. Graham, Engineer discussed that a grading plan will be submitted to the township engineer along with the revised calculations on the new plans. He also discussed that if blasting needs to be done on the property that the expert will determine how it will be done.

Jim Loftus asked if any trees were being cut down, it was stated from Mr. Graham that only if necessary. Ray Tahan expressed his concern of how the water line can reach the house due to the big boulders in the ground and how do we know that blasting won't affect the foundations of the neighbors. Mr. Graham stated that a blasting plan would need to be done by an expert to determine all of that.

Meeting was open to the public.

Grace Walter 225 White Meadow Road

Ms. Walter expressed her concerns because her house was built in 1976 and she is afraid that her foundation will crack and damage her house if there is blasting.

Mr. Joseph Caravaglia 221 White Meadow Road.

Mr. Caravaglia stated he was concerned because the large rock goes from the applicant's property right to his foundation of his house.

Meeting closed to the public.

Jason Smolinski suggested that maybe the meeting gets carried forward, have the applicant attain a blasting expert and attend the meeting to explain to the concerned neighbors what their procedure is for blasting in a residential area.

Mr. Rittie and the applicant decided to come back to the board with a blasting expert. The meeting will be carried forward without notice. The meeting will be held on May 3, 2022 at 7:30pm.

Mr. Smolinski made a motion to approve, seconded by Mr. Scherwa, with unanimous approval

Adjournment of the meeting was made by Mr. Loftus, seconded by Mr. Tahan. Next meeting, will be held at Christ Church on March 15, 2022 at 7:30pm.