



Colleen Reardon
Land Use Board Secretary
Borough of Rockaway
1 East Main Street
Rockaway, NJ 07866

LUB #047A
35-55 Woodland Avenue
Block 84, Lots 22.02, 22.03 & 22.04
(Formally Lots 22 & 22.01)
Borough of Rockaway, Morris County
Applicant: Heritage Woodland, LLC

412 Mount Kemble Avenue
Suite G22
Morristown NJ 07960
United States of America

August 4, 2022

T +1 (908) 730 6000
F +1 (973) 267 2890
www.mottmac.com

Dear Ms. Reardon:

On behalf of the Borough of Rockaway Land Use Board, Mott MacDonald has reviewed the following documents received in connection with the above referenced application:

- Completed Borough of Rockaway Application for the Land Use Board filed July 12, 2022, including addenda with requested use explanation and affidavit of Ronald Pagano
- Site Inspection Authorization Form, signed and dated July 12, 2022
- Affidavit of Ownership, signed and dated July 12, 2022
- Power of Attorney from Mobashir Kramat and OffCamber Auto-Sport LLC dated July 21, 2022
- Administrative Checklist
- Schedule "A" Checklist for Final Site Plan
- Engineering plan entitled "35-55 Woodland Avenue, Borough of Rockaway, Block 84, Lots 22.02, 22.03, & 22.04, Morris County, New Jersey" prepared by T.C. Vandervalk, PE, of Houser Engineering, LLC dated July 5, 2022 and consisting of one (1) sheet.
- Engineering plan set entitled "Minor Subdivision and Preliminary & Final Site Plan, 35-55 Woodland Avenue, Borough of Rockaway, Block 84, Lots 22.02, 22.03, & 22.04, Morris County, New Jersey" prepared by T.C. Vandervalk, PE, of Houser Engineering, LLC dated October 11, 2017 with revisions dated August 28, 2019 and consisting of four (4) sheets.

PROJECT DESCRIPTION

The subject property consists of two adjacent parcels combining for a 4.31-acres located at 35-55 Woodland Avenue, which is a dead-end street ending from Route 46. The subject property is located partially in the HT/LI (High-Tech/Light Industrial) Zones of the Borough of Rockaway.

The site is bound to the north and northwest by commercial properties, to the west by Woodland Avenue and a commercial property beyond; and to the east and south by wooded land with the Rockaway River beyond. The lot has ingress/egress driveways to Woodland Avenue only.

The applicant appeared before the Rockaway Borough Land Use Board in 2018 for the subject property to seek a Use Variance, as well as to seek major subdivision and site plan approval with bulk variances. The Land Use Board granted approval on July 23, 2018 and the approval was memorialized via resolution in August 2018.

Construction on the project commenced, however the project was never granted final engineering approval due to outstanding conditions on the site that were not in compliance with the approved plans.

The Applicant is now seeking to amend the previously approved Site Plan. The specific amendments are as follows:

1. Relocation of the tenant roster sign for Lot 22.02 from the approved location (15-foot setback) to a 0-foot setback (encroaching within the right of way).
2. Relocation of the tenant roster sign for Lot 22.03 from the approved location (15-foot setback) to a 0-foot setback (encroaching within the right of way).
3. Relocation of the tenant roster sign for Lot 22.04 from the approved location (15-foot setback) to a 0-foot setback (encroaching within the right of way).
4. Relocation of the approved dumpster enclosure area from the northeast portions of the parking lot to the southwest portions of the parking lot.
5. Placement of a storage container on Lot 22.04, north of storage space S-18.
6. Variance approval for an increase in maximum lot coverage from 80.7% (previously approved) to 81.5%, where 50% is allowable on Lot 22.02.

COMPLETENESS REVIEW

Based on our review, and in consultation with the Borough Planner, Mott MacDonald offers the following comments related to the completeness of the application:

A. Administrative Checklist:

- i. Checklist Item 11 for Copies of Approvals from other Government Agencies as may be required or an affidavit indicating that Application has been made to such agencies – *This item has not been provided. Please provide a list of all required outside agency approvals anticipated for the project and note the current status of the application (approved, pending, or to be submitted contingent upon board approval).*
- ii. Checklist Item 12 for compliance with legal Notice Requirements – *This checklist item must be submitted prior to the Public Hearing and we defer completeness to the Board Secretary/Board Attorney for this item.*

B. Schedule “A” Checklist Final Site Plan

- i. The Applicant has requested Waivers from the following items:
 - a. Checklist Item 2 – Affidavit from applicant with supporting documentation verifying compliance with all terms and conditions of the preliminary approval
 - b. Checklist Item 4a – Organization Documents

The Applicant has requested a waiver for the items listed above. Due to the nature of this application for an Amended Site Plan, this office takes no exception to this request for completeness however, this information may be requested upon technical review.

- ii. The Applicant has indicated that the following items are non-applicable to the *application for an Amended Site Plan*
 - a. Checklist Item 4a through f – Organization Documents
 - b. Checklist Item 6 – Deed
 - c. Checklist Item 7 – Final Plat
 - d. Checklist Item 9 – Estimated cost of Public Improvements
 - e. Checklist Item 10 – Estimated cost of on and off site Improvements
 - f. Checklist Item 11 – Covenant and Deed Restrictions

Due to the nature of this application for an Amended Site Plan, this office takes no exception to this request for non-applicability for completeness however, this information may be requested upon technical review.

Based on our review of the documents submitted, this office supports the waivers requested from the Applicant. The application has been deemed **complete** for public hearing.

TECHNICAL REVIEW

Based on our review, Mott MacDonald offers the following technical review comments regarding the subject application:

Tenant Roster Signs

- 1. The Applicant has requested to relocate the three tenant roster signs as follows:

	Required Setback	Approved Setback (2018 plan)	Proposed Setback
Lot 22.02	15-ft	15-ft	0-ft
Lot 22.03	15-ft	15-ft	0-ft
Lot 22.04	15-ft	15-ft	0-ft

This office does not support the proposed location of the tenant roster signs within the right of way (0-ft setback). Should the Applicant wish to relocate the tenant roster sign(s) outside of the right of way, but less than 15-ft from the property line, a new variance must be requested as Borough Code section 172-40 requires that where the subject property abuts a street right-of-way, no freestanding sign shall be less than 15 feet from the property line.

Dumpster Location

2. The Applicant has requested to relocate the approved dumpster enclosure area from the northeast portions of the parking lot to the southwest portions of the parking lot.
 - a. Accessibility to the two dumpster locations proposed by garbage disposal vehicles should be verified.
 - b. The proposed dumpster location for Lot 22.03 appears to block two parking stalls. It should be clarified if these spaces will be removed, and if so, the parking calculations should be updated accordingly.
 - c. It is recommended that these dumpsters are screened, and protected, by a dumpster enclosure with a gate

Storage Container Beyond Storage Area

3. The Applicant has requested the placement of a storage container on Lot 22.04, north of storage space S-18. The storage container is approximately 40' x 8'. Per condition F of the Resolution of approval dated July 23, 2018, *no vehicles or containers longer than twenty (20) feet shall be allowed in spaces designated S-14 through S-18.*
 - a. The storage container is in direct violation of the approved Resolution of approval due to its length of 40 feet.
 - b. The storage container appears to directly block the existing flared end section and scour hole for drainage.
 - c. It should be clarified if this container is permanent or temporary in nature. If permanent, it should be considered in the impervious coverage for Lot 22.04, and the maximum improved coverage variance modified.

Lot Coverage

4. The Applicant is requesting a new variance for an increase in maximum lot coverage from 80.7% (previously approved) to 81.5%, where 50% is allowable on Lot 22.02.
 - a. A lot coverage breakdown chart has not been provided to support to this request. This chart must be provided.
 - b. The specific areas in which the Applicant is increasing the lot coverage on Lot 22.02 should be identified on the site plan.
 - c. Drainage impacts from the increase in lot coverage should be analyzed and testimony should be provided by the Applicant's Engineer.

Additional Comments

5. The new lot numbers (i.e. Lot 22.02, Lot 22.03, & Lot 22.04) should be labeled on the amended site plan
6. As identified in the letter from this office dated January 6, 2022, a large DGA/gravel area has been cleared and graded in the southwest property corner (behind spaces designated S-14 through S-18 on the site plans) for additional parking/storage. This parking lot/storage area extension must be removed and restored to its pre-existing vegetated condition, or this must be shown on the amended site plan and the Application amended to include this additional parking lot area.

7. As identified in the letter from this office dated January 6, 2022, it appears that tenants of this property are utilizing the Woodland Avenue right of way for storage. This is not permitted. Please have tenants move any stored vehicles, trailers, and equipment from within the Woodland Road Right of way.
8. Per condition I of the Resolution of approval, storage uses on Lot 22.04 are available only for those entities that have operations in a space on either Lot 22.02, 22.03 or 22.04. Applicant must verify compliance with this condition and verify that the storage spaces on Lot 22.04 are not being rented out to entities that do not have operations on Lot 22.02, 22.03 or 22.04.

Any revised plans, or other documents related to this application, should be accompanied by a cover letter responding individually to each of the comments presented in this review letter.

If you have any questions concerning this review letter, please do not hesitate to contact my office.

Very truly yours,

Mott MacDonald



Samantha J. Anello, PE, CME, CFM
Borough Engineer
samantha.anello@mottmac.com
T 908.238.5032 F 973.267.2890

Cc: Rockaway Borough Land Use Board Members
John Mills, III, Esq.
Golda Speyer, PP
T.C. Vandervalk, PE, Houser Engineering
Woodland Heritage, LLC
Ron Heymann, Esq.