

**TOWNSHIP OF MAHWAH
BOARD OF ADJUSTMENT**

MEETING MINUTES

APRIL 19, 2023

The combined public/work session meeting of the Board of Adjustment of the Township of Mahwah was called to order at 7:32 p.m. by Mr. Rabolli, 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. Cannava
Mr. Coplin
Mr. Jackson
Mr. Kearney
Mr. Rabolli

ABSENT: Mr. Calijone
Mr. Lockwood
Mr. Martin
Mr. Sitar

ATTORNEY: Mr. Ben R. Cascio, Esq.

I. APPROVAL OF BILLS:

Ben Cascio, Esq.	March 1, 2023	General Board Matters	\$165.00
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A motion to approve the bills for Mr. Ben Cascio, Esq was made by Mr. Kearney and seconded by Mr. Jackson. A roll call vote revealed 5 aye votes by Mr. Cannava, Mr. Coplin, Mr. Jackson, Mr. Kearney and Mr. Rabolli.

II. APPROVAL OF MINUTES:

1. MINUTES OF OCTOBER 6, 2021

Mr. Kearney stated he would like an update on Docket #1488-21, Tyrone Marnotes & Jennifer Schutte – 21 E. Crescent Avenue, which is discussed on the minutes. An email will be sent to the Board Members providing a status on Docket #1488-21.

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

2. MINUTES OF NOVEMBER 3, 2021

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

3. MINUTES OF APRIL 5, 2021

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

III. MEMORIALIZING RESOLUTIONS:

**1. DOCKET #1540-23 – JORDAN LOMUPO
10 HETZEL DRIVE, BLOCK 162, LOT 258.05**

Application for C variance for inground pool on a lot that has two front yards.

A motion to approve was made by Mr. Kearney, seconded by Mr. Jackson. A roll call vote revealed 3 aye votes by Mr. Jackson, Mr. Kearney and Mr. Rabolli.

**2. DOCKET #1537-23 – SHAHAN & SAIMA SIBTAIN
14 ADAMS COURT, BLOCK 177, LOT 13.01**

Application for C variance to install a 6-foot fence in a front yard.

Mr. Kearney asked if the fence would be inside the tree line. It was confirmed that the purposed fence would be inside the tree line.

A motion to approve was made by Mr. Kearney, seconded by Mr. Jackson. A roll call vote revealed 3 aye votes by Mr. Jackson, Mr. Kearney and Mr. Rabolli.

**3. DOCKET #1538-23 – GOOD DOG PET TRAINING, LLC
31 INDUSTRIAL AVENUE, BLOCK 102, LOT 31**

Application for “D” use variance to allow a portion located within the subject site to be used for a dog training facility.

Mr. Cannava stated he felt there was not a lot of detail given in the Resolution regarding sound. He suggested that the Resolution include more specific information and the verbiage should be changed.

Mr. Cascio suggested adding verbiage to reference Mr. Kelly’s statements regarding soundproofing and noise levels. Additionally, Mr. Cascio stated there are further updates that need to be done to the Resolution; once he has made all updates an updated Resolution will be provided.

A motion to approve based on revisions was made by Mr. Kearney, seconded by Mr. Cannava. A roll call vote revealed 4 aye votes by Mr. Cannava, Mr. Coplin, Mr. Jackson and Mr. Kearney.

IV. OPEN TO THE PUBLIC:

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

V. PUBLIC HEARING(S):

**1. DOCKET #1541-23 – RESERVE AT MAHWAH/341 LANDCORP
9 ADAMS COURT, BLOCK 178, LOT 24.03**

Application for “C” variance for front step encroachment into the front yard setback.

This docket was to be heard on April 19, 2023; however, the applicant and attorney came to the meeting to explain the reason for requesting the application be adjourned to May 3, 2023.

Mr. Stephen Sinisi with The Law Office of Stephen Sinisi located at 2 Sears Drive, Paramus, NJ 07652, approached and gave background of application. Mr. Sinisi stated he was aware the application was to be heard at the May 3, 2023 meeting however wanted to come before the Board to confirm the meeting date as well as confirm that no further notice is needed ahead of their new meeting date of May 3, 2023.

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Mr. Rabolli confirmed that no further notice is required and this application is to be heard at the next Board meeting, May 3, 2023. Mr. Sinisi stated for the record that they were aware of a couple of notices that needed to be sent out from the applicants 200-foot list, he confirmed they will be done.

VII. ADJOURNMENT:

A motion to adjourn was made by Mr. Kearney, seconded by Mr. Cannava. All voted in favor. The meeting adjourned at 7:53 p.m.

These minutes were prepared by Michelle Sheydwasser, Board of Adjustment Recording Secretary. The minutes were provided to the Board of Adjustment on April 27, 2023 for approval at the Regular Meeting to be held on May 3, 2023.