

TOWNSHIP OF ROCKAWAY  
BOARD OF ADJUSTMENT  
MINUTES FOR REGULAR MEETING  
August 1, 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: Chairman Smolinski, Secretary Loftus, Mr. Scherwa, Ms. Royek, Ms. Platts, Ms. Lucas, Mr. Lusardi, Mr. Bell, Mr. Novak & Mr. Masol.

-Absent: Mr. Nicastro & Ms. Ferrante.

FLAG SALUTE

APPROVAL OF MINUTES: Mr. Smolinski made a motion to approve the Minutes from July 18, 2023, seconded by Ms. Royek. Approved unanimously.

CORRESPONDENCE: There was no correspondence.

OPEN TO THE PUBLIC: No comment.

RESOLUTION:

BOA # 23-08

Cirillo

241 Old Beach Glen

Block 30701 Lot 39.24

"C" Variance

Mr. Smolinski made a motion to approve, seconded by Mr. Lucas, with approval by Mr. Smolinski, Mr. Scherwa, Ms. Royek, Ms. Lucas & Mr. Lusardi.

COMMITTEE REPORTS: None

OTHER MATTERS: None

PUBLIC HEARING:

BOA #23-07 Doolittle 15 Old Lane  
Block 40309 Lot 2 "C" Variance

The applicant, Doolittle and Whitfield, was represented by their Attorney, Robyn Valley. They have submitted an application seeking "c" variance relief to demolish an existing single-family dwelling and to construct a new single-family dwelling. The site, which is identified by municipal tax records as Block 40309 Lot 7, is located at 15 Old Lane in the R-13 Single Family Detached Residential District.

Proposed Development

The applicant proposes to demolish the existing dwelling and to construct a new one-and-one-half-story single-family dwelling. The following is summarized regarding the proposed dwelling:

1. As per the architectural plan, the total proposed floor area is 2,155 square feet (exclusive of the crawl space). Altogether, three bedrooms are proposed.
2. The first floor of the dwelling will contain a front porch, dining room, living room, kitchen, mud room, master bedroom, two bathrooms, and deck.
3. The second floor will contain two bedrooms, a bathroom, and a loft.
4. The façade of the dwelling will primarily consist of clapboard siding, shake siding, metal standing seam roofing, and asphalt shingled roofing.

In addition, the applicant further proposes a new pervious paved driveway. While the two existing garages are proposed to remain, the applicant proposes to remove an existing shed and patio located to the rear of the northwesterly garage.

The applicant, Doolittle & Whitfield, was represented by their attorney Robyn Valley. After answering all questions regarding the application, Ms. Valley requested the application be considered complete. Mr. Novak agreed it was complete, with the right to request any further information needed.

Mr. Smolinski made a motion to consider the application complete, with the right to request any further information needed, seconded by Mr. Loftus. Approved by Mr. Smolinski, Mr. Loftus, Mr. Scherwa, Ms. Royek, Ms. Platts, Ms. Lucas & Mr. Lusardi.

Keith Holling of Holling Architecture, LLC & Thomas Graham of Dykstra Design Group were sworn in and testified on behalf of the applicant. It was stated the existing rock wall in the rear of the property is approximately 2 ½ feet tall at its highest point and the property has natural drainage from the front to the rear of the property. It was also stated that if more than 5,000 square feet of soil will be disturbed to comply with slope and grading requirements, the applicant would seek permits from Morris County Soil Conservation. Revised plans showing the Grading and Stormwater Management will be submitted. No easement for the driveway will be needed if submitted plans are approved.

The garages on the property will be used to store the homeowner's boats and lake equipment. Neither of the garages have plumbing or a bathroom. An as-Built Survey will be submitted once the project is completed.

A motion was made by Ms. Platts to approve the application, with conditions stated above, seconded by Mr. Smolinski. Approved by Mr. Smolinski, Mr. Loftus, Mr. Scherwa, Ms. Royek, Ms. Platts, Mr. Lucas & Mr. Lusardi.

BOA #23-05 Diamond Communications LLC/Dish Wireless West Dewey Ave.  
Block 11504 Lot 1 "D" Variance & Preliminary/Final Site Plans

Chairman Smolinski made a motion to recused himself from all involvement due to conflict of interest and have Mr. Loftus assume the Acting Chairman position. Seconded by Ms. Platts. Approved unanimously.

Mr. Loftus made a motion to name Ms. Royek Acting Secretary in his place, seconded by Ms. Platts. Approved unanimously.

The applicant, Diamond Communications LLC/Dish Wireless, LLC, was represented by their Attorney, Richard Schkolnick, of The Law Offices of Richard Schkolnick, LLC. They have submitted an application seeking preliminary and final site plan approval as well as "d" and "c" variance relief for the construction of a wireless telecommunication monopole and an equipment compound. The site, which is identified by municipal tax records as Block 11504 Lot 1, is located along West Dewey Avenue in the I Industrial Zone.

Mr. Schkolnick addressed all questions regarding the application completeness and requested the application be deemed complete.

Mr. Loftus made a motion to deem the application complete with the right to request any information needed. The motion was seconded by Ms. Platts and approved by Mr. Loftus, Mr. Scherwa, Ms. Royek, Ms. Platts, Mr. Lucas & Mr. Lusardi.

Two expert witnesses were sworn in to testify on behalf of the applicant.

1. Mr. Josh Cottrell, Civil Engineer of French & Parello
2. Mr. Pawan Madahar, Radio Frequency Engineer of Dish Wireless

Mr. Schkolnick had also listed 2 additional expert witnesses to testify. However, due to the lengthy testimony and time constraints, this applicant will need more time.

Carried forward to 9/19/2023 – Without the necessity to re-notice.

NEW BUSINESS: None

OLD BUSINESS: None

9:45 Motion to adjourn the meeting was made by Ms. Royek, seconded by Ms. Platts. Next meeting, August 15, 2023 at 7 pm.