

**TOWNSHIP OF ROCKAWAY
PLANNING BOARD**

**MINUTES FOR REGULAR MEETING
May 17, 2021**

This meeting of the Rockaway Township Planning Board was called to order by Chairperson Jack Elko at 7:30pm 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 16, 2020. Notice to the paper was made via email. Formal action may be taken.

ATTENDANCE: Present: Mayor Puzio, Capt. Scherr, Chairmen Elko, Mr. Barilla, Mr. Washington, Mr. Romaine, Mr. Quinn, Mr. Lutz, Mrs. Platts. Also present: Mrs. Brookes, Mr. Babcock, Mrs. Ferrante, Mr. Dimin, Mr. Novak, Mr. Black and the writer.

APPROVAL OF MINUTES: Chairperson Elko reviewed the minutes of the April 19, 2021 regular meeting. Captain Scherr made a motion to approve the minutes, seconded by Mr. Washington. The approval of the minutes was unanimous.

OPEN TO THE PUBLIC:

Chairperson Elko opened with **PB# 2430 Cibao Meats 92 Green Pond Road Block 22103 Lot 16, 29 & 30 Preliminary & Final Site Plan & "C" Variance**. Cibao had their Attorney, Jason Rittie, Engineer, Ken Smith and Owner, Heinz Vieluf. Cibao requires variance relief for Maximum Impervious Coverage(54-30.63e(6)), Location of accessory structure(54-30.8c(3)) and distance between principal building & accessory structure(54-30.8c(6)). The applicant requires a design waiver for the location of parking from Section 54-29.15b(2) and parking stall size from section 54-29.15.C.

The applicant is proposing to install 54 angled parking spaces within the front yard area, between the existing building and Green Pond Road. The proposed spaces will be comprised of porous pavement and access to the spaces will be provided by a one-way driveway. In addition, a solar canopy is proposed to be located along the northwesterly side of the angled parking spaces. The canopy width is 26.1, length 321.9 feet, set back of 13.4 ft from front property line & will be setback about 6.4 ft from the potential road widening easement. Due to the improvements 16 trees will need to be removed.

Engineer, Ken Smith addressed the issue that 54 parking spots will be outside all of the environmental restraints such as, Beaver Brook which is classified as a category-one stream (runs along the rear of the property), wetlands area and a flood hazard area located in the rear of the building.

Mayor had concerns about cutting down the trees near Green Pond Road. That area of Rockaway Township is known for its natural resources and how they look.

Ms. Katey Platts had some questions regarding the application and the owner, Heinz Vieluf answered and explained the reasoning behind them. Ms. Platts wanted to know why more parking and why not put parking in the back of the building. It was explained that there are now more employees working at this location and one of the reasons why the parking was not put in the back is because that is where the Cibao deliveries are and they need enough room for the trucks to turn around. Ms. Platts also inquired why more solar panels and can't they put them on the roof. Mr. Vieluf is trying to go as green as possible with his building and the solar panels cannot be put on the roof due to machinery that is on top of the building.

Mr. Babcock was concerned that the fire trucks would not be able to get close to the front of the building due to the solar canopy. Ms. Allison Ferrante questioned can a ladder truck stop on Green Pond Road and reach over the solar panels to the building. If not, can a space be left between the panels for the ladder to reach the building. Also, recommended that height signs should be placed on the entrance of the structure's lowest point as well as reflective markings on the high side of the solar canopy. Mr. Smith, the engineer will reevaluate the situation with the ladder truck and the solar panels and inform the Planning Board.

Mr. Elko asked how many trees were being removed and Mr. Smith confirmed that 16 trees will be removed. He also stated that Cibao's goal is to enhance the landscaping. The mayor suggested that they reduce the number of parking spaces in the front of the building and try to keep the trees.

Mr. Dimin suggests that Cibao reevaluates the application and come back to the next meeting to discuss the changes and revisions. Mr. Jason Rittie agrees to come back to the next meeting on June 21st. Mr. Rittie and Mr. Smith will work with Ms. Ferrante, the Fire Director and Dave Novak to make the necessary changes.

Mr. Dimin made the motion to close the hearing and continue at the next meeting, June 21, 2021, no notices needed. Mr. Elko made a motion to approve, seconded by Mayor Puzio with unanimous approval.

Chairperson Elko continued with **PB# 2449 Mine Hill Properties 31 Teabo Road & 17 Coburn Road Block 11409 Lot 2 & Block 11408 Lot 2 Amended Preliminary & Final Major Subdivision**. Mine Hill Properties had their attorney, Rosemary Stone Dougherty and Engineer, Mr. Fred Meola to explain the modifications. The applicant is seeking amended preliminary & amended final subdivision approval for the development of eight residential lots. The elimination of a 9th lot is due to a NJDEP requirement. Two residential lots are to be located along Richard Mine Road, 4 residential lots & 2 residential lots are to be primarily along Coburn Road and Teabo Road.

Mr. Dimin explained that the above properties were approved in 2006 & 2009. He stated that we are not revisiting what was already approved. The hearing is to discuss the changes that need to be approved.

Ms. Dougherty explained that the NJDEP is making them remove 1 lot going from 9 lots to 8 lots. This will create less disturbance of the wetlands and will be removing less from the area.

Mr. Meola explained the reasoning for combining the 2 lots are due to wetlands. There will be a split rail fence put in place due to all the wetlands so everyone aware the exact location of the wetlands. The state is making them put up signs saying wetlands perseverance.

Mr. Black from Dewberry Engineering wanted to confirm that the applicant will complete the Major Development Stormwater Summary in accordance with the Township's Municipal Stormwater General Permit requirements.

Ms. Ferrante was asking for the Wetlands approval from NJDEP and Mr. Meola confirmed we will receive the correspondence from the NJDEP. Ms. Ferrante questioned about easements and restrictions of each property. Ms. Dougherty explained that each deed will have to reference the original plans, resolutions, restraints and restrictions and stormwater maintenance.

Mine Hill Properties as per the letter from the Morris County Planning Board dated April 6th, 2021 they need county requirements. They need to submit a stormwater management study, submit a Culvert Maintenance Easement and after revisions, submit 2 copies of all materials to the Morris County Planning Board for review & approval.

Mr. Dimin opened it up to the public:

Jackie Baeder 129 Richard Mine Street is concerned about the road work that will be done on Coburn, drainage was just put in on Richard Mine Road and what will happen to all the runoff where will it go. Mr. Dimin expressed that if she any issues regarding what she mentioned to please speak to the town directly.

Mr. Dimin closed it to the public

Mayor Puzio made a motion to approve, seconded by Mr. Elko with unanimous approval.

OTHER MATTERS:

1. Consistency determination subject to NJSA40:55 D-26 A-Referral Powers
O-21-23

Dave Novak will provide a memo regarding this matter.

The approval was unanimous for the above ordinances listed above.

RESOLUTION: Mr. Dimin read the **Resolution for Payment for Professional Services from Escrow Accounts.** Captain Scherr made a motion to approve, seconded by Mr. Elko with unanimous approval.

Mr. Dimin read the **Resolution for PB# 2449 Morris Commons, LLC.** The approval of the resolution was unanimous.

Mr. Dimin made a motion to close the regular meeting at 9:22pm, Mr. Romaine made a motion to approve, seconded by Mayor Puzio. The next regular meeting is scheduled for 6/21/21, at 7:30pm in the municipal courtroom.

Respectfully submitted,

Shelley Kahn, Recording Secretary