

**TOWNSHIP OF ROCKAWAY
BOARD OF ADJUSTMENT
MINUTES FOR REGULAR MEETING
September 6, 2022**

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 8, 2021. Notice to the paper was made via email. Formal action may be taken.

ATTENDANCE:

-Present: Mr. Smolinski, Mr. Loftus Mr. Nicastro, Mr. Tahan, Ms. Royek, Ms. Platts, Mr. Lusardi, Mr. Deus Ms. Garcia, Ms. Lucas, Mr. Novak, Mr. Ten Kate & Mr. Bell.

-Absent: Mr. Scherwa

FLAG SALUTE

APPROVAL OF MINUTES: July 19, 2022.

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

August 2, 2022.

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

CORRESPONDENCE: There were no correspondence

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

RESOLUTION:

Mr. Smolinski read the **Resolution for Payment for Professional Services from Escrow Accounts.**

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

**BOA #22-12 Pollock 16 Davenport Road
Block 40301 Lot 12 "C" Variance**

Mr. Smolinski made a motion to approve, seconded by Ms. Platts, with approval by Mr. Smolinski, Mr. Nicastro, Ms. Royek, Ms. Platts, Mr. Lusardi & Mr. Deus.

**PUBLIC HEARINGS: BOA # 22-13 Bertenshaw 15 Lake Shore Drive Block 21601 Lot 40
"C" Variance**

The homeowner, Mr. Bertenshaw presented to the board. Mr. Bertenshaw explained how they propose to construct a new covered porch which will extend slightly past an existing concrete stoop and into a planter area. The applicant has requested variance relief from Section 54-30.29E.(6) which establishes a maximum impervious coverage of 25% for the R13 District. The applicant has proposed an impervious coverage of 29.66% which equates to approximately 5,974 square feet of coverage.

The application was deemed complete by Mr. Smolinski, seconded by Mr. Loftus, with unanimous approval.

Mr. Bertenshaw discussed that he wanted to add a porch with a cover to protect from the rain, snow and sun. Most properties in the neighborhood have porches like he is proposing. The gutters and downspouts proposed on the roof of the porch will tie into the house gutters.

The meeting was open to the public. There were no comments from the public. Meeting was closed to the public.

Mr. Bertenshaw explained that the work on the property will improve the property & the neighborhood. There will be no negative impact to the neighbors and will be improving the property.

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

**BOA # 22-09 400 Richard Ave LLC 400 Richard Ave Block 10202 Lot 9
"C" Variance**

Mr. Jason Rittie, Attorney for 400 Richard Ave LLC presented to the board. The applicant, 400 Richards Avenue, LLC, has submitted an application seeking minor site plan approval as well as "d" and "c" variance relief to construct a three-story residential addition to an existing office building and garage. An approval for this use had previously been granted by the Zoning Board of Adjustment in 2016, but has since expired. The site, which is identified by municipal tax records as Block 10202 Lot 33, is located at 400 Richards Avenue in the I Industrial District.

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

The applicant explained that the property has their business along with 3 other businesses. The addition is being built to help with security. A family member will be living in the new house to help prevent future burglaries and break in at their property. The owner, Ann Feore feels that if there is a presence always on the property it would be less likely of a break in. The house will be a wood frame building and will comply with all fire codes, sprinklers and building codes. The metal on the house will match the existing building. Parking and ADA parking will also comply with the codes.

The applicant will work Peter Ten Kate regarding the downspouts and the seepage pit.

The meeting was open to the public. There were no comments from the public. Meeting was closed to the public

The addition will improve the neighborhood and will also fit in with the area. There are retail stores, single families & multi families in the areas. The area around this property has mixed uses. The property will conform with the neighborhood. There will be no negative impact and will be improving the property.

Mr. Lusardi made a motion to approve, seconded by Mr. Smolinski, with approval from Mr. Smolinski, Mr. Loftus, Mr. Nicastro, Mr. Tahan, Ms. Royek, Mr. Lusardi and Mr. Dues. No votes from Ms. Platts and Ms. Garcia

**BOA # 22-15 Campus Walnuts Associates 20 Telemark Road Block 30301 Lot 9
"C" Variance**

The owner, Arnold Roeland of Campus Walnuts Associates presented to the board. He is seeking approval for an already-constructed covered overhang located along the northly rear facade of the dwelling. The applicant request variance relief from Section 54-30.49E(6) which establishes a minimum rear yard setback of thirty-five feet, whereas the applicant has proposed a setback of 14.9 feet from the overhang.

The application was deemed complete by Mr. Smolinski, seconded by Mr. Deus, with unanimous approval.

The overhang was built to alleviate a problem with rainwater penetrating into the basement. The overhang was installed by his deceased foreman without zoning approvals and the current application was filed in order to ensure that there is compliance with the zoning ordinance.

The meeting was open to the public. There were no comments from the public. Meeting was closed to the public.

Mr. Roeland explained that the work on the property will improve the house & the neighborhood. There will be no negative impact to the neighbors and will be improving the property.

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

Adjournment of the meeting was made by Ms. Platts, seconded by Mr. Tahan, with unanimous approval.
Next meeting, September 20, 2022 at 7:30pm.