

**BOROUGH OF ROCKAWAY
LAND USE BOARD
MINUTES
February 4, 2020**

The regular meeting of the Land Use Board of the Borough of Rockaway, County of Morris, and State of New Jersey was held at the Community Center, 21 Union Street, Rockaway, New Jersey with Chairman Blair presiding. Notice of this meeting was given in the annual resolution and posted on the municipal bulletin board.

Chairman Blair called the meeting to order at 7:30pm. All present saluted the flag and Chairman Blair read the Open Public Meeting Act Statement.

ROLL CALL Present: Chairman Kenneth Blair, Kenneth Banbor, Joyce Freiermuth, Ron Hamman (arrived at 7:34), William Hopler, Mark Howarth, Barbara Koch, Janet Leonard, Joseph Maulbeck and Kim Rose.

Absent: Mayor Thomas Mulligan and Councilman Russell Greuter.

Professionals Present: John Mills, Esq.
C. Richard Quamme, P.E.
Golda Speyer, AICP P.P.

RESOLUTION A Resolution authorizing contract with John Mills, Esq. for professional services.

Chairman Blair asked for a motion on this resolution. Ms. Koch made a motion to approve the resolution and was seconded by Mr. Mark Howarth. All board members present voted to approve. This resolution passed.

APPLICATION LUB #061
PHEASANT WALK, LLC
121 HIBERNIA AVE.
BLOCK 1.02 LOT 68

The applicant is represented by Jason Rittie, Esq. from the firm of Einhorn, Barbarito, Frost & Botwinick. The applicant's managing member is Mr. James Cuneo. Mr. Rittie explained the property is 29,908 sf it is a vacant two and one-half story single family house with a footprint of 950 sf. The property lies in the GLI zone. Mr. Rittie said the application is to construct a 1,407 addition on the non-conforming home together with a 783 square foot garage and industrial use downstairs with an apartment upstairs. Mr. Rittie introduced Mr. Cuneo. Mr. Mills sworn in Mr. Cuneo. Mr. Cuneo stated that he wants to rent the property to National Microwave and the second floor apartment is to be occupied by an on-site caretaker associated with the light industrial use on the first floor. Mr. Cuneo ended his testimony.

Chairman Blair opened the meeting to the public.

No one came forward.

Chairman Blair closed the meeting to the public.

There were no questions from the board.

Mr. Rittie introduced Mr. Mark Coleman the Project Manager of National Microwave. Mr. John Mills sworn in Mr. Coleman. Mr. Rittie asked Mr. Coleman what type of business is National Microwave? Mr. Coleman stated that they do cellular installations for Verizon and T Mobile. He said they have been located in Rockaway for 12 years. He stated that the hours of operation are Monday to Friday 7am to 5pm with 8 to 10 employees on site. He explained that there will be outdoor storage of reels of cable but no hazardous material will be stored on the property. Mr. Coleman went on to say that the garage will be used to store equipment used in the installations. The building will be for office space for the employees and there would be no one visiting the company. He explained that the company has four to five vans that will be coming and going on the site but on the job sites during the day. The vans will be parked on the property overnight and so will the vehicle of the tenant. No waste material will be stored on the property. He continued to say that the deliveries from FedEx or UPS will be scheduled in advance. He also explained that the residential apartment upstairs will be rented to an employee for security purposes.

Chairman Blair opened the meeting to the board.

Rich Quamme asked if the apartment will be rented to a single employee. Yes

John Mills asked what type of cable will be stored and what size? 5 G

Kim Rose asked how many vehicles will be stored on the property. 4 to 5 vans

Ken Banbor asked will the cables be stored outside. Yes on pebbles and there will be 4 to 5 cables stored at a time.

Chairman Blair opened the meeting to the public.

No one stepped forward

Chairman Blair closed the meeting to the public.

Mr. Rittie introduced Mr. Thomas Graham PE from Dykstra and Walker Design Group, Lake Hopatcong. Chairman Blair accepted Mr. Graham as he previously testified before this board. Mr. Graham was sworn in by Mr. Mills. Mr. Graham gave a description of the property and stated that in the back of the property it is a big slope but the rest of the property is flat. He introduced exhibit A1-2420 a colorized rendering of the site plan. He said that there is an easement that goes straight through the entire property. He explained that this easement is for overhead utility wire which prohibits permanent structure underneath but the parking they are requesting is permitted. Currently there is one single family home on the site and he stated that there is a dry wells. Mr. Graham said he would do a dry well management plan. He continued with the Parking ADA requirements and the lights in the parking lot. Mr. Graham said there are 3 lights on the house. They are dusk to dawn lights. He said security will be a problem with the material that will be stored on the property. He said they would install a board on board fence. He spoke about Morris County Planning Board that they had some comments that he would have to address. He should where the dumpster will be on the exhibit. He said that Waste Management would provide them with a big green dumpster. Mr. Graham introduced exhibit A2-2420 which is a picture of the proposed site plan and back up van plans. He said the garbage pickup can be scheduled. Ms. Speyer said that you are required to have 12 parking spaces however; you are proposing 14 so can you eliminate 2 spaces. Tom said it would not eliminate the garbage truck turn around problem. Mr. Graham said they need to get the Morris County Soil Conservation approval.

Chairman Blair opened the meeting to the public.

No one stepped forward.

Chairman Blair closed the meeting to the public.

Chairman Blair asked if there were any questions from the board.

Mr. Banbor asked if there was a gate to prevent access. Mr. Graham said there was no gate.

Chairman Blair said that the commercial property next door has a lot of special events. He wanted to know about the attendees parking in your lot. Ms. Freiermuth said that's why there will be a tenant living there.

Mr. Hamman asked how big the curb was. Mr. Graham said it was a 6 inch curb.

Mr. Graham asked if they wanted to go over the Engineers report.

Mr. Quamme requested that Mr. Graham add the turnaround numbers in the report. Mr. Graham agreed. Mr. Quamme asked Mr. Graham to go over number 15 on the engineers report concerning the overflow path for the drywells. There was much discussion regarding the drywells.

Mr. Graham said he would go over the planners report. Ms. Speyer said that there were some variances that were not identified such as the HVAC location. Mr. Graham said that the HVAC would be screened behind the fence. She spoke of the building height, the sign, lighting in the parking lot and she didn't like the location of the trash enclosure. Ms. Speyer said that the trash enclosure should be moved.

Chairman Blair asked the board if they had any questions for Mr. Graham.

Ms. Freiermuth asked why you need gravel. Mr. Graham said it was for storage of the reels.

Chairman Blair opened the meeting to the public.

No one stepped forward.

Chairman Blair closed the meeting to the public.

Mr. Rittie introduced John E. Giammarino, the applicant's architect. Mr. Giammarino said that he has been an architect for over 20 years. Chairman Blair accepted his credentials. Mr. Giammarino described the plan to renovate the interior. The existing kitchen will become a breakroom and upstairs will become a one bedroom apartment. There will be a few wall modifications to create a bedroom and kitchen upstairs. Mr. Banbor asked how big the attic is. He asked if it would be developed. Mr. Giammarino said yes it will be used as a storage area and it is unfinished. Mr. Hamman asked if the stairs to the attic are in the apartment. Mr. Giammarino said yes but the attic will be used as storage for the tenant. There was discussion about the basement and Mr. Giammarino said it had minimal storage. Ms. Speyer asked about the addition and what the exterior siding will be. Mr. Cuneo said that the house has aluminum siding and will be painted to match the addition which will be Grey or Silver. The board was concerned about the look of the exterior of the house.

Chairman Blair opened the meeting to the public

No one stepped forward.

Chairman Blair closed the meeting to the public.

Mr. Rittie introduced Ms. Donna Holmqvist, AICP 110 Chestnut Ridge Road, Montvale, NJ. Chairman Blair accepted her as a qualified expert that has appeared before this board.

Ms. Holmqvist provided an overview of the variances needed. She said a D-1 is required or mixed use, D-2 for expansion of the non-conforming use and setback variances for the storage, the trash enclosure and sign variance.

Ms. Holmqvist went over the masterplan and she introduced 4 exhibits.

Exhibit A-3 Colorized version of overview of the land use patterns from the neighborhood.

Exhibit A-4 Zoning boundaries: GLI Light manufacturing. She explained all the different types. She said residential use is not a permitted use.

Exhibit A5 picture shows the signage existing in the vicinity. This shows that the applicants sign is a small sign used more to identification and it is compatible to the other signs in the area.

Exhibit A6 shows the property to be deteriorated. This photo was taken in November 2019 and again in January 2020. There is no landscaping and lack of improvement to the sidewalk and safety.

Ms. Holmqvist said this site is suitable for the proposed use and through this proposal will advance zoning purposes A and G. She said that this building is an old home so the purpose J is also included. She said that they are consistent with the masterplan and she wants to encourage that the application is approved.

Chairman Blair asked if the board had any questions for this expert.

Ms. Rose asked if the fencing will be chain link around the garbage. Ms. Holmqvist said that the fence will be a privacy fence also known as board on board.

Ms. Speyer asked what makes this a good application. Ms. Holmqvist said they are going to do rehabilitation of an existing older home and adding the front porch that will add character.

Chairman Blair opened the meeting to the public.

No one stepped forward.

Chairman Blair closed the meeting to the public.

Mr. Rittie said he hopes that the board finds in favor of this application.

Ms. Koch said she would like to make sure there is no living space in the attic.

Chairman Blair asked for a motion

Ms. Freiermuth made a motion to approve and this was second by Mr. Howarth.

Chairman Blair asked if there was any discussion on this motion. Mr. Banbor said he did not like the apartment. Ms. Freiermuth said there are condos across the street. Mr. Howarth asked for a storm water plan. Ms. Speyer asked about the easement with the neighbor. Mr. Mills said the easement is between the two neighbors.

Chairman Blair asked for a roll call vote.

1 Nay 9 Ayes this resolution passed.

OTHER BUSINESS

A motion was made by Mr. Hopler to accept the minutes from the meeting dated December 3, 2019. Mr. Howarth seconded and all board members present voted to approve the minutes.

The meeting ended at 9:22 pm.

Respectfully submitted,

Colleen Reardon
Land Use Board Secretary