

TOWNSHIP OF ROCKAWAY
PLANNING BOARD

MINUTES FOR REGULAR MEETING
April 17, 2023

This meeting of the Rockaway Township Planning Board was called to order by Chairman, Jack Elko 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 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: Mayor Jackson, Capt. Scherr, Chairman Elko, Mr. Barilla, Mr. Washington, Mr. Quinn, Mr. Lutz, Ms. Platts, Ms. Schievella, Mr. Simkins, Ms. Ferrante, Mr. Dimin, Ms. Kahn, Mr. Novak and Mr. Rockwell (Boswell Engineering)

Absent: Mr. Romaine

APPROVAL OF MINUTES: Mr. Dimin reviewed the minutes of the March 20, 2023 meeting. Mr. Quinn made a motion to approve, seconded by Captain Scherr with unanimous approval.

CORRESPONDENCE: NONE

OPEN TO THE PUBLIC: NONE

RESOLUTION:

Mr. Dimin read the Resolution for Payment for Professional Services from Escrow Accounts.
Mr. Quinn made a motion to approve, seconded by Capt. Scherr with unanimous approval.

PB # 2484 – Goldthwaite/Van Lenten – 16, 483 & 487 Split Rock Road
Block 31001 Lot 6, 10 & 11 Minor Subdivision.
The approval of the resolution was unanimous.

PB # 2486 – Sterigenics – 108 Lake Denmark Drive
Block 30102 Lot 3 Minor Site Plan w/Variances
The approval of the resolution was unanimous.

COMMITTEE REPORTS: NONE

1. OTHER MATERS:

Consistency determination subject to NJSA40:55 D-26 A -Referral Powers Prior to the adoption of a development regulation, revision, or amendment thereto, the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.

O 23-13

AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY TO AMEND ITS REGULATIONS PERTAINING TO ACCESSORY STRUCTURES AND USES

Mr. Quinn made a motion to approve, second by Mr. Elko with unanimous approval.

PUBLIC HEARINGS: PB # 2487 – My Salon Suite – 301 Mt. Hope Avenue
Block 11001 Lot 1 Minor Site Plan

The applicant, Celia and Mario Pastilha, has submitted an application seeking minor site plan approval for a new salon to be located at the Rockaway Townsquare Mall. In addition to an interior alteration, the applicant proposes exterior improvements including a new door, windows, brick and foundation for a condenser, and new signage. The site, which is identified by municipal tax records as Block 11001 Lot 1, is located at 301 Mount Hope Avenue in the R-B Regional Business District.

The applicant proposes interior and exterior renovations for a My Salon Suite. The applicant proposes a lobby along the exterior wall providing access to the parking lot as well as a separate entrance from the interior of the mall. Twenty-six individual salon suites are proposed which will have access to a common hallway. Other interior improvements include two restrooms, a washer/dryer room, and a mop sink/security closet.

In regard to exterior improvements, the applicant proposes to remove a tree and install a new door with signage above, two new windows, and two new condenser pads. The existing brick façade is to remain as is.

The tenants must rent out a salon suite for at least 12 months and must have been working for at least 3 years. Each salon suite will come with a chair, sink area, electric and plumbing. Each tenant will supply their own products and tools.

Mr. Quinn made a motion to approve the application, second by Ms. Platts with the following conditions Knox Box must be installed, the doors can be left unlocked the same hours as the mall and if Simon allows, Salon Suites will plant trees and bushes to replace what is being removed. Approved by Ms. Platts, Mr. Lutz, Mr. Quinn, Captain Scherr, Mr. Barilla, Mr. Elko, Mr. Washington and Mayor Jackson.

PB # 2488 – Holistic Re-Leaf LLC– 321 Mt. Hope Avenue
Block 11001 Lot 6.01 Final Site Plan

The applicant, Holistic Re-Leaf LLC, has submitted an application seeking site plan approval for a new cannabis retail shop to be located in an existing tenant space. The site, which is identified by municipal tax records as Block 11001 Lot 6.01, is located at 321 Mount Hope Avenue in the R-B Regional Business District. Diane Hickey is the attorney for Holistic Re -Leaf.

The applicant proposes to occupy an existing tenant space with a cannabis retail shop. The front portion of the interior space will consist of a security vestibule, while the remainder of its interior will consist of a retail floor area, service counters, fulfillment area/vault, break room, wellness room, janitor's closets, bathrooms, and a mechanical/electrical room. The exterior existing façade, including its windows, storefront, and cornice, are to remain unchanged.

Testimony was provided that the store will have a total of 10 employees and the operating hours will be seven days a week from 9:30am – 9:30pm. There will be 2-3 security offices on site at all times. The Anzilotti Group will be in charge of the security at Holistic Re-Leaf. Robert Anzilotti will be the Director of Security. He explained that minors will not be allowed inside the store. ID needs to be shown to enter and to purchase. Deliveries will be delivered in a van one or two times a week. All products will be vacuumed sealed and stored in the vault as per CDC Guideline). There will be a 24-hour alarm system, that can be video monitored off site. All security plans must be reviewed with RT Chief of Police. If traffic becomes an issue in the parking will work with RT Police to resolve the problem.

Mr. Quinn made a motion to approve the application, second by Ms. Platts.
Approved by Ms. Platts, Mr. Lutz, Mr. Quinn, Captain Scherr, Mr. Barilla, Mr. Elko, Mr. Washington and Mayor Jackson.

PB # 2490 – Little Learners – 41 Green Pond Road
Block 22401 Lot 1.02 Minor Site Plan w/ C's

The applicant, Shivshanti Inc., has submitted an application seeking minor site plan approval as well as "c" variance relief to convert an existing building into a childcare facility. The site, which is identified by municipal tax records as Block 22401 Lot 1.02, is located at 41 Green Pond Road in the

PED Planned Economic Development District.

The applicant proposes building and site improvements for a childcare facility. The following is summarized:

The applicant proposes to renovate the interior of the building. Eight separate childcare classrooms are proposed which will range in size from 700 square feet to 818 square feet. Furthermore, the applicant proposes a vestibule, reception area, breakroom, and restrooms on the first floor, as well as a multipurpose room in the basement.

In regard to the exterior of the building, the applicant proposes to maintain a majority of its façade. The white siding and columns will be repainted yellow. A wall-mounted sign is proposed along its southeasterly façade, and a window sign is proposed atop its front entrance door.

In addition, the applicant proposes to remove a portion of the existing loop circulation configuration along the northeasterly side of the building. In its place, the applicant proposes an outdoor play area which will be enclosed by a six-foot tall white vinyl fence and bollards. The applicant also proposes to convert the remaining portion of the loop circulation configuration into a turnaround area which will be striped with "NO PARKING." Altogether, forty-eight parking spaces are proposed including two ADA accessible spaces.

Other improvements include but are not limited to new and relocated A/C condensers which will be enclosed by three-foot tall vinyl fences, a new ADA ramp with railing, and a new area drain. An externally illuminated freestanding sign is also proposed near the turnaround area.

The following items require variance relief:

1. Accessory Structure Setback. Variance relief is required from Section 54-30.8C(4) which establishes that accessory buildings and structures shall be setback from the property line a distance equal to or greater than the required side yard setback for the principal building on the lot. Accordingly, the playground is required to have a setback of fifty feet whereas a setback of 4.9 feet is proposed.
2. Signage: Window Sign. Variance relief is required from Section 54-30.11H which does not specifically permit window signs.
3. Signage: Attached Sign Area. Variance relief is required from Section 54-30.11H(3)(b) which establishes that the area of each attached sign shall not exceed six square feet. The applicant has proposed a sign area of 71.5 square feet.
4. Signage: Attached Sign Dimension. Variance relief is required from Section 54-30.11H(3)(c) which establishes that only one dimension of any attached sign may exceed two feet. Both dimensions of the proposed attached sign exceed this limitation (3'10" x 18'8").

The owner of Little Learners, Mr. Milan Patel explained that the hours of operation are from 6:45am-6:00pm Monday – Friday. There will be no more than 150 kids at the proposed location and currently have 120 children. There is only one event in the fall on a Saturday, otherwise the facility is closed on the weekends. There are 15-18 employees. Deliveries are typically from 10am-3pm from Amazon, UPS or Fed-Ex. There is security camera indoors and outdoors. The applicant is asking for a larger sign due to a new location and he wants to make sure the new location is noticeable.

Paul Anderson, Engineer & Planner 40 Miller Drive Boonton, NJ explained the location of the Playground due to a stream located in the back of the property. The playground will have a 6-foot vinyl fence around it. 25 parking spaces are required with 2 ADA spots, the proposed location will have 48 spaces, 2 ADA spots and will be redesigned for ADA compliance spots along with the entrance and exit. The site lightening and landscape is adequate.

Mr. Quinn made a motion to approve the application, second by Mr. Elko.

Approved by Ms. Platts, Mr. Lutz, Mr. Quinn, Captain Scherr, Mr. Barilla, Mr. Elko, Mr. Washington and Mayor Jackson.

Mr. Quinn, made a motion to close the regular meeting, seconded by Capt. Scherr. The next regular meeting is scheduled for 5/15/23, at 7:30pm in the municipal courtroom.

Respectfully submitted,

Shelley Kahn, Recording Secretary