

**TOWNSHIP OF MAHWAH  
BOARD OF ADJUSTMENT**

**MEETING MINUTES**

**MARCH 15, 2023**

The combined public/work session meeting of the Board of Adjustment of the Township of Mahwah was called to order at 7:30 p.m. by Mr. Jackson, Vice Chairman, with the reading of the opening statement followed by the flag salute and a reminder that Board of Adjustment meetings are being videotaped and broadcast live. It was noted that adequate notice of the meeting was provided.

These minutes are a synopsis of the meeting. A verbatim audio tape recording is on file with the Board Secretary at the Board of Adjustment Office, 475 Corporate Drive, Mahwah, NJ. Copies of the tapes may be purchased for a fee.

**PRESENT:**

|              |              |
|--------------|--------------|
| Mr. Calijone | Mr. Kearney  |
| Mr. Cannava  | Mr. Lockwood |
| Mr. Coplin   | Mr. Martin   |
| Mr. Jackson  | Mr. Sitar    |

**ABSENT:** Mr. Rabolli

**ATTORNEY:** Mr. Ben R. Cascio, Esq.

**PROFESSIONALS:**

Ms. Deb Lawlor, FAICP, PP, Colliers Engineering & Design  
Mr. Michael J. Kelly, PE, Township Engineer  
Ms. Geraldine Entrup, Administrative Officer

**I. APPROVAL OF BILLS:**

|                               |                   |                       |          |
|-------------------------------|-------------------|-----------------------|----------|
| Colliers Engineering & Design | February 23, 2023 | General/Miscellaneous | \$740.00 |
| Ben Cascio, Esq.              | February 8, 2023  | 2022 Annual Report    | \$82.50  |

A motion to approve the bill for Colliers Engineering & Design was made by Mr. Kearney, seconded by Mr. Martin.

A roll call vote revealed 7 aye votes by Mr. Calijone, Mr. Cannava, Mr. Coplin, Mr. Jackson, Mr. Kearney, Mr. Martin and Mr. Sitar. One nay vote was given by Mr. Lockwood.

A motion to approve the bills for Mr. Ben Cascio, Esq was made by Mr. Kearney and seconded by Mr. Martin.

A roll call vote revealed 8 aye votes by Mr. Calijone, Mr. Cannava, Mr. Coplin, Mr. Jackson, Mr. Kearney, Mr. Lockwood, Mr. Martin and Mr. Sitar.

**II. APPROVAL OF MINUTES:**

**1. MINUTES OF FEBRUARY 15, 2023**

A motion to approve was made by Mr. Martin, seconded by Mr. Sitar. All eligible Members voted in favor.

**2. MINUTES OF MARCH 1, 2023**

A motion to approve was made by Mr. Coplin, seconded by Mr. Jackson. All eligible Members voted in favor.

**III. MEMORIALIZING RESOLUTIONS:**

None to Present.

**IV. OPEN TO THE PUBLIC:**

Mr. Jackson opened the meeting to the Public for general questions or statements. No members of the Public participated.

**V. PUBLIC HEARING(S):**

**1. DOCKET #1478-20 – MONARCH COMMUNITIES  
EAST RAMAPO AVE/FRANKLIN TPKE/KING ST/SIDING PL, BLOCK 82,  
LOTS 1, 3-17, 26 & 29-30**

Application for “C” and “D” variances to construct a multi-level senior housing facility with retail space, parking garage and other site improvements including off-street parking and circulation, loading area, sidewalks, retaining walls, signage, landscaping and lighting.

Mr. Jackson read into record that the hearing of this Application is adjourned to May 3, 2023. No further Notice is required.

**2. DOCKET #1538-23 – GOOD DOG PET TRAINING  
31 INDUSTRIAL AVE, BLOCK 102, LOT 32**

Application for “D” use variance to allow a 4,700 square foot unit located within a 54,000 square foot building at the subject site to be used for a dog training facility.

Mr. Cascio stated that the Notice was in order.

**Mr. Bruce Whitaker, Esq. of McDonnell & Whitaker, 245 South Main Street, Ramsey, NJ** representing the Applicant approached. Mr. Whitaker gave a summary of the application and detailed background of the area and zone the property is located in. He explained the applicant’s business by definition is not a dog kennel, as dogs do not stay at the facility; this facility will not house dogs.

Mr. Whitaker called his first witness, **Ms. Anne Pless of 30 Stetson Road, Ringwood NJ** who is the applicant. Ms. Pless approached and was sworn in by Mr. Cascio. Mr. Whitaker asked Ms. Pless to describe for the Board her background and qualifications. Ms. Pless stated she currently owns and operates a facility to train dogs located in Suffern, NY and has been in operation for four years. Ms. Pless has received two certificates for completing training courses with International Association of Canine Professionals; both certificates entered in as Exhibit A-1. Additionally, Ms. Pless completes 50 hours of continued education every year.

Ms. Pless was asked by Mr. Whitaker if having her facility located in an industrial zone would be beneficial to her business. Ms. Pless explained the industrial zone is the ideal place for her business because there is less foot traffic as compared to a shopping center which could be disruptive to her business and distracting to the dogs at the facility.

Mr. Whitaker explained the building is currently occupied by other businesses. Ms. Pless was asked what kind of modifications needed to be made in order to successfully operate her business while not disrupting other businesses. Ms. Pless stated there would be rubber floors put in and needed equipment for the dogs; additionally, there will be soundproofing put in place, which should not be an issue as the next-door business to her will be a gym. The other modification being made is to the outside, about 10 feet back from the parking spaces will be a designated area for the dogs to be walked.

Ms. Pless stated she has 4 full time and 3 part time employees – all are licensed dog trainers. She stated her business hours are Monday through Friday 7:30 am – 8:00/9:00 pm (depending on last class timing) and Saturday from 9:00 am – 3:00 pm. Ms. Pless further explained training sessions are typically an hour in length and there is one group class running at one time.

Mr. Whitaker asked Ms. Pless about the therapy services offered at her facility. Ms. Pless explained training is done for dogs to become service animals as well as opportunities for children to come to the facility who may need a service/therapeutic dog to work with, this is available even to kids with no dogs at home.

Mr. Whitaker asked Ms. Pless if she has had any incidents with someone getting bitten/hurt at her facility. Ms. Pless stated in the 4 years she has been in operation she has not faced an issue. Mr. Whitaker further asked if there is any training done for aggressive dogs, such as a police dog. Ms. Pless stated there is no aggressive training done at her facility. She also stated no animals are sold at her business, the only things for sale are supplies such as leashes.

Mr. Cascio asked Ms. Pless for the exact location of her business within the facility. Their location would be in the back right hand side of the building, next to Crossfit which is the north east corner of the building.

Mr. Calijone wanted confirmation on the hours of operation, as Ms. Pless previously stated starting at 7:30 am but it was noted 8:00 am previously. Ms. Pless confirmed starting at 7:30 am with one group class at a time.

Mr. Martin questioned any incidents that could potentially happen. Ms. Pless reconfirmed there have been no incidents that have occurred thus far, and dogs could get walked in by trained staff if needed. Further Mr. Martin asked about parking spots at the facility, are there enough spots – are there enough spots for large classes? Ms. Pless stated there is ample parking at the facility for employees and any clients. Each class is capped at 6 dogs plus 4 employees on any shift, given the designated spaces and unmarked spots there is more than enough parking for their business.

Mr. Cannava asked about the other businesses in the facility currently and how to handle barking or a lot of noise. Ms. Pless reviewed all the other occupants of the building currently and that she does not foresee barking or noise levels to be an issue as they will be installing soundproofing measures.

Mr. Sitar asked about the classes offered where children come into the facility – what safety measures in place. Ms. Pless stated parents must be present with their child and they are also required to sign a waiver.

With regards to the insurance policy of the business, Mr. Jackson wanted to know if they are required to have upgraded/enhanced insurance. Ms. Pless advised their business already has insurance in place to cover all aspects. Mr. Jackson also asked about Board of Health inspections. Ms. Pless stated that the Board of Health will be doing inspections inside and outside of the facility to ensure all is up to code.

Ms. Pless stated there will be waste stations to collect any waste from walking the dogs in the designated area; sealed containers will be available to dispose. Staff will be checking the area at the end of each class to ensure there is no waste left behind.

Mr. Kelly stated he visited the site to observe the parking situation and overall area. He found no concerns with the amount of parking and area. He asked Ms. Pless if there will need to be any trees removed from the area where dogs will be walked? Also, if any signs need to be put up. Ms. Pless advised no trees need to be removed and no signs will be going up, only decals on window.

Ms. Lawlor asked if there will be any outdoor training, and also who will be responsible to walk the dogs and clean up after them outside. Ms. Pless stated there is to be no outside training at this location. With regards to the dog walks, it will be a combination of staff and dog owners to walk the dogs and clean up after the dogs.

Mr. Whitaker provided his closing statements, explaining all the benefits of the facility and it's use. Mr. Whitaker stated that dog training facilities should be allowed in GI80 zones instead of the retail zones it currently is permitted in. Overall, the proposed business will be a benefit to the public as well as beneficial to the town of Mahwah.

A motion to move into Work Session was made by Mr. Martin and seconded by Mr. Cannava. All voted in favor to move into Work Session.

## **VI. WORK SESSION:**

### **1. DOCKET #1538-23 – GOOD DOG TRAINING 31 INDUSTRIAL AVE, BLOCK 102, LOT 32**

Application for “D” use variance to allow a 4,700 square foot unit located within a 54,000 square foot building at the subject site to be used for a dog training facility.

A motion to approve was made by Mr. Martin, seconded by Mr. Cannava. A roll call vote revealed 8 aye votes by Mr. Calijone, Mr. Cannava, Mr. Coplin, Mr. Jackson, Mr. Kearney, Mr. Lockwood, Mr. Martin and Mr. Sitar.

## **VII. ADJOURNMENT:**

A motion to adjourn was made by Mr. Kearney, seconded by Mr. Lockwood. All voted in favor. The meeting adjourned at 8:15 p.m.

Township of Mahwah  
Board of Adjustment Meeting Minutes  
March 15, 2023

These minutes were prepared by Michelle Sheydwasser, Board of Adjustment Recording Secretary. The minutes were provided to the Board of Adjustment on March 29, 2023 for approval at the Regular Meeting to be held on April 5, 2023.