

**TOWNSHIP OF ROCKAWAY
BOARD OF ADJUSTMENT
MINUTES FOR REGULAR MEETING
January 24, 2023**

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 on December 7, 2022 and The Daily Record on December 6, 2022 Notice to the paper was made via email. Formal action may be taken.

ATTENDANCE:

-Present: Mr. Smolinski, Mr. Loftus, Mr. Scherwa, Mr. Nicastro, Ms. Royek, Mr. Deus, Ms. Lucas, Mr. Strowbridge, Mr. Novak, Mr. Ten Kate & Mr. Bell

-Absent: Ms. Platts & Mr. Lusardi

FLAG SALUTE

APPROVAL OF MINUTES: January 10, 2023 (Reorg & Regular Meeting)

Mr. Smolinski made a motion to approve, seconded by Mr. Nicastro. Approved unanimously.

CORRESPONDENCE: There were no correspondence

OPEN TO THE PUBLIC: No comment

RESOLUTION:

- **Escrow- Payment for Professional Services**
- **Adoption of By-laws- Updated**
- **Setting the time, place and meeting schedule for 2023- Updated**

Mr. Smolinski made a motion to approve, seconded by Mr. Nicastro. Approved unanimously

**PUBLIC HEARINGS: BOA # 22-23 Gentile 115 Lake End Road Block 40501 Lot 15
"C" Variance New Single-Family Dwelling and Detached Garage**

Mr. Richard Oller, attorney for the applicant presented to the board along with Keith Holling, the architect, Mr. Richard Kimble, the engineer and Mr. McDonough, the Planner.

Mr. Oller explained how the applicant proposes to demolish the existing house and construct a new single family dwelling with an attached garage and a new detached garage across the street (Lake End Road) There will be a second floor with storage only and not residential occupancy.

Mr. Gentile testified that he owns the property with his wife Patricia. The subject property was bought in 2000 and live there during the summers. They plan on living there year-round.

Mr. Kimble explained the existing conditions and he designed the four-bedroom septic system in 2000 but are only proposing a three-bedroom house. The septic will connect to the new home. No wetlands on site and no NJDEP permits will be required. Mr. Kimble agreed to Mr. Ten Kate's report. No drainage will be directed to any neighbors.

Mr. Smedley of 114 Lake End Rd, questions Mr. Kimble regarding the bulkhead was included in the impervious coverage calculations, and it does. Mr. Smedley questions where the 9.67 ft. was taken from. Mr. Hollings stated it was scaled off a survey by Mr. Boras.

Mr. McDonough testified. He presented drone photos that were taken on January 20, 2023. He described the existing conditions and that the house has been outlived and is not up to current standards. He explained the lot is substantial in size with a road bisecting the property. The utility wires and septic were factors as to placing the house, there for a shoreline development variance was necessary. The detached garage is reasonable in size and well suited for the location.

The meeting was opened for the public: Mr. Smedley presented photos from 2020 show that the bulk head was rebuilt. Mr. Oller objected to the photos being marked in evidence as they have nothing to do with the application. concerns from the public, meeting closed to the public.

Mr. Smedley was free to contact NJDEP regarding the bulkhead questions.

Mr. Nicastro made the motion to approve, seconded by Mr. Smolinski. With unanimous approval following the conditions; applicant shall comply with any and all representations made to the board orally or in writing during the course of the hearing on this matter. Building permits will not be issued until all conditions of approval have been met. Not heavy equipment or vehicles should be driven over or parked on the septic system. Applicant will revise plans as noted in Mr. Ten Kate's report, water runoff, as built survey, retaining wall certification behind garage, erosion sediment control plan, soil log/perc test.

BOA # 22-24 Morina 102 Berkshire Ave. Block 10904 Lot 2.02
"C" Variance pool and retaining wall.

The homeowner, Leonard Morina testified that he had gotten pool permits with Rockaway Township however, it was installed in violation of the required setbacks. The applicant claims that he was not aware of the violations, but acknowledged that he relied on his contractor.

Mr. Vollmar, applicants engineer, explained that the pool and wall were installed because of a seepage pit in the middle of the backyard. The seepage pit was preexisting and the pool required a distance from the pit. The retaining wall has a zero-setback line. The applicant will comply regarding the drainage outfall onto the neighbors property, if an outfall is found then the applicant will remove it or present to the board with the neighbor allowing the outfall to remain. The applicant will advise the board of the results of the inspection.

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

Adjournment of the meeting was made.