

**TOWNSHIP OF ROCKAWAY
BOARD OF ADJUSTMENT
MINUTES FOR REGULAR MEETING
September 20, 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. Scherwa, Mr. Nicastro, Mr. Tahan, Ms. Royek, Mr. Deus, Ms. Lucas, Mr. Novak, Mr. Ten Kate & Mr. Bell.

-Absent: Mr. Loftus, Ms. Platts, Mr. Lusardi & Ms. Garcia

FLAG SALUTE

CORRESPONDENCE: There were no correspondence

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

RESOLUTION:

**BOA #22-14 Bertenshaw 15 Lake Shore Drive
Block 21601 Lot 40 "C" Variance**

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

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

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

**PUBLIC HEARINGS: BOA # 22-14 Byrne 20 Sioux Ave Block 21904 Lot 26
"C" Variance**

The homeowner, Mr. Stephen Byrne presented to the board, along with their Architect, Mr. Ken Fox. Mr. Byrne explained how he wanted to construct a second story addition and a front porch to an existing single-family dwelling for his growing family. The porch will be converted and will have a depth of approximately 6 ft and a length of 42 feet. The second-floor addition will be slightly cantilevered over the existing rear wall. The applicant has requested variance relief from Section 54-30.29E.(5) which

establishes a front yard setback of forty feet. The applicant has proposed a front yard setback of 19.83 feet as measured from the proposed front porch.

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

Mr. Fox discussed how the property is an irregular shaped lot. The proposed addition and porch are very similar to what is in the neighborhood. The new gutters and downspouts will be tied into the existing drains.

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

Mr. Fox explained that the work on the property will improve the neighborhood. It is an irregular lot but improvements will be consistent with the neighborhood. There will be no negative impact to the neighbors and will be improving the property.

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

**BOA # 22-16 Koetzner 151 Jacobs Road Block 40801 Lot 89
"C" Variance**

The homeowner, Mr. Robert Koetzner presented to the board. The applicant proposes to construct a freestanding 500-square foot garage in the front portion of a residential lot. The garage will have dimensions of 25 feet by 25 feet and will consist of two stories. The applicant is requesting variance relief from Section 54-30.8A.(2) which establishes that no accessory building shall exceed the height of the principal building or 16 feet, whichever results in the lesser height.

Mr. Koetzner explained to the board that he picked this location on his property to build the 2-car garage with a loft due to all the rocks and hills on the property. The loft will be located on the left side of the garage. There will only be electric in the garage. No water or living area in the garage. There is very little grading that will be needed to build the garage. The 2 downspouts will be released in the rear of the garage. The driveway will be gravel.

The garage will not have any substantial detriment to the public good. The new structure will be an improvement to the property. It will allow the homeowner to store all seasonal items and personal cars in the garage and loft area when not being used.

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

The homeowner needs to confirm the height of the house 20.3 or 20.4, need to submit new building height calculations, work with the engineer regrading grading and updated plans showing the distance from garage to property line (no less than 50 feet).

**BOA # 22-10 LaCroix 1190 Green Pond Road Block 60001 Lot 19 & 19.01
"C" Variance**

The homeowner, Jacquelyn LaCroix along with her lawyer, Larry Calli presented to the board. The applicant has submitted an application seeking "c" variance relief to construct indoor and outdoor equestrian riding arenas. The proposed indoor riding arena will have a total area of 10,800 square feet. It will consist of: a 6,600 square foot arena space, an 1,800 square foot workshop and a 2,400 square foot horse barn with twelve stalls. The proposed outdoor arena will be oval shaped. It will have a width of 80 feet and a length of 125 feet. The applicant is requesting variance relief from section 54-30.8A.(2) which establishes a maximum height of 16 feet for accessory structures, whereas the applicant has proposed a height of twenty-two feet. Variance relief requested from section 54-30.8A.(3) which establishes that no accessory structure shall be located in any front yard. Both the proposed outdoor riding arena and the proposed indoor riding arena are located within the front yard area.

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

The applicant explained that no clinics, camps or shows will be held on the property. The applicant was building this for pleasure only and to board other horses. When the owners of the horses come to see their horse, they are generally there for less than an hour. They basically come to visit and groom the horses. No need for bathrooms since they are local and are there under an hour. The indoor arena needs to be 22 ft for safety and functional use for the rider and the horse. Water will be provided from the well for the horses. The homeowner will send in a letter stating that there will be no public bathrooms and only electric in the barn.

The indoor arena needs to be in front of the house due to the wetlands behind the house. The house is roughly between 400-500 ft from the front property line. The only lightning being added to the property is on the new building for safety. The applicant explained that the horse manure will be spread with a spreader.

Fred Stewart explained all the environmental restrictions in the back of the property. He also stated that the front of the property was the best and only location to construct the new riding arena.

Mr. Calli stated that there will be no substantial detriment to the public good. The new structure will improve the property and will meet all safety regulations for the horses and riders.

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

Mr. Smolinski made a motion to approve Ms. Susan Royek as acting Secretary on September 20, 2022, seconded by Mr. Tahan, with unanimous approval.

The next scheduled meeting on October 4th will be cancelled due to Yom Kipper.

Adjournment of the meeting was made by Mr. Tahan at 8:40pm, seconded by Mr. Deus. Next meeting, October 18, 2022 at 7:30pm.