

**TOWNSHIP OF ROCKAWAY  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**RESOLUTION NO. R-22-43**

**AUTHORIZING AND APPROVING A CERTAIN SOIL DISTURBANCE PERMIT FOR  
THE SHAH RESIDENCE WITH RESPECT TO REAL PROPERTY DESIGNATED ON  
THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY AS BLOCK 21301,  
LOT 84 AND BEING MORE COMMONLY KNOWN AS 40 SHAWNEE AVENUE**

**WHEREAS**, Mr. Niraj Shah, property owner of 40 Shawnee Avenue, Rockaway, N.J. made an application for a soil disturbance permit, respecting the real property designated on the Official Tax Map of the Township of Rockaway as Block 21301, Lot 84 (property); and

**WHEREAS**, the Shah application was filed for the purpose of securing a soil disturbance permit authorizing the movement of 137 cubic yards of soil; and

**WHEREAS**, the soil disturbance is requested to create more level land at 40 Shawnee Avenue; and

**WHEREAS**, the applicant is required to pay the necessary fees in compliance with Chapter XX, Soil Protection, of the Revised General Ordinances of the Township of Rockaway; and

**WHEREAS**, the Township Engineer has reviewed the soil disturbance application of the applicant and has recommended that the application be granted subject to compliance with the Soil Protection Ordinance, Approved Fill Material Ordinance, other applicable Law and Regulations, and such conditions as are contained below.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey, they being the Governing Body thereof as follows:

1. The Shah residence application for a soil disturbance permit to import soil to the property designated as Block 21301 Lot 84 of the Official Tax Map is hereby approved and authorized.
2. The Township Council has reviewed and accepted the application and the recommendations of the Township Engineer to approve the subject soil disturbance permit, which recommendation has resulted from the Engineer's consideration of soil erosion of water and wind, drainage, soil fertility, lateral support slopes, grades of abutting streets and lands and land values and uses and related factors pursuant to Subsections 20-1.6 and 20-1.7 of the Soil Protection Ordinance. And, the Council finds that the permit may be granted without compromising the public health, safety, and general welfare if the following conditions are met:


- A. The Applicant is required to pay the necessary Application Fee of \$150.00 and a Permit Fee of \$33.80 in compliance with Chapter XX, Soil Protection, of the Revised General Ordinances of the Township of Rockaway.
- B. The Applicant must coordinate the excavation and deposit of soil on the site so as not to interfere with vehicular traffic.
- C. Applicant must repair any damage to public or private property resulting from the soil disturbance activities.
- D. This Resolution shall take effect immediately.

**C E R T I F I C A T I O N**

I, Christina Clipperton, Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on March 8, 2022.

  
 Christina Clipperton, Township Clerk

Approved by:



Howard Kritz, Council President

	Motion	Second	Yes	No	Abstain	Absent
J. Quinn	X		X			
E. Friedlander		X	X			
D. Brookes			X			
M. Noon			X			
A. Salberg			X			
R. Brookes			X			
P. Wojtowicz			X			
J. Sackett			X			
H. Kritz			X			