

TOWNSHIP OF ROCKAWAY
BOARD OF ADJUSTMENT
MINUTES FOR REGULAR MEETING
May 2, 2023

This meeting of the Rockaway Township Board was called to order by Mr. Jason Smolinski at 7:00pm 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 February 8, 2023 and The Daily Record on February 7, 2023. Notice to the paper was made via email. Formal action may be taken.

ATTENDANCE:

-Present: Mr. Smolinski, Mr. Scherwa, Mr. Nicastro, Ms. Platts, Ms. Lucas, Mr. Pryor, Mr. Novak and Mr. Masol

-Absent: Mr. Loftus, Ms. Royek, Mr. Lusardi & Mr. Strowbridge

FLAG SALUTE

APPROVAL OF MINUTES: NONE

CORRESPONDENCE: There were no correspondence

OPEN TO THE PUBLIC: No comment

RESOLUTION: NONE

COMMITTEE REPORTS: None

OTHER MATTERS: None

PUBLIC HEARING:

BOA #23-03 Reiser 26 Lake Shore Drive
Block 21603 Lot 13 "C" Variance

The applicant, Charles & Jeannette Reiser seeks approval for the construction of a new entryway, closet, and a covered porch. The covered porch will have a width of thirteen feet and depth of four feet. The entryway will have interior dimensions of ten feet by six feet, while the closet will have dimensions of two feet by five feet eight inches. The applicant further proposes a new paver walkway to connect to Lake Shore Drive, an expanded paved driveway area (to replace a gravel driveway area), and a retaining wall.

The applicant requests variance relief from Section 54-30.29E(5) which establishes a front yard setback of forty feet for the R-13 Residence District; provided, however, a building constructed on an existing platted lot in single ownership need not be set back any further than the average of the existing setback on each of the abutting lots. The applicant has calculated a front yard setback requirement of twenty-five feet, whereas a setback of 14.8 feet is proposed as measured from the proposed porch. For reference, the dwelling presently has a setback of 20.7 feet.

The applicant explained that they have lived in Rockaway Township for 16 years. They now have 2 kids and need a more efficient entryway and additional space. The applicant provided photos showing where the proposed addition will be going to help depicts the drainage patterns.

Mr. Nicastro deemed the application complete, second by Ms. Platts with unanimous approval.

The gutters and downspouts will exit into the existing drywell. If the retaining wall will exceed four feet the homeowners will get a permit and they are aware that a permit is required to expand their driveway.

Ms. Reiser explained that the addition will give the house a nicer appearance. The lot is an undersize lot and is closer to the street than most houses. The addition will not be detrimentally to the public good. This addition will be an improvement to the property.

Ms. Platts made a motion to approve the application, second by Mr. Scherwa. Approved by Mr. Smolinski, Mr. Scherwa, Mr. Nicastro, Ms. Platts & Ms. Lucas.

BOA #23-02 Jacob 17 Shadyside Lane
Block 40308 Lot 9 "C" Variance

The applicant, Tony Jacob and Blessy Jacob, has submitted an application seeking "c" variance relief to demolish an existing single-family dwelling and to construct a new single-family dwelling with a detached garage. The site, which is identified by municipal tax records as Block 40308 Lot 9, is located at 17 Shadyside Lane in the R-13 Single-Family Detached Residential District.

Variance relief is requested from the following items:

1. Impervious Coverage. The applicant requests variance relief from Section 54-30.29E.(9) which establishes a maximum impervious coverage of twenty-five percent which equates to approximately 1,187 square feet of coverage. The applicant has proposed an impervious coverage of 46.4% which equates to approximately 2,203 square feet of coverage. For reference, the site has an existing coverage of 55% which equates to approximately 2,611 square feet of coverage.

2. Accessory Structure Side Yard Setback. The applicant requests variance relief from Section 54- 30.8A.(4) which establishes that all accessory buildings shall be setback a minimum distance of three feet from any property line. The proposed garage is to have a side yard setback of two feet.

The following professionals represented the applicant; Robyn Valle - Attorney, Keith Hollings – Architect & Rich Kimble – Engineer. The application was deemed complete by Mr. Nicastro, second by Ms. Platte with unanimous approval.

Mr. Jacob explained that this house was purchased as a vacation home for his family. The proposed house will have a study upstairs. It will only be used for Mr. Jacob who is a Physician Assistant to work and have conference calls. He works 7 days a week. No patients will be coming to the house. The garage will have a loft which will only be used for storage since the house has no basement or full attic. There will be no living space in the garage. Firewalls will be installed since the garage is located two and three feet from the property line. The applicant explained that landscape boulders about 12 inches in height will be placed to prevent run off to the front and to the neighbors' properties. The roof leaders will be placed away from the property line and into the splash box. Under 100 cubic yards of soil will be disturbed. Silt fencing will be put up during constructing to prevent run off. A five-foot PVC fence will be installed on the property. An as built survey will be provided. The applicant will comply with any NJDEP approvals that is required.

Keith Hollings explained how the applicant is reducing the impervious coverage by 8.6%, the lot is an undersize lot and the garage needs to be closer to the property line due to the location of the septic system.

Rich Kimble stated that they will comply with all regulations for the pervious pavers.

Open to Public:

Beverly Farrand 11 Shadyside Lane – she wanted to know why a corner lot has two front yards? Ms. Farrand was also concerned that the new house would block the view of the lake from other porches.

Beverly Teen Kate 13 Sunnyside Lane – Wanted clarification of how the average of the abutting lots were determined. Expressed how the new house will block the view of the lake.

Tony Jacob, applicant expressed to the concerned neighbors that attended the meeting that he was building a new house for his family because the other house was old and had safety concerns. He also expressed that the porch that the neighbors feel will block their view to the lake would be open and you would still be able to see what you have seen before he built the proposed house. Regarding the water run off during storms, the impervious coverage is decreasing, he is installing a pervious driveway as well as a pervious walkway in the front yard and there are landscape boulders will be placed to prevent run off to the neighbors.

George Farrand 11 Shadyside Lane – New house will stand out, no need for a porch and what is the reasoning for the balcony? Feels the new house will cause more problems with the flooding.

John Hatke 16 Shadyside Lane – Agrees with Mr. Farrand. He feels that the water will run off into Shadyside Lane & main part of the house should be inline of all other houses on Shadyside Lane. The set backs of all the houses should be taken into account with this new house.

Ms. Valle expressed at the end that there is no negative impact to the neighborhood by building this new home and garage. It will enhance the area. It is also reducing the impervious coverage so that will not increase the water problem within the area during storms . She also stated how Green Pond Corporation gave the homeowners approval to build the new house and garage.

Mr. Smolinski made a motion to approve the application, second by Ms. Platts. Approved by Mr. Smolinski, Mr. Scherwa, Mr. Nicastro, Ms. Platts & Ms. Lucas.

NEW BUSINESS: None

OLD BUSINESS: None

Adjournment of the meeting was made by Mr. Smolinski, seconded by Mr. Nicastro. Next meeting, May 16, 2023 at 7:00pm.