

**BOROUGH OF ROCKAWAY**  
**LAND USE BOARD**  
**MINUTES**  
October 6, 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 Kenneth Blair presiding. Notice of this meeting was given in the annual resolution and posted on the municipal bulletin board. This meeting was held virtually via Zoom.

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.

Both the Federal and State governments have declared a state of emergency in response to the outbreak of the Covid-19 virus that prohibits all gathers of more than 10 people and requires social distancing. In an effort to continue the Land Use Board's business, this meeting is being conducted via Zoom, a video conferencing service, that allows the Board, it's professionals, applicants and members of the public to participate. Participation can take place via video or telephone conference. Access information was posted on the Borough's website.

**ROLL CALL** Present: Chairman Kenneth Blair, Ken Banbor, Joyce Freiermuth,  
Janet Leonard, Joseph Maulbeck and Kim Rose.

Absent: Mayor Tom Mulligan, Councilman Russell Greuter, Ron  
Hamman, William Hopler, Mark Howarth and Barbara Koch.

Professionals Present: John Mills, Esq.  
Golda Speyer, PP

**RESOLUTION LUB #067**  
**RPM DEVEOLPMENT GROUP, LLC**  
**74 WEST MAIN STREET AND MT. PLEASANT AVE.**  
**BLOCK 73 LOT 65**

Chairman Blair asked for a motion from the board. Ken Banbor made a motion to accept the denial of this application and this was seconded by Janet Leonard. Mr. John Mills asked to speak to the board. He detailed what as written in the resolution. He stated this is to memorialized what was requested by the board. Mr. Mills said that the only board members that could vote on this resolution are the board members who voted for it. There was much discussion with the planner and attorney regarding procedure. Chairman Blair asked the board if there was any discussion. Kim Rose asked about the

previous denied but she said it was withdrawn. Mr. Mills said he would correct that on the resolution. Ken Banbor stated that the site is increasing the sanitary sewer and water. They must go through RVRSA. He also talked about the Fire Marshal comments that were the same as the first application. Mr. Mills said that we did not receive a report from the Fire Marshal regarding this application. But Mr. Banbor wanted in the Resolution that there is not adequate water supply for fire suppression. Mr. Banbor said the 4 foot high wall at the top still does not cover the other walls. He said that the applicant said they would have to revisit the safety fencing. He wanted it in the resolution regarding the safety fences and the excessive steep slope. Joseph Maulbeck had comments regarding safety in this location.

Golda Speyer spoke to the board regarding the outcome regarding this application. She said this was crafted with overlays and the application was crafted to be a better application as a senior affordable. She was thankful to the board for holding so many meeting to hear this application. She explained that if this is denied it will leave the Borough very vulnerable. It will go to court.

Ken Banbor said he thinks Golda was wrong it is not the application it is the site. Janet Leonard also said is a bad location. Joyce Freiermuth said she went to visit the other projects that they have done and none of the projects were on a steep slope. There was much discussion regarding the site.

Chairman Blair asked that the maker of the original motion who was Ken Banbor willing to accept a new motion with modifications. He said he was and seconded by Janet Leonard.

Chairman Blair asked for a roll call vote.

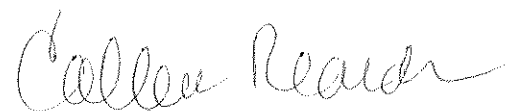
Ayes: Ken Banbor, Joyce Freiermuth, Janet Leonard, Joseph Maulbeck and Kim Rose.

The motion carries or denial of this resolution.

As a zoning board they went into closed session- no action would be taken.

Motion to adjourn the meeting was made by Ken Banbor and seconded by Joyce Freiemuth.

Meeting ended at 8:15.

A handwritten signature in cursive script that reads "Colleen Reader". The signature is written in black ink and is located in the lower right quadrant of the page.