

**TOWNSHIP OF ROCKAWAY**  
**BOARD OF ADJUSTMENT**  
**MINUTES FOR REGULAR MEETING**  
**July 6, 2021**

This meeting of the Rockaway Township Board was called to order by Mr. Jason Smolinski 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: Mr. Smolinski, Mr. Loftus, Mr. Tahan, Ms. Royek, Mrs. Platts

-Also Present: Ms. Garcia, Ms. Lucas, Mr. Bell & Mr. Novak

-Absent: Mr. Schwerwa, Mr. Nicasro, Mr. Lusardi & Mr. Deus

**FLAG SALUTE**

**APPROVAL OF MINUTES: May 18, 2021 Regular Meeting.** Mr. Loftus made a motion to approve, seconded by Ms. Tahan, with unanimous approval.

**PUBLIC HEARINGS:**

Mr. Smolinski opened with **BOA #21-14 64 Upper Mountain Avenue Block 21301 Lot 46 "C" Variance**. The homeowner, Megan Culkin presented to the board. The applicant requested variance relief from Section 54-30.29 (e(5)) which establishes a minimum front yard setback of forty feet for the R-13 District. The applicant has proposed a setback of 18.4 feet. Ms. Culkin explained that she will be adding a new front porch, 9 ft(length) and 20 feet(width). The porch will have 3 steps and will have a roof with shingles to match the house. The steps of the porch will be going on the side and the door will be staying the same.

The house on the property is closer to the front of the property line and the side yard setbacks are not being affected. The rear of the property is located in the wetlands area, making the front portion of the property most likely located in a wetland buffer area. The applicant should fill out the General permit by certification and send it to the NJDEP before permits can be issued.

The gutters and downspouts on the proposed porch should be at least 10 ft. off the property line and should not be directed toward any neighboring properties. Detail plans should be submitted along with an updated scale.

Ms. Royek made a motion to approve, seconded by Mr. Tahan, with unanimous approval.

Mr. Smolinski continued with **BOA #21-16 132 Richard Street Block 10804 Lot 5 "C" Variance**. The homeowner, Jay David presented to the Board. The applicant is seeking variance relief from Section 54-30.8E.(1) which establishes a maximum fence height of 4 feet in a front yard area, the applicant has proposed a 6 foot fence in the front yar along Daniel Street. Mr. David explained he wanted to replace

his existing 4-foot fence with a white 6-foot privacy fence. The board noted that the fence will not be an intersection obstruction, the finish side of the fence faces the abutting property or street and if ever needed to get to the utility easement that the fence may need to be taken down for a period of time. Ms. Royek explained that the fence is well back and won't obstruct the intersection.

Mr. Tahan made a motion to approve, seconded by Ms. Royek, with unanimous approval.

Mr. Smolinski continued with **BOA #21-10 21 Woodside Drive Block 20304 Lot 119 "D" Variance**. The homeowner, Christine Keating presented to the board along with her attorney, Alyse Hubbard, Planner, Jessica Caldwell, Architect, Geoffrey Gogan and her parents, Eugene & Catherine Stewart. The applicant requested "d (1)' Use Variance Relief. Accessory apartments are not identified as a permitted use in that section. Ms. Keating explained that she is looking to make the loft in her garage into a 1 bedroom, 1 bath apartment for her parents to live in. Her parents currently help her with her children. When Ms. Keating purchased the house about 5 years ago the 3-car garage and loft was already there. Mr. & Mrs. Stewart explained that they would like to sell their 4-bedroom house that they have been living in for the past 43 years. They are looking to downsize and stay close to their daughter in Rockaway. They felt that turning the loft into an apartment they can help with the grandchildren. Geoffrey Gogan, Architect reviewed the plans of the 892 sq ft apartment. The garage will remain a 3-car parking garage and you can fit about 9 more cars in the driveway. Sliders will lead out to a small deck with a portico will be added off the side of the driveway with stairs leading down to the driveway. The roof will be changed in the front of the garage along with the front windows to improve the appearance. The back windows will remain the same. Mr. Gogan stated that they will comply with all fire codes and update anything that is needed. Finally, Ms. Caldwell, the planner explained by approving the Use Variance that there will be no substantial detriment to the public good. There will be no negative impact to the neighborhood. There are no major renovations and plenty of parking.

Mr. Bell asked and Ms. Keating confirmed that if your parents move out you do not plan on renting the apartment to anyone. It was also confirmed that only family would live there. Mr. Tahan asked if any other major work would be made to the garage besides what was stated and Ms. Keating explained that the stairs inside the garage will be redone.

It is suggested that on the Deed there is a restriction that the apartment cannot be transferred once the property is sold. Landscaping should be added at the rear of the property line behind the garage.

Ms. Platts made a motion to approve, seconded by Ms. Royek, with unanimous approval.

**RESOLUTION:** Mr. Bell read the **Resolution for Payment for Professional Services from Escrow Accounts**. Mr. Smolinski made a motion to approve, seconded by Ms. Platts, with unanimous approval.

Mr. Bell read **the Resolution of BOA #21-11, DeVries**. Mr. Smolinski made a motion to approve, seconded by Mr. Tahan, with unanimous approval.

Mr. Bell read **the Resolution of BOA #21-12, Symeonidis**. Mr. Tahan made a motion to approve, seconded by Mr. Loftus, with unanimous approval.

Adjournment of the meeting was made by Mr. Smolinski at 8:48pm, Mr. Loftus made a motion to approve, seconded by Mr. Tahan.