



**Township of Mahwah**  
Municipal Offices: 475 Corporate Drive  
P.O. Box 733 Mahwah, NJ 07430  
Tel 201-529-5757 Fax 201-512-0537

Board of Adjustment ex 244

Zoning/Planning Board ex 245

**TOWNSHIP OF MAHWAH  
WAIVER FOR RIGHT-OF-WAY INFRINGEMENT**

**APPLICATION AND PERMIT**

The following individual is requesting a waiver for Right-Of-Way Infringement

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Property Address \_\_\_\_\_

Block # \_\_\_\_\_ Lot# \_\_\_\_\_

Application Date: \_\_\_\_\_

Resolution Date: \_\_\_\_\_

Permit Date: \_\_\_\_\_

Permit #: \_\_\_\_\_

The reason for Infringement is as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Required Letter Attached YES \_\_\_\_\_ NO \_\_\_\_\_  
Required Photo Attached YES \_\_\_\_\_ NO \_\_\_\_\_

Statement of Agreement:

As the owner of property known as # \_\_\_\_\_ and listed as Block# \_\_\_\_\_  
And Lot # \_\_\_\_\_ in the township of Mahwah, I am requesting a waiver to have an Infringement into the  
Municipal Right-Of-Way on said Block and Lot. I fully understand that the permission granted for this  
Infringement is limited and conditional and the Township may at any time revoke the permission for Infringement  
Waiver and that any costs associated with the removal of Infringement will be at my expense as specified in  
Township of Mahwah Ordinance #1250.

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

The following have inspected and have made the following determination as to the approval or  
disapproval of the Infringement based on safety and/or traffic issues:

Police Dept.	Approve ___ Disapprove ___	by _____	Date _____
DPW	Approve ___ Disapprove ___	by _____	Date _____
Engineer's Office	Approve ___ Disapprove ___	by _____	Date _____
Administration	Approve ___ Disapprove ___	by _____	Date _____
Fire Dept.	Approve ___ Disapprove ___	by _____	Date _____

If disapproved, list reasons why:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Council Approval \_\_\_ or Disapproval \_\_\_ and signed Resolution # \_\_\_\_\_  
Attached and dated \_\_\_\_\_.

**TOWNSHIP OF MAHWAH**  
**ORDINANCE NO. 1273**

AN ORDINANCE AMENDING ORDINANCE NO. 1250, AND REGULATING ENCROACHMENTS  
IN PUBLIC RIGHT OF WAYS AND IN SIGHT TRIANGLES.

Be it Ordained by the Township Council of the Township of Mahwah as follows:

Section I. Ordinance No. 1250 and Section 15-2.4.b is amended to read:

- b. The following uses of the public right of way are permitted as of right so long as the use is accessory to the primary use upon the abutting property.
  - 1. Lawns
  - 2. Live landscaping less than 18 inches in height
  - 3. Sidewalks and driveways
  - 4. Trees planted with approval of the Township Environmental Commission
  - 5. Mailboxes meeting U.S. Post Office Regulation and local Construction Code requirements. The structure to which the mailbox is attached shall not exceed 48 inches in height, 24 inches in width and 24 inches in length.

Section II. The definition of "sight triangle" in Section 22-2.1.b is amended to read as follows:

Sight triangle shall mean a triangular shaped easement established at the intersection of two (2) street or a driveway and a street in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two (2') feet six (6") inches above the center-line grade of the street or driveway. The Township shall have the right of entry to remove any obstruction to vision within the sight easement area to conforming to the standards of this definition following due notice to the property owner. The triangle shall be determined along such street lot lines or edge of driveway thirty (30') feet distant from their joint intersection.

This sight triangle definition/regulation shall not apply to single family residential lots except for corner lots at the junction of and abutting on two (2) or more intersecting streets.

Section III. Repealer. All Ordinances or portions of Ordinances inconsistent with this Ordinance are repealed.