

**TOWNSHIP OF ROCKAWAY
PLANNING BOARD**

**MINUTES FOR REGULAR MEETING
APRIL 15, 2019**

This meeting of the Rockaway Township Planning Board was called to order by Chairman Jack Elko at 7:40pm 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, that 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 on 1/9/19 by E-mail.

ATTENDANCE: Present: Mr. Romaine, Ms. Smith, Mr. Barilla, Capt. Scherr, Mr. Tahan, Mrs. Hantman, Mayor Puzio and Chairman Elko. Also present: Mr. Novak (Burgis), Mr. Black (Dewberry), Mr. Dimin, Mrs. Murray and the writer. Absent: Mr. Washington, Mr. Quinn, Mrs. Ferrante and Mr. Burgis.

APPROVAL OF MINUTES: Chairman Elko reviewed the minutes of the March 18, 2019 regular meeting. Mrs. Hantman moved the minutes, seconded by Mayor Puzio. The approval of the minutes was unanimous.

CORRESPONDENCE: There was no correspondence other than Board mail.

OPEN TO THE PUBLIC: No comments other than the agenda item.

PUBLIC HEARING: PB#23050, Pondview Estates Amended Site Plan (Block 11501, Lots 41, 45 & 47; Block 10502, Lot 2). James Lott, attorney for the applicant Pondview Estates, described the amendment they were seeking to the previously approved plan for amenity changes, elimination of one road, and the installation of an unmanned guard shank.

Mr. Lott introduced Theodore Cassera, a civil engineer for the project since 1985. Mr. Cassera introduced Exh. A-1, 4/15/19, "Colorized Rendering of Cover Sheet with Notations per Proposal;" Exh. A-2, 4/15/19, "Colorized Rendering of Clubhouse Area;" and Exh. A-3, 4/15/19, "Aspect of East Side of Site Showing Proposed Dog Park and Shack." He summarized the exhibits as the addition or modification of amenities throughout the project, and the elimination of the northern section of Mirror Lake Road (Road A) to Hawk Drive within the site. He noted that Karl Pehnke will speak to the road changes.

Mr. Cassera noted that one of the tennis court areas is now going to be a lawn game area. He also described the unmanned guard shack off Hawk Drive. Along Pondview Drive, they are proposing several parking spaces to facilitate dropping off children at the bus stop. He also mentioned that there

would be a number of bus stops throughout the site. Mr. Dimin commented that these would qualify as field changes. The applicant also assured the Board that all safety precautions will be taken at the bus stop locations. Mr. Cassera went on to describe their plan, in the eastern part of the project, to build a dog park and small playground with a couple of pieces of equipment, so children can accompany their dogs. On Exh. A-3, he presented the dog park/playground in a larger scale, noting that the dog park will have a 5' chain link fence around it, and the playground will have a 4' one, separated by a berm. Both grounds are handicapped accessible, and the playground is only for small children. They will sit with our engineer regarding guide rails and don't feel they need more parking as it is considered a "passive" use. Mr. Lott noted that Mr. Novak had requested detailed planting plans because of the berms. The applicant agreed to submit a prototype landscape plan to him.

Mr. Cassera spoke at length about handicap accessibility at the tennis court, basketball court, lawn game area and pool. In Exh. A-2, they are proposing to increase the hardscape of the pool with a 4' fence. They are also proposing charging stations near the clubhouse that are handicap accessible. He also noted that they had submitted drainage proposals on 4/5/19, noting that there is a net reduction in impervious coverage and in runoff. He listed a number of changes to the original plan, specifically elimination of a tennis court, that would aid in this reduction. He noted that these changes were also submitted on 4/5/19.

Mr. Cassera referred to the demolition of an existing home that was fronting on West Union Turnpike. He noted that their original plan was to use it for a site construction office until they brought in trailers for this purpose. Then they planned to refurbish the building, but in its condition, they decided to rebuild. They will obtain appropriate building permits, along with plot plans and architectural drawings with their application. Mr. Dimin asked when they planned to do this. Mr. Cassera said they would probably do it in the next month or two, but by the end of the year the plan to demo and rebuild.

Mr. Novak confirmed with Mr. Cassera that the proposed guard house was for esthetic purposes only. He asked if it would be possible to move the tennis courts closer to Julia Drive. Mr. Cassera said the location had been selected when they were providing a water treatment plant. He said it was a flat area, but they would review it. Mr. Novak asked, with the Board's approval, that the playground be separated by age group. This was approved.

Mr. Novak asked if they were providing bollards around the charging stations. Mr. Cassera referred to Exh. A-4, 4/15/19, "Photograph of Electric Charging Station with Two Yellow Bollards on Site." Mr. Novak also reminded Mr. Cassera that the plot plan for the single-family dwelling would go to the Zoning Board, not the Planning Board. Mr. Novak also mentioned bus stop area, but Mr. Dimin said they will need to discuss this with the police; this could be a field change. Mr. Novak agreed.

Mr. Novak asked about the proximity of the dog park to the existing townhouse units nearby. Mr. Cassera made a number of measurements of the site plan and named those distances. He assured the Board that the proposed plantings in the area would obscure the view of the dog park from residential houses. The proposed berm was 8' high. Mr. Novak asked if that berm could be extended toward Route 80 in order to better block the view of the dog park from the townhouses. Mr. Cassera referred back to Exh. A-3a, the plan deciding on the placement of the berm. He agreed they could "wrap around" the dog park to block the view to the townhouses. The applicant will make provisions for dog waste disposal, coordinating with the Health Department. He also noted that there was no illumination in the area of the dog park.

In answer to other questions in the planner's report, it was determined that the BBQ area would be charcoal fired. They discussed several changes to the parking spaces to place them farther from the wetlands area and agreed to sit down with the planner to discuss. Mr. Novak reviewed Mrs. Ferrante's e-mail, wherein she agreed to the waiver of the Environmental Impact Statement (EIS), stream drainage issues which were addressed in the 4/5/19 letter, discussed use of bear-proof waste receptacles, and the necessity for ADA accessibility at the pool and recreational areas. They had already discussed the bus stop issues, accessibility at the dog park and small playground, addressed steep slope issues and the changes to Mirror Lake Road.

Mr. Barilla asked if they planned on installing any "Porta-Potties." Mr. Cassera said they did not.

PUBLIC QUESTIONS: (Mr. Dimin reminded the public that their comments were only to be made on the testimony of Mr. Cassera.) **Jenn Franco**, 172 West Union Turnpike, asked why they were rebuilding the demolished home. Mr. Dimin replied, "Because they have the right to."

Barbara Tarchak, 26174 Westview, expressed her concern about the dog park noise issues. She asked if they could plant trees to block the noise. Mr. Cassera replied that the dog park was at grade, and the berm will be above grade, which will separate the Wharton site from the park and help with any noise issues. He explained that wrapping the berm around the dog park would further aid in blocking their view of it, since their view would be of the trees. Ms. Tarchak persisted about the need to block "barking dog noise." Mr. Cassera noted that their original plan included public baseball fields, which were now to be replaced by the dog park. Furthermore, there was no berm proposed in the original plan. The dog park will result in much less noise. She asked if they could plant more coniferous trees.

Linda Mullega, 26178 Westview, asked how many dogs a resident may own. The answer was "1/unit." She asked if there would be any rules posted for use of the dog park. Mr. Cassera replied that the dog park was an amenity, and there would be rules posted; however, he did not feel the park would be crowded. She asked if the dog park would be open "24/7". Mr. Dimin pointed out that the area was not illuminated, but they could be walking at twilight or earlier in the morning for owners who work. (Mr. Dimin commented that he lived at a townhouse that allowed many dogs, and noise had never been an issue.)

Mary Ellen Flanigan, 24160 Westview, noted that she lived closer to Route 80 and asked what the “big house” was that was under construction. Mr. Dimin replied that it was an apartment building. She asked Mr. Cassera to point out the location of the tennis court. She asked if there was any way for them to plant more trees. Mr. Dimin said no, that the site plan had already been approved; this hearing was not addressing the entire site.

Ginny Smith, 26176 Westview, asked how high the extended berm would be built. Mr. Cassera said the berm gets wider to 50’, and around 30’ at the turn and 6’ high. She asked how far the dog park was from the berm. He replied that it was about 60’ from the berm.

Ara Agman and Frank Brodine, 255 Route 15, asked if the proposed guard house would make it a private road. Mr. Cassera noted that Pondview Drive was the main entrance. Since it isn’t an active guard house that they are proposing, it is just an entrance, and just a structure in the middle of an existing road. Mr. Brodine persisted with his claim that it would make it a private road. Mr. Dimin assured him that the applicant was in compliance and invited them to come in to the engineering office and review the approved plans.

Harold Kai, 25168 Westview, asked about the impact of the standing water behind Westview. Mr. Dimin reminded him that the Board went over all of this long ago. The plan was reviewed and approved. This plan actually provides less imperious coverage. Mr. Kai persisted that there will be a lot of standing water and a mosquito problem. Mr. Dimin said this was not for the Board’s consideration.

Robert Sato, 116 West Union Turnpike, asked when the houses on West Union Turnpike would be tying into the sanitary sewer as they were promised. Mr. Dimin replied that the Board was not an enforcement agency, and they were not addressing it tonight. Mr. Sato protested that he didn’t want to grant any further consideration (to the application) until they were in compliance with other approvals. Mr. Dimin noted that this project has been under discussion for over 35 years. Mr. Sato’s issue speaks to enforcement, not for the Board’s consideration.

There were no further questions of the witness.

Mr. Lott introduced **Karl Pehnke**, 989 Lennox, Lawrenceville, who prepared the traffic report dated 4/1/19. Mr. Pehnke gave some background about the original project which dated back to the 80’s and then turned to address Road A (Mirror Lake Road) connecting Route 15 to Hawk Drive. He concluded that the functionality of Road A has become unnecessary, due to the reduction in size of the project. He said it makes no sense to pave an area that sees only about 30 trips/day.

Mr. Novak asked whether the level of service, with or without Road A, won’t change. Mr. Pehnke agreed. Mr. Black took no exception to the report.

PUBLIC QUESTIONS: Frank Brodine, 255 Route 15, asked if all residents will still have access to their property with the elimination of that road. He is concerned about accessing his own property, which is near the railroad tracks in Jefferson. Mr. Dimin asked him how he accesses his property now. Mr. Brodine replied that he goes “through the railroad and power line ROW’s (rights-of-way).” Mr. Lott asked him if he has lawful access from his property to a public street now? He replied that he goes through the ROW’s. Mr. Dimin says he wants to make sure that nothing blocks the ingress and egress to his property. He reminded Mr. Brodine that the only thing that changes is putting up the guardhouse. Mr. Brodine just wants assurance that he can still get to his property. Mr. Dimin suggested to Mr. Lott that he speak to counsel about that. Mr. Lott advised Mr. Brodine to have his attorney contact him.

There were no public statements.

Mr. Barilla made a motion to approve the application. Prior to his second, Chairman Elko asked that Mr. Dimin assure that the provision for landscaping on the berms be included. Mrs. Hantman also added her support and commented that the changes are an improvement and she supports them. Chairman Elko seconded the motion. Roll call: Mr. Romaine, yes; Ms. Smith, yes; Mr. Barilla, yes; Capt. Scherr, yes; Mr. Tahan, yes; Mrs. Hantman, yes; Mayor Puzio, yes; and Chairman Elko, yes.

RESOLUTION: David Oakes, 14 Charlottesville Road, Minor Subdivision & “C” Variances (Block 50003, Lots 11&12). Mr. Dimin reviewed the resolution approved at the 3/18/19 meeting. Of the voting members, approval was unanimous. Resolution is memorialized.

RESOLUTION: Mr. Dimin read the **Resolution for Payment for Professional Services from Escrow Accounts**. Mrs. Hantman made a motion to approve, seconded by Ms. Smith, with unanimous approval.

Chairman Elko made a motion to close the regular meeting at 9:00pm, seconded by Mr. Barilla. The next regular meeting is scheduled for 5/18/19, at 7:30pm in the municipal courtroom.

Respectfully submitted,

Joyce M. Lyasko

Joyce M. Lyasko, Recorder